

**Application reference: 20/1506/VRC**  
**TWICKENHAM RIVERSIDE WARD**

Date application received	Date made valid	Target report date	8 Week date
05.06.2020	06.07.2020	31.08.2020	31.08.2020

**Site:**

55 Cophall Gardens, Twickenham, TW1 4HH,

**Proposal:**

Removal of condition U0068839 (Rooflights) of application reference number: 19/1671/HOT [Roof extension and ground floor rear extension (retrospective).] to allow for the rooflight to be opened.

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

**APPLICANT NAME**

Mr B Morgan  
55, Cophall Gardens  
Twickenham  
TW1 4HH

**AGENT NAME**

Mr Richard Hall  
School House Studios  
4 Broad Lane  
Hampton  
TW12 3AJ  
United Kingdom

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

**Consultations:**

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

**Expiry Date**

**Neighbours:**

54 Clifden Road, Twickenham, TW1 4LX -  
40 Clifden Road, Twickenham, TW1 4LX, - 06.07.2020  
53 Cophall Gardens, Twickenham, TW1 4HH, - 06.07.2020  
57 Cophall Gardens, Twickenham, TW1 4HH, - 06.07.2020

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

Development Management

Status: GTD Application: 17/4567/PS192  
Date: 14/02/2018 L-shape rear dormer roof extensions. Rooflights to front elevation. Enclose existing front porch.

Development Management

Status: GTD Application: 17/4568/HOT  
Date: 22/03/2018 Proposed ground floor rear extension and infill with replacement window to rear elevation.

Development Management

Status: GTD Application: 17/4568/NMA  
Date: 15/02/2019 Non-material amendment to planning permission ref: 17/4568/HOT, dated 22/03/2017 to allow amendments to side elevation and roofscape incorporating revised guttering and siting of rooflights.

Development Management

Status: GTD Application: 19/1671/HOT  
Date: 11/09/2019 Roof extension and ground floor rear extension (retrospective).

Development Management

Status: PCO  
Date:

Application:20/1506/VRC  
Removal of condition U0068839 (Rooflights) of application reference number: 19/1671/HOT [Roof extension and ground floor rear extension (retrospective).] to allow for the rooflight to be opened.

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Building Control

Deposit Date: 13.06.2013      Installed a Gas Boiler  
Reference: 13/FEN02344/GASAFE

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Building Control

Deposit Date: 12.06.2018      Ground floor rear extension and infill with replacement window to rear elevation, L-shape rear dormer roof extension and internal alterations  
Reference: 18/1027/IN

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Building Control

Deposit Date: 05.03.2019      Install replacement windows in a dwelling  
Reference: 19/FEN00745/FENSA

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Building Control

Deposit Date: 19.04.2019      Install a gas-fired boiler  
Reference: 19/FEN01541/GASAFE

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Building Control

Deposit Date: 26.07.2019      New full electrical installation (new build)  
Reference: 19/NIC01745/NICEIC

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Enforcement

Opened Date: 14.11.2018      Enforcement Enquiry  
Reference: 18/0548/EN/NAP

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## Proposal

This application seeks to remove condition U0068839 (Rooflights) to allow the rooflights to be opened.

The parent application was 19/1671/HOT which granted retrospective permission for a roof extension and ground floor rear extension.

## Site Description

The application site is occupied by a 2 storey single family dwelling located in Twickenham Village with no heritage designations. It falls under Area No. 13 within the Twickenham Village Planning Guidance.

## Relevant Planning History

Ref	Proposal	Decision	Dec Date
19/1671/HOT	Roof extension and ground floor rear extension (retrospective)	granted permission	11/09/2019
17/4568/NMA	Non-material amendment to planning permission ref: 17/4568/HOT, dated 22/03/2017 to allow amendments to side elevation and roofscape incorporating revised guttering and siting of rooflights.	granted permission	15/02/2019
17/4567/PS192	L-shape rear dormer roof extensions. Rooflights to front elevation. Enclose existing front porch.	granted permission	14/02/2018
17/4568/HOT	Proposed ground floor rear extension and infill with replacement window to rear elevation.	granted permission	22/03/2018

## Planning Policies

### NPPF

### Local Plan (LP 2018)

LP1 – Local Character and Design Quality

LP8 – Amenity and Living Conditions

### Supplementary Planning Document

'House Extensions and External Alterations' SPD (2015)

'Twickenham Village Planning Guidance' SPD (2018)

## Public Representations

The occupants of 3 neighbouring properties were consulted as part of the application. One letter of objection has been received, noting the following:

- The rooflights emit far more light when open than when closed.
- Allowing the roof lights to open would set a precedent to non-compliance.

## Amendments

No amendments requested or received.

## Assessment

The application is seeking to vary a condition under S73 of the Town and Country Planning Act. These types of applications should be determined in accordance with the development plan, but where national or local policies or other material considerations have changed since the original grant of permission, LPAs can assess the scheme in line with the legislative and policy changes as well as the changes sought.

Condition U0068839 – Rooflights is read as follows:

*The rooflights atop roof of the dormer extension hereby approved shall be fixed shut and at no time be openable.*

*REASON: To ensure that the proposed development does not prejudice the character of the area.*

The application seeks to remove the above condition.

## Design & Appearance

*The National Planning Policy Framework advises the Government attaches great importance to the design of the built environment stating that developments should be visually attractive as a result of good architecture. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.*

*Policy LP1 states 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.*

*Supplementary Planning Document (SPD) for House Extensions and External Alterations, 2015 states that the overall shape, size and position of rear and side extensions should not dominate the existing house or its neighbours and should harmonize with the original appearance of the dwelling. This can be achieved through designing the addition to appear subordinate to the main structure so that the original form of the dwelling can still be appreciated.*

The approved rooflights project above the ridge height of the original roof form. The officer report for the parent approval noted:

*Respondents have noted the rooflights are upwardly openable. When opened, the rooflights are highly conspicuous, and perceptibly out of character with the area. It is therefore recommended a condition be attached to any consent, requiring the rooflights to remain non-opening.*

Whilst there are only limited and obscure views of the closed rooflights from the public realm, the rooflights when open have the potential to project a further 300mm greater in height if they were to be opened. It is still considered that they would be a prominent feature when viewed at street level and from the rear garden, and therefore the proposals put forward do not alter the initial conclusion which remains that opened, the rooflights will be an incongruous feature in the street scene detrimental to the visual amenities of the surrounding area.

The applicant states the application has been submitted to improve ventilation. It is noted natural ventilation is still possible via ground, first and second floor rear windows, in addition to front facing ground and first floor windows. As such, it is not considered natural ventilation is significantly impeded by the requirement for the rooflights to be fixed shut, and consequently would not be considered justification in itself to warrant a departure from policy LP1 or the SPD which together seeks compatibility with local character (LP1.1.), and resists dormer roof extensions that project above the ridgeline (para 8.1.1.)

Whilst no harm to the amenity of neighbouring occupants is identified, overall the proposed removal of the condition would prejudice the character and appearance of the street, and in light of the above, the proposal is considered contrary to Policy LP1 of the Local Plan and associated SPD guidance.

**Recommendation:**

Refuse 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): .....KNP..... Dated: .....25/08/2020....

**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: .....  .....

Dated: .....27.08.2020.....