

## Application reference: 23/1469/PS192 TEDDINGTON WARD

Date application received	Date made valid	Target report date	8 Week date
30.05.2023	30.05.2023	25.07.2023	25.07.2023

**Site:**

2 Park Lane, Teddington, TW11 0JA,

**Proposal:**

Demolition of rear Roof and new dormer construction and tiling. Demolition of existing conservatory, Rear Wall, construction of new foundations and new structure. New Front Porch.

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

**APPLICANT NAME**

Mr and Mrs Stephen and Jessica  
Kingsmith  
2 Park Lane  
Teddington  
Richmond Upon Thames  
TW11 0JA

**AGENT NAME**

Mrs Ana Meneses  
10 Crane Way  
London  
TW2 7NJ  
United Kingdom

**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: PNR Application:91/0638/S64  
Date:14/05/1991 Single Storey Rear Extension.

Development Management

Status: REF Application:23/0574/PS192  
Date:26/04/2023 Rear dormer roof extension, single storey rear extension and front porch extension.

Development Management

Status: REF Application:23/0575/HOT  
Date:28/04/2023 Side extension at ground and first floor level. Front porch extension.

Development Management

Status: PCO Application:23/1438/HOT  
Date: Proposed two storey side extension and porch.

Development Management

Status: PCO Application:23/1469/PS192  
Date: Demolition of rear Roof and new dormer construction and tiling. Demolition

of existing conservatory, Rear Wall, construction of new foundations and new structure. New Front Porch.

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Building Control

Deposit Date: 24.06.2008      Installed a Gas Boiler

Reference: 08/COR01508/CORGI

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## **Project Officer Report**

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### **Proposal**

A number of alterations are proposed as part of this S192 application, which are:

- Single storey rear extension replacing the existing conservatory (Class A);
- Replacing the existing garage door (Class A);
- Rear dormer roof extension and new tiles (Class B);
- No. 2 roof lights to the front roof slope and No. 1 roof light on top of the proposed rear dormer (Class C);
- Replacing the existing porch (Class D); and
- Removal of the front chimney stack (Class G).

### **Site Description**

The application site is occupied by a two-storey semi-detached dwelling, which does not possess any heritage designation.

### **Relevant Planning History**

(PD) 91/0638/S64 - Single Storey Rear Extension - Granted 14/05/1991.

**23/0574/PS192** - Rear dormer roof extension, single storey rear extension and front porch extension - Refused 26/04/2023.

### Reasons for Refusal

*This proposal CONSTITUTES DEVELOPMENT within the meaning of Section 55 of the Town and Country Planning Act 1990, and a planning application IS REQUIRED. This is because it does not meet criteria laid down in the Town and Country Planning (General Permitted Development) (England) Order 2015 and any subsequent legislative amendments, namely:*

*The proposal is not considered to be lawful within the meaning of section.192 of the Act, given the proposal failed to meet the requirements of Classes A and D of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (GDPO), namely:*

*The single storey rear extension would straddle the shared boundary with No. 4 Park Lane, therefore falling outside the curtilage of the dwellinghouse. As such, this fails to comply with the fundamental criterion of Schedule 2, Part 1 of the GDPO, in particular being a development within the curtilage of the dwellinghouse.*

*A.1(i): the single storey rear extension would be within 2 metres of the boundary of the curtilage of the dwellinghouse, and the height of the eaves of this would exceed 3 metres.*

D.1(c): the porch would be more than 3 metres above ground level.

## Planning Policies

The application will be assessed against Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (GDPO), which relates to "Development within the curtilage of a dwellinghouse". These rights have not been removed or restricted by any previous planning conditions.

## Assessment

Class A - enlargement, improvement or other alteration of a dwellinghouse.

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

A.1 Development is not permitted by Class A if-	Officer's Comment:
<b>(a)</b> 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>(b)</b> as a result of the works, the total area of ground covered by buildings within the curtilage of the dwellinghouse (other than original) dwellinghouse) would exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse);	Complies.
<b>(c)</b> 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;	Complies.
<b>(d)</b> 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;	Complies.
<b>(e)</b> the enlarged part of the dwellinghouse would extend beyond a wall which- (i) forms the principal elevation of the original dwellinghouse; or (ii) fronts a highway and forms a side elevation of the original dwellinghouse	Complies.
<b>(f)</b> subject to paragraph (g), the enlarged part of the dwellinghouse would have a single storey and- (i) extend beyond the rear wall of the original dwellinghouse by more than 4m in the case of a detached dwellinghouse, or 3m in the case of any other dwellinghouse, or (ii) exceed 4m in height;	Complies. The single storey rear addition would extend beyond the rear wall of the original dwellinghouse by 3m in the case of semi-detached dwellinghouse and would not exceed 4m in height.
<b>(g)</b> 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 --- (i) extend beyond the rear wall of the original	Not Applicable.

dwellinghouse by more than 8m in the case of a detached dwellinghouse, or 6m in the case of any other dwellinghouse, or (ii) exceed 4m in height;	
<b>(h)</b> 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 3m, or (ii) be within 7m of any boundary of the curtilage of the dwellinghouse being enlarged which is opposite the rear wall of that dwellinghouse;	Not Applicable.
(i) the enlarged part of the dwellinghouse would be within 2m of the boundary of the curtilage of the dwellinghouse, and the height of the eaves of the enlarged part would exceed 3m;	Complies.
<b>(j)</b> the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse, and would- (i) exceed 4m in height, (ii) have more than a single storey, or (iii) have a width greater than half the width of the original dwellinghouse; or	Complies.  the single storey rear extension would <u>not</u> extend beyond a wall forming a side elevation of the original dwellinghouse, and would- (i) <u>not</u> exceed 4m in height, (ii) <u>not</u> have more than a single storey, or (iii) have a width greater than half the width of the original dwellinghouse.
<b>(ja)</b> any total enlargement (being the enlarged part together with any existing enlargement of the dwellinghouse to which it will be joined) exceeds or would exceed the limits set out in sub-paragraphs (e) to (j);	Complies.
<b>(k)</b> 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, soil and vent pipe, or (iv) an alteration to any part of the roof of the dwellinghouse.	Complies.

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

<b>A.2 In the case of a dwellinghouse on article 2(3) land, development is not permitted by Class A if-</b>	<b>Officer's Comment:</b>
<b>(a)</b> 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;	Not Applicable.
<b>(b)</b> The enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of	Not Applicable.

the original dwellinghouse; or	
<b>(c)</b> The enlarged part of the dwellinghouse would have more than a single storey and extend beyond the rear wall of the original dwellinghouse;	Not Applicable.
<b>(d)</b> 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 subparagraphs (b) and (c).	Not Applicable.

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

A.3 Development is permitted by Class A subject to the following conditions-	Officer's Comment:
<b>(a)</b> 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;	<p><b>Addressed by Condition.</b></p> <p>Permitted development rights for householders - Technical Guidance (2019) states that <i>“what is important is that the openings give a similar visual appearance to those in the existing house, for example in terms of their overall shape, and the colour and size of the frames”</i>.</p> <p>The openings of the single storey rear extension would appear to be grey rather than white as the existing windows.</p>
<b>(b)</b> any upper-floor window located in a wall or roof slope forming a side elevation of the dwellinghouse must be— (i) obscure-glazed, and (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.	Not Applicable.
<b>(c)</b> where an enlarged part of the dwellinghouse has more than a single storey, or forms an upper storey to an existing enlargement 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.	Not Applicable.

The proposal falls under Class B - an addition or alteration to the roof.

Requirements under Class B	Compliance
B.1 Development is not permitted by Class B if-	
(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	Compliant.

this Schedule (change of use)	
(b) any part of the dwellinghouse would, as a result of the works, exceed the height of the highest part of the existing roof	Compliant.
(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	Compliant.
(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 <b>(ii) 50 cubic metres in any other case</b>	Compliant.  The Volume Calculation contained in the Drawing No. PL_06_PD received the 30 <sup>th</sup> of May 2023 is found to be correct.
(e) It would consist of or include - (i) The construction or provision of a verandah, balcony or raised platform, or (ii) The installation, alteration or replacement of a chimney, flue or soil and vent pipe	Compliant.
(f) The dwellinghouse is on article 2(3) land	Not Applicable.
<b>B.2 Development is permitted by Class B subject to the following conditions:</b>	
(a) The materials used in any exterior work shall be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse	Compliant.
(b) The enlargement shall be constructed so that – (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 –  (aa) the eaves of the original roof are maintained or reinstated; and  (bb) the edge of the enlargement closest to the eaves of the original roof shall, so far as practicable, be not less than 0.2 metres from the eaves, measure along the roof slope from the outside edge of the eaves; and  (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	Compliant.
(c) Any window inserted on a wall or roof slope forming a side elevation of the dwellinghouse shall be – (i) Obscure-glazed, and (ii) Non-opening unless the parts of the windows which can be opened are more than 1.7 metres above the floor of the room in which the window is installed	Not Applicable.

The proposal falls under Class C - other alterations to the roof.

Requirements under Class C	Compliance
C.1 Development is not permitted by Class C if-	
(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)	Compliant.
(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	Compliant.
(c) It would result in the highest part of the alteration being higher than the highest part of the original roof; or	Compliant.
(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	Compliant.
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 shall be –	
(a) Obscure-glazed; and (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	Not Applicable.

The proposal falls under Class D - porches.

Requirements under Class D	Compliance
D.1 Development is not permitted by Class D if -	
(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);	Compliant.
(b) the ground area (measured externally) of the structure would exceed 3 square metres;	Compliant.  The area of the porch contained in the Drawing No. PL_05_PD received the 30 <sup>th</sup> of May 2023 is found to be correct.
(c) any part of the structure would be more than 3 metres above ground level;	Compliant.
(d) any part of the structure would be within 2 metres of any boundary of the curtilage of the dwellinghouse with a highway.	Compliant.

The proposal falls under Class G - chimney, flues etc.

Requirements under Class G	Compliance
G.1 Development is not permitted by Class G if-	
(a) permission to use the dwellinghouse as a dwellinghouse has	Compliant.

been granted only by virtue of Class M, N, P, PA or Q of Part 3 of this Schedule (change of use);	
(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; or	Compliant.
(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.	Not Applicable.

**Summary:**

The proposal is considered to be lawful within the meaning of s.192 of the Act, given such proposal meets the requirements of Classes A, B, C, D and G of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

**Recommendation:**

It is recommended that application 23/1469/PS192 is supported, and a Lawful Development Certificate is issued.

**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  
 (\*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): GAP Dated: 02/06/2023

**I agree the recommendation:**

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

Dated: 20/07/2023.....

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: .....



<b>REASONS:</b>
<b>CONDITIONS:</b>
<b>INFORMATIVES:</b>
<b>UDP POLICIES:</b>
<b>OTHER POLICIES:</b>

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**

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**CONDITIONS**

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**INFORMATIVES**

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