



**PLANNING REPORT**

Printed for officer by

**Application reference: 24/2324/LBC  
BARNES WARD**

Date application received	Date made valid	Target report date	8 Week date
16.09.2024	18.09.2024	13.11.2024	13.11.2024

**Site:**

107 Castelnau, Barnes, London, SW13 9EL

**Proposal:**

Partial demolition of the existing rear extension at lower ground floor, and construction of a new extension of greater depth; new metal gate to the front boundary; replacement of French doors to upper ground floor rear elevation

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

**APPLICANT NAME**

Mr Dyalan Nayager  
107 Castelnau  
Barnes  
London  
Richmond Upon Thames  
SW13 9EL

**AGENT NAME**

Mr John Dyer-Grimes  
Studio 2,  
Three Eastfields Avenue,  
Riverside Quarter,  
London  
SW18 1GN  
United Kingdom

**DC Site Notice:** printed on 19.09.2024 and posted on 27.09.2024 and due to expire on 18.10.2024

**Consultations:**

**Internal/External:**

**Consultee**  
21D Urban D

**Expiry Date**  
10.10.2024

**Neighbours:**

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

Development Management

Status: GTD Application:03/T0750  
Date:16/05/2003 Acer X2 - Crown Lift By 4 Metres And Reduce Side Branches By 30

Development Management

Status: GTD Application:03/T0751  
Date:16/05/2003 Robinia - Crown Lift By 4.5 Metres.

Development Management

Status: GTD Application:03/T0752  
Date:16/05/2003 Aesculus - Remove Outer Lower Limb.

Development Management

Status: GTD Application:98/1933  
Date:07/01/1999 Removal Of External Brick Staircase And Erection Of A Cast Iron Spiral Staircase.

<u>Development Management</u> Status: GTD Date:06/01/1999	Application:98/1934 Internal Alterations, Removal Of External Brick Staircase And Erection Of Cast Iron Spiral Staircase.
<u>Development Management</u> Status: GTD Date:24/01/1979	Application:78/1031 Erection of a single storey rear extension and a further floor on the existing side extension; conversion and use as two residential units.
<u>Development Management</u> Status: GTD Date:26/01/1981	Application:80/1320 Retention of glazed panels over basement area and arched window on front elevation.
<u>Development Management</u> Status: REF Date:10/09/1985	Application:85/1104 Provision of an extended dormer window at the front of the property.
<u>Development Management</u> Status: GTD Date:	Application:06/T0199/TCA T1 - Yew ( <i>Taxus baccata</i> ) - Crown reduction of up to 30%
<u>Development Management</u> Status: RNO Date:30/12/2011	Application:11/T0873/TCA T1- Horse Chestnut- Crown lift to 5 metres, crown thin by 20%.
<u>Development Management</u> Status: GTD Date:08/05/2014	Application:13/3250/HOT Alterations and extensions, including construction of new subterranean pool extension below rear garden, new structural glass lower ground floor extension, alterations to existing rear balcony and construction of new side dormer.
<u>Development Management</u> Status: GTD Date:08/05/2014	Application:13/3251/LBC Construction of new subterranean pool extension below rear garden, new structural glass lower ground floor extension, alterations to existing rear balcony, construction of new side dormer and internal alterations.
<u>Development Management</u> Status: GTD Date:22/09/2014	Application:13/3250/DD01 Details pursuant to conditions U69497 (Engineering Details), U69508 (Site Monitoring), U60509 (Tree Planting), U60513 (Soft Landscaping) and U69586 (Construction Method Statement) of planning permission for construction of a new subterranean pool extension below rear garden, new structural glass lower ground floor extension, alterations to existing rear balcony, construction of new side dormers and internal alterations (13/3250/HOT).
<u>Development Management</u> Status: GTD Date:22/09/2014	Application:13/3251/DD01 Details pursuant to conditions U69524 (Engineering Details) of listed building consent 13/3251/LBC for construction of a new subterranean pool extension below rear garden, new structural glass lower ground floor extension, alterations to existing rear balcony, construction of new side dormers and internal alterations.
<u>Development Management</u> Status: GTD Date:13/08/2015	Application:13/3250/DD02 Details pursuant to condition U69498 (Details of glazing/fixing) of planning permission 13/3250/HOT for alterations and extensions, including construction of new subterranean pool extension below rear garden, new structural glass lower ground floor extension, alterations to existing rear balcony and construction of new side dormer.
<u>Development Management</u> Status: GTD Date:13/08/2015	Application:13/3251/DD02 Details pursuant to conditions U69525 (Details of glazing/fixing) of

listed building consent 13/3251/LBC for construction of new subterranean pool extension below rear garden, new structural glass lower ground floor extension, alterations to existing rear balcony, construction of new side dormer and internal alterations.

<u>Development Management</u> Status: RNO Date:12/11/2015	Application:15/T0678/TCA T1- Horse Chestnut - Remove x3 limbs which extend over gazebo/seating area.
<u>Development Management</u> Status: RNO Date:15/04/2024	Application:24/T0118/TCA Lime - Crown reduced by approx 3m leaving height 13m and width 10m
<u>Development Management</u> Status: RNO Date:15/04/2024	Application:24/T0138/TCA Lime - to be crown reduced by approx 3m leaving height 13m and width 10m
<u>Development Management</u> Status: PDE Date:	Application:24/2323/HOT Partial demolition of the existing rear extension at lower ground floor, and construction of a new extension of greater depth; new metal gate to the front boundary; replacement of French doors to upper ground floor rear elevation
<u>Development Management</u> Status: PDE Date:	Application:24/2324/LBC Partial demolition of the existing rear extension at lower ground floor, and construction of a new extension of greater depth; new metal gate to the front boundary; replacement of French doors to upper ground floor rear elevation

<u>Building Control</u> Deposit Date: 20.10.2014	Construction Of Basement, Single Storey Extension, Layout Changes and Alterations Throughout (and associated works)
Reference: 14/2392/IN	
<u>Building Control</u> Deposit Date: 26.01.2016	Install an unvented hot water storage vessel
Reference: 19/FEN02248/GASAFE	
<u>Building Control</u> Deposit Date: 12.09.2019	Install a replacement consumer unit Install one or more new circuits
Reference: 19/NIC02021/NICEIC	
<u>Building Control</u> Deposit Date: 26.06.2022	Circuit alteration or addition in a special location
Reference: 22/NIC01644/NICEIC	

<b>Application Number</b>	<b>24/2323/HOT and 24/2324/LBC</b>
<b>Address</b>	<b>107 Castelnau Barnes London SW13 9EL</b>
<b>Proposal</b>	<b>Partial demolition of the existing rear extension at lower ground floor, and construction of a new extension of greater depth; new metal gate to the front boundary; replacement of French doors to upper ground floor rear elevation</b>

<b>Legal Agreement</b>	<b>NO</b>
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## **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 visited the application site, 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, observations during the site visit, 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 is located to the western side of the road where properties are semi-detached via the adjoining of coach houses.

The application site is situated within Barnes Village and is designated as:

- Area benefitting flood defences
- Area susceptible to ground water flood
- Article 4 Direction – basement
- Castelnu Conservation Area (CA)
- Flood zone 2 and 3
- Grade II Listed Building (LB)
- Surface water flood risk
- Strategic Flood Risk Assessment (SFRA) Zone 3a
- Take away management zone
- Barnes Village Planning Guidance (VPG)

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

Partial demolition of the existing rear extension at lower ground floor, and construction of a new extension of greater depth; new metal gate to the front boundary; replacement of French doors to upper ground floor rear elevation

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

13/3250/HOT and 13/3251/LBC - Alterations and extensions, including construction of new subterranean pool extension below rear garden, new structural glass lower ground floor extension, alterations to existing rear balcony and construction of new side dormer. 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
- 16. Conserving and enhancing the historic environment

These policies can be found at:

[https://assets.publishing.service.gov.uk/media/65a11af7e8f5ec000f1f8c46/NPPF\\_December\\_2023.pdf](https://assets.publishing.service.gov.uk/media/65a11af7e8f5ec000f1f8c46/NPPF_December_2023.pdf)

### 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
Impact on Designated Heritage Assets	LP3	Yes
Impact on Amenity and Living Conditions	LP8	Yes
Impact on Flood Risk and Sustainable Drainage	LP21	Yes

These policies can be found at

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

### Richmond Publication Local Plan (Regulation 19 version)

The Richmond Publication Version Local Plan (Regulation 19 version) 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.

Where relevant to the application under consideration, this is addressed in more detail in the assessment below.

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

### Supplementary Planning Documents

House Extension and External Alterations  
Barnes Village Planning Guidance

These policies can be found at:

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

### Other Local Strategies or Publications

Other strategies or publications material to the proposal are:

Castelnau Conservation Area Statement

Article 4 Direction - basement

Basement development – Planning Advice Note

### 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.

### Determining applications affecting a Listed Building

Sections 16(1) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 require that, when considering whether to grant listed building consent for any works, or whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting, or any features of special architectural or historic interest which it possesses. In this context, "preserving", means doing no harm.

To give effect to this duty decisions of the court have confirmed that a decision-maker should accord "considerable importance and weight" to the desirability of preserving the listed building or its setting when weighing this factor in the balance with other material considerations which have not been given this special statutory status. However, this does not mean that the weight that the decision-maker must give to the desirability of preserving the building or its setting is uniform. It will depend on, among other things, the extent of the assessed harm and the heritage value of the asset in question. This creates a strong presumption against granting planning permission where harm to a listed

building or its setting is identified. The presumption can be rebutted by material considerations powerful enough to do so.

## 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 Net Gain

### Design and Heritage

#### *Background*

107 Castelnau is an 1840s semi-detached house which is Grade II listed and within the Castelnau Conservation Area. It is two storeys (plus basement and attic accommodation) in stock brick under a hipped slate roof. The main house is two windows wide, with a full-height flat-roofed side extension. Designed in the restrained classical style, each house is framed by full-height decorative Ionic pilasters, with further architectural detailing restrained to the semi-circular heads to the ground floor window and door. To the rear is a balcony to the 'upper ground floor' which sits above a modern glass box extension. The fenestration is more irregular compared with the front, with French doors to the upper ground floor and an oriel window to the first floor.

No.107 forms part of a listed group situated in the central section of Castelnau. This group was the first to be developed along Castelnau by Major Boileau in the 1840s, following the construction of Hammersmith Bridge in the 1820s. It is a group of early residential development beyond the historic core of Barnes and are of high quality design reflecting the architectural style of the time. The significance of no.107 is defined by this architectural and historic interest, alongside its close visual relationship and group value with neighbouring properties and the wider group.

More widely, the significance of the Castelnau Conservation Area is defined by the quality of the architecture ranging from mid-19th century villas to large Victorian and Edwardian houses, all situated in generous plots. The wide, straight roads contribute greatly to the character of the area, with the sense of enclosure and linear quality emphasised by the planting of front gardens, giving limited views of the buildings behind. The scale and massing of the buildings contribute toward its unique, large scale formal townscape.

This application is for the removal of the existing glazed box extension and construction of a new single-storey rear extension at lower ground floor level, to be of greater depth. It is also proposed to replace two French doors to the upper ground floor, and install metal vehicle gates to the front boundary.

#### *Rear Extension*

No objections are raised regarding the proposed replacement rear extension. It would extend approx. 2m further into the rear patio and would have a heavier appearance, with brick piers flanking the glazed elevations, and a solid flat roof compared to the existing glass roof. Despite this, the overall design aesthetic would be maintained i.e. a flat roof and large expanses of glazing, with the rooflights helping to break up the solid massing of the roof. The proposed extension would be subservient to the main building and the modern design would be in line with the existing. The significance of no.107 would be preserved.

#### *French Doors*

No objections are raised regarding the proposed replacement French doors at upper ground floor to the rear elevation. It is noted that they are not original and are failing. The proposed replacements would exactly match the existing and would incorporate Histoglass slimline 10mm double glazing. This is considered to be acceptable as slimline glazing for this thickness is appropriate for use in listed buildings, particularly where the glazing is not original.

### *Vehicular Gates*

No objections are raised regarding the proposed vehicle gates. They would comprise black metal gates in a simple design to align with the existing railings. Although such gates are not particularly common to the listed group, historic photographs (such as on the last page of the Conservation Area Study) show that the villas would originally have had either metal or timber gates. It is not considered that the gates would form a visually incongruous or detracting feature in the streetscene.

### *Conclusion*

In summary, the proposed works are considered to be acceptable and would preserve the significance of no.107 as a Grade II listed building. The proposed gates would not have a harmful impact on the character and appearance of the Castelnau Conservation Area.

This application is in accordance with policies LP1, LP3, the relevant paragraphs of section 16 of the NPPF, and the statutory duties of the 1990 Act.

### **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 SPD on House Extensions and External Alterations notes that generally an extension of 3m in depth for a terrace property will be acceptable. Where the proposed extension seeks a larger depth, the eaves should be reduced to 2.2m at the shared boundary to mitigate detrimental impact on neighbours such as sense of enclosure or overbearing. However, the final test of acceptability is dependent on the specific circumstances of the site which may justify greater rear projection.*

The application site neighbours No.109 to the North. While the proposed extension will cumulatively be approx. 5.3m from the main rear elevation, this neighbour also benefits from a rear extension will align with that proposed. It is also noted the proposed height does not exceed that of the separating boundary wall given the lower ground floor siting.

As such, the proposal is not considered to result in a harmful sense of enclosure, visual intrusion, overbearing nor will it result in loss of light to this neighbouring property.

To the south, No. 105 is present. The proposed 5m extension will match that existing at this neighbouring property, will be set away from this shared boundary due to the proposed stepped nature and will be screened by the boundary wall due to the lower ground floor siting.

As such, the proposal is not considered to result in a harmful sense of enclosure, visual intrusion, overbearing nor will it result in loss of light to this neighbouring property.

The aforementioned boundary wall will also screen lines of sight such that harmful overlooking of neighbouring properties does not occur.

The generous rear garden depth ensures the proposal would not harm neighbour amenity to the property boundaries adjoining the rear boundary of the application site.

### *French doors*

The French door replaces the existing which are clear glazed and so do not result in harmful overlooking or loss of privacy.

Therefore, no objection is raised to the proposal in this regard.

### **Flood Risk**

Policy LP21 sets out that all developments should avoid or minimise contributing to all sources of flooding.

The application site is located within flood zones 2 and 3, Strategic Flood Risk Assessment Zone 3a, within an area benefitting from flood defences, at risk of surface water flooding and within an area susceptible to ground water flood.



A flood risk assessment has been submitted. This sets out that mitigation such as matching existing finished floor levels, a 0.15m upstand to prevent future flood ingress and water resilient materials will ensure the proposal does not increase flood risk to this or surrounding properties.

While lower ground floor developments can be basement level or subterranean, in this instance the application site benefits from a patio area in the rear garden at the same level as the existing lower ground floor rear extension and a basement level below this. As such, a basement screening assessment is not required as no additional excavation and no further lowering of floor levels is proposed.

A SUDS report has also been submitted. This sets out that due to the small scale of the extension, no attenuation is required.

While a new permeable driveway is proposed, this falls under permitted development and so is not assessed under this application.

Therefore, no objection is raised to the proposal in this regard.

### **Fire Safety**

Policy D12 of the London Plan requires a fire safety statement is submitted as part of all applications to demonstrate the proposals meets the criteria set out in Part A of this policy and to demonstrate that fire safety has been considered at an early stage.

A fire safety statement and supporting plans have been submitted.

As such, no objection is raised to the proposal in this regard.

### **Biodiversity Net Gain**

Biodiversity net gain became mandatory for minor developments on applications made from 2<sup>nd</sup> 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.

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 Listed Building Consent 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  YES  NO

Case Officer (Initials): .....SG.....

Dated: .....04/11/2024.....

**I agree the recommendation:**



Team Leader/Head of Development Management/Principal Planner

Dated: ...04/11/2024.....

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: .....