

**Application reference: 24/0894/PS192**  
**KEW WARD**

Date application received	Date made valid	Target report date	8 Week date
08.04.2024	08.04.2024	03.06.2024	03.06.2024

**Site:**

8 Popham Gardens, Lower Richmond Road, Richmond, TW9 4LJ

**Proposal:**

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

**APPLICANT NAME**

Akbarali Bhanji  
8 Popham Gardens Lower  
Richmond Road  
Richmond  
Richmond Upon Thames  
TW9 4LJ

**AGENT NAME**

Dalraj Bancel  
131 Heston Road  
Heston  
TW5 0RD  
United Kingdom

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

**Neighbours:**

-

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

Development Management

Status: PCO

Application:24/0894/PS192

Date:

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

Building Control

Deposit Date: 27.05.2006

FENSA Notification of Replacement Glazing comprising 0 Windows and 1 Doors. Installed by Village Windows & Conservatories. FENSA Member No 28502. Installation ID 3776052. Invoice No 1280

Reference: 06/6029/FENSA

Building Control

Deposit Date: 21.09.2021

Install a gas-fired boiler

Reference: 21/FEN03116/GASAFE

Enforcement

Opened Date: 24.10.1996

Enforcement Enquiry

Reference: 96/00542/EN

<b>Application Number</b>	<b>24/0894/PS192</b>
<b>Address</b>	<b>8 Popham Gardens Lower Richmond Road Richmond TW9 4LJ</b>
<b>Proposal</b>	<b>Hip to gable and rear dormer roof extensions. Rooflights to front elevation</b>
<b>Contact Officer</b>	<b>Jeremy Maclsaac</b>

## 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

8 Popham Gardens is a semi-detached dwellinghouse located on the north side of Popham Gardens.

The application site is designated as:

Area Susceptible To Groundwater Flood - Environment Agency	Superficial Deposits Flooding - >= 75% - SSA Pool ID: 1491
Article 4 Direction Basements	Article 4 Direction - Basements / Ref: ART4/BASEMENTS / Effective from: 18/04/2018
Community Infrastructure Levy Band	Higher
Increased Potential Elevated Groundwater	GLA Drain London
Risk of Flooding from Surface Water 1 in 1000 chance - Environment Agency	RoFSW Extent 1 In 1000 year chance - SSA Pool ID: 25804
Risk of Flooding from Surface Water 1 in 1000 chance - Environment Agency	RoFSW Extent 1 In 1000 year chance - SSA Pool ID: 25850
Risk of Flooding from Surface Water 1 in 1000 chance - Environment Agency	RoFSW Extent 1 In 1000 year chance - SSA Pool ID: 45729
Surface Water Flooding (Area Less Susceptible to) - Environment Agency	
Surface Water Flooding (Area Less Susceptible to) - Environment Agency	
Surface Water Flooding (Area Less Susceptible to) - Environment Agency	

Surface Water Flooding (Area Less Susceptible to) - Environment Agency	
Take Away Management Zone	Take Away Management Zone
Village	Kew Village
Village Character Area	Around Chancer Avenue, Atwood Avenue and Taylor Avenue - Area 11 Kew Village Planning Guidance Page 39 CHARAREA02/11/01
Ward	Kew Ward

**3. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY**

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

**Volume calculation:** (if applicable)

*Hip to gable roof extension*

$$(h\ 8.39) \times (w\ 2.91) \times (d\ 4.00) / 6 = 16.27\ m^3$$

*Rear dormer roof extension*

$$(h\ 6.01) \times (w\ 3.90) \times (d\ 2.66) / 2 = 31.17\ m^3$$

Total: 47.44 m<sup>3</sup>

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**

None

**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>B.1 Development is not permitted by Class B if—</b>	<b>Officer’s Comment:</b>
<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> any part of the dwellinghouse would, as a result of the works, exceed the height of the highest part of the existing roof;	Complies
<b>(c)</b> 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
<b>(d)</b> 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)
<b>(e)</b> 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;	Complies
<b>(f)</b> the dwellinghouse is on article 2(3) land;	Complies
<b>(g)</b> the dwellinghouse is built under Part 20 of this Schedule (construction of new dwellinghouses); or	Complies
<b>(h)</b> the existing dwellinghouse has been enlarged in reliance on the permission granted by Class AA (enlargement of a dwellinghouse by construction of additional storeys)	Complies

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

<b>B.2 Development is permitted by Class B subject to the following conditions—</b>	<b>Officer’s Comment:</b>
<b>(a)</b> 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;	Complies  As annotated on plan PL1/SM/3389 – 04 (Proposed Elevations)
<b>(b)</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	Complies  As annotated on plan PL1/SM/3389 – 04 (Proposed Elevations)

<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><b>(c)</b> any window inserted on 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.</p>	<p>Complies                   As annotated on plan PL1/SM/3389 – 04 (Proposed Elevations)</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—

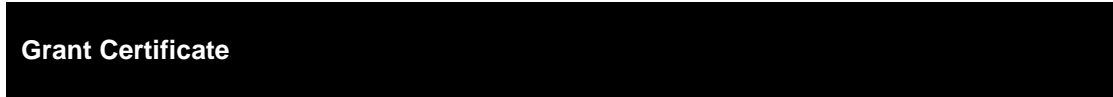
<b>C.1 Development is not permitted by Class C if</b>	<b>Officer’s Comment:</b>
<p><b>(a)</b> permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class M, N, P, PA or Q of Part 3 of this Schedule (changes of use);</p>	<p>Complies</p>
<p><b>(b)</b> the alteration 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;</p>	<p>Complies (&lt; 0.15m as annotated on submitted drawing PL1/SM/3389 – 04 Proposed Elevations)</p>
<p><b>(c)</b> it would result in the highest part of the alteration being higher than the highest part of the original roof;</p>	<p>Complies</p>
<p><b>(d)</b> 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;</p>	<p>Complies</p>
<p><b>(a)</b> the dwellinghouse is built under Part 20 of this Schedule (construction of new dwellinghouses)</p>	<p>Complies</p>

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—

<b>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</b>	<b>Officer’s Comment:</b>
<p><b>(a)</b> obscure-glazed; and</p>	<p>Complies                  As annotated on plan PL1/SM/3389 – 04 (Proposed Elevations)</p>

<b>(b)</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

**7. RECOMMENDATION**



**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): .....JMA.....

Dated: .....31.05.2024.....

**I agree the recommendation:**

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

Dated: ...03/06/2024.....

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: .....