

Application reference: 23/3260/NMA
MORTLAKE AND BARNES COMMON WARD

Date application received	Date made valid	Target report date	8 Week date
16.07.2024	16.07.2024	13.08.2024	13.08.2024

Site:

8 White Hart Lane, Barnes, London, SW13 0PY

Proposal:

Non material amendment to planning approval 23/3260/HOT to allow for Proposed double-glazed fixed glazing on the side elevation. N.B. The original opening, lately converted to a window, is proposed to be restored.

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

APPLICANT NAME

Mr Devin Sinclair
8 White Hart Lane
Barnes
London
Richmond Upon Thames
SW13 0PY
United Kingdom

AGENT NAME

Mr Paolo Bongiovanni
UNIT 304
241-251 Ferndale Rd
London
SW9 8BJ
United Kingdom

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

Consultations:

Internal/External:

Consultee

Expiry Date

Neighbours:

-

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

Development Management

Status: GTD

Date:26/07/1999

Application:99/1380

Loft Conversion And Extension Including Rear Mansard.

Development Management

Status: GTD

Date:29/01/2024

Application:23/3260/HOT

Enlargement of the existing external door on the back elevation. Minor internal alterations. Replace existing uPVC windows with new double-glazed timber frame windows on the back and side elevations only. Conversion of the Reception room window on the back elevation into a door, with an associated set of steps to reach the garden level.

Development Management

Status: PCO

Date:

Application:23/3260/NMA

Non material amendment to planning approval 23/3260/HOT to allow for Proposed double-glazed fixed glazing on the side elevation. N.B. The original opening, lately converted to a window, is proposed to be restored.

Building Control

Deposit Date: 16.04.2004

Loft conversion including rear mansard and alteration to internal layout comprising creating opening in ground floor between sitting room and dining room.

Reference: 04/0764/RG

Building Control

Deposit Date: 03.07.2006

Installed a Gas Boiler

Reference: 06/93920/CORGI

Building Control

Deposit Date: 21.09.2005

Installed a Gas Fire

Reference: 06/94646/CORGI

Building Control

Deposit Date: 25.05.2005

Installed a Gas Cooker

Reference: 07/97250/CORGI

Building Control

Deposit Date: 31.03.2006

Installed a Gas Fire

Reference: 07/94557/CORGI

Building Control

Deposit Date: 20.09.2012

Install replacement door in a dwelling

Reference: 15/FEN00857/FENSA

Building Control

Deposit Date: 20.03.2019

Install a gas-fired boiler

Reference: 19/FEN01144/GASAFE

Building Control

Deposit Date: 15.01.2024

Full refurbishment including new plumbing (including new boiler), new electric system. Alteration to internal layout. Alterations to fenestration on the back elevation to existing dwelling.

Reference: 24/0047/IN

Building Control

Deposit Date: 21.07.2024

Install an air conditioning system Install an air conditioning system Install an air conditioning system Install an air conditioning system

Reference: 24/BES00013/BESCA

Application Number	23/3260/NMA
Address	8 White Hart Lane Barnes London SW13 0PY
Proposal	Non material amendment to planning approval 23/3260/HOT to allow for Proposed double-glazed fixed glazing on the side elevation. N.B. The original opening, lately converted to a window, is proposed to be restored.
Contact Officer	Roberta Henriques
Target Determination Date	13/08/2024

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.

2. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

The host site is a terraced property from the Edwardian era that is located on the north eastern side of White Hart Lane. The area is characterised by medium sized terraced houses, occasionally with a shop below. Some of the houses in the area exhibit painted stone.

The application site is subject to the following planning constraints:

- Mortlake Archaeological Priority Area- Tier II
- Area Susceptible to Groundwater Flooding- Environment Agency
- Article 4- Basements
- Mortlake Conservation Area (CA33)
- Protected View- View 6 Across Richmond park
- Protected View- View 7 Richmond Park towards St Pauls Cathedral
- Barnes Village
- Village Character Area- West of White Hart Lane- Character Area 2 Mortlake Village

3. DESCRIPTION OF THE PROPOSED AMENDMENTS AND ANY RELEVANT PLANNING HISTORY

The proposal involves a non-material amendment to planning approval 23/3260/NMA to allow for proposed double-glazed fixed glazing on the side elevation (lengthening of a window on the side elevation) and a change in the fenestration design of the ground floor rear elevation door.

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

23/3260/HOT Enlargement of the existing external door on the back elevation. Minor internal alterations. Replace existing uPVC windows with new double-glazed timber frame windows on the back and side elevations only. Conversion of the Reception room window on the back elevation into a door, with an associated set of steps to reach the garden level. Granted

99/1380 Loft Conversion And Extension Including Rear Mansard. Granted

4. CONSULTATIONS CARRIED OUT

An application to make a non-material change under s.96A is not an application for planning permission, so the existing Town and Country Planning (Development Management Procedure) Order 2015 provisions relating to statutory consultation and publicity do not apply. Local planning authorities have discretion in determining whether and how they choose to inform other interested parties or seek their views.

5. TOWN AND COUNTRY PLANNING ACT 1990

The application seeks approval under s.96A(4) of the Act for non-material changes to planning permission. Section 96A(1) states: "A local planning authority may make a change to any planning permission relating to land in their area if they are satisfied that the change is not material."

Section 96A(2) states: "In deciding whether a change is material, a local planning authority must have regard to the effect of the change, together with any previous changes made under this section, on the planning permission as originally granted."

S96A was introduced by the Parliament to allow for a degree of flexibility to be introduced into the planning system. Whilst there is no statutory guidance as to what constitutes a non-material amendment, materiality is a matter of judgement and that materiality is to be judged by reference to the overall context including the nature and scale of the permission being altered. Judgement on 'materiality' in any particular case is one of fact and degree, along with taking into account the likely impact of the amendment on the local environment. Materiality is considered against the development as a whole, not just part of it. The basis for forming a judgement on materiality is always the original permission however the cumulative effects of any previous amendments would also need to be assessed.

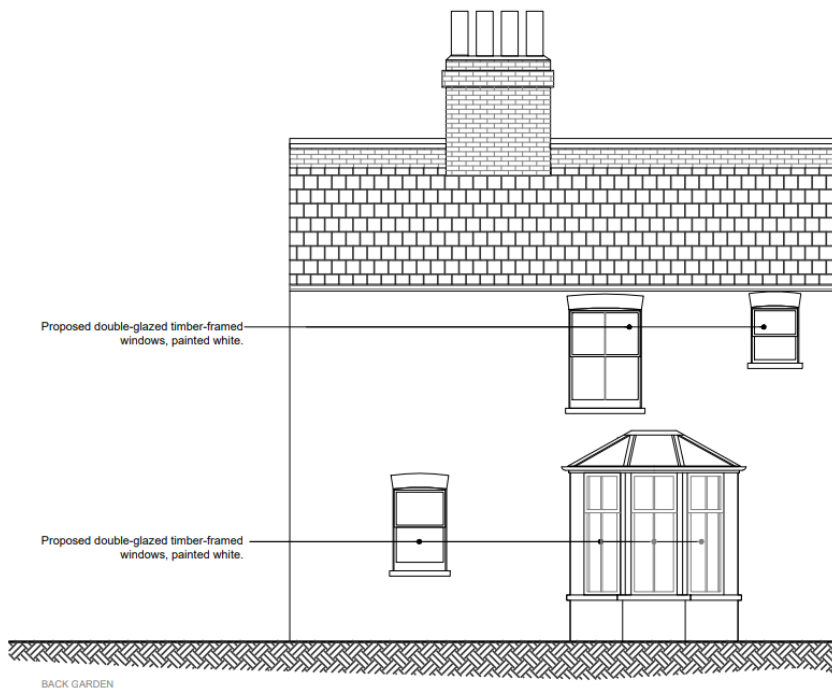
Although what defines a non-material amendment is to the discretion of the local authority concerned and lacking in legal definition, the following key tests could be applied in assessing the acceptability of a change to an approved scheme under the non-material amendment procedure:

- Is the proposed change material/significant in terms of its scale (magnitude, degree etc) in relation to the original approval?
- Would the proposed change result in a development that will appear noticeably different to what interested parties may have envisaged or could result in an impact on the amenity of occupiers of adjoining properties?
- Would the interests of any third party or body who participated in or where informed of the original decision be disadvantaged in any way?
- Would the amendments be contrary to any planning policy of the Council?

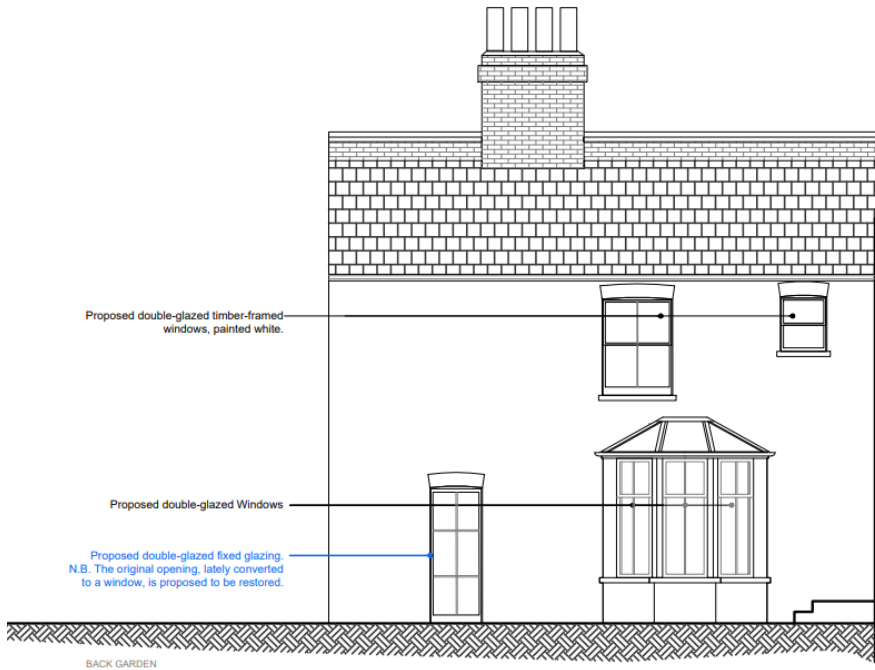
If none of these tests are positive then it is considered that the change could be dealt with as a non-material amendment.

6. EXPLANATION OF OFFICER RECOMMENDATION

The application submission includes revisions to the fenestration of the side elevation extension as approved under Ref: 23/3260/NMA The proposed change to the fenestration is demonstrated below:



Approved fenestration 23/3260/HOT



Proposed fenestration 23/3260/NMA

There is no objection to the design of the proposed fenestration changes which are considered minimal in relation to the previous approval, would not appear noticeably different to interested parties and would not be contrary to planning policy. As such, the proposals are considered to be a non-material amendment.

7. RECOMMENDATION

This recommendation is made following careful consideration of all the issues raised through the process and it is considered the current application satisfies Section 96A of the Town and Country Planning Act (1990) as amended.

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): ...RHE.....

Dated:12/08/2024.....

I agree the recommendation:

South Area Team Manager:ND.....

Dated:12.08.2024.....