

Application reference: 24/1866/PS192 WEST TWICKENHAM WARD

Date application received	Date made valid	Target report date	8 Week date
22.07.2024	22.07.2024	16.09.2024	16.09.2024

Site:

77 Beech Way, Twickenham, TW2 5JS,

Proposal:

It is proposed to demolish the existing garage in the rear of the garden and rebuild a new single storey outbuilding

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

APPLICANT NAME

Mr Graham Hambridge
77 Beech Way
Twickenham
Richmond Upon Thames
TW2 5JS

AGENT NAME

Mrs. Betty Zhang
71-75 Shelton Street
London
WC2H 9JQ

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: PDE

Application:24/1866/PS192

Date:

It is proposed to demolish the existing garage in the rear of the garden and rebuild a new single storey outbuilding

Building Control

Deposit Date: 30.05.2017

Install replacement windows in a dwelling

Reference: 17/FEN01240/FENSA

Building Control

Deposit Date: 24.09.2018

Install replacement windows in a dwelling

Reference: 18/FEN01482/FENSA

Building Control

Deposit Date: 24.03.2020

Install a gas-fired boiler

Reference: 20/FEN01659/GASAFE

Application Number	24/1866/PS192
Address	77 Beech Way, Twickenham TW2 5JS
Proposal	To demolish the existing garage in the rear garden and construct a single storey outbuilding.
Contact Officer	Phil Shipton

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 consists of a two-storey semi-detached dwellinghouse, located on the north-western side of Beech Way, in Twickenham. An old garage sits at the very rear of the property and faces a designated informal access that runs along the rear of the properties on the north-western side of Beech Way.

The application site is situated within the Area 1 - Rivermead and surrounds of the Twickenham Village Character Area and is otherwise designated as:

- Area Susceptible To Groundwater Flood - Environment Agency
- Article 4 Direction Basements
- Community Infrastructure Levy Band
- Take Away Management Zone

3. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

The proposal involves the demolition of the existing garage and the construction of an outbuilding in its place. The outbuilding is proposed to occupy the full width of the subject site and sit just off the rear boundary, with a width of 6.4m, length of 4.6m, and a height of 2.6m (inclusive of rooflights; all eaves will have a height of 2.5m or below).

The roof is proposed with a flat with two rooflights. The proposed outbuilding will be accessed from the yard via double opening doors. One window is proposed on the main (south-eastern) facade and one small window on the rear (north-western) facade. The latter is proposed to consist of partial obscured glass.

The purpose of the outbuilding is to replace the function of the existing garage, with the predominant use as a storage space. This is encompassed by Class E, as outlined in the technical guidance for permitted development rights for householders.

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

There is no relevant planning history to the subject site.

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

The applicant had originally submitted a design for an outbuilding that included a shower unit within the bathroom, and therefore did not meet the definition for buildings under Class E as per the technical guidance for permitted development rights for householders. The applicant was made aware of this on the 10th of September 2024 and subsequently submitted a revised design without the shower unit on the 12th of September 2024.

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 E

The development *is* considered to be permitted development under Class E:

- (a) any building or enclosure, swimming or other pool required for a purpose incidental to the enjoyment of the dwellinghouse as such, or the maintenance, improvement or other alteration of such a building or enclosure; or
 (b) a container used for domestic heating purposes for the storage of oil or liquid petroleum gas

for the following reasons:

The proposal involves an outbuilding for storage.

E.1 Development is not permitted by Class E if—

E.1 Development is not permitted by Class E 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 (change of use)	Complies
b. the total area of ground covered by buildings, enclosures and containers within the curtilage (other than the original dwellinghouse) would exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse)	Complies, the proposed outbuilding retains the large proportion of the existing yard space (does not exceed 50%).
c. any part of the building, enclosure, pool or container would be situated on land forward of a wall forming the principal elevation of the original dwellinghouse	Complies, the proposed outbuilding is located at the rear of the property.
(d) the building would have more than a single storey	Complies, the proposed outbuilding has one storey.
e. the height of the building, enclosure or container would exceed – i. 4 metres in the case of a building with a dual-pitched roof, ii. 2.5 metres in the case of a building, enclosure or container within 2 metres of the boundary of the curtilage of the dwellinghouse, or (iii) 3 metres in any other case	Complies, the building has a max. Height of 2.5m.
f. the height of the eaves of the building would exceed 2.5 metres	Complies, the max height of the building to the top of the rooflights is 2.5m.
g. the building, enclosure, pool or container would be situated within the curtilage of a listed building	Complies, the subject building is not a listed building.
h. it would include the construction or provision of a verandah, balcony or raised platform	Complies, no verandah, balcony or raised platform is proposed.
i. it relates to a dwelling or a microwave antenna	Complies, the proposal does not relate to works to the principle dwellinghouse or antenna.
j. the capacity of the container would exceed 3,500 litres; or	Complies, the proposal is not a container.
(k) the dwellinghouse is built under Part 20 of this Schedule (construction of new dwellinghouses)	Not applicable

E.2 In the case of any land within the curtilage of the dwellinghouse which is within -	Officer's Comment:
a. a World Heritage Site,	Not applicable

b. a National Park,	Not applicable
c. an area of outstanding natural beauty or	Not applicable
d. the Broads ,	Not applicable
development is not permitted by Class E if the total area of ground covered by buildings, enclosures, pools and containers situated more than 20 metres from any wall of the dwellinghouse would exceed 10 square metres	

E.3	Officer's Comment:
E.3 In the case of any land within the curtilage of the dwellinghouse which is article 2(3) land, development is not permitted by Class E if any part of the building, enclosure, pool or container would be situated on land between a wall forming a side elevation of the dwellinghouse and the boundary of the curtilage of the dwellinghouse	Not applicable

E.4	Officer's Comment:
E.4 For the purposes of Class E, "purpose incidental to the enjoyment of the dwellinghouse as such" includes the keeping of poultry, bees, pet animals, birds or other livestock for the domestic needs or personal enjoyment of the occupants of the dwellinghouse	Complies, it is noted that the other uses are also permitted under Class E as detailed in Section 3 of this report.

7. RECOMMENDATION

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): PSH Dated: 13/09/2024

I agree the recommendation:

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

Dated:13/09/2024.....

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

U0094328	PS192
U0094332	Composite Informative