

Application reference: 24/2355/VRC HEATHFIELD WARD

Date application received	Date made valid	Target report date	8 Week date
18.09.2024	19.09.2024	14.11.2024	14.11.2024

Site:

95 Waverley Avenue, Twickenham, TW2 6DH,

Proposal:

Variation to condition to 23/2194/HOT (allowed appeal application APP/L5810/D/23/3332976)

To move the outrigger which is setback 1000mm from No.97, the proposal will increase the setback to 1619mm but, it still remains 2775mm from the boundary of No.93; all other construction details, materials and finishes will remain the same.

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

APPLICANT NAME

Mr Munish Kumar
95 Waverley Avenue
Twickenham
Richmond Upon Thames
TW2 6DH

AGENT NAME

Mr Mike Beck
1 Stirling Close
Frimley
GU16 8SR
United Kingdom

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

Consultations:

Internal/External:

Consultee

Expiry Date

Neighbours:

99 Waverley Avenue, Twickenham, TW2 6DH, - 19.09.2024
1 STIRLING CLOSE, FRIMLEY, CAMBERLEY, GU16 8SR - 19.09.2024
90 Lyndhurst Avenue, Twickenham, TW2 6BU, - 19.09.2024
94 Lyndhurst Avenue, Twickenham, TW2 6BU, - 19.09.2024
92 Lyndhurst Avenue, Twickenham, TW2 6BU, - 19.09.2024
94 Waverley Avenue, Twickenham, TW2 6DN, - 19.09.2024
98 Waverley Avenue, Twickenham, TW2 6DN, - 19.09.2024
96 Waverley Avenue, Twickenham, TW2 6DN, - 19.09.2024
93 Waverley Avenue, Twickenham, TW2 6DH, - 19.09.2024
97 Waverley Avenue, Twickenham, TW2 6DH, - 19.09.2024
95 Waverley Avenue, Twickenham, TW2 6DH, - 19.09.2024

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

Development Management

Status: REF

Date: 18/01/2023

Application: 22/3426/HOT

Part double part single storey side and rear extensions, hip to gable roof extension, rear dormer, front porch, internal re-configuration and rear outbuilding

Development Management

Status: GTD

Date: 26/05/2023

Application: 23/0308/HOT

Part single, part two-storey side and rear extensions, front porch, internal re-configuration and rear outbuilding.

Development Management

Status: REF

Application: 23/2194/HOT

Date:04/10/2023

Part Double part single storey side and rear extensions, front porch, internal re-configuration and rear outbuilding. (Altered with increased set-back at front and back)

Development Management

Status: INV

Application:23/3196/HOT

Date:

Part Double part single storey side and rear extensions, front porch, internal re-configuration and rear outbuilding.

Development Management

Status: PDE

Application:24/2355/VRC

Date:

Variation to condition to 23/2194/HOT (allowed appeal application APP/L5810/D/23/3332976) To move the outrigger which is setback 1000mm from No.97, the proposal will increase the setback to 1619 mm but, it still remains 2775mm from the boundary of No.93; all other construction details, materials and finishes will remain the same.

Appeal

Validation Date: 30.01.2024

Part Double part single storey side and rear extensions, front porch, internal re-configuration and rear outbuilding. (Altered with increased set-back at front and back)

Reference: 24/0013/AP/REF

Appeal Allowed

Building Control

Deposit Date: 04.03.2006

FENSA Notification of Replacement Glazing comprising 11 Windows and 1 Doors. Installed by Anglian Windows Ltd. FENSA Member No 13229. Installation ID 3533503. Invoice No S101279915

Reference: 06/5387/FENSA

Ref	24/2355/VRC
Address	95 Waverley Avenue, Twickenham TW2 6DH
Proposal	Variation to condition to 23/2194/HOT (allowed appeal application APP/L5810/D/23/3332976) to shift the outrigger by approx. 1m and install air conditioning units and solar panels.
Contact Officer	Phil Shipton
Target Determination Date	14/11/2024

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 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, 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 subject site consists of a two-storey semi-detached dwellinghouse located on the south side of Waverley Avenue. The application site is situated within Whitton and Heathfield Village and is designated as:

- Area Susceptible To Groundwater Flood - Environment Agency
- Article 4 Direction Basements
- Community Infrastructure Levy Band - Low
- Land Use Past Industrial
- Surface Water Flooding (Area Less Susceptible to) - Environment Agency

- Take Away Management Zone
- Village Character Area - Waverly Avenue/Lyndhurst Avenue and surrounds - Area 13 Whitton & Heathfield Village

3. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

The application seeks the following changes to the development sought by 23/2194/HOT and approved under APP/L5810/D/23/3332976:

- Adjustments to the outrigger for 'Bedroom 1' including; shifting the outrigger south-east by approximately 1.0m, to be setback from the boundary with No.97 by 1.62m; increasing the width of the outrigger by approximately 0.3m and maintaining the length of 2.5m. The shift of the outrigger is proposed to remove a small rear facing window approved by APP/L5810/D/23/3332976.

Relevant planning history for the subject site include:

- 22/3426/HOT - Part double part single storey side and rear extensions, hip to gable roof extension, rear dormer, front porch, internal re-configuration and rear outbuilding. Refused in January 2023.
- 23/0308/HOT - Part single, part two-storey side and rear extensions, front porch, internal re-configuration and rear outbuilding. Granted permission in May 2023.
- 23/2194/HOT - Part Double part single storey side and rear extensions, front porch, internal re-configuration and rear outbuilding. (Altered with increased set-back at front and back). Refused in October 2023. Appeal Allowed on 26th July 2024, APP/L5810/D/23/3332976. It is noted that the conditions included in APP/L5810/D/23/3332976 are adopted in relation to this application.

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
- 12. Achieving well-designed places

These policies can be found at:

https://assets.publishing.service.gov.uk/media/65a11af7e8f5ec000f1f8c46/NPPF_December_2023.pdf

London Plan (2021)

- Policy D4 – Delivery good design
- Policy D12 – Fire Safety

These policies can be found at:

https://www.london.gov.uk/sites/default/files/the_london_plan_2021.pdf

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	No
Impact on Amenity and Living Conditions	LP8	Yes	No

These policies can be found at

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.

Where relevant to the application under consideration, this is addressed in more detail in the assessment below.

Issue	Publication Local Plan Compliance Policy	Yes	No
Local character and design quality	28	Yes	No
Amenity and living conditions	46	Yes	No

Supplementary Planning Documents

House Extension and External Alterations
Development Control for Noise Generating and Noise Sensitive Development
Whitton and Heathfield Village Planning Guidance

These documents can be found at:

https://www.richmond.gov.uk/services/planning/planning_policy/local_plan/supplementary_planning_documents_and_guidance

6. EXPLANATION OF OFFICER RECOMMENDATION

The key issues for consideration are:

- i Design
- ii Impact on Neighbour Amenity
- iii Fire Safety

Issue i - Design

Policy LP1 of the Local Plan seeks to maintain and, where possible, enhance the high architectural and urban design quality which contributes to the character and heritage of the area.

The SPD on House Extensions and External Alterations notes the following in regard to roof extensions and dormers, the SPD states that Roof extension should be 'in-scale' with the existing structure [and] dormers must not project above the ridge line.

The application seeks approval to shift and widen the rear outrigger. A comparison of the outrigger approved by APP/L5810/D/23/3332976 and that sought by this application 24/2355/VRC.



Rear elevation approved by APP/L5810/D/23/3332976 Proposed variation to design 24/2355/VRC

The Officer Report for 23/2194/HOT and the subsequent Appeal Decision APP/L5810/D/23/3332976 did not focus assessment on the rear outrigger and therefore the principle of the outrigger is considered acceptable.

The proposal seeks a more centred and enlarged outrigger as shown in the snippets above. The proposed size and re-positioning of the outrigger are considered in-keeping with the dwellinghouse, and do not represent an over-enlargement from that approved. The proposed outrigger retains the approved roof form and materials, window size and style, and facade material. Therefore, the proposed outrigger is considered to integrate with the dwellinghouse and retains the appearance of the approved outrigger.

It is noted that the proposed outrigger would overlap with the rear dormer, as shown in the 'Proposed Second Floor and Roof Plans'. It is considered this design arrangement would have a negligible impact on the architectural integrity of the dwellinghouse and as such would remain in character with the property.

Overall, it is considered that the variation proposed would not result in demonstrable harm to the character of the area nor the property itself. Therefore, the proposal is considered to remain consistent with Policy LP1 of the Local Plan.

Issue ii - Impact on Neighbour Amenity

Policy LP8 requires all development to protect the amenity and living conditions for occupants of new, existing, adjoining and neighbouring properties. This includes ensuring;

- *the design and layout of buildings enables good standards of daylight and sunlight to be achieved in new development and in existing properties affected by new development;*
- *that proposals are not visually intrusive or have an overbearing impact as a result of their height, massing or siting, including through creating a sense of enclosure;*
- *there is no harm to the reasonable enjoyment of the use of buildings, gardens and other spaces due to increases in traffic, servicing, parking, noise, light, disturbance, air pollution, odours or vibration or local micro-climatic effects.*

The proposed outrigger is shifted approximately 1.0m toward the centre of the site and is therefore considered to reduce the built form imposing on the neighbouring property at No.97, who will benefit from further setback and associated amenity. While the proposed outrigger is shifted closer to the centre of the subject dwelling, it is considered that no new amenity impacts are created that would impact No. 93, as outrigger retains a significant distance to this property.

Subject to the above stated condition, the proposal is considered to create no new or further contribute to impacts on neighbour amenity as approved by APP/L5810/D/23/3332976. Overall, the scheme proposed complies with Policy LP8 of the Local Plan.

Issue iii – Fire Safety

London Plan policy D12 requires the submission of a Fire Safety Statement on all planning applications.

The previously submitted Fire Safety Management and Fire Emergency Plan is considered to remain relevant to the proposed changes. A condition was included on planning permission 23/2194/HOT and Officer Planning Report – Application 24/2355/VRC Page 5 of 8

subsequently APP/L5810/D/23/3332976 and this will remain unchanged with the current proposal. The scheme remains consistent with London Plan policy D12.

The materials proposed are to match existing and will need to be Building Regulations compliant. The applicant is advised that alterations 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.

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.

Paragraph 11 of the Framework explains how the presumption in favour of sustainable development applies. For the reasons set out above, this application falls to be determined in accordance with the test under section 38(6) of the 2004 Act, the proposal is in general conformity with the Development Plan overall and there are no material considerations of sufficient weight to justify refusal.

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 YES NO
(which are not on the file)

This application has representations on file YES NO

Case Officer (Initials): PSH

Dated: 25/10/2024

I agree the recommendation: TFA

Team Leader/Head of Development Management/Principal Planner/Senior Planner

Dated: 19/11/2024

This application has been subject to representations that are contrary to the officer recommendation. The Head of Development Management has considered those representations and concluded that the application can be determined without reference to the Planning Committee in conjunction with existing delegated authority.

Head of Development Management:

Dated:

REASONS:
CONDITIONS:
INFORMATIVES:
UDP POLICIES:
OTHER POLICIES:

The following table will populate as a quick check by running the template once items have been entered into Uniform

SUMMARY OF CONDITIONS AND INFORMATIVES

CONDITIONS

INFORMATIVES

U0095235	Composite Informative
BNG02	Biodiversity Gain Plan No Pre-Approval
U0095237	NPPF Approval - Para.38-42