

## Application reference: 24/1860/HOT EAST SHEEN 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:**

28 Coval Gardens, East Sheen, London, SW14 7DG

**Proposal:**

Installation of AC unit - LG S12ET with imperforate barrier

**APPLICANT NAME**

Mr Sam & Catherine Strachan &  
Apthorpe  
28 Coval Gardens  
East Sheen  
London  
Richmond Upon Thames  
SW14 7DG

**AGENT NAME**

Elaine Kimber  
69-71 Windmill Rd  
Sunbury on Thames  
TW16 7DT

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

**Consultations:**

**Consultee**

LBRuT Non-Commercial Environmental Health Noise Issues

**Expiry Date**

08.08.2024

**Neighbours:**

14 Coval Gardens, East Sheen, London, SW14 7DG, - 25.07.2024  
16 Coval Gardens, East Sheen, London, SW14 7DG, - 25.07.2024  
13 Coval Road, East Sheen, London, SW14 7RW, - 25.07.2024  
9 Coval Road, East Sheen, London, SW14 7RW, - 25.07.2024  
11 Coval Road, East Sheen, London, SW14 7RW, - 25.07.2024  
30 Coval Gardens, East Sheen, London, SW14 7DG, - 25.07.2024  
26 Coval Gardens, East Sheen, London, SW14 7DG, - 25.07.2024

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

Development Management

Status: GTD

Date: 31/12/2001

Application: 01/2935

Part Single And Part Two Storey Rear Extension.

Development Management

Status: GTD

Date: 28/08/2007

Application: 07/2544/ES191

Change garage to habitable room.

Development Management

Status: GTD

Date: 15/06/2016

Application: 16/1807/HOT

Replacement of existing rear extension with a new full width, flat-roofed, single storey rear extension. Single storey front extension incorporating porch.

Development Management

Status: GTD

Date: 29/07/2024

Application: 24/1547/PS192

Hip to gable roof alteration, rear dormer and insertion of rooflights

Development Management

Status: PCO

Date:

Application: 24/1860/HOT

Installation of AC unit - LG S12ET with imperforate barrier

<u>Building Control</u>	
Deposit Date: 14.02.2002	Part single,part two storey rear extension & formation of ground floor cloakroom
Reference: 02/0286/FP	
<u>Building Control</u>	
Deposit Date: 06.09.2002	FENSA Notification of Replacement Glazing comprising 18 Windows and 1 Doors. Installed by PACIFIC WINDOWS LIMITED. FENSA Member No 12506. Installation ID 110194. Invoice No 502021
Reference: 02/5227/FENSA	
<u>Building Control</u>	
Deposit Date: 08.08.2007	Conversion of existing internal garage to habitable
Reference: 07/1737/BN	
<u>Building Control</u>	
Deposit Date: 07.09.2007	1 Window
Reference: 07/FEN00692/FENSA	
<u>Building Control</u>	
Deposit Date: 08.10.2007	Installed a Gas Boiler Installed a Hot Water Storage Vessel (un-vented) Installed a Extract Fan Units Dom
Reference: 07/COR00913/CORGI	
<u>Building Control</u>	
Deposit Date: 08.10.2007	New consumer unit One or more new circuits Main/ supplementary equipotential bonding Dwelling house
Reference: 07/NIC03130/NICEIC	
<u>Building Control</u>	
Deposit Date: 09.09.2008	1 Door
Reference: 08/FEN02092/FENSA	
<u>Building Control</u>	
Deposit Date: 21.10.2016	Single storey rear and front extension with Internal alternation according to planning permssion with removal of chimney breast.
Reference: 16/2312/IN	
<u>Building Control</u>	
Deposit Date: 28.02.2017	Install replacement window in a dwelling
Reference: 17/FEN00763/FENSA	
<u>Building Control</u>	
Deposit Date: 09.04.2017	Install one or more new circuits Partial rewire
Reference: 17/NIC01024/NICEIC	
<u>Building Control</u>	
Deposit Date: 09.04.2017	New full electrical installation (new build)
Reference: 17/NIC01053/NICEIC	
<u>Building Control</u>	
Deposit Date: 12.11.2018	Install a gas fire Install a flue liner
Reference: 19/FEN00642/GASAFE	
<u>Building Control</u>	
Deposit Date: 17.12.2020	Install a gas-fired boiler
Reference: 23/FEN03939/GASAFE	
<u>Building Control</u>	
Deposit Date: 08.08.2024	Loft conversion - hip to gable
Reference: 24/0961/IN	

<b>Application Number</b>	<b>24/1860/HOT</b>
<b>Address</b>	28 Coval Gardens, East Sheen, London, SW14 7DG
<b>Proposal</b>	Installation of AC unit - LG S12ET with imperforate barrier
<b>Contact Officer</b>	Izabela Moorhouse
<b>Target Determination Date</b>	13/09/2023

## 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 site comprises a two-storey semi-detached dwelling located on the northern end of Coval Gardens. The property is not listed, is not a Building of Townscape Merit (BTM) and does not fall within a conservation area. It is subject to the following constraints:

- Area Susceptible to Groundwater Flood -  $\geq 75\%$
- Article 4 Direction - restricting basement development
- Critical Drainage Area
- Increased Potential Elevated Groundwater
- East Sheen Town Centre Boundary Buffer Zone
- East Sheen Village
- Temple Sheen Road / Palmerston Road / York Avenue Village Character Area.

## 3. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

The application seeks permission for the Installation of AC unit - LG S12ET with imperforate barrier.

The full planning history can be viewed above. No relevant planning history.

## 4. CONSULTATIONS CARRIED OUT

The list of neighbours notified of this application are listed above. No comments have been received.

## 5. MAIN POLICIES RELEVANT TO THE DECISION

### NPPF (2021)

The key chapters applying to the site are:

- 4. Decision-making
- 12. Achieving well-designed places

These policies can be found at:

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/1005759/NPPF\\_July\\_2021.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1005759/NPPF_July_2021.pdf)

### London Plan (2021)

- Policy D4 – Delivering good design
- Policy D12 – Fire safety

These policies can be found at: [https://www.london.gov.uk/sites/default/files/the\\_london\\_plan\\_2021.pdf](https://www.london.gov.uk/sites/default/files/the_london_plan_2021.pdf)

### 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 Amenity and Living Conditions	LP8	Yes	No
Local Environmental Impacts, Pollution and Land Contamination	LP10	Yes	No

These policies can be found at

[https://www.richmond.gov.uk/media/15935/adopted\\_local\\_plan\\_interim.pdf](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) 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.

Issue	Local Plan Policy	Compliance	
Local Character and Design Quality	28	Yes	No
Impact on Amenity and Living Conditions	46	Yes	No
Local Environmental Impacts	53	Yes	No

### Supplementary Planning Documents

Development Control for Noise Generating and Noise Sensitive Development  
 East Sheen Village Planning Guidance  
 House Extensions and External Alterations

These policies can be found at:

[https://www.richmond.gov.uk/services/planning/planning\\_policy/local\\_plan/supplementary\\_planning\\_documents\\_and\\_guidance](https://www.richmond.gov.uk/services/planning/planning_policy/local_plan/supplementary_planning_documents_and_guidance)

### 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 Fire Safety

## **Issue i - Design and Visual Amenity**

*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 of the proposal.*

The proposal seeks permission for the installation of an AC unit to the external rear flat roof area of the building.

The AC unit, although at roof level, is discreetly sited to the rear of the building which is only partially visible from the street. The unit would not be visible from public areas due to its set back location, and therefore would not impact views towards the building. The applicant has submitted amended drawings to include a solid acoustic barrier facing the flank elevation which lessens the visual impact of the unit on the surrounding area. Although the barrier is much larger than the AC unit, a suitable setback is maintained and therefore it would not introduce an overly dominant or visually incongruous form of development. As such, it is not considered that the development will have an adverse impact on the host building or the surrounding area.

The scheme is therefore considered to satisfy Local Plan Policy LP1.

## **Issue ii- Impact on Neighbour Amenity**

*Policy LP8 requires all development to protect the amenity and living conditions for occupants of new, existing, adjoining and neighbouring properties. This includes ensuring adequate light is achieved, preserving privacy and ensuring proposals are not visually intrusive.*

*Policy LP 10 states that the local environmental impact of development shall not lead to detrimental effects on health, safety and amenity of occupants of the development site or the surrounding land. In relation to noise, good acoustic design is encouraged which requires a noise assessment of equipment and its impacts on receptors and general background noise levels and appropriate mitigations measures where necessary.*

Having regard to the siting and nature of the proposal, it is not considered to result in an amenity impact in regard to appearing overbearing or resulting in a loss of daylight/sunlight.

The site is adjoined by no. 26 to the north and neighboured by no. 30 to the south which would be most affected by the proposal given its location on the rear flat portion of the roof.

A Noise Impact Assessment by KP Acoustics has been submitted to the council – received on 24/07/2024.

The NIA outlines that the manufacturer's noise data of the proposed plant unit has been used to predict the expected noise level at the nearest noise sensitive receivers in accordance with British Standard BS41442:2014 for compliance with the London Borough of Richmond upon Thames requirements.

The predicted plant noise level was compared with the representative background noise level to assess the likelihood of impact considering the environmental noise context of the area. The predicted noise levels from the proposed air conditioner unit should meet the requirements of the council equating to a minima noise significance risk, provided that the noise control strategy presented within the report is followed.

The Council's Environmental Health Officer has reviewed the submission and raises no objections and does not have any in principal objections to the proposed development subject to the satisfaction and compliance with conditions. As such, the AC unit complies with the requirements of the adopted Development Control for Noise Generating and Noise Sensitive Development SPD and with Local Plan Policies LP8 and LP10.

## **Issue iii - Fire Safety**

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

A Fire Strategy Report has been submitted to the council – received 19/07/2024.

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.

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

### 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: .....27/08/2024.....

### I agree the recommendation:



Team Leader/Head of Development Management/Principal Planner

Dated: ...06/09/2024.....

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: .....