

Application reference: 19/1200/DD01 BARNES WARD

| Date application received | Date made valid | Target report date | 8 Week date |
|---------------------------|-----------------|--------------------|-------------|
| 27.08.2021 | 27.08.2021 | 22.10.2021 | 22.10.2021 |

Site:

108 Castelnau, Barnes, London, SW13 9EU

Proposal:

(REFUSE) Details pursuant to conditions U0064638 - Materials of listed building consent 19/1200/LBC.

(PARTIAL DISCHARGE) Details pursuant to condition U0064639 - External Fenestration of listed building consent 19/1200/LBC

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

APPLICANT NAME

Mr Ken Macfarlane
108, Castelnau
Barnes
London
SW13 9EU

AGENT NAME

Mr Alex Tart
The Old Boathouse,
Putney Embankment
London
SW151LB
United Kingdom

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

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

21D Urban D

Expiry Date

17.09.2021

Neighbours:

-

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

Status: GTD

Date:11/09/2001

Application:01/1372

Proposed Coach House Side Extension Including Replacement Of Existing Garage.

Development Management

Status: GTD

Date:11/09/2001

Application:01/1371

Proposed Coach House Side Extension Including Existing Garage.

Development Management

Status: GTD

Date:06/03/2002

Application:01/1371/DD01

Details Pursuant To Condition Lb08u (specified Details) Of Listed Building Consent 01/1371/lbc Dated 11/9/2001.

Development Management

Status: GTD

Date:15/04/2002

Application:01/1371/DD02

Details Pursuant To Condition Lb08u (railings) Of Listed Building Consent 01/1371/lbc Dated 11/9/2001.

Development Management

Status: GTD

Date:05/04/2002

Application:01/1371/DD03

Details Pursuant To Condition Bd06u (materials) Of Listed Building Consent 01/1371/lbc Dated 11/9/01

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| <u>Development Management</u> Status: WNA Date:15/04/2002 | Application:01/1371/DD04 Details Pursuant To Condition Lb08u Of Listed Building Consent 01/1371/lbc. |
| <u>Development Management</u> Status: GTD Date:19/03/2002 | Application:02/T0592 Tree - Remove |
| <u>Development Management</u> Status: GTD Date:19/03/2002 | Application:02/T0593 Yew - Shape And Lower Branches |
| <u>Development Management</u> Status: GTD Date:19/03/2002 | Application:02/T0594 Various Fruit Trees - Reshape |
| <u>Development Management</u> Status: GTD Date:19/03/2002 | Application:02/T0595 Bay - 20 Reduce |
| <u>Development Management</u> Status: GTD Date:19/03/2002 | Application:02/T0596 Pidosporum - 20 Reduce |
| <u>Development Management</u> Status: GTD Date:08/04/2004 | Application:04/T0629 T1 Robinia Pseudoacacia - Crown Reduce By 20 Crown Lift (statutory Clearances) |
| <u>Development Management</u> Status: GTD Date:08/04/2004 | Application:04/T0630 T2 Robinia Pseudoacacia - Crown Clean, Crown Lift (statutory Clearances) |
| <u>Development Management</u> Status: GTD Date:08/04/2004 | Application:04/T0631 T3 Sycamore (acer Pseudoplatanus) - Crown Lift (statutory Clearances) |
| <u>Development Management</u> Status: GTD Date:08/04/2004 | Application:04/T0632 Eucalyptus - Crown Reduce By 30 |
| <u>Development Management</u> Status: GTD Date:17/05/1996 | Application:96/T1077/CA Ginkgo - Reduce Height By A Third |
| <u>Development Management</u> Status: GTD Date:07/05/1997 | Application:97/T6503 Yew Tree - Reduce Overlong Laterals Back To Main Crown Line And Thin Crown By 25 |
| <u>Development Management</u> Status: GTD Date:25/06/1997 | Application:97/0876 Internal Alterations And Replacemnet Of Existing Crittal Door And Side Light With Timber French Door. |
| <u>Development Management</u> Status: GTD Date:26/08/1997 | Application:97/0876/DD01 Details Pursuant To Condition Lb08u (new French Doors) Of Listed Building Consent 97/0876/lb Dated 250697 |
| <u>Development Management</u> Status: GTD Date:14/07/1999 | Application:99/T0723 Ginkgo - Reduce Height By 20 |
| <u>Development Management</u> Status: GTD Date:02/10/2006 | Application:06/2172/LBC Proposed replacement front door and fanlight. |
| <u>Development Management</u> Status: GTD Date:17/02/2009 | Application:08/4748/FUL Refurbishment of existing first floor rear balcony; removal of second floor balcony and replacement of existing door and window; replacement of ground floor rear window. |
| <u>Development Management</u> Status: GTD Date:17/02/2009 | Application:08/4749/LBC General refurbishment to match existing rear balcony at ground floor level, removal of balcony at first floor level and replace decaying windows to match existing style. |

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| <u>Development Management</u> Status: GTD Date:15/04/2010 | Application:08/4749/DD01 Details of slate and retention of features pursuant to conditions U24814 and U24815 of listed building consent 08/4749. |
| <u>Development Management</u> Status: GTD Date:13/05/2010 | Application:10/0739/HOT Re-cladding the existing front steps. (Asphalt to be replaced with limestone steps and risers). |
| <u>Development Management</u> Status: GTD Date:13/05/2010 | Application:10/0740/LBC Re-cladding of the existing front steps. (Asphalt to be replaced with limestone steps and risers.) |
| <u>Development Management</u> Status: REF Date:15/06/2010 | Application:08/4749/DD02 Detail pursuant to condition U24816 (Details of joinery) of listed building consent 08/4749/LBC. |
| <u>Development Management</u> Status: GTD Date:14/01/2015 | Application:14/3869/LBC Replace wooden fence above current brick garden wall on boundary of property with Castelnau with iron railings. |
| <u>Development Management</u> Status: RNO Date:24/11/2016 | Application:16/T0911/TCA T1 - Rowan - Remove |
| <u>Development Management</u> Status: RNO Date:20/06/2017 | Application:17/T0324/TCA T1 - Eucalyptus - Crown reduce back to previous points (4m) T2 - Pittosporum - Crown reduce 1m and tidy T3 - Magnolia - Crown lift 1.5m T5 - Apple - Fell T8 - Hazel - Fell T9 - Bay - Crown reduce back to previous points (2m) and remove basal T10 - Yew - Crown reduce back to previous points (1m) and remove basal and sever Ivy T11 - Robinia - Crown reduce back to previous points (2-3m) and remove Ivy and deadwood T12 - Robinia - Fell and poison stump Hornbeam (x4) - Trim sides and reduce top to 5m |
| <u>Development Management</u> Status: GTD Date:28/06/2019 | Application:19/1199/HOT Rebuilding of the first floor of the coach house; a single storey lower ground floor rear extension, work to the roof and internal alterations. |
| <u>Development Management</u> Status: GTD Date:28/06/2019 | Application:19/1200/LBC The proposed work includes; the rebuilding of the first floor of the coach house; a single storey lower ground floor rear extension, work to the roof and internal alterations. |
| <u>Development Management</u> Status: REF Date:28/08/2019 | Application:19/2063/HOT Replacement rear dormer roof extension and new slate roof covering to match the existing. |
| <u>Development Management</u> Status: REF Date:28/08/2019 | Application:19/2064/LBC Replacement rear dormer roof extension and associated alterations to partition. New slate roof covering to match the existing. |
| <u>Development Management</u> Status: RNO Date:17/06/2021 | Application:21/T0415/TCA Eucalyptus (T1) - crown reduce to previous to match 2m, leaving a canopy of 13m (too large for site) Unknown (T2) - fell to ground level (too large for site; leaning heavily) |
| <u>Development Management</u> Status: PDE Date: | Application:19/1199/DD01 Details pursuant to condition U0064636 - Materials, of planning permission 19/1199/HOT. |
| <u>Development Management</u> Status: PDE Date: | Application:19/1200/DD01 (REFUSE) Details pursuant to conditions U0064638 - Materials of listed building consent 19/1200/LBC. (PARTIAL DISCHARGE) Details pursuant to condition U0064639 - External Fenestration of listed building consent 19/1200/LBC |

Development Management

Status: PCO

Date:

Application:19/2063/DD01

Details pursuant to condition 3 - joinery details, 4 - details of leadwork, rolls and steps, and 5 - samples of slates, of planning inspectorate decision on 19/2063/HOT.

Development Management

Status: PCO

Date:

Application:19/2064/DD01

Details pursuant to condition 2 - joinery details, 3- details of leadwork, rolls and steps, and 4 - samples of slate, pursuant to planning inspectorate decision on 19/2064/LBC.

Appeal

Validation Date: 05.11.2019

Replacement rear dormer roof extension and associated alterations to partition. New slate roof covering to match the existing.

Reference: 19/0151/AP/REF

Appeal AllowedAppeal

Validation Date: 07.01.2020

Replacement rear dormer roof extension and new slate roof covering to match the existing.

Reference: 20/0004/AP/REF

Appeal AllowedBuilding Control

Deposit Date: 30.08.2001

Three storey side extension

Reference: 01/1591/BN

Building Control

Deposit Date: 25.07.1997

Alterations to basement

Reference: 97/1112/BN

Building Control

Deposit Date: 19.01.2007

1 Window

Reference: 07/07979/FENSA

Building Control

Deposit Date: 02.07.2010

Replacement windows/doors at lower ground floor, ground floor and first floor. Replacement balcony at ground floor and removal of balcony/window and door at first floor and installation of new window to match existing in existing dwelling

Reference: 10/1227/IN

Building Control

Deposit Date: 04.05.2016

Install one or more new circuits

Reference: 16/NAP00130/NAPIT

Building Control

Deposit Date: 10.06.2021

New front and rear dormer and internal alterations to the second floor

Reference: 21/1007/IN

Enforcement

Opened Date: 21.11.1995

Enforcement Enquiry

Reference: 95/00633/EN

Enforcement

Opened Date: 17.07.2018

Enforcement Enquiry

Reference: 96/00013/EN2

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|----------------------------------|--|
| Application Number | 19.1200.DD01 |
| Address | 108 Castelnau, Barnes, SW13 9EU |
| Proposal | Details pursuant to the following conditions of listed building consent 19/1200/LBC: <ul style="list-style-type: none"> • U0064638 – Materials • U0064639 – External Fenestration • U0064640 – Internal fenestration • U0064641 – Wine Cellar |
| Contact Officer | Sarah Griffiee |
| Target Determination Date | 22.10.2021 |

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

108 Castelnau is a Victorian Grade II Listed Building located on the eastern side of Castelanu and is to the west of the London Wetland Centre. The property is an attached dwellinghouse with the coach house element lower in the land than the main body of the dwelling. The front elevation is formed of light stock brick with white surrounds to sash windows and doors. One small dormer is present in the front elevation roofscape. The rear elevation has a more modern appearance and is formed of white render with a first floor balcony and iron railing balustrade.

The application site is situated within Barnes Village and is designated as;

- Article 4 direction restricting basement development
- Castelnau Conservation Area
- Flood Zone 3
- Area benefitting from Flood Defence
- Grade II Listed Building

3. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

Details pursuant to the following conditions of listed building consent 19/1200/LBC:

- U0064638 – Materials
- U0064639 – External Fenestration
- U0064640 – Internal fenestration
- U0064641 – Wine Cellar

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

19/1200/LBC – The proposed work includes the rebuilding of the first floor of the coach house, a single storey lower ground floor rear extension, work to the roof and internal alterations. Granted: 28.06.2019

4. CONSULTATIONS CARRIED OUT

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

No representations were received.

Amendments

The application was amended by way of removal of two conditions in agreement with the applicant. As no Officer Planning Report – Application 19/1200/DD01 Page 5 Of 9

representation were received initially and given this amendment reduced the number of conditions to be discharged rather than adding additional conditions in, re-consultation was not considered necessary.

5. MAIN POLICIES RELEVANT TO THE DECISION

NPPF (2021)

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/1005759/NPPF_July_2021.pdf

London Plan (2021)

The main policies applying to the site are:

- Policy D4 Delivering Good Design
- Policy HC1 Heritage Conservation and Growth

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 | No |
| Impact on Designated Heritage Assets | LP3 | 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
- Listed Buildings
- 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:
- Castelnau Conservation Area Statement

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.

Determining applications affecting a Listed Building

Sections 16(1) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 require that, when considering whether to grant listed building consent for any works, or whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting, or any features of special architectural or historic interest which it possesses. In this context, "preserving", means doing no harm.

To give effect to this duty decisions of the court have confirmed that a decision-maker should accord "considerable importance and weight" to the desirability of preserving the listed building or its setting when weighing this factor in the balance with other material considerations which have not been given this special statutory status. However, this does not mean that the weight that the decision-maker must give to the desirability of preserving the building or its setting is uniform. It will depend on, among other things, the extent of the assessed harm and the heritage value of the asset in question. This creates a strong presumption against granting planning permission where harm to a listed building or its setting is identified. The presumption can be rebutted by material considerations powerful enough to do so.

6. EXPLANATION OF OFFICER RECOMMENDATION

Materials

Prior to the commencement of the development hereby approved, details of the proposed materials, including manufacturers specifications, samples and sample panels where necessary shall be submitted to and agreed in writing by the Local Planning Authority. The information provided shall include, but is not limited to: lead for dormer cheeks, dark metal cladding, horizontal timber cladding, slate for roof and hardwood window frame and fascias.

Following this, the works shall be carried out in accordance with the approved details and maintained as such unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the special architectural and historic features of the listed building are sufficiently conserved.

In effort to discharge this application, a cover letter has been submitted.

The cover letter sets out that at this time, not all of the previously approved works are proposed to be implemented. As such, details of some of the materials listed above are not being provided at this time. This includes the dark metal cladding and horizontal timber cladding.

The wording of the cover letter suggests that works relating to the dormer, roof and window frames and fascias are to be carried out at this time. While it is stated that details of these are to be provided by the contractor, no further details of the materials themselves have been provided.

Therefore, the information submitted does not satisfy the wording of the condition to provide further details of the proposal and so, this condition is recommended for refusal.

External Fenestration

The proposed works involving external fenestration shall not be undertaken until larger scale details of the proposed elements have been agreed in writing by the Local Planning Authority. These details shall include, but are not limited to, the metal fenestration associated with the rear extension, and rooflights. The approved details shall be implemented unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that the special architectural and historic features of the listed building are sufficiently conserved.

In effort to discharge this condition a drawing of the dormer details have been submitted and a cover letter has been provided.

The cover letter sets out that at this time not all of the previously consented works are to be implemented

and it has been clarified that works relating to external fenestration are limited to the dormer window at this time.

The drawing showing the dormer details is considered acceptable as it indicates single glazing with through glazing bars which are respectful of the heritage sensitivities of the site as a Listed Building in a Conservation Area.

As such, this condition is recommended for partial discharge as the dormer details provided are considered acceptable but the condition cannot be fully discharged until larger scale details of all external fenestration works have been approved.

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 application in isolation 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.

Partial Discharge: Details pursuant to condition U0064639 - External Fenestration of listed building consent 19/1200/LBC

REFUSED: Details pursuant to conditions U0064638 - Materials of listed building consent 19/1200/LBC

Reason for Refusal:

By reason of the absence of sufficient details, the application fails to adequately address the requirements set out in the condition and so does not adequately demonstrate the materials would preserve the character and appearance of the Listed Building and wider Castelnau Conservation Area. The scheme is therefore not considered to satisfy the aims and objectives of the relevant condition and policies LP1 and LP3 of the Richmond Local Plan (2018).

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):SGR.....

Dated:19/10/2021.....

I agree the recommendation:

South Area Team Manager: *N. Paul*

Dated:20.10.2021.....