

Application reference: 24/2365/HOT
EAST SHEEN WARD

Date application received	Date made valid	Target report date	8 Week date
19.09.2024	19.09.2024	14.11.2024	14.11.2024

Site:

30A Clare Lawn Avenue, East Sheen, London, SW14 8BG

Proposal:

Dormer extensions to the side and rear roof slopes (re consultation due to the increase in size of the dormer on the rear roof slope)

Amended as follows on 11.11.2024:

Amended plans have been received.

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

APPLICANT NAME

Mr I Tew
30 A Clare Lawn venue
East Sheen
London
Richmond Upon Thames
SW14 8BG

AGENT NAME

Mr Patrick Owens
103 Westfields Avenue
Barnes
London
SW13 0AY
United Kingdom

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

Consultations:

Internal/External:

Consultee

Expiry Date

Neighbours:

81 South Worples Way, East Sheen, London, SW14 8NG - 11.11.2024
32 Clare Lawn Avenue, East Sheen, London, SW14 8BG, -
36 Clare Lawn Avenue, East Sheen, London, SW14 8BG, - 20.09.2024
30 Clare Lawn Avenue, East Sheen, London, SW14 8BG, - 11.11.2024
26 Clare Lawn Avenue, East Sheen, London, SW14 8BG, - 11.11.2024

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

Development Management

Status: REF Application: 23/3305/PS192
Date: 16/01/2024 Replacement rear ground floor extension.

Development Management

Status: GTD Application: 24/0326/HOT
Date: 28/03/2024 Replacement ground floor conservatory

Development Management

Status: PCO Application: 24/2365/HOT
Date: Dormer extensions to the side and rear roof slopes (re consultation due to the increase in size of the dormer on the rear roof slope)

Building Control

Deposit Date: 28.04.2000

Three storey detached dwelling and garage. (built at land adjacent 30 Clarelawn Ave) (Now known as 30A Clare Lawn Avenue)

Reference: 00/0837/FP

Building Control

Deposit Date: 21.06.2000

Three storey detached dwelling and garage. (Built under land adj. 30 Clarelawn Avenue) (Now known as 30A Clare Lawn Avenue)

Reference: 00/0837/1/FP

Building Control

Deposit Date: 14.08.2000

Three storey detached dwelling and garage. (Built under land adj. 30)

Reference: 00/0837/2/FP

Building Control

Deposit Date: 26.07.2024

Ground floor remodel with a squaring off of the existing conservatory to existing domestic dwelling

Reference: 24/0906/IN

Building Control

Deposit Date: 30.09.2024

Install a gas-fired boiler

Reference: 24/FEN03630/GASAFE

Application Number	24/2365/HOT
Address	30 Clare Lawn Avenue East Sheen London SW14 8BG
Proposal	Dormer extensions to the side and rear roof slopes.
Contact Officer	Roberta Henriques
Target Determination Date	05/12/2024 Extension of time

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 host site is a two storey detached dwellinghouse located on the southern side of Clare Lawn Avenue. The site is subject to the following planning constraints:

Area Susceptible To Groundwater Flood - Environment Agency	Superficial Deposits Flooding - >= 50% <75% - SSA Pool ID: 1647
Article 4 Direction Basements	Article 4 Direction - Basements / Ref: ART4/BASEMENTS / Effective from: 18/04/2018
Community Infrastructure Levy Band	Higher
Protected View (Indicative Zone)	View 7 RICHMOND PARK TOWARDS ST PAULS CATHEDRAL
Village	East Sheen Village
Village Character Area	Palewell Park, Hertford Avenue and surrounds - Character Area 9 East Sheen Village Planning Guidance Page 33 CHARAREA05/09/01
Ward	East Sheen Ward

3. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

The proposed development comprises of dormer extensions to the side and rear roof slopes.

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

24/0326/HOT Replacement ground floor conservatory. Granted.

23/3305/PS192 Replacement rear ground floor extension. Refused.

Reason for refusal:

The 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 permitted development rights for external alterations and extensions to this property have been removed under the parent application 99/3173/FUL.

Amendments

The scheme has been amended so that the set in from the ridge of the side dormers has been increased, and these dormers have been reduced in width. Also, the scheme has been amended so that the step on

rear roof slope has been removed, and the dormer proposed on the rear roof slope has been increased in size.



4. CONSULTATIONS CARRIED OUT

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

One letter of objection has been received and one letter of observation has been received. The comments can be summarised as follows:

- Concern that the dormers are not set back from the vertical face of the wall that overlooks No.32 Clare Lawn Avenue.

- Development would be overbearing and would have a harmful visual impact on other properties on the road.
- No.32 concerned that the bedroom windows will overlook their property and Richmond Park.
- Request that the bedroom windows are obscure glazed below 1.5m (eye level).
- The application site was built much later than the adjacent houses on the cul-de-sac, but there is no mention of this in the Design and Access Statement.
- The development will be overbearing to No.32 Clare Lawn Avenue which is single storey.
- The development will present a bulky roof profile towards Richmond Park, to mitigate this the dormers should be higher on the roof slope.
- The dormer windows should have frosted glass so that the immediate neighbours do not have issues with overlooking or loss of privacy.

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

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

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 Local Plan	Compliance	
	Policy	Yes	No
Local character and design quality	28	Yes	No
Amenity and living conditions	46	Yes	No

Supplementary Planning Documents

House Extension and External Alterations
Village Plan – East Sheen

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:
Article 4 Direction Basement development

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
- iv Biodiversity

i Design and impact on heritage assets

Policy Context

Policy LP1 of the Local Plan 2018 seeks to maintain and, where possible, enhance the high architectural and urban design quality which contributes to the character and heritage of the area. Proposals should demonstrate an understanding of the site and its context when considering the design including layout, siting and access and the compatibility of the works to the neighbouring uses.

Policy 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.

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.

Regarding dormers the SPD states the following:

- *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.*

Assessment

Side and rear dormers

Although the proposal has been increased in scale from the scale initially proposed, the rear dormer is still considered to be acceptable in its scale. It does not project beyond the ridge, is set up from the eaves and in from the sides and the fenestration is no larger than that on the floor below. Its overall size is considered acceptable.

The side dormer on the northern elevation, has been reduced in scale from the scale initially proposed, so that the dormer is now set away from the chimney, and the set in from the sides of the roof and the set down from the ridge has also been increased. This dormer is also set up from the eaves. The overall scale of the dormer is considered to be subservient and acceptable. Also, the fenestration of the dormer is acceptable, as this element would not be larger than the fenestration on the floors below.

The side dormer to the southern elevation was also amended to be reduced in scale, so that the set in from the sides of the roof has increased, in addition to the set down from the ridge being increased. The dormer is now considered acceptable given its modest scale. Also, the fenestration of the dormer is acceptable as it would not be larger than the fenestration on the floors below

It should also be noted that there are various side and rear dormers along the street of a similar form and fenestration design.

The proposals accord with Local Plan policy LP1, Publication Local Plan policy 28, as well as the House Extensions and External Alterations SPD.

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 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 is neighboured by No.30 Clare Lawn Avenue to the north, No.32 Clare Lawn Avenue to the south and No.36 Clare Lawn Avenue to the east and No.26 Clare Lawn Avenue to the west.

Impact on No.30

The side dormer on the northern elevation would face No.30. Although No.30 has a side dormer on its southern elevation that faces the application site, this dormer has no side facing windows. Also, the proposed side dormer on the northern elevation of the application site would not project beyond the rear elevation/ rear window of No.30's side facing dormer. Therefore, it is not considered that the proposed dormer would have a visually intrusive impact on No.30.

Impact on No.32

The side dormer on southern elevation would face No.32. However, the application site is set away from No.32 by more than 14m, and the side dormer would be contained within the existing roof slope. Therefore, it is not considered that the dormer would have a visually intrusive impact on No.32.

A condition will be applied to this application, to ensure that the side elevation dormer windows will be obscure glazed and fixed shut to avoid additional overlooking to neighbouring property.

Impact on No.26

The proposed dormers would be well separated from No.26's rear habitable room windows, so the proposals are not considered to unduly restrict the light and outlook afforded to this neighbour. The rear facing windows associated with the dormer could enable some overlooking into the rear garden of this neighbour (and also into the rear garden of No.30), but on the basis that these views would not be significantly dissimilar to the existing views afforded by first floor rear facing habitable room fenestration, significant harm is not anticipated.

Impact on No.36

The proposals would be well separated from No.36, so would not harm the amenity of this neighbour.

In summary, the proposals are considered to meet the aims and objectives of Policy LP 8 of the Local Plan (2018), Policy 46 of the Publication Local Plan and the SPD (2015) on House Extensions and External Alterations.

iii 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.

A Flood Risk Assessment (FRA) has been provided to support this application, to comply with the requirements of LP21. The FRA confirms that floor levels within the proposed development will be set no lower than the existing levels and flood proofing of the proposed development has been incorporated as appropriate.

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

iv Fire Safety

The submitted Fire Safety Strategy is considered sufficient to satisfy Policy D12 of the London Plan (2021).

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 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.

Grant planning permission

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:03/12/2024.....

I agree the recommendation:

This application has been subject to representations that are contrary to the officer recommendation. The Head of Development Management / South Area Team Manager has considered those representations and concluded that the application can be determined without reference to the Planning Committee in conjunction with existing delegated authority.

South Area Team Manager:ND.....

Dated:05.12.2024.....