

Application reference: 20/3617/NMA ST MARGARETS, NORTH TWICKENHAM WARD

Date application received	Date made valid	Target report date	8 Week date
02.03.2021	03.03.2021	31.03.2021	31.03.2021

Site:

7 Ailsa Road, Twickenham, TW1 1QJ,

Proposal:

Non material amendment to planning approval 20/3617/FUL to allow for Minor relocation and increasing in width of left hand flank external wall to ground floor rear extension

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

APPLICANT NAME

Mr Fiaz Khan
7, Ailsa Road
Twickenham
TW1 1QJ

AGENT NAME

Mr Jules Pointon
72 Cole Park Rd
Twickenham
TW1 1HU

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

Consultations:

Internal/External:

Consultee

Expiry Date

Neighbours:

-

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

Status: REF Application:47/5575
Date:13/12/1954 The erection of garage.

Development Management

Status: RNO Application:12/T0382/TCA
Date:30/07/2012 T1- Silver Birch- Lift over pavement to 2.5m, Remove major deadwood T2- Purple Plum- Lift over pavement to 2.5m, Remove major deadwood T3- Horse Chestnut- Lift over pavement to 2.5m, Remove major deadwood T4- Oak- Lift over road to 4.5m, shorten lower lateral branches over road by 2m, clear yew tree by 1.5-2m, remove major deadwood T5-6- Pittosporum- Trim and tidy T7- Viburnum Tinus- Reduce height to 1.5m, trim and tidy

Development Management

Status: GTD Application:18/T0830/TPO
Date:18/12/2018 T1 - Silver Birch - Remove broken limb and reduce crown by 2m.

Development Management

Status: REF Application:20/2868/FUL
Date:20/01/2021 Proposed side extension at second floor level, the replacement of the rear extensions with a single storey glazed extension and the loss of one 1 bedroom unit from 3 units into 1no. 4 bedroom flat and 1no. 3 bedroom flat

Development Management

Status: GTD Application:20/3617/FUL

Date:10/02/2021 Proposed single storey rear extension, new side door at first floor level and rear pedestrian garden access.

Development Management

Status: PCO

Application:20/3617/DD01

Date:

Details pursuant to condition U0095114 Materials to be approved, U0095115 Windows and doors details

Development Management

Status: PCO

Application:20/3617/NMA

Date:

Non material amendment to planning approval 20/3617/FUL to allow for Minor relocation and increasing in width of left hand flank external wall to ground floor rear extension

Building Control

Deposit Date: 25.03.2016

Install a gas-fired boiler

Reference: 16/FEN00879/GASAFE

Building Control

Deposit Date: 01.07.2016

Install a gas-fired boiler

Reference: 16/FEN02033/GASAFE

Building Control

Deposit Date: 22.01.2018

Install one or more new circuits

Reference: 18/NAP00046/NAPIT

Building Control

Deposit Date: 13.01.2021

Proposed single storey rear extension, new side door at first floor level and rear pedestrian garden access

Reference: 21/0059/IN

Application: 20/3617/NMA

Site address: 7 Ailsa Road Twickenham TW1 1QJ

Proposal	Non-material amendment to planning approval 20/3617/FUL for a new flank cavity wall to the side of the rear extension instead of proposing to build on the party wall line of No.7A Ailsa Road flank elevation as approved. A 50mm gap is proposed to the boundary wall. The width of the wall would increase for the purposes of improvement of structural and thermal integrity of flank wall.
Site description / key designations	The site is located on the west side of Ailsa Road, St Margarets and North Twickenham Ward and comprises a building subdivided into 3no. flats comprising: 7 Ailsa Road which is a 3 bedroom flat on the ground and first floor, 7b Ailsa Road which is a 1 bedroom flat on the ground floor and 7c Ailsa Road which is a 3 bedroom flat on the second floor. The site is within the CA19 St Margaret's Conservation Area and is a Building of Townscape Merit. It is subject to an Article 4 Direction restricting basements. There are number of TPO's to the front of the site and on adjoining properties.
Relevant Planning History	20/3617/FUL - Proposed single storey rear extension, new side door at first floor level and rear pedestrian garden access. Granted 10.02.2021
Neighbour representations	<p>An application to make a non-material amendment is not an application for planning permission and therefore the provisions relating to statutory consultation and publicity do not apply.</p> <p>A comment and an objection have been received from both occupiers of No.7A Ailsa Road which are summarised below:</p> <ul style="list-style-type: none"> • The ground floor plan submitted for this application now shows the adjacencies of 7 and 7a Ailsa Road more accurately than previous drawings. • The proposed gap between the two properties has now been reduced to 50mm. • It is important that no part of my wall is used to support Mr Khan's proposed very large steel supported roof hence the gap to separate the structures. • I am prepared to withdraw my objection to Mr Khan's application if this condition is included; that the wall is built to the exact dimensions and location shown on the attached drawing CPA/0619 • Windows will become unopenable and partially obscured by the building of the flank wall. There is a right to light for these windows so reducing the flank wall length would be necessary.
Policies	<p>The proposal has been considered having regard to the aims and objectives of the National Planning Policy Framework (NPPF) and the Council's Local Plan, in particular:</p> <p>Local Plan (2018): LP 1 Local Character and Design Quality LP 2 Building Heights LP 3 Designated Heritage Assets LP 4 Non-Designated Heritage Assets LP 5 Views and Vistas LP 8 Amenity and Living Conditions LP 16 Trees, Woodlands and Landscape</p> <p>Supplementary Planning Guidance: Design Quality SPD (2006) House Extensions and Alterations SPD (2015) Buildings of Townscape Merit SPD</p>
Professional comments	Government guidance within the document 'Greater flexibility for planning permissions' (DCLG 2010) advises that the local planning authority must be satisfied that the amendment sought is non-material in order to grant an application under S96A of the Town and Country Planning Act 1990. There is no statutory definition of 'non-material'; this will be dependent on the context of the overall

	<p>scheme. In deciding whether a change is material, a Local Planning Authority must have regard to the effect of the change, together with any previous changes on the originally approved development.</p> <p>Whilst there is no statutory guidance as to what constitutes a non-material amendment, materiality is a matter of judgement and that materiality is to be judged by reference to the overall context including the nature and scale of the permission being altered. Judgement on ‘materiality’ in any particular case is one of fact and degree, along with taking into account the likely impact of the amendment on the local environment.</p> <p>Materiality is considered against the development as a whole, not just part of it. The basis for forming a judgement on materiality is always the original permission however the cumulative effects of any previous amendments would also need to be assessed.</p> <p>The proposed amendment relates to a new flank cavity wall to the rear extension instead of utilising the party wall of No.7A Ailsa Road property. The applicant has confirmed the increase in width of the wall is for the purposes of improvement of structural and thermal integrity of flank wall. A 50mm gap is left between the extension which projects beyond the party wall with No.7A and the shared boundary wall.</p> <p>The minor amendments described above are not considered to be material changes to the approved development. It is considered that the changes listed above will not significantly alter the overall character of the approved development, nor impact the amenity of neighbouring occupants. An objection has been received from one of the occupiers of No.7A in relation to their side windows, however the proposed section of the extension which projects next to the extension of No.7A would be set further back from the boundary than the approved permission and the extension is located within the application site boundary. As such, any window openings of No.7A’s extension would not be impinged by the position of the extension, unless they are opening over the shared boundary. This would be a civil matter between the two parties. Furthermore, it is understood that there are ongoing party wall agreements discussions, which are a separate matter outside the remits of this application.</p> <p>It is therefore considered that the proposed alterations would constitute as a “non-material” change and are supported.</p> <p>The decision only relates to the non-material amendments sought and the notice of the decision should describe these. It is not a reissue of the original planning permission, which still stands. The two documents should be read together.</p>
Recommendation	Approve.

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):LUH..... Dated:30/03/2021.....

I agree the recommendation: CTA

Team Leader/Head of Development Management/Principal Planner

Dated:30.03.2021.....

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

Head of Development Management:

Dated:

REASONS:
CONDITIONS:
INFORMATIVES:
UDP POLICIES:
OTHER POLICIES:

The following table will populate as a quick check by running the template once items have been entered into Uniform

SUMMARY OF CONDITIONS AND INFORMATIVES

CONDITIONS

INFORMATIVES
