

Application reference: 24/1758/PS192

KEW WARD

Date application received	Date made valid	Target report date	8 Week date
10.07.2024	10.07.2024	04.09.2024	04.09.2024

Site:

2 Atwood Avenue, Kew, Richmond, TW9 4HG

Proposal:

The proposal includes a hip to gable and dormer loft conversion.

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

APPLICANT NAME

Mr patrick Owens
2 Atwood Avenue
Kew
Richmond Upon Thames
TW9 4HG
United Kingdom

AGENT NAME

Mr patrick Owens
103 Westfields Avenue,
Barnes
London
SW13 0AY
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:87/2014
Date:14/12/1987 First floor extension.

Development Management

Status: REF Application:23/2150/HOT
Date:05/12/2023 Ground and first floor rear extensions. Reconstruction of the roof to a hip to gable roof with the full width rear dormer. Alterations to the front elevation

Development Management

Status: REF Application:24/0082/HOT
Date:01/03/2024 Ground and first floor rear extensions. Front elevation remodelling . Hip to gable roof extension with rear dormers.

Development Management

Status: GTD Application:24/1003/HOT
Date:31/05/2024 Part single/part two storey rear extension. Remodelling of front elevation to include two projecting bay windows, relocated front entrance and fenestratio alterations. Creation of secondary access and associated hard standing.

Development Management

Status: WDN Application:24/1031/PS192
Date:06/06/2024 Hip to gable loft conversions with rear dormers, materials to match existing.

Development Management

Status: PCO Application:24/1758/PS192
Date: The proposal includes a hip to gable and dormer loft conversion.

Building Control

Deposit Date: 07.09.2012 17 Windows 2 Doors
Reference: 12/FEN02008/FENSA

Application Number	24/1758/PS192
Address	2 Atwood Avenue Kew Richmond TW9 4HG
Proposal	Hip to gable loft conversions with rear dormers
Contact Officer	Roberta Henriques

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 host site located at 2 Atwood Avenue, Kew, Richmond presently accommodates a two storey detached dwellinghouse located to the north side of the street. The dwellinghouse benefits from a moderately sized front garden and large rear garden. The dwellinghouse has been altered previously through the implementation of a first-floor extension and changes to the roof.

The surrounding area is predominately residential in nature, characterised by semi-detached dwellinghouses from the inter-war period of similar appearance to the application site with many alterations making up the majority of the surrounding area.

A Building of Townscape Merit is sited directly to the west of the application site at no. 68 North Road. The application site does not sit within or near to a conservation area, and there are no listed buildings within close proximity.

Notably, both neighbouring properties no. 4 Atwood Avenue and no. 68 North Road exhibit a single storey rear extension. First floor rear extensions are not as common a feature within the area.

The application site is subject to the following planning constraints:

- Area Susceptible To Groundwater Flood
- Article 4 Direction – Basements
- Community Infrastructure Levy Band – Higher
- Risk of Flooding from Surface Water 1 in 1000 chance
- Surface Water Flooding (Area Less Susceptible to)
- Surface Water Flooding (Area Susceptible to)
- Take Away Management Zone
- Village Character Area - Around Chancer Avenue, Atwood Avenue and Taylor Avenue - Area 11 Kew Village

3. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

This application proposes hip to gable roof extensions with rear dormers.

Volume calculation:

Previous roof extension side - 4.44m³
 Previous roof extension side 2 - 4.44m³
 Hip side 1 - 16.36m³
 Hip side 2 - 16.36m³
 Dormer 1 - 2.85m³
 Dormer 2 - 2.85m³

Dormer 3 - 2.85m3

Total = 49.93 m3

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:

24/1031/PS192 Hip to gable loft conversions with rear dormers, materials to match existing. Withdrawn

24/1003/HOT Part single/part two storey rear extension. Remodelling of front elevation to include two projecting bay windows, relocated front entrance and fenestration alterations. Creation of secondary access and associated hard standing. – Granted

24/0082/HOT Ground and first floor rear extensions. Front elevation remodelling . Hip to gable roof extension with rear dormers – REFUSED for the following reason:

- *The proposed hip to gable roof extensions by reason of their combined siting, bulk and scale, would result in a visually intrusive and unsympathetic form of development which will negatively impact the character and appearance of the host property and streetscape. As such the proposal would be contrary to the National Planning Policy Framework and to the London Borough of Richmond upon Thames Local Plan (2018), in particular policy LP1, the Publication Local Plan policy 28, as well as the House Extensions and External Alterations SPD.*

23/2150/HOT - Ground and first floor rear extensions. Reconstruction of the roof to a hip to gable roof with the full width rear dormer. Alterations to the front elevation – REFUSED for the following reason:

- The proposed hip to gable roof extensions by reason of their combined siting, bulk and scale, would result in a visually intrusive and unsympathetic form of development which will negatively impact the character and appearance of the host property and streetscape. As such the proposal would be contrary to the National Planning Policy Framework and to the London Borough of Richmond upon Thames Local Plan (2018), in particular policy LP1, the Publication Local Plan policy 28, as well as the House Extensions and External Alterations SPD.

87/2014 – First floor extension – Granted

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

An existing rear elevation and a demolition plan of the roof was submitted at the request of the Council.

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 not 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.1 Development is not permitted by Class B 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) any part of the dwellinghouse would, as a result of the works, exceed the height of the highest part of the existing	Complies

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;	Complies
(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, or (ii) 50 cubic metres in any other case;	Does not comply – see below for explanation
(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;	Complies
(f) the dwellinghouse is on article 2(3) land;	Complies
(g) the dwellinghouse is built under Part 20 of this Schedule (construction of new dwellinghouses); or	Complies
(h) 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

Assessment of Non-Compliance

While not present within the planning history of the site set out above, aerial imaging indicates that alterations to the roof of the dwellinghouse have previously been undertaken.



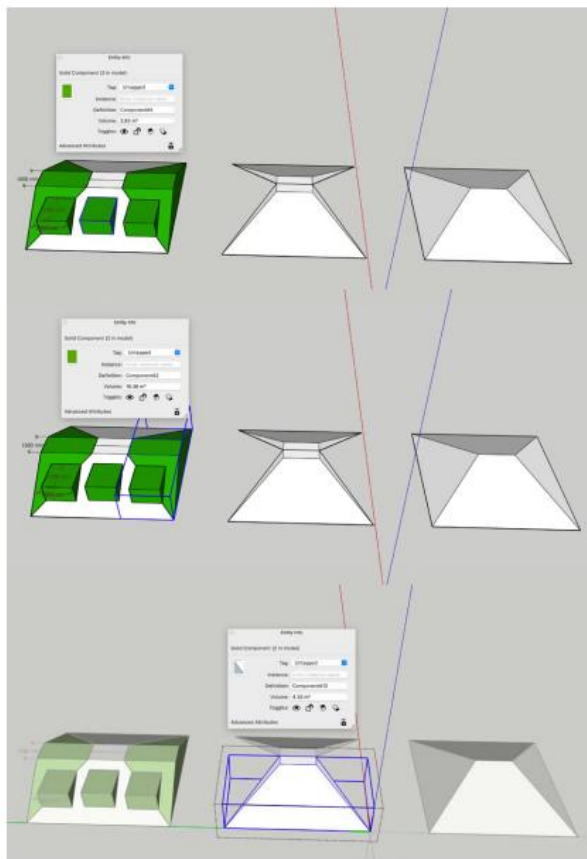
Figure 1 - Aerial images from 1946 and 1971 showing the roof of 2 Atwood Avenue

These aerial images show the ridge line to run in a North to South Direction.



Figure 2 – Aerial images from 1991 and 2022 showing the roof of 2 Atwood Avenue

These aerial images show that by 1991, the roof has been amended to form a crown roof as shown by the central flat roof area. Aerial images between these dates show the roof in this form.



Volume calculations

- Previous roof extension side - 4.44m³
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- Hip side 1 - 16.36m³
- Hip side 2 - 16.36m³
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- Dormer 2 - 2.85m³
- Dormer 3 - 2.85m³

Total - 49.93 m³

Figure 3 - page 3 from submitted Architects Statement

Page 3 of the submitted Architects Statement (above) shows (from left to right) the proposed, currently existing, and the original roof form. These drawings have been used to calculate

However, the original roof form here is shown as a ridge line running east to west, which does not concur with the aerial imagery which shows a north to south ridge line. Given the volume calculations are based on the incorrect drawings of the original roof form, the application fails to satisfactorily demonstrate that the resulting roof space would not exceed the cubic content of the original roof space by more than 50 cubic metres.

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

B.2 Development is permitted by Class B subject to the following conditions—	Officer's Comment:
(a) 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 elevation
(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	Complies
(c) 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.	Complies

7. RECOMMENDATION

Refuse Certificate

The 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 B.1 (d) (ii) of Class B of Part 1 Schedule 2 laid out in the Town and Country Planning (General Permitted Development) (England) Order 2015 and any subsequent legislative amendments as the application fails to satisfactorily demonstrate that the resulting roof space would not exceed the cubic content of the original roof space by more than 50 cubic metres.

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

YES

NO

Case Officer (Initials):RHE.....

Dated:03/09/2024.....

I agree the recommendation:

SG
Senior Planner

Dated: ...04/09/2024.....