

ALISTAIR GRILLS ASSOCIATES

4 Chisholm Road
Richmond
Surrey
TW10 6JH

Tel: 020 8940 2284
Mobile: 07507 409 480

e-mail: AGA.plan@dial.pipex.com

VAT REG No: 627 9636 00

Date:

Ref:

20th December 2024

1181/03/AC

Head of Development Control
Development and Street Scene
London Borough of Richmond-upon-Thames
Civic Centre
44 York Street
Twickenham
Middlesex
TW1 3BZ

Dear Sir/Madam

**94 TEMPLE SHEEN ROAD, EAST SHEEN LONDON SW14 7RR
HOUSEHOLDER APPLICATION FOR DEMOLITION OF BARBEQUE STRUCTURE TO
REAR OF SITE AND ERECTION OF GARDEN OUTBUILDING**

Please find attached a Householder Application in respect of the demolition of a barbeque structure at the end of the rear garden to the above semi-detached dwellinghouse and the erection of a proposed garden outbuilding. This letter includes a Planning Statement confirming the proposals meet current LBRUT planning policy.

The application pack comprises:

1. Covering letter with Planning Statement (AGA)
2. Location Plan/Block Plan with the site outlined in red (Allza)
3. Sheet of photographs showing the existing property and its immediate context (Allza)
4. Drawing set comprising existing and proposed site layouts and proposed floor plan, roof plans, section and elevations (Allza)
5. Design & Access Statement (Allza) with FRA, Drainage and SuDS Report
6. Fire Safety Strategy
7. Completed CIL Form 1 (AGA)

LBRUT's Householder application fee has been paid via the Planning Portal on submission.

Description of Existing Property

94 Temple Sheen Road (see Figs 1-9 overleaf and drawings and photographs accompanying application) comprises a two-storey semi-detached dwellinghouse occupying a 412.48 sqm plot on the north side of Temple Sheen Road, East Sheen - near the corner with Derby Road.

The property's large garden with existing barbeque structure near the rear boundary lie to the north of the house. A large block of flats known as Furness Lodge is located to the west and several trees within its grounds are located along the common boundary with No94, including a large horse chestnut tree on the rear boundary. No94's semi-detached neighbour at No 92 lies to the east and has an existing outbuilding at the bottom of its rear garden (see Fig1 below).

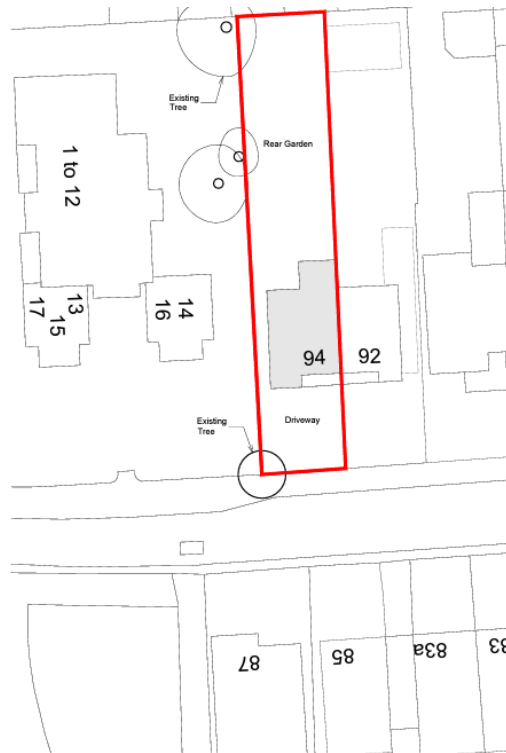


Figure 1 – Block Plan for 94 Temple Sheen Road, East Sheen SW14 7RR (UPDATEXXXX)

The dwellinghouse at No94 dates from 1957, is of white-painted brick construction with timber cladding panels and a double-pitched roof in tile and was designed by architect Leslie Gooday (see historic article in Design and Access Statement accompanying application). The property has white casement windows and a first-floor balcony with metal railings to the street frontage.

A schedule of existing Gross Internal Floor Areas (GIA) and Gross External Floor Areas (GEA) for the buildings within the site is set out below:

House - Existing Ground Floor (inc. conservatory)	GIA: 78.11 sqm	GEA: 88.95 sqm
House - Existing First Floor	GIA: 66.32 sqm	GEA: 80.85 sqm
House - Existing Attic	GIA: 30.21 sqm	GEA: 38.30 sqm
Existing Small Outbuilding adjacent to house	GIA: 3.48 sqm	GEA: 4.71 sqm
Totals	GIA: 178.12 sqm	GEA: 212.81 sqm

The only recent alteration to the original dwellinghouse has been the addition of a single storey conservatory with a GEA of 13.38 sqm to the rear.



Figure 2 – Existing Floor Plans for 94 Temple Sheen Road



Figure 3 – View of 94 and 94 Temple Sheen Road from the south



Figure 4 – View of rear garden from 94 Temple Sheen Road showing No'92's garden outbuilding permitted under 21/3234/PS19 on right



Figure 5 – View from end of rear garden towards rear of 94 Temple Sheen Road



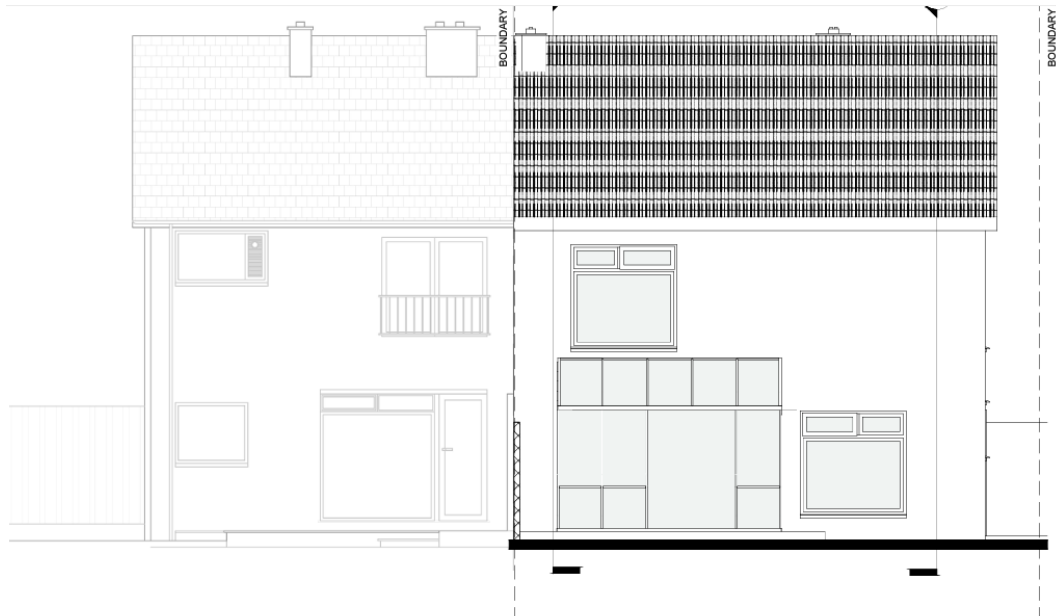
1 Existing Front Elevation
1 : 50

Figure 6 – Existing Street Elevation of 94 and 92 Temple Sheen Road from the south



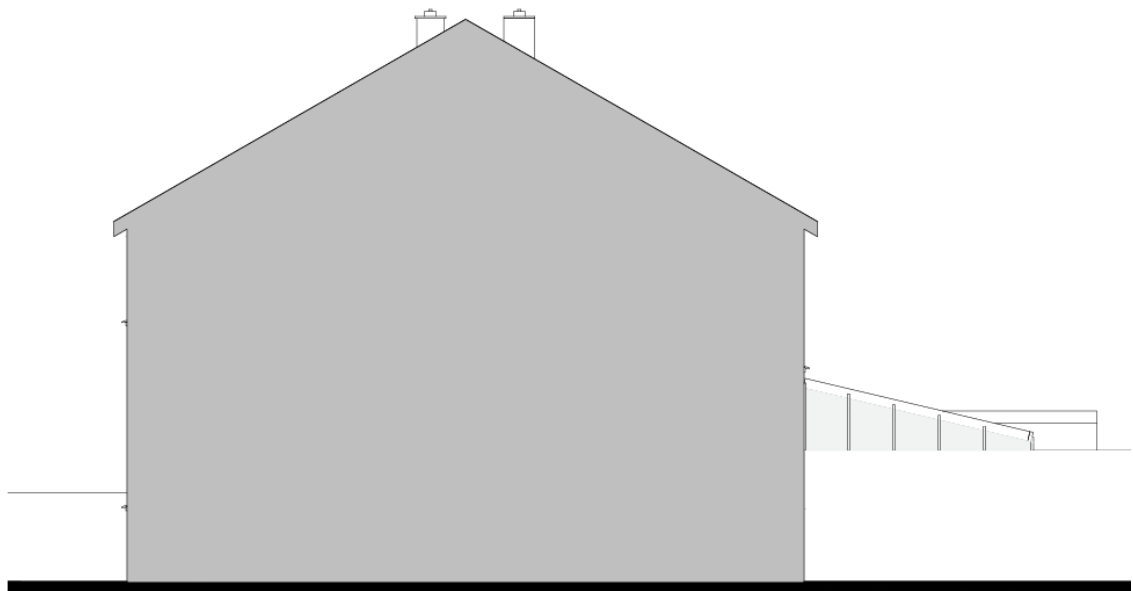
2 Existing West Elevation
1 : 50

Figure 7 – Existing West Elevation to 94 Temple Sheen Road



3 Existing Rear Elevation
1:50

Figure 8 – Existing Rear Garden Elevation of 92 and 94 Temple Sheen Road from the north



4 Existing East Elevation
1:50

Figure 9 – Existing Sectional Elevation through 92 Temple Sheen Road looking towards No94

The property is not on Historic England’s Statutory Register, nor is it within a Conservation Area. The only LBRUT Article 4 Direction affecting the area is a requirement for basement proposals to gain formal planning approval. A review of TfL’s Webcat records also reveals the property has a very low Public Transport Accessibility Level (PTAL) of 1b.

As to flood risk, HMG’s Flood Risk Mapping for Planning confirms the site is located within low Flood Risk Zone 1 for fluvial and tidal flooding (see Fig 8 below and Allza’s D&A Statement).

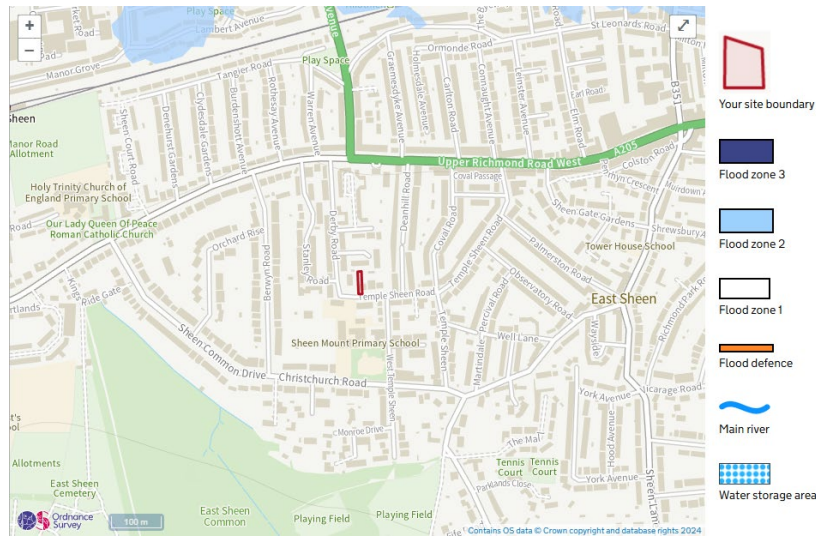


Figure 10 – No94 is within low Tidal/Fluvial Flood Risk Zone 1 (HMG’s Flood Risk Mapping for Planning)

In addition, whilst HMG’s Flood Risk Mapping for Planning indicates Flooding from surface water, groundwater and reservoirs is unlikely in this area (see Fig 9 below), LBRUT’s records suggest the area is susceptible to groundwater flooding and has a 1 in 1000 yr risk of surface water flooding. The architect’s D&A includes a number of proposed solutions to address this issue.

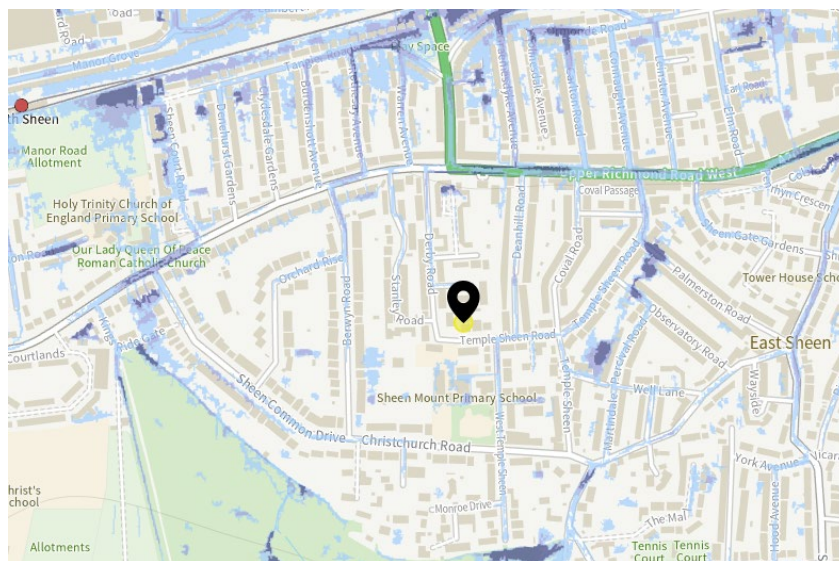


Figure 11 – No94 is at low risk of surface water flooding according to HMG’s Flood Risk Mapping

Planning History

A review of LBRUT Planning's electronic records for 94 and 92 Temple Sheen Road reveals the following entries, starting with the most recent approval date:

94 Temple Sheen Road

- **24/0357/HOT**
Proposed garden shed in rear garden for relaxing, hobby room and play area.
Status: Refused Permission 14/06/2024

Note: The officer report accompanying 24/0357/HOT records the following positive assessment of the proposed 2.95m high outbuilding (see Fig 12 overleaf), which is very similar to that currently proposed. The application was refused due to a lack of tree information accompanying the submission.

Issue i - Design and impact on heritage assets

An outbuilding is proposed within the rear garden. The footprint of the outbuilding is acceptable as it remains subservient to the associated dwelling and retains garden space commensurate with the character of the area. The single-story height also retains subservience to the associated dwelling.

Issue ii- Impact on Neighbour Amenity

Policy LP8 sets out that all development will be required to protect the amenity and living conditions for neighbouring occupiers with particular regard to light provision, overlooking, noise and disturbance, sense of enclosure, visual intrusion and overbearing impacts. The proposal is not considered to result in harmful overlooking due to its single-story height. As such, lines of sight would not be significantly above those currently possible from the existing garden area and would likely be blocked by boundary treatment. The proposal is not considered to result in loss of light to neighbouring occupiers. This is due to the single-story height, orientation, and the distance from the neighbouring houses. Also, for this reason, the proposal is not considered to result in a sense of enclosure, visual intrusion or overbearing impacts. The outbuilding is sited in a residential area and a condition ensures it can only be used as ancillary or incidental to the host dwelling, not as a separate dwelling or for business use. As such, it is not considered to result in noise disturbance that would be above that possible from the existing garden area. Therefore, the proposal is not considered to result in harm to the reasonable enjoyment of neighbouring properties and associated garden space.

- **24/0351/HOT**
Two storey rear extension, single storey rear extension, dormer extension, front facade windows enlarged, ground floor and 1st floor balcony area reduced, side elevation narrow slit windows incorporated.
Status: Refused Permission 21/08/2024
- **03/3092/HOT**
Proposed Part Single/part Two Storey Rear Extension (see Figs 16 & 17 below)
Status: Granted Permission 17/02/2004

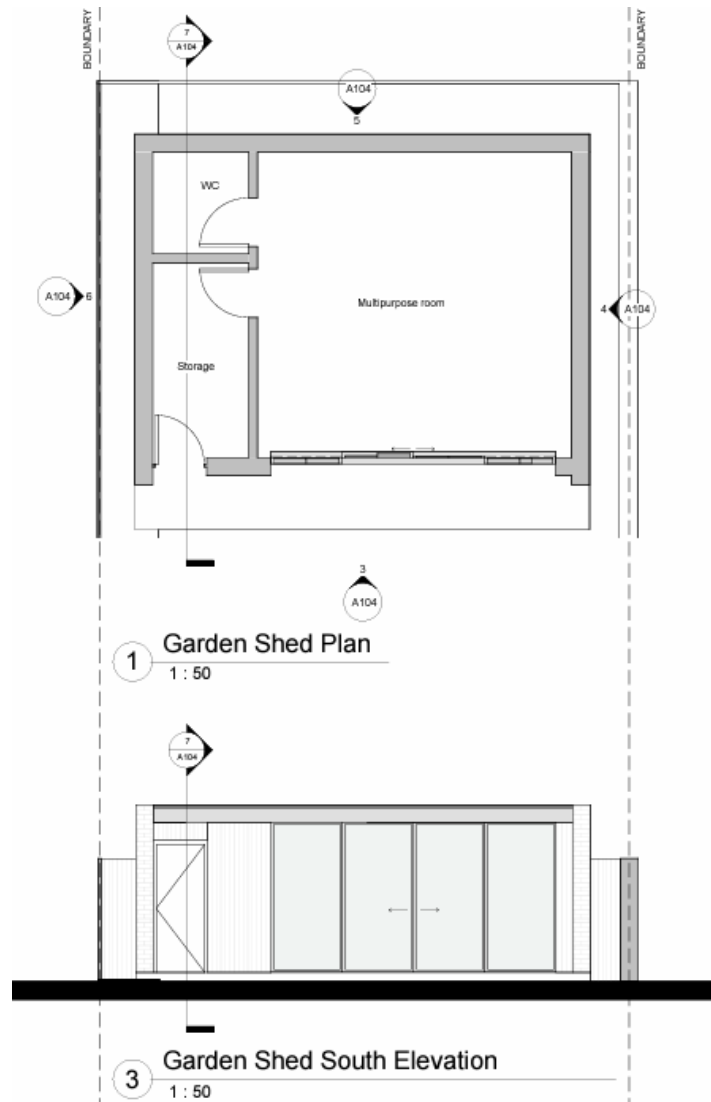


Figure 12 – Proposed Garden Outbuilding Design submitted with 24/0357/HOT

92 Temple Sheen Road

- 21/3240/HOT
Single storey side to rear extension
Status: Granted Permission 27/10/2021
- 21/3234/PS192
Erection of an outbuilding at the rear of the garden.
Status: Granted Permission 08/10/2021
- 21/3233/PS192
Rear dormer roof extension. Rooflights to front elevation. Removal of chimney
Status: Granted Permission 30/09/2021

Description of Proposed Garden Outbuilding

The proposed ancillary garden outbuilding (see Figs 13-17 below) comprises a rectangular plan structure located at the end of the rear garden within the 412.48 sqm residential site and adjacent to No92's existing garden room to the east (see Figs 18 & 19 below) and a Horse Chestnut tree located within the Furness Lodge plot to the west (see Fig 13 below & Fig 14 overleaf). The outbuilding measures 7.6m wide x 5.85m deep x 2.9m high (maximum), resulting in a GEA of 43.41 sqm and a GIA of 35.70 sqm. The building will be positioned 0.575m from the side boundary with Furness Lodge, 0.5m from the side boundary with No92 Temple Sheen Road and 0.835m from the rear boundary. It will have an internal height of 2.25-2.3m and contain a 5.29 sqm garden store, a 2.72 sqm wc, and a 26.77 sqm multifunctional space housing an area for fitness equipment, furniture for relaxing and enjoying the garden and a desk for homeworking.

The outbuilding will be finished in dark grey brick cladding on 3 elevations to match the brickwork in the proposed extensions to the main house, with the fourth elevation – facing on to the garden, using timber cladding (again echoing the panels on the main house) plus 4No full height PPC-aluminium framed glazed sliding doors finished in dark grey, plus PPC-aluminium door to the Garden Store and long horizontal metal panel to the top of the façade - both finished in the same colour. The flat roof will be GRP fibreglass in grey.

As MDJAC's Arboricultural Impact Assessment and Alpha's Structural Report accompanying the submission confirm, the applicants intend to utilise a screw pile and ring beam foundation system in this instance as the structure is located within the Root Protection Zone of the neighbour's large Horse Chestnut tree adjoining the site. The AIA confirms, this sensitive approach should ensure the tree is unharmed by the proposed works (see pp21-23 below).



Figure 13 – Proposed Block Plan showing location of Garden Outbuilding

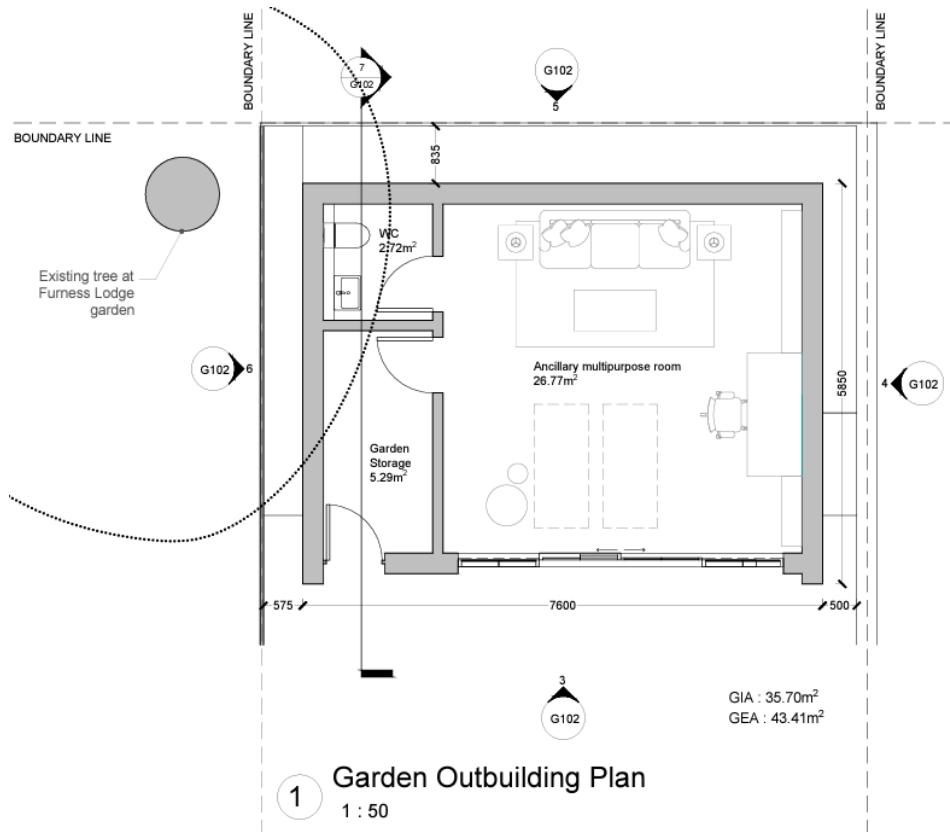


Figure 14 – Proposed Plan of Garden Outbuilding at 94 Temple Sheen Road

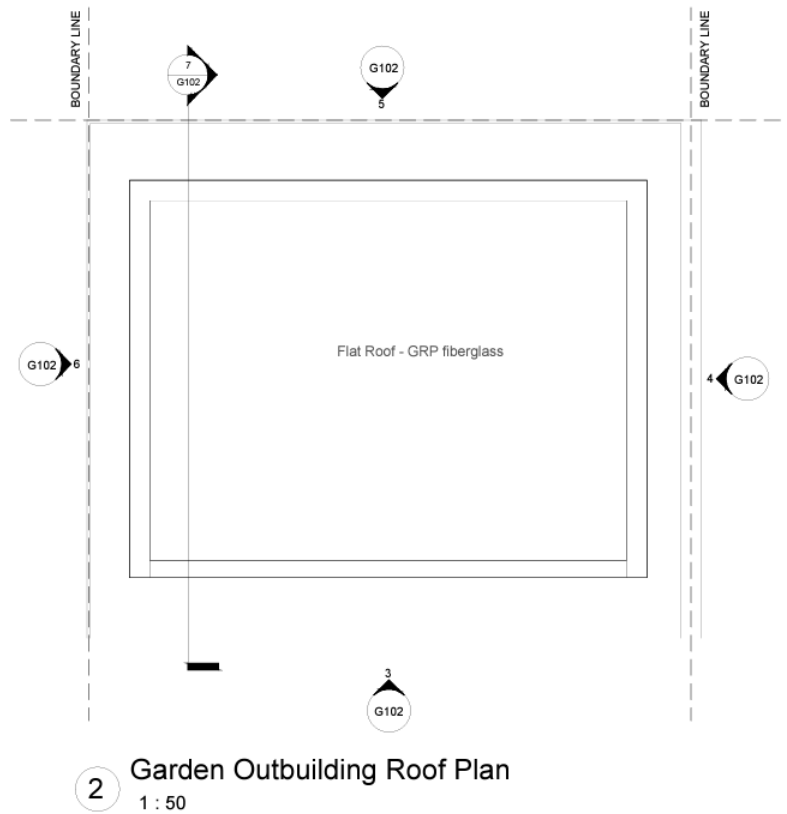


Figure 15 – Proposed Roof Plan of Garden Outbuilding at 94 Temple Sheen Road

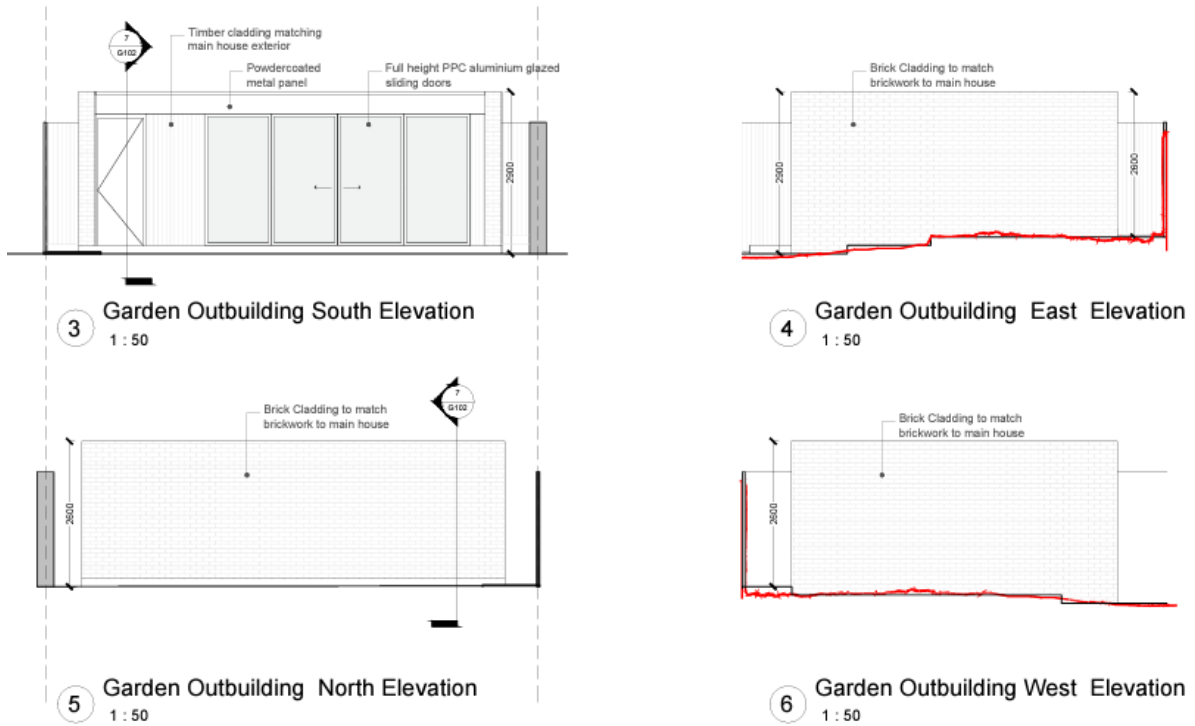


Figure 16 – Proposed Elevations of Garden Outbuilding at 94 Temple Sheen Road

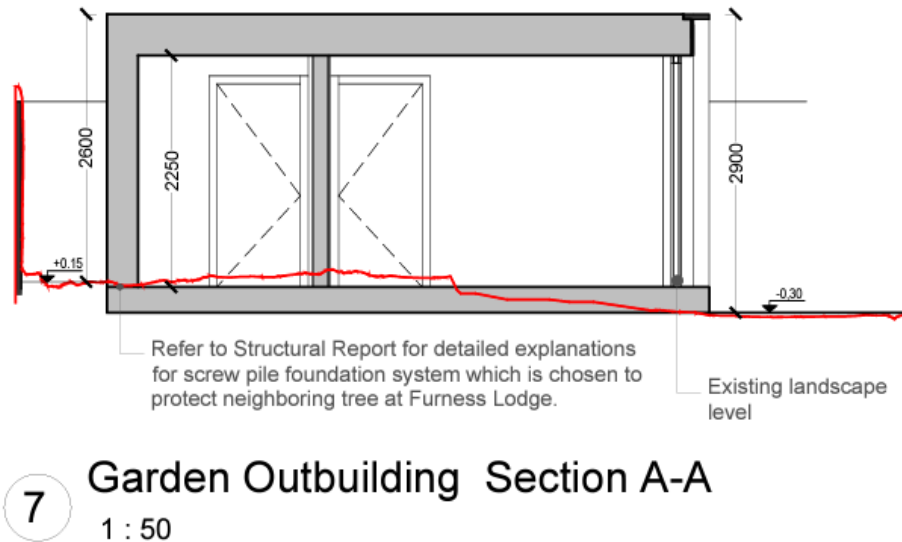
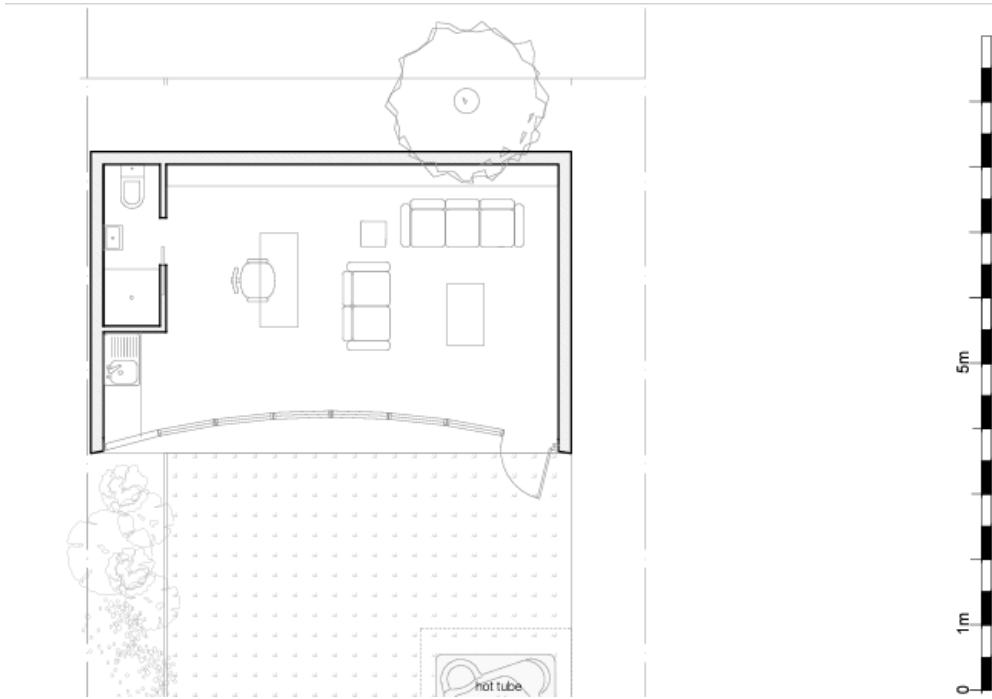
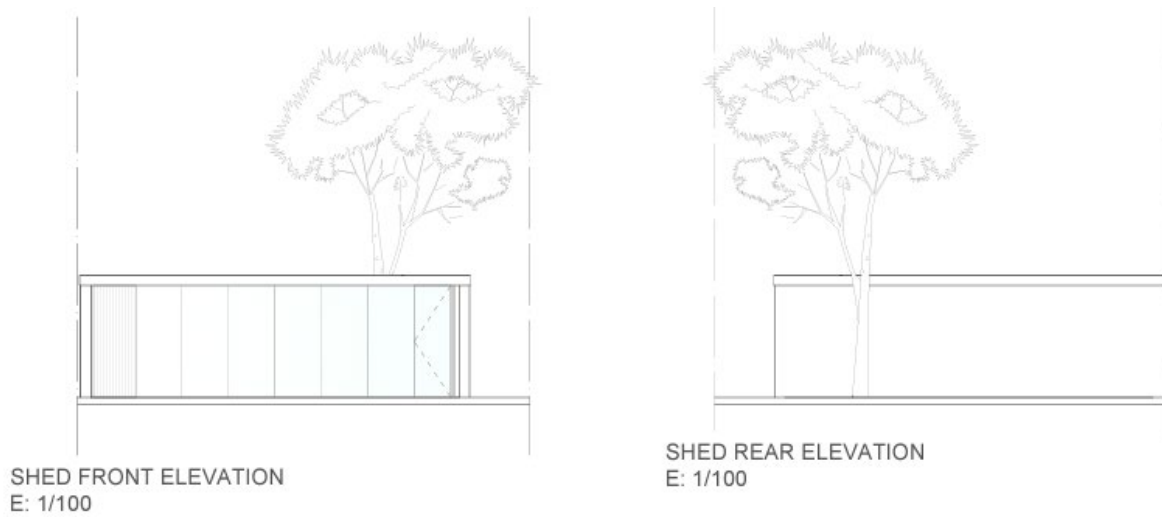


Figure 17 – Proposed Section through Garden Outbuilding at 94 Temple Sheen Road



**Figure 18 – Permitted Garden Outbuilding development at 92 Temple Sheen Road
(see 21/3234/PS192)**



**Figure 19 – Permitted Garden Outbuilding development at 92 Temple Sheen Road
(see 21/3234/PS192)**

Planning Policy Context

The planning policy context for the proposed garden outbuilding at 94 Temple Sheen Road is established by the hierarchy of adopted frameworks, plans and supplementary guidance covering both the specific site and the nature of the proposed works. Overarching planning policy in respect of the alteration & extension of statutorily listed dwellings derives from central government in the form of the National Planning Policy Framework (December 2023), but policies from this higher order document have been incorporated into the GLA's regional policy framework – the 2021 London Plan and LBRUT's existing and emerging Local Plans & Supplementary Planning Guidance. Together, these documents form the “development plan” for the assessment of the proposed works.

As the proposed ancillary outbuilding does not raise any issues of land use, this section will focus on identifying the various generic policies which fall to be considered in respect of the planning issues raised by the proposal, namely:

- Design and Appearance
- Residential Amenity
- Arboricultural Considerations
- Sustainability

Overarching planning policy in respect of the alteration of dwellinghouses derives from central government in the form of the National Planning Policy Framework (December 2023). Going forward, these policies will be incorporated in both the GLA's regional policy framework – the London Plan; and LBRUT's Local Plan.

National Planning Policy

National Planning Policy Framework (NPPF) (December 2023)

Section 2 of the NPPF titled Achieving Sustainable Development, and paragraph 11 particularly, emphasises the presumption in favour of sustainable development, i.e. development that meets the needs of the present without compromising the ability of future generations to meet their own needs. The NPPF also advises that development proposals that accord with an up-to-date development plan should be approved without delay and where development plan policies are out-of-date, planning permission should be granted unless:

- i. *the application of policies in this framework that protects areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area; or*
- ii. *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.*

Paragraph 12 in the NPPF makes clear that the Framework does not change the statutory status of the development plan as a starting point for decision-making.

In terms of decision-taking, paragraph 38 asserts that LPAs should approach decisions on proposed development in a positive and creative way, working pro-actively with applicants to

secure developments that will improve the economic, social and environmental conditions of the area in order to foster the delivery of sustainable development.

Decision-makers at every level should seek to approve applications for sustainable development where possible.

With regard to Section 12 in the NPPF – Achieving well-designed places, paragraph 135 states that planning policies and decisions should ensure that developments:

- a. will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*
- b. are visually attractive as a result of good architecture, layout and effective landscaping*
- c. are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);*
- d. establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive and distinctive places to live, work and visit;*
- e. optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and*
- f. create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.*

Paragraph 137 highlights the importance of design quality in the evolution of a scheme, and the need for applicants to consult with the Local Planning Authority and the local community in respect of emerging designs.

Paragraph 139 also asserts that, in determining applications, significant weight should be given to outstanding or innovative designs which promote high levels of sustainability or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.

With regard to climate change, paragraph 157 states:

The planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the re-use of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.

In determining planning applications, paragraph 162 advises that LPAs should expect new development to:

- a) comply with any development plan policies on local requirements for decentralised energy supply unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable; and*

b) take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption.

Local Planning Policy

Richmond-upon-Thames Local Plan (July 2018)

Whilst the proposed development will be assessed against a range of policies in the LBRUT Local Plan, the following six Local Plan planning policies or parts thereof are particularly relevant when considering the scale and massing, design and the appearance, and residential amenity and arboricultural impact of the proposals and are set out in full below:

- Policy LP 1 Local Character and Design Quality
- Policy LP 8 Amenity and Living Conditions
- Policy LP 16 Trees, Woodlands and Landscape
- Policy LP 20 Climate Change Adaption
- Policy LP 21 Flood Risk and Sustainable Drainage
- Policy LP 22 Sustainable Design and Construction

Local Plan Policy LP 1 - Local Character and Design Quality

A. The Council will require all development to be of 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.

To ensure development respects, contributes to and enhances the local environment and character, the following will be considered when assessing proposals:

- 1. compatibility with local character including the relationship to existing townscape, development patterns, views, local grain and frontages as well as scale, height, massing, density, landscaping, proportions, form, materials and detailing;*
- 2. sustainable design and construction, including adaptability, subject to aesthetic considerations;*
- 3. layout, siting and access, including making best use of land;*
- 4. space between buildings, relationship of heights to widths and relationship to the public realm, heritage assets and natural features;*
- 5. inclusive design, connectivity, permeability (as such gated developments will not be permitted), natural surveillance and orientation; and*
- 6. suitability and compatibility of uses, taking account of any potential adverse impacts of the co-location of uses through the layout, design and management of the site.*

All proposals, including extensions, alterations and shop fronts, will be assessed against the advice set out in the relevant Village Planning Guidance and other SPDs relating to character and design.

Local Plan Policy LP 8 - Amenity and Living Conditions

All development will be required to protect the amenity and living conditions for occupants of new, existing, adjoining and neighbouring properties. The Council will:

1. ensure the design and layout of buildings enables good standards of daylight and sunlight to be achieved in new development and in existing properties affected by new development; where existing daylight and sunlight conditions are already substandard, they should be improved where possible;
2. ensure balconies do not raise unacceptable overlooking or noise or disturbance to nearby occupiers; height, massing or siting, including through creating a sense of enclosure;
3. ensure that proposals are not visually intrusive or have an overbearing impact as a result of their height, massing or siting, including through creating a sense of enclosure;
4. ensure there is no harm to the reasonable enjoyment of the use of buildings, gardens and other spaces due to increases in traffic, servicing, parking, noise, light, disturbance, air pollution, odours or vibration or local micro-climatic effects.

Applicants are expected to have regard to the guidance set out within the Council's SPDs relating to design, including Village Planning Guidance, SPDs on extensions, infill and backland developments, housing mix and standards as well as residential development standards.

Policy LP 16 Trees, Woodlands and Landscape

A. The Council will require the protection of existing trees and the provision of new trees, shrubs and other vegetation of landscape significance that complement existing, or create new, high quality green areas, which deliver amenity and biodiversity benefits.

B. To ensure development protects, respects, contributes to and enhances trees and landscapes, the Council, when assessing development proposals, will: Trees and Woodlands

1. resist the loss of trees, including aged or veteran trees, unless the tree is dead, dying or dangerous; or the tree is causing significant damage to adjacent structures; or the tree has little or no amenity value; or felling is for reasons of good arboricultural practice; resist development that would result in the loss or deterioration of irreplaceable habitat such as ancient woodland;
2. resist development which results in the damage or loss of trees that are considered to be of townscape or amenity value; the Council will require that site design or layout ensures a harmonious relationship between trees and their surroundings and will resist development which will be likely to result in pressure to significantly prune or remove trees;
3. require, where practicable, an appropriate replacement for any tree that is felled; a financial contribution to the provision for an off-site tree in line with the monetary value of

the existing tree to be felled will be required in line with the 'Capital Asset Value for Amenity Trees' (CAVAT);

4. require new trees to be of a suitable species for the location in terms of height and root spread, taking account of space required for trees to mature; the use of native species is encouraged where appropriate;

5. require that trees are adequately protected throughout the course of development, in accordance with British Standard 5837 (Trees in relation to design, demolition and construction – Recommendations).

The Council may serve Tree Preservation Orders or attach planning conditions to protect trees considered to be of value to the townscape and amenity and which are threatened by development.

Landscape

1. require the retention of important existing landscape features where practicable;

2. require landscape design and materials to be of high quality and compatible with the surrounding landscape and character; and

3. encourage planting, including new trees, shrubs and other significant vegetation where appropriate.

Local Plan Policy LP 20 - Climate Change Adaption

A. The Council will promote and encourage development to be fully resilient to the future impacts of climate change in order to minimise vulnerability of people and property.

B. New development, in their layout, design, construction, materials, landscaping and operation, should minimise the effects of overheating as well as minimise energy consumption in accordance with the following cooling hierarchy:

1. minimise internal heat generation through energy efficient design

2. reduce the amount of heat entering a building in summer through shading, reducing solar reflectance, fenestration, insulation and green roofs and walls

3. manage the heat within the building through exposed internal thermal mass and high ceilings

4. passive ventilation

5. mechanical ventilation

6. active cooling systems (ensuring they are the lowest carbon options).

C. Opportunities to adapt existing buildings, places and spaces to the likely effects of climate change should be maximised and will be supported.

Local Plan Policy LP 21 - Flood Risk and Sustainable Drainage

A. 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. Development will be guided to areas of lower risk by applying the 'Sequential Test' as set out in national policy guidance, and where necessary, the 'Exception Test' will be applied. Unacceptable developments and land uses will be refused in line with national policy and guidance, the Council's Strategic Flood Risk Assessment (SFRA) and as outlined in the table below.

Zone 1	No land use restrictions	Not applicable	Not applicable	A Drainage Statement is required for sites all major developments. Required for all other development proposals where there is evidence of a risk from other sources of flooding, including surface water, ground water and sewer flooding.
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Sustainable drainage

C. The Council will require the use of Sustainable Drainage Systems (SuDS) in all development proposals. Applicants will have to demonstrate that their proposal complies with the following:

1. A reduction in surface water discharge to greenfield run-off rates wherever feasible.
2. Where greenfield run-off rates are not feasible, this will need to be demonstrated by the applicant, and in such instances, the minimum requirement is to achieve at least a 50% attenuation of the site's surface water runoff at peak times based on the levels existing prior to the development.

Local Plan Policy LP 22 - Sustainable Design and Construction

A. Developments will be required to achieve the highest standards of sustainable design and construction to mitigate the likely effects of climate change.

Retrofitting

E. High standards of energy and water efficiency in existing developments will be supported wherever possible through retrofitting. Householder extensions and other development proposals that do not meet the thresholds set out in this policy are encouraged to complete and submit the Sustainable Construction Checklist SPD as far as possible, and opportunities for micro-generation of renewable energy will be supported in line with other policies in this Plan.

Local Plan Publication (Regulation 19) - June 2023

The following policies in the emerging Replacement Local Plan also carry some weight in planning decisions at the current time:

- Policy 3 Tackling the Climate Emergency (Strategic Policy)

- Policy 4 Minimising Greenhouse Gas Emissions and Promoting Energy Efficiency (Strategic Policy)
- Policy 5 Energy Infrastructure (Strategic Policy)
- Policy 6 Sustainable Construction Standards
- Policy 8 Flood Risk and Sustainable Drainage (Strategic Policy)
- Policy 28 Local Character and Design Quality (Strategic Policy)
- Policy 42 Trees, Woodland and Landscape
- Policy 46 Amenity and Living Conditions
- Policy 53 Local Environmental Impacts

Supplementary Planning Documents/Guidance (SPG/SPD)

Finally, the advice set out in the following SPD's will also have a bearing on the acceptability of the proposed development:

- Design Quality SPD (February 2006)
- Sustainable Construction Checklist SPD (January 2016)
- East Sheen Village Planning Guidance (December 2015)

Assessment of Scale, Height, Design and Appearance

AGA considers the scale of the proposed outbuilding with a 43.41 sqm GEA and 35.70 sqm GIA is appropriate as it only covers a small part of the large rear garden within the 412.48 sqm plot and its footprint is subservient to that of the main house. It also leaves the property with sufficient garden space for its size. In addition, at 2.9m, the outbuilding's maximum height is also subservient to the 2 storey dwellinghouse and is, in fact, slightly lower than the 2.95m considered acceptable by LBRUT officers when assessing the previous outbuilding application 24/0357/HOT – see Planning History section above. The 2.9m height is, in part, dictated by the decision to employ a screw pile and ring beam foundation system to ensure the avoidance of tree roots extending from the adjacent Horse Chestnut tree within the Furness Lodge plot.

As to design and appearance, the flat roofed contemporary studio form, with only one glazed elevation facing on to the garden, is intended to minimise impact on neighbours' privacy, allow plenty of sunlight and daylight into the building through its south façade, and ensure the other three elevations, which have less passive surveillance, are secure. Materials-wise, the chosen palette of dark grey brick, dark timber cladding and double-glazed doors with dark grey frames will harmonize with the finishes to the existing house and echo the proposed rear extensions and other alterations to the house currently being considered by the Council under 24/3043/HOT.

Overall, AGA assesses that, as with the previous outbuilding application 24/0357/HOT, the scale, height, design and appearance of the proposed outbuilding accord with the objectives set out in Local Plan Policy LP 1 - Local Character and Design Quality and LBRUT's House Extensions and External Alterations SPD and would not, therefore, warrant grounds for refusal.

Assessment of Residential Amenity Impact

As to the requirement set out in Local Plan Policy LP 8 to protect the amenity and living conditions for neighbouring occupiers, the single storey nature of the proposed outbuilding ensures it will not result in overlooking of adjoining properties over and above that which already exists from the end of the garden. Moreover, enhanced boundary treatment would provide further screening. The single-story height, orientation, and distance of the outbuilding from neighbouring houses would also ensure neighbouring occupiers suffer no loss of sunlight or daylight or experience a heightened sense of enclosure, visual intrusion or other overbearing impacts. Crucially, the outbuilding is ancillary to the residential use of the host dwelling sited within a residential area and the applicants have confirmed they will accept a planning condition ensuring it will only be used in this manner and not as a separate dwelling or for business use. This being the case, anticipated noise levels will be no greater than those generated by the current garden use. Overall, therefore, the proposed garden outbuilding is not considered to result in harm to the reasonable enjoyment of the neighbouring properties or their garden space.

Consequently, AGA assesses the proposals also meet the requirements set out in Local Plan Policy LP 8 - Amenity and Living Conditions in respect of light provision, overlooking, noise and disturbance, sense of enclosure, visual intrusion and overbearing impacts.

Assessment of Arboricultural Impact

Following the refusal of the previous application for an outbuilding (24/0357/HOT) on the grounds that insufficient information had been provided to allow officers to assess the impact on existing trees, the applicants appointed MDJAC to undertake an up-to-date tree survey of the site and immediate environs, and then prepare an Arboricultural Impact Assessment (AIA), a Tree Protection Plan (TPP) and a Preliminary Arboricultural Method Statement in respect of the proposed works. MDJAC advises there are no trees within the curtilage of the property, but mature trees exist close to the western boundary and as such, these are a material consideration. Of these 4 trees, a London plane tree (T4) on the street frontage has been assessed as category 'A', being high quality, of high landscape prominence and with an estimated life expectancy of more than 40 years. Two off-site trees (T1 – Horse Chestnut and T3 – Common Yew) within the boundary of Furness Lodge have been assessed as category 'B', being of moderate quality with a remaining life expectancy of at least 20 years. The remaining tree (T2 – Common Holly) has been assessed as category 'C', being of low landscape prominence and limited future potential.

Of the trees identified in the Tree Survey, MDJAC concludes that trees T1 and T3 should be treated as the most valuable trees within the context of a proposed re-development of the site. Consequently, all reasonable efforts have been made to ensure their safe retention, protection and integration into the development proposals.

Whilst MDJAC's AIA concludes that no trees require to be removed or pruned to facilitate the proposed development, the Root Protection Area (RPA) of one tree identified for retention – the horse chestnut (T1), could be impacted by the proposal's foundations. MDJAC notes Section 5.3 of BS5837:2012 recommends the default position of structures should be outside of defined RPAs and further recommends that justification for demolition or construction work within the RPAs should be provided if the default position cannot be accommodated.

The impacts identified in Tables 3 and 4 of MDJAC's report affect one tree, resulting in a maximum incursion of approximately 1% of the tree's RPA and a cumulative factor impact assessment (Table 4) of 14 out of a possible 20 points. As such, the tree could likely be retained subject to suitable working methods and protection measures. MDJAC's suggested methods of protection are set out below:

- Arboriculturist to be retained to provide technical support for the duration of the approved works, and to carry out a programme of monitoring and supervision to ensure any unforeseen issues are effectively overcome, impacts are minimised, and the existing tree stock is integrated into the approved context. The project arboriculturist will oversee the following elements:
 - The holding of a pre-commencement meeting;
 - Site-based monitoring of protective measures on a monthly basis; and
 - Site-based supervision of technical elements in proximity to retained trees.
 - Providing a short summary report to be sent to the Local Planning Authority within five days of the visit.
- In order to minimise disruption to the RPA of T1, **mini-screw piles** will be used as these offer a high degree of flexibility in terms of location and are generally no more than 125mm in diameter. Consequently, they offer an effective solution to lightweight construction within the RPA of retained trees, allowing them to be located between any substantial roots. Use of this method will significantly reduce the footprint of excavation. A series of beams will connect the tops of the piles and allow for the floor of the outbuilding to be constructed above ground levels, further reducing the arboricultural impact by minimising compaction and ensuring gaseous exchange can take place.
- As to Tree Protection Fencing (TPF), the existing boundary treatments within the rear garden will be retained to offer physical protection to the off-site trees. Accordingly, there is no requirement for supplementary tree protection fencing to the rear of the property. However, the rooting environment of the street tree (T1) that extends into the site will be safeguarded by the erection of temporary tree protection fencing to the alternative specification provided in BS5837:2012 and set out in MDJAC's report. These locations are denoted by bold red lines on MDJAC's TPP.
- Appropriate Construction exclusion zones identified on the TPP will be implemented
- Regarding Temporary Ground Protection (TGP), the areas between the tree protection fencing (TPF) and root protection areas (RPAs) of retained trees will be safeguarded by the placement of suitable temporary ground protection, as shown by cyan hatching on MDJAC's TPP. For areas of existing soft landscaping, this protection will take the form of a series of boards secured in place.

MDJAC concludes that as none of the existing trees are to be removed, there will be no negative impact to the existing arboricultural landscape. Consequently, the proposals comply with national planning guidance, and regional and local planning policies regarding the retention of important trees. In addition, as there will be no requirement for facilitation pruning, there will be no adverse impact to the health or stability of the trees, nor will any negative landscape impacts occur to trees as a result of the proposals. Finally, MDJAC's assessment of the current physiological condition of the subject trees, their relative tolerance of root pruning

and disturbance, existing and proposed finished levels, and the protective measures prescribed in Section 5.3 of their report, indicates there will be no lasting or irreversible damage to the trees to be retained, subject to full compliance with the protection measures and associated Tree Protection Plan in Appendix 2 of the report.

Overall, therefore, and based on the above considerations, MDJAC concludes that the overall arboricultural magnitude of the scheme is **negligible** and meets the requirements of Local Plan Policy LP 16 Trees, Woodlands and Landscape.

Sustainability Matters

Finally, in respect of sustainability, Allza advises the proposed garden outbuilding has been designed to ensure minimal environmental impact whilst providing a functional and comfortable space for the family. The timber cladding will be responsibly sourced, contributing to the building's natural aesthetic and supporting renewable material usage. In addition, high-performance floor-to-ceiling double-glazed doors on the southern elevation will enhance natural daylight - reducing the need for artificial lighting during the day and improving thermal efficiency by minimising heat loss. The structure will also incorporate high levels of insulation to ensure energy efficiency and maintain a consistent indoor climate year-round, reducing reliance on external heating or cooling systems.

These measures reflect the Council's concerns as set out in Local Plan Policy 3 Tackling the Climate Emergency (Strategic Policy), Policy 4 Minimising Greenhouse Gas Emissions and Promoting Energy Efficiency (Strategic Policy), Policy 5 Energy Infrastructure (Strategic Policy) and Policy 6 Sustainable Construction Standards.

Flood Risk, Drainage & SuDS

Proposals to address Flood Risk, Drainage & SuDS in respect of the proposed outbuilding and other construction works intended on the site are set out in Allza's Design and Access Statement accompanying the application and accord with the requirements of Local Plan Policy LP 21.

Conclusions

AGA concludes that the proposed garden outbuilding accords with LBRUT policy requirements in respect of scale, massing, design and appearance, neighbour's residential amenity and sustainability. Moreover, the latest submission provides the arboricultural information missing from the previous application 24/0357/HOT and details the proposed screw pile and ground beam foundation system to be used to protect the tree roots of the immediately adjacent Horse Chestnut tree in the grounds of Furness Lodge. We further note the design of the current proposal varies only slightly from the previous submission in terms of the outbuilding's design (the height is slightly lower) and that aspect, together with residential amenity impact, were considered acceptable when assessed by officers last time around.

We trust this Householder application can proceed to validation, but please do not hesitate to contact Alistair Grills should you require further clarification of any item.

Yours faithfully

Alistair Grills

Alistair Grills

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