

Application reference: 23/1636/HOT SOUTH RICHMOND WARD

Date application received	Date made valid	Target report date	8 Week date
13.06.2023	13.06.2023	08.08.2023	08.08.2023

Site:

48 Berwyn Road, Richmond, TW10 5BS,

Proposal:

Proposed side and rear extension.

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

APPLICANT NAME

C/O Agent
C/O Agent
London
SW6 2TL

AGENT NAME

Mr Mandip Sahota
46 James Street
London
W1U 1EZ

DC Site Notice: printed on 15.06.2023 and posted on 23.06.2023 and due to expire on 14.07.2023

Consultations:

Internal/External:

Consultee

14D Urban D

Expiry Date

29.06.2023

Neighbours:

,,,TW10 5BS -
18 Berwyn Road, Richmond, TW10 5BS, - 15.06.2023
579 Upper Richmond Road West, East Sheen, London, TW10 5DU, - 15.06.2023
42 Berwyn Road, Richmond, TW10 5BS, - 15.06.2023
44 Berwyn Road, Richmond, TW10 5BS, - 15.06.2023
581 Upper Richmond Road West, East Sheen, London, TW10 5DU, - 15.06.2023
34 Berwyn Road, Richmond, TW10 5BS, - 15.06.2023
573 Upper Richmond Road West, East Sheen, London, TW10 5DU, - 15.06.2023
9 Berwyn Road, Richmond, TW10 5BP, - 15.06.2023
49 Sheen Common Drive, Richmond, TW10 5BW, - 15.06.2023
30 Berwyn Road, Richmond, TW10 5BS, - 15.06.2023
39 Berwyn Road, Richmond, TW10 5BU, - 15.06.2023
3 Berwyn Road, Richmond, TW10 5BP, - 15.06.2023
13 Berwyn Road, Richmond, TW10 5BP, - 15.06.2023
50 Berwyn Road, Richmond, TW10 5BS, - 15.06.2023
41 Berwyn Road, Richmond, TW10 5BU, - 15.06.2023
46 Berwyn Road, Richmond, TW10 5BS, - 15.06.2023
16 Stanley Road, East Sheen, London, SW14 7DZ, - 15.06.2023
16A Stanley Road, East Sheen, London, SW14 7DZ, - 15.06.2023
10 Stanley Road, East Sheen, London, SW14 7DZ, - 15.06.2023
26 Berwyn Road, Richmond, TW10 5BS, - 15.06.2023
31 Berwyn Road, Richmond, TW10 5BP, - 15.06.2023
8 Berwyn Road, Richmond, TW10 5BS, - 15.06.2023
32 Berwyn Road, Richmond, TW10 5BS, - 15.06.2023
23 Berwyn Road, Richmond, TW10 5BP -
56 Gilpin Avenue, East Sheen, London, SW14 8QY -
577 Upper Richmond Road West, East Sheen, London, TW10 5DU -

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

Status: GTD Application:87/0546
Date:28/07/1987 Extension of living space at ground floor level and additional bathroom at first floor level.

Development Management

Status: GTD Application:87/1433
Date:14/09/1987 Erection of part single and part 2 storey extension.

Development Management

Status: RNO Application:22/T0969/TCA
Date:22/12/2022 T1- Leylandii -FELL and grind out stump, tree is close to property causing problems and excessively shading house and neighbours T2- Leylandii-FELL and grind out stump, tree is close to property causing problems and excessively shading house T3- Leylandii -FELL and grind out stump, tree is close to property causing problems and excessively shading house T4- Leylandii- FELL and grind out stump, tree is close to property causing problems and excessively shading house

Development Management

Status: GTD Application:22/3592/HOT
Date:30/01/2023 Replacement single storey rear extension.

Development Management

Status: REF Application:22/3676/HOT
Date:03/02/2023 Proposed first floor side and rear extension.

Development Management

Status: PCO Application:23/T0096/TCA
Date: T2 Purple Plum - Reduce reduce height by 3m to 3m and crown from 3m to 2m G3 Lawson Cypress - Remove G5 Row of Leylandis - (estimated at 4) Remove T4 Apple - reduce height by 3m to 3m and crown 3m to 1.5m T6 Fig - reduce height by 3m to 3m and crown from 2m to 1m T7 - Remove T8 - Cypress - Remove T9 - Mimosa - Remove T10 - Lawson Cypress - Remove T11 - Lawson Cypress - Remove G12 - Row of Leylandi - (estimated at 8) Remove G13 - Leylandi - Remove T14 - Plum - Remove T15 - Apple - reduce height by 2m to 2m and thin accordingly T16 - Pear - reduce height by 3m to 3m and thin accordingly G17 - Row of Leylandi - (estimated at 2) Remove

Development Management

Status: REF Application:23/0414/HOT
Date:20/03/2023 Proposed first floor side and rear extension.

Development Management

Status: REF Application:23/0416/HOT
Date:20/03/2023 Proposed first floor side and rear extension.

Development Management

Status: RNO Application:23/T0250/TCA
Date:03/05/2023 T2 Purple Plum - Reduce reduce height by 3m to 3m and crown from 3m to 2m G3 Lawson Cypress - Remove G5 Row of Leylandis - (estimated at 4) Remove T4 Apple - reduce height by 3m to 3m and crown 3m to 1.5m T6 Fig - reduce height by 3m to 3m and crown from 2m to 1m T7 - Remove T8 - Cypress - Remove T9 - Mimosa - Remove T10 - Lawson Cypress - Remove T11 - Lawson Cypress - Remove G12 - Row of Leylandi - (estimated at 8) Remove G13 - Leylandi - Remove T14 - Plum - Remove T15 - Apple - reduce height by 2m to 2m and thin accordingly T16 - Pear - reduce height by 3m to 3m and thin accordingly G17 - Row of Leylandi - (estimated at 2) Remove

Development Management

Status: REF Application:23/0922/HOT
Date:24/05/2023 Proposed side and rear extensions.

Development Management

Status: REF Application:23/0925/HOT
Date:24/05/2023 Proposed side and rear extensions.

Development Management

Status: PDE Application:23/1636/HOT
Date: Proposed side and rear extension.

Appeal

Validation Date: 24.05.2023 Proposed first floor side and rear extension.
Reference: 23/0035/AP/REF

Appeal

Validation Date: 14.07.2023 Proposed first floor side and rear extension.
Reference: 23/0047/AP/REF **Appeal In Progress**

Appeal

Validation Date: 14.07.2023 Proposed first floor side and rear extension.
Reference: 23/0048/AP/REF **Appeal In Progress**

Appeal

Validation Date: 14.07.2023 Proposed side and rear extensions.
Reference: 23/0049/AP/REF **Appeal In Progress**

Appeal

Validation Date: 14.07.2023 Proposed side and rear extensions.
Reference: 23/0050/AP/REF **Appeal In Progress**

Building Control

Deposit Date: 24.09.2007 6 Windows
Reference: 07/FEN00840/FENSA

Building Control

Deposit Date: 31.07.2019 Install a gas-fired boiler
Reference: 19/FEN02752/GASAFE

Application Number	23/1636/HOT
Address	48 Berwyn Road, Richmond, TW10 5BS
Proposal	Proposed side and rear extension.
Contact Officer	Kerry McLaughlin

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 proposal property is a two-storey, detached dwelling, located on the eastern side of Berwyn Road.

The application site is subject to the following planning constraints:

Area Susceptible to Groundwater Flood - Environment Agency	Superficial Deposits Flooding - >= 75% - SSA Pool ID: 1491
Article 4 Direction Basements	Article 4 Direction - Basements / Ref: ART4/BASEMENTS / Effective from: 18/04/2018
Conservation Area	CA69 Sheen Common Drive
Critical Drainage Area - Environment Agency	Richmond Town Centre and Mortlake [Richmond] / Ref: Group8_004 /
Increased Potential Elevated Groundwater	GLA Drain London
Risk of Flooding from Surface Water 1 in 1000 chance - Environment Agency	RoFSW Extent 1 In 1000 year chance
Village	Richmond and Richmond Hill Village
Village Character Area	Sheen Common Drive - Character Area 15 & Conservation Area 69 East Sheen Village Planning Guidance Page 49 CHARAREA05/15/01
Ward	South Richmond Ward

3. RELEVANT PLANNING HISTORY

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

Ref	Proposal	Decision	Appeal Decision
23/0922/HOT	Proposed side and rear extensions.	Refused Permission	Appeal In Progress
23/0925/HOT	Proposed side and rear extensions.	Refused Permission	Appeal In Progress
23/0414/HOT	Proposed first floor side and rear extension.	Refused Permission	Appeal In Progress
23/0416/HOT	Proposed first floor side and rear extension.	Refused Permission	Appeal In Progress
22/3676/HOT	Proposed first floor side and rear extension.	Refused Permission	Appeal Dismissed

This current application follows the refusal of earlier applications including 23/0922/HOT & 23/0925/HOT, which were both refused on the following grounds:

“Reason for Refusal - Design

The proposed two-storey side and rear extensions by reason of combined width, depth, height, siting and bulk would result in a dominant and unsympathetic form of overdevelopment which will negatively impact on the appearance, form and proportion of the host property and harm the character and appearance of the conservation area. As such the proposal would be contrary to policies LP1 and LP3 of the Local Plan (2018).

They also fail to accord with the House Extensions and External Alterations supplementary planning document, CA69 Sheen Common Drive Conservation Area Statement, CA69 Sheen Common Drive Conservation Area Study, Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, Policy HC1 (C) of the London Plan (2021) and paragraphs 199 and 202 of the NPPF (2021)."

No pre-application advice has been sought for the proposals.

The proposed extension here is pitched roofed. At first floor, the proposals are reduced in size and scale when compared to previous applications. The applicant states *"the proposals comprise a distinct side extension which does not project beyond the existing principle rear building line of the host dwelling. The overall depth of the property is reduced through the removal of existing rear extension."*

4. CONSULTATIONS CARRIED OUT

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

12 letters of objection have been received. These comments are summarised as follows:

- Visual impact on the road
- Too Big
- The proposed first floor side extension, by reason of its prominent siting within the street scene and proximity to the shared boundary, would result in the in-filling of an important gap which contributes positively to the spacious, well-planned character of the estate and allows views through to the rear garden trees and vegetation from the street.
- The roof of the side extension would add significant and uncharacteristic bulk at main roof level, which would not be subordinate to the parent property.
- The proposal would result in a cramped and unsympathetic form of development which fails to preserve or enhance the character or appearance of the host property and the surrounding Sheen Common Drive Conservation Area, a designated heritage asset, and would thereby conflict with the Local Plan including policies DM HD1 and DM DC1 of the Development Management Plan, policy CP7 of the Core Strategy and the adopted Supplementary Planning Guidance (SPG) 'Design Guidelines for House Extensions and External Alterations' (2002), together with the Sheen Common Drive Conservation Area Statement and relevant policies within the National Planning Policy Framework (2012) - Officer Note: Policies DM HD1 and DM DC1 of the Development Management Plan and policy CP7 of the Core Strategy have been superseded by the Local Plan (2018) and therefore do these policies do not form a material planning consideration within this assessment. The assessment is undertaken against relevant policies at the time of submission.
- The current proposal does not conform to the conservation area as new areas are bulky and appear to dominate the existing structure instead of being submissive.
- Overlooking. Because of the downward slope to Upper Richmond Road the height of the extension is significant.
- In general, this application does nothing to enhance or preserve the ambiance of the road. It remains a domineering extension.
- The house is going to be 25% larger than it presently is. This is too large for Berwyn Road.
- It is planned to be hard up against the boundary wall of No 46 Berwyn Rd and this will stop light coming into the side rooms of that house.
- Unreasonable number of rooms and the noise levels which will emanate from a 7 bedroom house will be pretty unbearable.
- The proposed front elevation will be a solid mass, there would be no real gap between No 46 & No 48 and this will look very heavy from the street and not at all in keeping with the conservation area.
- The rear elevation is very heavy and dominating, not in keeping with the conservation area.
- The proposed (north) side elevation will result in overlooking.
- The south elevation will be bang up against the boundary with No.46, so the occupants will lose what little light they have in those ground floor rooms, (cloakroom, kitchen, dining room).
- Drawing 240-907 presents a silhouette out of a solid, massive block, much too big, wide and domineering for Berwyn Road.
- There is no mention of what materials or finish are proposed.
- The layout and density of the building will be changed dramatically.
- Landscaping
- Previous objections do not appear to have been taken into consideration by the architect's amended drawings.
- The size of the proposed extension and the elevated position of number 48 means it will still dominate.
- Visual Dominance
- Parking
- Overlooking from windows on the north side.

- The proposals do nothing to enhance the area.
- Far too deep into the garden.
- The proposals would lead to an unsympathetic dwelling, wholly out of keeping with the other houses in the road.
- There is no interest in creating a sympathetic and attractive building in keeping with other nearby houses, simply a desire to build the largest possible house.
- Does not comply with several fundamental policies in the development plan.
- The application is stated to be for a proposed side and rear extension. This description is misleading as what is actually proposed is a first floor side and rear extension plus a roof extension.
- CIL calculation
- Whilst the current application is slightly reduced in size, there are still approximately 100sqm of new space, including 43sqm of roof space, compared with 208sqm, an increase of nearly 50%.
- The developer persists with the same south side development as in the refused application.
- Many of the developments as listed within the supporting documentation pre-date the conservation area.
- Loss of light (daylight and sunlight)
- Construction Period - Officer Note: This does not form a material planning consideration.
- Non-compliance with policy in terms of design, amenity and heritage.

1 letter of observation has been received. This comment is summarised as follows:

- This is now the sixth planning application for first floor extensions in six months, the previous five applications having all been refused. In the last representation from East Sheen Society it was suggested that the scheme should keep the gap between Nos. 48 and 46 as it allows retention of a shaft of light onto the street and a glimpse from the street of the trees looming in the back gardens beyond, this being characteristic of the Conservation Area. The applicant has instead removed the extension at the rear and shown extension at the side only, thus blocking the gap. Retention of the extension on the rear (northern part) would have been preferable to any extension on the side (southern).

All material planning considerations are assessed under Section 7 in the report below.

5. AMENDMENTS

None.

6. 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 challenge of climate change, flooding and coastal 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

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 SI12 - Flood Risk Management

These policies can be found at: <https://www.london.gov.uk/what-we-do/planning/london-plan/new-london-plan/london-plan-2021>

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

Impact on Trees, Woodland and Landscape	LP16	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

Supplementary Planning Documents

House Extension and External Alterations
Richmond and Richmond Hill Village Plan

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:
CA69 Sheen Common Drive Conservation Area Statement
CA69 Sheen Common Drive Conservation Area Study

Richmond Publication Local Plan (Regulation 19 version)

The Richmond Publication Version Local Plan (Regulation 19 version) and its supporting documents, including all the Regulation 18 representations received, was considered at Full Council on 27 April. Approval was given to consult on the Regulation 19 Plan and, further, to submit the Local Plan to the Secretary of State for Examination in due course. The Publication Version Local Plan, including its accompanying documents, have been published for consultation on 9 June 2023. Together with the evidence, the Plan is a material consideration for the purposes of decision-making on planning applications.

The weight to be given to each of the emerging policies and allocations will depend on an assessment against the criteria set out in paragraph 48 of the NPPF. As the Council considers the emerging Local Plan to be sound and legally compliant, officers and Councillors should accord relevant policies and allocations weight in the determination of applications taking account of the extent to which there are unresolved objections to relevant policies. Note that it was agreed by Full Council that no weight will be given to Policy 4 in relation to the increased carbon offset rate, and therefore the existing rate of £95/t will continue to be applied; in addition, no weight will be given to Policy 39 in relation to the 20% biodiversity net gain requirement at this stage; all other aspects and requirements of these policies will apply.

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	LP28	Yes	No
Designated Heritage Assets	LP29	Yes	No
Amenity and Living Conditions	LP46	Yes	No
Trees, Woodland and Landscape	LP42	Yes	No
Flood Risk and Sustainable Drainage	LP8	Yes	No

These policies can be found at https://www.richmond.gov.uk/draft_local_plan_publication_version

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.

7. EXPLANATION OF OFFICER RECOMMENDATION

The key issues for consideration are:

- i Design/Visual Amenity
- ii Neighbour Amenity
- iii Trees
- iv Flood Risk
- v Other matters

Issue i - Design/Visual Amenity

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.

The Councils SPD relating to House Extensions and External Alterations states that the overall shape, size and position of side and rear extensions should not dominate the existing house or its neighbours. It should harmonise with the original appearance, either by integrating with the house or being made to appear as an obvious addition.

48 Berwyn Road is a single detached dwelling house constructed in the 1920s as part of the laying out of an extensive planned housing estate to the north of Sheen Common. The building forms part of the principal development of the estate, being first shown in the 1932-35 OS Map for the area.

The building is situated within the Sheen Common Drive Conservation Area which encompasses the early 20th century residential estate. No. 48 makes a positive contribution to the character and appearance of area, forming part of a small group of houses on this side of the street which maintain some consistency of design and form with only slight variations in features such as the two storey bay and canted windows. No. 48 has been subject to minimal alteration externally and retains its consistent 1920s character and appearance. This includes the hipped roof which forms a consistent feature throughout the conservation area. The consistency of design and materiality of the house along with its neighbours, contributes significantly to the conservation area's special interest. The semi-formal landscaped verges, gaps between the buildings and the large rear gardens also provide a leafy suburban character to the area.

The Sheen Common Drive Conservation Area statement notes the loss of traditional architectural features and materials due to unsympathetic alterations as one of the problem and pressures on the CA, and the preservation, enhancement and reinstatement of architectural quality and unity as an opportunity for enhancement.

This application follows five recently refused applications for a range of side/rear extensions of varying designs, one of which is the subject of a dismissed appeal (22/3676/HOT), the other four applications are currently pending consideration by the planning inspectorate at appeal. An earlier application was permitted for a single storey rear extension (22/3592/HOT).

This application is for a two-storey side and single storey rear extension. No pre-application advice has been sought for these proposals.

As set out above, the application site has been subject to little external alteration since its construction save for some rear extensions and side garage which has now been converted to additional accommodation. The building forms part of a fairly consistent group of detached houses constructed at a similar time and share a unity of form and design. In the dismissed appeal, the Inspector noted that the property is reflective of the character of its surrounds with subservient extensions and alterations preserving its existing traditional form, and that, *"Its relationship, adjacent to but set back from Berwyn Road, gives the front elevation a prominence within the street scene. These factors mean the existing building contributes positively to the significance of the CA"*.

It is acknowledged that properties within the locality have been subject to alterations, most notably No's 46 & 44 immediately to the south of the site, currently both comprise two-storey full width rear extensions. These
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extensive extensions reduce the spacious character of the conservation area, removing the gaps between the buildings. Guidance contained within the SPD for House Extensions notes *“Two storey side and rear extensions should not be greater than half the width of the original building.”* It is noted the aforementioned notable developments were constructed prior to the conservation area status of the surrounds, which was designated in 2004. In addition, the extensions were implemented prior to the adoption of the House Extensions and External Alterations SPD which was adopted in 2015. As such, site circumstances and material considerations have changed significantly since.

The current proposals for No.48 involve the removal of the existing first floor extension to the rear, and construction of a single storey rear extension, matching the line of the rear wall to the neighbour's extension at No.46. There is no objection to these elements of the application: the first floor extension is not original fabric and the proposed single storey extension would be subservient to the main dwelling and in keeping with other extensions in the local area (and is comparable in footprint/height to that approved under application 22/3592/HOT).

The proposed side extension would sit above the existing converted garage and stretch back in depth, almost to the existing rear wall of the property.

It has been acknowledged for previous applications that there may be some scope for a modest upward extension of the existing garage, however, as proposed the side extension fails to establish a suitably subservient relationship with the main dwelling.

The Council's House Extensions and External Alterations SPD advises that where an extension is made to appear as a subordinate addition *“the ridge of the extension should be set lower to that on the main house”* (page 6) and at para 5.2.3 *“Development, which would result in the significant reduction of an existing important space or gap between neighbouring houses, is not normally acceptable. In conjunction with existing extensions to neighbouring buildings this can have a terracing effect on the street. Consequently, two storey side extensions should be sited 1m from the side boundary.”*

A departure from this policy advice, which has been formulated to safeguard the high quality character and heritage of the borough, has not been justified. The spacious suburban character is a positive feature of the Conservation Area and the full width side extension to the site boundary would inhibit views through to the verdant character beyond and thus harm the character and appearance of the Conservation Area. Whilst the applicant has cited various other applications in the surrounds these either pre-date current policies or are not comparable in design or site-specific circumstances.

The hipped roof, whilst set down from the ridge, is only marginally so. The height and bulk of the hipped roof fail to achieve a sense of subservience, notwithstanding the appropriate set back from the front elevation. Its height and width are such that the resulting side elevation has a higher eaves line than that of the main dwellinghouse, which contributes to a cramped and bulky appearance. A thinner side extension could reduce the bulk of the roof and better preserve views between the houses to the gardens behind. As submitted, the proposals result in a side element that does not maintain a subservient relationship to the host dwelling. It would obscure and alter the original form and roofscape of the main building which would exacerbate its impact and appear as an overly dominant addition.

There is no objection to the depth of the proposed side extension.

The extension would result in the in-filling of an important gap which contributes positively to the spacious, well-planned character of the estate and which currently allows views through to the rear garden trees and vegetation from the street.

The proposed elevations are formed of brick and render, forming a continuation of the extant dwelling character. Fenestration is sought to largely match the existing windows at the host dwelling. No objections are raised in this regard.

The side extension would cause less than substantial harm to the conservation area, removing an important spatial gap between the building and its neighbour and failing to establish a subservient relationship with the host dwelling; this lack of subservience also fails to accord with the House Extensions and External Alterations SPD. The harm to the conservation area would be less than substantial but harm should be given great weight. There are no heritage benefits to outweigh this harm and therefore refusal of this application is recommended on the basis that it fails to accord with the statutory duty of the 1990 Act, paras 199, 200 and 202 of the NPPF and local policies LP1 and LP3.

Issue ii - 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.

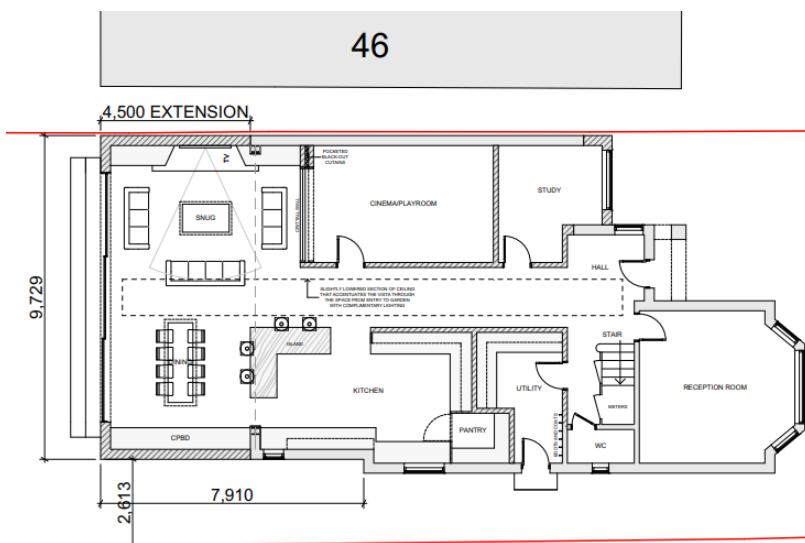
The SPD on House Extensions and External Alterations notes that generally an extension of 4m in depth for a detached property will be acceptable. Where the proposed extension seeks a larger depth, the eaves should be reduced to 2.2m at the shared boundary to mitigate detrimental impact on neighbours such as sense of enclosure or overbearing. However, the final test of acceptability is dependent on the specific circumstances of the site which may justify greater rear projection.

The property would remain solely in residential use as a result of the proposal. An increase in noise or pollution would not occur as a result of the proposal.

50 Berwyn Road lies to the north. This is a backland dwelling allowed on appeal in 2011. The front elevation of this property runs almost parallel with the extent of the proposed extension. The nearest affected window is indicated on the approved plans to serve a dual aspect study. The LKD adjacent is also dual aspect. Given the combined factors of distance from the shared boundary, orientation of affected windows and their dual aspect nature plus intervening boundary treatments, it is not considered that this extension would cause visual intrusion or loss of light to this neighbour.

Due to the orientation and relationship between other neighbouring houses to the north and east of the site and separation distances to these neighbouring habitable rooms, the proposed extension would comply with the BRE light test and therefore would not cause any unreasonable loss of light to any of these properties. With regard to visual intrusion, the extension would be set a sufficient distance from these properties to avoid appearing overbearing.

Regarding No.46 Berwyn Road (to the south), the extension is proposed to be built along the shared boundary line. As previously noted, No.46 does benefit from a two-storey rear extension sited adjacent to the proposal site. The proposed extension will not project any further than the rear elevation of the neighbouring two-storey extension, and as such, will not result in any undue overbearing, loss of light, visual intrusion or create a sense of enclosure to this property. Furthermore, the scheme will fully comply with the 45-degree BRE light test in relation to all rear facing windows.



At no.46 there is one WC with a north facing window. This is not a habitable room.

The galley kitchen at No.46 forms part of large open plan space, comprising dining/breakfast area. The north facing windows are not the primary source of light and outlook for this room, which is a dual aspect kitchen/dining room. The primary aspect is east over the garden via rear patio doors.

The 'breakfast room' would be unaffected by the proposals, and therefore the light and outlook amenity received from that eastern aspect is preserved.

Given the orientation of the galley part of the kitchen (north facing) and the eating area (Eastern facing) the proposed development would cause no harm to the sunlight aspect and quality of this room. The BRE guide confirms that sunlight does not need to be tested in respect of windows that are orientated within 90 degrees of north. In respect of both daylight and outlook, the window is already compromised by the existing built form

of no 48, both its single storey element and the two-storey flank wall. Given that the primary source of both light and outlook to the dual aspect room is to the east, the existing built form, plus the north facing nature of the affected windows meaning sunlight is not affected, it is not considered that there would be material harm that would warrant a reason for refusal.

The scheme does incorporate 1x upper floor side facing rooflight, and had the scheme been found otherwise acceptable it would have been prudent to condition this window to be obscure glazed and non-openable below 1.7m of the relevant floor level to avoid overlooking/loss of privacy. The fenestration to the rear elevation will not result in any additional viewing angles beyond that which could already be achieved through the existing fenestration of the host property and neighbouring properties. Thus, no concerns are raised in terms of overlooking/privacy.

The proposed scheme is considered acceptable in terms of neighbour amenity. The proposal is not considered to detrimentally impact the amenities of any neighbouring occupiers and therefore, is in line with policy LP8 of the Local Plan (2018) and relevant Supplementary Planning Documents/Guidance.

Issue iii - Trees

Policy LP16 of the Local Plan states '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.'

The location of this proposal is sited within the CA69 Sheen Common Drive, Conservation Area which affords trees both within and adjacent to the site of the proposal, statutory protection. However, there are no recorded Tree Preservation Orders (TPO) within or adjacent to the site of the proposal.

A recent tree works application to fell the Leylandii closest to the house is noted, to which no objections were raised. As these are the only trees which would be directly affected by the development, it is not anticipated that the incorporation of the proposed development and its construction would materially harm the health of any remaining statutory protected trees subject to a tree protection condition to ensure that construction activities do not deleteriously impact upon retained trees in the rear garden.

Subject to condition, the council are satisfied that the proposed development would accord with Policy LP 16 of the Local Plan.

Issue iv - Flood Risk

Policy LP21 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 application site is situated within an area susceptible to surface water flooding.

A Flood Risk Assessment (FRA) has been provided as part of this application to comply with the requirements of LP21, which confirms the floor levels within the proposed development will be set no lower than existing levels and, flood proofing of the proposed development has been incorporated where appropriate.

Other Matters

Fire Safety

The applicant has addressed fire safety within the 'Design, Access and Planning Statement' to address policy D12 of the London Plan (2021).

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.

8. 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.

9. RECOMMENDATION

This recommendation is made following careful consideration of all the issues raised through the application Officer Planning Report – Application 23/1636/HOT Page 11 of 12

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 for the following reasons

Reason for Refusal - Design

The proposed two-storey side extension by reason of combined width, height and bulk would result in a dominant and unsympathetic form of overdevelopment which will negatively impact on the appearance, form and proportion of the host property and harm the character and appearance of the conservation area. As such the proposal would be contrary to policies LP1 and LP3 of the Local Plan (2018). They also fail to accord with the House Extensions and External Alterations supplementary planning document, CA69 Sheen Common Drive Conservation Area Statement, CA69 Sheen Common Drive Conservation Area Study, Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, Policy HC1 (C) of the London Plan (2021) and paragraphs 199 and 202 of the NPPF (2021).

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): KM

Dated: 01.08.2023

I agree the recommendation:

This application has been subject to representations. 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:Nicki Dale.....

Dated:03.08.2023.....