

Application reference: 21/1760/PS192
SOUTH TWICKENHAM WARD

Date application received	Date made valid	Target report date	8 Week date
17.05.2021	17.05.2021	12.07.2021	12.07.2021

Site:

17 Orford Gardens, Twickenham, TW1 4PL,

Proposal:

Single-storey outbuilding (home office)

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

APPLICANT NAME

Mr & Ms Campbell Smith
24 The Green
Twickenham
TW2 5AB
United Kingdom

AGENT NAME

Ms Mollie Allen
24
The Green
Twickenham
TW2 5AB

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

Consultations:**Internal/External:****Consultee****Expiry Date****Neighbours:**

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

Status: GTD Application:66/2060
Date:29/12/1966 Double garage at the rear.

Development Management

Status: GTD Application:68/0902
Date:11/06/1968 Erection of a double garage.

Development Management

Status: GTD Application:73/0786
Date:26/07/1973 Erection of a two-storey rear extension to provide additional kitchen and bathroom space.

Development Management

Status: GTD Application:21/0031/HOT

Date:08/03/2021	Rear single storey extension. Some minor internal alterations. First floor side extension [replacing large pitch 1970s extension]
<u>Development Management</u>	
Status: GTD	Application:21/0032/PS192
Date:09/03/2021	Hip to gable and rear dormer roof extension, rooflights to front elevation, single storey rear extension
<u>Development Management</u>	
Status: REF	Application:21/0218/PS192
Date:01/04/2021	Proposed garden room
<u>Development Management</u>	
Status: WDN	Application:21/1372/HOT
Date:10/05/2021	Demolition of existing asbestos riddled building and erection of a garden room
<u>Development Management</u>	
Status: PCO	Application:21/1760/PS192
Date:	Single-storey outbuilding (home office)

<u>Building Control</u>	
Deposit Date: 18.01.2016	Install a gas-fired boiler
Reference: 16/FEN00351/GASAFE	
<u>Building Control</u>	
Deposit Date: 24.07.2019	Install replacement windows in a dwelling Install replacement doors in a dwelling
Reference: 19/FEN01375/FENSA	
<u>Building Control</u>	
Deposit Date: 26.04.2021	Loft extension, rear extension with general remodelling and outbuilding
Reference: 21/0697/IN	

Recommendation:

The determination of this application falls within the scope of Officer delegated powers - YES

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
 Uniform) (*If yes, complete Development Condition Monitoring in

This application has representations online (which are not on the file) YES NO

This application has representations on file YES NO

Case Officer (Initials):EC

Dated: 09.07.21

I agree the recommendation: WT

~~Team Leader/Head of Development Management/Principal Planner~~

Dated:9/7/2021.....

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

Application Reference 21/1760/PS192

Site Address 17 Orford Gardens, Twickenham, TW1 4PL

Site and Surrounding

The application site is a two storey semi detached dwelling house on the western side of Orford gardens. It is in the Bonser Road and surrounds Character Area 5 in Strawberry Hill Village. The site is subject to the following constraints:

- Article 4 Direction Basements
- Critical Drainage Area
- Take Away Management Zone
- Area less susceptible to Surface Water Flooding.



Figure 1. Location Plan - Proposed Garden Room

Proposal

The development is for a single-storey outbuilding (home office).

The scheme seeks confirmation in the form of a lawful development certificate that the construction of the development described above would constitute permitted development.

History

The relevant history is as follows:

Development Management

Status: GTD

Date:29/12/1966

Application:66/2060

Double garage at the rear.

Development Management

Status: GTD

Date:11/06/1968

Application:68/0902

Erection of a double garage.

Development Management

Status: GTD

Application:73/0786

Date:26/07/1973 Erection of a two-storey rear extension to provide additional kitchen and bathroom space.

Development Management

Status: GTD Application:21/0031/HOT
 Date:08/03/2021 Rear single storey extension. Some minor internal alterations. First floor side extension [replacing large pitch 1970s extension]

Development Management

Status: GTD Application:21/0032/PS192
 Date:09/03/2021 Hip to gable and rear dormer roof extension, rooflights to front elevation, single storey rear extension

Development Management

Status: REF Application:21/0218/PS192
 Date:01/04/2021 Proposed garden room



Figure 2. Site Location Plan

Development Management

Status: WDN Application:21/1372/HOT
 Date:10/05/2021 Demolition of existing asbestos riddled building and erection of a garden room

Of particular relevance in the above planning history is approved 68/0902 (no historic plans available), which is the original permission for the garage. Condition 2 states:

2. That the use of the garage be confined solely to that of garaging private motor vehicles and that no trade is to be carried out in the said garage or any part thereof.

The application 21/0218/PS192 was subsequently refused. The site plan is set out in figure 2 above. This application relates to a separate garden room on the western border of the site. Unlike 21/0218/PS192 it does not seek to alter the use of an existing building which is subject to restrictions under 68/0902.

Consultation

This is an application for a Certificate of Lawful Development (Proposed), which is a request to the Council to confirm that the development as specified does not require an application for planning permission to be submitted to the Council. In assessing this application, the Council is making a determination of law, and as such it is not considered to be necessary to undertake a public consultation.

Amendments

None

Professional Comments

The Town and Country Planning (General Permitted Development) Order 2015 (as amended) applies to all land in England and Wales, other than land which is the subject of a special development order, and specifies various classes of development which may be undertaken without the permission of the local planning authority. Such development, referred to as "permitted development", is deemed to have planning permission by the Order, and does not require an application for planning permission to be submitted to the Council.

The applicant has submitted an application for a Certificate of Lawful Development (Proposed). In assessing this application, the Council is making a determination of law as to whether or not the proposed development complies with the Town and Country Planning (General Permitted Development) Order 2015 (as amended). Issues such as the policies contained in the Council's adopted Richmond Local Plan (2018) are not to be taken into consideration as the decision is based on fact and not on policy grounds.

The application site is a dwellinghouse, and the application will be assessed against Schedule 2, Part 1 of the Order, which relates to "Development within the curtilage of a dwellinghouse".

Class E

The scheme *is* considered to be permitted development under Class E 'buildings etc'

E. Development is not permitted by Class E if -

E Development is permitted by Class E if—	Officer's Comment:
(a) any building or enclosure, swimming or other pool required for a purpose incidental to the enjoyment of the dwellinghouse as such, or the maintenance, improvement or other alteration of such a building or enclosure	Complies
(b) a container used for domestic heating purposes for the storage of oil or liquid petroleum gas	Complies

E.1 Development is not permitted by Class E if -

E.1 Development is not permitted by Class E if –	Officer's Comment:
(a) Permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class M, N, P, PA or Q of Part 2 of this Schedule (change of use)	Complies
(b) the total area of ground covered by buildings, enclosures and containers within the curtilage (other than the original dwellinghouse) would exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse)	Complies
(c) any part of the building, enclosure, pool or container would be situated on land forward of a wall forming the principal elevation of the original dwellinghouse	Complies

(d) the building would have more than a single storey.	Complies
(e) the height of the building, enclosure or container would exceed - (i) 4 metres in the case of a building with a dual-pitched roof, (ii) 2.5 metres in the case of a building, enclosure or container within 2 metres of the boundary of the curtilage of the dwellinghouse, or (iii) 3 metres in any other case.	Complies, the height will not exceed 2.5m
(f) the height of the eaves of the building would exceed 2.5 metres	Complies
(g) the building, enclosure, pool or container would be situated within the curtilage of a listed building	Complies
(h) it would include the construction or provision of a verandah, balcony or raised platform	Complies
(i) it relates to a dwelling or a microwave antenna	Complies
(j) the capacity of the container would exceed 3,500 litres.	Complies

E.2 Development is not permitted by Class E if -

E.2 Development is not permitted by Class E if –	Officer's Comment:
<p>(a) In the case of any land within the curtilage of the dwellinghouse which is within - (a) a World Heritage Site, (b) a National Park, (c) an area of outstanding natural beauty or (d) the Broads,</p> <p>development is not permitted by Class E if the total area of ground covered by buildings, enclosures, pools and containers situated more than 20 metres from any wall of the dwellinghouse would exceed 10 square metres.</p>	Complies

E.3 Development is not permitted by Class E if -

E.3 Development is not permitted by Class E if –	Officer's Comment:
In the case of any land within the curtilage of the dwellinghouse which is article 2(3) land, development is not permitted by Class E if any part of the building, enclosure, pool or container would be situated on land between a wall forming a side elevation of the dwellinghouse and the	Complies

boundary of the curtilage of the dwellinghouse.	
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E.4 Interpretation of Class E -

E.4 Interpretation of Class E	Officer's Comment:
For the purposes of Class E, "purpose incidental to the enjoyment of the dwellinghouse as such" includes the keeping of poultry, bees, pet animals, birds or other livestock for the domestic needs or personal enjoyment of the occupants of the dwellinghouse.	Complies

Conclusion

This proposal CONSTITUTES DEVELOPMENT within the meaning of Section 55 of the Town and Country Planning Act 1990, but by virtue of Article 3 and Schedule 2 of the Town and Country (General Permitted Development) (England) Order 2015 and any subsequent legislative amendments is of a class which is described as PERMITTED DEVELOPMENT and therefore planning permission IS NOT REQUIRED.

Recommendation Approve Certificate