

Application reference: 24/2461/HOT BARNES WARD

Date application received	Date made valid	Target report date	8 Week date
01.10.2024	04.10.2024	29.11.2024	29.11.2024

Site:

12 Glebe Road, Barnes, London, SW13 0EA

Proposal:

Erection of single storey rear extension and side infill extension

APPLICANT NAME

Mr & Mrs Fothergill
12 Glebe Road
London
SW13 0EA

AGENT NAME

Mr Robert Excell
Unit R1 (4th Floor)
79=89 Lots Road
London
SW10 0RN

DC Site Notice: printed on 07.10.2024 and posted on 18.10.2024 and due to expire on 08.11.2024

Consultations:

Internal/External:

Consultee

14D Urban D

Expiry Date

21.10.2024

Neighbours:

10 Hillersdon Avenue, Barnes, London, SW13 0EF, - 07.10.2024
12 Hillersdon Avenue, Barnes, London, SW13 0EF, - 07.10.2024
8 Hillersdon Avenue, Barnes, London, SW13 0EF, - 07.10.2024
14 Glebe Road, Barnes, London, SW13 0EA, - 07.10.2024
10 Glebe Road, Barnes, London, SW13 0EA, - 07.10.2024

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

Development Management

Status: REF Application:00/0251
Date:15/03/2000 Second Floor Extension.

Development Management

Status: GTD Application:01/0230
Date:22/03/2001 Enlarge Rear Dormer.

Development Management

Status: REF Application:99/0124
Date:29/03/1999 First Floor Extension With Pitched Roof Over.

Development Management

Status: GTD Application:83/0978
Date:26/09/1983 Erection of a single storey rear extension. (Amended drawing received 31/8/83).

Development Management

Status: GTD Application:06/2546/HOT
Date:27/10/2006 Rear dormer extension.

Development Management

Status: GTD Application:07/2540/HOT
Date:24/09/2007 Erection of single storey rear extension

Development Management

Status: GTD Application:21/1292/HOT
Date:02/08/2021 Bin store for front garden
Date: Erection of single storey rear extension and side infill extension

<u>Building Control</u> Deposit Date: 01.02.2001 Reference: 01/0206/FP	Enlargement of existing second floor rear dormer window.
<u>Building Control</u> Deposit Date: 17.03.2006 Reference: 06/0546/RG	Removal of wall between kitchen and rear reception
<u>Building Control</u> Deposit Date: 17.11.2006 Reference: 06/2464/FP	Rear addition loft conversion
<u>Building Control</u> Deposit Date: 30.01.2007 Reference: 06/2464/FP/1	Rear addition loft conversion
<u>Building Control</u> Deposit Date: 14.05.2007 Reference: 07/1011/BN	Installation new bathroom and associated drainage to front bedroom. Removal of stud walls and enlargement of existing bathroom .Replacement windows at first floor level.
<u>Building Control</u> Deposit Date: 02.12.2007 Reference: 07/72975/NICEIC	Special location (room containing bath or shower swimming pool sauna) One or more new circuits Lighting circuit Ring/ radial power circuit Building extension or conservatory Fire/ security/ environmental control system Main/ supplementary equipotential bonding Dwelling house
<u>Building Control</u> Deposit Date: 15.06.2007 Reference: 07/NIC02349/NICEIC	Dwelling house Main/ supplementary equipotential bonding Lighting circuit One or more new circuits New installation rewire or partial rewire Special installation (electric floor/ ceiling heating garden lighting/ power ELV lighting generator) Ring/ radial power circuit
<u>Building Control</u> Deposit Date: 20.07.2007 Reference: 07/1576/FP	Single storey rear infill extension and enlargement of ground floor structural opening
<u>Building Control</u> Deposit Date: 05.09.2007 Reference: 07/1576/FP/1	Single storey rear infill extension and enlargement of ground floor structural opening
<u>Building Control</u> Deposit Date: 16.05.2008 Reference: 08/NIC01156/NICEIC	Air conditioning/ ventilation system/ extractor fan Cooker Kitchen New installation rewire or partial rewire One or more new circuits Dwelling house Extension to circuit (in kitchen special location/ installation) Lighting circuit Building extension or conservatory Main/ supplementary equipotential bonding Ring/ radial power circuit
<u>Building Control</u> Deposit Date: 13.10.2015 Reference: 15/FEN02950/GASAFE	Install a gas-fired boiler
<u>Building Control</u> Deposit Date: 07.06.2020 Reference: 20/NIC00920/NICEIC	Circuit alteration or addition in a special location
<u>Building Control</u> Deposit Date: 03.08.2020 Reference: 20/HET00119/HETAS	woodtec 5w with Descriptor Install a solid fuel dry fuel room heater stove or cooker
<u>Enforcement</u> Opened Date: 10.11.2008 Reference: 08/0674/EN/UBW	Enforcement Enquiry

Application Number	24/2461/HOT
Address	12 Glebe Road, Barnes, London, SW13 0EA
Proposal	Erection of single storey rear extension and side infill extension
Contact Officer	Izabela Moorhouse
Target Determination Date	29/11/2024

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

The site comprises a two-storey mid-terrace dwelling located towards the northern side on Glebe Road. The property is not listed, is identified as a Building of Townscape Merit (BTM) and is designated in within the Barnes Common Conservation Area. It is subject to the following constraints:

- Area Benefiting from Flood Defence
- Area Susceptible to Groundwater Flooding $\geq 50\%$
- Article 4 Direction Basements – Basements
- Flood zone 2 and 3
- Barnes Village
- Barn Elms, Rocks Lane Village Character Area.

3. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

The proposed development comprises the "*Erection of single storey rear extension and side infill extension*".

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

07/2540/HOT – Erection of single storey rear extension – **Granted**.

83/0978 – Erection of single storey rear extension – **Granted**.

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.

AMENDMENTS

None.

5. MAIN POLICIES RELEVANT TO THE DECISION

NPPF (2023)

The key chapters applying to the site are:

- 4. Decision-making
- 11. Making effective use of land

- 12. Achieving well-designed places
- 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

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
Designated Heritage Assets	LP3	Yes	No
Non-Designated Heritage Assets	LP4	Yes	No
Impact on Amenity and Living Conditions	LP8	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
Non-Designated Heritage Assets	30	Yes	No
Amenity and Living Conditions	46	Yes	No

Supplementary Planning Documents

Design Quality
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

Other Local Strategies or Publications

Other strategies or publications material to the proposal are:
Community Infrastructure Levy
Barnes Common Conservation Area Statement and 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.

Biodiversity Net Gain

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan, if one is required in respect of this permission would be the London Borough of Richmond upon Thames.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. Based on the information available this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun because the proposal is development which is subject of a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. A 'householder application' means an application for planning permission for development for an existing dwellinghouse, or development within the curtilage of such a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse which is not an application for change of use or an application to change the number of dwellings in a building.

6. EXPLANATION OF OFFICER RECOMMENDATION

The key issues for consideration are:

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

i Design and visual amenity

Policy LP1 states that the Council will require all development to be of a high architectural and urban design quality. The high-quality character and heritage of the borough and its villages will need to be maintained and enhanced where opportunities arise. Development proposals will have to demonstrate a thorough understanding of the site and how it relates to its existing context, including character and appearance, and take opportunities to improve the quality and character of buildings, spaces, and the local area. Development must respect, contribute to, and enhance the local environment and character.

Policy LP3 states that the council will require development to conserve and, where possible, take opportunities to make a positive 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. The significance of the borough's designated heritage assets should be conserved and enhanced. All proposals in Conservation Areas are required to preserve and, where possible, enhance the character or appearance of the Conservation Area.

Policy LP4 will seek to preserve, and where possible enhance, the significance, character and setting of non-designated heritage assets, including Buildings of Townscape Merit.

Policy 28 of the Publication Local Plan requires all development to be of high architectural and urban design quality. Development proposals will have to demonstrate a thorough understanding of the site and how it relates to its existing context, including character and appearance, and take opportunities to improve the quality and character of buildings, spaces and the local area. Developments must respect, contribute to and enhance the local environment and character.

Policy 29 of the Publication Local Plan requires development to conserve and, where possible, take opportunities to make a positive 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. The significance (including the settings) of the borough's designated heritage assets, encompassing Conservation Areas, listed buildings, will be conserved and enhanced.

Policy 30 of the Publication Local Plan seeks to preserve, and where possible enhance, the significance, character and setting of non-designated heritage assets, including Buildings of Townscape Merit.

The Councils SPD relating to House Extensions and External Alterations encourages the retention of the original form of the host property and any alterations should enhance the quality of the building. The original appearance should always be the reference point when considering any changes. In terms of extensions, they should not dominate the existing house and should harmonise with the original appearance.

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.

The proposal seeks permission to construct a stepped flat roof single storey rear and side infill extension. The extension would increase the height of the existing recessed element, altering its form from a mono-pitch to a flat roof. A set of sliding doors are proposed to the projecting rear elevation and a longline window to the recessed rear elevation. Rooflights are proposed along the length of the infill extension and one circular rooflight is proposed to the rear extension. The fenestration design is considered acceptable as it retains verticality and a satisfactory window hierarchy. The design demonstrates that the extension is a modern counterpart to the existing dwelling. The extension would not adversely impact the character of the existing dwelling or the surrounding area.

The roof of the extensions would not exceed the cill of the first-floor windows and would therefore maintain subservience to the main dwelling. Although the height of the extension is larger than generally accepted, the immediate locality features large extensions and therefore the extension would not appear unduly out of character. In terms of depth, it does not project further than the existing extensions along the row, most notably at the adjoining property at no. 10.

In view of the above, and in context with the character of the area, 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 Barnes Village Planning Guidance and Barnes Common Conservation Area Statement and 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.

Policy 46 of the Publication Local Plan requires All development to protect the amenity and living conditions for occupants of new, existing, adjoining and neighbouring properties. Applicants are expected to have regard to the guidance set out within the Council's SPDs relating to design, including Village Planning Guidance, House Extensions and External Alterations, and Small and Medium Housing Sites, as well as other Local Plan policies on infill and backland developments and housing mix and standards.

The SPD on House Extensions and External Alterations notes that generally an extension of 3m in depth for a terraced 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 site is adjoined by no. 10 and 14 to the north and south respectively. Given distance, the residents of Hillersdon Avenue would not be impacted as a result of the development.

With regards to no. 10, the depth of the proposed extension would match that of the neighbouring extension, projecting no further which is SPD compliant and therefore no negative impacts those residents are anticipated.

With regard to no. 14, the height of the eaves at the boundary would be approximately 3.3m from ground level and projects approximately 10.7m beyond the recessed rear elevation, contrary to the House Extensions SPD which seeks to limit infill developments that project over 3m on terraced properties to an eaves height of 2.2m to mitigate any sense of enclosure. This was applied on the previous consent at the application site, under planning reference 07/2540/HOT for a single storey rear extension. The officer report for that application specifies the height on the boundary would be 2.2m, and that due to the recess (courtyard area) and the low height on the boundary the proposal would not cause significant loss of light, or be unduly overbearing and enclosing for the dwelling to the south.

Although it is acknowledged that the existing extension projects further than 3m beyond no. 14, the eaves height are lower which lessens the impact of the projection. As the proposals conflicts with the 2.2m eaves requirement that is applied consistently, the extension will result in an unreasonable sense of enclosure and would appear visually intrusive.

As such, the proposal does not comply with the aims and objectives of the Local Plan policies LP8 and policy 46 of the Publication Local Plan and with the requirements of the adopted Development Control for Noise Generating and Noise Sensitive Development SPD.

iii Flood Risk

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

A Flood Risk Assessment has been submitted to the Council – received 01/11/2024.

The site is located within various other flood risk constraints, listed in the first section. The proposals include a modest increase in floorspace with the ground floor internal finished floor levels remaining at the existing level under the suspended floor. As such, it is not considered that any additional risk to flooding would arise, thus the proposal complies with policy LP21.

iv Fire Safety

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

A Reasonable Exception Statement has been submitted to the Council – received 07/10/2024.

Had officers been minded to approve the application, the applicant would have been advised that alterations to existing buildings should comply with the Building Regulations. This permission is not a consent under Building Regulations for which a separate application should be made. A condition will be included to ensure this is adhered to on an ongoing basis. Overall, the scheme can therefore be considered consistent with this Policy D12 of the London Plan.

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 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.

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.

Refuse planning permission for the following reasons

Reason for Refusal – Amenity

The proposed single storey side infill extension, by reason of its combined depth and height will result in a visually intrusive form of development that would adversely impact on the amenity of the nearby residential properties in terms of sense of enclosure and visual intrusion in particular to no. 14 Glebe Road. The proposal is therefore contrary to, in particular, Policy LP 8 of the Local Plan (2018), Policy 46 of the Publication Local Plan, and the Supplementary Planning Documents for House Extensions and External Alterations and Barnes Village Planning Guidance and Barnes Common Conservation Area Statement and Study.

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):IZM..... Dated:13/11/2024.....

I agree the recommendation:



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

Dated: ...15/11/2024.....