



PLANNING REPORT

Application reference: 24/2134/PDE WEST TWICKENHAM WARD

Date application received	Date made valid	Target report date	8 Week date
19.08.2024	19.08.2024	30.09.2024	30.09.2024

Site:

3 Fortescue Avenue, Twickenham, TW2 5LS,

Proposal:

Single Storey Rear Extension (6.00m depth, 2.45m eaves height, 2.80m overall height).

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

APPLICANT NAME

Marco Orlando
3 Fortescue Avenue
Twickenham
TW2 5LS

AGENT NAME

Lee Campbell
38 NorthCroft
Atherton
M46 0sw

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

Consultations:

Internal/External:

Consultee

Expiry Date

Neighbours:

- 10 Twining Avenue, Twickenham, TW2 5LR, - 22.08.2024
- 8 Twining Avenue, Twickenham, TW2 5LR, - 22.08.2024
- Fulwell Park Association Centre, Fortescue Avenue, Twickenham, TW2 5LS, - 22.08.2024
- 1 Fortescue Avenue, Twickenham, TW2 5LS, - 22.08.2024
- 1A Fortescue Avenue, Twickenham, TW2 5LS, - 22.08.2024
- 5 Fortescue Avenue, Twickenham, TW2 5LS, - 22.08.2024

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

Development Management

Status: PCO

Date:

Application: 24/2134/PDE

Single Storey Rear Extension (6.00m depth, 2.45m eaves height, 2.80m overall height).

Building Control

Deposit Date: 20.05.2009

Reference: 09/FEN00209/GASAFE

Installed a Gas Boiler

Building Control

Deposit Date: 29.09.2023

Install a replacement consumer unit

Reference: 23/NIC02376/NICEIC

Site Description

The application site is occupied by a two-storey mid-terrace property part of a short terrace of three properties, including the application property itself and Nos. 1 and 5 Fortescue Avenue.

The application site does not present any heritage designation and no TPOs have been detected within such application site or its immediate surroundings.

Site History

There is no relevant planning history for the above property.

Proposal

Householders are able to build larger single storey rear extensions under permitted development, subject to limitations, conditions and land designations. However, these new larger extensions must go through a prior notification process.

This proposal is seeking prior approval for the erection of a single storey rear extension 6 metres in depth, 2.8 metres in height and 2.45 metres in height to eaves (as per application form).

Public representation

6 neighboring properties were consulted as part of this application and Nos. 1 and 5 Fortescue Avenue object to the scheme.

In line with A.4(7) and A.4(9), it has been securitized the impact of the proposal on the adjoining premises at Nos. 1 and 5 Fortescue Avenue, the most impacted by the scheme, whose findings can be found below.

Policy LP 8 'Amenity and Living Conditions' requires all development to "protect the amenity and living conditions for the occupants of new, existing, adjoining and neighbouring properties". The policy also seeks to "ensure that proposals are not visually intrusive or have an overbearing impact as a result of their height, massing or siting, including through creating a sense of enclosure".

The House Extensions and External Alterations SPD (2015) advises that extensions that create "an unacceptable sense of enclosure or appear overbearing when seen from neighbouring gardens or rooms will not be permitted".

In regard to the scale of the proposed rear extension, the SPD on House Extensions and External Alterations (2015) states that in the case of a terraced dwelling, extensions should not exceed 3 metres in depth in order to mitigate detriment to neighbour amenity in terms of overbearing, visual obtrusion and loss of light. However, it states that the final test of acceptability will be based on the circumstances of the subject site itself.

The plots of the host terrace, formed by the host property and the aforementioned objecting properties, are angled, and the proposed single storey extension, as the existing single storey extensions at Nos. 1 and 5 Fortescue Avenue, approx. follow the lines of their shared angled boundaries (for clarity, only the end part of the extension at No. 1 does not follow the lines of the angled boundaries).

Given the shape of the plots and the fact that the aforementioned extensions approx. follow the lines of their angled boundaries, angled measures rather than linear measures will be taken in this instance in order to ascertain whether or not the proposed extension complies with the requirements of Policy LP 8 and SPD (2015).

No. 1

The proposed extension would greatly exceed the recommended depth of 3 metres when measured from the rear wall of the single storey extension of this neighbour - the proposed extension would project from the rear wall of the single storey extension of No 1 by approx. 5 metres. The setback of the proposed addition from the shared boundary with this neighbouring property of approx. 0.9 metres is not sufficient to mitigate the aforementioned approx. 5 metres. This along with the fact that the proposed addition would present a height of approx. 2.8 metres when measured from ground level would result in overbearing and loss of light issues.

Existing loss of privacy would not be exacerbated given the single storey nature of the alterations proposed here.

No. 5

The proposed extension would not exceed the recommended depth of 3 metres when measured from the rear wall of the single storey extension of this neighbour and therefore significant loss of light and overbearing issues are not anticipated.

Existing loss of privacy would not be exacerbated given the single storey nature of the alterations proposed here.

As the proposal would adversely impact No.1 in terms of loss of light and overbearing, such proposal is not considered to meet the aims and objectives of Policy LP 8 of the Local Plan (2018) and the House Extensions and External Alterations SPD (2015).

Professional comment:

The applicant in accordance with A.4 (2) has supplied the Local Planning Authority with a written description of the proposed development which states:

- (i) The enlarged part of the dwellinghouse would extend beyond the rear wall of the original dwelling house by up to 6 metres;
- (ii) The maximum height of the enlarged part of the dwellinghouse would be 2.8 metres; and
- (iii) The height of the eaves of the enlarged part of the dwelling house would be 2.45 metres.

Proposed and existing floor plans and elevations, and site location plan were submitted to support the application and the applicant's agent has also included the address of any adjoining premises; the developer's contact address; and the developer's email address in accordance with the requirements of The Town and Country Planning (General Permitted Development) Order 2015 (as amended).

Class A

The scheme (single storey rear extension) is not considered to be permitted

development under Class A ‘The enlargement, improvement or other alteration of a dwelling house’ for the following reasons:

A.1

- a) Permission to use the dwellinghouse as a dwellinghouse has not been granted by Class M, N, P or Q of Part 3 of this schedule.
- b) The works **would not** result in over 50% of ground being covered by buildings.

Permitted development rights for householders Technical Guidance (2019) states that:

“The 50% limit covers all buildings so will include existing and proposed outbuildings as well as any existing or proposed new extensions to a house”.

- c) The height of the part of the dwelling house to be enlarged **would not** exceed the height of the highest part of the roof of the existing dwellinghouse.
- d) The height of the eaves of the extension **would not** exceed the height of the eaves of the existing dwellinghouse.
- e) The extension **would not** extend beyond a wall which -
 - i. forms the principal elevation of the original dwellinghouse; or
 - ii. fronts a highway and forms either the side elevation of the original dwellinghouse.
- f) Paragraph (f) is not applicable to this proposal as it is covered by paragraph (g).
- g) The enlarged part of the dwellinghouse would have a single storey and –
 - i. **would not** extend beyond the rear wall of the original dwellinghouse by more than 6 metres in the case of a terraced dwellinghouse, and
 - ii. **would not** exceed 4 metres in height.

Permitted development rights for householders Technical Guidance (2019) states that:

“Measurement of the extension beyond the rear wall should be made from the base of the rear wall of the original house to the outer edge of the wall of the extension (not including any guttering or barge boards)”.

- h) The extension **would not** have more than one storey.
- i) The extension would be within 2 metres of the boundary however the eaves height **would not** exceed 3 metres in height.
- j) The enlarged part of the dwellinghouse **would not** extend beyond a wall forming a side elevation of the original dwellinghouse, and-
 - (i) **would not** exceed 4 metres in height,
 - (ii) **would not** have more than a single storey,or
 - (iii) **would** have a width greater than half the width of the original dwellinghouse.

- ja) The total enlargement (being the enlarged part together with any existing enlargement of the original dwellinghouse to which it will be joined) **would not** exceed the limits set out in sub-paragraphs (e) to (j).
- k) The extension **would** consist of or include:
 - i. **the construction or provision of a verandah, balcony or raised platform,**
 - ii. the installation, alteration or replacement microwave antenna,
 - iii. the installation, alteration or replacement of a chimney, flue or soil and vent pipe, and
 - iv. the alteration to any part of the roof of the dwellinghouse.

A.2

The dwellinghouse is not located on article 2(3) land and therefore A.2 is not applicable.

Conditions

A.3

Development is permitted by Class A subject to the following conditions-

- a) the materials used in any exterior work (other than materials used in the construction of a conservatory) shall be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse;

Compliant.

- b) any upper-floor window located in a wall or roof slope forming a side elevation of the dwellinghouse shall be-
 - a. obscure-glazed, and
 - 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; and;
- c) where the enlarged part of the dwellinghouse has more than one storey, the roof pitch of the enlarged part shall, so far as practicable, be the same as the roof pitch of the original dwellinghouse.

The proposal is for a single storey extension.

Conclusion

The proposed extension would fail to safeguard residential amenity of the occupiers of No. 1 Fortescue Avenue and consist of or include the construction or provision of a raised platform.

As a result, the scheme is refused on the following grounds:

The proposal CONSTITUTES DEVELOPMENT within the meaning of Section 55 of the Town and Country Planning Act 1990, and a planning application IS REQUIRED. The proposed extension would:

by virtue of its combined excessive depth, height and siting, result in an unneighbourly, overbearing and visually intrusive form of development, which fails to safeguard the residential amenity of neighbouring occupiers. The proposal would also result in loss of light issues. As such, the scheme is not considered to accord with Policy LP 8 of the Local Plan (2018) and the House Extensions and External Alterations SPD (2015);

and

consist of or include the construction or provision of a raised platform contrary to Class A.1 part k(i) of Class A Part 1 Schedule 2 of the Town and Country Planning (General Permitted Development Order) (England) Order 2015 (as amended),

and consequently Prior Approval is Required and Refused.

Recommendation

Prior Approval is Required and Refused.

Recommendation:

The determination of this application falls within the scope of Officer delegated powers - **YES**

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 YES NO
(which are not on the file)

This application has representations on file YES NO

Case Officer (Initials): GAP Dated: 24/09/2024

I agree the recommendation:

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

Dated:24/09/2024

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
