

Application reference: 24/1845/PS192
BARNES WARD

Date application received	Date made valid	Target report date	8 Week date
18.07.2024	18.07.2024	12.09.2024	12.09.2024

Site:

10 The Hermitage, Barnes, London, SW13 9RF

Proposal:

Erection of rear dormer roof extension and single storey ground floor rear extension

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

APPLICANT NAME

Mr Tom Hanks
10 The Hermitage
Barnes
London
Richmond Upon Thames
SW13 9RF

AGENT NAME

Mr Joe Purcell
Penhurst House
352-356 Battersea Park Road
Wandsworth
London
SW11 3BY
United Kingdom

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

Consultations:

Internal/External:

Consultee

Expiry Date

Neighbours:

9 The Hermitage, Barnes, London, SW13 9RF -
8 The Hermitage, Barnes, London, SW13 9RF -

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

Development Management

Status: GTD

Date: 26/10/2023

Application: 23/2077/HOT

New rear dormer, roof windows to front elevation, rebuilding the existing garage as a new studio, demolition of the existing rear extension and erection of a new rear extension, demolition of existing porch and erection of a new porch with a terrace accessed from a new first floor door.

Development Management

Status: PDE

Date:

Application: 24/1845/PS192

Erection of rear dormer roof extension and single storey ground floor rear extension

Development Management

Status: PCO

Date:

Application: 24/2106/HOT

Part single, part two storey rear extension, rear roof extensions and insertion of 4 rooflights on front roof pitch, insertion of windows on side elevation, demolition of porch and rebuild, demolition of garage and rebuild as habitable space/bike storage with connection to property.

Building Control

Deposit Date: 28.01.1994

Internal alterations & single storey rear extension.

Reference: 94/0113/BN

Application Number	24/1845/PS192
Address	10 The Hermitage Barnes London SW13 9RF
Proposal	Erection of rear dormer roof extension and single storey ground floor rear extension
Contact Officer	Jeremy Maclsaac

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 a two storey terraced dwellinghouse located on the west side of The Hermitage.

The application site is designated as:

Archaeological Priority	Site: Richmond APA 2.2: Barnes APA - Archaeological Priority Area - Tier II
Area Benefiting Flood Defence - Environment Agency.	Areas Benefiting from Defences
Area Susceptible To Groundwater Flood - Environment Agency	Superficial Deposits Flooding - >= 50% <75% - SSA Pool ID: 1384
Article 4 Direction Basements	Article 4 Direction - Basements / Ref: ART4/BASEMENTS / Effective from: 18/04/2018
Community Infrastructure Levy Band	Higher
Floodzone 2	Tidal Models
Floodzone 3	Tidal Models
Protected View (Indicative Zone)	View 7 RICHMOND PARK TOWARDS ST PAULS CATHEDRAL
SFRA Zone 3a High Probability	Flood Zone 3
Take Away Management Zone	Take Away Management Zone
Village	Barnes Village
Village Character Area	Suffolk Road, West of Castelnau - Character Area 14 Barnes Village Planning Guidance Page 57 CHARAREA04/14/01
Ward	Barnes Ward

3. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

Erection of rear dormer roof extension and single storey ground floor rear extension

Volume calculation:

Rear dormer roof extension

$$(2.3\text{m}) \times (6.48) \times (3.79) / 2 = 28.24 \text{ m}^3$$

Total: 28.24 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:

23/2077/HOT- Granted Permission

New rear dormer, roof windows to front elevation, rebuilding the existing garage as a new studio, demolition of the existing rear extension and erection of a new rear extension, demolition of existing porch and erection of a new porch with a terrace accessed from a new first floor door.

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.

Nevertheless, 2 letters of objection have been received which can be summarised below:

- Objection to rear dormer
- Not inline with dormers in the area
- Loss of light
- Overbearing
- Overdevelopment

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 (single storey rear extension) 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 M, 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	Complies

(excluding the ground area of the original dwellinghouse);	
(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 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;	Complies
(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)	Complies

to (j);	
(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	Complies
(l) the dwellinghouse is built under Part 20 of this Schedule (construction of new dwellinghouses).	Complies

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;	Complies
(b) The enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse; or	Complies
(c) The enlarged part of the dwellinghouse would have more than a single storey and extend beyond the rear wall of the original dwellinghouse	Complies
(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).	Complies

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 As confirmed by Supporting Planning Statement
(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.	Complies
(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,	Complies

the roof pitch of the enlarged part must, so far as practicable, be the same as the roof pitch of the original dwellinghouse.	
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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 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;	Does not Comply - The calculations provided do not include the volume of the roof of the two storey side extension. The onus is on the applicant to demonstrate volume limitations are not exceeded. (Please see discussion below)
(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

The GPDO at Schedule 2 Part 1 Class B under the provisions of B.1(d) requires that the cubic content of the resulting roof space would not exceed the original roof space by more than 40 cubic metres in the case of a terrace house. ‘Original’ is defined as:

- (a) in relation to a building, other than a building which is Crown land, existing on 1st July 1948, as existing on that date;
- (b) (b) in relation to a building, other than a building which is Crown land, built on or after 1st July 1948, as so built;

The property has benefited from a two storey side extension post 1 July 1948. Given such, roof volume in the side extension must be accounted for within the calculations and if the cumulative volume exceeds 40 cubic metres, the rear dormer would not meet this criterion for permitted development.

The applicant has not provided any plans clearly illustrating the extent of the 'original' roof volume and the additional volume within the side extension. In the absence of such evidence, the LPA are not able to confirm that the criterion is passed. Without prejudice, officers' estimates of the enlarged volume indicate that the cumulative volume of the side extension roof space and rear dormer do exceed 40 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:
<p>(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;</p>	<p>Complies</p> <p>As confirmed by Supporting Planning Statement</p>
<p>(b) the enlargement must be constructed so that—</p> <p>(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—</p> <p>(aa) the eaves of the original roof are maintained or reinstated; and</p> <p>(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</p> <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>Complies</p>
<p>(c) any window inserted on a wall or roof slope forming a side elevation of the dwellinghouse must be—</p> <p>(i) obscure-glazed, and</p> <p>(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</p>

Class C

The development (rooflights) 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—

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 (< 0.15m as annotated on Supporting Planning Statement)
(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
(e) 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—

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	Complies
(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

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): ...JMA... Dated:11.08.2024.....

I agree the recommendation:

South Area Team Manager:ND.....

Dated:11.09.2024.....