

Application reference: 21/1118/HOT MORTLAKE, BARNES COMMON WARD

Date application received	Date made valid	Target report date	8 Week date
29.03.2021	10.05.2021	05.07.2021	05.07.2021

Site:

70 Westfields Avenue, Barnes, London, SW13 0AU

Proposal:

Alterations to front elevation treatment, replacement windows, raising of street facing parapet wall. Increase height of part of outrigger. Addition of second floor. Single storey side/rear extension. Creation of new access to rear wall.

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

APPLICANT NAME

Mr Amin
70 Westfields Avenue
Barnes
London
SW13 0AU

AGENT NAME

Amrita Panesar
Aldern Bridge Logdge
Newbury
RG204HQ
United Kingdom

DC Site Notice: printed on 11.05.2021 and posted on 21.05.2021 and due to expire on 11.06.2021

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

14D Urban D

Expiry Date

25.05.2021

Neighbours:

Flat Above The Brown Dog Ph,28 Cross Street,Barnes,London,SW13 0PS, - 11.05.2021

28 Cross Street,Barnes,London,SW13 0AP, - 11.05.2021

13 Cross Street,Barnes,London,SW13 0AP - 11.05.2021

73 Westfields Avenue,Barnes,London,SW13 0AT, - 11.05.2021

71 Westfields Avenue,Barnes,London,SW13 0AT, - 11.05.2021

69 Westfields Avenue,Barnes,London,SW13 0AT, - 11.05.2021

72 Westfields Avenue,Barnes,London,SW13 0AU, - 11.05.2021

72B Westfields Avenue,Barnes,London,SW13 0AU, - 11.05.2021

68 Westfields Avenue,Barnes,London,SW13 0AU, - 11.05.2021

72A Westfields Avenue,Barnes,London,SW13 0AU, - 11.05.2021

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

Status: GTD

Date:16/04/2004

Application:04/0562

Re-submission Of Planning Permission Ref. 98/2314/ful For The Erection Of A Second Floor Mansard Roof Extension.

Development Management

Status: GTD

Date:25/11/1998

Application:98/2314

Addition Of Second Floor In The Form Of A Mansard Roof Structure.

Development Management

Status: GTD

Date:27/09/1988

Application:88/1950

Alteration and extension of existing dwelling to provide 1st floor bathroom, enlarged ground floor family room and conservatory.

<u>Development Management</u> Status: WON Date:16/08/2018	Application:16/2410/HOT Mansard roof extension.
<u>Development Management</u> Status: GTD Date:01/12/2017	Application:17/3628/HOT Mansard roof extension and other roof alterations. Alterations to fenestration.
<u>Development Management</u> Status: REF Date:18/02/2021	Application:20/3654/HOT Alterations to front elevation treatment, replacement windows, raising of street facing parapet wall. Addition of second floor. Single storey side/rear extension. Increase height of part of outrigger.
<u>Development Management</u> Status: PDE Date:	Application:21/1118/HOT Alterations to front elevation treatment, replacement windows, raising of street facing parapet wall. Increase height of part of outrigger. Addition of second floor. Single storey side/rear extension. Creation of new access to rear wall.

<u>Building Control</u> Deposit Date: 12.11.1998 Reference: 98/1898/FP	Second floor extension
<u>Building Control</u> Deposit Date: 23.12.1998 Reference: 98/1898/1/FP	Second floor extension
<u>Building Control</u> Deposit Date: 09.05.2016 Reference: 16/NIC01266/NICEIC	Circuit alteration or addition in a special location Install one or more new circuits Install a replacement consumer unit

Application Number	21/1118/HOT
Address	70 Westfields Avenue, Barnes, London SW13 0AU
Proposal	Alterations to front elevation treatment, replacement windows, raising of street facing parapet wall. Increase height of part of outrigger. Addition of second floor. Single storey side/rear extension. Creation of new access to rear wall.
Contact Officer	Alice Murphy
Target Determination Date	05/07/2021

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, 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, mid-terraced dwellinghouse on the southern side of Westfields Avenue.

The application site is situated within Character Area 11 of the Barnes Village Planning Guidance and is designated as:

- Article 4 Direction – restricting basement development
- Conservation Area – CA16 Thorne Passage Mortlake
- Highway Maintained at Public/Private Expense – St Annes Passage
- Protected View (Indicative Zone) – View 7 Richmond Park towards St Pauls Cathedral

3. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

The application seeks alterations to front elevation treatment, replacement windows, raising of street facing parapet wall. Increase height of part of outrigger. Addition of second floor. Single storey side/rear extension. Creation of new access to rear wall.

Relevant planning history includes:

- **88/1950** - Alteration and extension of existing dwelling to provide 1st floor bathroom, enlarged ground floor family room and conservatory. **Granted.**
- **98/2314** - Addition Of Second Floor In The Form Of A Mansard Roof Structure. **Granted.**
- **04/0562** - Re-submission Of Planning Permission Ref. 98/2314/ful For The Erection Of A Second Floor Mansard Roof Extension.
- **17/3628/HOT** - Mansard roof extension and other roof alterations. Alterations to fenestration. **Granted.**
- **20/3654/HOT** - Alterations to front elevation treatment, replacement windows, raising of street facing parapet wall. Addition of second floor. Single storey side/rear extension. Increase height of part of outrigger. **Refused.** Reason for refusal –
 - *Design - The proposed second floor extension and associated alterations, by reason of its combined massing and proposed materials including large framed fenestration, and loss of original features on the front facade and eaves to rear, would result in a visually intrusive, dominant and unsympathetic form of development which will negatively impact the appearance of the host property, and thus fail to preserve or enhance the setting, character and appearance of the conservation area. As such the proposal fails to comply with, in particular, with policies LP1 and LP3 of the Local Plan (2018) and Supplementary Planning Document: 'House Extensions and External Alterations'.*
 - *Amenity - The increased height of the side extension and the rear extension, by virtue of their combined siting, height and depth, results in an overbearing and visually intrusive form*

of development which fails to safeguard residential amenities of nearby occupants, in particular causing an unacceptable sense of enclosure for the occupiers of both No.68 on the western elevation, and No.72 on the eastern elevation. The scheme fails to comply with, in particular, Policy LP 8 of the Local Plan (2018) and the House Extensions and External Alterations Supplementary Planning Guidance.

4. CONSULTATIONS CARRIED OUT

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

One observation was received. This outlined the following issues:

- Shared boundary wall with ivy and flower beds.

Boundary walls in shared ownership/party wall agreements are considered civil matters and do not form a material consideration for the planning application.

5. MAIN POLICIES RELEVANT TO THE DECISION

NPPF (2019)

The key chapters applying to the site are:

- 4. Decision-making
- 12. Achieving well-designed places
- 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
- Policy HC3 – Strategy and Local Views

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 Designated Heritage Assets	LP3	Yes	No
Impact on Views and Vistas	LP5	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

Supplementary Planning Documents

- House Extension and External Alterations
- Conservations Areas
- Barnes Village Planning 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:
Thorne Passage Mortlake (CA16) Conservation Area Statement
Article 4 Direction – restricting basement development

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 Views and Vistas
- iv 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 seeks to maintain and, where possible, enhance the high architectural and urban design quality which contributes to the character and heritage of the area.

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.

The SPD on House Extensions and External Alterations specifies the following in regard to extensions:

- *The external appearance of any extension must be carefully designed in order to avoid the visual confusion that can result when the style and materials of the original house are ignored.*
- *The overall shape, size and position of rear and side extensions should not dominate the existing house or its neighbours. They should harmonise with the original appearance, which should be taken as the starting point for any future changes.*
- *The extension is made to appear as an obvious addition which is subordinate to the main structure.*

The SPD on House Extensions and External Alterations notes the following in regard to roof extensions and dormers, the SPD states:

- *Hip to gable extensions should not be encouraged, especially when roof style or spaces between buildings are an important feature of the character of the street.*
- *Avoid extensions at the front of the house.*
- *Roof extension should be 'in-scale' with the existing structure.*
- *Dormers must not project above the ridge line.*
- *Dormers should keep existing profiles and should not wrap around two roof profiles.*
- *The excessive use of rooflights can appear visually disruptive.*

The application seeks the following alterations:

- alterations to front elevation treatment including change to external finish, replacement windows and front door
- raising of street facing parapet wall and addition of second floor roof extension with mansard roof and windows to front elevation, and dormer to rear.
- Single story rear/side extension and reconfiguration of courtyard
- Increase height of part of outrigger.
- Increase height of existing side extension.

The scheme largely mimics the scheme previous refusal with minimal amendments from the previously refused scheme 20/3654/HOT. Ultimately these do not overcome the previous reasons for refusal and the initial assessment is still applicable.

It is noted that some of the above works have been previously approved in 17/3628/HOT, however the works have not been undertaken and the Thorne Passage Conservation Area (CA16) in which the property is located, was extended to include the subject site in 2018. Consequently, the policy framework and circumstances are different to that previously approved and the application will be assessed as such. It is noted that the alterations are much more extensive compared to that previously approved with further development at the rear of the property and alterations to the previously proposed mansard roof, front and rear facades are also altered since that previously approved.

Rear extensions

A single storey replacement rear/side extension is proposed. This will involve the existing side return extension being extended to the rear of the site and meeting an additional extension at the end of the site. A courtyard of approximately 3m x 5m will be created in the middle of the property. The side extension height will be increased from a lean too roof to a parapet at approximately 3m high. This will have a flat glazed roof. A flat roof with pitched sides for the rear portion of the extension.

The existing windows have been illustrated incorrectly on the existing elevations, however the proposed are largely similar to those existing and are therefore considered generally acceptable. If the scheme was considered to be acceptable then the rear elevation window would have been requested to be reduced in overall size to be of a similar size to the existing. Smaller sash windows would be in better proportion to the floors behind the mansard parapet.

The parapet roof height of the first floor extension will be increased. This was also approved under the previous application and due to limited public views and also view from the rear of the dwelling would overall be acceptable and of a similar character of the extensions at first floor level on the adjoining properties.

On balance when considering the immediately adjoining properties the officers consider the alterations to the rear to be acceptable in principle in this instance. The overall size and style of the extension is similar to that on the adjoining property at no.68. When considering the rear elevations of the surrounding development and terraced row there is no clear characteristic therefore the proposed changes will not be out of character.

The glazed doors and windows at ground floor rear are considered acceptable due to siting and limited public views.

Roof lights proposed are of an appropriate size and location on the rear extension.

Second floor addition and alterations to front façade

The application was reviewed by Council's Conservation Officer. The proposed second floor extension no longer appears to be a mansard roof extension like that previously proposed and now appears as an extra floor, and combined with the loss of eaves would thus fail to appear subordinate and sympathetic to the rest of the dwelling. This is also the case when viewed from the rear. The loss of the original gable front is not considered acceptable, nor is the inappropriate choice of fenestration on the front façade and the front facing large glazing at second floor level. The rendered finish at second floor level is not in keeping with surrounding character and again, makes this appear as a whole additional storey, rather than a mansard roof extension and also fails to appear subordinate in design. The creation of a terrace along the front elevation

(approximately 1m deep) is also unacceptable and not consistent with surrounding character.

The long rear facing window is not of the same overall character as the dwelling and the character of the surrounding terraces and is therefore an incongruous feature.

Rooflights on flat roof above should be flush with the roof to avoid visual disruption and exceeding the overall height of the dwelling.

It is unclear from the information provided what design the front door will be. A four-panel painted timber front door to a traditional design would be a more appropriate choice rather than aluminium frames as suggested on the elevations provided.

Overall, the changes in appearance and material to both facades would result in extensive harm, with inappropriate design and materials.

Summary

The proposal, in particular those on upper floor levels, results in an over-development of the property with the use of inappropriate design, with the dwelling appearing as a three storey building. In view of the above, the proposed first floor extension is not consistent with the aims and objectives of policies LP1 and LP3 of the Local Plan. The proposal will result in less than substantial harm, failing to enhance or preserve the setting and appearance of the conservation area. In accordance with 190-197 of the NPPF no public benefit which would justify nor outweigh the harm outlined above.

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 adequate light is achieved, preserving privacy and ensuring proposals are not visually intrusive.

Councils SPD specifies that a projection of 3m is acceptable in regard to neighbour amenity for a terraced dwellinghouse. Where an extension results in a deeper projection, the eaves should be reduced to 2.2m.

Side and rear extensions

The raised height to a flat roof on side infill extension will result in an increase in height from 2.2m, to a parapet height of 3m for a total depth of 8m. This will result in an unacceptable sense of enclosure on the adjoining no.68 and will have an overbearing impact. This courtyard on no.68 is the only outdoor space on the property. Council's SPD specifies that a projection of 3m is generally acceptable, and where an increase in projection is proposed, the eaves should be no higher than 2.2m.

When considering the extension in regard to no.72, it is noted that the existing boundary wall in this location is approximately 2.3m high from the elevations provided, however the extension at the rear of the site will result in an increase in this for a depth of over 5m, again providing an unacceptable impact on the adjoining property and outdoor space.

Whilst no new views are created, the enlarged first floor windows should be reduced to be of a similar size to the existing to reduce the perceived increase in overlooking to the adjoining properties and ultimately perceived loss of privacy.

All proposed rooflights are above head height and therefore do not result in loss of privacy or overlooking into adjoining properties including the glazed roof the side extension.

As such, having regard to its siting, design, scale and materiality, it is considered that the proposed extensions and alterations would have a significant impact on the amenities of the neighbouring properties both no.68 and no.72 in terms of appearing overbearing and visually intrusive.

Irrespective of current level of mutual overlooking from upper floor windows, the introduction of a roof terrace at second floor level on the front elevation would create a platform to generate prolonged views from upper floor level therefore would result in perceived overlooking to the facing properties at no. 71 and 73 Westfields Avenue, in particular.

The proposal fails to comply with LP8.

Issue iii – Views and vistas

Policy LP 5 of the Local Plan requires Council to protect the quality of the views, vistas, gaps and the skyline, all of which contribute significantly to the character, distinctiveness and quality of the local and wider area.

The proposed scheme involves alterations at roof level, however no works will be higher than the adjoining properties. Should the scheme have been considered acceptable, the rooflights on the second floor would have been conditioned to be flush to the roof.

Issue iv – Fire Safety

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

A Fire Safety Plan has been included with the application produced by NU Projects Ltd. A condition will be included to ensure this is adhered to on an ongoing basis. The majority of 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. 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, it is considered that the adverse impacts of allowing this planning application would significantly outweigh the benefits, when assessed against the policies in NPPF (2019) and Development Plan, when taken as a whole.

Refuse planning permission

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): ...AMU.....

Dated:30/06/2021.....

I agree the recommendation:

Principal Planner

Dated:WWC.....1/7/21.....

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

U0052526	NPPF REFUSAL - Para. 38-42
U0052533	Decision Drawings