

Application reference: 24/1779/PS192 NORTH RICHMOND WARD

Date application received	Date made valid	Target report date	8 Week date
12.07.2024	12.07.2024	06.09.2024	06.09.2024

Site:

15 Ashley Road, Richmond, TW9 2TG,

Proposal:

Insertion of rooflights in the rear roof slopes.

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 Beveridge
15 Ashley Road
Richmond
TW9 2TG

AGENT NAME

Mr Gerard Judge
3 Cardinal Avenue
Morden
SM4 4TA

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:05/0568/PS192
Date:04/04/2005 Proposed ground floor extension to rear of property.

Development Management

Status: GTD Application:05/T0182/TCA
Date:20/04/2005 T1 - Fir Tree - Cut down

Development Management

Status: REF Application:24/0485/PS192
Date:22/04/2024 Single storey rear extension and insertion of rooflights in the rear roof slopes. Existing front door to be brought forward into the existing opening.

Development Management

Status: REF Application:24/1157/PS192
Date:17/05/2024 Single storey rear extension and insertion of rooflights in the rear roof slopes.

Development Management

Status: PDE Application:24/1779/PS192
Date: Insertion of rooflights in the rear roof slopes.

Building Control

Deposit Date: 31.08.2004 Removall of wall and installation of steel support in living room.

Reference: 04/1778/FP

Building Control

Deposit Date: 04.04.2005 Single storey rear infill extension

Reference: 05/0641/BN

Building Control

Deposit Date: 25.01.2014 Installed a Gas Boiler

Reference: 14/FEN00686/GASAFE

Building Control

Deposit Date: 07.03.2021 Install a replacement consumer unit

Reference: 21/NAP00095/NAPIT

Application Number	24/1779/PS192
Address	15 Ashley Road, Richmond, TW9 2TG
Proposal	Insertion of rooflights in the rear roof slopes.
Contact Officer	Kerry McLaughlin

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 property is a two-storey, terraced dwelling, located on the western side of Ashley Road.

The application site is subject to the following planning constraints:

Area Susceptible to Groundwater Flood - Environment Agency	Superficial Deposits Flooding - >= 75% - SSA Pool ID: 146
Article 4 Direction Basements	Article 4 Direction - Basements / Ref: ART4/BASEMENTS / Effective from: 18/04/2018
Conservation Area	CA36 Kew Foot Road
Increased Potential Elevated Groundwater	GLA Drain London
Throughflow Catchment Area (Throughflow and Groundwater Policy Zone)	Adopted: October 2020 , Contact: Local Plan Team
Village	Richmond and Richmond Hill Village
Village Character Area	Kew Foot Road - Area 1 & Conservation Area 36 Richmond & Richmond Hill Village Planning Guidance Page 16 CHARAREA06/01/01
Ward	North Richmond Ward
World Heritage Site and buffer zone	Royal Botanic Gardens, Kew Buffer Zone (c) Historic England 2015. Contains OS data. (c) Crown copyright and database 2015. The most publicly available up to date HE data can be obtained from HistoricEngland.org.uk
World Heritage Site and its buffer zone by Historic England.	Royal Botanic Gardens, Kew - World Heritage Site - Buffer Zone

3. PROPOSAL AND ANY RELEVANT PLANNING HISTORY

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:

Ref	Proposal	Decision
24/1157/PS192	Single storey rear extension and insertion of rooflights in the rear roof slopes.	Refused Permission
24/0485/PS192	Single storey rear extension and insertion of rooflights in the rear roof slopes. Existing front door to be brought forward into the existing opening.	Refused Permission

This current application is a resubmission of the above (24/1157/PS192), for the rooflights only. The previous application was refused solely on the single-storey extension, the reason for refusal is as follows:

“Development / Permission Required

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.

The proposed scheme fails to comply with criterion A.2 (b) of Class A, Part 1, Schedule 2 of The Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2015 (as amended) as the application site is situated within a conservation area and the proposal extends beyond a wall forming a side elevation of the original dwellinghouse.”

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 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	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 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 As shown on drawing number 249/04 Rev C.
(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	Officer’s Comment:
(a) obscure-glazed; and	Not Applicable There are no new upper floor flank facing windows proposes under this application.
(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 There are no new upper floor flank facing windows proposes under this application.

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): KM Dated: 17.07.2024

I agree the recommendation:

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

Dated:GE.....19/07/24.....