

Application reference: 21/1642/HOT EAST SHEEN WARD

Date application received	Date made valid	Target report date	8 Week date
10.05.2021	13.05.2021	08.07.2021	08.07.2021

Site:

19 Model Cottages, East Sheen, London, SW14 7PH

Proposal:

New fenestration and doors, rearrangement of the front garden to move the parking bay, demolition of rear conservatory and addition of new roof to rear courtyard

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

APPLICANT NAME

Mr Paul Marks
19, Model Cottages
East Sheen
London
SW14 7PH

AGENT NAME

Mrs Fiona Jones
3 Elizabeth Gardens
Ascot
SL5 9BJ

DC Site Notice: printed on and posted on 28.05.2021 and due to expire on 18.06.2021

Consultations:**Internal/External:****Consultee**

14D Urban D

Expiry Date

02.06.2021

Neighbours:

23B St Leonards Road, East Sheen, London, SW14 7LY, - 19.05.2021
20 Model Cottages, East Sheen, London, SW14 7PH, - 19.05.2021
18 Model Cottages, East Sheen, London, SW14 7PH, - 19.05.2021
13 Model Cottages, East Sheen, London, SW14 7PH, - 19.05.2021
12 Model Cottages, East Sheen, London, SW14 7PH, - 19.05.2021
23A St Leonards Road, East Sheen, London, SW14 7LY, - 19.05.2021
6A Beechcroft Road, East Sheen, London, SW14 7JJ, - 19.05.2021

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

Status: GTD Application:00/1055
Date:21/08/2000 Change Use Of Garage To Habitable Room And Insertion Of Skylight Onto Flat Roof.

Development Management

Status: GTD Application:00/1159
Date:13/06/2000 Proposed Conservatory To Side Of Property.

Development Management

Status: REF Application:99/3165
Date:11/02/2000 First Floor Side Extension And Ground Floor Alterations To Garage.

Development Management

Status: GTD Application:79/1178
Date:11/10/1979 Erection of single storey side extension between existing house and garage.

Development Management

Status: GTD Application:88/0920
Date:13/06/1988 Erection of single storey side extension between existing house and garage.

Development Management

Status: GTD Application:71/2644
Date:26/04/1972 Erection of 2-storey extension and single garage to the side of house, and erection of single storey extension to rear of property.

Development Management

Status: GTD Application:08/T0808/TCA
Date:23/01/2009 T1 - prunus - fell

Development Management

Status: RNO Application:12/T0363/TCA
Date:30/07/2012 T1- Bay tree- fell, as growing very close to property and roots lifting slabs and causing problems with access (scooter/wheelchair), trip hazards and to allow more light into front of house and rooms (for better reading etc) as owner quite elderly

Development Management

Status: PDE Application:21/1642/HOT
Date: New fenestration and doors, rearrangement of the front garden to move the parking bay, demolition of rear conservatory and addition of new roof to rear courtyard

Building Control

Deposit Date: 23.09.2013 Installed a Gas Boiler
Reference: 13/FEN07751/GASAFE

Application Number	21/1642/HOT
Address	19 Model Cottages, East Sheen, London SW14 7PH
Proposal	New fenestration and doors, rearrangement of the front garden to move the parking bay, demolition of rear conservatory and addition of new roof to rear courtyard
Contact Officer	Sukhdeep Jhooti
Target Determination Date	08/07/2021

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 and 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 relates to the two-storey semi-detached dwellinghouse at 19 Model Cottages, on the eastern side of Model Cottages, a private lane of conservation dwellings built between 1851 and 1870.

The application site is situated within Character Area 4 East Sheen Village and is designated as:

- Article 4 Direction – restricting basement development
- Article 4 Direction – Conservation Area
- Building of Townscape Merit
- Conservation Area – Model Cottages East Sheen (CA34)
- Critical Drainage Area – Environment Agency
- Main Centre Buffer Zone – East Sheen Town Centre
- Area Susceptible to Surface Water Flooding - Environment Agency.

3. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

Planning permission is sought for new fenestration and doors, rearrangement of the front garden to move the parking bay, demolition of rear conservatory and addition of new roof to rear courtyard

The comprehensive list of planning history can be found above however the most relevant planning history is as follows:

- **71/2644** - Erection of 2-storey extension and single garage to the side of house, and erection of single storey extension to rear of property. **Granted**
- **79/1178** - Erection of single storey side extension between existing house and garage. **Granted**
- **88/0920** - Erection of single storey side extension between existing house and garage. **Granted**
- **99/3165** - First Floor Side Extension And Ground Floor Alterations To Garage. **Refused**
- **00/1055** - Change Use Of Garage To Habitable Room And Insertion Of Skylight Onto Flat Roof. **Granted**
- **00/1159** - Proposed Conservatory To Side Of Property. **Granted**

4. CONSULTATIONS CARRIED OUT

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

One representation has been received:

- 20 Model Cottages – Support:

“We are adjoining neighbours and live next door at No. 20. We have no objections to the proposal, and it will greatly improve the internal layouts. If budget allows then the main entrance canopy could be changed with a more traditional roof with trellis sides. This will give more weight and presence to the main entrance as the

proposal includes anew double glazed door opening further along the front elevation. Most if not all of the cottages on this side of the lane have planting, hedges forming screening to the shared boundary. As the proposals include relocating the car parking close to our shared boundary, planting and screening would help as we are considering locating a bedroom on the ground floor at the front close to the boundary”.

5. MAIN POLICIES RELEVANT TO THE DECISION

NPPF (2019)

The key chapters applying to the site are:

- 4. Decision-making
- 14. Meeting the challenge of climate change, flooding and coastal change
- 15. Conserving and enhancing the natural environment
- 16. Conserving and enhancing the historic environment

These policies can be found at:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/810197/NPPF_Feb_2019_revised.pdf

London Plan (2021)

The main policies applying to the site are:

- Policy D4 – Delivering good design
- Policy D12 – Fire Safety
- Policy HC1 – Heritage conservation and growth

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		No
Impact on Designated Heritage Assets	LP3		No
Impact on Non-Designated Heritage Assets	LP4		No
Impact on Amenity and Living Conditions	LP8	Yes	
Impact on Trees and Landscape	LP16		No
Impact on Flood Risk and Sustainable Drainage	LP21	Yes	

These policies can be found at

https://www.richmond.gov.uk/media/15935/adopted_local_plan_interim.pdf

Supplementary Planning Documents

- Buildings of Townscape Merit
- House Extension and External Alterations
- Conservation Areas
- East Sheen Village Plan and Guidance.

These policies can be found at:

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

Other Local Strategies or Publications

- Other strategies or publications material to the proposal are:
- Model Cottages Conservation Area Study and CA Statement
- Article 4 Direction – restricting basement development
- Article 4 Direction – Conservation.

Determining applications in a Conservation Area

In considering whether to grant planning permission with respect to any buildings or other land in a conservation area, Section 72 of the Planning (Listed buildings and Conservation Areas) Act 1990 requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the Conservation Area. In this context, "preserving", means doing no harm.

To give effect to that duty, decisions of the court have confirmed that for development proposed to be carried out in a conservation area, a decision-maker should accord "considerable importance and weight" to the desirability of preserving or enhancing the character or appearance of the conservation area, when weighing this factor in the balance with other material considerations which have not been given this special statutory status. This creates a strong presumption against granting planning permission where harm to the character or appearance of a conservation area is identified. The presumption can be rebutted by material considerations powerful enough to do so.

In applications where the decision-maker is satisfied that there will be no harm to the character or appearance of a conservation area, the statutory presumption against granting planning permission described above falls away. In such cases the development should be permitted or refused in accordance with the policies of the development plan and other material considerations.

6. EXPLANATION OF OFFICER RECOMMENDATION

The key issues for consideration are:

- i Design and impact on heritage assets
- ii Impact on Neighbour Amenity
- iii Trees and Landscape
- iv Flood Risk
- v Fire Safety

Issue i - Design and impact on heritage assets

Paragraph 193 of the NPPF states 'When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Paragraph 196 of the NPPF states 'Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal'.

Policy LP1 of the Local Plan 2018 seeks to maintain and, where possible, enhance the high architectural and urban design quality which contributes to the character and heritage of the area. Proposals should demonstrate an understanding of the site and its context when considering the design including layout, siting and access and the compatibility of the works to the neighbouring uses.

Policy LP3 of the Local Plan 2018 covers Designated Heritage Asset and states that proposals should conserve and take opportunity to make positive contribution to the historic environment such as retaining and preserving the original structure, layout, architectural features and materials or reinstatement of heritage assets. Appropriate materials and techniques should be used. There is a requirement to seek to avoid harm or justify for loss and demolition will be resisted. The significance of the asset is taken into consideration when assessing works proposed to a designated heritage asset.

Policy LP 4 states that development shall preserve the significance, character and setting of non-designated heritage assets.

The SPD on House Extensions and External Alterations states that the addition of a porch is one of the most significant changes a householder can make to the front of a house as it involves altering the shape of the house at its focal point, the entrance. The porch should enhance rather than detract from the original dwellinghouse. When considering the appropriateness of a porch, the surrounding character and surrounding properties should be considered.

The application site is situated within Conservation Area CA34 Model Cottages East Sheen (CA). The Conservation Area Statement and the East Sheen Village Planning Guidance describes the Model Cottages as an "attractive backwater of quaint mid-nineteenth century two storey villas (both detached and semi-detached) set back from an informal, almost rural path, with large well-tended front gardens". Throughout the Officer Planning Report – Application 21/1642/HOT Page 5 of 10

Conservation Area one of the main characteristics key to its conservation value is the overall layout and the mature and expansive front gardens and generous spacing is also provided between dwellings. It is noted that there are multiple larger extensions along Model Cottages granted prior to the designation area and the current Local Plan policy framework. The application site is also a registered Building of Townscape Merit (BTM).

Since an Article 4 Direction was imposed the Council has sought to ensure that any further alterations to the front facades are sympathetic to the design of the originals, and that over-development does not take place to each dwelling as this would result in loss of key features, including windows, doors and entrance porches.

Planning permission is sought for new fenestration and doors, rearrangement of the front garden to move the parking bay, demolition of rear conservatory and addition of new roof to rear courtyard

The scheme consists of the following works:

- Removal of the glass roof area above the kitchen.
- Removal of rear Conservatory
- Internal refurbishments (not subject to the requirement for planning permission)
- Replacement of some of the windows and creating new window to the stairs at the rear of the property.
- New roofs for the ground floor volumes
- New retractable glass roof to the existing courtyard
- Relocation of parking space.

At present, Number 19 has had a side addition in the character of the original, a replacement front door and sundry rear additions including a conservatory which is visible from the front.

The proposed removal of the non-original conservatory and the reconfiguration of the space to the rear ground floor of the building would result in less built form compared with the existing situation and help to preserve the character and appearance of the existing house. The proposed internal refurbishments would be acceptable in size, scale and design.

The proposed new roofs for the ground floor volumes would appear complementary to the design of the application dwelling and would not appear out of character with the existing building and surrounding area as a result.

The proposed new retractable glass roof to the existing courtyard would not appear visually intrusive or incongruous by way of its size, scale, design and siting.

The existing curved top windows on the front side elevation would be replaced with French doors, these would be proportionate in size, scale, design, number and profile. Had the application been acceptable, further details would be secured by condition on larger scale joinery details and the material for them being painted timber to match the original windows, and also surrounding brickwork noting the need for a curved brick arch above to match the windows.

The proposed replacement of the front door and sidelights is acceptable as the existing is non original prior to the buildings being designated. It would be visible from certain angles but is currently largely obscured by screening within the front garden. Again, further details would have been secured by condition to ensure the replacement is in keeping with the traditional design and configuration of the Model Cottages and of painted timber.

The proposed side elevation window would not be entirely characteristic, however it is considered to have a neutral impact on the character appearance of the existing house as a locally listed building and Conservation Area as it would have very limited visibility, ground floor siting on an elevation not restricted by the Article 4 direction and it would be situated on a non-original aspect of the application dwelling.

With respect to the alterations to the front garden, it is noted that the Article 4 direction does expressly remove PD rights for hard surfaces on the frontage.

The CA statement says "The character of this group derives partly from the layout, the path access and long gardens, and partly from the distinctive design of the houses. The access is dominated by front garden planting, and its seclusion, narrowness and lack of kerbs give it the feeling of a pedestrian route, although cars have access to the front gardens from the southern end". Problems are "Loss of front boundary treatments and front gardens for car parking" and opportunities, "Retain and enhance front boundary treatments and discourage increase in the amount of hard surfacing in front gardens."

The CA Study says "Model Cottages is an attractive backwater of quaint mid C19 two storey villas set back from informal, almost rural path, with large, well-tended front gardens. The overall impression is of pretty stock brick cottages hidden from view of passersby by thick and luxurious foliage". It continues to say "The gardens are generally well planted with flowers, shrubs, hedges and trees, some of which obscure the view of the buildings from the road. Changes such as the enlarging of paved areas must be in sympathetic materials, and any new fences or gates should contribute to the character of the area. The removal of hedges or shrubs would be, in most cases, detrimental. Any removal of trees should be carried out only when essential and then with great care."

The applicant has failed to submit an existing site plan indicating hard and soft landscaping or boundary treatments to the front of the property. Neither has a tree survey or AIA been submitted. It is noted that the photographs submitted with the application indicate an existing tree in the area proposed for the parking space. In the absence of sufficient information, the LPA cannot be satisfied that the application will not result in a net loss of trees and soft landscaping on the frontage which would be detrimental to the significance, character and appearance of the Conservation Area and the significance of the Locally Listed Building.

The harm to the Conservation Area is afforded great weight in accordance with the NPPF. There are some public benefits noting that the scheme does include improvements to the BTM. However, given the relative significance of the front garden, these improvements are not considered to outweigh the harm identified. The proposal for reasons outlined above would fail to comply with Local Plan policies LP1, LP3 and LP4.

Issue ii- Impact on Neighbour Amenity

Policy LP 8 states all development will be required to protect the amenity and living conditions of new, existing, adjoining and neighbouring properties. The principles of this policy are reiterated in the House and External Alterations SPD.

The Supplementary Planning Document for Housing Extensions and External Alterations also seeks to protect adjoining properties from visual intrusion, loss of light and privacy.

Given siting and distance to nearby occupants, the proposed development would not cause demonstrable harm to the light, privacy and outlook afforded to the inhabitants of adjoining properties. There would be less built form compared with the existing situation and the proposal would safeguard the living conditions of neighbours due to its overall size, scale, nature and siting. The scheme complies with LP8.

Issue iii- Trees and Landscape

The Model Cottages Conservation Area Statements states:

Model Cottages is an attractive backwater of quaint mid 19th century two storey villas set back from an informal, almost rural path, with large well tended front gardens. In contrast the streets to the north contain some imposing Victorian terraces of 3 and 4 storeys in stucco or stock brick. The character of this group derives partly from the layout, the path access and long gardens, and partly from the distinctive design of the houses. The access is dominated by front garden planting, and its seclusion, narrowness and lack of kerbs give it the feeling of a pedestrian route, although cars have access to the front gardens from the southern end. The planting is mature, plentiful and varied. There are no rear gardens.

The Conservation Area Statements goes on to cite the problems and pressures as well as the opportunity for enhancements in relation to future development proposals within the Conservation Area:

Problems and Pressures

- *Development pressure which may harm the balance of the landscape-dominated setting*
- *Loss of traditional architectural features and materials due to unsympathetic alterations*
- *Loss of front boundary treatments and front gardens for car parking*
- *Lack of coordination, clutter and poor quality of street furniture and flooring*

Opportunity for Enhancement

- *Improvement and protection of landscape setting*
- *Preservation, enhancement and reinstatement of architectural quality and unity*
- *Retain and enhance front boundary treatments and discourage increase in the amount of hard surfacing in front gardens*
- *Coordination of colour and design, rationalisation and improvement in quality of street furniture and Flooring*

The Conservation Area Study states:

"The gardens are generally well planted with flowers, shrubs, hedges and trees, some of which obscure the view of the buildings from the road. Changes such as the enlarging of paved areas must be in sympathetic materials, and any new fences or gates should contribute to the character of the area. The removal of hedges or shrubs would be, in most cases, detrimental. Any removal of trees should be carried out only when essential and then with great care."

It is clear from the above that the landscape character of the Conservation Area to include soft landscaped site frontages are an intrinsic part of the character and appearance of the conservation area. The improvement and protection of landscaping setting is required as part of the assessment of planning applications within the Conservation Area.

Policy LP16 of the Local Plan states:

"A. The Council will require the protection of existing trees and the provision of new trees, shrubs and other vegetation of landscape significance that complement existing, or create new, high quality green areas, which deliver amenity and biodiversity benefits.

B. To ensure development protects, respects, contributes to and enhances trees and landscapes, the Council, when assessing development proposals, will:

Trees and Woodlands

- 1. resist the loss of trees, including aged or veteran trees, unless the tree is dead, dying or dangerous; or the tree is causing significant damage to adjacent structures; or the tree has little or no amenity value; or felling is for reasons of good arboricultural practice; resist development that would result in the loss or deterioration of irreplaceable habitat such as ancient woodland;*
- 2. resist development which results in the damage or loss of trees that are considered to be of townscape or amenity value; the Council will require that site design or layout ensures a harmonious relationship between trees and their surroundings and will resist development which will be likely to result in pressure to significantly prune or remove trees;*
- 3. require, where practicable, an appropriate replacement for any tree that is felled; a financial contribution to the provision for an off-site tree in line with the monetary value of the existing tree to be felled will be required in line with the 'Capital Asset Value for Amenity Trees' (CAVAT);*
- 4. require new trees to be of a suitable species for the location in terms of height and root spread, taking account of space required for trees to mature; the use of native species is encouraged where appropriate;*
- 5. require that trees are adequately protected throughout the course of development, in accordance with British Standard 5837 (Trees in relation to design, demolition and construction – Recommendations). The Council may serve Tree Preservation Orders or attach planning conditions to protect trees considered to be of value to the townscape and amenity and which are threatened by development.*

Landscape

- 1. require the retention of important existing landscape features where practicable;*
- 2. require landscape design and materials to be of high quality and compatible with the surrounding landscape and character; and*
- 3. encourage planting, including new trees, shrubs and other significant vegetation where appropriate".*

In this instance, the application site currently has a tree within the site frontage which is where the proposed parking area would be. In the absence of an existing and proposed site plan illustrating landscaping information and in the absence of an arboricultural impact assessment, the Local Planning Authority cannot be satisfied that the relocation of the parking space and alterations to landscaping will not harm the landscape character of the front garden which is an intrinsic part of the application site and which positively contributes to the significance of the Conservation Area and Locally Listed Building itself. The proposal would fail to comply with policy LP16 of the Local Plan as a result in addition to heritage policies.

Issue iv – Flood Risk

Policy LP 21 of the Local Plan states '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 identified as an Area Susceptible to Surface Flooding by the Environment Agency. Given the minor nature of the works as well as the removal of the existing conservatory, the scheme is considered to be consistent with LP21.

Issue v – Fire Safety

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

A Fire Safety Strategy was received by Council. 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. Overall, the scheme can therefore be considered consistent with this 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. In making this recommendation consideration has been had to the statutory duties imposed by the Planning (Listed Buildings and Conservation Areas) Act 1990 and the requirements set out in Chapter 16 of the NPPF.

For the reasons set out above, this application is recommended for refusal.

Refuse planning permission

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

I agree the recommendation:

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

South Area Team Manager: 

Dated:30.06.2021.....