

17/01700/HOU - 27 St Hildas Avenue, Ashford.

Scale 1:1,250

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## Planning Committee:

7 February 2018



<b>Application No.</b>	17/01700/HOU
<b>Site Address</b>	27 St Hilda's Avenue, Ashford
<b>Proposal</b>	Erection of a part single/ part two storey rear extension and wrap-around pitched roof over side and rear single storey element.
<b>Applicant</b>	Mr & Mrs P Sanders
<b>Ward</b>	Ashford Town
<b>Call in details</b>	This application has been called in by Councillor Gething due to concerns of over-development and over-bearing impact on neighbouring properties.

<b>Case Officer</b>	Drishti Patel		
<b>Application Dates</b>	Valid: 06/11/2017	Expiry: 01/01/2018	Target: Under 14.02.18
<b>Executive Summary</b>	<p>This application seeks approval for the erection of a part single storey, part two storey rear extension. It also involves the installation of a pitch roof to the side of the property and the creation of a covered seating area. The application was deferred by the Planning Committee at its meeting on 10 February to enable further information to be provided to assess the impact on the neighbouring property.</p> <p>The proposal is considered to have a satisfactory relationship to adjoining properties and has sufficient regard to the character of the area. It is considered to meet the requirements of Policy EN1 of the Core Strategy and Policies DPD 2009 and the Supplementary Planning Document on the Design of Residential Extension and New Residential Development 2011.</p>		
<b>Recommended Decision</b>	This application is recommended for approval.		

## 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 (Design of New Development)
- LO1 (Flooding)

Also relevant is the Supplementary Planning Document on the Design of Residential Extension and New Residential Development 2011.

### **2. Relevant Planning History**

PLAN C/FUL/75/183	Erection of a single-storey side extension to provide a utility room measuring 72 sq. ft. (6.7 sq. m).	Grant Conditional 21.04.1975
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PLAN C/OUT/75/194	Erection of a single-storey rear extension measuring 189 sq. ft. (17.6 sq. m).	Grant Conditional 21.04.1975
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### **3. Description of Current Proposal**

- 3.1 The application site is located on the western side of St Hilda's Avenue in Ashford. The site is occupied by a two storey semi-detached residential dwelling. The plot is rectangular with an integrated garage protruding out to the left from the front elevation. The application site is located within the 1:1000 year flood zone.
- 3.2 To the north of the site is the adjoining property of the pair of semi-detached dwellings, 25 St Hilda's Avenue. Other pairs of semi-detached dwellings are situated to the south of No 27 with the closest being 29 St Hilda's Avenue. The area is characterised by pairs of semi-detached dwellings. It is noted that the properties vary slightly in terms of design but mostly uniform in scale and are all two storey.
- 3.3 The proposal involves the erection of a part single storey, part two storey, rear extension. Also it is proposed to install a pitched roof over the proposed single storey rear element and existing side extension.
- 3.4 The ground floor element would measure 3 metres in depth, and would be set in from the northern boundary by 0.2 metres. The first floor element would be staggered in depth with the shallower element situated on the northern side measuring 2 metres in depth. The deeper element, situated in the southern side would measure 3 metres in depth. Due to the staggered nature of the first

floor, the roof lines of both north and south elements will have a different maximum height of 7.55 and 6.6 metres respectively. The roofs for the first floor will have a gable-end design.

- 3.5 There is an existing side extension that wraps around to form a front extension. This serves a garage and currently has a dummy pitched roof at the front element and extends 3 metres in width from the southern elevation. Behind the dummy pitched roof, the side extension has a flat roof. It is proposed to convert this into a pitched roof design and extend it as a wraparound to the proposed single storey rear element.
- 3.6 There are other small external alterations such as changes in the fenestration at the rear of the side extension. Here there are changes to the position of the door and windows. There will be no windows in the either side elevations.
- 3.7 A copy of the existing and proposed floor plans and elevations is attached as an Appendix.

#### **4. Consultations**

- 4.1 None

#### **5. Third Party Representations**

- 5.1 6 letters were sent out to neighbouring properties to notify of the application. 3 letters of objection was received from 25 St Hilda's Avenue raising the following points.

- Precedent (no other two storey rear extensions in the area)
- Overbearing and overshadowing
- Loss of daylight and sunlight
- Permitted Development Rights say 2 storey structures should be 2 metres from party boundary
- Previous report had error stating 25 St Hilda's Avenue had north facing gardens (which has been corrected)
- 45 vertical degree line has been breached
- Concern over applicant's sunlight assessment plan

#### **6. Issues**

- Character of the area (Design and Appearance)
- Impact on the amenity of the neighbouring properties
- Impact on flooding

#### **7. Planning Considerations**

##### Impact on the character of the area

- 7.1 It is recognised that the application property is situated within a line of pairs of semi-detached houses of a similar design with little variation. Due to the existing side extension, the rear of the site is not readily visible from the street scene. As such, the only proposed alterations that will be visible from the front

will be a pitched roof on the existing side extension which would improve the appearance from the street scene. Consequently the proposal is considered to have no adverse impact on the street scene of St Hilda's Avenue and will not be out of character with the area.

- 7.2 Although the proposal involves a two storey rear extension to a semi-detached dwelling, it is set in from the southern boundary. The proposal will have a two pitched roofs lower in height than that of the main dwelling so will appear subservient from the rear. As such it is considered to be in proportion and in character with the host building.
- 7.3 The proposed design and appearance of the proposal is considered acceptable and would not harm the overall character of this part of St Hilda's Avenue, conforming to Policy EN1 of the Core Strategy and Policies DPD 2009 (CS & P DPD).

#### Impact on the amenity of neighbouring residents

- 7.4 Policy EN1 of the CS & P DPD states that new development should achieve a satisfactory relationship with 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 two storey rear element is not set in from the northern boundary with the adjoining property 25 St Hilda's Avenue, and will protrude 2 metres from the rear elevation. However, it does not cross the 45 degree horizontal line when drawn from the centre of the existing conservatory of No. 25 adjacent to the boundary as per the Council's Supplementary Planning Document on the Design of Residential Extensions and New Residential Development 2011 (SPD) on the design of extensions.
- 7.6 The 45 vertical degree line set out in the SPD is taken from the rear of the conservatory of the adjoining property at no. 25 St Hilda's Avenue, not the garden or patio area. A conservatory is classed as "Development" under Section 55 of the Town and Country planning Act 1990 in that it is a building operation. Therefore the conservatory is classed as a building and is subject to the same planning rules as other types of house extensions; it is not a garden or patio area and the 45° vertical assessment should be taken from the rear of the existing conservatory not the rear of the original dwelling. The Council's SPD is based on the guidance of the British Research Establishment (BRE) "Site Layout Planning for Daylight and Sunlight". When considering the impact on the daylight to nearby buildings, paragraph 2.2.2 states that the *"guidelines given here are intended for use for rooms in adjoining dwellings where daylight is required, including living rooms, kitchens and bedrooms. Windows to bathrooms, toilet, storerooms, circulation area and garages need not be analysed."* There is no single legal definition of "habitable room", as its use and meaning is subject to context. A reasonable approach was taken that a conservatory is a room where daylight is required and is not in the same category as toilets and garages. There will be some loss of light to this conservatory due its transparent roof materials and also

that it is situated north of the proposal. However it is considered that the amount of light lost during a day would not be significant enough to justify refusal.

- 7.7 The proposed two storey element in relation to this property also does not breach both 45 degree lines with regards to the neighbouring property, 29 St Hilda's Avenue as the extension will be set in 2.6 metres from the southern boundary. The two storey element would be staggered due to it protruding 3 metres along the southern boundary, 1 metre further than the northern side. As such it is considered that the two storey proposal will have an acceptable relationship with both adjacent dwellings and will not give rise to a significant loss of light or overbearing impact on these adjacent properties.
- 7.8 The SPD refers to a 1m set in for two storey extensions (3.14 c and 3.42 b ii) but these relate to the set in from the side boundary not for a two storey rear extension as currently proposed.
- 7.9 There is a ground floor element which extends beyond the proposed two storey element on the northern boundary by a further 1 metre making the total ground floor depth 3 metres. This is considered to be acceptable because it is single storey and it does not project beyond the conservatory at No 25. The proposed pitch style roof for the existing side extension would wraparound to the proposed single storey rear extension with a height of 2.5 metres to the eaves and sloping up to a maximum height of 3.3 metres. This height is not considered to adversely impact on No 29.
- 7.10 The proposal would also comply with the separation distances set out in the Councils SPD. With regards to properties at the rear of the site, it would measure 19 metres from the rear of the proposal to the western boundary. Furthermore, it would measure 39 metres from the rear of the proposal to the rear elevations of No 32 and 34 Wellington Road. It is considered to cause no adverse impact on the amenity of the neighbouring properties.
- 7.11 There are no proposed side facing windows, and a condition is proposed to prevent any new openings.
- 7.12 The neighbours at 25 St Hilda's Avenue have written in objecting to the proposal. Their main reasons for objecting are concerns that the second floor element will block out daylight and sunlight to their property and that it will appear overbearing due to the 45 vertical degree line being breached. No 25 has a west facing rear garden with an existing conservatory with a depth of approximately 3.4 metres. While their concerns are noted, as indicated above, the proposal meets the requirements of the SPD in terms of distance and height and does not break the vertical or horizontal 45 degree lines and it is not considered that refusal can be justified on these grounds. Another concern was the impact on the character of the area which has been addressed above. The objector also refers to permitted development rights concerning 2 storey structures being situated 2 metres from the party boundary but this is not relevant as a planning application has been submitted and therefore does not need to adhere to permitted development regulations. A further concern

relates to the applicants sunlight assessment plan. However the proposal has been assessed under Spelthorne's own policy EN1 and SPD.

- 7.13 It is therefore considered that the impact on the amenity of the neighbouring properties in terms of privacy, daylight, sunlight and bulk will be acceptable.

#### Impact on flooding

- 7.14 The application site is located within the 1 in 1000 year flood event area where there is no objection in principle to extensions on flooding grounds. It is considered that the proposal will not have an adverse impact upon the flood area provided that it adheres to the conditions recommended by the Environment Agency in their standing advice which are recommended to be attached to this proposal. The application will then be in accordance with Policy LO1 of the CS & P DPD.

- 7.15 Accordingly, the application is recommended for approval.

### **8. Recommendation**

- 8.1 GRANT, subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: - This condition is required by Section 91 of the Town and Planning Act, 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The extension hereby permitted must be carried out in facing materials to match those of the existing building in colour and texture.

Reason: - To ensure a satisfactory external appearance, in accordance with policies SP6 and EN1 of the Spelthorne Borough Core Strategy and Policies Development Plan Document 2009.

3. The development hereby permitted shall be carried out in accordance with the following approved plans and drawings: L2506/LP rev A; 01; 02; 03; 05 rev A and 08 received 03.11.2017.

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

4. That no openings of any kind be formed in the northern and southern elevations of the part single storey/part two storey rear extension hereby permitted without the prior written consent of the Local Planning Authority.

Reason: - To safeguard the amenity of neighbouring residential properties in accordance with policies SP6 and EN1 of the Spelthorne Borough Core Strategy and Policies Development Plan Document 2009.

5. There shall be no raising of existing ground levels on the site within the area liable to flood, other than in accordance with the approved details.

Reason: - To prevent the increased risk of flooding due to impedance of flood flows and reduction in flood storage capacity in accordance with policies SP1, SP7 and LO1 of the Spelthorne Borough Core Strategy and Policies Development Plan Document 2009.

6. All spoil and building materials stored on site before and during construction shall be removed from the area of land liable to flood upon completion.

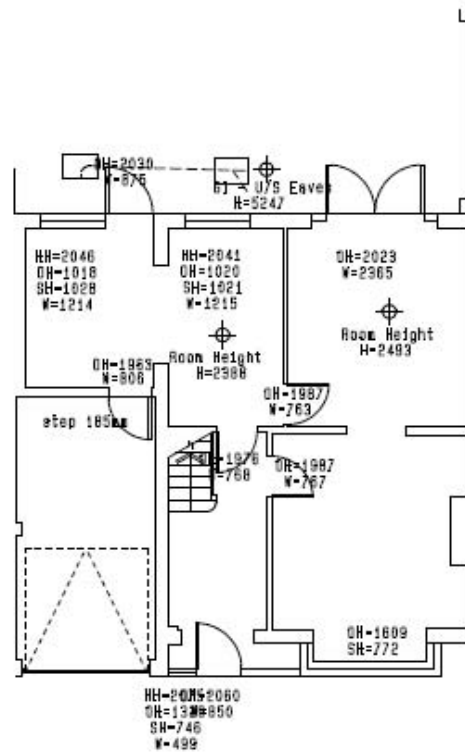
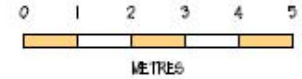
Reason: - To prevent the increased risk of flooding due to impedance of flood flows and reduction of flood storage capacity in accordance with policies SP1, SP7 and LO1 of the Spelthorne Borough Core Strategy and Policies Development Plan Document 2009.

#### INFORMATIVES TO APPLICANT

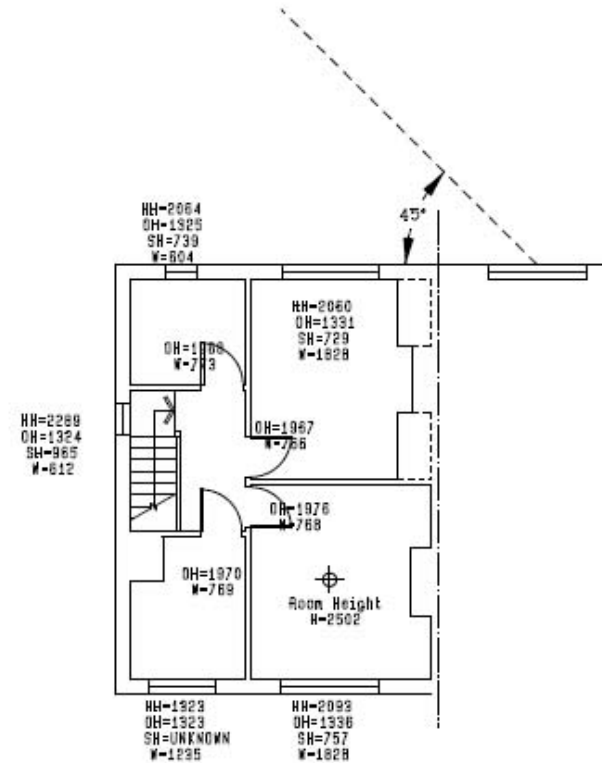
1. In assessing this application, officers have worked with the applicant in a positive and proactive manner consistent with the requirements of paragraphs 186-187 of the NPFF. This included the following: -

Have proactively communicated with the applicant through the process to advise progress, timescales or recommendation





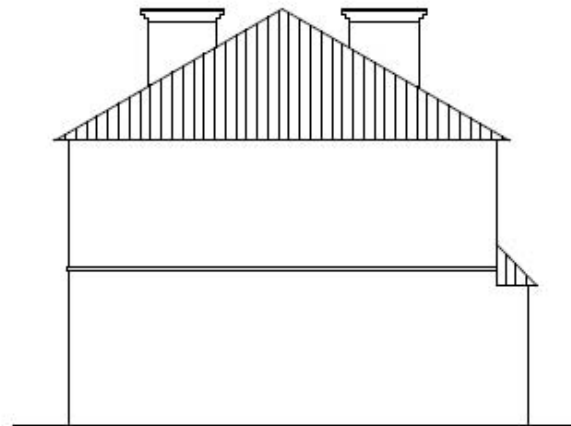
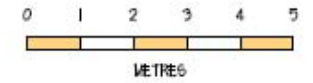
GROUND FLOOR PLAN



FIRST FLOOR PLAN

  
**ROBERT DAVIES JOHN WEST LIMITED**  
 RIBA Chartered Practice  
 The Courtyard 59 Church Street  
 Staines upon Thames Middx TW18 4XS  
 Tel: 01784 459211 E-mail: info@rdjwtd.com

DATE  
25/06/17  
 SCALE  
1:100 @ A3  
 DRAWN / CHECKED  
CL.  
 DATE  
25/06/17  
 PROPOSED DEVELOPMENT,  
 27 ST HILDAS AVENUE  
 ASHFORD  
 EXISTING FLOOR PLANS  
 DWS No: **L2506/01** REV -



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DATE  
20/10/17

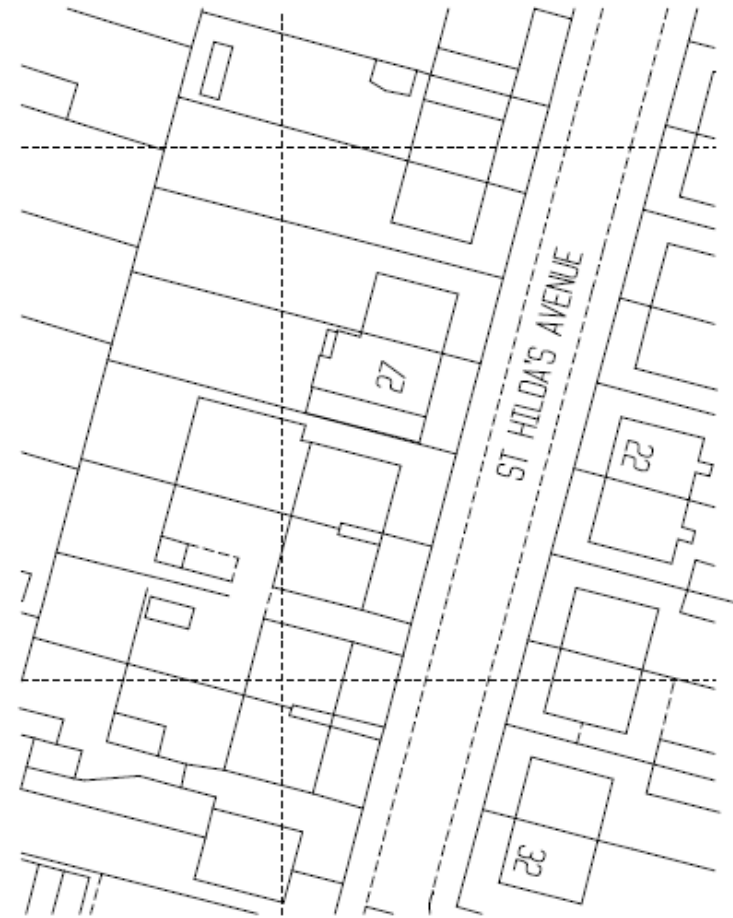
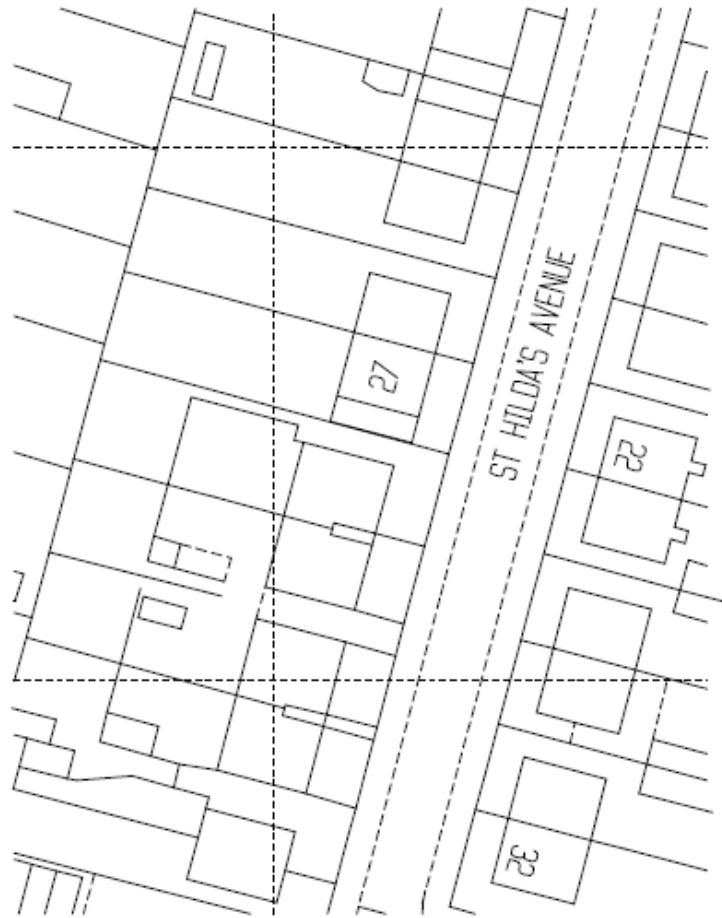
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DO

PROPOSED DEVELOPMENT,  
27 ST HILDAS AVENUE  
ASHFORD

EXISTING ELEVATIONS

DWG No: **L2506/02** REV



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DATE  
26/10/17

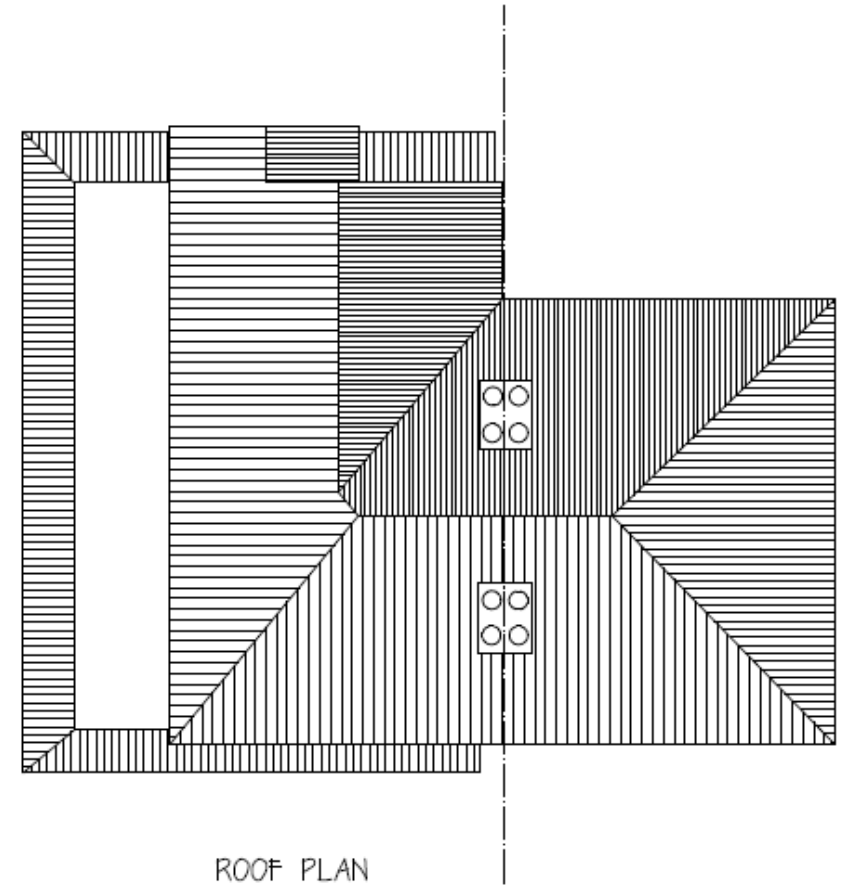
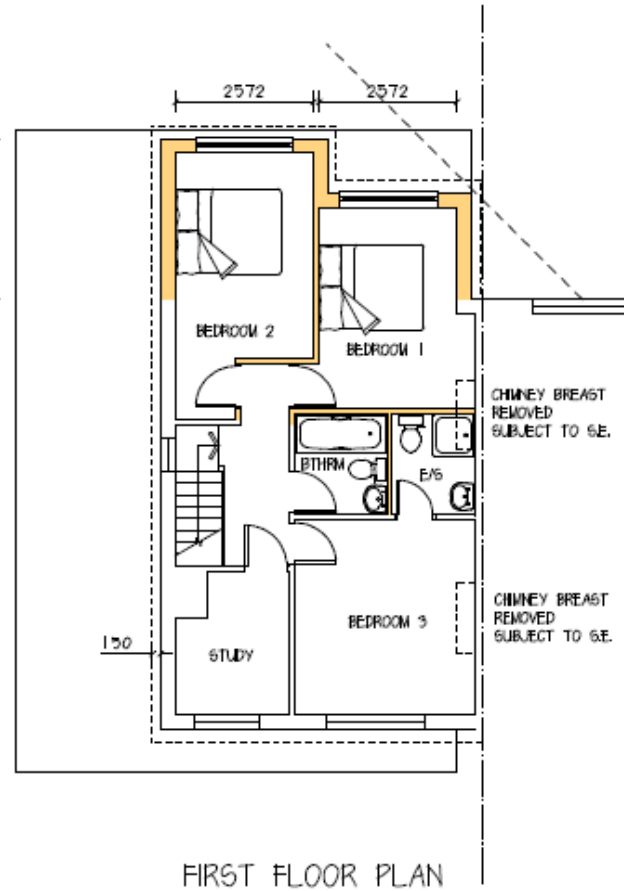
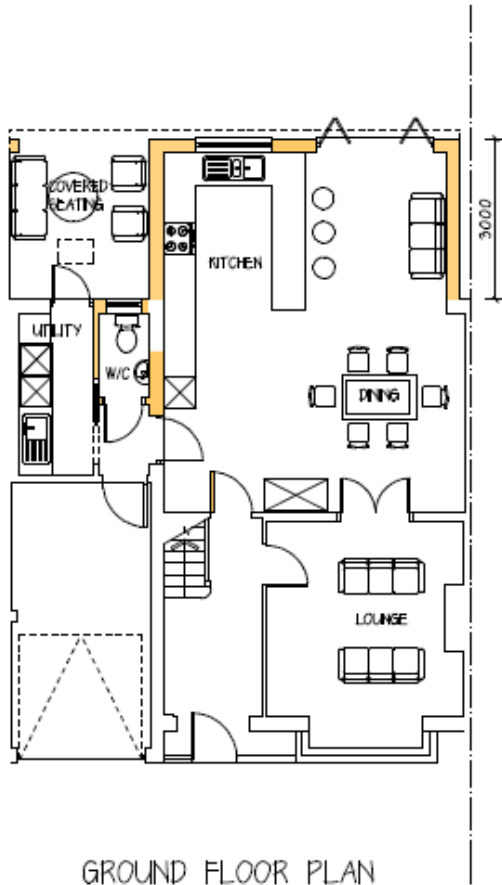
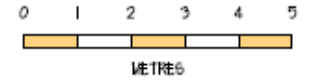
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PROPOSED DEVELOPMENT,  
 ST HILDAS AVENUE.  
 EXISTING AND PROPOSED  
 BLOCK PLAN

DWG NO **L2506/03** REV -



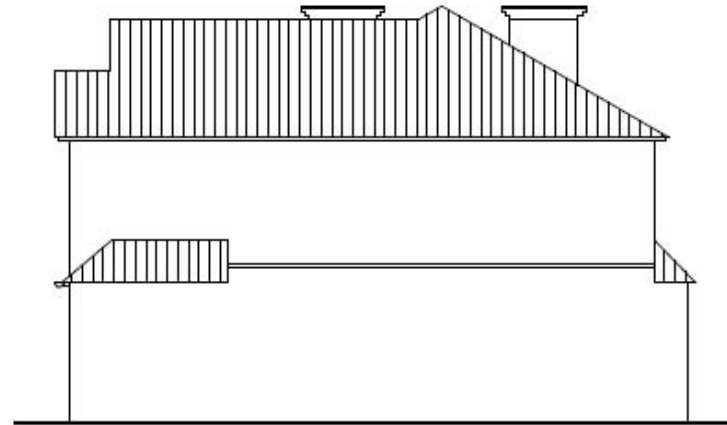
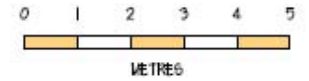
  
**ROBERT DAVIES JOHN WEST LIMITED**  
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DATE  
23/10/17  
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DO

PROPOSED DEVELOPMENT,  
 27 ST HILDAS AVENUE  
 ASHFORD  
 PROPOSED FLOOR PLANS



DRWG No **L2506/05** REV **A**



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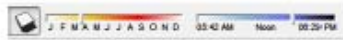
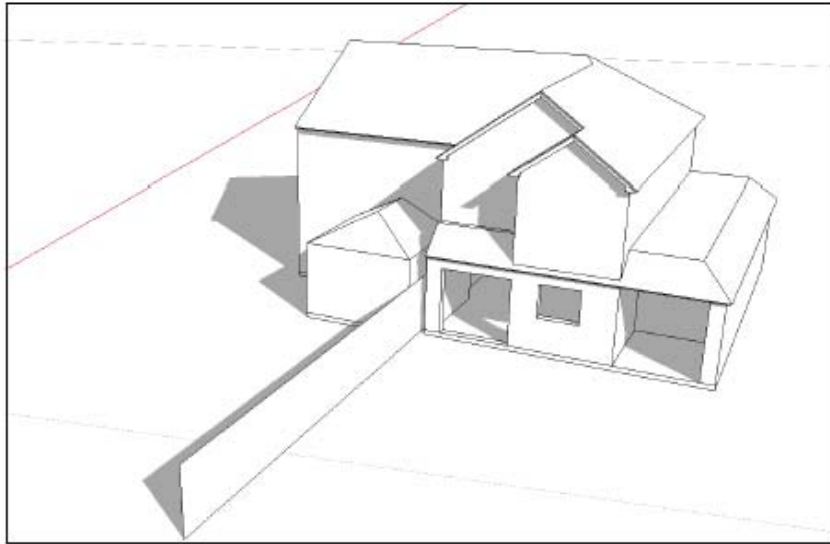
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PROPOSED DEVELOPMENT,  
27 ST HILDAS AVENUE  
ASHFORD

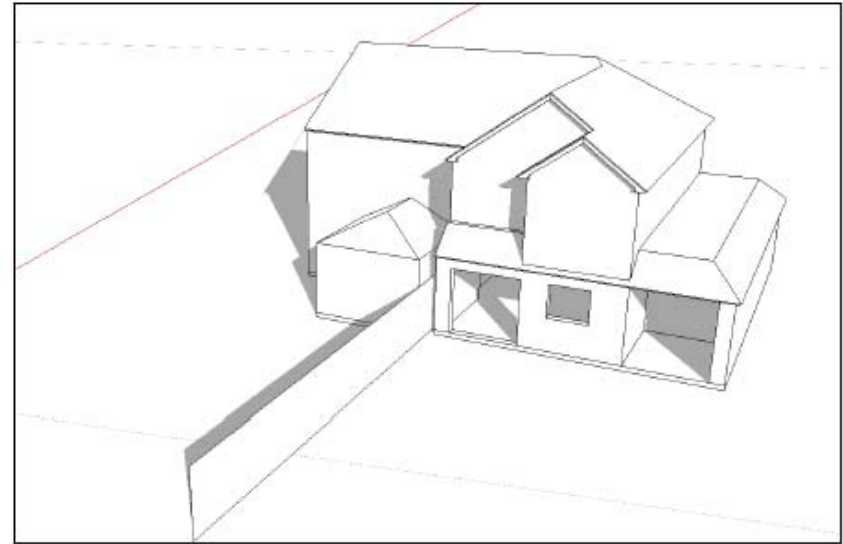
PROPOSED ELEVATIONS

DWG No. **L2506/08** REV

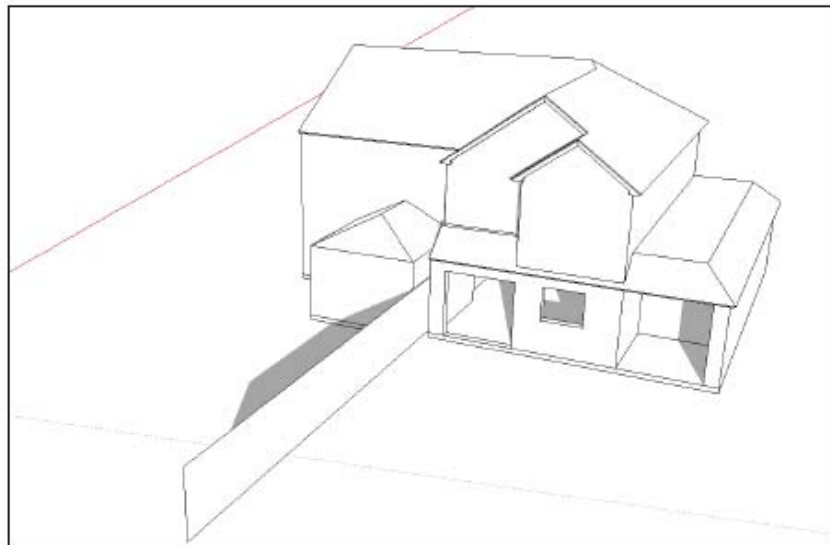
Geolocated Sun path Diagrams at 27 St Hilda's Avenue



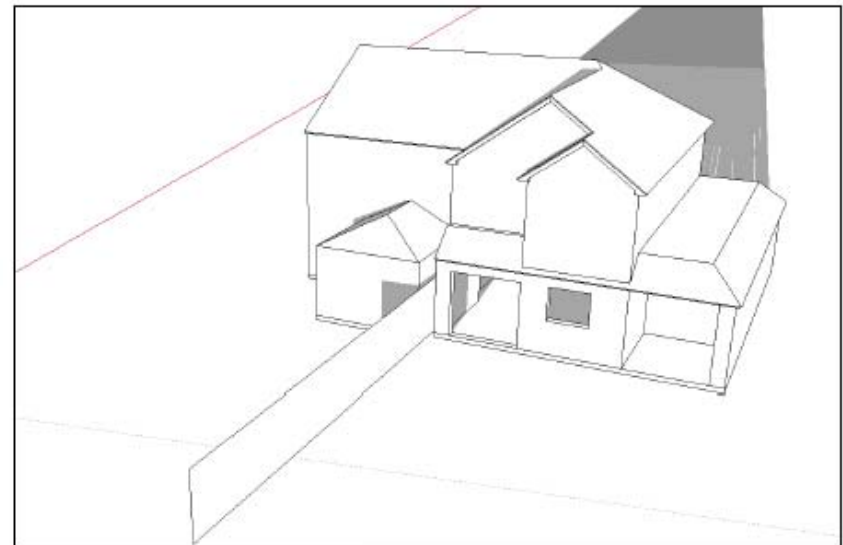
21<sup>st</sup> March at 3pm



21<sup>st</sup> March at 4pm

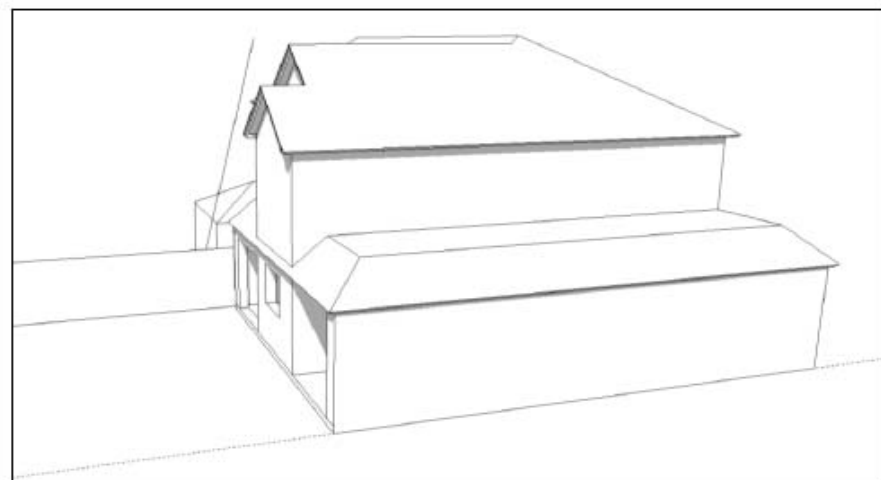
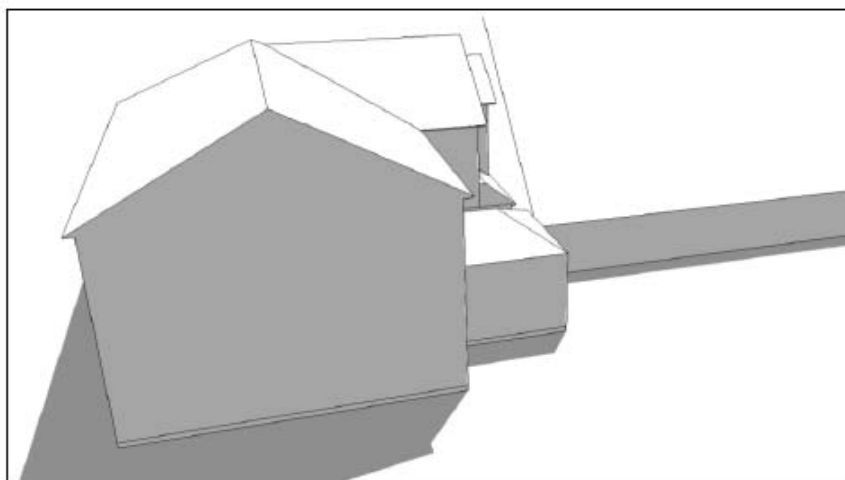
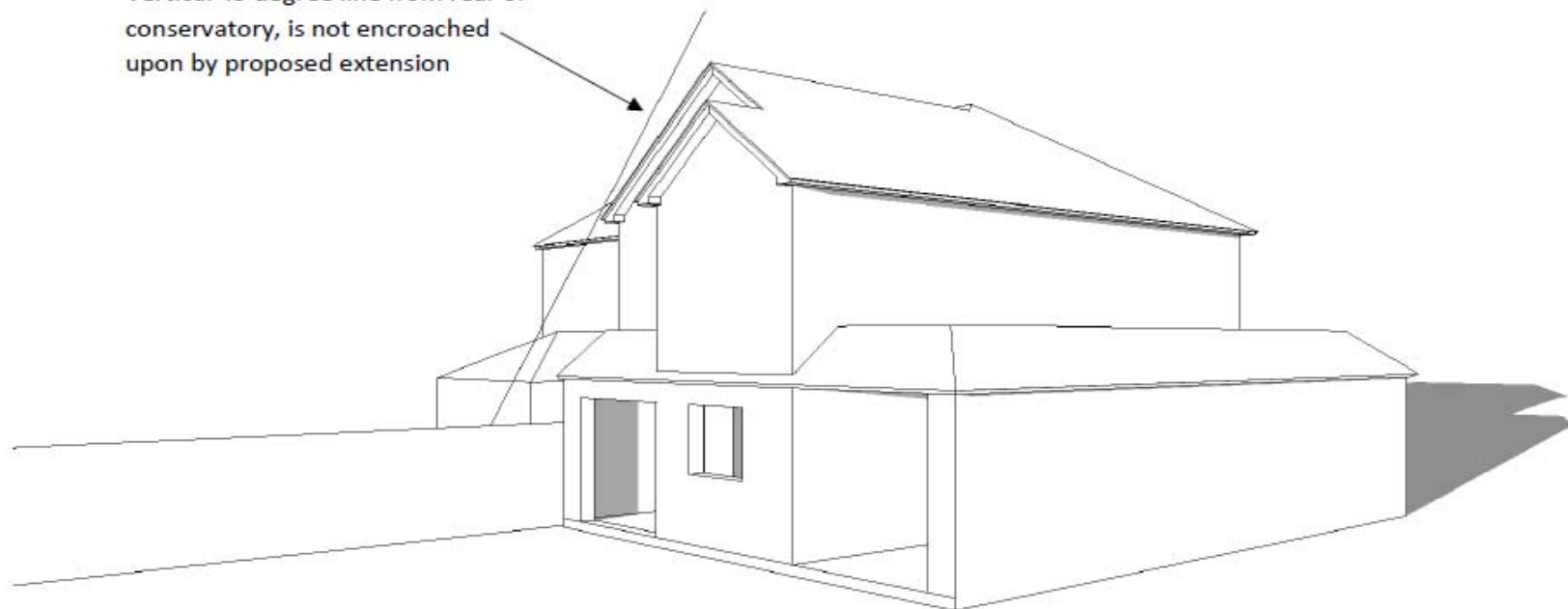


21<sup>st</sup> March at 5pm



21<sup>st</sup> March at 6pm

Vertical 45 degree line from rear of conservatory, is not encroached upon by proposed extension





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DATE  
26/10/17

SCALE  
1:1250 @ A4

DRAWN / CHKD  
DO



PROPOSED DEVELOPMENT,  
27 ST HILDAS AVENUE,  
ASHFORD, MIDDX.

LOCATION PLAN

DRWG No

**L2506/LP**

REV

A