

## Application reference: 24/2441/HOT BARNES WARD

Date application received	Date made valid	Target report date	8 Week date
27.09.2024	03.10.2024	28.11.2024	28.11.2024

**Site:**

11 Ullswater Road, Barnes, London, SW13 9PL

**Proposal:**

Replacement of garage door (roller shutter) with brickwork and a new side entrance door, and the conversion of the garage to a boot/laundry room. Raising the roof of the ground floor side to rear extension from a sloping roof to a flat roof. Alterations to the rear glazing at ground floor and first floor levels.

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

**APPLICANT NAME**

Mrs Silva Beckhaeuser  
10 Ranelagh Avenue  
Barnes  
London  
Richmond Upon Thames  
SW13 0BP

**AGENT NAME**

Mrs Silva Beckhaeuser  
10 Ranelagh Avenue  
London  
SW13 0BP  
United Kingdom

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

**Consultations:**

**Internal/External:**  
**Consultee**

**Expiry Date**

**Neighbours:**

12 Ullswater Road, Barnes, London, SW13 9PJ, - 03.10.2024  
16 Ullswater Road, Barnes, London, SW13 9PJ, - 03.10.2024  
14 Ullswater Road, Barnes, London, SW13 9PJ, - 03.10.2024  
50 Ferry Road, Barnes, London, SW13 9PW, - 03.10.2024  
52 Ferry Road, Barnes, London, SW13 9PW, - 03.10.2024  
48 Ferry Road, Barnes, London, SW13 9PW, - 03.10.2024  
15 Ullswater Road, Barnes, London, SW13 9PL, - 03.10.2024  
9 Ullswater Road, Barnes, London, SW13 9PL, - 03.10.2024

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

Development Management

Status: GTD Application: 11/1961/HOT  
Date: 11/08/2011 Hip to gable loft conversion with rear dormer

Development Management

Status: GTD Application: 11/1963/HOT  
Date: 11/08/2011 Hip to gable loft conversion with twin rear dormers

Development Management

Status: GTD Application: 12/0198/HOT  
Date: 16/09/2013 Single storey side extension

Development Management

Status: REF Application: 12/0201/PS192  
Date: 05/03/2012 Two storey rear extension.

Development Management

Status: GTD Application: 16/4824/HOT  
Date: 23/02/2018 Construction of a basement under existing building, including lightwells to

the front and rear, and stair leading from basement into rear garden.

<u>Development Management</u> Status: WON Date:14/06/2022	Application:21/1455/HOT Full basement underneath existing property to include area under fully paved front garden and including for construction of light wells to front and rear of property
<u>Development Management</u> Status: WON Date:16/05/2022	Application:21/1456/HOT Construction of a full basement under existing building and paved area to front of building and a single storey extension to side and rear of property
<u>Development Management</u> Status: REF Date:04/09/2024	Application:24/1627/HOT Alteration to fenestration at rear and side elevations, including addition of Juliette balconies. Removal of garage door and conversion of garage to boot/laundry room. Raise side return sloping roof to flat roof. Side extension at first floor level.
<u>Development Management</u> Status: PCO Date:	Application:24/2441/HOT Replacement of garage door (roller shutter) with brickwork and a new side entrance door, and the conversion of the garage to a boot/laundry room. Raising the roof of the ground floor side to rear extension from a sloping roof to a flat roof. Alterations to the rear glazing at ground floor and first floor levels.
<u>Development Management</u> Status: PCO Date:	Application:24/2525/HOT Side Infill on First Floor to front facade on top of garage, sitting back 100cm from front facade line. Similar infill as seen on most buildings in this street and neighbourhood. Creation of new window opening in side elevation with frosted glass.
<u>Development Management</u> Status: PCO Date:	Application:24/2551/PS192 Change 1 window on top floor/ Second Floor into an inward opening set of French doors with a flush fitted glass Juliette balcony. The roof is hidden due to some protruding first floor construction and hence risk of overlooking and lost privacy is not applicable in this case.
<u>Appeal</u> Validation Date: 30.07.2012 Reference: 12/0133/AP/REF	Two storey rear extension. <b>Appeal Allowed</b>
<u>Appeal</u> Validation Date: 11.10.2024 Reference: 24/0117/AP/REF	Alteration to fenestration at rear and side elevations, including addition of Juliette balconies. Removal of garage door and conversion of garage to boot/laundry room. Raise side return sloping roof to flat roof. Side extension at first floor level. <b>Appeal In Progress</b>
<u>Building Control</u> Deposit Date: 18.10.2011 Reference: 11/2023/IN	Two storey rear extension and loft conversion
<u>Building Control</u> Deposit Date: 15.11.2011 Reference: 11/2190/IN	Two storey rear extension and loft conversion
<u>Building Control</u> Deposit Date: 15.07.2024 Reference: 24/0849/IN	Structural and layout reconfiguration throughout, divide shower room into two separate shower rooms, conversion of garage to habitable space, new windows and doors
<u>Enforcement</u> Opened Date: 21.11.2011 Reference: 11/0680/EN/NAP	Enforcement Enquiry

<b>Application Number</b>	<b>24/2441/HOT</b>
<b>Address</b>	<b>11 Ullswater Road Barnes London SW13 9PL</b>
<b>Proposal</b>	<b>Replacement of garage door (roller shutter) with brickwork and a new side entrance door, and the conversion of the garage to a boot/laundry room. Raising the roof of the ground floor side to rear extension from a sloping roof to a flat roof. Alterations to the rear glazing at ground floor and first floor levels.</b>
<b>Contact Officer</b>	<b>Roberta Henriques</b>
<b>Target Determination Date</b>	<b>28/11/2024</b>

## 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 contains a two storey plus roof accommodation detached property located on the western side of Ullswater Road. The site is subject to the following planning constraints:

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. <a href="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">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</a>
SFRA Zone 3a High Probability	Flood Zone 3
Surface Water Flooding (Area Less Susceptible to) - Environment Agency	
Take Away Management	Take Away Management Zone

Zone	
Village	Barnes Village
Village Character Area	Suffolf Road, West of Castelnu - 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 replacement of the garage door (roller shutter) with brickwork and a new side entrance door, and the conversion of the garage to a boot/laundry room. Raising the roof of the ground floor side to rear extension from a sloping roof to a flat roof. Alterations to the rear glazing at ground floor and first floor levels.

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

24/2525/HOT Side Infill on First Floor to front facade on top of garage, sitting back 100cm from front facade line. Similar infill as seen on most buildings in this street and neighbourhood. Creation of new window opening in side elevation with frosted glass. Not determined yet

24/1627/HOT Alteration to fenestration at rear and side elevations, including addition of juliette balconies. Removal of garage door and conversion of garage to boot/laundry room. Raise side return sloping roof to flat roof. Side extension at first floor level. Refused. Appeal in Progress.

Reasons for refusal:

- 1) The proposed balcony, by reason of its size, siting and relationship to neighbouring properties would result in an unacceptable loss of privacy to the detriment of the amenities enjoyed by the occupants of neighbouring properties, in particular Nos 9 and 15 Ullswater Road. The proposal is therefore contrary to, in particular, Policy LP 8 of the Local Plan (2018) and policy 46 of the Publication Local Plan.
- 2) By virtue of its height, siting and scale, the proposed first floor side extension would appear visually intrusive within the streetscene and would fail to maintain a sense of spaciousness at first floor level, resulting in a harmful terracing effect which would disrupt the rhythm of built form to space within this part of Ullswater Road. The proposed balcony, by reason of its combined siting at roof level, loss of eaves, and scale would result in an unsympathetic and incongruous form of development that would harm the character and appearance of the host dwelling and the surrounding area. The scheme therefore fails to comply with, in particular, policy LP1 of the Local Plan (adopted 2018), policy 28 of the Publication Local Plan, and the House Extensions and External Alterations Supplementary Planning Document (May 2015).

16/4824/HOT Construction of a basement under existing building, including lightwells to the front and rear, and stair leading from basement into rear garden. Granted Permission

12/0198/HOT Single storey side extension. Granted Permission

12/0201/PS192 Two storey rear extension. Refused Permission for the following reason:

- This proposal CONSTITUTES DEVELOPMENT within the meaning of Section 55 of the Town and Country Planning Act 1990, and a planning application IS REQUIRED. This is because it does not meet criteria laid down in the Town and Country Planning (General Permitted Development) Order 1995, in particular Class A.1 (f) and Class A.1 (h) of the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008.

11/1963/HOT Hip to gable loft conversion with twin rear dormers. Granted Permission

11/1961/HOT Hip to gable loft conversion with rear dormer. Granted Permission

### 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
- 14. Meeting the challenge of climate change, flooding and coastal change

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

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	<del>No</del>
Impact on Amenity and Living Conditions	LP8	Yes	<del>No</del>
Impact on Flood Risk and Sustainable Drainage	LP21	Yes	<del>No</del>
Parking Standards and Servicing	LP45	Yes	<del>No</del>

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.

Issue	Publication Local Plan Policy	Compliance	
		Yes	No
Flood risk and sustainable drainage	8	Yes	No
Local character and design quality	28	Yes	No
Amenity and living conditions	46	Yes	No
Sustainable travel choices, Vehicular Parking, Cycle Parking, Servicing and Construction Logistics Management	47, 48	Yes	No

## Supplementary Planning Documents

House Extension and External Alterations  
Transport  
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](https://www.richmond.gov.uk/services/planning/planning_policy/local_plan/supplementary_planning_documents_and_guidance)

## 6. EXPLANATION OF OFFICER RECOMMENDATION

The key issues for consideration are:

- i Design
- ii Impact on neighbour amenity
- iii Parking and Highway Safety
- iv Flood Risk
- v Biodiversity
- vi Fire Safety

### i Design

*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 Council's 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.*

#### Alteration to fenestration at rear elevation

On the rear elevation, at ground floor level the wooden hinged and bifold doors, and the smaller door would be replaced with a sky frame style aluminium sliding door system and a new window with a grey matching frame. There is no objection to these works that would be a similar size to the existing rear openings.

At first floor level there is no objection to the replacement windows with Juliet balconies with flush glass balustrades, as this fenestration would be a similar size to the existing rear openings on this floor.

#### Removal of garage door, conversion of garage to boot/laundry room

The removal of the garage door and its replacement with a door and brickwork is acceptable. The brickwork is to match existing and the design of the door reflects the main access door. As such, this alteration would be in keeping with the existing fenestration at the property.

#### Raise side return sloping roof to flat roof

Raising the roof of the single storey side to rear extension to a flat roof is acceptable, because the height of the flat roof would not exceed the height of the rest of the extension and would therefore integrate satisfactorily.

In view of the above, the proposal complies with the aims and objectives of policy LP1 of the Local Plan and Officer Planning Report – Application 24/2441/HOT Page 6 of 9

policy 28 of the Publication Local Plan.

## **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 SPD on House Extensions and External Alterations notes that generally an extension of 4m in depth for a detached 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.*

### **Alteration to fenestration at rear elevations**

The altered fenestration at the ground floor rear elevation and first floor rear elevation would be sited in a similar position to the existing openings, and the Juliet balconies at first floor level would not project significantly beyond the rear elevation. Therefore, due to these considerations, no increased overlooking would arise as a result of the development and the proposed Juliet balconies at first floor are not considered to appear overbearing or intrusive.

### **Raise side return sloping roof to flat roof**

The existing sloping roof is adjacent to the boundary shared with No.9, which has two side facing windows at ground floor level. These windows serve a hallway to the front, and the rear window is a secondary window serving a kitchen towards the rear. The existing rear extension does not extend significantly beyond the rear of No. 9 Ullswater Road, such that it would impact the rear facing window. As such, it is not considered that the alteration of a sloping roof to a flat roof would appear overbearing or intrusive to this neighbouring property, nor would it result in a harmful loss of light.

Given its siting, it is not considered to have any impact on the amenities of No. 15 Ullswater Road.

In view of the above, the proposal fails to comply with the aims and objectives of policy LP8 of the Local Plan and policy 46 of the Publication Local Plan.

## **iii Parking and Highway Safety**

Policy LP 45 'Parking Standards and Servicing' seeks to minimise the impact of car-based travel including on the operation of the road network and local environment. The Council's Transport SPD (2020) sets out that the dimensions for new or re-built garages are 3 metres x 6 metres, the existing garage does not comply with this guidance, and is therefore not considered large enough to accommodate a modern sized car.

Due to this, there is no objection to the conversion of a garage into a boot/laundry room as the parking arrangement on site is not changing. Therefore, the scheme is considered consistent with LP 45.

## **iv Flood Risk**

Policy LP 21 of the Local Plan 2018 states all developments should avoid or minimise, contributing to all sources of flooding, including fluvial, tidal, surface water, groundwater and flooding from sewers, taking account of climate change and without increasing flood risk elsewhere.

The submitted Flood Risk Assessment outlines that the proposal would not increase the flood risk at the site, and states the following flooding mitigation measures:

- a. The proposed extension and alterations will not lower the existing floor levels, thus maintaining the current level of flood resilience.
- b. The floor slab damp-proof membrane and external wall damp-proof course will be seamlessly joined to provide unbroken protection.
- c. At ground level to the rear side wall to incorporate a continuous damp-proof course positioned at least 150mm above ground level.
- d. Non-return valves will be installed in all new plumbing (sinks/toilets) to prevent backflow in cases of flooding.

- e. Water efficient washing machines and toilet cisterns will be recommended throughout the proposed development works.
- f. Regular Maintenance: Regularly maintain drainage systems, gutters, and downpipes to ensure they are clear and functioning properly
- g. The occupants will be advised to subscribe to the Environment Agency flood warning service.

For the reasons outlined above, the proposal would be compliant with Policy LP21 of the Local Plan.

#### **v Biodiversity**

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 it is a householder application.

#### **vi Fire Safety**

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

A Fire Safety Statement has been provided which details means of escape, fire detection and alarm system, firefighting provisions, structural fire protection, compartmentation and other fire safety measures. The submission of this document is considered to satisfy the requirements of policy D12.

The applicant is advised that additions and alterations to existing buildings should comply with the Building Regulations. This permission is not a consent under the Building Regulations for which a separate application should be made. Overall, the proposal can therefore be considered consistent with Policy D12 of the London Plan.

### **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.

## **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: .....26/11/2024.....

**I agree the recommendation:**

SG  
Senior Planner

Dated: ...26/11/2024.....

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: .....