

Application reference: 21/4457/PDE EAST SHEEN WARD

| Date application received | Date made valid | Target report date | 8 Week date |
|---------------------------|-----------------|--------------------|-------------|
| 23.12.2021 | 23.12.2021 | 03.02.2022 | 03.02.2022 |

Site:

8 Coval Gardens, East Sheen, London, SW14 7DG

Proposal:

Single storey rear extension (5.10m depth, 3.00m eaves height, 4.00m overall height)

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

APPLICANT NAME

8 Coval Gardens
East Sheen
London
SW14 7DG

AGENT NAME

Mr McEvoy
Second Floor
118A London Wall
London
EC2Y 5JA

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

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

84 Temple Sheen Road, East Sheen, London, SW14 7RR, - 04.01.2022

10 Coval Gardens, East Sheen, London, SW14 7DG, -

6 Coval Gardens, East Sheen, London, SW14 7DG, - 04.01.2022

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

Status: WDN

Date: 23/12/2021

Application: 21/4331/HOT

Construction of hip to gable roof extension with rear dormer, installation of 2 no. rooflights to the front roof slope and installation of rendered external wall insulation to the rear elevation.

Development Management

Status: WDN

Date: 21/12/2021

Application: 21/4337/PDE

Single Storey Rear Extension (5.50m depth, 3.00m eaves height, 4.00m overall height)

Development Management

Status: PCO

Date:

Application: 21/4410/HOT

Construction of hip to gable roof extension with rear dormer, installation of 2 no. rooflights to the front roof slope and installation of external wall insulation to rear elevation.

Development Management

Status: PDE

Date:

Application: 21/4457/PDE

Single storey rear extension (5.10m depth, 3.00m eaves height, 4.00m overall height)

Building Control

Deposit Date: 09.02.2004

FENSA Notification of Replacement Glazing comprising 5 Windows and 0 Doors. Installed by Anglian Windows Ltd. FENSA Member No 13229. Installation ID 1462306. Invoice No S101271455

Reference: 04/5615/FENSA

Building Control

Deposit Date: 28.01.2006

FENSA Notification of Replacement Glazing comprising 8 Windows and 0 Doors. Installed by Anglian Windows Ltd. FENSA Member No 13229. Installation ID 3439679. Invoice No S101279468

Reference: 06/5168/FENSA

Building Control

Deposit Date: 04.02.2006

FENSA Notification of Replacement Glazing comprising 8 Windows and 0 Doors. Installed by Anglian Windows Ltd. FENSA Member No 13229. Installation ID 3439679. Invoice No S101279468

Reference: 06/5229/FENSA

Building Control

Deposit Date: 28.02.2011

2 Windows

Reference: 11/FEN01289/FENSA

Building Control

Deposit Date: 06.04.2017

Install a gas-fired boiler

Reference: 17/FEN01558/GASAFE

Building Control

Deposit Date: 30.10.2018

Rewire of all circuits Partial rewire

Reference: 18/NAP00292/NAPIT

| | |
|----------------------------------|---|
| Application Number | 21/4457/PDE |
| Address | 8 Coval Gardens East Sheen London SW14 7DG |
| Proposal | Single storey rear extension (5.10m depth, 3.00m eaves height, 4.00m overall height) |
| Contact Officer | Sukhdeep Jhooti |
| Target Determination Date | 03.02.2022 |

1. INTRODUCTION

This application is of a nature where the Council's Constitution delegates the authority to make the decision to Officers rather than it being determined by the Planning Committee.

By indicating that the development proposal complies with the relevant provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) the planning officer is taking into account the information submitted with the application and any previous relevant applications.

No information has been discovered revealing removal of permitted development rights, it is therefore understood that the property's permitted development rights are intact and there are no restrictive conditions or outstanding Enforcement notices covering the property

2. DESCRIPTION OF THE SITE

The application site comprises a two-storey, semi-detached dwellinghouse along the western side of the street. It is situated within East Sheen Village.

3. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

Single storey rear extension (5.10m depth, 3.00m eaves height, 4.00m overall height)

The relevant history associated with this site is set out below:

- **21/4410/HOT** - Construction of hip to gable roof extension with rear dormer, installation of 2 no. rooflights to the front roof slope and installation of external wall insulation to rear elevation. **Pending consideration.**

4. ASSESSMENT AGAINST THE GPDO CRITERIA

This application is for determination as to whether prior approval of a larger home extension is required. The determination is made in relation to the provisions of Class A of the Town and Country Planning (General Permitted Development) Order.

A.1 Development is not permitted by Class A if:

| | | Complies | |
|---|--|---|-----------------------------|
| 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); | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| B | As a result of the works, the total area of ground covered by buildings within the curtilage of the dwellinghouse (other than the original dwellinghouse) would exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse); | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| C | The height of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the highest part of the roof of the existing dwellinghouse | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| D | The height of the eaves of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the eaves of the existing dwellinghouse | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| E | The enlarged part of the dwellinghouse would extend beyond a wall which- Forms the principal elevation of the original dwellinghouse; or Fronts a highway and forms a side elevation of the original | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |

| | | | |
|----|--|---|-----------------------------|
| | dwellinghouse; | | |
| F | Subject to paragraph (g), The enlarged part of the dwellinghouse would have a single storey and- Extend beyond the rear wall of the original dwellinghouse by more than 4 metres in the case of a detached dwellinghouse, or 3 metres in the case of any other dwellinghouse, Exceed 4 metres in height | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| G | For a dwellinghouse not on article 2(3) land nor on a site of special scientific interest, the enlarged part of the dwellinghouse would have a single storey and - Extend beyond the rear wall of the original dwellinghouse by more than 8 metres in the case of a detached dwellinghouse, or 6 metres in the case of any other dwellinghouse, or Exceed 4 metres in height | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| H | The enlarged part of the dwellinghouse would have more than a single storey and- (i) Extend beyond the rear wall of the original dwellinghouse by more than 3 meters, or (ii) Be within 7 meters of any boundary of the curtilage of the dwellinghouse being enlarged which is opposite the rear wall of that dwellinghouse | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| I | The enlarged part of the dwellinghouse would be within 2 meters of the boundary of the curtilage of the dwellinghouse, and the height of the eaves of the enlarged part would exceed 3 meters | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| J | The enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse, and would- Exceed 4 meters in height, Have more than a single storey, or Have a width greater than half the width of the original dwellinghouse; | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| JA | Any total enlargement (being the enlarged part together with any existing enlargement of the original dwellinghouse to which it will be joined) exceeds or would exceed the limits set out in sub-paragraphs (e) to (j); | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| K | It would consist of or include--- (i) The construction or provision of a verandah, balcony or raised platform, (ii) The installation, alteration or replacement of a microwave antenna, (iii) The installation, alteration or replacement of a chimney, flue or soil and vent pipe, or (iv) An alteration to any part of the roof of the dwellinghouse. | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| L | The dwellinghouse is built under Part 20 of this Schedule (construction of new dwellinghouses). | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |

A.2 In the case of a dwellinghouse on article 2(3) land, development is not permitted by Class A if-

| Complies | | | | |
|----------|--|------------------------------|-----------------------------|---|
| A | It would consist of or include the cladding of any part of the exterior of the dwellinghouse with stone, artificial stone, pebble dash, render, timber, plastic or tiles | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| B | The enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse; or | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| C | The enlarged part of the dwellinghouse would have more than a single storey and extend beyond the rear wall of the original dwellinghouse | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| D | any total enlargement (being the enlarged part together with any existing enlargement of the original dwellinghouse to which it will be joined) exceeds or would exceed the limits set out in sub-paragraphs (b) and (c) | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |

A.3 Development is permitted by Class A subject to the following conditions-

| Complies | | | | |
|----------|---|---|-----------------------------|------------------------------|
| A | The materials used in any exterior work (other than materials used in the construction of a conservatory) must be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> | N/A <input type="checkbox"/> |

| | | | | |
|---|--|------------------------------|-----------------------------|---|
| B | Any upper-floor window located in a wall or roof slope forming a side elevation of the dwellinghouse must be obscure-glazed, and 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; and | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| C | Where the enlarged part of the dwellinghouse has more than a single storey, or forms an upper storey on an existing enlargements of the original dwellinghouse, the roof pitch of the enlarged part must, so far as practicable, be the same as the roof pitch of the original dwellinghouse | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |

5. CONSULTATIONS CARRIED OUT

Larger single-storey extensions are subject to a neighbour consulted so their impact on neighbour amenity can be taken into account. The requirements of the neighbour consultation scheme are set out in paragraph A.4 of Class A. Adjoining neighbours have been consulted on the application, and one objection has been received which is summarised below:

- Concerns raised that the proposed extension could result in a narrowing of access rights in relation to the shared driveway.
- An intended change of use of the existing garage to an ‘outbuilding’ and possible future residential use.
- Concerns that proposal would result in reduction to the width of the existing driveway by adding insulation to the outer flank wall by rendering thereby making the exterior finish conflict with other houses along the street.
- Concerns raised the proposal would result in annexation of one half of the bell-end of the joint drive for the use and enjoyment of the owners of No. 8 Coval Gardens therefore affecting prescriptive rights.
- Concerns that side wall would not be red brick to match
- A statement of condition should be requested before commencement of works and arrangements for contractor access will need to be agreed as the driveway is the only way on to the area of the proposed development
- The work will give rise to the need for a Party Wall Award under section 6 of the Act.
- Technical drawings required for Building Regulation Consent for foundation designs to protect my interests
- The existing driveway is currently unsafe as the right-hand buttress supporting the porch of 8 Coval Gardens has bowed. This could be exacerbated by the proposed works.
- No overlooking windows are indicated on the flank wall which will need to be confirmed.

6. IMPACT ON NEIGHBOUR AMENITY

Policy LP8 of the Local Plan 2018 states that development must protect the amenity and living conditions of existing, adjoining and neighbouring occupants. Design must allow for good daylight standards, avoid overlooking or noise disturbance, avoid visual intrusion , overbearing impacts or harm to the reasonable enjoyment of the uses of buildings and gardens. Harm may arise from various impacts such as noise, air pollution, odours or vibration.

The SPD on House Extensions and External Alterations (2015) notes that generally an extension of 3.5m in depth for a semi-detached property will be acceptable. However, the final test of acceptability is dependent on the specific circumstances of the site which may justify a greater projection.

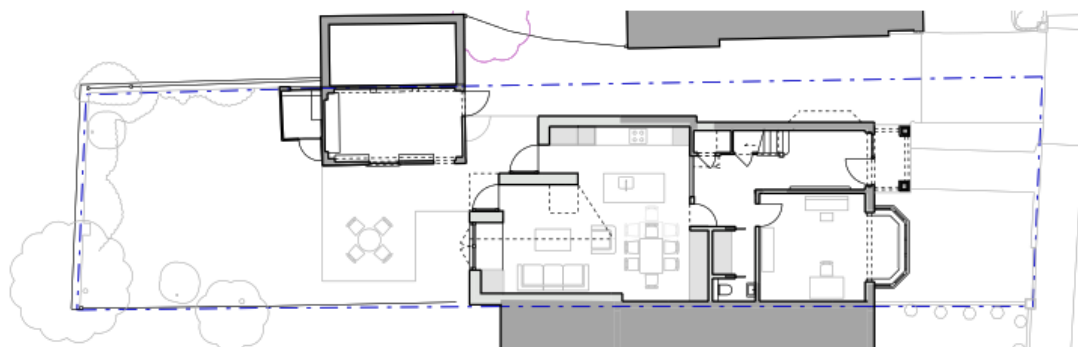


Figure 1. Proposed Site Plan

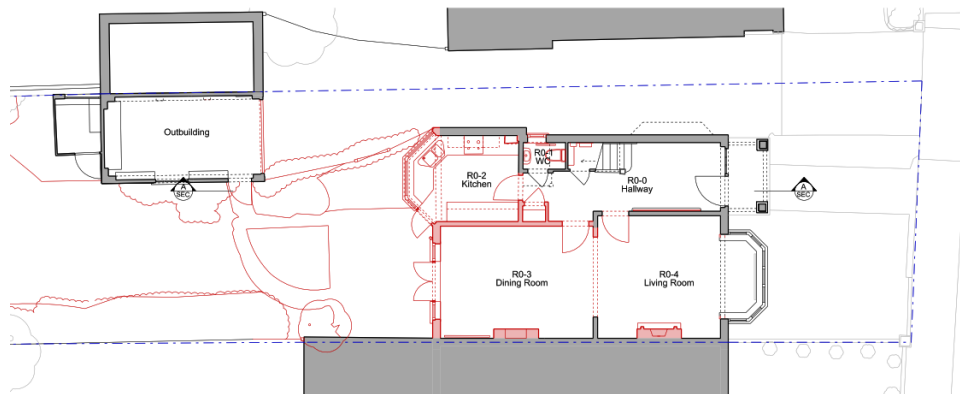


Figure 2: Existing ground floor plan

Impact on No. 10 Coval Gardens

No. 10 Coval Gardens is to the north of the site. It is the detached adjoining neighbouring property. The proposed extension would be significantly set off from the common boundary with No. 10 owing to the shared driveway. Due to the distance of the proposed extension from this neighbouring property, it would not be highly visible when viewed from the nearest ground floor rear habitable room windows of No. 10. There would be no flank windows facing towards No. 10. The proposed rooflights within the roof of the proposed single-storey rear extension would not cause direct overlooking of this neighbouring property due to its siting and profile. The proposed extension would be stepped to mitigate the amenity impact on the inhabitants of this neighbouring property. The proposed extension by reason of its overall height, width and depth would not result in demonstrable harm to the light, outlook and privacy afforded to the inhabitants of No. 10 Coval gardens when viewed from the nearest ground floor habitable room windows and rear garden area of this property.

Impact on No. 6 Coval Gardens

No. 6 Coval Gardens is situated to the south of the site. It is the adjoining pair of semi's to which the subject property forms a part of. This neighbouring property benefits from a single storey rear extension which measures approx. 4m in depth, 3.4m in height and approx. 3m in eaves height. This was granted under decision reference: 16/4924/PDE. The proposed extend would project approximately 1m beyond this neighbouring extension. It would pass the 45-degree BRE test on daylight/sunlight when taken from the centre of the nearest ground floor habitable rooms of this property. The proposed extension by reason of its overall height, width and depth would not have a material impact upon the residential amenity afforded to the inhabitants of this neighbouring dwelling.

Impact on all other neighbouring properties

No other neighbouring properties would be affected by the proposal by reason of its size, scale, siting and design.

The proposal would safeguard neighbour living conditions for reasons outlined above. It would comply with Policy LP8 of the adopted plan.

Other matters

The neighbour presentations raised the following objections which are addressed below:

- The Concerns raised that the proposed extension could result in a narrowing of access rights in relation to the shared driveway.

Officer comment – The proposal would not result in the narrowing of the existing driveway. In anycase, this is a civil law matter separate to the planning process. Legal advice should be sought.

- An intended change of use of the existing garage to an 'outbuilding' and possible future residential use.

Officer comment - This application does not concern the existing garage; it relates to a single-storey rear extension to the existing dwellinghouse. Any changes to the existing garage cannot be considered as part of this application.

- Concerns that proposal would result in reduction to the width of the existing driveway by adding insulation to the outer flank wall by rendering thereby making the exterior finish conflict with other houses along the street.

Officer comment – The proposal would not result in a reduction in the width of the shared driveway. No insulation is proposed to the outer flank wall as part of this application. External wall insulation cannot be considered as part of this application.

- Concerns raised the proposal would result in annexation of one half of the bell-end of the joint drive for the use and enjoyment of the owners of No. 8 Coval Gardens therefore affecting prescriptive rights.

Officer comment - This pointed has been addressed above.

- Concerns that side wall would not be red brick to match

Officer comment – Plans submitted show the side wall of the proposed extension to be in brick to match existing. the extension would not comply with permitted development legislation were materials to not match existing. The decision notice will remind the applicant of this.

- A statement of condition should be requested before commencement of works and arrangements for contractor access will need to be agreed as the driveway is the only way on to the area of the proposed development

Officer comment – The above is a civil matter and cannot be conditioned as part of this application.

- The work will give rise to the need for a Party Wall Award under section 6 of the Act.

Officer comment – Part Wall legislation is separate to planning legislation. An informative will be placed reminding the applicant to read the guide produced by the Department for Levelling Up, Housing, Communities and Local Government on the Party Wall Act 1996.

- Technical drawings required for Building Regulation Consent for foundation designs to protect my interests

Officer comment – The Local Planning Authority cannot request or condition this as part of the prior approval process. Building Control legislation is set out primarily in the Building Act 1984. Further details are set out in the Building Control section of the Council's website or by contacting the Council over the phone, by email or in-person depending on covid-19 regulations at the time.

- The existing driveway is currently unsafe as the right-hand buttress supporting the porch of 8 Coval Gardens has bowed. This could be exacerbated by the proposed works.

Officer comment – The above is a civil matter and outside the scope of this application.

- No overlooking windows are indicated on the flank wall which will need to be confirmed.

Officer – No flank windows are proposed.

7. RECOMMENDATION

The prior approval of the Council is required and granted

The prior approval of the Council is required and granted for the development

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): SJH

Dated: 02.02.2022

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:02.02.2022.....