

Application reference: 24/2225/FUL MORTLAKE AND BARNES COMMON WARD

Date application received	Date made valid	Target report date	8 Week date
04.09.2024	04.09.2024	30.10.2024	30.10.2024

Site:

2A Eleanor Grove, Barnes, London, SW13 0JN

Proposal:

Installation of two air conditioning units above existing roof terrace; replacement of glazed roof access structure; reconstruction of first-floor rear extension with Juliet balcony railings; replacement of ground-floor rear conservatory extension; replacement of all single-glazed windows with double-glazed equivalents; alterations to rear ground floor façade and fenestration, including new windows; replacement pedestrian and vehicular entrance gates.

APPLICANT NAME

Sam McArdle
Unit 10, 27 Ackmar Road
London
SW6 4UR
United Kingdom

AGENT NAME

Glen Christen
41a Birdhurst Rise
London
CR2 7EJ
United Kingdom

DC Site Notice: printed on 06.09.2024 and posted on 13.09.2024 and due to expire on 04.10.2024

Consultations:

Internal/External:

Consultee

14D Urban D
LBRuT Non-Commercial Environmental Health Noise Issues

Expiry Date

20.09.2024
20.09.2024

Neighbours:

5 Brookfield Mews, Barnes, London, SW13 0DP, - 06.09.2024
4 Brookfield Mews, Barnes, London, SW13 0DP, - 06.09.2024
8 Brookfield Mews, Barnes, London, SW13 0DP, - 06.09.2024
7 Brookfield Mews, Barnes, London, SW13 0DP, - 06.09.2024
6 Brookfield Mews, Barnes, London, SW13 0DP, - 06.09.2024
3 Brookfield Mews, Barnes, London, SW13 0DP, - 06.09.2024
2 Brookfield Mews, Barnes, London, SW13 0DP, - 06.09.2024
1 Brookfield Mews, Barnes, London, SW13 0DP, - 06.09.2024
99 White Hart Lane, Barnes, London, SW13 0JL, - 06.09.2024
107 White Hart Lane, Barnes, London, SW13 0JL, - 06.09.2024
105 White Hart Lane, Barnes, London, SW13 0JL, - 06.09.2024
111 White Hart Lane, Barnes, London, SW13 0JL, - 06.09.2024
109 White Hart Lane, Barnes, London, SW13 0JL, - 06.09.2024
113 White Hart Lane, Barnes, London, SW13 0JL, - 06.09.2024
115 White Hart Lane, Barnes, London, SW13 0JL, - 06.09.2024
117 White Hart Lane, Barnes, London, SW13 0JW, - 06.09.2024
3 Eleanor Grove, Barnes, London, SW13 0JN, - 06.09.2024
1 Eleanor Grove, Barnes, London, SW13 0JN, - 06.09.2024
4 Eleanor Grove, Barnes, London, SW13 0JN, - 06.09.2024
2 Eleanor Grove, Barnes, London, SW13 0JN, - 06.09.2024

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

Development Management

Status: PCO

Application: 24/2225/FUL

Date: Installation of two air conditioning units above existing roof terrace; replacement of glazed roof access structure; reconstruction of first-floor rear extension with Juliet balcony railings; replacement of ground-floor rear conservatory extension; replacement of all single-glazed windows with double-glazed equivalents; alterations to rear ground floor façade and fenestration, including new windows; replacement pedestrian and vehicular entrance gates.

Building Control

Deposit Date: 13.03.2009 Installed a Gas Boiler
Reference: 09/COR00694/CORGI

Building Control

Deposit Date: 11.03.2020 Install replacement door in a dwelling
Reference: 20/FEN00370/FENSA

Building Control

Deposit Date: 10.03.2021 Install a gas-fired boiler
Reference: 21/FEN01114/GASAFE

Building Control

Deposit Date: 19.06.2022 Install a replacement consumer unit
Reference: 22/NIC01523/NICEIC

Building Control

Deposit Date: 12.12.2022 Install replacement windows in a dwelling
Reference: 23/FEN00007/FENSA

Building Control

Deposit Date: 11.01.2023 Install a gas-fired boiler
Reference: 23/FEN00222/GASAFE

Building Control

Deposit Date: 12.12.2022 Install replacement door in a dwelling
Reference: 24/FEN01101/FENSA

Building Control

Deposit Date: 11.09.2024 Installation of two air conditioning units above existing roof terrace; replacement of glazed roof access structure; reconstruction of first-floor rear extension with Juliet balcony railings; replacement of ground-floor rear conservatory extension; replacement of all single-glazed windows with double-glazed equivalents; alterations to rear ground floor façade and fenestration, including new windows; replacement pedestrian and vehicular entrance gates.

Reference: 24/1148/IN

Application Number	24/2225/FUL
Address	2A Eleanor Grove, Barnes, London, SW13 0JN
Proposal	Installation of two air conditioning units above existing roof terrace; replacement of glazed roof access structure; reconstruction of first-floor rear extension with Juliet balcony railings; replacement of ground-floor rear conservatory extension; replacement of all single-glazed windows with double-glazed equivalents; alterations to rear ground floor façade and fenestration, including new windows; replacement pedestrian and vehicular entrance gates.
Contact Officer	Grace Edwards
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 flat located on the upper floors of a three storey, end of terrace building located on the corner of White Hart Lane and Eleanor Grove. The site is located within the White Hart Lane Conservation Area and constitute a Building of Townscape Merit. The site is subject to the following constraints:

- Area susceptible to groundwater flooding
- Increased potential for elevated groundwater
- Protected view indicative zone (From Richmond Park towards St Pauls Cathedral)
- Area susceptible to surface water flooding

3. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

Permission is sought for the installation of two air conditioning units above existing roof terrace; replacement of glazed roof access structure; reconstruction of first-floor rear extension with Juliet balcony railings; replacement of ground-floor rear conservatory extension; replacement of all single-glazed windows with double-glazed equivalents; alterations to rear ground floor façade and fenestration, including new windows; replacement pedestrian and vehicular entrance gates.

There is no relevant planning history associated with the site.

4. CONSULTATIONS CARRIED OUT

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

One letter of support has been received commenting as follows:

- The proposed changes will enhance the look of the building and will benefit the neighbourhood
- The windows have long been in need of replacement and the existing extensions are in need of replacement and upgrade

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
- 14. Meeting the challenge of climate change, flooding and coastal change
- 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
- D14 Noise
- HC1 Heritage conservation and growth

These policies can be found at: <https://www.london.gov.uk/what-we-do/planning/london-plan>

Richmond Local Plan (2018)

The main planning considerations applying to the site and the associated Local Plan policies are:

Issue	Local Plan Policy	Compliance	
Local Character and Design Quality	LP1	Yes	No
Impact on Designated Heritage Assets	LP3	Yes	No
Impact on Amenity and Living Conditions	LP8	Yes	No
Impact on Biodiversity	LP15	Yes	No
Impact on Flood Risk and Sustainable Drainage	LP21	Yes	No

These policies can be found at

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

Richmond Publication Local Plan (Regulation 19 version)

The Richmond Publication Version Local Plan (Regulation 19 version) was published on 9 June 2023 for public consultation which ended on 24 July 2023.

The Publication Version Local Plan, together with all the representations received during the representation period, the plan and its supporting documents were submitted to the Secretary of State for examination on 19 January 2024. The submission documents do not form part of the statutory development plan for the Borough, however, by publishing and submitting the Borough Local Plan for independent examination the Council has formally confirmed its intention to adopt the Publication Plan.

The Publication Version Local Plan, including its evidence base, are material considerations for decision-making. The weight to be given to each of the emerging policies and allocations will depend on an assessment against the criteria set out in paragraph 48 of the NPPF. As the Council considers the emerging Borough Local Plan to be sound and legally compliant, officers and Councillors should accord relevant policies and allocations significant weight in the determination of applications taking account of the extent to which there are unresolved objections to relevant policies. Therefore, the weight afforded to each policy at this stage will differ depending on the level and type of representation to that policy. This is addressed in more detail in the assessment below where it is relevant to the application.

Note that it was agreed by Full Council on 27 April, when the Publication Plan was approved, that no weight will be given to Policy 4 in relation to the increased carbon offset rate, and therefore the existing rate of £95 will continue to be used; in addition, no weight will be given to Policy 39 in relation to the 20% biodiversity net gain requirement; all other aspects and requirements of these policies will apply.

Issue	Publication Plan Policy	Local	Compliance
Flood risk and sustainable drainage	8	Yes	No
Local character and design quality	28	Yes	No
Designated heritage assets	29	Yes	No
Biodiversity and Geodiversity	39	Yes	No
Amenity and living conditions	46	Yes	No

Supplementary Planning Documents

Design Quality
Development Control for Noise Generating and Noise Sensitive Development
House Extension 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

Other Local Strategies or Publications

Other strategies or publications material to the proposal are:
Community Infrastructure Levy
White Hart Lane Conservation Area Statement
White Hart Lane Conservation Area Study
Strategic Flood Risk Assessment 2021

Determining applications in a Conservation Area

In considering whether to grant planning permission with respect to any buildings or other land in a conservation area, Section 72 of the Planning (Listed buildings and Conservation Areas) Act 1990 requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the Conservation Area. In this context, "preserving", means doing no harm.

To give effect to that duty, decisions of the court have confirmed that for development proposed to be carried out in a conservation area, a decision-maker should accord "considerable importance and weight" to the desirability of preserving or enhancing the character or appearance of the conservation area, when weighing this factor in the balance with other material considerations which have not been given this special statutory status. This creates a strong presumption against granting planning permission where harm to the character or appearance of a conservation area is identified. The presumption can be rebutted by material considerations powerful enough to do so.

In applications where the decision-maker is satisfied that there will be no harm to the character or appearance of a conservation area, the statutory presumption against granting planning permission described above falls away. In such cases the development should be permitted or refused in accordance with the policies of the development plan and other material considerations.

6. EXPLANATION OF OFFICER RECOMMENDATION

The key issues for consideration are:

- i Design and impact on heritage assets
- ii Impact on neighbour amenity
- iii Flood risk
- iv Fire safety
- v Biodiversity

Issue 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. Proposals should demonstrate an understanding of the site and its context when considering the design including layout, siting and access and the compatibility of the works to the neighbouring uses.

Policy LP3 requires development to conserve and, where possible, take opportunities to make a positive
Officer Planning Report – Application 24/2225/FUL Page 5 Of 9

contribution to, the historic environment of the borough. 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.

2a Eleanor Grove forms the upper floors (and part of the ground floor) of no.115 White Hart Lane. This is a large late-19th century end-terrace house within the White Hart Lane Conservation Area and is designated as a Building of Townscape Merit. It is three storeys in stock brick (render to the ground floor) with a flat roof hidden by a parapet.

The front elevation (to White Hart Lane) is double-fronted, with an entrance door flanked by two sash windows. The first-floor windows feature prominent, white-painted surrounds, with narrower surrounds to the smaller second-floor windows. The side elevation to Eleanor Grove features a similar arrangement, but is narrower, with only two windows to the first and second floor levels. Alongside a shorter three-storey element is a modern recessed entrance door and set of timber vehicle gates. The rear elevation is visible from Eleanor Grove, including the first-floor rear extension.

No.2a is forms part of a wider terrace along the east side of White Hart Lane. Alongside nos.117 & 119 it forms a 'gateway' to Eleanor Grove beyond and is prominent in the streetscape due to its height. The loss of the original butterfly roof form, and accumulation of extensions to the rear has somewhat detracted from the character of the building, but it remains an important focal point of the streetscape and makes a positive contribution to the character of the area.

The significance of no.2a as a BTM is defined by its architectural style and surviving original features, visual prominence at the junction of White Hart Lane and Eleanor Grove, visual relationship and group value with the wider terrace, and positive contribution to the character and streetscape of White Hart Lane.

More widely, the significance of the White Hart Lane Conservation Area is defined by "The complex of C19 buildings, which make up the conservation area, read as a whole, with imposing three storey buildings on the street corners and the houses becoming more and more modest as they are distanced from Eleanor Grove. These White Hart Lane buildings provide a visual gateway into the Grove." (White Hart Lane CAA).

Permission is sought for the installation of two air conditioning units above existing roof terrace; replacement of glazed roof access structure; reconstruction of first-floor rear extension with Juliet balcony railings; replacement of ground-floor rear conservatory extension; replacement of all single-glazed windows with double-glazed equivalents; alterations to rear ground floor façade and fenestration, including new windows; replacement pedestrian and vehicular entrance gates.

AC units to roof

No objections are raised regarding the proposed AC units. These would be suitably located in one corner of the flat roof and would be effectively screened by the existing parapet such that they would not be readily visible.

Replacement of glazed roof access structure

No objections are raised regarding the proposed replacement roof access structure. Whilst slightly wider than the existing, it would be no deeper or higher, and would be like for like in terms of design. It is noted that it is not easily visible from street-level vantage points due to the positioning of the structure and available sightlines. It is proposed to change the material from timber to aluminium which is considered to be acceptable given that the structure is effectively screened from view from public vantage points.

Reconstruction of first floor rear element

No objections are raised regarding the proposed rebuilding of the first-floor rear element. This would match the scale and design of the existing, with some small visual improvements including new doors and a new roof. It would be similar in appearance to the existing and so is considered to have a neutral impact on the appearance of the building. The addition of a Juliette balcony railing is considered acceptable.

Replacement conservatory to rear

No objections are raised regarding the replacement conservatory. The existing conservatory makes no contribution to the character of the building. The new conservatory would constitute a visual improvement on the existing, which would result in a small enhancement to the appearance of the building.

Replacement windows and façade alterations

No objections are raised regarding the replacement windows. These would be to the front, side, and rear timber sash windows and assorted smaller windows to the side and rear. The replacement sash windows would be timber slimline double-glazed units painted white, which would be acceptable and appropriate for a BTM in a Conservation Area. During the course of the application, the label referring to the spacer bars was updated to confirm that they would be white, to ensure they blend in with the frames and minimise the visual
Officer Planning Report – Application 24/2225/FUL Page 6 Of 9

impact of the double-glazed units.

The replacement casement windows to the side would comprise timber slimline double-glazed units, with the introduction of horizontal glazing bars to the first-floor windows. This would be a minor modification which would not detract from the appearance of the building.

One small rectangular window to the rear at ground floor level is proposed, which would be a minor addition which would not detract from the appearance of the building.

The addition of render to existing brickwork to the rear elevation at ground floor level is acceptable, and would integrate satisfactorily with the use of render of the front/side/rear elevations.

Replacement gates

The existing gates and door both appear to be timber which is the appropriate material for doors and gates to a BTM within a Conservation Area. The proposed use of aluminium for a replacement door and gates is regrettable. However, the submitted planning statement notes that given the proposed gates would be of the same height as the existing, they would be permitted development under Article 3 of the General Permitted Development Order 2015, pursuant to Class A, Part 2, Schedule 2 of that Order which does not impose any stipulations regarding colour or materials. It is therefore considered that a reason for refusal on this basis would not be justified in this instance.

Paragraph 205 of the NPPF states 'When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Paragraph 207 of the NPPF states 'Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal'. In this instance, the proposals are not considered to harm the setting, character and appearance of the conservation area.

Paragraph 208 of the NPPF states 'The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset'. In this instance, the proposals are not considered to harm the host BTM.

In view of the above, the proposals are considered to comply with the aims and objectives of policies LP1, LP3 and LP4 of the Local Plan and policies 28, 29 and 30 of the Publication Local Plan as supported by the White Hart Lane Conservation Area Statement/Study.

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.

Policy LP10 states "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."

The application site is adjoined by No. 113 White Hart Lane to the north, and the ground floor of No. 115 is in use as a separate residential unit. No. 2 Eleanor Grove is sited to the rear of the site, separated by an access to a car park, and No, 117 White Hart Lane is located to the south of the site, separated by Eleanor Grove.

In regard to the proposed AC units, a Noise Impact Assessment has been submitted in support of the application. The acoustic assessment confirms that the selected plant noise pressure levels would be at least 5 dB(A) below the background level (LA90), in line with the requirements set out within the Council's Noise Generating and Noise Sensitive Development SPD. This would be the case even during night-time operation, without the need for additional mitigation measures such as acoustic enclosures, as the plant itself has been chosen to meet these standards.

The submitted drawings have been annotated to confirm that, in accordance with the recommendations of the Noise Impact Assessment, the proposed A/C condenser units will be installed on suitable anti-vibration Officer Planning Report – Application 24/2225/FUL Page 7 of 9

mounts, such as steel spring isolators or rubber footings, and thereafter retained.

The Councils Environmental Health Officer has been consulted on the proposals and raises no objections subject to the inclusion of a condition.

Whilst it is acknowledged the proposed roof access structure would be slightly wider than the existing, having regard to its modest height, it is not considered it would appear overbearing or obtrusive to neighbouring properties.

Given the proposed replacement first floor rear extension and ground floor rear conservatory would be the same size as the existing, it is not considered they would have any additional impact on neighbouring amenity in comparison to the existing situation.

The replacement windows would be within existing openings, and as such would not increase opportunities for overlooking.

One additional window is proposed adjacent to the replacement ground floor conservatory, however given the siting of this, it is not considered it would offer any harmful views.

In view of the above, the proposals are considered to comply with the aims and objectives of policy LP8 of the adopted Local Plan and policy 46 of the emerging Local Plan.

Issue iii – Flood Risk

Policy LP21 of the Local Plan requires all developments to avoid or minimise, contributing to all sources of flooding, including fluvial, tidal, surface water, groundwater and flooding from sewers, taking account of climate change and without increasing flood risk elsewhere.

The application site is located within flood zone 1, however is also located within an area susceptible to both groundwater and surface water flooding, as well as being in an area with potential for elevated groundwater.

As such, a Flood Risk Assessment has been submitted with the application. This confirms that the proposed development will be limited to the existing building footprint and will not result in any material alterations to the existing access arrangements or finished floor levels. In addition, the application site is largely located on the upper floor levels of the building. The proposals are therefore considered to comply with the requirements of policy LP21.

Issue iv – Fire Safety

The applicant has submitted a Fire Safety Statement to address policy D12 of the London Plan (2021). The submission of such a document is sufficient to meet the requirements of policy D12.

The applicant is advised that alterations to existing buildings should comply with the Building Regulations. This permission is NOT a consent under the Building Regulations for which a separate application should be made.

Issue v – 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:

- The application was made before 2nd April 2024
- The development impacts habitat of an area below a 'de minimis' threshold of 25m² or 5m of linear habitat such as hedgerows, and does not impact an onsite priority habitat
- The development is for a small scale self-build or custom house building

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.

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.

Grant planning permission with conditions

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)

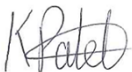
This application requires a Legal Agreement YES* NO
(*If yes, complete Development Condition Monitoring in Uniform)

This application has representations online (which are not on the file) YES NO

This application has representations on file YES NO

Case Officer (Initials):GE..... Dated:30/10/2024.....

I agree the recommendation:



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

Dated: ...30/10/2024.....