

**Application reference: 24/1880/PS192**  
**EAST SHEEN WARD**

| Date application received | Date made valid | Target report date | 8 Week date |
|---------------------------|-----------------|--------------------|-------------|
| 23.07.2024                | 23.07.2024      | 17.09.2024         | 17.09.2024  |

**Site:**

2 Stonehill Road, East Sheen, London, SW14 8RW

**Proposal:**

Dormer extensions to both side elevations with rear dormer and rooflights to front elevation

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

**APPLICANT NAME**

emma obrien  
2 Stonehill Road  
East Sheen  
London  
Richmond Upon Thames  
SW14 8RW  
United Kingdom

**AGENT NAME**

**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: REF

Date:11/07/2008

Application:08/1265/FUL

Demolition of domestic garage and construction of a single four-bedroom detached two-storey house and garage with further single garage to No 265 Sheen Lane.

Development Management

Status: REF

Date:27/02/2024

Application:24/0002/PS192

Loft Extension including hip to gable to both sides and rear dormer and front rooflights

Development Management

Status: REF

Date:27/02/2024

Application:24/0004/PS192

Ground floor Rear extension and partial conversion of garage into utility room garage.

Development Management

Status: GTD

Date:08/04/2024

Application:24/0548/HOT

Ground floor Rear extension and partial conversion of garage into utility room.

Development Management

Status: REF

Date:23/05/2024

Application:24/0904/HOT

Hip to gable extensions to both side elevations with rear dormer and

rooflights to front elevation.

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Development Management

Status: PCO

Date:

Application:24/1880/PS192

Dormer extensions to both side elevations with rear dormer and rooflights to front elevation

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Appeal

Validation Date: 22.04.2024

Reference: 24/0047/AP/REF

Loft Extension including hip to gable to both sides and rear dormer and front rooflights

**Appeal In Progress**

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Building Control

Deposit Date: 22.08.2008

Reference: 08/FEN01678/FENSA

3 Windows

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Building Control

Deposit Date: 12.07.2023

Reference: 23/1169/BN

Removal of ground floor chimney breast, upgrading of thermal insulation and loft conversion.

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|                           |  |
|---------------------------|--|
| <b>Application Number</b> | <b>24/1880/PS192</b>   |
| <b>Address</b>            | 2 Stonehill Road East Sheen London SW14 8RW  |
| <b>Proposal</b>           | Dormer extensions to both side elevations with rear dormer and rooflights to front elevation |
| <b>Contact Officer</b>    | 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 subject site is a rectangular parcel of land, located to the south of Stonehill Road, in the residential area of East Sheen. The site contains a two storey, semidetached dwelling to the front and private open space to the rear.

The application site is situated within East Sheen Village and is designated as:

- Area Susceptible to Groundwater Flood
- Article 4 Direction Basements
- Community Infrastructure Levy Band
- Protected View
- Take Away Management Zone

## 3. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

Volume calculation:

*Rear gable end pitched roof dormer*

$$5.415 + 3.860 + 1.353 = 10.628\text{m}^3$$

*Side flat roof dormer 1*

$$4.25 \times 2.54 = 10.795\text{m}^3$$

*Side flat roof dormer 2*

$$4.25 \times 2.54 = 10.795\text{m}^3$$

**Total: 32.22 m<sup>3</sup>**

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:

08/1265/FUL Demolition of domestic garage and construction of a single four-bedroom detached two-storey house and garage with further single garage to No 265 Sheen Lane. Refused Permission.

Reasons for refusal:

- *The proposal, by virtue of its design and detailing would be out of character to the area and have an unacceptable impact on the character and appearance of the streetscene and the Sheen Lane Conservation Area. It would therefore be contrary to policies BLT 2 and 11 of the Unitary Development Plan.*
- *The proposed crossovers fail to comply with the councils off street parking standards and as a result would have an unacceptable impact on highway safety in the area. As such the proposal is considered to be contrary to policy TRN 2 of the Unitary Development Plan.*
- *The proposal would result in the loss of trees, which provide a valuable asset to the Sheen Lane Conservation Area. As such the proposal is contrary to policy ENV9 of the Unitary Development Plan.*
- *The proposal by virtue of its size and close proximity to the boundary of 2 Stonehill Road would be an intrusive form of development that would have an overbearing impact in terms of loss of light and outlook to that property. It would therefore be contrary to policies BLT 15 and 16 of the Unitary Development Plan.*

24/0002/PS192 Loft Extension including hip to gable to both sides and rear dormer and front rooflights.  
Refused Permission, Appeal in Progress.

Reason for refusal:

- *This 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 the construction of the proposed roof results in works that amount to demolition and re-construction, as such it does not meet criteria laid down in the Town and Country Planning (General Permitted Development) (England) Order 2015 and any subsequent legislative amendments.*

24/0004/PS192 - Ground floor Rear extension and partial conversion of garage into utility room garage.  
Refused

Reason for refusal:

- *This 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 the proposal fails to comply with the requirements as laid down in criteria A.1(f), A.1(j)(i) and A.1(ja) of Class A of Part 1 Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).*

24/0548/HOT Ground floor Rear extension and partial conversion of garage into utility room. Application  
Granted.

24/0904/HOT Hip to gable extensions to both side elevations with rear dormer and rooflights to front elevation. Application Refused for the following reason

- *The rear dormer by reason its design, scale and massing would result in a cramped, overly dominant and unsympathetic form of the development that would harm the character and appearance of the host building and surrounding area. The development is thereby contrary to the Richmond Local Plan (2018) in particular policy LP1, the Richmond Publication Version Local Plan (Regulation 19 version) in particular policy 28, and the Supplementary Planning Document on House Extensions and External Alterations.*
- *The proposed hip to gable extensions, due to their excessive bulk, scale, massing and loss of the original roof form, would result in an incongruous, top heavy and dominant development, to the detriment of the character and appearance of the host site and wider area. The development is thereby contrary to the Richmond Local Plan (2018) in particular policy LP1, the Richmond Publication Version Local Plan (Regulation 19 version) in particular policy 28, and the Supplementary Planning Document on House Extensions and External Alterations.*

#### 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.

1 representation has been submitted and the comments can be summarised as follows:

- Previous application for hip to gable extensions was refused
- Proposal should follow SPD guidance
- Request dormers are reduced in size and set further in from either side of the roof

## 5. AMENDMENTS

The drawings have been amended so that a label referring to the hip end roof being rebuilt has been omitted. The applicant has confirmed that the roof will not be being rebuilt.

## 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 - Dormers

**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:  |
|---|---|
| <b>(a)</b> 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>(b)</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  |
| <b>(c)</b> 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  |
| <b>(d)</b> the cubic content of the resulting roof space would exceed the cubic content of the original roof space by more than—<br>(i) 40 cubic metres in the case of a terrace house, or<br>(ii) 50 cubic metres in any other case; | Complies<br><br>(Please see calculations set out under 'Proposals' above) |
| <b>(e)</b> it would consist of or include—<br>(i) the construction or provision of a verandah, balcony or raised platform, or<br>(ii) the installation, alteration or replacement of a chimney, flue or soil and vent pipe;           | Complies  |
| <b>(f)</b> the dwellinghouse is on article 2(3) land;   | Complies  |
| <b>(g)</b> the dwellinghouse is built under Part 20 of this Schedule (construction of new dwellinghouses); or   | Complies  |
| <b>(h)</b> the existing dwelling house 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:                   |
|---|--------------------------------------|
| <b>(a)</b> 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<br><br>As annotated on plan |
| <b>(b)</b> the enlargement must be constructed so that—.  | Complies                             |

|  |                                 |
|--|---------------------------------|
| <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><b>(c)</b> 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>  | Complies – as annotated on plan |

**Class C - rooflight**

The development *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—

| <b>C.1 Development is not permitted by Class C if</b>  | <b>Officer’s Comment:</b>                            |
|--|--|
| <b>(a)</b> 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>(b)</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 submitted drawing) |
| <b>(c)</b> it would result in the highest part of the alteration being higher than the highest part of the original roof;  | Complies   |
| <b>(d)</b> it would consist of or include -<br>(i) the installation, alteration or replacement of a chimney, flue or soil and vent pipe, or<br>(ii) the installation, alteration or replacement of solar photovoltaics or solar thermal equipment; | See Class G  |
| <b>E )</b> 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—

| <b>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</b> | <b>Officer’s Comment:</b>                               |
|---|---|
| <b>(a)</b> obscure-glazed; and  | N/A – rooflight is only proposed to the front elevation |
| <b>(b)</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.      | N/A – rooflight is only proposed to the front elevation |

**Class G – side elevation flurs**

The scheme *is* considered to be permitted development under Class G ‘chimney, flues etc on a dwellinghouse’

G.1 Development is not permitted by Class G if --

| G.1 Development is not permitted by Class G 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. the height of the chimney, flue or soil and vent pipe would exceed the highest part of the roof by 1 metre or more;  | Complies           |
| c. in the case of a dwellinghouse on article 2(3) land, the chimney, flue or soil and vent pipe would be installed on a wall or roof slope which-<br>i. fronts a highway, and<br>ii. forms either the principal elevation or a side elevation of the dwellinghouse; | NA                 |
| (d) the dwellinghouse is built under Part 20 of this Schedule (construction of new dwellinghouses)  | NA                 |

## 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): .....RHE.....

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

**I agree the recommendation:**

SG  
Senior Planner

Dated: .....17/09/2024.....