

Application reference: 24/1858/HOT BARNES WARD

Date application received	Date made valid	Target report date	8 Week date
19.07.2024	19.07.2024	13.09.2024	13.09.2024

Site:

34 Nassau Road, Barnes, London, SW13 9QE

Proposal:

Proposed Lower ground and ground floor extensions with rooflights and front, side and rear lightwells. Amend front garage parapet. Replacement windows and doors. Replace rear flat roof and rear dormer including addition of Juliet balcony. Remove chimney stack. Addition of 2 chimney stacks. Remove render on rear façade to expose/reinstate brickwork. Alter boundary wall.

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

APPLICANT NAME

C/O Agent
34 Nassau Road
London
SW13 9QE
United Kingdom

AGENT NAME

Mr Richard Hastings
58-60 Kensington Church Street
Vicarage House
London
W8 4DB
United Kingdom

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

Consultations:

Internal/External:

Consultee

GLAAS 1st Consultation
LBRuT Trees Preservation Officer (South)
14D Urban D
LBRUT Transport

Expiry Date

27.08.2024
08.08.2024
08.08.2024
08.08.2024

Neighbours:

83 Lyric Road, Barnes, London, SW13 9QA, - 25.07.2024
81 Lyric Road, Barnes, London, SW13 9QA, - 25.07.2024
79 Lyric Road, Barnes, London, SW13 9QA, - 25.07.2024
77 Lyric Road, Barnes, London, SW13 9QA, - 25.07.2024
75 Lyric Road, Barnes, London, SW13 9QA, - 25.07.2024
73 Lyric Road, Barnes, London, SW13 9QA, - 25.07.2024
71 Lyric Road, Barnes, London, SW13 9QA, - 25.07.2024
69 Lyric Road, Barnes, London, SW13 9QA, - 25.07.2024
36 Nassau Road, Barnes, London, SW13 9QE, - 25.07.2024
32 Nassau Road, Barnes, London, SW13 9QE, - 25.07.2024
45 Nassau Road, Barnes, London, SW13 9QG, - 25.07.2024
43 Nassau Road, Barnes, London, SW13 9QF, - 25.07.2024
47 Nassau Road, Barnes, London, SW13 9QG, - 25.07.2024

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

Development Management

Status: REF

Application: 01/2976

Date:11/02/2002 Demolition Of Outbuildings To Side And Rear, Replace With New Side And Rear Extension. Erection Of Extension To Front Roof Gable And Front Roof Dormer.

Development Management
Status: GTD Application:02/1069
Date:11/06/2002 Proposed Side And Rear Single Storey Extension.

Development Management
Status: GTD Application:82/1534
Date:08/03/1983 Erection of a roof extension at rear.

Development Management
Status: GTD Application:14/0082/HOT
Date:20/03/2014 Outbuilding in rear garden

Development Management
Status: GTD Application:15/1929/HOT
Date:06/07/2015 Erection of detached, flat roofed, timber framed pavilion and raised deck area in rear garden.

Development Management
Status: GTD Application:24/1121/HOT
Date:26/06/2024 Proposed matching gable extensions, formation of front dormers and rooflights to the front roof, replacement roof tiles at Nos. 34 and 36 Nassau Road. Removal of front roof slope flue, raising of roof ridge and replacement of front door to No.34.

Development Management
Status: REF Application:24/1194/PS192
Date:25/06/2024 Erection of a pool house and external swimming pool in the rear garden.

Development Management
Status: PDE Application:24/1856/PS192
Date: Erection of a pool house and external swimming pool in the rear garden

Development Management
Status: PCO Application:24/1858/HOT
Date: Proposed Lower ground and ground floor extensions with rooflights and front, side and rear lightwells. Amend front garage parapet. Replacement windows and doors. Replace rear flat roof and rear dormer including addition of Juliet balcony. Remove chimney stack. Addition of 2 chimney stacks. Remove render on rear façade to expose/reinstate brickwork. Alter boundary wall.

Building Control
Deposit Date: 08.07.2002 Single storey rear and side extensions and internal layout structural alterations.

Reference: 02/1253/BN

Application Number	24/1858/HOT
Address	34 Nassau Road Barnes London SW13 9QE
Proposal	Proposed Lower ground and ground floor extensions with rooflights and front, side and rear lightwells. Amend front garage parapet. Replacement windows and doors. Replace rear flat roof and rear dormer including addition of Juliet balcony. Remove chimney stack. Addition of 2 chimney stacks. Remove render on rear façade to expose/reinstate brickwork. Alter boundary wall.
Contact Officer	Jack Davies
Legal Agreement	No

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 application site comprises a two storey semi-detached dwelling located on the southern side of the street. The site does not fall within a Conservation Area, nor does it constitute a Building of Townscape Merit. It is located within flood zones 2, 3 and 3a, between 50% and 74.9% susceptible to groundwater flooding, within an area of Archaeological Priority, and the rear of the garden areas are located within Other Open Land of Townscape Importance.

3. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

The application proposes Lower ground and ground floor extensions with rooflights and front, side and rear lightwells. Amend front garage parapet. Replacement windows and doors. Replace rear flat roof and rear dormer including addition of Juliet balcony. Remove chimney stack. Addition of 2 chimney stacks. Remove render on rear façade to expose/reinstate brickwork. Alter boundary wall.

Relevant planning history –

34 Nassau Road

- **82/1534** - Erection of a roof extension at rear. **Granted**
- **01/2976** - Demolition Of Outbuildings To Side And Rear, Replace With New Side And Rear Extension. Erection Of Extension To Front Roof Gable And Front Roof Dormer. **Refused**
Reason: The proposed roof extensions by reason of their size, bulk and design, would detract from the appearance of the existing house and would be overdominant and detrimental to the visual amenities of the area. The proposal is therefore contrary to policy ENV19 of the Richmond upon Thames Unitary Development Plan and policy BLT11 of the First Review.
- **02/1069** - Proposed Side And Rear Single Storey Extension. **Granted**
- **14/0082/HOT** - Outbuilding in rear garden. **Granted**
- **15/1929/HOT** - Erection of detached, flat roofed, timber framed pavilion and raised deck area in rear garden. **Granted**
- **24/1194/PS192** - Erection of a pool house and external swimming pool in the rear garden. **Refused.**

34-36 Nassau Road

- **24/1121/HOT** - Proposed matching gable extensions, formation of front dormers and rooflights to the front roof, replacement roof tiles at Nos. 34 and 36 Nassau Road. Removal of front roof slope flue, raising of roof ridge and replacement of front door to No.34. **Granted**

4. CONSULTATIONS CARRIED OUT

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

2 x objections were received from neighbours in regards to loss of light, overshadowing and appearing overbearing.

These are addressed in Section 6 below.

A revised AIA was submitted which rectified an erroneous reference the removal of 5 x trees. It was confirmed 2 x trees would be removed.

5. MAIN POLICIES RELEVANT TO THE DECISION

NPPF (2023)

The key chapters applying to the site are:

- 4. Decision-making
- 5. Delivering a sufficient supply of homes
- 12. Achieving well-designed places

These policies can be found at:

https://assets.publishing.service.gov.uk/media/65a11af7e8f5ec000f1f8c46/NPPF_December_2023.pdf

London Plan (2021)

The main policies applying to the site are:

- Policy D4 – Delivering good design
- Policy D12 – Fire Safety
- Policy SI12 – Flood Risk Management
- Policy SI13 – Sustainable Drainage

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	
Impact on Amenity and Living Conditions	LP8	Yes	
Basement Development	LP11	Yes	
Trees and Biodiversity	LP15, LP16	Yes	
Flood Risk	LP21	Yes	

These policies can be found at

https://www.richmond.gov.uk/media/15935/adopted_local_plan_interim.pdf

Supplementary Planning Documents

- Village Plan – East Sheen
- House Extensions

These policies can be found at:

https://www.richmond.gov.uk/services/planning/planning_policy/local_plan/supplementary_planning_documents_and_guidance

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	Draft Local Plan Policy
Local Character and Design Quality	15, 28
Impact on Amenity and Living Conditions	46
Basement Development	54
Biodiversity and Trees	39, 42
Impact on Flood Risk and Sustainable Drainage	8

6. EXPLANATION OF OFFICER RECOMMENDATION

The key issues for consideration are:

- i Design and impact on local character
- ii Impact on neighbour amenity
- iii Basement Development and Flood Risk
- iv Fire Safety
- v Trees and Biodiversity

Issue ii- Design and impact on Local Character

Local Plan Policy LP1 states that the Council will require all development to be of high architectural and urban design quality. The high-quality character and heritage of the borough and its villages will need to be maintained and enhanced where opportunities arise. Development proposals will have to demonstrate a thorough understanding of the site and how it relates to its existing context, including character and appearance, and take opportunities to improve the quality and character of buildings, spaces and the local area.

The proposals include a basement and ground floor extensions with rooflights and front, side and rear lightwells. Amendments to the front garage parapet. Replacement windows and doors. Replace rear flat roof and rear dormer including addition of Juliet balcony. Remove chimney stack. Addition of 2 chimney stacks. Remove render on rear façade to expose/reinstate brickwork. Alter boundary wall.

Each element will be addressed separately below -

Basement

The proposed basement extension is located entirely under existing property as well as under the proposed ground floor rear extension. A lower ground floor courtyard is proposed to extend further to the rear of the ground floor rear extension with a solid 'bridge' like structure proposed above which provides ground floor access to the rear garden.

There are no design objections to the basement which will not be readily visible from the street. It is noted that a lightwell is proposed to the front of the property. It is noted that lightwells are not common in the locality. Notwithstanding such the lightwell is modest in depth and will be screened by soft landscaping. It is not considered this element would compromise the character of the street which would warrant a reason for refusal.

The basement courtyard will extend beyond proposed ground floor extension. This will not be visible from public vantage points and there is no objection to the design.

It is noted the site is within an area designated with Archaeological Priority. A desk based assessment has been submitted and the application has been referred to GLAAS for comment. GLAAS have advised that they have reviewed the submitted information and conclude there is no discernible archaeological interest in this site.

Ground floor rear and side extension

The application proposes to demolish the existing conservatory and construct a ground floor extension which extends further to the rear and would encompass the entire width of the host dwelling. It is noted there are a number of larger extensions at ground floor level in the locality and as such there is no objection in design terms. It is noted that the extension would not extend beyond the neighbours rear extension at No.36 and the proposal is set below the first floor fenestration remaining subservient to the host dwelling.

Alterations to the existing side extension is proposed which appear to create a slightly taller extension within a similar footprint to existing. The extension would not extend any further forward than existing and is considered to remain subservient to the host dwelling. New side facing windows are proposed to the side extension, however these will be inconspicuously located and will not impact local character. A side lightwell will also be created, however this will not be visible to the public and there are no objections. The side extension will be facing brick and includes a gabled parapet to the front elevation. There are no design objections.

Alterations to existing rear dormer

Alterations are also proposed to the existing rear dormer. The existing doors within the dormer are to be replaced with slightly larger doors, however having regard to the fenestration arrangements within dormers within the vicinity of the site, it is not considered that the enlarged doors would appear out of keeping.

The dormer is proposed to be set higher, closer to the ridge. Given the existing dormer encompasses most of the roof, and considering the existence of other large roof extensions in the locality, it is not considered that the proposals would result in harm to the character of the area. The dormer is to be finished in terracotta tiles. It is noted on the proposed drawings that these will match others in the locality. This is acceptable.

The parapet and cornice detailing to the first floor façade, beneath the rear dormer is proposed to be altered. The detail would align with the adjoining neighbours detailing. It is noted that the existing detail is not consistent with the neighbours and as such there is no objection to the current design.

It is proposed that the first-floor render is removed to reveal the facing brickwork. There is no objections to this.

The application seeks to remove 1 x chimney stack and add 2 x chimney stacks. There is no objections to these alterations.

Replacement fenestration and boundary treatment

The fenestration to be replaced will be done so in timber materials. The windows are considered to be inkeeping with the existing style and are appropriate.

The boundary treatment to the front elevation which separates the semi-detached pair is proposed to be altered from a timber fence to white painted render and matching coping stone over. The fence will be the same height as existing and as such there is no objections.

This application is in accordance with policies LP1.

Issue 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 proposed basement extension is not considered to result in amenity impacts to neighbouring properties.

The proposed ground floor side/rear extension is to extend further into the rear garden and closer to both side boundaries. They are also to be set higher than the existing side/rear extensions. Notwithstanding such, it is noted that the rear extension will not extend further than the extension at No.36. It is noted an objection was received on the grounds that the proposed extension would be at a height which results in loss of light

received by the neighbours skylight to their rear extension. It is noted that No.36's extension benefits from a rear opening and as such will receive adequate light from this source. Whilst the proposed extension will be taller than the eaves of No.36 extension, it will not project further to the rear than it and it is not considered it would appear overbearing to warrant as reason for refusal.

The extension will extend further than the rear elevation of No.32. The House extensions SPD states that the effect of single storey extensions are generally acceptable if they project no further than 3.5m. As measured on the proposed plans it appears the proposed rear extension project approx. 2.7m from the rear of No.32. the BRE tests are noted on the drawings, although these have not been applied correctly. Notwithstanding such, the council have made their own assessment and it would appear that the 45 degree BRE test is passed as measured from the middle of the closest rear facing window at the ground floor of No.32. The applicant has also submitted a sunlight / daylight report which indicates all tests are passed.

Although the side extension is set higher, it is not considered that the proposal will appear overbearing or result in loss of light above and beyond the existing extension which would warrant a reason for refusal.

It is noted there are side facing windows proposed at upper floor level. A condition will be attached requiring these to be obscure glazed and non-openable to a height of 1.7m above floor level.

The rear dormer is of similar scale to existing and it is not considered there would be impact in regards to appearing overbearing or loss of sunlight. Likewise no additional views are afforded of neighbouring properties.

In light of the above it is considered that the proposals meet the requirements of Local Plan Policy LP8.

Issue iii – Basement Development and Flood Risk

LP21 requires the use of sustainable drainage systems in all development proposals. Applicants will have to demonstrate a reduction in surface water discharge to greenfield run-off rates wherever feasible. Further guidance is available in the Council's SRFRA.

The site is located within Floodzone 3a. The Local Plan states in regards to new basements that:

restricted to Less Vulnerable / Water Compatible use only.

More Vulnerable' uses will only be considered if a site-specific Flood Risk Assessment demonstrates that the risk to life can be managed. Bedrooms at basement levels will not be permitted.

'Highly Vulnerable' such as self-contained basements/bedrooms uses will not be permitted.

The submitted flood risk assessment considers the site to be at low risk of flooding, however risk has been identified from river sources and groundwater, for which mitigation measures have been outlined. It is also noted there is no self contained accommodation in the basement nor are there bedrooms proposed.

In regards to sustainable drainage, it is proposed to re-utilise the existing connection to the public system with the addition of permeable paving and orifice plates in the rear and front garden area, in combination with a pump, to allow a reduction the discharge rates. Additionally it is noted a green roof is proposed to the ground floor extension.

The SUDS strategy is considered acceptable and it is considered the FRA has outlined that the risk of flooding can be managed on this site.

As discussed above, the site is within an area between 50 – 74.9% risk of groundwater flooding. The SFRA (adopted September 2020) stipulates that applications for subterranean development in such areas are required to fulfil site-specific requirements to demonstrate that basements can be safely developed without increasing throughflow and groundwater related flood risk through the submission of a site specific screening assessment with borehole information, and if necessary, a Basement Impact Assessment.

This application has been submitted with both a screening assessment and BIA. The BIA indicates that 2 x trial holes were undertaken with the report noting a capping of Made Ground was found to overlie the superficial Kempton Park Gravel Member. Ground water was encountered at 2.8 and 2.9m bgl.

Various recommendations are made throughout the submitted BIA. These recommendations are made by a suitably qualified professional and a condition will be attached to a successful application requiring the basement to be constructed in compliance with the BIA.

In addition to the above, the requirements of Local Plan Policy LP11 will need to be met, which states:

- A. *The Council will resist subterranean and basement development of more than one storey below the existing ground level to residential properties or those which were previously in residential use.*
- B. *Proposals for subterranean and basement developments will be required to comply with the following:*
- 1. extend to no more than a maximum of 50% of the existing garden land or more than half of any other undeveloped garden area (this excludes the footprint of the original building);*
 - 2. Demonstrate the scheme safeguards the structural stability of the existing building, neighbouring buildings and other infrastructure, including related to the highway and transport; a Structural Impact Assessment will be required where a subterranean development or basement is added to, or adjacent to, a listed building.*
 - 3. use natural ventilation and lighting where habitable accommodation is provided;*
 - 4. include a minimum of 1 metre naturally draining permeable soil above any part of the basement beneath the garden area, together with a minimum 200mm drainage layer, and provide a satisfactory landscaping scheme;*
 - 5. demonstrate that the scheme will not increase or otherwise exacerbate flood risk on the site or beyond, in line with policy LP 21 Flood Risk and Sustainable Drainage;*
 - 6. demonstrate as part of a Construction Management Statement that the development will be designed and constructed so as to minimise the impact during construction and occupation stages (in line with the Local Environmental Impacts, Pollution and Land Contamination policy of this Plan);*

In this regard it is noted that the basement does not extend more than 50% in to the existing Garden, The BIA provides measures to mitigate against structural implications, There is adequate ventilation provided to the basement, the FRA demonstrates that flood risk can be managed and a CMS will form a condition.

Local Plan Policy LP11 and LP21 are considered satisfied.

Issue iv – Fire Safety

A fire safety strategy has been submitted. This is considered sufficient to address current concerns and is considered to satisfy London Plan Policy D12.

Issue v - Trees and Biodiversity

The application results in the loss of 2 x trees. The councils Arb Officer has been consulted on this application and has reviewed the supporting information. Whilst regrettable, the officer notes there is no objection to the removal of the palm trees T1 & T2 given their species and classification on the BS5837 survey.

However, the tree officer notes 1x small tree, growing in the footway outside the property that is managed and maintained by the Council. The Arb officer notes that It is likely that this could be adversely impacted by indirect construction activity such as delivery vehicles. Consequently, we will need to see details of how this tree would both be protected and potential damage to the crown by positioning of delivery vehicles and routes of ingress and egress to the site of construction, is mitigated.

As such it is necessary that a AMS is submitted and approved in writing by the LPA. This will form a condition and subject to such Local Plan Policy LP16 is considered satisfied.

In regards to Biodiversity, it is noted that this application is exempt from biodiversity net gain requirements as this is a householder application.

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 considered liable for the Mayoral and 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.

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.

Granted

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):DAV..... Dated:29/08/2024.....

I agree the recommendation:

This application has been subject to representations that are contrary to the officer recommendation. 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:ND.....

Dated:29.08.2024.....