

Application reference: 19/3873/HOT
BARNES WARD

Date application received	Date made valid	Target report date	8 Week date
23.12.2019	07.01.2020	03.03.2020	03.03.2020

Site:

38 Westmoreland Road, Barnes, London, SW13 9RY

Proposal:

Ground floor rear and side extension. Front porch. Front dormer. Rear dormer extension including raising lower ridge height. First floor rear extension. Alterations to fenestration and recladding. (retrospective)

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

APPLICANT NAME

Ms Penny Walker
C/O Agent

AGENT NAME

Mrs faye Wright
The Studio@The Old Farmhouse
29 Banbury Road
Chacombe
OX17 2JN
United Kingdom

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

Consultations:

Internal/External:
Consultee

Expiry Date

Neighbours:

40 Westmoreland Road, Barnes, London, SW13 9RY, - 28.01.2020
36 Westmoreland Road, Barnes, London, SW13 9RY, -
29 Melville Road, Barnes, London, SW13 9RH, - 28.01.2020
39 Westmoreland Road, Barnes, London, SW13 9RZ, - 28.01.2020
37 Westmoreland Road, Barnes, London, SW13 9RZ, - 28.01.2020

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

Status: GTD

Date: 13/04/2018

Application: 18/0168/HOT

Ground floor rear and side extension. Front porch. Front dormer. Rear dormer extension including raising lower ridge height. First floor rear extension. Garden Annex. Alterations to fenestration and recladding.

Development Management

Status: GTD

Date: 20/06/2019

Application: 19/1468/VRC

Variation of conditions U41410 (approved drawings) and U41412 (materials) of planning permission 18/0168/HOT to allow for height, footprint and siting alterations, additional window and roof light.

Development Management

Status: PDE

Date:

Application: 19/3873/HOT

Ground floor rear and side extension. Front porch. Front dormer. Rear dormer extension including raising lower ridge height. First floor rear extension. Alterations to fenestration and recladding. (retrospective)

Building Control

Deposit Date: 12.09.2011 5 Windows 1 Door

Reference: 11/FEN02541/FENSA

Building Control

Deposit Date: 04.03.2012 3 Windows

Reference: 12/FEN01067/FENSA

Building Control

Deposit Date: 16.04.2018 Part single and part two storey rear extension, single storey side and rear extensions, loft conversion and internal remodelling of dwelling

Reference: 18/0688/FP

Building Control

Deposit Date: 26.08.2019 Install replacement door in a dwelling

Reference: 19/FEN01612/FENSA

Enforcement

Opened Date: 04.04.2019 Enforcement Enquiry

Reference: 19/0171/EN/NAP

19/3873/HOT
38 Westmoreland Road, Barnes, London SW13 9RY

Proposal

Retrospective application for a ground floor rear and side extension. Front porch. Front dormer. Rear dormer extension including raising lower ridge height. First floor rear extension. Garden Annex. Alterations to fenestration and recladding.

Site Description

The application site is a two-storey with habitable roofspace semi-detached single family dwelling located to the southern side of Westmoreland Road in between the junctions with Ellerton Road and Grange Road. The building is finished in render which is painted at the front elevation; it has a prominent hipped roof and a fully paved front garden. The site falls within a high risk floodzone 3a and Barnes Village which has an associated Character Area Village Planning SPD, describing Westmoreland Road and environs as follows:

Short rows of semi-detached houses in exposed brick, with roughcast render, or with hung tiles and painted woodwork fill narrow plots along Kitson Road, Melville Road, Ellerton Road, Westmoreland Road, Baronsmead Road, Ferry Road, Byfield Gardens and Madrid Road, and were developed in the early twentieth century (Some pre and some post world war I). Some streets retain good uniform front boundary walls in brick with painted copings and panels of brick or infill rubble. Notably, there is greater uniformity at the northern end of Madrid Road than to the south. On Byfield Gardens, eclectic detailing including render, applied timber and irregular gables add decorative variety. Slightly larger gabled houses at the south end of Nassau Road, set further back from the street, with predominantly roughcast rendered facades, date from the same period.

Planning History

19/1468/VRC - Variation of conditions U41410 (approved drawings) and U41412 (materials) of planning permission 18/0168/HOT to allow for height, footprint and siting alterations, additional window and roof light. – Granted 20/06/2019.

18/0168/HOT - Ground floor rear and side extension. Front porch. Front dormer. Rear dormer extension including raising lower ridge height. First floor rear extension. Garden Annex. Alterations to fenestration and recladding. – Granted 13/04/2018.

Planning Policies

Local Plan

- LP1 – Local Character and Design Quality
- LP8 – Amenities and Living Conditions
- LP21 – Flood Risk and Sustainable Drainage

Supplementary Planning Documents (SPDs)

- House Extensions and External Alterations SPD (2015)
- Character Area Village Planning SPD (2016)

Public and Other Representations

The application has been publicised in accordance with the Local Planning Authority's requirements as set out in the Town and Country Planning (Development Management Procedure) (England) Order.

One objection has been received which makes reference to the implications from approving the unlawful development.

Professional Comment

This application seeks to regularise the development which has been constructed following the approval of 18/0168/HOT and fails to be in accordance with the development shown on the approved drawings.

Design and Local Character

The Council's adopted Supplementary Planning Document (SPD) 'House Extensions and External Alterations', encourages the retention of the original form of the host property and any alterations should enhance the quality of the building. The original appearance should always be the reference point when considering any changes. In terms of extensions (including roof extensions), they should not dominate the existing house and should harmonise with the original appearance. In achieving this aim, extensions can be made to appear as an obvious addition which is subordinate to the main structure, so that the original form can still be appreciated.

The main planning issues to be taken into consideration when assessing the proposed scheme are:

- i. Design and Local Character
- ii. Residential Amenity

Rear/side wrap-around ground floor extension

When comparing the previously approved application 18/0168/HOT against the existing (as built) drawings submitted with this application, it shows that the ground floor rear extension has been constructed with an increased projection and height than that originally approved. In addition, the step on the rear elevation of the single storey rear extension as approved has been omitted resulting in level rear elevation. Existing ground floor plans and sectional drawings have not been provided as part of this application the full extent of non-compliance is not entirely clear.

Irrespective of the non-compliance, it is considered that the rear extension remains acceptable.

Whilst it is regrettable that the overall design is more inferior to that previously approved however given evidence of larger single storey rear extensions in the locality, it is not considered there to be sufficient reasons to justify a refusal on this larger rear extension.

Had the remaining parts of the application been acceptable then further plans and clarification of the ground floor would have been required.

First floor extension/alterations

The first floor extension and alterations do not appear to be altered from the previous approval and are therefore considered acceptable. Refer to the officer report for 18/0168/HOT for assessment of this element.

Front and rear dormer roof extensions

Both the front and rear dormer extensions are substantially altered from the approved scheme and it is noted that the submitted set of 'As-Built' drawings do not accurately reflect existing on-site situation as illustrated in below figures.



Figure 1: Photo of as-built front dormer

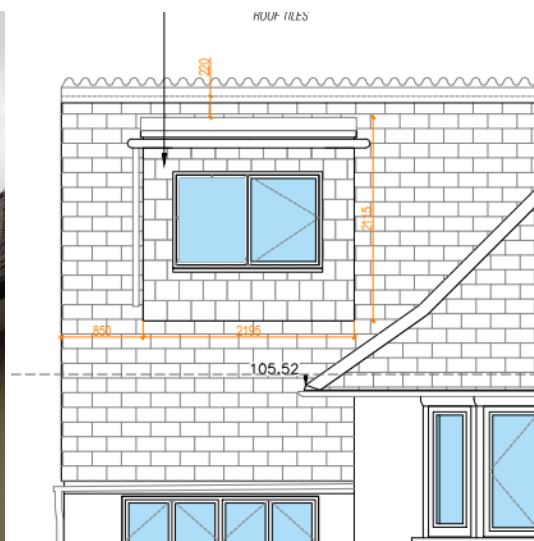


Figure 2: Front dormer as shown on submitted drawing

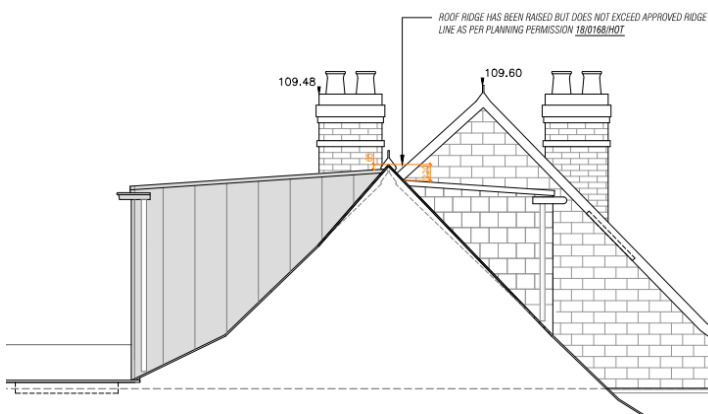


Figure 3: Side elevation as shown on submitted drawing

Irrespective of the inaccuracies shown on the set of submitted drawings, Officers have proceeded to assess the scheme based on those shown on the submitted drawings. The SPD states that it is undesirable to add

a roof extension (including dormers) to the front of a house, particularly when there is already a gable over a projecting bay, or when these are not characteristic of the street. The assessment carried out as part of 18/0168/HOT identified that other front dormers form part of the street scene, including one at the adjoining property within the semi-detached pair and concluded that the front dormer was acceptable in principle.

The as-built front dormer however is substantially larger than the previously approved and appears as a large box shape on the front elevation.

During pre-application advice for this site it was advised that the size of the front dormer should closely reflect the size of the front dormer at No.40 Westmoreland Road in order to restore some of the balance between the semi-detached pair. This was largely achieved by the approved dormer however the substantial size and bulk of the dormer as-built results in an unbalancing of the pair.

While the use of roof tiles on the dormer cheeks to match the existing roof is welcomed and encouraged this does not mitigate the harm caused to the host dwelling and pair by the excessive and inappropriate bulk of the dormer.

With respect to the rear dormer, this fails to comply with the guidance within 'House Extensions and External Alterations' SPD. While it has been acknowledged that there are examples of large rear dormers within the vicinity these do not provide justification for the dormer as-built. The resulting roof form is that of a third-floor extension with a mono pitched roof and a complete loss of the original roof form and eaves.

This proposed rear roof extension will completely alter the shape and form of the original roof to the point that it would no longer be visible. The scale of the proposed form is disproportionate and would dominate the original roof which is non-compliant with the SPD, LP1 of the Local Plan.

In addition, the use of sheet metal emphasises the unacceptable appearance, bulk and mass of the rear dormer which completely destroys the form, proportion and appearance of the host property.

The proposed dormers siting and design appear bulky and dominate the roof slopes due to the disproportionate amount of roof space they occupy. The roof dormer to the rear roof slope is not set in sufficiently from the eaves or side of the roof.

The appearance at the rear shows how it distorts and is unsympathetic to the existing roof form. The scale of the proposed roof extension would dominate the original and existing roof and alter the character of the building.

The roof extensions would present harm to the character and appearance of the host building due to the excessive bulk and are not compliant with the current SPD legislation.

This proposal would also include partially raising the ridge at the point where it is lower than the existing main ridgeline of the roof to have one continuous ridgeline, also matching No.40. The raising of the ridge was previously approved by application 18/0168/HOT and remains acceptable.

Rooflights and fenestration

It is shown on the submitted drawings that the fenestration has been installed in accordance with the previously approved scheme and therefore is acceptable and does not require further assessment.

Extension of front porch

The front porch is shown on the existing plans to match the overall form and appearance of the previously approved scheme. The front porch is in keeping with others on the street in this instance.

Residential Amenity

LP8 states that the Council will seek to protect adjoining properties from unreasonable loss of privacy, pollution, visual intrusion, noise and disturbance.

The 'House Extensions and External Alterations' SPD states that extensions which create an unacceptable sense of enclosure or appear overbearing when seen from neighbouring gardens or rooms or from the street will not be permitted. This could be due to the height, footprint or proximity of the proposal.

As the proposed variations from the previously approved scheme does not include any new or substantially larger window openings and therefore the revised scheme will not result in any unreasonable loss of privacy to surrounding properties.

The development at the rear of the adjoining property in the semi-detached pair (No.40) is noticeably larger, bulkier and deeper than what is proposed at the host property, although the eaves height at the boundary appears to be set at roughly 2.2m, which was a mitigation measure taken to reduce the impact on the application property at the time of the application assessment. However, given that the proposed rear extensions would not cause a similar impact on No.40, it is accepted that the proposed scheme would have a mainly neutral impact on this side of the shared boundary.

Again, the property on the other side to the immediate east (No.36) has similar large extensions on the ground and first floors and this coupled with a gap of roughly 2m would mitigate the impact on this adjoining property.

The proposed first floor windows would be obscure-glazed and non-opening below 1.7m of the room in which it would be installed to protect the privacy of the resident at the adjoining properties.

Overall, it is considered that due to the setting at the boundaries, the relationships between properties would not be significantly disturbed so as to cause undue harm to amenity. As such, the scheme would comply with Policy LP8 and guidelines on neighbouring amenity impact set in the SPD.

Flood risk

Policies LP 21 and DM SD6 state 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 site is within a high probability Floodzone 3a and the submitted Planning Statement includes a Flood Risk Assessment section. This consists of a number of flood proofing measures and the LPA is satisfied that there would be no changes to the ground floor level which would require a full Flood Risk Assessment.

Summary

The as built front and rear roof dormers dominate the original roof and appear bulky and out of character with the front and rear elevation of this semi-detached pair. The proposal is non-compliant with Local Plan policies LP1, LP3 and LP8; as well as the Supplementary Planning Document 'House Extensions and External Alterations'.

Recommendation: Refuse and Enforce

Enforcement Action

- 1) Issue an Enforcement Notice

For the reasons set out in this report and owing to the fact that the unauthorised works are already present, it is considered expedient to take enforcement action. The Head of Legal Services is to be instructed to issue an Enforcement Notice under section 172 of the Town and Country Planning Act 1990 as amended, and to authorise in the event of non-compliance, to prosecute under Section 179 or other appropriate power and/or take direct action under section 178 in order to secure the cessation of the breach of planning control.

THE BREACH OF PLANNING CONTROL ALLEGED

The works have not been carried out in accordance with the approved plans of application 18/0168/HOT at 38 Westmoreland Road.

REASONS FOR ISSUING THIS NOTICE

- a) The unauthorised roof alterations works by reason of their siting are out of scale and character with the front and rear elevation of this semi-detached pair. The scheme is therefore contrary to, in particular, policies LP1 of the Local Plan.

WHAT YOU ARE REQUIRED TO DO

1. Remove the existing front and rear roof extensions and implement the development in accordance with the approved plans from 18/0168/HOT.
2. Submit an application to regularise the ground and first floor rear/side extensions.

Compliance due date: within 3 months of this notice taking effect.

Recommendation:

The determination of this application falls within the scope of Officer delegated powers - YES

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): 

Dated:20/02/2020.....

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

Dated:WWC.....20/2/2020.....

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

U0041094	Decision drawing numbers
U0041095	NPPF REFUSAL- Para. 38-42