

Application reference: 24/2214/HOT
BARNES WARD

Date application received	Date made valid	Target report date	8 Week date
03.09.2024	06.09.2024	01.11.2024	01.11.2024

Site:

82 Madrid Road, Barnes, London, SW13 9PG

Proposal:

Demolition of an existing front porch and creation of new porch, changes to front fenestration.

APPLICANT NAME

Mr and Mrs Freud-Laflin
82 Madrid Road
Barnes
London
Richmond Upon Thames
SW13 9PG

AGENT NAME

Mr Jamie Watson
1 Old Hempstead Mews
Alexandra Road
Hemel Hempstead
HP2 5BS
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

Expiry Date

20.09.2024

Neighbours:

73 Castelnau, Barnes, London, SW13 9RT, - 06.09.2024
Lestock House, 73B Castelnau, Barnes, London, SW13 9RT, - 06.09.2024
73 Madrid Road, Barnes, London, SW13 9PQ, - 06.09.2024
71 Madrid Road, Barnes, London, SW13 9PQ, - 06.09.2024
75 Madrid Road, Barnes, London, SW13 9PQ, - 06.09.2024
84 Madrid Road, Barnes, London, SW13 9PG, - 06.09.2024
80 Madrid Road, Barnes, London, SW13 9PG, - 06.09.2024

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

Development Management

Status: GTD Application: 98/1204
Date: 24/07/1998 Roof Extension.

Development Management

Status: PCO Application: 24/2046/HOT
Date: Demolition of existing rear extension, construction of a single storey rear extension with associated partial raising of an existing party wall, loft extension with front dormer.

Development Management

Status: PCO Application: 24/2214/HOT
Date: Demolition of an existing front porch and creation of new porch, changes to front fenestration.

Development Management

Status: INV Application: 24/2531/HOT
Date: Convert part of the front garden, into a driveway for off street parking and landscaping to the front area of the house

Building Control

Deposit Date: 29.05.1998 Loft conversion

Reference: 98/0886/FP

Building Control

Deposit Date: 11.12.2018 Install a gas-fired boiler

Reference: 19/FEN00009/GASAFE

Building Control

Deposit Date: 08.10.2024 Single storey ground floor rear extension, reconfiguration of all floors with
removal of 2No chimney breasts at ground floor and first floor, formation of
2No en-suites and refitting of kitchen with ancillary works

Reference: 24/1310/IN

Application Number	24/2214/HOT
Address	82 Madrid Road Barnes London SW13 9PG
Proposal	Demolition of an existing front porch and creation of new porch, changes to front fenestration.
Contact Officer	Roberta Henriques
Target Determination Date	1st November 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 subject site is a two storey semi detached dwellinghouse, located on the eastern side of Madrid Road. The site is located within the Madrid Road Conservation Area, and is also subject to the following planning constraints:

Item Found	More Information
Area Benefiting Flood Defence - Environment Agency.	Areas Benefiting from Defences
Area Susceptible To Groundwater Flood - Environment Agency	Superficial Deposits Flooding - >= 75% - SSA Pool ID: 1529
Article 4 Direction Basements	Article 4 Direction - Basements / Ref: ART4/BASEMENTS / Effective from: 18/04/2018
Community Infrastructure Levy Band	Higher
Floodzone 2	Tidal Models
Floodzone 3	Tidal Models
Heliport Safeguarding - 150m High	All buildings exceeding 150m (492.1ft) AGL Developments exceeding 150m will need to be sent to the heliport for consultation. Those under 150m can proceed to planning decisions. https://www.gov.uk/government/publications/safeguarding-aerodromes-technical-sites-and-military-explosives-storage-areas/the-town-and-country-planning-safeguarded-aerodromes-technical-sites-and-military-explosives-storage-areas-direction-2002
Increased Potential Elevated Groundwater	GLA Drain London
SFRA Zone 3a High Probability	Flood Zone 3
Take Away Management Zone	Take Away Management Zone
Village	Barnes Village
Village Character Area	Suffolk Road, West of Castelnau - Character Area 14 Barnes Village Planning Guidance Page 57 CHARAREA04/14/01
Ward	Barnes Ward

3. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

The proposed development comprises of the demolition of an existing front porch and the creation of a new porch, and changes to front fenestration.

The comprehensive list of planning history can be found above however the most relevant planning history is Officer Planning Report – Application 24/2214/HOT Page 3 of 8

as follows:

24/2046/HOT Demolition of existing rear extension, construction of a single storey rear extension with associated partial raising of an existing party wall, loft extension with front dormer. Not determined yet.

98/1204 Roof Extension. Granted.

Amendments

The scheme has been amended so that the alteration to the lead style pattern of the windows has been omitted

4. CONSULTATIONS CARRIED OUT

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

No letters of representation were 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

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

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

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	
Local character and design quality	28	Yes	No
Designated heritage assets	29	Yes	No
Trees, Woodland and Landscape	42	Yes	No
Design process	44	Yes	No
Amenity and living conditions	46	Yes	No

Supplementary Planning Documents

House Extension and External Alterations

Conservation Areas

Village Plan- Barnes

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

Madrid Road Conservation Area Statement

Madrid Road Conservation Area Study

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 Fire Safety
- v Biodiversity

i Design and impact on heritage assets

Policy Context

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.

The Councils SPD (2015) 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.

The SPD (2015) also states that:

- Adding a porch is one of the most significant changes a householder can make to the front of a house as it involves altering the shape of the house at its focal point, the entrance;
- Retain visual continuity – there is a risk of creating an eyesore;
- Match existing work – if a new porch is desired, it should enhance rather than detract from the original house, with the aim being to make the addition ‘belong’ to the house; and
- Consider neighbouring property – where front doors are paired, a joint scheme with the neighbouring owner should be considered. Try to avoid locating porches so that they touch existing windows.

Background

No.82 forms a pair with no.84 and together they form part of the streetscape of Madrid Road, an early 20th century speculative development with Arts and Crafts influence. Common features include gabled bays with timber detailing, tiled roofs, and brick pier walls. While there is variation in the design of houses, there is an overall cohesiveness in style and materials.

Assessment

Front porch

No objections are raised regarding the proposed porch. The existing porch makes no contribution to the appearance of no.82 and detracts from its architectural character. The replacement porch has been designed to match the original porches of neighbouring properties and would restore an original feature to no.82. This would result in an enhancement to the property which would have a positive impact on the character and appearance of the Madrid Road Conservation Area.

Replacement windows

No objections are raised regarding the principle of replacement windows which will be double glazed. The changes initially proposed to the lead style pattern of the windows has been omitted, so the existing lead style pattern will be retained, which will preserve the important original feature of the fenestration to both no.82 and the wider group. The applicant has confirmed via an annotation of the Proposed Front Elevation drawing, that the materials, design and opening style of the windows will also match the existing. The annotation also confirms that spacer bars and seals will be white to blend in with the frames, and that trickle vents will be concealed within the frame/box. Overall, the windows are considered to preserve the character and appearance of the host dwelling and the Madrid Road Conservation Area.

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 208 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 proposal would not lead to less than substantial harm to the setting, character and appearance of the conservation area, and complies with the NPPF.

In view of the above, the proposal complies with the aims and objectives of policies LP1 and LP3

of the Local Plan and policies 28 and 29 of the Publication Local Plan as supported by the Madrid Conservation Area Statement.

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 creation of the porch will be publicly visible due to its siting on the front elevation. However, the porch is sited away from the front habitable room windows of the immediate neighbours no.s 80 and 84, and so there is no concerns relating to the proposal in regard to loss of light or visual intrusion.

In view of the above, the proposal complies with the aims and objectives of policies LP1 and LP3 of the Local Plan and policies 28 and 29 of the Publication Local Plan as supported by the Madrid Conservation Area Statement.

iii Fire Safety

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

A Fire Safety Strategy has been received on 3rd September 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.

iv 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

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.

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: ...31/10/2024.....

I agree the recommendation:



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

Dated: ...31/10/2024.....

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: