

## Application reference: 21/4210/HOT BARNES WARD

Date application received	Date made valid	Target report date	8 Week date
09.12.2021	09.12.2021	03.02.2022	03.02.2022

**Site:**

17 Bellevue Road, Barnes, London, SW13 0BJ

**Proposal:**

Refurbishment/ repair of 13 windows. Replacement of 2 non-original windows.

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

**APPLICANT NAME**

Roger Hoodless  
17, Bellevue Road  
Barnes  
London  
SW13 0BJ

**AGENT NAME**

Nigel Hartley  
33 Trinity Church Road  
London  
SW13 8ET

**DC Site Notice:** printed on and posted on 17.12.2021 and due to expire on 07.01.2022

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

14D Urban D

**Expiry Date**

24.12.2021

**Neighbours:**

20 Bellevue Road, Barnes, London, SW13 0BJ, - 10.12.2021  
47 Glebe Road, Barnes, London, SW13 0EB, - 10.12.2021  
19 Bellevue Road, Barnes, London, SW13 0BJ, - 10.12.2021  
15 Bellevue Road, Barnes, London, SW13 0BJ, - 10.12.2021

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

Status: WDN

Date: 23/11/2001

Application: 01/2290

Proposed Mansard Roof To Rear Roofslopes And Installation Of 3 Rooflights To Front Roof.

Development Management

Status: GTD

Date: 02/07/2002

Application: 02/T1032

Silver Birch - Prune Retaining A Natural Appearance

Development Management

Status: GTD

Date: 02/07/2002

Application: 02/T1033

Laburnam - Remove

Development Management

Status: PDE

Date:

Application: 21/4210/HOT

Refurbishment/ repair of 13 windows. Replacement of 2 non-original windows.

Building Control

Deposit Date: 05.05.2006

Single storey rear infill extension, relocation of wc and utility area and enlargement of existing loft over rear annexe

Reference: 06/0902/BN

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Building Control

Deposit Date: 18.06.2011

Installed a Gas Fire

Reference: 11/FEN03600/GASAFE

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<b>Application Number</b>	<b>21/4210/HOT</b>
<b>Address</b>	<b>17 Bellevue Road Barnes London SW13 0BJ</b>
<b>Proposal</b>	<b>Refurbishment/ repair of 13 windows. Replacement of 2 non-original windows.</b>
<b>Contact Officer</b>	<b>Sukhdeep Jhooti</b>
<b>Target Determination Date</b>	<b>03.02.2022</b>

## 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 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 has considered 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 property is three-storeys and forms part of a terrace. The application site is located in the Barnes Green Conservation Area. The application building is designated as a Building of Townscape Merit (BTM) is within a group of houses which are BTMs. It is a type of house known as a Lion House. 17 Bellevue is a type C Lion House as defined within the Conservation Area Guidance.

The Lion Houses were built by James Nicholl between 1899 and 1903. The Lion Houses are built in soft red stock brick on the front and on some flank elevation and in yellow London stocks elsewhere. Cambered window arches are made from yellow brick. Tiled bands are also used. Weathering and erosion over time has resulted in a change in the appearance of the bricks and tiles.

There is an article 4 Direction which covers alterations and extensions within the Conservation Area.

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

- Area Benefitting Flood Defence – Environment Agency
- Article 4 Direction Basements
- Article 4 Direction Conservation (ART4.CA.1.1 – Barnes Green 4 (1) GDO 05/12/1988/Ref: ART/01/1/ Effective from: 20/12/1989)
- Bank Top Planning App Tool – Environment Agency
- Building of Townscape Merit (Site: 17 Bellevue Road Barnes London SW13 0BJ).
- Conservation Area (CA1 Barnes Green)
- Floodzone 2 (Tidal Models)
- Floodzone 3 (Tidal Models)
- SFRA Zone 3a High Probability (Floodzone 3)
- Strategic Flood Risk Assessment Zone 2 Medium Probability
- Village (Barnes Village)
- Village Character Area (Barnes Green – Character Area 12 & Conservation Area 1 Barnes Village Planning Guidance Page 49 CHARAREA04/12/01)

The application site is situated

## 3. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

Planning permission is being sought for:

- Refurbishment/repair of 13 windows
- Replacement of 2 non-original windows

The relevant planning history associated with this site is set out below:

- **05/2738/HOT** – Single storey rear extension and rear dormer roof extension. **Granted Permitted.**

#### 4. CONSULTATIONS CARRIED OUT

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

One supporting letter has been received which is summarised below:

- As the owners of the neighbouring property who have carried out similar works we can confirm the quality and workmanship and materials used by the contractors. The benefits in terms of insulation and energy saving are obvious. Their appearance is identical to the windows previously.

#### 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
- 14. Meeting the challenges of flooding, coastal change and climate change
- 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](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:

- D4 Delivering good design
- D12 Fire Safety
- 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
Impact on Non-Designated Heritage Assets	LP4	Yes	No
Impact on Amenity and Living Conditions	LP8	Yes	No
Impact on Flood Risk and Sustainable Drainage	LP21	Yes	No

These policies can be found at

[https://www.richmond.gov.uk/media/15935/adopted\\_local\\_plan\\_interim.pdf](https://www.richmond.gov.uk/media/15935/adopted_local_plan_interim.pdf)

##### Supplementary Planning Documents

- Buildings of Townscape Merit
- House Extension and External Alterations
- Village Plan – Barnes Village

These policies can be found at:

[https://www.richmond.gov.uk/services/planning/planning\\_policy/local\\_plan/supplementary\\_planning\\_documents\\_and\\_guidance](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:

Barnes Green Conservation Area Statement

Barnes Green Study Conservation Area No. 1 – The Lion Houses Conservation Guidance

Article 4 Direction Conservation (ART4.CA.1.1 – Barnes Green 4 (1) GDO 05/12/1988/Ref: ART/01/1/  
Effective from: 20/12/1989)

### **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 Flood Risk
- iv Fire Safety

### **i Design and impact on heritage assets**

*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 requires development to preserve and where possible, enhance the setting, character and appearance of designated heritage assets such as Conservation Areas.*

*Policy LP4 requires development to preserve and where possible, enhance the setting, character and appearance of non-designated heritage assets such as Buildings of Townscape Merits.*

The Lion Houses Conservation Guidance was prepared following the introduction of an Article 4 Direction on the Lion Houses.

The document states that:

*'The retention of the original doors and windows is essential if the character of the houses is not to be lost and planning permission will not normally be given to replace original items in a different, size, pattern or material. This will prohibit the use of windows or doors made of aluminium (self colour or treated), or of other metal, plastic or synthetic materials'.*

It goes on to state that:

*"Doors and windows on the Lion Houses are well made and seldom deteriorate to a state where they are beyond repair unless they have been badly neglected. Their retention is important for historic and visual reasons and renovation is preferable to replacement. Sills or bottom rails which may perish due to exposure to the weather can be cut out and replaced by matching pierces joined to the remainder in a traditional way".*

*“New door or window openings in flank walls or rear walls, especially those visible from the street, will be considered in terms of the design of the overall elevation – in many cases this was carefully detailed by the builder and further openings may destroy the original concept. Where permission is given for new openings, existing details will be required to be copied. Windows and door recessed into the openings to show a brick reveal and cambered arch in the decorative brick common to houses, will be necessary, with sashes and panelled doors of appropriate patterns”.*

The Lion House Conservation Area Guidance states: *“ The standard for form of window is a double hung sliding sash in painted timber. House types A and C have fixed margin lights either side of the main sash with the upper part divided by glazing bars and casting a transom light. On the ground floor the upper sash has a swept bar to allow a spandrel infill of coloured, leaded glass, a feature which copied in the side transoms. In most cases, the meeting railing of the upper sashes retains the metal pull handles”.*

The proposed works would result in the following:

- Retention of existing cills and boxes and repair where necessary
- Replacement of existing windows with new double-glazed hand built timber sash frames with details to match existing

Specifically planning permission is sought for the refurbish/repair of 13 windows and the replacement of 2 non-original windows.

#### *Refurbishment/repair of 13 windows*

The refurbishment of the windows was undertaken by a locally specialist London sash window company who provide replacements and refurbishments of single- and double-glazed windows. All the windows' sash boxes have been retained with necessary repairs being made. All cills, except two, have been retained. Replacement sashes have been installed. The existing details of each of the 13 windows were replicated. The 13 windows which have been refurbished are now double glazed units. These units do not significantly alter the external appearance of the windows. Supporting photos have been supplied with before and after photos. It is evident from the supporting photos provided in the applicants heritage statement that the windows have been refurbished to a high standard without materially impacting upon their overall appearance. The Council's Conservation Officer was consulted, and no objections have been raised.

As such, the window refurbishments and replacement sashes would preserve the character and appearance of the conservation area. The significance of the host Building of Townscape Merit is also maintained due to the design and appearance of the window refurbishments.

#### *Replacement of 2 non-original windows*

The applicant wishes to replace the casement windows in two dormers as part of the proposals. The existing windows are white painted modern storm proof type sections. These do not match the original windows in the house. Supporting information provided in the applicants heritage statement state that they are “in poor quality and in poor condition”.

New white painted timber windows are proposed to match existing.

The new windows in the dormers would use matching sections

The replacement windows would preserve the character and appearance of the conservation area. The significance of the host BTM would be maintained due to their size, design and scale.

Paragraph 199 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 202 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’. In this instance, the proposal would not lead to less than substantial harm to the setting, character and appearance of the conservation area due to their size, scale and design.

Paragraph 203 of the NPPF states ‘The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset’. The proposals would

preserve the character, appearance and setting of the host BTM and neighbouring BTMs due to its size, scale and design.

In view of the above, the proposal would comply with the aims and objectives of policies LP1, LP3 and LP4 of the Local Plan.

**ii Impact on neighbour amenity**

*Policy LP8 states that development must protect the amenity and living conditions of existing, adjoining and neighbouring occupants. Design must allow for good daylight standards, avoid overlooking or noise disturbance, avoid visual intrusion, overbearing impacts or harm to the reasonable enjoyment of the uses of buildings and gardens. Harm may arise from various impacts such as noise, air pollution, odours or vibration.*

No additional window openings are proposed as part of the proposals. The proposed development would cause significant increases in the levels of overlooking compared with the existing situation.

The proposal would comply with policy LP8 of the Local Plan 2018

**iii Flood Risk**

Policy LP21 required development to minimise flood risk from all sources. The proposal would not result in the creation of new buildings or structures. The refurbishment and replacement of windows would not increase flood risk. The proposal would comply with policy LP21 of the Local Plan.

**iv 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 the Council following the Officers request. A condition would be imposed to ensure this is adhered to on an ongoing basis. This statement does not override the need to obtain building regulations approval.

**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 (which are not on the file)  YES  NO

This application has representations on file  YES  NO

Case Officer (Initials): SJH Dated: 10.02.2022

**I agree the recommendation:**

Principal Planner

Dated: ...WWC.....11/2/22.....

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: .....