



LONDON BOROUGH OF
RICHMOND UPON THAMES

ENVIRONMENT DIRECTORATE

Application reference: 24/1603/PS192
FULWELL AND HAMPTON HILL WARD

Date application received	Date made valid	Target report date	8 Week date
25.06.2024	25.06.2024	20.08.2024	20.08.2024

Site:
12 Oakhurst Close, Teddington, TW11 0JP,

Proposal:
Proposed dormer extension and changes to ground floor rear fenestration.

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

APPLICANT NAME
Marcelo Grossi
12 Oakhurst Close
Teddington
Richmond Upon Thames
TW11 0JP

AGENT NAME
Ms Maria Magos
18 manor gardens
ruislip
ha4 6ub
United Kingdom

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:05/3640/PS192
Date:16/01/2006 New replacement windows

Development Management

Status: REF Application:24/0903/HOT
Date:21/06/2024 Proposed rear dormer extension and internal alterations including rear bifold doors.

Development Management

Status: PCO Application:24/1603/PS192
Date: Proposed dormer extension and changes to ground floor rear fenestration.

Building Control

Deposit Date: 25.02.2006 FENSA Notification of Replacement Glazing comprising 6 Windows and 0 Doors. Installed by House of Surrey. FENSA Member No 12215. Installation ID 3518301. Invoice No 10884

Reference: 06/5355/FENSA

Building Control

Deposit Date: 08.07.2009 Cavity wall insulation

Reference: 09/0156/CWALL

Building Control

Deposit Date: 20.11.2019 Install a gas-fired boiler

Reference: 20/FEN00223/GASAFE

Building Control

Deposit Date: 14.05.2023 Install a gas-fired boiler

Reference: 23/FEN01759/GASAFE

Application Number	24/1603/PS192
Address	12 Oakhurst Close, Teddington, TW11 0JP
Proposal	Proposed dormer extension and changes to ground floor rear fenestration.
Contact Officer	GAP

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 site is occupied by an end-of-terrace dwelling that is not locally or nationally listed nor located in the immediate proximity of ones. This is not situated in a Conservation Area nor in proximity of one also.

The application property is part of a short terrace of No. 7 properties, namely Nos. 1, 2, 3, 9, 10, 11, 12 Oakhurst Close located on the norther side of Hampton Road in Teddington Village, Fulwell and Hampton Hill Ward. The design of these properties appear unique in the area as the majority of such is developed on three levels to the front (3 sloping roofs) and one level to the rear (one sloping roof).

The application site presents a number of flood designations that are not relevant in this specific case given the nature of the proposed scheme.

3. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

The comprehensive list of planning history can be found above however the most relevant planning history is as follows:

24/0903/HOT - Proposed rear dormer extension and internal alterations including rear bifold doors - **Refused 21/06/2024.**

Reason for Refusal - Visual Amenity

The rear dormer roof extension by reason of its combined design, siting, height, width, scale and bulk would result in a visually intrusive, unsympathetic and dominant form of overdevelopment destroying the original roof form. The dormer extension would fail to appear subordinate and proportionate to the original property to the detriment of its overall character and appearance and the Hampton Road Character Area and street scene. As such the proposal fails to comply with, in particular, with policy LP 1 and Supplementary Planning Documents: 'House Extensions and External Alterations' and 'Hampton Wick & Teddington Village Planning Guidance' and Policy 28 of the Local Plan (Regulation 19 version).

The application proposes the following:

- New rear ground floor openings (Class A).
- Rear dormer roof extension (Class B).

Volume calculation:

Rear dormer roof extension:

3.51m (h) x 3.958 (w) x 5.783m (d) / 2 = **40.17 m3**

Total: **40.17 m3 > 40m3**

Notwithstanding the above non-compliance, the exceedance is considered within the range of de minimis.

The scheme seeks confirmation in the form of a lawful development certificate that the construction of the development described above would constitute permitted development.

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".

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:
(a) permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class M,	Complies.

N, P, PA or Q of Part 3 of this Schedule (changes of use);	
(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.
(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;	Complies.
(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;	Complies.
(e) 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	Not Applicable.
(f) 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;	Not Applicable.
(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 --- (i) extend beyond the rear wall of the original 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;	Not Applicable.
(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 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;	Not Applicable.
(j) the enlarged part of the dwellinghouse 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; or	Not Applicable.
(ja) 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.
(k) it would consist of or include- (i) the construction or provision of a verandah, balcony or raised platform,	Complies.

(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.	
--	--

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

A.2 In the case of a dwellinghouse on article 2(3) land, development is not permitted by Class A if-	Officer's Comment:
(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;	Not Applicable.
(b) The enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse; or	Not Applicable.
(c) 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.
(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).	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:
(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;	Complies.
(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.
(c) 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 this Schedule (change of use)	Compliant.
(b) any part of the dwellinghouse would, as a result of the	Compliant.

works, exceed the height of the highest part of the existing roof	
(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 (ii) 50 cubic metres in any other case	Compliant. See above - Section 3 of this Report.
(e) It would consist of or include - (i) The construction of 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.2 Development is permitted by Class B 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	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 slop 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.

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 and B of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

7. RECOMMENDATION

Grant Certificate



It is recommended that application 24/1603/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: 04/07/2024

I agree the recommendation:

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

Dated:19/08/2024

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:

REASONS:
CONDITIONS:
INFORMATIVES:
UDP POLICIES:
OTHER POLICIES:

--

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

CONDITIONS

INFORMATIVES
