

Application reference: 24/0986/FUL
MORTLAKE AND BARNES COMMON WARD

Date application received	Date made valid	Target report date	8 Week date
17.04.2024	17.04.2024	12.06.2024	12.06.2024

Site:

Ashleigh House, Mortlake High Street, Mortlake, London

Proposal:

Replacement glazing to improve energy efficiency

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

APPLICANT NAME

-
8 Waldegrave Road
Teddington
TW11 8GT

AGENT NAME

Ms Lucy Arrowsmith
4 Eel Pie Island
Twickenham
TW1 3DY
United Kingdom

DC Site Notice: printed on 18.04.2024 and posted on 26.04.2024 and due to expire on 17.05.2024

Consultations:

Internal/External:

Consultee
14D Urban D

Expiry Date
09.05.2024

Neighbours:

- 16 Avondale House, Mortlake High Street, Mortlake, London, SW14 8SQ, - 18.04.2024
- 14 Avondale House, Mortlake High Street, Mortlake, London, SW14 8SQ, - 18.04.2024
- 8 Avondale House, Mortlake High Street, Mortlake, London, SW14 8SQ, - 18.04.2024
- 7 Avondale House, Mortlake High Street, Mortlake, London, SW14 8SQ, - 18.04.2024
- 5 Avondale House, Mortlake High Street, Mortlake, London, SW14 8SQ, - 18.04.2024
- 15 Avondale House, Mortlake High Street, Mortlake, London, SW14 8SQ, - 18.04.2024
- 13 Avondale House, Mortlake High Street, Mortlake, London, SW14 8SQ, - 18.04.2024
- 6 Avondale House, Mortlake High Street, Mortlake, London, SW14 8SQ, - 18.04.2024
- 4 Ashleigh House, Mortlake High Street, Mortlake, London, SW14 8SH, - 18.04.2024
- 24 Ashleigh House, Mortlake High Street, Mortlake, London, SW14 8SH, - 18.04.2024
- 13 Ashleigh House, Mortlake High Street, Mortlake, London, SW14 8SH, - 18.04.2024
- 12 Ashleigh House, Mortlake High Street, Mortlake, London, SW14 8SH, - 18.04.2024
- 7 Ashleigh House, Mortlake High Street, Mortlake, London, SW14 8SH, - 18.04.2024
- 33 Ashleigh House, Mortlake High Street, Mortlake, London, SW14 8SH, - 18.04.2024
- 32 Ashleigh House, Mortlake High Street, Mortlake, London, SW14 8SH, - 18.04.2024
- 30 Ashleigh House, Mortlake High Street, Mortlake, London, SW14 8SH, - 18.04.2024
- 28 Ashleigh House, Mortlake High Street, Mortlake, London, SW14 8SH, - 18.04.2024
- 26 Ashleigh House, Mortlake High Street, Mortlake, London, SW14 8SH, - 18.04.2024
- 25 Ashleigh House, Mortlake High Street, Mortlake, London, SW14 8SH, - 18.04.2024
- 23 Ashleigh House, Mortlake High Street, Mortlake, London, SW14 8SH, - 18.04.2024

- 21 Ashleigh House, Mortlake High Street, Mortlake, London, SW14 8SH, - 18.04.2024
- 19 Ashleigh House, Mortlake High Street, Mortlake, London, SW14 8SH, - 18.04.2024
- 17 Ashleigh House, Mortlake High Street, Mortlake, London, SW14 8SH, - 18.04.2024
- 15 Ashleigh House, Mortlake High Street, Mortlake, London, SW14 8SH, - 18.04.2024
- 11 Ashleigh House, Mortlake High Street, Mortlake, London, SW14 8SH, - 18.04.2024
- 9 Ashleigh House, Mortlake High Street, Mortlake, London, SW14 8SH, - 18.04.2024
- 5 Ashleigh House, Mortlake High Street, Mortlake, London, SW14 8SH, - 18.04.2024
- 2 Ashleigh House, Mortlake High Street, Mortlake, London, SW14 8SH, - 18.04.2024
- 16 Ripley House, Mortlake High Street, Mortlake, London, SW14 8SJ, - 18.04.2024
- 12 Ripley House, Mortlake High Street, Mortlake, London, SW14 8SJ, - 18.04.2024
- 8 Ripley House, Mortlake High Street, Mortlake, London, SW14 8SJ, - 18.04.2024
- 4 Ripley House, Mortlake High Street, Mortlake, London, SW14 8SJ, - 18.04.2024
- 4 Ashleigh Road, Mortlake, London, SW14 8PX, - 18.04.2024
- 2 Ashleigh Road, Mortlake, London, SW14 8PX, - 18.04.2024
- 3 Avondale Road, Mortlake, London, SW14 8PU, - 18.04.2024
- 1 Avondale Road, Mortlake, London, SW14 8PU, - 18.04.2024
- 15 Ripley House, Mortlake High Street, Mortlake, London, SW14 8SJ, - 18.04.2024
- 11 Ripley House, Mortlake High Street, Mortlake, London, SW14 8SJ, - 18.04.2024
- 7 Ripley House, Mortlake High Street, Mortlake, London, SW14 8SJ, - 18.04.2024
- 3 Ripley House, Mortlake High Street, Mortlake, London, SW14 8SJ, - 18.04.2024
- 31 Ashleigh House, Mortlake High Street, Mortlake, London, SW14 8SH, - 18.04.2024
- 29 Ashleigh House, Mortlake High Street, Mortlake, London, SW14 8SH, - 18.04.2024
- 27 Ashleigh House, Mortlake High Street, Mortlake, London, SW14 8SH, - 18.04.2024
- 22 Ashleigh House, Mortlake High Street, Mortlake, London, SW14 8SH, - 18.04.2024
- 20 Ashleigh House, Mortlake High Street, Mortlake, London, SW14 8SH, - 18.04.2024
- 18 Ashleigh House, Mortlake High Street, Mortlake, London, SW14 8SH, - 18.04.2024
- 16 Ashleigh House, Mortlake High Street, Mortlake, London, SW14 8SH, - 18.04.2024
- 14 Ashleigh House, Mortlake High Street, Mortlake, London, SW14 8SH, - 18.04.2024
- 10 Ashleigh House, Mortlake High Street, Mortlake, London, SW14 8SH, - 18.04.2024
- 8 Ashleigh House, Mortlake High Street, Mortlake, London, SW14 8SH, - 18.04.2024
- 6 Ashleigh House, Mortlake High Street, Mortlake, London, SW14 8SH, - 18.04.2024
- 3 Ashleigh House, Mortlake High Street, Mortlake, London, SW14 8SH, - 18.04.2024
- 1 Ashleigh House, Mortlake High Street, Mortlake, London, SW14 8SH, - 18.04.2024

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

Development Management

Status: PCO

Application: 24/0986/FUL

Date:

Replacement glazing to improve energy efficiency

Building Control

Deposit Date: 20.04.1995

Installation of central heating & hot water system

Reference: 95/0422/FP

Application Number	24/0986/FUL
Address	Ashleigh House Mortlake High Street Mortlake London SW14 8SH
Proposal	Replacement glazing to improve energy efficiency
Contact Officer	Jeremy Maclsaac

1. INTRODUCTION

This application is of a nature where the Council's Constitution delegates the authority to make the decision to Officers rather than it being determined by the Planning Committee.

Before preparing this summary report the planning officer has considered any relevant previous planning applications in relation to the development and considered any comments made by those interested in the application such as consultees with specialist knowledge and nearby residents.

By indicating that the development proposal complies with relevant Local Plan Policies, the planning officer is taking into account the information submitted with the application, any previous relevant applications, any comments received in connection with the application and any other case specific considerations which are material to the decision.

2. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

The subject site is a three storey residential block of flats which has 33 units.

The application site is designated as:

Archaeological Priority	Site: Richmond APA 2.3: Mortlake - Archaeological Priority Area - Tier II
Area Benefiting Flood Defence - Environment Agency.	Areas Benefiting from Defences
Area Susceptible To Groundwater Flood - Environment Agency	Superficial Deposits Flooding - >= 75% - SSA Pool ID: 1383
Area Susceptible To Groundwater Flood - Environment Agency	Superficial Deposits Flooding - >= 75% - SSA Pool ID: 1648
Article 4 Direction Basements	Article 4 Direction - Basements / Ref: ART4/BASEMENTS / Effective from: 18/04/2018
Building of Townscape Merit	Site: Ashleigh House Mortlake High Street Mortlake London SW14 8SH
Community Infrastructure Levy Band	Higher
Conservation Area	CA33 Mortlake
Floodzone 2	Tidal Models
Floodzone 3	Tidal Models
Risk of Flooding from Surface Water 1 in 100 chance - Environment Agency	RoFSW Extent 1 In 100 year chance - SSA Pool ID: 61325
Risk of Flooding from Surface Water 1 in 1000 chance - Environment Agency	RoFSW Extent 1 In 1000 year chance - SSA Pool ID: 77161
SFRA Zone 3a High Probability	Flood Zone 3
Surface Water Flooding (Area Less Susceptible to) - Environment Agency	
Surface Water Flooding (Area Susceptible to) - Environment Agency	
Surface Water Flooding (Area Susceptible to) - Environment Agency	
Take Away Management Zone	Take Away Management Zone
Village	Mortlake Village

Village Character Area	Mortlake - Character Area 1 & Conservation Area 33 Mortlake Village Planning Guidance Page 17 CHARAREA03/01/01
Ward	Mortlake and Barnes Common Ward

3. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

Replacement glazing to improve energy efficiency.

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

There is no relevant planning history associated with the site.

4. CONSULTATIONS CARRIED OUT

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

No letters of representation were received.

5. MAIN POLICIES RELEVANT TO THE DECISION

NPPF (2023)

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://www.gov.uk/guidance/national-planning-policy-framework>

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 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

Richmond Publication Local Plan (Regulation 19 version)

The Richmond Publication Version Local Plan (Regulation 19 version) was published on 9 June 2023 for public consultation which ended on 24 July 2023.

The Publication Version Local Plan, together with all the representations received during the representation period, the plan and its supporting documents were submitted to the Secretary of State for examination on 19 January 2024. The submission documents do not form part of the statutory development plan for the Borough, however, by publishing and submitting the Borough Local Plan for independent examination the Council has formally confirmed its intention to adopt the Publication Plan.

The Publication Version Local Plan, including its evidence base, are material considerations for decision-making. 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 Borough Local Plan to be sound and legally compliant, officers and Councillors should accord relevant policies and allocations significant weight in the determination of applications taking account of the extent to which there are unresolved objections to relevant policies. Therefore, the weight afforded to each policy at this stage will differ depending on the level and type of representation to that policy. This is addressed in more detail in the assessment below where it is relevant to the application.

Note that it was agreed by Full Council on 27 April, when the Publication Plan was approved, that no weight will be given to Policy 4 in relation to the increased carbon offset rate, and therefore the existing rate of £95 will continue to be used; in addition, no weight will be given to Policy 39 in relation to the 20% biodiversity net gain requirement; all other aspects and requirements of these policies will apply.

Issue	Publication Local Plan Policy	Compliance	
Flood risk and sustainable drainage	8	Yes	No
Local character and design quality	28	Yes	No
Designated heritage assets	29	Yes	No
Amenity and living conditions	46	Yes	No

Supplementary Planning Documents

Design Quality
House Extension and External Alterations
Village Plan - Mortlake Village

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:
Community Infrastructure Levy
Mortlake Conservation Area Statement
Mortlake 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 Flood Risk
- iv Fire Safety
- v Biodiversity

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 of the Local Plan 2018 states that development 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.

Whilst policy and guidance resist the use of uPVC, as there are already UPVc windows and the proposed match existing profiles, the impact on the appearance in this case would be neutral. The amending of the orientation of one window for consistency is a modest improvement. Overall, the proposals preserve existing character and appearance of conservation area and building of townscape merit, no objections are raised from the council.

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 have a neutral impact on the setting, character and appearance of the conservation area due to its design and materials.

For the reasons outlined above, this application is considered in accordance with policies LP1 and LP3 of the Local Plan 2018. The proposal is also considered consistent with paragraphs 199 and 202 of the NPPF (2021).

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.

The replacement windows are on a like for like basis and will maintain of the same location and area of glazing. In particular, the applicant has confirmed any windows that contain obscure glazing will be replaced with obscured glazing in a like for like window arrangement. Therefore, the existing level of amenity will be maintained to all neighbouring properties.

Overall, this application is considered in accordance with LP8 of Local Plan 2018.

iii Flood Risk

Policy LP 21 of the Local Plan 2018 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 proposed works are located above ground level and no excavation is proposed. Therefore, the proposal will not result in the exacerbation of any flood hazards.

Overall, this application is considered in accordance with LP21.

iv Fire Safety

Policy D12 of the London Plan relates to Fire Safety.

The applicant has submitted a Fire Safety Strategy with the application on 17.04.2024.

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, this application can be considered in accordance with Policy D12 of the London Plan.

v Biodiversity

Biodiversity net gain became mandatory for minor developments on applications made from 2nd April 2024. This application is exempt from mandatory biodiversity net gain on the grounds that it comprises a householder application which is subject to exemption.

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):JMA.....

Dated:12/06/2024.....

I agree the recommendation:



~~Team Leader/Head of Development Management/Principal Planner~~

Dated: ...12/06/2024.....

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: