

Application reference: 24/1830/HOT
BARNES WARD

Date application received	Date made valid	Target report date	8 Week date
17.07.2024	24.07.2024	18.09.2024	18.09.2024

Site:

73 Castelnau, Barnes, London, SW13 9RT

Proposal:

New outbuilding with timber cladding and external swimming pool

APPLICANT NAME

Shelley
73 Castelnau
Barnes
London
Richmond Upon Thames
SW13 9RT

AGENT NAME

Mr Christopher Smith
118 Campden Hill Road
Kensington
London
W8 7AR

DC Site Notice: printed on 24.07.2024 and posted on 02.08.2024 and due to expire on 23.08.2024

Consultations:

Internal/External:

Consultee

14D Urban D
LBRuT Trees Preservation Officer (South)
LBRUT Transport

Expiry Date

07.08.2024
07.08.2024
07.08.2024

Neighbours:

80 Madrid Road, Barnes, London, SW13 9PG, - 24.07.2024
78 Madrid Road, Barnes, London, SW13 9PG, - 24.07.2024
84 Madrid Road, Barnes, London, SW13 9PG, - 24.07.2024
82 Madrid Road, Barnes, London, SW13 9PG, - 24.07.2024
60A Castelnau, Barnes, London, SW13 9EX, - 24.07.2024
60 Castelnau, Barnes, London, SW13 9EX, - 24.07.2024
62 Castelnau, Barnes, London, SW13 9EX, - 24.07.2024
64 Castelnau, Barnes, London, SW13 9EX, - 24.07.2024
Lestock House, 73B Castelnau, Barnes, London, SW13 9RT, - 24.07.2024
71 Castelnau, Barnes, London, SW13 9RT, - 24.07.2024

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

Development Management

Status: GTD Application: 02/T1630
Date: 17/10/2002 Tulip Tree - Secondary Lift Retaining A Natural Appearance.

Development Management

Status: GTD Application: 02/T1631
Date: 17/10/2002 Fig - Lift And Prune Away From Building

Development Management

Status: GTD Application: 02/T1632
Date: 17/10/2002 Weeping Beech - Thin By 20

Development Management

Status: GTD Application: 02/T1633
Date: 17/10/2002 Holly - Reduce And Reshape

Development Management

Status: GTD Date:17/10/2002	Application:02/T1634 Yew X 2 - Reduce By 30
<u>Development Management</u> Status: GTD Date:17/10/2002	Application:02/T1635 Elder - Reduce By 30
<u>Development Management</u> Status: GTD Date:17/10/2002	Application:02/T1636 Bay - Reshape
<u>Development Management</u> Status: GTD Date:17/10/2002	Application:02/T1637 Lime - Reduce By 20
<u>Development Management</u> Status: GTD Date:17/10/2002	Application:02/T1638 Tree Of Heaven - Remove Deadwood
<u>Development Management</u> Status: GTD Date:12/02/1998	Application:97/2783 Erection Of A Single Storey Extension At Side To Replace Existing.
<u>Development Management</u> Status: GTD Date:25/02/1999	Application:99/T0036 Bay - Reduce And Reshape By Approx 30
<u>Development Management</u> Status: GTD Date:25/02/1999	Application:99/T0037 Yew - Reduce And Reshape By Approx 30
<u>Development Management</u> Status: GTD Date:25/02/1999	Application:99/T0038 Poplar - Reduce And Reshape By Approx 30
<u>Development Management</u> Status: GTD Date:25/02/1999	Application:99/T0039 Poplar - Reduce And Reshape By Approx 30
<u>Development Management</u> Status: GTD Date:25/02/1999	Application:99/T0040 Poplar - Reduce And Reshape By Approx 30
<u>Development Management</u> Status: GTD Date:25/02/1999	Application:99/T0041 Poplar - Reduce And Reshape By Approx 30
<u>Development Management</u> Status: GTD Date:25/02/1999	Application:99/T0042 Poplar - Reduce And Reshape By Approx 30
<u>Development Management</u> Status: GTD Date:25/02/1999	Application:99/T0043 Poplar - Reduce And Reshape By Approx 30
<u>Development Management</u> Status: GTD Date:25/02/1999	Application:99/T0044 Magnolia - Thin And Tidy
<u>Development Management</u> Status: GTD Date:25/02/1999	Application:99/T0045 Tulip Tree - Thin And Tidy
<u>Development Management</u> Status: PDE Date:	Application:06/T0703/TCA T1 - Tree of Heaven - Fell.
<u>Development Management</u> Status: GTD Date:06/04/2010	Application:10/T0067/TPO T1 - Eucalyptus - Reduce and reshape by 40%
<u>Development Management</u> Status: GTD Date:14/05/2010	Application:10/T0210/TCA T1 - T2 - Poplar - Fell
<u>Development Management</u> Status: GTD Date:10/03/2011	Application:11/T0063/TCA T1 - T2 - Lime - Reduce back branches overhanging number 71 T3 - Sycamore - Reduce back branches overhanging number 71 T4 - T5 Poplar - Remove major lower limb overhanging 71 T6 - Box Elder - 30% crown reduction and reshape
<u>Development Management</u>	

Status: RNO Date:10/11/2011	Application:11/T0715/TCA T1-T5 - Poplar (rear garden), reduce to previous reduction points.
<u>Development Management</u> Status: RNO Date:24/10/2012	Application:12/T0551/TCA T1 - Tulip Tree - Reduce by 25% overall height by approx 2m
<u>Development Management</u> Status: RNO Date:11/11/2013	Application:13/T0664/TCA T1-Poplars to reduce to previous reduction points approx 2M T2-Tulip to be reduced by approx 2M T3- Eucalyptus to be reduced by approx 2M.
<u>Development Management</u> Status: RNO Date:29/12/2014	Application:14/T0877/TCA T1- Lime- x2 To reduce and reshape crowns by approx 2.5M T2- Sycamore- To reduce and reshape crowns by approx2.5M
<u>Development Management</u> Status: RNO Date:20/11/2015	Application:15/T0718/TCA T1-3 - Poplars - To reduce to previous reduction approx 3m. T4 - Eucalyptus - To reduce to previous reduction approx 2m
<u>Development Management</u> Status: RNO Date:15/11/2017	Application:17/T0749/TCA T1-T3 - Poplar - Re-pollard by approx. 3m
<u>Development Management</u> Status: RNO Date:12/03/2018	Application:18/T0079/TCA T1 - Poplar - Fell
<u>Development Management</u> Status: RNO Date:18/12/2020	Application:20/T1075/TCA T1 and T2 - Poplar x2 - To reduce to previous reduction points leaving height of 12m T3 - Magnolia - to reduce to previous reduction points leaving height of 10m and width 6m T4 - Lime - To reduce to previous reduction points leaving height of 10m T6 - Lime - to reduce to previous reduction points leaving height of 13m and width 5m T5 - Sycamore - To reduce to previous, leaving height of 10m and width 8m
<u>Development Management</u> Status: GTD Date:06/01/2023	Application:22/3331/HOT New rear and side extensions with metal & timber framed double glazed window and doors. With new brick to match existing and timber cladding and concrete features. New roof and side dormers
<u>Development Management</u> Status: REF Date:29/03/2023	Application:23/0293/HOT New pool house with swimming pool and metal and timber cladding
<u>Development Management</u> Status: GTD Date:12/07/2023	Application:23/0840/HOT New pool house with swimming pool and metal and timber cladding
<u>Development Management</u> Status: GTD Date:26/09/2023	Application:22/3331/DD01 Details pursuant to condition U0147047 - Large Scale Details Required, of planning permission 22/3331/HOT.
<u>Development Management</u> Status: PCO Date:	Application:23/T0740/TCA T1 = To Reduce 1 X Sycamore Tree by Circa. 2.0/2.5Mtrs from 10.0 to 7.5/8.0Mtrs in Height. To Reduce by 2.0/2.5Mtrs Laterally from 7.0Mtrs to 5.0Mtrs T2 = To Pollard 1 X Lime Tree by Circa.2.0/2.5Mtrs from 12.0/9.5/10.0Mtrs T3 = To Reduce 1 X Large Lime Tree by Circa. 2.0/2.5Mtrs from 18.0Mtrs to 15.5/16.0Mtrs in Height & By 2.0Mtrs in Laterally from 12.0Mtrs to 10.0Mtrs T4 = To Reduce 1 X Poplar Tree by Circa. 2.0Mtrs from 14.0Mtrs to 12.0Mtrs T5 = To Reduce 1 X Pear Tree by Circa. 1.0Mtr from 8.0Mtrs to 7.0Mtrs in Height & 1.0Mtr Laterally from 5.0Mtrs to 4.0Mtrs T6 =To Fell 1 X Conifer Tree as Close to Level (Tree has Outgrown the Location. T7 = To Fell 1 X Conifer Tree to Ground Level (This Tree is in Competition with the Beech Tree.) T8 = To Reduce Lateral Spread from 1 X Beech Tree from 10.0Mtrs to 8.0Mtrs. Light Access General Maintenance
<u>Development Management</u> Status: GTD Date:20/02/2024	Application:23/2773/HOT New outbuilding with timber cladding and external swimming pool.

Development Management
Status: GTD Application:22/3331/NMA
Date:14/12/2023 Non material amendment to planning permission 22/3331/HOT - Change the side extension front facade from matching brick to matching render.

Development Management
Status: GTD Application:24/0870/HOT
Date:20/05/2024 New metal gates to driveway to match neighbouring properties

Development Management
Status: REF Application:23/2773/NMA
Date:15/07/2024 Non material amendment to planning approval 23/2773/HOT to allow enlargement and altered siting of outbuilding

Development Management
Status: PCO Application:24/1830/HOT
Date: New outbuilding with timber cladding and external swimming pool

Building Control
Deposit Date: 29.07.1998 Single storey extension
Reference: 98/1283/BN

Building Control
Deposit Date: 16.06.2023 Rear and side extension, steel work, with associated alterations to second floor and house refurbishment
Reference: 23/0958/IN

Enforcement
Opened Date: 30.11.2021 Enforcement Enquiry
Reference: 21/0527/EN/USN

Application Number	24/1830/HOT
Address	73 Castelnau Barnes London SW13 9RT
Proposal	New outbuilding with timber cladding and external swimming pool.
Contact Officer	Roberta Henriques
Target Determination Date	18 th September 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 application site comprises a two-storey detached dwellinghouse located towards the southern side of Castelnau. The building is identified as a Building of Townscape Merit (BTM) and is designated within the Castelnau Conservation Area (CA25). The site is also subject to the following planning constraints:

- Area benefitting flood defence
- Area Susceptible to Groundwater Flooding
- Article 4 Direction- restricting basement development
- Flood zone 2 and 3
- Protected View – Across Richmond Park
- Protected View – Richmond Park Towards St Pauls Cathedral
- Strategic Flood Risk Assessment Zone 3a
- Area Less Susceptible to Surface Water Flooding
- Barnes Village
- Castelnau Village Character Area

3. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

The proposed development comprises of a new outbuilding with timber cladding and an external swimming pool.

The comprehensive list of planning history can be found above. Of relevance is as follows:

23/2773/NMA Non material amendment to planning approval 23/2773/HOT to allow enlargement and altered siting of outbuilding – **Refused**

- Reason for refusal:

The proposed changes are not considered to be non-material amendments under the provisions of Section 96A of the Town and Country Planning Act 1990 (as amended) as the proposed alterations would materially differ from the consented scheme. As such, additional consent is required from the Local Planning Authority.

24/0870/HOT New metal gates to driveway to match neighbouring properties - **Granted**

22/3331/NMA Non material amendment to planning permission 22/3331/HOT - Change the side extension front facade from matching brick to matching render - **Granted**

23/2773/HOT New outbuilding with timber cladding and external swimming pool - **Granted**

22/3331/DD01 Details pursuant to condition U0147047 - Large Scale Details Required, of planning permission 22/3331/HOT – **Granted**

23/0840/HOT New pool house with swimming pool and metal and timber cladding – **Granted**

23/0293/HOT - New pool house with swimming pool and metal and timber cladding – **Refused**

• Reason for Refusal – Basement Development

In the absence of 1) a Basement Impact Assessment, 2) evidence to demonstrate the scheme safeguards the structural stability of the existing building, neighbouring buildings and other infrastructure, 3) a Construction Management Plan and, 4) evidence to demonstrate the scheme will not increase or otherwise exacerbate flood risk on the site or beyond; the proposed development fails to comply with, in particular, the requirements set out under policy LP11 of the Local Plan (2018).

• Reason for Refusal – Flood Risk The proposed development, by reason of its siting within floodzones 2 and 3 and an area at greater than 75% risk of Groundwater Flooding flood risk and on the basis of the lack of a satisfactory Basement Impact Assessment and Flood Risk Assessment, the proposal has failed to demonstrate that the scheme will not increase or otherwise exacerbate flood risk on the site or beyond. The development is thereby contrary to the Richmond Local Plan (2018) in particular Policy LP11 and LP21 as supported by the Strategic Flood Risk Assessment (2021), Basement Assessment User Guide (2021) and the aims and objectives of the NPPF.

22/3331/HOT - New rear and side extension with metal & timber framed double glazed window and doors. With new brick to match existing and timber cladding and concrete features. New roof and side dormers – **Granted**

4. CONSULTATIONS CARRIED OUT

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

No letters of representation have been received.

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

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
- 15. Conserving and enhancing the natural environment
- 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
- SI12 – Flood risk and sustainable drainage

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 Non-Designated Heritage Assets	LP4	Yes	No
Impact on Amenity and Living Conditions	LP8	Yes	No

Subterranean and Basement Development	LP11	Yes	No
Impact on Trees, Woodland and Landscape	LP16	Yes	No
Green Roofs and Walls	LP17	Yes	No
Impact on Flood Risk	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
Trees, Woodland and Landscape	42	Yes	No
Design process	44	Yes	No
Amenity and living conditions	46	Yes	No
Basements and subterranean developments	54	Yes	No

Supplementary Planning Documents

House Extension and External Alterations
Barnes Village Planning Guidance
Conservation Areas
Residential Development Standards
Buildings of Townscape Merit

These policies can be found at:

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

Other

Castelnau Conservation Area Statement and Study

Determining applications in a Conservation Area

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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. Subterranean development and basements
- iii Impact on neighbour amenity
- iv Flood Risk
- v Trees
- vi Fire Safety
- v Biodiversity

i Design and impact on heritage assets

Policy LP1 of the Local Plan 2018 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.

Policy LP4 seeks to preserve, and where possible enhance, the significance, character and setting of non designated heritage assets, including Buildings of Townscape Merit (BTM).

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.

This planning application follows on from the approved 23/2773/HOT, which proposed a new pool house with swimming pool and metal and timber cladding. Regarding this current proposed application, there have been alterations to the design of the proposed development compared with the design of the scheme proposed for 23/2773/HOT.

The changes are as follows:

- West elevation of outbuilding- insertion of metal framed sliding doors
- South elevation of outbuilding- relocation of the cor-ten clad window to the opposite side of the south elevation
- East elevation of outbuilding- the replacement of the sliding doors with vertical charred timber larch cladding
- North elevation of outbuilding- relocation of the vertical larch timber cladding to the opposite side of this elevation

The application site is a BTM in the Castelnau Conservation Area (CA25). It is one of a row of large detached Victorian villas which line both sides of this part of Castelnau and are set back from the road behind low front walls, gravel driveways and landscape planting and trees.

No. 73 has both group significance as well as individual architectural significance and contribute considerable character to this stretch of Castelnau within the CA. The house is already shown as existing, and with the side extension, on the county survey of 1866, which makes it, along with no.71, one of the earliest pair of villas, apart from the listed Castelnau Villas, facing Castelnau. The coach house still survives in an altered form at no. 73A.

This application proposes the construction of a new pool house outbuilding clad in metal and timber, to the northern edge of the rear garden. A sunken pool, external to the pool house, is also proposed. The pool would be located adjacent to the south elevation of the pool house, within the patio space. Such as the design proposed for the previous applications 23/2773/HOT, 23/0293/HOT and 23/0840/HOT, the proposed pool house would have a modest footprint, and the design would comprise of a flat green roof with an overall height of 3m. The building will also feature glazed sliding doors on the west elevation, and a window and door would occupy the south elevation.

As noted in the officer's reports for 23/2773/HOT, 23/0293/HOT and 23/0840/HOT, *'the proposal site benefits from a sizable rear garden and thus it is considered that the footprint of the outbuilding is proportionate to the outdoor amenity space and the main dwelling'*. The officer acknowledged that the amenity space in the rear garden would be reduced as a result of the proposal. However, they mentioned that *'the reduction would be no more than 50% of the total area of ground covered by buildings within the curtilage of the dwellinghouse (other than the original dwellinghouse) and is therefore considered to be acceptable'*.

As was the proposed design for 23/2773/HOT, 23/0293/HOT and 23/0840/HOT, the pool house would be clad in vertical charred timber featuring a flat green roof and the fenestration would be metal framed double glazed units. Also, such as with 23/2773/HOT this application proposes a steel clad door and a steel clad window, but for this application these elements have been moved to the opposite side of the south elevation. As the case officer considered for 23/2773/HOT, 23/0293/HOT and 23/0840/HOT, *'the materials ensure the pool house will appear as an obvious and distant addition to the original dwellinghouse. The building is significantly smaller in footprint and height to the existing dwelling; therefore, it will not detract or undermine the value and visual amenity of the dwelling itself and will appear visually subordinate. The design of the pool and the surrounding landscaping are quite contemporary, which contrasts with the house but matches the style of the extension granted under application ref. 22/3331/HOT'*.

The pool would be sited to the northern end of the rear garden, and despite the insertion of the pool, substantial space would remain in the rear garden, and the pool would be contained within the patio area of the rear garden. Therefore, the pool is considered to be modest in size, and its scale is considered to relate well to the site as a whole. Due to its small visual impact, the pool is not considered to result in harm to the wider character of the conservation area, or harm the character of the BTM.

As noted in the officer's reports for 23/2773/HOT, 23/0293/HOT and 23/0840/HOT, *'The rear gardens along Castelnau varies in character with the presence of a few outbuildings and pools in the immediate locality. When viewed in the context of the neighbouring additions, it is considered that the proposed development would not harm the character and appearance of the surrounding area. Due to the siting, the works will not form views from the front of the dwelling, thus the scheme will result in a neutral impact on the public realm.'*

Overall, it is considered that the proposals would be in keeping with the existing context of out buildings in gardens and would be well concealed to the rear of the house. The design is also similar to the permitted extension and would be legible as a contemporary intervention. As such, the proposals would meet the requirements of policies LP1, LP3, LP4 and LP17 of the Local Plan. They would also accord with Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, Policy HC1 (C) of the London Plan (2021) and paragraphs 199 and 203 of the NPPF (2023).'

ii Subterranean Development and Basements

Policy LP11 states that proposals for subterranean and basement developments will be required to comply with the following:

- a) 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);
- b) 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.
- c) use natural ventilation and lighting where habitable accommodation is provided;

- d) 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;
- e) 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;
- f) 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).

A Basement Screening Assessment and Basement Impact Assessment have been submitted to the council, prepared by a suitably qualified professional. These documents were received on 17th July 2024.

The proposal includes an outdoor pool, which is considered to be subterranean development, as such policy LP11 will need to be fully complied with. A Basement Impact Assessment (BIA) has been submitted, as a result of the Basement Screening Assessment which acknowledges this is needed.

The proposed pool would be approximately 1.5m in depth. The BIA suggests the presence of groundwater should be expected across the site. The proposed pool house structure is vulnerable to groundwater flooding. In addition, the presence of perched water may be encountered during the construction of the pool house, especially after periods of heavy rainfall. Borehole investigations were conducted as part of the planning application for No. 130 Castelnau (22/0901/FUL), approximately 0.4 km from the proposed site. From the two trial pit investigations conducted as part of the No. 130 Castelnau planning application, groundwater was only detected in one - at a depth of approximately 3.80m below ground.

With excavations proposed at depths of approx. 2.0m, and historic boreholes detecting groundwater at depths of approx. 4.0m below ground level, risk level is low. Therefore, it is unlikely that groundwater will be encountered during the excavation of the pool house substructure. However, if this is the case, there may be a requirement to use sump pumps during construction to draw out groundwater ingress.

The BIA concludes that any areas of concern associated with the proposed development can be controlled and mitigated through a Construction Method Statement and the structural design of the pool house structure. No other adverse impacts are anticipated from the proposed pool house. The pool would not extend more than 50% of the existing garden land.

The CMS in its current form is a basic outline document that provides insufficient detail. In order to demonstrate the development would not have an unacceptable impact on the public highway and neighbours, the applicant must submit a detailed Construction Management Plan for the project. This has been secured via a pre commencement condition which has been agreed to by the applicants. Compliance with LP21 is discussed in the relevant section of this report.

The proposals demonstrates compliance with Local Plan Policy LP11.

iii 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.

The siting of the pool and pool house is broadly in line with the siting of these elements for applications 23/2773/HOT, 23/0293/HOT and 23/0840/HOT. Therefore, the officer's comments for those applications are still valid and reiterated below.

'The proposed pool house is to be located to the northern side of the rear garden of the application site, siting adjacent to the boundary line of no. 73b Castelnau. Given siting, the building is substantially removed from the built form of habitable buildings.

The siting to the side further up the garden would mitigate any sense of enclosure to neighbouring dwellings. The proposal would not lead to an unreasonable loss of daylight or sunlight to the habitable rooms of any neighbouring properties or cause any undue overshadowing to neighbouring gardens given its reasonable eaves height at 3m.

Due to the siting and height, it is considered that the development will not appear unreasonably overbearing or visually intrusive to any neighbouring gardens.

As the outbuilding is at ground level only, the proposal will not afford any additional views beyond that which could be achieved through the use of the existing garden, therefore no issues are raised in terms of loss of privacy or overlooking.

As discussed above, the sufficient amount of rear amenity space would be retained as a result of the proposal. This would satisfy the guidelines set out in the House Extensions and External Alterations SPD.'

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) and relevant Supplementary Planning Documents/Guidance'.

iv Flood Risk

LP11 states that proposals for subterranean and basement developments will be required to demonstrate that the scheme will not increase or otherwise exacerbate flood risk on the site or beyond.

Policy LP21 states that all development should avoid, or minimise, contributing to all sources of flooding, taking account of climate change and without increasing flood risk elsewhere.

The site is located in an area susceptible to groundwater flooding (>=75%), floodzones 2 and 3 as well as various other flooding constraints, as noted in section 2 of this report. A Flood Risk Assessment has been submitted.

The proposed pool would be approximately 1.5m in depth. The BIA suggests the presence of groundwater should be expected across the site. The proposed pool house structure is vulnerable to groundwater flooding. In addition, the presence of perched water may be encountered during the construction of the pool house, especially after periods of heavy rainfall. Borehole investigations were conducted as part of the planning application for No. 130 Castelnau (22/0901/FUL), approximately 0.4 km from the proposed site. From the two trial pit investigations conducted as part of the No. 130 Castelnau planning application, groundwater was only detected in one - at a depth of approximately 3.80m below ground. With excavations proposed at depths of approx. 2.0m, and historic boreholes detecting groundwater at depths of approx. 4.0m below ground level, it is unlikely that this applies. Therefore, it is unlikely that groundwater will be encountered during the excavation of the pool house substructure. However, if this is the case, there may be a requirement to use sump pumps during construction to draw out groundwater ingress.

The FRA states that after mitigative techniques are put in place, the site will be at a low risk from all forms of flooding. Avoidance and resistance measures can be used however these are unlikely to completely prevent floodwater entering a property, particularly during longer duration flood events. Therefore, the FRA recommends that the following flood resilience measures are also considered:

- flood resilient materials and designs
 - use of low permeability building materials up to 0.3m such as engineering bricks or facing bricks;
 - hard flooring and flood resilient metal staircases;
 - the use of internal lime plaster/render or where plasterboards are used these should be fitted horizontally instead of vertically and/or using moisture resistant plasterboard at lower levels;
 - water, electricity and gas meters and electrical sockets should be located above the predicted flood level;
 - communications wiring: wiring for telephone, TV, internet and other services should be protected by suitable insulation in the distribution ducts to prevent damage.

As flood depths are expected to exceed 0.6m at the site, a water entry strategy should be adopted to preserve building integrity and to promote flood resilience rather than resistance. A structural engineer should be consulted to confirm this would be a suitable strategy for the proposed development, to ensure flood flows would not impact the structural integrity of the building. Potential strategies include:

- ground floors designed to permit water passage at high flood depths;
- hard flooring and flood resilient metal staircases;
- heating systems, electrical sockets and utility meters should be raised above the predicted flood level where possible; and
- sump and pump

Where flood depths are expected to be between 0.3-0.6m both water exclusion and water entry strategies should be adopted depending on a structural assessment of the building. It is likely the flood mitigation measures recommended above will reduce the groundwater flood risk at the development. However, specific additional groundwater measures that may also be considered for the moderate risk identified include:

- waterproof tanking of the ground floor and basement;
- interceptor drains;

- automatic sump to extract flood water; and
- non-return flap valves on the proposed foul and surface water sewer lines.

Subject to the implementation of the flood risk mitigative techniques, the proposals are considered to satisfy the requirements of LP11 and LP21.

Issue v - Trees

Policy LP16 of the Local Plan states that the Council will require the protection of existing trees and the provision of new trees, shrubs and vegetation of landscape significant that complement existing, or create new, high quality green areas, which deliver amenity and diversity benefits. It also encourages planting, including new trees, shrubs and other significant vegetation where appropriate.

The application site is located within the Castelnau Conservation Area, which affords trees both within and adjacent to the site of the proposal, statutory protection. However, the site is not subject to any Tree Preservation Orders (TPOs), and there are also no TPOs adjacent to the site.

An Arboricultural Survey (received 17th July 2024) an Arboricultural Method Statement (AMS) (received 17th July 2024) and a Tree Protection Plan (received 18th July 2024) have been submitted to the council.

It is necessary to identify trees that will be affected by development and satisfy the Local Planning Authority that retained trees will not be damaged during demolition or construction.

This is to ensure development protects, respects, contributes to, and enhances trees and landscapes, in accordance with LBR Local Plan Policy LP16, subsection 5 and pursuant to section 197 of the Town and Country Planning Act 1990.

It is considered that the recommendations and working methodologies of the aforementioned Arboricultural documents are consistent with good Arboricultural practice for construction activities around trees and are in line with the British Standard BS5837 (2012) in the execution of this proposal.

The proposals comply with SPD guidance and Local Plan policy LP16, subject to conditions.

Issue vi - Fire Safety

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

A Fire Risk Assessment has been submitted to the council – received on 15th February 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.

Issue vii 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 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 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

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:13/09/2024.....

I agree the recommendation:



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

Dated: ...17/09/2024.....

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: