

Application reference: 24/1802/PS192
TWICKENHAM RIVERSIDE WARD

Date application received	Date made valid	Target report date	8 Week date
16.07.2024	16.07.2024	10.09.2024	10.09.2024

Site:

32 Park Road, Twickenham, TW1 2PX,

Proposal:

Application seeking a lawful development certificate for proposed single storey and two-storey rear extensions

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

APPLICANT NAME

Uchechi and Ellie Okereke
32 Park Road
Twickenham
Richmond Upon Thames
TW1 2PX

AGENT NAME

Mr Paul Nicholls
2 The Parade
Ash Road
Hartley
Longfield
DA3 8BG
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

Date:16/12/1983

Application:83/1369

Erection of a bay window to the front of the garage in connection with its use as a habitable room.

Development Management

Status: REF

Date:18/03/2024

Application:24/0200/HOT

Alterations to the existing front facade: New roof to match neighbouring property, new windows & new eyebrow window. Ground floor rear extension. First floor side and rear extension. Extend and Alterations to existing loft dormer to the rear. Internal alterations.

Development Management

Status: GTD

Date:11/06/2024

Application:24/1049/HOT

First floor side and rear extension. Extension and alterations to existing loft dormer to the rear.

Development Management

Status: GTD

Date:05/06/2024

Application:24/1134/HOT

Alterations to roof lights. Front gable roof addition. Alterations to fenestration including replacement. Removal of the hipped roof to south elevation.

Development Management

Status: PCO

Date:

Application:24/1802/PS192

Application seeking a lawful development certificate for proposed single storey and two-storey rear extensions

Building Control

Deposit Date: 07.06.1995

Reference: 95/0647/FP

Loft conversion

Application Number	24/1802/PS192
Address	32 Park Road Twickenham TW1 2PX
Proposal	Application seeking a lawful development certificate for proposed single storey and two-storey rear extensions
Decision Date	10.09.2024

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 subject site is an irregular shaped parcel of land, located to the north-east of Park Road, in the residential area of Twickenham. The site contains a two storey, semi-detached dwelling to the front and private open space to the rear.

The application site is situated within St Margarets and East Twickenham Village and is designated as:

- Area Susceptible to Groundwater Flood - Environment Agency
- Article 4 Direction Basements
- Flood zone 2 (Fluvial / Tidal Models)
- Flood zone 3 (Tidal Models)
- Main Centre Buffer Zone (Richmond Town Centre Boundary Buffer Zone)
- Risk of Flooding from Surface Water 1 in 1000 chance - Environment Agency
- SFRA Zone 3a High Probability
- Surface Water Flooding

3. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

The proposal consists of:

Single storey rear extension (see Class A)

Two storey rear extension (See Class A and B)

Volume calculation:

Dormer (approved under 24/1049/HOT):

6.8m x 2.5m x 3m x 0.5m = 25.5 m³

Cut-out infill (above eaves) (approved under 24/1049/HOT):

1.8m x 2.8m x 3.2m x 0.5m = 8 m³

Proposed roof above two-storey rear extension (proposed under 24/1802/PS192):

5.8 m³

Total = **39.3 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:

Ref	Proposal	Decision
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24/1134/HOT	Alterations to roof lights. Front gable roof addition. Alterations to fenestration including replacement. Removal of the hipped roof to south elevation.	Granted Permission
24/1049/HOT	First floor side and rear extension. Extension and alterations to existing loft dormer to the rear.	Granted Permission
24/0200/HOT	Alterations to the existing front facade: New roof to match neighbouring property, new windows & new eyebrow window. Ground floor rear extension. First floor side and rear extension. Extend and Alterations to existing loft dormer to the rear. Internal alterations.	Refused Permission
83/1369	Erection of a bay window to the front of the garage in connection with its use as a habitable room.	Granted Permission

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 A

The scheme is considered to be permitted development under Class A 'The 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 G, M, MA, N, P, PA or Q of Part 3 of this Schedule (changes of use);	Complies
(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	Complies
(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	Complies
(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	Not Applicable

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;	
(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	Complies
(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;	Complies
(j) the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse, and would --- (i) exceed 4m in height, (ii) have more than a single storey, or Have a width greater than half the width of the original dwellinghouse;	Complies
(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, (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 or	The proposed 2 storey extension would alter the roof of the dwellinghouse but in compliance with Class B of the GDPO.
(l) the dwellinghouse is built under Part 20 of this Schedule (construction of new dwellinghouses).	Not Applicable

Officer comment

The scheme does not comply with criteria A.1(k).

The roof of the proposed two storey rear extension is adjoined to the existing roof, altering this part of the roof of the dwellinghouse.

However, it is noted that the technical guidance states that where an extension includes works to the existing roof, alterations of the house must also meet the requirements of Class B or C (as appropriate) in order to be permitted development.

Noting this, the two storey rear extension has also been considered under Class B below.

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	Not Applicable

beyond the rear wall of the original dwellinghouse	
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 subparagraphs (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;	Does not comply
(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 No first floor side windows proposed
(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.	Does not Comply

Officer comment

In regard to A.3(a) and the requirement for materials to be of a similar appearance to the exterior of the existing dwellinghouse, the permitted development technical guidance states the following:

“it may be appropriate to replace existing windows with new uPVC double-glazed windows or include them in an extension even if there are no such windows in the existing house. What is important is that they give a similar visual appearance to those in the existing house, for example in terms of their overall shape, and the colour and size of the frames.”

The existing and proposed rear elevations show the rear elevation windows are to be amended:



The proposed rear elevation windows do not give a similar visual appearance to those in the existing house in regard to overall shape, colour and size of the frames.

Further to this, the proposal does not comply with condition A.3(c). Specifically, the proposed two storey rear extension would demonstrate a different roof pitch to the 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.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 G, M, MA, 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 roof;	Complies
(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;	Complies Please see calculations set out under 'Proposals' above.
(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

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 plan
(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.	Not Applicable

7. RECOMMENDATION

Refuse 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):RHE.....

Dated:06/09/2024.....

I agree the recommendation:

SG
Senior Planner

Dated:10/09/2024.....