



**PLANNING REPORT**

Printed for officer by  
Ellie Cooke on 18 October 2024

**Application reference: 24/2318/VRC**  
WEST TWICKENHAM WARD

Date application received	Date made valid	Target report date	8 Week date
16.09.2024	23.09.2024	18.11.2024	18.11.2024

**Site:**

46A Staines Road, Twickenham, TW2 5AH,

**Proposal:**

Variation to condition U0149235 (Approved Drawings) of planning permission 22/3620/FUL dated 01.02.2023, to increase rear half of side extension (for storage purposes) to double height.

Status: Pending Consideration (If status = HOLD please check that all is OK before you proceed any further with this application)

**APPLICANT NAME**

Mr Ric P  
46a Staines Road  
Twickenham  
Richmond Upon Thames  
TW2 5AH

**AGENT NAME**

Mr Kenneth Awele Okafor-Anene  
Bartle House  
9 Oxford Court  
Manchester  
M2 3WQ  
United Kingdom

**DC Site Notice:** printed on and posted on and due to expire on

**Consultations:**

**Internal/External:**

**Consultee**

**Expiry Date**

**Neighbours:**

- Flat 3,Cherry Tree House,59A Staines Road,Twickenham,TW2 5BH, - 25.09.2024
- Flat 2,Cherry Tree House,59A Staines Road,Twickenham,TW2 5BH, - 25.09.2024
- Flat 1,Cherry Tree House,59A Staines Road,Twickenham,TW2 5BH, - 25.09.2024
- Flat 5,Cherry Tree House,59A Staines Road,Twickenham,TW2 5BH, - 25.09.2024
- Flat 6,Cherry Tree House,59A Staines Road,Twickenham,TW2 5BH, - 25.09.2024
- Flat 4,Cherry Tree House,59A Staines Road,Twickenham,TW2 5BH, - 25.09.2024
- Flat 5,50 Staines Road,Twickenham,TW2 5AH, - 25.09.2024
- Flat 6,50 Staines Road,Twickenham,TW2 5AH, - 25.09.2024
- Flat 7,50 Staines Road,Twickenham,TW2 5AH, - 25.09.2024
- Flat 8,50 Staines Road,Twickenham,TW2 5AH, - 25.09.2024
- Flat 1,50 Staines Road,Twickenham,TW2 5AH, - 25.09.2024
- Flat 2,50 Staines Road,Twickenham,TW2 5AH, - 25.09.2024
- Flat 3,50 Staines Road,Twickenham,TW2 5AH, - 25.09.2024
- Flat 4,50 Staines Road,Twickenham,TW2 5AH, - 25.09.2024

44 Staines Road, Twickenham, TW2 5AH, - 25.09.2024  
46D Staines Road, Twickenham, TW2 5AH, - 25.09.2024  
46C Staines Road, Twickenham, TW2 5AH, - 25.09.2024  
46A Staines Road, Twickenham, TW2 5AH, - 25.09.2024  
46B Staines Road, Twickenham, TW2 5AH, - 25.09.2024  
52 Staines Road, Twickenham, TW2 5AH, - 25.09.2024  
38E Camac Road, Twickenham, TW2 6NU, - 25.09.2024  
54 Staines Road, Twickenham, TW2 5AH, - 25.09.2024

### **History: Development Management, Appeals, Building Control, Enforcements:**

#### Development Management

Status: WDN Application:12/0823/FUL

Date:17/04/2012 Change of use from B1 commercial to C3 residential. Currently 2 commercial units to be converted into 4 residential units.

#### Development Management

Status: WDN Application:12/1660/FUL

Date:12/09/2012 Change of use of property from B1 commercial use to C3 residential use and conversion of existing 1 commercial units into 2 residential units.

#### Development Management

Status: GTD Application:12/3665/FUL

Date:25/11/2013 Change of use of property from B1 (Office Use) to C3 (Residential use) comprising the conversion of one commercial unit into two studio flats with associated parking, one space within rear parking area and one space to front.

#### Development Management

Status: ARPR Application:13/3306/P3JPA

Date:05/11/2013 Change of use from B1 to C3 residential comprising 2 no.studio flats

#### Development Management

Status: GTD Application:13/4655/VRC

Date:04/02/2014 Variation of condition U66216 (Approved Drawings) of planning permission 12/3665/FUL dated 25/11/2013 to allow alterations to the approved alcove area.

#### Development Management

Status: AAPR Application:13/4663/P3JPA

Date:05/02/2014 Change of use of Unit 2 from B1(a) office to C3 residential comprising 2 no.one-bedroom flats with associated parking at front .

#### Development Management

Status: WDN Application:13/4663/DD01

Date:23/07/2014 Details pursuant to condition U68447 (Refuse storage) of planning permission 13/4663/VRC dated 05/02/2014.

#### Development Management

Status: GTD Application:13/4655/DD01

Date:08/07/2015 Details pursuant to condition DV17A (Dustbin enclosure required) of planning permission 13/4655/VRC dated 04/02/2014

#### Development Management

Status: WDN Application:22/0323/FUL

Date:15/09/2022 Erection of a side storage shed and front porch for 46a and 46b Staines Road.

#### Development Management

Status: PCO Application:24/2318/VRC

Date: Variation to condition U0149235 (Approved Drawings) of planning permission 22/3620/FUL dated 01.02.2023, to increase rear half of side extension (for storage purposes) to double height.

Building Control

Deposit Date: 26.06.2007 8 new residential build and 2 non-residential builds (now known as 46 Staines Road, Twickenham TW2 5AH (ground floor unit - right side - Unit 2), 48 Staines Road, Twickenham TW2 5AH (ground floor unit - left side - Unit 1), Flats 1-4 (incl), 50 Staines Road, Twickenham TW2 5AH (1st floor) and Flats 5-8 (incl), 50 Staines Road, Twickenham TW2 5AH (2nd floor)

Reference: 07/1366/IN

Building Control

Deposit Date: 10.02.2014 Conversion of office to flat (flat 11) (and associated works)

Reference: 14/0266/IN

Enforcement

Opened Date: 08.04.2014 Enforcement Enquiry

Reference: 14/0187/EN/BCN

<b>Application Number</b>	<b>24/2318/VRC</b>
<b>Address</b>	<b>46A Staines Road Twickenham</b>
<b>Proposal</b>	<b>Variation to condition U0149235 (Approved Drawings) of planning permission 22/3620/FUL dated 01.02.2023, to increase rear half of side extension (for storage purposes) to double height</b>
<b>Contact Officer</b>	<b>ECO</b>
<b>Target Determination Date</b>	<b>18/11/2024</b>

## 1. INTRODUCTION

This application is of a nature where the Council's Constitution delegates the authority to make the decision to Officers rather than it being determined by the Planning Committee.

Before preparing this summary report the planning officer has visited the application site and considered any relevant previous planning applications in relation to the development and considered any comments made by those interested in the application such as consultees with specialist knowledge and nearby residents.

By indicating that the development proposal complies with relevant Local Plan Policies, the planning officer is taking into account the information submitted with the application, any previous relevant applications, observations during the site visit, any comments received in connection with the application and any other case specific considerations which are material to the decision.

## 2. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

The application site is situated on the northern side of Staines Road, Twickenham. It is occupied by a modern 3 storey block of flats which comprises 12 flats (C3 use). The building is constructed in brick with balconies and a large amount of glazing to the front elevation. Car parking spaces are located to the front and rear of the building, accessed by a service road to the side of the property.

The site is not statutorily or locally listed and does not fall within a Conservation Area. However, it is located within an Archaeological Priority Area, and a Throughflow Catchment Area.

The application site is situated within Twickenham Village and is designated as:

- Area Susceptible To Groundwater Flood - Environment Agency (Superficial Deposits Flooding - >= 50%)
- Article 4 Direction Basements (Article 4 Direction - Basements / Ref: ART4/BASEMENTS / Effective from: 18/04/2018)
- Community Infrastructure Levy Band (Low)
- Increased Potential Elevated Groundwater (GLA Drain London)
- Take Away Management Zone (Take Away Management Zone)
- Throughflow Catchment Area (Throughflow and Groundwater Policy Zone) (Adopted: October 2020 , Contact: Local Plan Team )
- Village (Twickenham Village)
- Village Character Area (North of the Green - Area 11 Twickenham Village Planning Guidance Page 38 CHARAREA13/11/01)
- Ward (West Twickenham Ward)

## 3. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

This application seeks to vary condition U0149235 (Approved Drawings) of planning permission 22/3620/FUL dated 01.02.2023, to increase rear half of side extension (for storage purposes) to double height (4.6m).

The comprehensive list of planning history can be found above however the most relevant planning

history is as follows:

**Development Management**

Status: GTD                      Application: 22/3620/FUL  
 Date: 31/01/2023              Erection of a side storage shed for 46A Staines Road

**Development Management**

Status: Refused                      Application: 24/1101/FUL  
 Date: 28/06/2024              Erection of a part-double storey side extension for 46a Staines Road in reference to amendment to planning application number: 22/3620/FUL.

**4. CONSULTATIONS CARRIED OUT**

The list of neighbours notified of this application are listed above.

No letters of representation were received.

**5. MAIN POLICIES RELEVANT TO THE DECISION**

**NPPF (2023)**

The key chapters applying to the site are:

- 4. Decision-making
- 11. Making effective use of land
- 12. Achieving well-designed places

These policies can be found at:

<https://www.gov.uk/guidance/national-planning-policy-framework>

**London Plan (2021)**

The main policies applying to the site are:

- GG2 Making the best use of land
- D4 Delivering good design
- D12 Fire Safety

These policies can be found at: <https://www.london.gov.uk/what-we-do/planning/london-plan>

**Richmond Local Plan (2018)**

The main planning considerations applying to the site and the associated Local Plan policies are:

Issue	Local Plan Policy	Compliance	
Local Character and Design Quality	LP1,	Yes	<del>No</del>
Amenity and living conditions	LP8	Yes	<del>No</del>
Impact on Flood Risk and Sustainable Drainage	LP21	Yes	<del>No</del>

These policies can be found at

[https://www.richmond.gov.uk/media/15935/adopted\\_local\\_plan\\_interim.pdf](https://www.richmond.gov.uk/media/15935/adopted_local_plan_interim.pdf)

**Richmond Publication Local Plan (Regulation 19 version)**

The Richmond Publication Version Local Plan (Regulation 19 version) was published on 9 June 2023 for public consultation which ended on 24 July 2023.

The Publication Version Local Plan, together with all the representations received during the representation period, the plan and its supporting documents were submitted to the Secretary of State for examination on 19 January 2024. The submission documents do not form part of the statutory

development plan for the Borough, however, by publishing and submitting the Borough Local Plan for independent examination the Council has formally confirmed its intention to adopt the Publication Plan.

The Publication Version Local Plan, including its evidence base, are material considerations for decision-making. The weight to be given to each of the emerging policies and allocations will depend on an assessment against the criteria set out in paragraph 48 of the NPPF. As the Council considers the emerging Borough Local Plan to be sound and legally compliant, officers and Councillors should accord relevant policies and allocations significant weight in the determination of applications taking account of the extent to which there are unresolved objections to relevant policies. Therefore, the weight afforded to each policy at this stage will differ depending on the level and type of representation to that policy. This is addressed in more detail in the assessment below where it is relevant to the application.

Note that it was agreed by Full Council on 27 April, when the Publication Plan was approved, that no weight will be given to Policy 4 in relation to the increased carbon offset rate, and therefore the existing rate of £95 will continue to be used; in addition, no weight will be given to Policy 39 in relation to the 20% biodiversity net gain requirement; all other aspects and requirements of these policies will apply.

Issue	Publication Local Plan Policy	Compliance	
		Yes	No
Flood risk and sustainable drainage	8	Yes	No
Local character and design quality	28	Yes	No
Amenity and living conditions	46	Yes	No

These policies can be found at:

[https://www.richmond.gov.uk/media/11660/adopted\\_twickenham\\_area\\_action\\_plan\\_july\\_2013.pdf](https://www.richmond.gov.uk/media/11660/adopted_twickenham_area_action_plan_july_2013.pdf)

### Supplementary Planning Documents

House Extension and External Alterations  
Twickenham Village Plan

These policies can be found at:

[https://www.richmond.gov.uk/services/planning/planning\\_policy/local\\_plan/supplementary\\_planning\\_documents\\_and\\_guidance](https://www.richmond.gov.uk/services/planning/planning_policy/local_plan/supplementary_planning_documents_and_guidance)

## 6. EXPLANATION OF OFFICER RECOMMENDATION

The current proposal seeks planning permission for a revised scheme involving minor material amendments to the approved development, granted under planning permission 22/3620/FUL granted on 31/02/2023. The application is being considered in accordance with the legislative procedures for dealing with amendments to approved development proposals, which were introduced by the Government in October 2009. The procedures require the submission of a formal application for either a "non-material amendment" (under 96A of the Town and Country Planning Act 1990) or a "minor material amendment" (under s.73 of the Town and Country Planning Act 1990) where an amendment to an approved scheme is proposed.

National Planning Policy Guidance, 'Flexible Options for Planning Permissions' (Published 6 March 2014 by the Ministry of Housing, Communities & Local Government), confirms that a Section 73 application can be made under section 73 of the Act to vary or remove conditions associated with a planning permission. One of the uses of a section 73 application is to seek a minor material amendment, where there is a relevant condition that can be varied.

The guidance states that there is no statutory definition of a 'minor material amendment' but that it is likely to include any amendment where its scale and/or nature results in a development which is not substantially different from the one which has been approved. Where proposed changes are not considered to be 'minor', a new full planning application would need to be made.

Permission granted under section 73 takes effect as a new, independent permission to carry out the same development as previously permitted subject to new or amended conditions. The new permission sits alongside the original permission, which remains intact and unamended. It is open to the applicant to decide whether to implement the new permission or the one originally granted.

The key issues for consideration are:

- i Design and impact local character
- ii Impact on Neighbour Amenity
- iii Flood Risk
- iv Archaeology
- v Fire Safety

### **Issue i - Design and impact on local character**

Policy LP1 of the Local Plan requires all development to be of high urban design quality to maintain the character and heritage of the Borough.

Supplementary Planning Document (SPD) for House Extensions and External Alterations, 2015 states that the overall shape, size and position of rear and side extensions should not dominate the existing house or its neighbours and should harmonize with the original appearance of the dwelling. This can be achieved through designing the addition to appear subordinate to the main structure so that the original form of the dwelling can still be appreciated.

The existing building is a relatively modern 3 storey block of flats in a predominantly low rise two storey townscape. The site is fronted by a brick wall with railings along with a tall timber fence which covers approximately half the site, and a bus stop is located on the road frontage. The site is located in a mixed-use area with shops lining the northern side of Staines Road, and the remainder of the area comprising flats and single residential units. The shops and many of the houses are located close to the front boundary of those sites. There is also noted to be a small storage shed in the front garden of the site at No. 44 to the east.

The existing extension approved under planning application 22/3620/FUL is approximately 2.5m in height and 1.4m in width. It was approved to run the length of the western edge of the building and to be built to the boundary.

It is proposed to increase the rear portion of the extension by 2 metres, resulting in a maximum height of 4.6 metres at a depth of 5.8 metres. The proposed height extension is setback 4.6 metres behind the existing architectural feature, with the front portion of the storage shed remaining at the height of 2.5 metres.

It is noted that the design of this extension has been amended since the previous refusal under planning application 24/1101/FUL, with the height of the extension having been significantly decreased from 8.8 metres to 4.6 metres.

The proposed extension would remain separated from No. 54 to the west as that site contains a side access footpath, and as such it would not create any terracing effect between the buildings.

Additionally, the scheme has been sufficiently setback from the site frontage (4.6 metres) and would sit behind the existing architectural feature. Therefore, the proposed extension would not be visible when viewed front on from the streetscape. It would also not be visible when viewed from the east.

It is acknowledged that the additional height would be visible when viewed from the west. However, on balance, it is considered that the proposed height is acceptable given the structure remains clearly subordinate to the host dwelling, utilises materials that appear visually similar to the existing, and is only visible from certain angles from the west. Although the additional height would be visible from the west, it is considered that the amended height of the extension would not have a detrimental effect on the visual character of the area.

In view of the above, the proposal complies with the aims and objectives of policies LP1 of the Local Plan and the SPD on House and External Alterations.

#### **Issue ii- Impact on Neighbour Amenity**

Policy LP8 states that in considering proposals for development, the Council will seek to protect adjoining properties from unreasonable loss of privacy, pollution, visual intrusion, noise and disturbance. The Council will generally seek to ensure that the design and layout of buildings enables sufficient sunlight and daylight to penetrate into and between buildings and that adjoining land or properties are protected from overshadowing in accordance with established standards.

Further guidance is provided in Council's Supplementary Planning Document (SPD) 'House Extensions and External Alterations'. In particular, this states that extensions which create an unacceptable sense of enclosure or appear overbearing when viewed from neighbouring gardens or rooms will not be permitted, and that a new extension should not result in any substantial loss of privacy to adjoining dwellings and gardens.

The dwelling at 52 Staines Road is located to the west of the subject site. It is considered that the proposal would not cause any additional undue harm to the amenity values of persons at this property, given the height of the extension is significantly lower than the existing 3 storey host dwelling.

It is noted that no shading studies were submitted in support of the proposal. However, notably different shading is not considered to be an expected outcome of the proposal by virtue of its siting beneath the roofline of the existing building.

In view of the above, the proposal complies with the aims and objectives of policies LP8 and the SPD.

#### **Issue viii - Flood Risk**

Local Plan Policy LP21 requires that: All developments should avoid, or minimise, contributing to all sources of flooding, including fluvial, tidal, surface water, groundwater and flooding from sewers, taking account of climate change and without increasing flood risk elsewhere.

The application site is not located within flood zone 2 or 3, however the area is susceptible to groundwater flooding. In this instance, the proposed development represents a minor development, and the applicant has submitted a completed flood risk assessment which indicates that the site has a low risk of flooding.

The proposal being classed as minor development, along with the results of the flood risk assessment, is considered compliant with the SFRA, Policy LP21 of Local Plan and the NPPF; and is therefore supported.

#### **Issue ix - Archaeology**

Policy LP7 of the Local Plan 2018 seeks to protect, enhance and promote its archaeological heritage.

The policy sets out that it will take the necessary measures required to safeguard the archaeological remains found. By reason of the siting and limited nature of the proposal, it is considered unlikely that it would cause harm to the Archaeological Priority Area. Therefore, the proposal is in line with Policy LP7 of the Local Plan.

#### **v. Fire Safety**

The applicant has submitted a Fire Safety Statement in response to the requirements of Policy D12 (A). This statement provides an adequate response to the points raised in the policy, and the level of information is considered appropriate for the scale of development proposed.

The applicant is advised that alterations and extensions to existing buildings should comply with the



Building Regulations. This permission is NOT a consent under the Building Regulations for which a separate application should be made.

In light of the above, the proposed fire safety measures are considered to comply with Policy D12 of the London Plan.

## **7. LOCAL FINANCE CONSIDERATIONS AND OTHER MATTERS**

Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that a local planning authority must have regard to a local finance consideration as far as it is material. The weight to be attached to a local finance consideration remains a matter for the decision maker. The Mayor of London's CIL and Richmond CIL are therefore material considerations.

On initial assessment this development is not considered liable for the Mayoral or Richmond CIL however this is subject to confirmation by the CIL Administration Team

## **8. RECOMMENDATION**

This recommendation is made following careful consideration of all the issues raised through the application process. The amendments, by virtue of their scale and nature, would not result in a development that is substantially different from the development approved under planning permission 22/3620/FUL. The development remains as approved in all respects other than the minor but material changes outlined above, which can be secured by amending the drawing numbers secured by condition U0149235 on the decision notice to relate to the revised drawings listed in this report. The remaining conditions remain relevant. As such it is considered that a new full planning application does not need to be made to secure these changes.

**Grant planning permission with conditions**

**Recommendation:**

The determination of this application falls within the scope of Officer delegated powers - YES / NO

**I therefore recommend the following:**

- 1. REFUSAL
- 2. PERMISSION
- 3. FORWARD TO COMMITTEE

This application is CIL liable  YES\*  NO  
(\*If yes, complete CIL tab in Uniform)

This application requires a Legal Agreement  YES\*  NO  
(\*If yes, complete Development Condition Monitoring in Uniform)

This application has representations online (which are not on the file)  YES  NO

This application has representations on file  YES  NO

Case Officer (Initials): ECO

Dated: 05/11/2024

**I agree the recommendation:**

Team Leader/Head of Development Management/Principal Planner

Dated: .....