

Application reference: 24/2274/PS192 KEW WARD

Date application received	Date made valid	Target report date	8 Week date
10.09.2024	10.09.2024	05.11.2024	05.11.2024

Site:

4 Popham Gardens, Lower Richmond Road, Richmond, TW9 4LJ

Proposal:

Hip to gable loft conversion with rear dormer

APPLICANT NAME

Angela Drew
4 Popham Gardens Lower
Richmond Road
Richmond
Richmond Upon Thames
TW9 4LJ

AGENT NAME

Mr ASHLEY RENTON
5 Chesterton Drive
Seaford
BN25 3RH
Seaford
BN25 3RH
United Kingdom

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

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

Development Management

Status: GTD Application:06/3380/HOT
Date:02/02/2007 Erection of PVCU conservatory to rear of the property

Development Management

Status: REF Application:08/2407/HOT
Date:14/05/2009 Erection of loft conversion with rear dormer and front rooflights.

Development Management

Status: GTD Application:23/1302/PS192
Date:29/06/2023 Erection of a garden studio in rear garden.

Development Management

Status: PCO Application:24/2274/PS192
Date: Hip to gable loft conversion with rear dormer

Development Management

Status: PCO Application:24/2275/HOT
Date: Part removal of existing conservatory with conversion to habitable extension, new mono-pitched roof to new and existing extension, removal of existing porch replaced by new porch canopy and new smooth white render

Building Control

Deposit Date: 25.09.2004 FENSA Notification of Replacement Glazing comprising 0 Windows and 1 Doors. Installed by The Dewgard Window Co Ltd. FENSA Member No 10655. Installation ID 2067803. Invoice No 7587

Reference: 04/6999/FENSA

Building Control

Deposit Date: 02.04.2015 Install replacement windows in a dwelling
Reference: 15/FEN00620/FENSA

Building Control

Deposit Date: 18.02.2017 Install replacement windows in a dwelling
Reference: 17/FEN00486/FENSA

Building Control

Deposit Date: 02.04.2018 Install replacement windows in a dwelling
Reference: 19/FEN01303/FENSA

Building Control

Deposit Date: 03.10.2019 Install replacement windows in a dwelling
Reference: 19/FEN01768/FENSA

Building Control

Deposit Date: 01.12.2023 Install replacement window in a dwelling
Reference: 24/FEN00014/FENSA

Application Number	24/2274/PS192
Address	4 Popham Gardens Lower Richmond Road Richmond TW9 4LJ
Proposal	Hip to gable loft conversion with rear dormer
Contact Officer	Jeremy MacIsaac

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 application site consists of a two-storey semi-detached dwellinghouse on the north side of Popham Gardens.

The application site is situated within Character Area 11 of the Kew Village Plan and is subject to the following designations:

- Article 4 Direction – Basements
- CIL – Kew
- Village Character Area – Around Chancer Avenue, Atwood Avenue and Taylor Avenue – Area 11
- Area Susceptible to Groundwater Flood – Superficial Deposits Flooding
- Increased Potential for Elevated Groundwater Flooding – Permeable Superficial
- Susceptibility to Groundwater Flooding Version 6 - C

3. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

Hip to gable loft conversion with rear dormer

Volume calculation:

Hip to gable roof extension

$$(3.104) \times (8.016) \times (4.208) / 6 = 17.45 \text{ m}^3$$

Rear dormer roof extension

$$(2.767.) \times (6.057) \times (3.672) / 2 = 30.77 \text{ m}^3$$

Total: 48.22 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:

08/2407/HOT – Refused Permission
Erection of loft conversion with rear dormer and front rooflights.

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 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 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;	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 Proposed Plans and Elevations

<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>	Complies
<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>	Complies

Class C

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—

C.1 Development is not permitted by Class C if	Officer’s Comment:
<p>(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);</p>	Complies
<p>(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;</p>	Complies (< 0.15m as annotated on submitted drawings – Block Plan; Proposed Plans; Proposed Elevations.)
<p>(c) it would result in the highest part of the alteration being higher than the highest part of the original roof;</p>	Complies
<p>(d) it would consist of or include -</p> <p>(i) the installation, alteration or replacement of a chimney, flue or soil and vent pipe, or</p> <p>(ii) the installation, alteration or replacement of solar photovoltaics or solar thermal equipment;</p>	Complies
<p>(a) the dwellinghouse is built under Part 20 of this Schedule (construction of new dwellinghouses)</p>	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:
<p>(a) obscure-glazed; and</p>	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
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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:30/10/2024.....

I agree the recommendation:



~~Team Leader/~~Head of Development Management/Principal Planner

Dated: ...31/10/2024.....

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: