

Application reference: 24/1915/HOT
BARNES WARD

Date application received	Date made valid	Target report date	8 Week date
25.07.2024	25.07.2024	19.09.2024	19.09.2024

Site:

78 Castelnau, Barnes, London, SW13 9EX

Proposal:

Proposed rear ground floor extension. Alterations to rear fenestration and associated rear roof extension side extension. Alterations to front boundary treatment including provision of electric gate and railings.

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

APPLICANT NAME

Mr Alex Dolman
78 Castelnau
Barnes
London
Richmond Upon Thames
SW13 9EX

AGENT NAME

Mr Nigel Hartley
33 Trinity Church Road
London
SW13 8ET

DC Site Notice: printed on 26.07.2024 and posted on 02.08.2024 and due to expire on 23.08.2024

Consultations:

Internal/External:

Consultee

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

Expiry Date

21.10.2024
09.08.2024
09.08.2024
09.08.2024

Neighbours:

Wetlands Centre, Queen Elizabeth Walk, Barnes, London, SW13 9WT, - 26.07.2024
76 Castelnau, Barnes, London, SW13 9EX, - 26.07.2024
80 Castelnau, Barnes, London, SW13 9EX, - 26.07.2024
81 Castelnau, Barnes, London, SW13 9RT, - 26.07.2024
83 Castelnau, Barnes, London, SW13 9RT, - 26.07.2024
79 Castelnau, Barnes, London, SW13 9RT, - 26.07.2024

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

Development Management

Status: GTD Application:98/T0809
Date:03/08/1998 Silver Birch - Remove

Development Management

Status: GTD Application:98/T0810
Date:03/08/1998 Box Elder - Remove

Development Management

Status: REF Application:82/0964
Date:08/10/1982 Alterations to premises including the erection of a three storey side extension with water tanks over and the erection of a single storey conservatory extension.

<u>Development Management</u> Status: GTD Date:15/11/1983	Application:82/1302 Erection of a first floor side extension above existing garage and provision of a covered external staircase to the second floor. (Revised plans 1264 and 1263 received 28th September, 1983 and 14th October, 1983).
<u>Development Management</u> Status: GTD Date:15/11/1983	Application:83/0202 Conversion of the property to form three self-contained flats, erection of a first floor extension and provision of covered external stairs from first to second floors. Rearrangement of forecourt area to provide three parking spaces. (Revised drawings; 1258D and 1259D received 28/9/83, additional drawing to show forecourt received 28/9/83).
<u>Development Management</u> Status: GTD Date:24/02/2009	Application:09/T0021/TCA T1 - Tree Of Heaven - Lift crown by removing lower branches and dense ivy T2 - Holm Oak - Remove lower branches
<u>Development Management</u> Status: GTD Date:24/02/2009	Application:09/T0052/TCA T1 - Tree of Heaven - Lift Crown only by removing lower branches and dense ivy T2 - Holm Oak - Remove lower branches over driveway
<u>Development Management</u> Status: WDN Date:06/01/2012	Application:11/3474/HOT Installation of on-roof photovoltaic solar panels at the property.
<u>Development Management</u> Status: REF Date:20/10/2014	Application:14/3431/HOT Replacement of rear bedroom window.
<u>Development Management</u> Status: GTD Date:10/06/2024	Application:24/0978/HOT Proposed rear ground floor extension and garden building. Second floor rear juliet balcony, alterations to second floor rear fenestration and associated rear roof extension. Side extension.
<u>Development Management</u> Status: PDE Date:	Application:24/1915/HOT Proposed rear ground floor extension. Second floor rear roof terrace, alterations to second floor rear fenestration and associated rear roof extension side extension. Alterations to front boundary treatment including provision of electric gate.
<u>Building Control</u> Deposit Date: 28.02.2004	FENSA Notification of Replacement Glazing comprising 2 Windows and 1 Doors. Installed by Weatherseal Holdings Ltd. FENSA Member No 14024. Installation ID 1501539. Invoice No WS08119
Reference: 04/5820/FENSA	
<u>Building Control</u> Deposit Date: 06.08.2008	3 Windows
Reference: 08/FEN01966/FENSA	
<u>Building Control</u> Deposit Date: 09.12.2008	Installed a Gas Fire
Reference: 09/COR00031/CORGI	
<u>Building Control</u> Deposit Date: 29.07.2018	Install replacement window in a dwelling
Reference: 18/FEN01341/FENSA	
<u>Building Control</u> Deposit Date: 28.05.2024	Side and rear extension, garden detached one storey building and second floor roof terrace to an existing three storey detached dwelling house.
Reference: 24/0647/IN	

Application Number	24/1915/HOT
Address	78 Castelnau Barnes London SW13 9EX
Proposal	Proposed rear ground floor extension. Alterations to rear fenestration and associated rear roof extension side extension. Alterations to front boundary treatment including provision of electric gate and railings.
Contact Officer	Sukhdeep Jhooti
Target Determination Date	19.09.2024 EOT 04.11.2024

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

78 Castelnau is a late 19th century semi-detached house within the Castelnau Conservation Area and is designated as a Building of Townscape Merit (BTM). It is three storeys in stock brick with red brick dressing under a slate roof. To the front is a large gabled bay with canted bay window to the ground floor. Architectural details include the prominent red-brick piers with moulded capitals, mullions and moulded decoration to the first-floor casement window, and red-brick detailing to the eaves of the gable. To the rear is a two-storey outrigger which has been extended at first floor level, alongside a single-storey conservatory infill and a single-storey side extension.

No.78 forms a pair with no.80 and together they are typical of houses along Castelnau which is characterised by substantial mid-late 19th century semi-detached pairs or detached houses. Many have been extended substantially to the rear and at roof level, with single-storey side extensions encroaching on the spaces between the buildings.

The site is within Barnes Village and is designated as follows:

- Area Benefitting Flood Defence – Environment Agency
- Building of Townscape Merit – 78 Castelnau
- Conservation Area [CA25 Castelnau]
- Flood Zone 2
- Flood Zone 3a
- Increased Potential Elevated Groundwater
- Village – Barnes
- Village Character Area [Castelnau- Character Area 2 & Conservation Area 25 Barnes Village Planning Guidance Page 21 CHARAREA04/02/01]

3. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

The proposed development comprises proposed rear ground floor extension. Second floor rear roof terrace, alterations to second floor rear fenestration and associated rear roof extension side extension and electric gate.

The comprehensive list of planning history can be found above however the most relevant planning history is as follows:

- **24/0978/HOT.** Proposed rear ground floor extension and garden building. Second floor rear juliet balcony, alterations to second floor rear fenestration and associated rear roof extension. Side extension. **Granted**

- **11/3474/HOT.** Installation of on-roof photovoltaic solar panels at the property. **Withdrawn.**
- **14/3431/HOT.** Replacement of rear bedroom window. **Refused**
- **82/0964.** Alterations to premises including the erection of a three storey side extension with water tanks over and the erection of a single storey conservatory extension. **Refused**
- **82/1302.** Erection of a first floor side extension above existing garage and provision of a covered external staircase to the second floor. (Revised plans 1264 and 1263 received 28th September, 1983 and 14th October, 1983). **Granted**
- **83/0202.** Conversion of the property to form three self-contained flats, erection of a first floor extension and provision of covered external stairs from first to second floors. Rearrangement of forecourt area to provide three parking spaces. (Revised drawings; 1258D and 1259D received 28/9/83, additional drawing to show forecourt received 28/9/83). **Granted**

4. CONSULTATIONS CARRIED OUT

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

No letters of representation were received.

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
- 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
- G7 Trees and woodlands
- G6 Biodiversity and access to nature

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
Impact on Biodiversity	LP15	Yes	No
Impact on Trees, Woodland and Landscape	LP16	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 Officer Planning Report – Application 24/1915/HOT Page 4 of 10

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	Ne
Local character and design quality	28	Yes	Ne
Designated heritage assets	29	Yes	Ne
Non-designated heritage assets	30	Yes	Ne
Biodiversity and Geodiversity	39	Yes	Ne
Trees, Woodland and Landscape	42	Yes	Ne
Amenity and living conditions	46	Yes	Ne

Supplementary Planning Documents

Buildings of Townscape Merit
House Extension and External Alterations
Village Plan – Barnes Village SPD

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:
Castelnau Conservation Area Statement
Castelnau 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.

5. AMENDMENTS

Amended plans received on 30 October 2024 removing second floor terrace as an showing a revised first floor rear window. Plans omit raising of boundary wall and show railings instead.

Given the plans would result in less built form overall and would not materially change in design compared with the original scheme, a re-consultation has not been actioned.

6. EXPLANATION OF OFFICER RECOMMENDATION

The key issues for consideration are:

- i Design and impact on heritage assets
- ii Impact on neighbour amenity
- iii Trees
- iv Flood Risk
- v Fire Safety

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 and LP4 of the Local Plan 2018, seek to ensure that development preserves and where possible, enhances the character, appearance and setting of designated and non-designated heritage assets respectively. These include Conservation Areas and BTM's.

The Councils SPD relating to House Extensions and External Alterations states that the overall shape, size and position of side and rear extensions should not dominate the existing house or its neighbours. It should harmonise with the original appearance, either by integrating with the house or being made to appear as an obvious addition.

Proposed rear ground floor extension

The proposed ground floor rear addition would appear as a proportionate addition to the host dwelling house due to its size, scale and design.

Roof extension

The associated rear roof side extension would lead to the roof extension becoming integrated with the roof pitch of the existing rear gabled projection. This would lead to a generous sized roof extension compared with the existing situation. However, when viewed against the generously sized and varied roof extensions within the immediate locality, the proposed roof extension would not appear unusual when viewed from the immediate and surrounding context.



Figure 1 – Aerial imagery of immediate locality showing various roof extensions.

Alterations to second floor rear fenestration

The alterations to second floor rear fenestration would lead to a more contemporary predominantly glazed extension at second floor rear. As noted in the aerial photograph above, there is a variety of glazing styles to the rear of properties along this stretch of the road. The alteration at second floor rear would not appear demonstrably harmful to the character and appearance of the conservation area and host BTM when viewed from this context. The Juliet balcony proposed is lightweight in design and given the presence of similar balconies, no objections are raised.

Alterations to first floor rear fenestration

The first floor rear glazing would be well positioned and would appear traditional in design terms. No objections are raised.

Electric gate.



Figure 2 – Boundary treatment in the immediate locality

Railings would be inserted above the existing boundary wall. Railings above existing boundary walls are evident in the immediate locality. The railings would allow for passive surveillance and would enable landscaping behind the boundary treatment to seep through, thus preserving the landscape character of the area. Whilst there would be the loss of landscaping to facilitate this the proposal, it is noted that the hedging is not protected and similar boundary treatments are evident in the immediate locality. Electric gates are evident within neighbouring properties. The proposed electric gates would not appear out of character when viewed from this context.



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 due to its size, scale and design.

Paragraph 209 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 proposal would have a neutral impact on the host and neighbouring BTM's due to its size, scale and design.

In view of the above, the proposal complies 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 Castelnau Conservation Area Statement/Study.

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.

Rear ground floor extension

The proposed ground floor extension would meet the rear building line of No. 80's ground floor extension. It would have a neutral impact on this property.

The proposed extension would not extend significantly beyond the rear building line of No. 76. As such, it would not lead to a material loss of light or outlook when viewed from the ground floor habitable room windows and garden area of this property.

Alterations to rear fenestration

The alterations to rear fenestration would not lead to material increases in the levels of overlooking compared with the existing glazing at the subject property.

Rear roof extension side extension

The rear roof extension would not extend beyond the rear building line of neighbouring properties compared with the existing roof extension. It would not lead to a material increase in the levels of overlooking compared with the existing situation.

Electric gate and alterations to front boundary treatment

The alterations to front boundary treatment including new electric gate would by reason of its nature and siting safeguard neighbour living conditions.

In view of the above, the scheme would safeguard neighbour living conditions in line with policies LP8 and 46 of the Publication Local Plan.

iii Trees

Policies LP15 and LP16 seek to protect biodiversity and health and longevity of trees, woodland and landscape in the borough. Local Plan policy LP16, subsection 5 requires;

"That trees are adequately protected throughout the course of development, in accordance with British Standard 5837 - Trees in relation to design, demolition and construction, Recommendations (2012)."

The site is within a Conservation Area where all trees are protected. There are no TPO trees on or adjacent to the site. There are on-site trees however, hence an Arboricultural Impact Assessment has been submitted in support of this application. The Council's Arborist has reviewed the submitted information. They have raised no objections to the scheme subject to conditions.

In view of the above, the scheme is compliant with Policies LP15 and LP16.

v Flood Risk

Policy LP21 of the Local Plan relates to flood risk as well as Policy 8 of the Publication Local Plan. A flood risk assessment has been submitted given the site is in flood zone 3a. This states that “ *There will be no increase in impermeable area such as could increase the flood risk on site or elsewhere because the part of the site where the works are proposed is already paved hard surface or has existing buildings on it. Floor and wall finishes will be resilient as far as practicable*”.

As such, the scheme would not materially increase flood risk in line with policies LP21 of the Local Plan and Policy 8 of the Publication Local Plan.

vi Transport

Policies LP44 and LP45 of the Local Plan and the Transport SPD. Relate to highway safety and car parking.

The Transport SPD states that pedestrian sightlines of 2.1m x 2.4m would be required. These would be achieved under the proposals. No alterations would occur with regards to the existing vehicular access. As such, the scheme is compliant the aforementioned policies and relevant SPD.

v Fire Safety

Policy D12 of the London Plan 2021 relates to fire safety. A reasonable exemptions statement has been submitted in line with D12A of the London Plan. This does not override the need for the scheme to conform with the building regulations.

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): SJH Dated:30.10.2024

I agree the recommendation:

South Area Team Manager:ND.....

Dated:01.11.2024.....