

Application reference: 24/2414/FUL
MORTLAKE AND BARNES COMMON WARD

Date application received	Date made valid	Target report date	8 Week date
25.09.2024	03.10.2024	28.11.2024	28.11.2024

Site:

55 Avondale Road, Mortlake, London, SW14 8PU

Proposal:

Extension of existing rear dormer over part of the rear outrigger with 1no. roof light in flat roof.

APPLICANT NAME

Mr Jonathan Lines
55 Avondale Road
Mortlake
London
Richmond Upon Thames
SW14 8PU

AGENT NAME

Mr Robert Poll
143 London Road
Kingston-upon-Thames
KT2 6NH
United Kingdom

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

Consultations:

Internal/External:

Consultee

Expiry Date

Neighbours:

- 64 Ashleigh Road, Mortlake, London, SW14 8PX, - 04.10.2024
- 62 Ashleigh Road, Mortlake, London, SW14 8PX, - 04.10.2024
- 60 Ashleigh Road, Mortlake, London, SW14 8PX, - 04.10.2024
- 50 Ashleigh Road, Mortlake, London, SW14 8PX, - 04.10.2024
- 58 Ashleigh Road, Mortlake, London, SW14 8PX, - 04.10.2024
- 56 Ashleigh Road, Mortlake, London, SW14 8PX, - 04.10.2024
- 54 Ashleigh Road, Mortlake, London, SW14 8PX, - 04.10.2024
- 52 Ashleigh Road, Mortlake, London, SW14 8PX, - 04.10.2024
- 59 Avondale Road, Mortlake, London, SW14 8PU, - 04.10.2024
- 57 Avondale Road, Mortlake, London, SW14 8PU, - 04.10.2024
- 53 Avondale Road, Mortlake, London, SW14 8PU, - 04.10.2024
- 51 Avondale Road, Mortlake, London, SW14 8PU, - 04.10.2024
- 49 Avondale Road, Mortlake, London, SW14 8PU, - 04.10.2024

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

Development Management

Status: GTD Application:10/2879/HOT
Date:24/11/2010 Loft Extension

Development Management

Status: REF Application:24/0842/FUL
Date:28/05/2024 Extension of existing rear dormer over part of the rear outrigger with 1no. roof light in flat roof.

Development Management

Status: PCO Application:24/2414/FUL
Date: Extension of existing rear dormer over part of the rear outrigger with 1no.

roof light in flat roof.

Appeal

Validation Date: 16.07.2024 Extension of existing rear dormer over part of the rear outrigger with 1no. roof light in flat roof.

Reference: 24/0097/AP/REF **Appeal In Progress**

Building Control

Deposit Date: 26.11.2008 3 Windows

Reference: 08/FEN02333/FENSA

Building Control

Deposit Date: 26.03.2009 2 Windows

Reference: 09/FEN00564/FENSA

Building Control

Deposit Date: 26.11.2009 3 Windows 1 Door

Reference: 10/FEN00359/FENSA

Building Control

Deposit Date: 29.11.2011 Mansard loft conversion with rear dormer.

Reference: 11/2297/IN

Application Number	24/2414/FUL
Address	55 Avondale Road, Mortlake, London, SW14 8PU
Proposal	Extension of existing rear dormer over part of the rear outrigger with 1no. roof light in flat roof.
Contact Officer	Grace Edwards
Target Determination Date	28/11/2024

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 subject site comprises a first and second floor maisonette within a two storey mid terrace building located on the eastern side of Avondale Road.

The application site is situated subject to the following constraints:

- Area of Archaeological Priority
- Area susceptible to groundwater flooding
- Floodzone 2
- Floodzone 3
- Floodzone 3a
- Main Centre Buffer Zone

3. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

The proposed development comprises the extension of existing rear dormer over part of the rear outrigger with 1no. roof light in flat roof.

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

10/2879/HOT - Loft Extension (Granted)

24/0842/FUL - Extension of existing rear dormer over part of the rear outrigger with 1no. roof light in flat roof. (Refused – Appeal in Progress)

Relevant history in the locality:

19 Avondale Road

24/2158/FUL - Erection of mansard roof extension over main roof and part back addition (Refused)

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

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	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
Neighbour amenity	46		Yes	No

Supplementary Planning Documents

- Design Quality
- House Extension and External Alterations

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
 Strategic Flood Risk Assessment 2021

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

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.

The Councils SPD for House Extensions and External Alterations states roof extensions should be kept in scale with the existing structure and raising the ridge of the building is normally unacceptable.

It states that roof extensions should not dominate the original roof. Normally a significant area of the existing roof should be left beneath a new dormer and on either side of the dormer, thus setting the extension well in from either side of the roof.

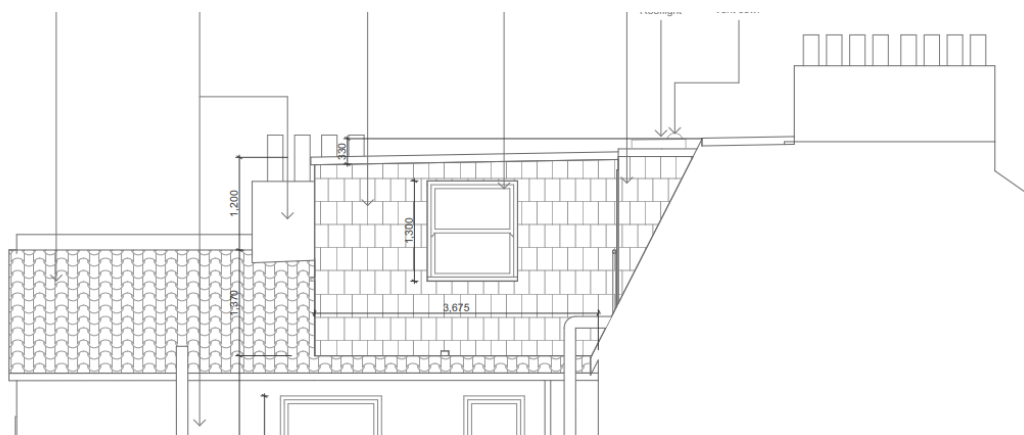
The application site benefits from an existing rear dormer, approved through application 10/2879/HOT, which the current application seeks to extend over part of the existing two storey outrigger.

The application follows the refusal of application 24/0842/FUL, which was refused for the following reason:

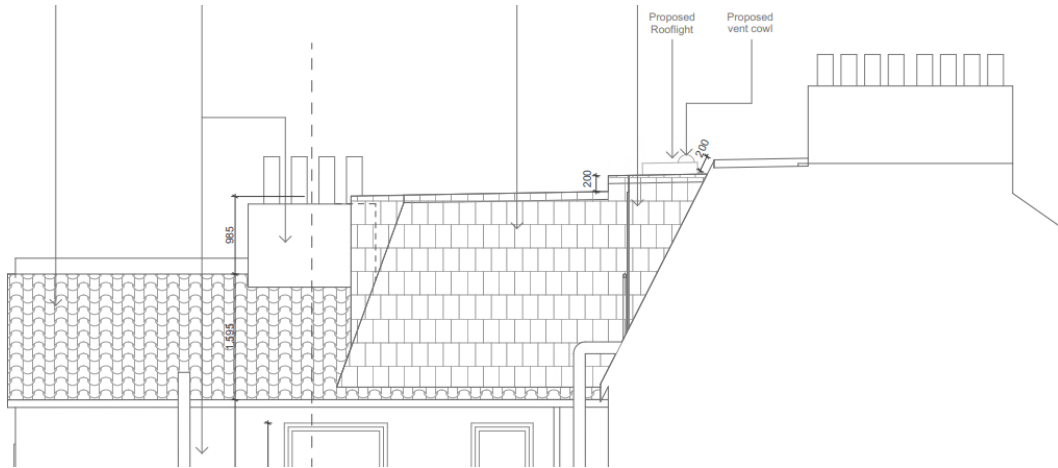
The proposed roof extension by reason of its combined design, siting, scale and overall bulk, would appear incongruous and over dominant, representing an unsympathetic and visually obtrusive form of development, detrimental to the character and appearance of the host property and terrace of which it forms part. The proposal is contrary to, in particular, Policy LP1 of the Local Plan (2018), policy 28 of the Publication Local Plan, and the Supplementary Planning Document House Extensions and External Alterations (2015).

Application 24/0842/FUL is currently being considered at appeal. Following the previous refusal, the proposal has been reduced in size as follows:

Refused under 24/0842/FUL:

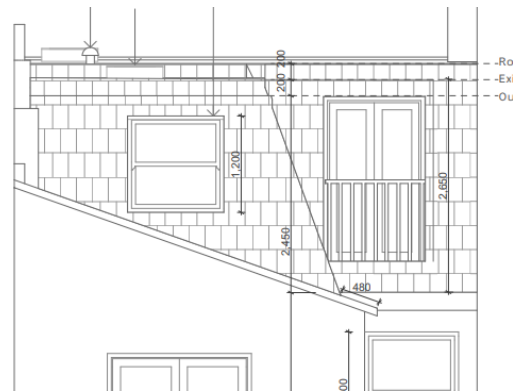
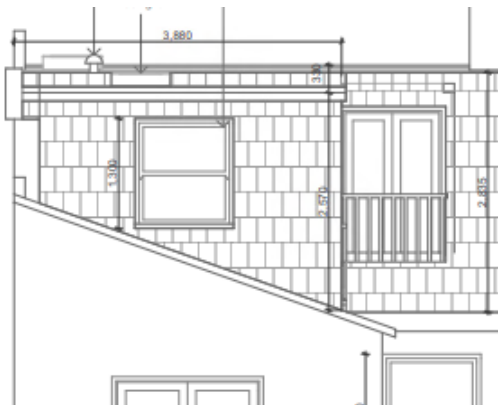


Currently proposed:



Refused under 24/0842/FUL:

Currently proposed:



In comparison to the previously refused scheme, the proposed extension has been set down from the main ridge by ~ 0.38m in a stepped arrangement. It has also been reduced in depth, such that it no longer extends to the midpoint of the chimney. It is noted that the submitted Design and Access statement states that the depth has been reduced by 1.1m, however by virtue of the projecting dormer and mansard design, this is only true at the top of the dormer.

The materials would match the existing which is considered acceptable, and an appropriate window hierarchy is maintained.

Notwithstanding the reduction in scale of the proposed extension, it is not considered that the amendments are significant enough to overcome the concerns raised previously.

The previous officer report for application 24/0842/FUL noted that a number of properties within the wider vicinity of the site benefit from similar roof extensions; most recently applications 21/2829/FUL, 20/2619/FUL, 20/1592/HOT and 19/3055/FUL granted consent at Nos. 3, 54, 89 and 62 Ashleigh Road respectively. As such, it is not considered that the proposal would appear significantly out of keeping within the wider surrounding context. This remains the case under the current application.

However, it also noted that there are more limited examples of similar extensions within the immediate context of the site, along the terraced row within which the application site is located. The examples that do exist are located at Nos. 105, 45 and 37 Avondale Road, which were granted in 2007, 2011 and 2014 respectively. Other roof extensions along Avondale Road are limited to the main roofslope of the respective property.

Since these approvals at Nos. 105, 45 and 37, and following the adoption of the Councils House Extensions and External Alterations SPD, there have been two appeal decisions relating to similar proposals at Nos. 21 and 11 Avondale Road which were both dismissed in 2016 (APP/L5810/W/16/3156517 and

APP/L5810/W/17/3180274). Whilst it is noted these applications also proposed rear dormers, the comments relating to the extensions over outriggers remain relevant.

The appeal decision for No. 21 noted that:

'the proposed roof extensions would be out of scale with the existing building and constitute an insensitive, dominant and incongruous feature which would harm the integrity of the host property.'

'As a consequence of its scale and roof level situation it would be particularly prominent within its surroundings.'

In the appeal documentation the inspectors attention was drawn to other roof extensions in the vicinity of the site. In relation to these, the inspector noted:

'some of the examples serve to illustrate the harm that can be caused by unsympathetic extensions in terms of the integrity of similar properties and the townscape as a whole. Some of these may have been implemented as permitted development; however, the current proposal requires planning permission and therefore must be determined as such under the development plan.'

The appeal decision for No. 11 reiterated much of this, also concluding that:

'The L shaped dormer would extend part way along and would be higher than the ridge of the roof of the outrigger. Notwithstanding that the chimney stack would be retained and that the dormer would be constructed from closely matching materials, it would nevertheless be an unsympathetic and incongruous addition which would be harmful to the character and appearance of the host building and the wider terrace.'

These appeal decisions are material planning considerations and whilst it is acknowledged that a new Local Plan has been adopted since these decisions, it is not considered that there has been a significant change in planning policy that would justify a change in approach in this instance.

The submitted Design and Access Statement draws attention to the approvals at Nos. 3 and 54 Ashleigh Road (21/2829/FUL and 20/2619/FUL respectively), with officer reports for these applications referencing similar extensions in the vicinity as a significant factor in granting approval.

No. 3 Ashleigh Road is located on the eastern side of Ashleigh Road, backing on to properties fronting Cowley Road, rather than Avondale Road, and therefore not seen in the same context as the application site.

Furthermore, this application site has a lower outrigger than that of the subject site, as such, the proposed extension was set significantly down from the main ridge, maintaining a subservient appearance.

The extension proposed at No. 54 Ashleigh Road was far more modest in scale than that currently proposed, and there are a greater number of similar extensions evident in the same terraced row as illustrated with aerial imagery within the officer report for previously refused application.

The Design and Access statement then goes on to reference examples in First and Second Avenues which the applicant considers are comparable. It is noted that 18 of these were granted through a certificate of lawfulness, with those approved through householder applications approved more recently since 2019. It is therefore noted that when these applications were considered, the character of the terraced row had been materially altered by those achieved through permitted development rights.

Finally, the Design and Access statement draws attention to a recent approval at No. 29 Ashleigh Road (24/1503/FUL), where the officer report references that *'The existing roof alterations in the locality has changed the character of the area to such an extent that the proposed scheme would not conflict with it. As such, the roof extension is considered acceptable in this instance, as it is in keeping with the changing character of the area.'*

Whilst it is acknowledged some of the examples sited along Ashleigh Road are closer in proximity to the application site, they are not in the same terrace as the application site. The appeal decision for No. 11 Avondale Road noted that the addition *'would be harmful to the character and appearance of the host building and the wider terrace'*, despite acknowledging numerous examples of roof extensions extending across rear outriggers in the wider locality.

Appeal APP/L5810/W/17/3180274 also acknowledged that *'there are numerous examples of roof extensions extending across rear outriggers, this type of extension does not dominate the character and appearance of the area immediately surrounding the appeal site.'*

This statement is applicable to the application site in that whilst there are examples evident, as outlined above, this type of extension is not considered to be so prevalent that it has become part of the character of the area.

All of the examples of similar developments sited along Avondale Road, i.e. the terraced row context in which the application site sits, significantly pre-date adopted policy, SPD guidance and relevant appeal decisions. Additionally, it is noted that a comparable proposal has not been granted planning permission on Avondale Road for 10 years, and application 17/3461/HOT at 97 Avondale Road was withdrawn on the basis that it would have been refused on design grounds.

Furthermore, since the previous refusal of application 24/0842/FUL, it is noted that permission has been refused for a similar proposal at No. 19 Avondale Road under application 24/2158/FUL. It also references a number of applications located within Cowley Road, which is located within the Cowley Road Conservation Area, where 'at least 12' similar consents to that proposed have been achieved. The applicant suggests that this is evidence that precedents are not restricted to the same street, but the surrounding area.

In view of the above, the proposed dormer is considered to be an over dominant and bulky addition which would dominate the roof of the host dwelling to the detriment of the character and appearance of the site itself and the wider terraced row. The proposal would therefore fail to comply with the aims and objectives of policy LP1 of the Local Plan and 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 application site adjoins Nos. 49 and 51 Avondale Road to the north, with No. 51 occupying the lower floors and No 49 occupying the upper floors. To the south the site adjoins Nos. 57 and 59 Avondale Road. To the rear, the site backs on to Nos 54, 56,58 and 60 Ashleigh Road.

Having regard to its containment within the existing roofslope, its set back from the eaves and modest width of the proposed dormer over the outrigger, it is not considered that the proposed roof extensions would result in unacceptable loss of light to neighbouring properties at Nos. 51, 57 and 59 Avondale Road, or Nos 54, 56,58 and 60 Ashleigh Road.

However, the proposed extension would breach a 25 degree angle drawn from the side facing windows within No. 49 Avondale Road. Planning history for this property shows that these windows serve a bathroom and a kitchen. The window serving the kitchen is a secondary window, with additional windows within the rear elevation serving this window. As such, it is not considered that the proposal would have an unacceptable impact on the neighbouring property in terms of loss of light.

It is noted that the windows within the proposed dormers would offer elevated views in comparison to the existing situation, however there are a number of properties in the vicinity with similarly elevated views, and as such, it is considered there is already a degree of mutual overlooking.

As such, having regard to its siting, design, scale and materiality, it is not considered that the proposal would have a significant impact on the amenities of the neighbouring properties and the proposals are considered to comply with the aims and objectives of policy LP8 of the Local Plan and policy 46 of the Publication Local Plan.

iii Flood Risk

The application site is located within flood zones 2 and 3 and as such, a Flood Risk Assessment has been submitted with the application.

Having regard to the nature of the proposed works, their siting above ground floor level, it is not considered that that the proposal would have a significant impact on the flood risk of the site.

iv Fire Safety

The applicant has submitted a Reasonable Exception Statement to address policy D12 of the London Plan (2021). The document confirms that the current fire safety measures are appropriate and will not be negatively affected by the development.

The submission of such a document is sufficient to meet the requirements of policy D12. The applicant is advised that 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.

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:

- The application was made before 2nd April 2024
- The development impacts habitat of an area below a 'de minimis' threshold of 25m2 or 5m of linear habitat such as hedgerows, and does not impact an onsite priority habitat
- The development is for a small scale self-build or custom house building

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.

For the reasons set out above, it is considered that the adverse impacts of allowing this planning application would significantly outweigh the benefits, when assessed against the policies in NPPF (2021) and Development Plan, when taken as a whole.

Refuse planning permission for the following reason

The proposed roof extension by reason of its combined design, siting, scale and overall bulk, would appear incongruous and over dominant, representing an unsympathetic and visually obtrusive form of development, detrimental to the character and appearance of the host property and terrace of which it forms part. The proposal is contrary to, in particular, Policy LP1 of the Local Plan (2018), policy 28 of the Publication Local Plan, and the Supplementary Planning Document House Extensions and External Alterations (2015).

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):GE..... Dated:27/11/2024.....

I agree the recommendation:



Team Leader/Head of Development Management/Principal Planner

Dated: ...28/11/2024.....