

**17/00849/HOU**


**22 Riverside Close, Staines-upon-Thames, TW18 2LW**

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# Planning Committee

26 July 2017



<b>Application No.</b>	17/00849/HOU
<b>Site Address</b>	22 Riverside Close, Staines-upon-Thames, Tw18 2LW
<b>Applicant</b>	Mr Steven Slator
<b>Proposal</b>	Retention of existing decking in rear garden of dwelling and associated privacy screen.
<b>Ward</b>	Riverside and Laleham
<b>Called-in</b>	The application has been called in by Cllr Saliagopoulos due to concerns over the height of the development.
<b>Case Officer</b>	Siri Thafvelin

<b>Application Dates</b>	Valid: 22.05.2017	Expiry: 17.07.2017	Target: 8 weeks
<b>Executive Summary</b>	<p>This application seeks retrospective planning permission for the erection of decking and associated screening to the rear of 22 Riverside Close. Planning permission is required as the decking and screening exceed the height allowed to be built as 'permitted development' without explicit consent by the Local Planning Authority. Many properties in the area have decking and it is not an unusual feature within the area. Both nos. 22 and 23 Riverside Close have raised internal floor levels and it is considered that the screening provides an acceptable level of privacy to the neighbouring occupants without appearing overbearing or causing loss of light. It is therefore considered that the development has an acceptable impact on the amenity of adjoining residential properties and the character of the area.</p> <p>The proposal complies with Policy EN1 (Design of New Development) of the Spelthorne Borough Council Core Strategy and Policies DPD (2009)</p>		
<b>Recommended Decision</b>	Approve the application subject to the condition set out in Paragraph 8 of the Report.		

## MAIN REPORT

### 1. Development Plan

1.1 The following policies in the Council's Core Strategy and Policies DPD 2009 are considered relevant to this proposal:

- EN1
- LO1

### 2. Relevant Planning History

2.1 None

### 3. Description of Current Proposal

3.1 The application site is situated on the western side of Riverside Close and is currently occupied by a semi-detached bungalow. The site is located south of no. 21 Riverside Close which is occupied by a detached dwellinghouse, and to the north of no. 23 Riverside Close which is occupied by a semi-detached bungalow attached to the application site. The access road to Thames Side runs along the rear boundary of the site. The area is characterised by a mixture of chalet style bungalows with some two storey development with varying design characteristics.

3.2 This proposal seeks planning permission for the retention of raised decking and an associated privacy screen that have been constructed to the rear of the property. The decking has a height of 0.6m from the ground floor to allow level access from the kitchen and living room. It is L-shaped with a width of 8.6m and a depth of 4.84m nearest no. 23 Riverside Close and 2.7m nearest no. 21 Riverside Close. A privacy screen and a raised plant container have been installed along the south site boundary. When a site visit was carried out on 3 July 2017 the patio, planning and screen had been completed with the exception of the steps leading to the garden shown on drawings submitted with the application.

3.3 The Council was notified that building work was taking place in April 2017 and after inspecting the site the applicant was informed that planning permission was required. The Council's Enforcement Officer visited the site when the patio had been completed but the screening and planting had not yet been installed. Decking with a height of up to 30cm and fencing with a height of up to 2m can generally be constructed as permitted development and planning permission is required as the development exceeds these dimensions.

3.4 The site is situated within a 1 in 20 year flood event area (flood zone 3b).

### 4. Consultations

4.1 There are no relevant consultees for this proposal.

### 5. Public Consultation

5.1 Four letters of notification were sent out to neighbouring properties. At the time of writing, one letter of representation has been received from the neighbouring property of 23 Riverside Close. The following concerns have been raised:

- Loss of privacy
- Loss of outlook

## **6. Planning Issues**

- Design and appearance
- Impact on neighbouring properties
- Flooding

## **7. Planning Considerations**

### Design and Appearance

- 7.1 Policy EN1(a) of the Core Strategy and Policies Development Plan Document 2009 ('the Core Strategy') states that the Council will require a high standard in the design and layout of new development. Proposals for new development should demonstrate that they will create buildings and places that are attractive with their own distinct identity; they should respect and make a positive contribution to the street scene and the character of the area in which they are situated and pay due regard to the scale, height, proportions, building lines, layout, materials and other characteristics of adjoining buildings and land.
- 7.2 The development under consideration is situated at the rear of the property and as it is not readily visible from Riverside Close or Thames Side it does not have an impact on the street scene. The screening and planting along the south boundary to no. 23 Riverside Close is taller than the existing boundary fence and is visible from the neighbouring property, however, it is not considered so tall as to appear out of keeping with the scale, height, proportions or materials of either no. 22 or 23 Riverside Close.
- 7.3 It is considered that the development complies with the requirements of Policy EN1(a) and that it is in keeping with the character of the area. The screening measures 1.9m from the decking and 2.5m from the ground floor and is just 0.5m taller than a fence that could be erected without planning permission. Both nos. 22 and 23 Riverside Close have floor levels that are raised approximately 0.6m above ground and it is not considered that the taller screening is out of proportion with the pair of semi-detached houses.

### Impact on Adjoining Properties

- 7.4 Policy EN1(b) of the Core Strategy states that the Council will require proposals for new development to demonstrate that they will achieve a satisfactory relationship to adjoining properties avoiding significant harmful impact in terms of loss of privacy, daylight or sunlight, or overbearing effect due to bulk and proximity or outlook.
- 7.5 The decking extends across the width of the existing building and has a depth of up to 4.8m from the rear wall of the building. As a result of the screening and the raised plant container nearest the boundary to no. 23 Riverside Close the useable floor area of the decking is set in 1.05m from the boundary on this side. The decking has a depth of 2.7m closest to no. 21 Riverside Close and is set in 2.8m from the property boundary to the north.
- 7.6 One letter has been received from the residents of no. 23 Riverside Close in response to the public consultation for this application. They are concerned that as the decking is the same height as their internal floor level it causes

loss of privacy. They are also concerned that the screening that has been installed to prevent overlooking has an unacceptable impact on the outlook from their living room window and adjacent patio.

- 7.7 The existing boundary fence has a height of approximately 1.8m and so if the decking was built without any additional screening there would be clear views across the boundary as the existing fence would only be 1.2m higher than the decking. However, the applicant has installed a privacy screen with a height of 1.9m from the decking and 2.5m high as measured from the ground which is sufficient to prevent any overlooking into the neighbouring garden or habitable rooms. The screening has been reinforced by the installation of a planting box with hedging, and it is recommended that a condition is imposed to ensure that both the screening and planting are retained to ensure that the scheme does not overlook the neighbouring property and cause loss of privacy.
- 7.8 As mentioned, the screening has a height of 2.5m as measured from the ground and 1.9m from the decking. As both nos. 22 and 23 Riverside Close are raised approximately 0.6m above ground the impact on the adjacent windows is similar to that of a 2m boundary fence separating two semi-detached houses that are not raised above ground level. The screening is situated to the north of no. 23 Riverside Close which ensures that it does not cause unacceptable overshadowing or loss of sunlight and is not considered to have an unacceptable impact in terms of daylight and overbearing impact. It is recommended that a condition is imposed to ensure that the screening is permanently retained as approved and subject to this conditions it is not considered that there will be any loss of privacy. As a result the scheme is acceptable in accordance with the requirements of policy EN1 of the Core Strategy and Policies Development Plan Document 2009.

#### Flooding

- 7.9 The site is within the 1 in 20 year flood event area (flood zone 3b) and the edge of the decking is situated approximately 64m from the River Thames. The decking is a floodable structure and in the event of a flood there will not be a loss of flood storage capacity as a result of this decking. In any case, a similar structure with a height of up to 30cm and a larger footprint could be constructed without planning permission. Taking those matters into account it is not considered that an objection can be raised on flooding grounds.

#### Conclusion

- 7.10 For the reasons set out above it is considered that the decking and associated screening together have an acceptable impact on the character of the area and amenity of neighbouring properties. Accordingly, the application is recommended for approval, subject to conditions.

### **8. Recommendation**

- 8.1 GRANT subject to the following condition:

1. The screening and raised planter container adjacent to the boundary with 23 Riverside Close shall be permanently maintained in accordance with the approved plans.

Reason: To safeguard the amenity of neighbouring properties.

2. The development hereby permitted shall be carried out in accordance with the following approved plans: 22RC-DECKING SH1, 22RC-DECKING SH2, and 7TA-HAMP Issue A SH3 received 22 May 2017.

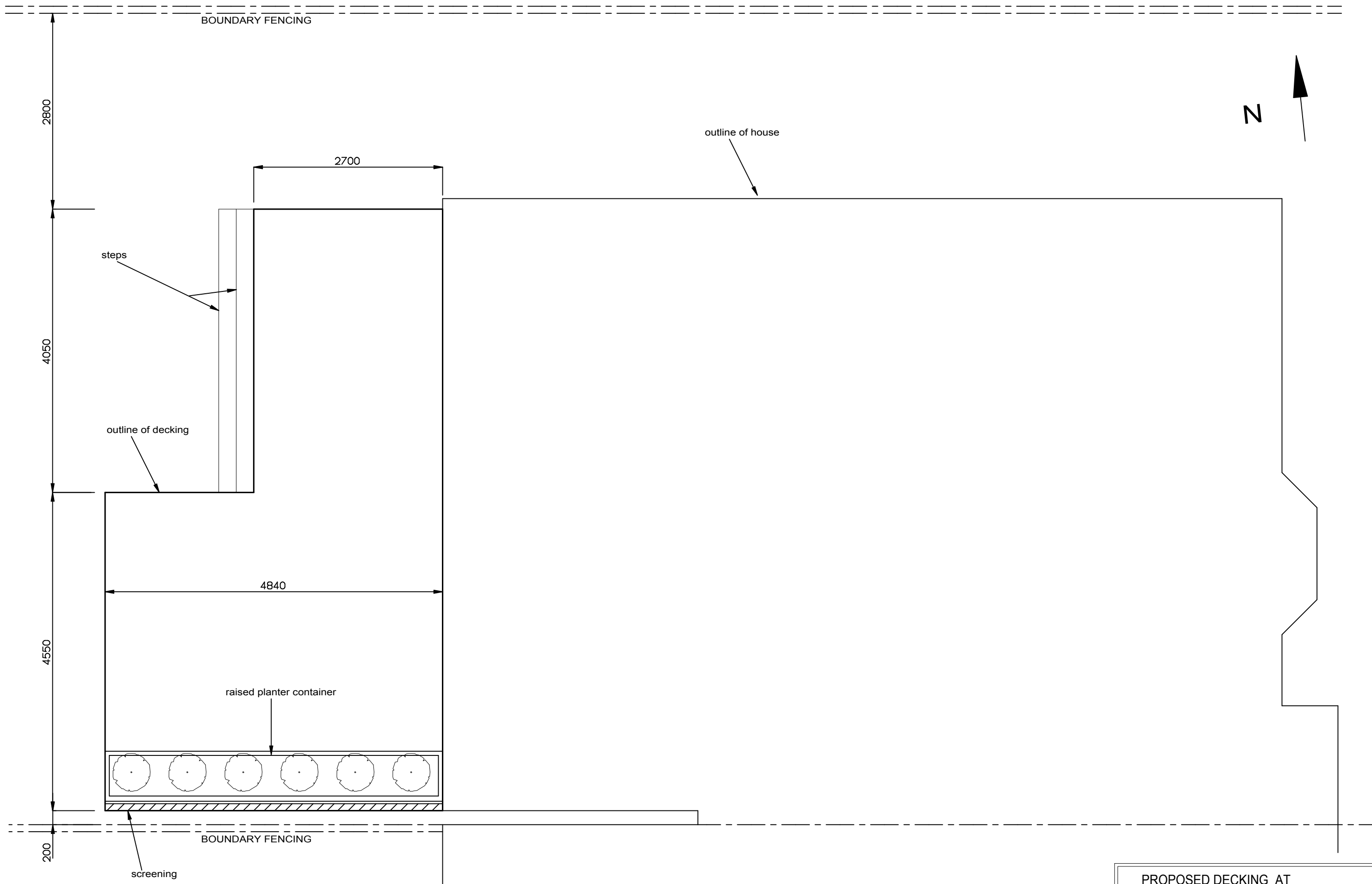
Reason: For the avoidance of doubt and in the interest of proper planning.

## **9. Informatives**

- 9.1 The Town and Country Planning (Development Management Procedure) (England) Order 2015 Working in a positive/proactive manner

In assessing this application, officers have worked with the applicant in a positive and proactive manner consistent with the requirements of paragraphs 186-187 of the NPPF. This included the following:

- a) Provided feedback through the validation process including information on the website, to correct identified problems to ensure that the application was correct and could be registered.
- b) Have proactively communicated with the applicant through the process to advise progress, timescales or recommendation.

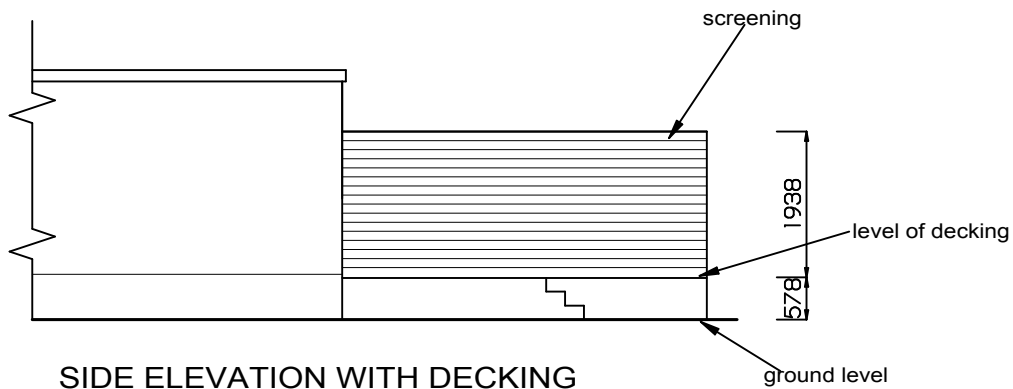


PROPOSED DECKING PLAN

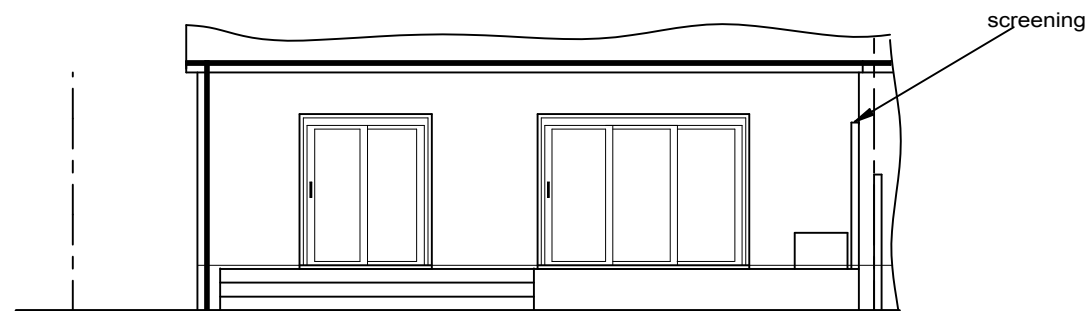


DRG NO. 22RC-DECKING 04/05/2017	SH1	SCALE 1:50
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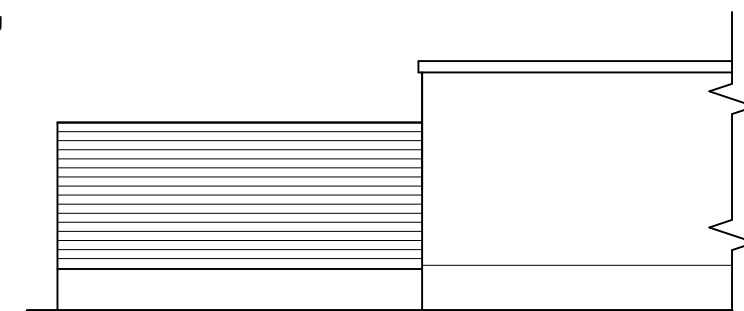
PROPOSED DECKING AT  
22 RIVERSIDE CLOSE  
STAINES  
MIDDLESEX



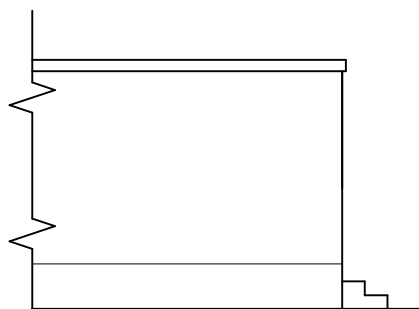
SIDE ELEVATION WITH DECKING



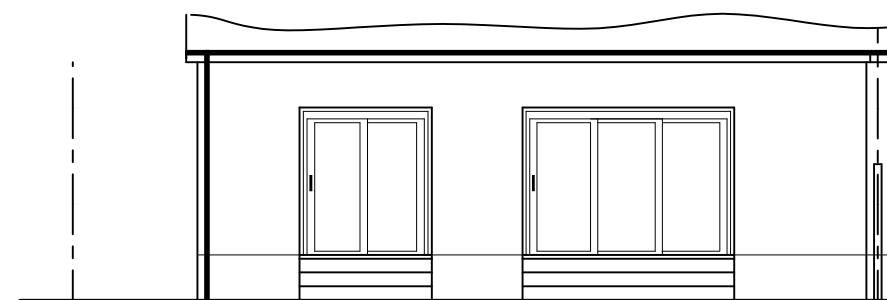
REAR ELEVATION WITH DECKING



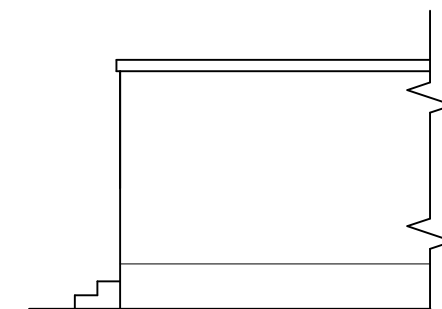
SIDE ELEVATION WITH DECKING



SIDE ELEVATION WITHOUT DECKING



REAR ELEVATION WITHOUT DECKING



SIDE ELEVATION WITHOUT DECKING

A3

SCALE BAR 1:50 0 1000 2000 3000 4000 5000

DRG NO. 22RC-DECKING  
04/05/2017 SH2

SCALE 1:100

PROPOSED DECKING AT  
22 RIVERSIDE CLOSE  
STAINES  
MIDDLESEX