

Application reference: 21/3303/PS192
KEW WARD

Date application received	Date made valid	Target report date	8 Week date
21.09.2021	21.09.2021	16.11.2021	16.11.2021

Site:

49 Sandycombe Road, Richmond, TW9 2EP,

Proposal:

L - shape rear dormer extension with two rooflights to the front roof slope. Removal of chimney.

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

APPLICANT NAME

Mr and Mrs Hunt
49, Sandycombe Road
Richmond
TW9 2EP

AGENT NAME

Mrs K Cowan
6 The Broadway
Wembley
MIDDLESEX
HA9 8JT
United Kingdom

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: GTD Application:47/1039
Date:08/09/1949 The letting of furnished rooms with service.

Development Management

Status: GTD Application:72/0152
Date:22/02/1972 Erection of entrance porch at front.

Development Management

Status: PDE Application:21/3303/PS192
Date: L - shape rear dormer extension with two rooflights to the front roof slope. Removal of chimney.

Building Control

Deposit Date: 06.10.2000

Single storey rear extension including ground floor wc

Reference: 00/1912/BN

Building Control

Deposit Date: 01.07.1996

Loft conversion

Reference: 96/0869/FP

Building Control

Deposit Date: 23.12.1996

Loft conversion

Reference: 96/0869/1/FP

Building Control

Deposit Date: 03.05.2021

Install a gas-fired boiler

Reference: 21/FEN01743/GASAFE

Building Control

Deposit Date: 30.06.2021

Install a replacement consumer unit

Reference: 21/NIC02282/NICEIC

Application Number	21/3303/PS192
Address	49 Sandycombe Road Richmond TW9 2EP
Proposal	L - shape rear dormer extension with two rooflights to the front roof slope. Removal of chimney.
Contact Officer	Ella Milton

1. Introduction

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.

2. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

The application site is a two-storey terrace property situated on the Eastern side of Sandycombe Road. The site is subject to the following planning constraints:

- Article 4 Direction Basements
- Surface Water Flooding (Less susceptible and more susceptible to) (Environment Agency)
- Throughflow Catchment Area
- Kew Vilalge
- Village Character Area (East Side of Sandycombe Road)
- Kew Ward

3. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

The application seeks a lawful development certificate for:

- The construction of an L-shape rear dormer extension (Class B)
- Installation of two rooflights to the front roof slope. (Class C)
- Removal of chimney (Class G)

Volume calculation:

Rear dormer roof extension

$$2.482 (h) \times 3.882 (w) \times 3.319 (d) / 2 = 15.99 \text{ m}^3$$

Outrigger roof extension

Part A:

$$2.731 (h) \times 1.811 (w) \times 2.082 (d) = 10.29 \text{ m}^3$$

Part B:

$$(2.942 - 2.731) (h) \times 1.811 (w) \times 2.082 (d) / 2 = 0.4$$

Total outrigger: $10.29 + 0.4 = 10.69$

Total: $15.99 + 10.69 = 26.68$

Total: **26.68 m3**

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

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

There is no relevant planning history associated with the site.

4. CONSULTATIONS CARRIED OUT

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.

5. AMENDMENTS

No amendments made to the design of the proposal. However the description has been changed to include the removal of the chimney,

6. EXPLANATION OF RECOMMENDATION

The application site is a dwellinghouse, and the application will be assessed against Schedule 2, Part 1 of the Town and Country (General Permitted Development) Order 2015 (as amended), which relates to "Development within the curtilage of a dwellinghouse".

Class B

The scheme is considered to be permitted development under Class B 'The enlargement of a dwelling house consisting of an addition or alteration to its roof' for the following reasons:

B.1 Development is not permitted by Class B if—

B.1 Development is not permitted by Class B 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 3 of this Schedule (changes of use);	Complies
(b) any part of the dwellinghouse would, as a result of the works, exceed the height of the highest part of the existing roof;	Complies
(c) any part of the dwellinghouse would, as a result of the works, extend beyond the plane of any existing roof slope which forms the principal elevation of the dwellinghouse and fronts a highway;	Complies
(d) the cubic content of the resulting roof space would exceed the cubic content of the original roof space by more than— (i) 40 cubic metres in the case of a terrace house, or (ii) 50 cubic metres in any other case;	Complies (Please see calculations set out under 'Proposals' above)

<p>(e) it would consist of or include—</p> <p>(i) the construction or provision of a verandah, balcony or raised platform, or</p> <p>(ii) the installation, alteration or replacement of a chimney, flue or soil and vent pipe;</p>	<p>Complies</p> <p>See Class G below.</p>
<p>(f) the dwellinghouse is on article 2(3) land;</p>	<p>Complies</p>
<p>(g) the dwellinghouse is built under Part 20 of this Schedule (construction of new dwellinghouses); or</p>	<p>Complies</p>
<p>(h) the existing dwellinghouse has been enlarged in reliance on the permission granted by Class AA (enlargement of a dwellinghouse by construction of additional storeys)</p>	<p>Complies</p>

B.2 Development is permitted by Class B subject to the following conditions—

B.2 Development is permitted by Class B subject to the following conditions—	Officer's Comment:
<p>(a) the materials used in any exterior work must be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse;</p>	<p>Complies</p> <p>As annotated on plan</p>
<p>(b) the enlargement must be constructed so that—</p> <p>(i) other than in the case of a hip-to-gable enlargement or an enlargement which joins the original roof to the roof of a rear or side extension—</p> <p>(aa) the eaves of the original roof are maintained or reinstated; and</p> <p>(bb) the edge of the enlargement closest to the eaves of the original roof is, so far as practicable, not less than 0.2 metres from the eaves, measured along the roof slope from the outside edge of the eaves; and</p> <p>(ii) other than in the case of an enlargement which joins the original roof to the roof of a rear or side extension, no part of the enlargement extends beyond the outside face of any external wall of the original dwellinghouse; and</p>	<p>Complies</p>
<p>(c) any window inserted on a wall or roof slope forming a side elevation of the dwellinghouse must be—</p> <p>(i) obscure-glazed, and</p> <p>(ii) non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed.</p>	<p>Complies</p>

Class C

The development is considered to be permitted development under Class C 'Any other alteration to the roof of the dwelling house' for the following reasons:

C.1 Development is not permitted by Class C if—

C.1 Development is not permitted by Class C if	Officer's Comment:
<p>(a) permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class M,</p>	<p>Complies</p>

N, P, PA or Q of Part 3 of this Schedule (changes of use);	
(b) the alteration would protrude more than 0.15 metres beyond the plane of the slope of the original roof when measured from the perpendicular with the external surface of the original roof;	Complies (< 0.15m as measured on submitted drawing)
(c) it would result in the highest part of the alteration being higher than the highest part of the original roof;	Complies
(d) it would consist of or include - (i) the installation, alteration or replacement of a chimney, flue or soil and vent pipe, or (ii) the installation, alteration or replacement of solar photovoltaics or solar thermal equipment;	Complies
(a) the dwellinghouse is built under Part 20 of this Schedule (construction of new dwellinghouses)	Complies

C.2 Development is permitted by Class C subject to the condition that any window located on a roof slope forming a side elevation of the dwellinghouse must be—

C.2 Development is permitted by Class C subject to the condition that any window located on a roof slope forming a side elevation of the dwellinghouse must be	Officer's Comment:
(a) obscure-glazed; and	Complies
(b) non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed.	Complies

Class G

The scheme *is* considered to be permitted development under Class G 'chimney, flues etc on a dwellinghouse'

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

G.1 Development is not permitted by Class G 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 3 of this Schedule (changes of use);	Complies
(b) the height of the chimney, flue or soil and vent pipe would exceed the highest part of the roof by 1 metre or more;	Not Applicable
(c) in the case of a dwellinghouse on article 2(3) land, the chimney, flue or soil and vent pipe would be installed on a wall or roof slope which- (i) fronts a highway, and (ii) forms either the principal elevation or a side elevation of the dwellinghouse;	Complies

(d) the dwellinghouse is built under Part 20 of this Schedule (construction of new dwellinghouses)	Complies
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7. RECOMMENDATION

Grant Certificate

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): ...EMI.....

Dated:13/10/2021.....

I agree the recommendation:

Principal Planner

Dated: ...WWC.....13/10/21.....

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: