

Application reference: 21/4368/HOT EAST SHEEN WARD

Date application received	Date made valid	Target report date	8 Week date
21.12.2021	21.12.2021	15.02.2022	15.02.2022

Site:

3 Martindale, East Sheen, London, SW14 7AL

Proposal:

Alteration of existing dormer, installation of conservation type roof lights, low level boundary wall.

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

APPLICANT NAME

Ms Louis
3, Martindale
East Sheen
London
SW14 7AL

AGENT NAME

Mr Owens
11 Brook Road
London
London
London
TW1 1JE

DC Site Notice: printed on and posted on 07.01.2022 and due to expire on 28.01.2022

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

14D Urban D

Expiry Date

05.01.2022

Neighbours:

17 Temple Sheen, East Sheen, London, SW14 7RP, - 22.12.2021
19 Temple Sheen, East Sheen, London, SW14 7RP, - 22.12.2021
5 Martindale, East Sheen, London, SW14 7AL, - 22.12.2021
1 Martindale, East Sheen, London, SW14 7AL, - 22.12.2021
4 Martindale, East Sheen, London, SW14 7AL, - 22.12.2021
2 Martindale, East Sheen, London, SW14 7AL, - 22.12.2021

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

Status: PDE Application: 21/4347/HOT
Date: Ground floor rear extension.

Development Management

Status: PDE Application: 21/4368/HOT
Date: Alteration of existing dormer, installation of conservation type roof lights, low level boundary wall.

Application Number	21/4368/HOT
Address	3 Martindale, East Sheen, London, SW14 7AL
Proposal	Alteration of existing dormer, installation of conservation type roof lights, low level boundary wall.
Contact Officer	Holly Eley
Target Determination Date	15/02/2022

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 application site refers to a two storey terraced dwellinghouse on the western side of Martindale. The building is not identified as a Building of Townscape Merit (BTM), however, the site falls within the St Matthias Conservation Area.

Other site designations:

- Article 4 Direction- restricting basement development
- Critical Drainage Area
- Main Centre Buffer Zone- East Sheen Town Centre
- Area Less Susceptible to Surface Water Flooding

3. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

The application seeks permission for a single storey rear extension.

21/4347/HOT Ground floor rear extension. Pending Consideration

4. CONSULTATIONS CARRIED OUT

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

No representations received.

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/N

[PPF July 2021.pdf](#)

London Plan (2021)

Policy D4 – Delivery good design
Policy D12 – Fire Safety

These policies can be found at: https://www.london.gov.uk/sites/default/files/the_london_plan_2021.pdf

Richmond Local Plan (2018)

The main planning considerations applying to the site and the associated Local Plan policies are:

Issue	Local Plan Policy	Compliance	
Local Character and Design Quality	LP1	Yes	No
Impact on Designated Heritage Assets	LP3	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
East Sheen 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

St Matthias conservation area statement
St Matthias Avenue conservation area study

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 Fire Safety

Issue i - Design and Impact on heritage assets

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 requires development to conserve the historic environment of the borough, and where possible make a positive contribution. Development proposals likely to adversely affect the significance of heritage assets will be assessed against the requirement to seek to avoid harm and the justification for the proposal.

The Councils SPD relating to 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, they should not dominate the existing house and should harmonise with the original appearance.

The proposal seeks permission to enlarge the existing dormer, add three rooflights to the front roofslope and construct a low boundary wall.

The dormer would be formed in tiles to match existing. Three timber windows are proposed on the face of the dormer. The SPD states that windows should be smaller than those on the floor below. However, given examples of larger windows in the surrounding Conservation Area, departure from guidance is warranted. The Councils SPD for House Extensions and External Alterations states that dormers should retain space on either side, above and below the dormer in order to remain subordinate to the roofslope. The proposed dormer would be set down marginally from the ridge and up from the eaves, yet would occupy the almost the entirety of the width. Whilst the rear dormer does not comply with the design guidance set out in the SPD, having regard to the prevalence of examples of such development within the immediate locality and the existing dormer, the extension would not appear out of character and departure is justified. Indeed, the Conservation Officer has outlined no objection to the principle of the dormer extension.

The proposal seeks permission to add three conservation type rooflights to the front elevation. Such development is a common feature along Martindale and within the wider Conservation Area and therefore would not be unduly out of character.

The proposal also seeks to add a boundary wall with railings atop. The Design and Access Statement outlines the wall and railings would be designed to match other examples on the street, namely Nos.7 and 9. This is considered a welcomed improvement to the existing situation.

As such, the proposal is compliant with SPD guidance, as well as the Local Plan Policies LP1 and LP3.

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.

The property adjoins to Nos. 1 and 5 to the south and north respectively.

Given the existing windows at roof level and considering distance, properties to the rear (west) would not be harmed by the proposals.

Neither adjoining property benefit from development at roof level and thus would be unharmed by the dormer enlargement.

No concerns regarding rooflights or boundary wall.

The proposals comply with LP8.

Issue iii - Fire Safety

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

A Fire Safety Strategy has been submitted to the Council- received 21/12/21.

A condition will be included to ensure this is adhered to on an ongoing basis. 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.

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

Grant planning permission with conditions

Recommendation:

The determination of this application falls within the scope of Officer delegated powers - YES/~~NO~~

I therefore recommend the following:

- 1. REFUSAL
- 2. PERMISSION
- 3. FORWARD TO COMMITTEE

This application is CIL liable YES* NO
(*If yes, complete CIL tab in Uniform)

This application requires a Legal Agreement YES* NO
(*If yes, complete Development Condition Monitoring in Uniform)

This application has representations online YES NO

Case Officer (Initials):HEL.....

Dated:08/02/2022.....

I agree the recommendation:

Team Leader/Head of Development Management/Principal Planner

Dated: VAA 08/02.22

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

U0058406	Composite Informative
U0058407	NPPF APPROVAL - Para. 38-42