

**Place Division / Development Management**

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Tim Houlihan  
Great West Design  
Office G09, West Link House  
981 Great West Road  
Brentford  
TW8 9DN

Letter Printed 30 April 2024

**FOR DECISION DATED**  
30 April 2024

Dear Sir/Madam

**The Town and Country Planning Act 1990, (as amended)**  
**The Town And Country Planning (General Permitted Development) (England)**  
**Order 2015 (as Amended)**  
**The Town and Country Planning (Development Management Procedure)**  
**(England) Order 2015**

**Application:** 24/0696/PS192  
**Your ref:** 178 St Leonards Road - LDC Lo...  
**Our ref:** DC/JLO/24/0696/PS192/PS192  
**Applicant:** Mr Anthony Neilson  
**Agent:** Tim Houlihan

**WHEREAS** in accordance with the provisions of the Town and Country Planning Act 1990 and the relevant Orders made thereunder, you have made an application received on **15 March 2024** for a **CERTIFICATE OF LAWFUL USE OR DEVELOPMENT** relating to:

**178 St Leonards Road East Sheen London SW14 7NN**

for

**Hip to gable and rear dormer roof extensions. Rooflights to front elevation.**

You are advised that the above works/use at the premises edged red on the decision drawings specified on the attached schedule were/was lawful within the meaning of Section 192 of the Town and Country Planning Act 1990 (as amended) for the reason(s) summarised and detailed on the attached schedule.

Yours faithfully

A handwritten signature in black ink, appearing to read 'R. Angus', with a long horizontal flourish extending to the right.

Robert Angus  
Head of Development Management

# SCHEDULE OF CONDITIONS AND INFORMATIVES FOR APPLICATION 24/0696/PS192

## APPLICANT NAME

Mr Anthony Neilson  
178 St Leonards Road  
East Sheen  
London  
Richmond Upon Thames  
SW14 7NN

## AGENT NAME

Tim Houlihan  
Office G09, West Link House  
981 Great West Road  
Brentford  
TW8 9DN

## SITE

178 St Leonards Road East Sheen London SW14 7NN

## PROPOSAL

Hip to gable and rear dormer roof extensions. Rooflights to front elevation.

The reason(s) and/or informatives(s) applicable to this application are as follows:

## SUMMARY OF CONDITIONS AND INFORMATIVES

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### CONDITIONS

LD02C	Devt/Permitted Class B Roof Extensions
LD02D	Devt/Permitted Class C Roof Alterations

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### INFORMATIVES

U0091377	Composite Informative
U0091382	Volume Limits
U0091379	Section 192 Informative

## PLEASE NOTE:

1. This certificate issued solely for the purpose of Section 192 of the Town and Country Planning Act 1990 (as amended).
2. It certifies that the use/operations/matter specified taking place on the land described above was/would have been lawful on the specified date and thus was not/would not have been liable to enforcement action under Section 172 of the 1990 Act on that date.
3. This certificate applies only to the extent of the use/operations/matter described and to the land specified and identified on the attached plan. Any use/operations/matter which is materially different from that described or which relates to other land may render the owner or occupier liable to enforcement action.
4. The effect of the certificate is also qualified by the proviso in section 192(4) of the 1990 Act, as amended, which states that the lawfulness of the described use or operation is only conclusively presumed when there has been no material change, before the use of is instituted or the operations begun, in any of the matters relevant to determining such lawfulness.

# DETAILED CONDITIONS AND INFORMATIVES

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## DETAILED CONDITIONS

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### LD02C Devt/Permitted Class B Roof Extensions

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 subject to the following conditions:

- (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;
- (b) the enlargement must 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 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
  - (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
- (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 window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed.

### LD02D Devt/Permitted Class C Roof Alterations

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 subject to the following condition:

- (a) that any window located on a roof slope forming a side elevation of the dwellinghouse shall 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.

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## DETAILED INFORMATIVES

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### U0091377 Composite Informative

#### Building Regulations:

The applicant is advised that the erection of new buildings or alterations to existing buildings should comply with the Building Regulations. This permission is NOT a consent under the Building Regulations for which a separate application should be made. For application forms and advice please contact the Building Control department, 2nd floor, Civic Centre, 44 York Street, Twickenham, TW1 3BZ. (Tel: 020 8891 1411). If you alter your proposals in any way, including to comply with the Building Regulations, a further planning application may be required. If you wish to deviate in

any way from the proposals shown on the approved drawings you should contact the Development Management department, 2nd floor, Civic Centre, 44 York Street, Twickenham, TW1 3BZ. (Tel: 020 8891 1411).

**Damage to the public highway:**

Care should be taken to ensure that no damage is caused to the public highway adjacent to the site during demolition and (or) construction. The Council will seek to recover any expenses incurred in repairing or making good such damage from the owner of the land in question or the person causing or responsible for the damage.

BEFORE ANY WORK COMMENCES you MUST contact the London Borough of Richmond upon Thames, 44 York Street, Twickenham TW1 3BZ, Telephone 020 8891 1411 to arrange a pre-commencement photographic survey of the public highways adjacent to and within the vicinity of the site. The precondition survey will ensure you are not charged for any damage which existed prior to commencement of your works.

If you fail to contact us to arrange a pre commencement survey then it will be assumed that any damage to the highway was caused by your activities and you will be charged the full cost of repair.

Once the site works are completed you need to contact us again to arrange for a post construction inspection to be carried out. If there is no further damage then the case will be closed. If damage or further damage is found to have occurred then you will be asked to pay for repairs to be carried out.

**Noise control - Building sites:**

The attention of the applicant is drawn to the requirements of Section 60 of the Control of Pollution Act 1974 in respect of the minimisation of noise and vibration on construction and demolition sites. Application, under section 61 of the Act for prior consent to the works, can be made to the Environmental Health department.

Under the Act the Council has certain powers to control noise from construction sites. Typically the council will limit the times during which sites are permitted to make noise that their neighbours can hear.

For general construction works the Council usually imposes (when necessary) the following limits on noisy works:-

Monday to Friday 8am to 6pm

Saturdays 8am to 1pm

Sundays and Public Holidays - No noisy activities allowed

Applicants should also be aware of the guidance contained in British Standard BS 5228-1:2009+A1:2014 - Noise and vibration control on construction and open sites.

Any enquiries for further information should be made to the Noise & Nuisance Team, Regulatory Services Partnership [NoiseandNuisance@merton.gov.uk](mailto:NoiseandNuisance@merton.gov.uk).

**U0091382 Volume Limits**

You are advised that the proposed extension has been designed at the limits of the permitted development allowance for a semi-detached property and thus leaving no margin for error. You are advised that should the works exceed the upper limits of permitted development, planning permission will be required. If this is the case, a retrospective application for planning permission may not necessarily be approved given the conflict with the Council's supplementary planning guidance for house extensions.

**U0091379 Section 192 Informative**

If you alter your proposals in any way, including in order to comply with the requirements of the Building Regulations, planning permission may be required. The proposal approved by this decision may not be implementable without express planning permission if other external work has taken place under another Certificate of Lawful Development or planning permission granted before or after this decision. If you wish to deviate in any way from the proposals shown on the above drawings you should contact the Development Control Section of the Street Scene Department, 2nd floor, Civic Centre, 44 York Street, Twickenham, TW1 3BZ (Tel: 020 8891 7300).

For the avoidance of doubt the drawing numbers to which this decision refers are as follows: Existing and Proposed drawings DN01 rev B; DN02 rev B; DN03 rev B; DN04 rev B; DN05 rev B; DN06 rev B; DN07 rev B; DN08 rev B; DN09 Rev B (Received 30.04.24).

END OF SCHEDULE OF CONDITIONS AND INFORMATIVES FOR APPLICATION  
24/0696/PS192

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**NOTES:**

- 1. If you are aggrieved by the decision of the Council to refuse an application for a certificate under Sections 191 and 192 of the Town and Country Planning Act 1990 (as amended) or to refuse in part you may appeal to the Secretary of State under Section 195 of the Act (as amended).**
- 2. Notices of appeal must be submitted online at [www.planninginspectorate.gov.uk](http://www.planninginspectorate.gov.uk) or in writing to Initial Appeals, The Planning Inspectorate, Temple Quay House, 2 The Square, Bristol BS1 6PN or in Wales to the Secretary of State for Wales, Cathays Park, Cardiff CF1 3NQ. Copies of all relevant documents, including the application, the notice of decision and all plans, drawings and correspondence must be supplied to the Secretary of State.**
- 3. You are advised to consult the brief official guide to the applications and appeals, published by the department of the Environment and the Welsh Office from which the appeal forms may also be obtained on request.**