

Application reference: 24/1566/HOT
MORTLAKE AND BARNES COMMON WARD

Date application received	Date made valid	Target report date	8 Week date
20.06.2024	02.07.2024	27.08.2024	27.08.2024

Site:

19 Worple Street, Mortlake, London, SW14 8HE

Proposal:

Proposed first floor extension above extension ground floor extension

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

APPLICANT NAME

Mr E Mccrudden
19 Worple Street
Mortlake
London
SW14 8HE

AGENT NAME

Mr Rodney Plummer
Wildshaw
Furzefield Chase
Dormans Park
Surrey
RH19 2LY

DC Site Notice: printed on 02.07.2024 and posted on 12.07.2024 and due to expire on 02.08.2024

Consultations:

Internal/External:

Consultee

14D Urban D

Expiry Date

16.07.2024

Neighbours:

St Mary Magdalen Primary School, Worple Street, Mortlake, London, SW14 8HE, - 02.07.2024
29 Ripley Gardens, Mortlake, London, SW14 8HF, - 02.07.2024
27 Ripley Gardens, Mortlake, London, SW14 8HF, - 02.07.2024
31 Ripley Gardens, Mortlake, London, SW14 8HF, - 02.07.2024
20 Worple Street, Mortlake, London, SW14 8HE, - 02.07.2024
18 Worple Street, Mortlake, London, SW14 8HE, - 02.07.2024

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

Development Management

Status: PCO

Application: 24/1566/HOT

Date:

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Building Control

Deposit Date: 29.08.2007

Rear extension and internal alteration to ground floor (removal of chimney breast and relocation of bathroom)

Reference: 07/1887/BN

Building Control

Deposit Date: 29.05.2009

Installed a Gas Boiler

Reference: 09/FEN00290/GASAFE

Application Number	24/1566/HOT
Address	19 Worple Street, Mortlake, London, SW14 8HE
Proposal	Proposed first floor extension above extension ground floor extension.
Contact Officer	Izabela Moorhouse
Target Determination Date	27/08/2024

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 subject site comprises a two-storey terraced dwelling to the northern side of Worple Street which is not identified as a Building of Townscape Merit (BTM) but is designated within the Mortlake Conservation Area (CA33). The application site is situated within Barnes Village and is designated as:

- Archaeological Priority Area – Mortlake
- Area Benefiting from Flood Defence
- Area Susceptible to Groundwater Flood - >=75%
- Article 4 Direction Basements (Article 4 Direction - Basements / Ref: ART4/BASEMENTS / Effective from: 18/04/2018)
- Critical Drainage Area
- Community Infrastructure Levy Band (Higher)
- Floodzone 2 and 3
- East Sheen Town Centre Boundary Buffer Zone
- Mortlake Village
- Mortlake Village Character Area

3. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

The proposed development comprises the "*Proposed first floor extension above extension ground floor extension*".

The comprehensive list of planning history can be found above. No relevant planning history.

4. CONSULTATIONS CARRIED OUT

The list of neighbours notified of this application are listed above. No letters of representation were received.

Neighbour amenity considerations are assessed under Section 6 (impact on neighbour amenity) in the report below.

AMENDMENTS

Following officer comment, the roof to the proposed first floor extension was altered to a hipped roof rather than a gabled roof in order to maintain the prevailing character of the surrounding area. Neighbours were not reconsulted as it did not materially alter the application.

5. MAIN POLICIES RELEVANT TO THE DECISION

NPPF (2023)

The key chapters applying to the site are:

- 4. Decision-making
- 11. Making effective use of land
- 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
Designated Heritage Assets	LP3	Yes	No
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

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
Non-designated heritage assets	30	Yes	No
Amenity and living conditions	46	Yes	No

Supplementary Planning Documents

Buildings of Townscape Merit

Design Quality
House Extension and External Alterations
Mortlake Village Planning Guidance
Conservation Areas

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.

Biodiversity Net Gain

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan, if one is required in respect of this permission would be the London Borough of Richmond upon Thames.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. Based on the information available this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun because the proposal is development which is subject of a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. A 'householder application' means an application for planning permission for development for an existing dwellinghouse, or development within the curtilage of such a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse which is not an application for change of use or an application to change the number of dwellings in a building.

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

The NPPF (National Planning Policy Framework) advises good design is a key aspect of sustainable development and is indivisible from good planning and should contribute positively to making places better for people.

The NPPF states that there should be a presumption in favour of the conservation of designated heritage assets and the more significant the designated heritage asset the greater the presumption in favour of its conservation should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting.

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 SPD states two storey side and rear extensions should not normally be greater than half the width of the original building to ensure the extension does not over dominate the buildings original scale and character.

The site comprises a two storey, mid-terrace cottage dating to the nineteenth century. The site is located within the Mortlake Conservation Area (CA33) and makes a positive contribution to its character and appearance via its modest character and role as part of a wider historic terrace.

The proposal seeks permission to extend the existing first floor rearwards, above the ground floor extension, integrating into the main roof with a hipped roof. The extension would be constructed in bricks and the roof finished with slates to match the existing dwelling. The extension would not extend higher than the eaves of the proposed roof and would project approximately 3m beyond the existing rear elevation, sitting in line with other first floor extensions within the row.

It is acknowledged that the proposed extension would be greater than half the width of the original dwelling and would therefore not be SPD compliant in this regard. However, it is noted that there are many examples of similar extensions within the locality such that these extensions have somewhat altered the character of the area. As such, it is considered acceptable in this instance.

Although the extension represents a substantial change to the property, adding bulk that would be visible, it would be set down from the main ridge such that it maintains the subservience in relation to the host dwelling. The views towards it would be glimpsed and viewed in the context of other first floor extensions and from private views. The materials used are sympathetic and match the existing dwelling with render apparent on the existing dwelling and in the surrounding area. The submitted drawings confirm that the new window to the extension would be a timber double hung sash window to match those existing. The design demonstrates an understanding of the host building and surrounding conservation area.

The proposed works would preserve the character and significance of the host dwelling as well as the character and appearance of the Mortlake Conservation Area. This application is, therefore, in accordance with Local Plan (2018) policies LP1, LP3 and LP4, with Publication Local Plan policies 28, 29 and 30 and would fulfil the statutory duty of Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, conforming to paragraphs 205 and 209 of the NPPF (2023).

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 SPD on House Extensions and External Alterations notes that generally an extension of 3m in depth for a terrace 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 application site is adjoined by no. 18 and 20 to the south and north respectively. Given distance, the rear gardens to the properties to the rear (east) would not be negatively impacted by the development.

The first-floor rear extension would adjoin no. 20 and is set away from the boundary with no. 18 and does not

feature any windows to the side elevation facing onto the boundary. As such no issues in terms of overlooking and privacy arise from the extension as the rear window would not introduce new views compared to the existing.

In terms of loss of light, the recessed window within the neighbouring property at No. 18 serves a bathroom. As such, no concerns are raised in regard to loss of light, nor would the proposed extension appear overbearing or obtrusive. No objection is raised to the impact of the extension on neighbouring amenity.

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), policy 46 of the Publication Local Plan and relevant Supplementary Planning Documents/Guidance.

iii 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 not been provided as part of this application however as the proposal will not increase the impermeable surfaces associated with the site and given that the development is limited to the first floor which will be above expected flood levels, the proposal does not increase flood risk in this regard. The proposal does not impact on groundwater flows and so does not increase flood risk in this regard.

As such, no objection is raised to the proposal in this regard and the proposal would comply with the requirements of LP21 of the Local Plan (2018) and policy 8 of Publication Local Plan.

iv Fire Safety

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

A Fire Safety Assessment has been submitted to the council – received 20/06/2024.

A condition has been 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. 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.

Grant planning permission

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.

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):IZM.....

Dated:02/08/2024.....

I agree the recommendation:

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

Dated:GE.....07/08/2024.....