



18/01332/FUL - 40 Glenfield Road, Ashford

Scale: 1:1,250

© Crown copyright and database rights 2018 Ordnance Survey 100024284.



Planning Committee

12 December 2018



Application No.	18/01332/FUL
Site Address	40 Glenfield Road, Ashford, TW15 1JL
Applicant	Mr Ranjit Sekhon
Proposal	Erection of part single storey, part two storey side extension and single storey rear extension following demolition of existing garage, outbuildings and rear extension and conversion of existing dwelling into a House of Multiple Occupation for 7 persons.
Ward	Ashford Common
Called-in	This application has been called into Committee for determination by Cllr Thomson on the grounds that the proposal does not comply with Policies EN1, CC3, HO5 and guidance contained in the SPD for the Design on New Residential Development and Householder Extensions.
Officer	Matthew Clapham

Application Dates	Valid: 18/09/2018	Expiry: 13/11/2018	Target Extension of time agreed
Executive Summary	<p>The application site is regular shaped plot of land located on the South side of Glenfield Road and is occupied by two storey semi-detached dwelling. The area is residential in character. The site has a deep rear garden and parking to the front.</p> <p>Schedule 2, Part 3, Class L of the General Permitted Development Order (2015), allows a dwelling to be used as an HMO for six residents without planning permission. The current proposal requires planning permission as extensions are proposed and the property will be occupied by 7 residents.</p> <p>The use of the property as a House of Multiple Occupation (HMO) for 7 persons is considered acceptable in principle and would not impact upon the character of the area nor the residential amenity of adjoining residents. The proposed extensions have already been granted planning permission (with just minor changes).</p> <p>It is considered that the proposal would not change the appearance of the area. Some hard standing to the front already exists and neighbouring front curtilages also have driveways and hardstanding.</p>		

	<p>The main issue that needs to be addressed is whether the use of the extended property as an HMO for seven residents is acceptable in planning terms in terms of impact on the amenity .of the occupants and surrounding dwellings and locality and parking provision. It is considered that the noise and general disturbance from a 7 person HMO would not lead to material harm to the living conditions of neighbouring and adjoining properties and as such it would respect the Council's Policy EN11.</p> <p>The County Highway Authority has not raised any objections in terms of highway safety or parking grounds. It is considered that the site is located in a sustainable location and that the provision of 3 parking spaces for an HMO in this location is acceptable.</p> <p>In terms of sustainability and the public transport provision, the application site benefits from a number of retail outlets within walking distance, including an M&S supermarket/BP garage and a Local Shopping Parade. In addition, there are bus routes to Staines and Twickenham on nearby School Road and Ashford train station is within walking distance of 1.2 miles. Therefore, it is considered that the current proposal would not conflict with Policy CC3 of the Spelthorne Core Strategy and Policies Development Plan Document (2009).</p>
Recommended Decision	This application is recommended for approval, subject to conditions.

MAIN REPORT

1. Development Plan

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

- EN1 (Design of New Development)
- EN11 (Development and Noise)
- SP6 (Maintaining and Improving the Environment)
- CC2 (Sustainable Travel)
- CC3 (Parking Provision)
- HO1 (Providing for New Housing Development)

2. Relevant Planning History

17/01925/FUL

Erection of part single storey, part two storey side extension, single storey rear extension and front porch extension following demolition of existing garage, outbuildings and rear extension to create two self-contained flats comprising 1 no. 2 bed flat and 1 no. 1 bed flat.

Granted

14.02.2018

17/01531/PDH

Prior Approval notification for a single storey rear extension measuring 6m beyond the rear wall of the original dwellinghouse with a maximum height of 3.2m and a height to the eaves of 3m. Prior Approval not required

03.11.2017

17/01525/HOU

Erection of a two storey side extension (following the demolition of existing garage).

Granted

23.11.2017

3. Description of Current Proposal

- 3.1 The application site relates to a two-storey semi-detached dwellinghouse situated on the southern side of Glenfield Road. This road is characterised by semi-detached and detached dwellings with a predominance of semi-detached property types. The application site has a detached garage to the side and a

single storey rear extension. It is relevant to note that both adjacent properties have been extended.

- 3.2 The application under consideration is for the erection of a two-storey and part single storey side extension following the demolition of an existing detached garage, a 6m rear extension (which has already received prior approval under 17/01351/PDH), a front porch and the conversion of the property into an HMO for 7 persons.

A copy of the proposed floor plans and elevations are attached as an Appendix.

4. Consultations

The following table shows the consultee and the response.

Consultee	Comment
Environmental Health (contamination)	No objection.
Environmental Health (noise)	No objections subject to controls during the construction process.
Head of Street Scene (refuse storage)	Confirmed additional bins will be required – condition attached to require refuse storage details.
Surrey County Council Highways	No objection.

5. Public Consultation

- 5.1 A total of sixteen letters of objection have been received raising the following issues:

- Use out of character in the area
- Inadequate parking
- noise and disturbance
- rubbish and effluent
- cycle store impracticable due to lack of external access
- creates a precedent
- up to 14 persons could reside at the property
- applicants 'profit making' and not local
- increase in activity from 7 persons compared to a family home
- disturbance from on-street parking
- extensions unneighbourly
- extensions do not comply with Policy EN1
- demographics of residents
- inadequate refuse storage
- disturbance during building works
- security/safety of local residents – anti-social behaviour
- impact on property values

6. Planning Issues

6.1 This application is located within the urban area and involves the erection of front, side and rear extensions and a Change of Use to a 7 person HMO and requires an assessment of the following impacts of the development:

- Principle and appearance / design
- Living conditions of future occupiers
- Residential amenity of neighbouring properties
- Parking provision and Highway Safety

7. Planning Considerations

Principle and appearance

- 7.1 Under secondary legislation, the Use Classes Order defines use class C3 as a dwelling house (whether or not as a sole or main residence) (a) by a single person or people leaving together as a family, (b) by not more than six residents living together as a single household (other than a use of within Class C4). Class C4 is classified as a house in multiple occupation that is used by not more than six residents as a HMO). Planning permission is not required to move from use class C3 to C4 and *vice versa*. Therefore the existing property could be used as an HMO for six residents without requiring planning permission. There is, therefore, no 'in principle' objection to the use of the existing dwelling as an HMO for six persons. However, it is necessary to consider whether the extended dwelling to be used as an HMO for seven residents is acceptable in planning terms.
- 7.2 The proposed two storey side extension has previously been approved under 17/01525/HOU. The rear extension has also been allowed under Prior Approval (ref. 17/01531/PDH) and no objections were received in relation to this. The side extension would extend along the whole side elevation of the property and would measure 3.55 metres in width (2.55m at first floor level). The single storey rear extension would not be attached to the side extension. In allowing these previous extensions, the Council has considered that the scheme would have an acceptable impact upon the character of the area and it would not significantly cause harm on the visual amenities when viewed from the street scene. The only changes to the current side extension compared with the approved one are that the front porch has been reduced in size in terms of its front extension and the side extension has been extended forward at single storey level to match the existing building line of the porch. The first floor extension remains unchanged. The other changes are relatively minor changes to doors and fenestration. The proposed two-storey element would continue to be 'set-in' 1 metre from the side boundary and would be 'set-back' 1 metre from the prevailing building line of the dwelling. The ridge height is also below that of the existing dwelling. Therefore, with the 'set-backs' and the design, it is considered that the proposed side extension would respect the host building and the surrounding properties. Whilst it is noted that the single storey element has a part flat roof, there is a small dummy pitch to the front and it is considered that it would not cause a significant harm on the visual amenities when seen from the street scene.

- 7.3 The rear extension is substantial with a flat roof, however the 'fall back' position is that the proposal may already be built under the existing planning approval or via the prior approval route (17/01531/PDH) and this is a material consideration. The rear extension is also not visible from the street scene and there are existing flat roof extensions on the site and next door.
- 7.4 A front porch extension has already been approved. This proposal reduces the extent of the porch addition and the proposed side extension has been brought forward to match the proposed porch addition. However, the front additions are relatively small and have a pitched roof. Due to the angle of the road and the relationship with adjoining properties, there would be no infringement impact upon the street scene.
- 7.5 It should also be noted that in addition to the extensions, planning permission 17/01925/FUL also gave approval for the conversion to a two bed and a one bed flat. Therefore the existing property could be used as an HMO for up to six persons (subject to licencing approval) or as extended for two flats. In view of this, it is not considered that the use of the building as an HMO for 7 residents would give rise to any significant increase in noise and disturbance. The comments regarding anti-social behaviour and the demographics of the future occupiers are noted. However there is no evidence to suggest that the future occupiers will cause a nuisance. In addition, an HMO use does not automatically result in the occupiers behaving in an anti-social manner. The behaviour of the occupiers is a management issue. The Council's Environmental Health Officers are required to License the premises and a requirement of the License is to submit a management plan for such matters. For reasons set out in later paragraphs, amenity matters and parking provision is considered acceptable.
- 7.6 Glenfield Road, is a residential road comprising a variety of housing types, predominantly semi-detached houses generally in close proximity to one another and a number have hardstanding to the front of their properties. On-street parking on both sides of the street is part of the character and appearance of the area.
- 7.7 There is already an access drive to the garage on the site, although the proposal will result in the loss of some existing grass and landscaping, albeit with some being retained under this proposal. In view of the fact that the whole frontage of the site could be turned into hardstanding, as has happened directly opposite providing the material is porous or drains into a soakaway, it is not considered that proposal would be unacceptable in terms of its appearance within the street scene and would not, therefore, change the appearance of the area. The proposal is therefore considered to have an acceptable impact upon the character and appearance of the area.

Living conditions and amenity for future residents

- 7.8 In terms of the amenity for future occupiers of the flats, it is considered that whilst the technical standards do not refer to studio or HMO accommodation, the internal floor space is considered acceptable in planning terms. In any event, recent changes in Legislation require that since the 1st October 2018, an

HMO such as this one (an HMO that has 5 or more people that form 2 or more households) has to operate with a licence which is the responsibility of the Environmental Health Department. Room size standards would fall under the consideration of the issuing of any licence.

- 7.9 For a building in the urban area, a reasonable visual outlook, light to windows and privacy would be provided. The rear amenity area is 17m deep and approx.10m wide and it is considered that satisfactory outdoor amenity space is provided. The application site is considered to be located within a sustainable location which is considered in greater detail under “parking” below.

Residential amenity of neighbouring properties

- 7.10 In approving the earlier planning application, 17/01925/FUL, it was considered that the proposal would have an acceptable impact upon the amenity of all neighbouring and adjoining properties in terms of overlooking, loss of light, outlook or overbearing effect. The two-storey element would be set-in approximately 3.40 from no 38 Glenfield Road's two-storey side extension. In addition, it is relevant to note that the adjacent property (No 38) projects forward by approximately 7.60 metre. It is considered that the proposed two-storey element would respect the Council's 45 degree guide to the ground floor rear window. It has been noted that there are no ground floor side windows installed on the neighbour's two storey side and single storey rear developments. The neighbour on the other side (no. 42), immediately adjoining the rear extension has a single storey rear extension with a side window and rear facing windows on the original rear elevation, which will be partly ‘boxed in’ by the proposal. However, as no objections were received to the Prior Approval application for the single storey rear extension, the impact on amenity was not assessed (in accordance with the regulations) and prior approval was granted. In the most recent planning application for this extension (1701925/FUL) it was concluded that the windows would retain an outlook and given that the proposed rear extension is single storey and flat roofed, light would still reach these windows. Therefore on balance, it was not considered that the adverse impacts upon this property would justify refusal.

- 7.11 No side windows have been proposed on the two-storey element. The only opening is on the side elevation of the single storey rear extension and this is some 3.5m away from the side boundary and at ground floor level. Therefore, the proposal is considered to have an acceptable impact upon amenity of neighbouring and adjoining properties and would not give rise to any overbearing or loss of light or privacy. Due to the separation distances involved, no adverse impacts would apply to any other adjoining property.

Parking provision

- 7.12 The scheme would result the loss of a garage and would provide three parking spaces which is considered to be acceptable. The County Highways Authority has not raised any objection on parking or highway safety grounds and has made the following comments:

- 7.13 *Neither Spelthorne Borough Council's Parking Standards nor Surrey County Council's Parking Guidance have a specific standard for HMOs. The proposed development could lead to up to 7 persons residing on site, and the independent nature of the occupants in HMOs generally means that all occupants will be adults.*

Generally it is considered that, given the transient nature of HMO occupants, it is unlikely that all occupants will have access to a private car. The application site is located within comfortable walking distance of the nearest bus stops, situated on School Road, which have a frequent service between Twickenham and Staines. Ashford Town Centre and Rail Station are situated approximately 1.2 miles away from the application site, and therefore walking is a viable, but potentially unattractive option for these trips. The bus and cycling offer a reasonable alternative to walking as a means of non-car transport. As a result, whilst the application site is not located in the ideal location to promote sustainable travel and discourage car ownership, future residents would not be reliant on private vehicles.

The County Highway Authority has considered the potential impact of any overspill of parking from the site onto Glenfield Road. Glenfield road is a lightly-trafficked residential road, with good forward visibility in the vicinity of the application site. Therefore, it is unlikely that a small amount of additional on-street parking in the vicinity of the site would result in a material impact on highway safety or capacity.

- 7.14 In view of these comments and other examples of similarly sized HMO's in the locality only having 3 parking spaces, the parking provision is considered acceptable. These other schemes were at 16 Springfield Road, Ashford (allowed on appeal); 158 Feltham Hill Road, Ashford and 86 Long Lane, Stanwell. The location of the spaces would not impact upon the amenity of future occupiers. The comments regarding on-street parking are noted, particularly at school drop off and collection times. However, given the extent of the largely unrestricted on-street parking availability in the locality and the views of the highways authority that the street is capable of accommodating the additional on street parking demand, it is considered that the proposal makes adequate provision for the level of parking required.

Other matters

- 7.15 Property values are not material planning considerations. There is no 'precedent' in planning terms and any application is treated on its own merits. The Head of Street Scene has made comments regarding the refuse storage, and it is considered that there is space to the front for an extended storage area and this may be achieved by a condition. The County Highways Authority has not raised any objections regarding cycle storage. A condition has been attached limiting the number of occupiers of the property to 7, which is also likely to be the requirement of the Licensing requirements of Environmental Health, if this is granted. The building works could be undertaken under previous approvals and any new development will inevitably lead to some limited disturbance, however this is only a temporary basis. The objectives of the applicant in making a planning application are not material considerations.

Local Finance Considerations

- 7.16 Under S155 of the Housing and Planning Act 2016, Local Planning Authorities are now required to ensure that potential financial benefits of certain development proposals are made public when a Local Planning Authority is considering whether or not to grant planning permission for planning applications which are being determined by the Council's Planning Committee. A financial benefit must be recorded regardless of whether it is material to the Local Planning Authority's decision on a planning application, but planning officers are required to indicate their opinion as to whether the benefit is material to the application or not.
- 7.17 In consideration of S155 of the Housing and Planning Act 2016, the proposal is not a CIL chargeable development. This is not a material consideration in the determination of this planning application. The proposal will however generate Council Tax payments which are also not material considerations in the determination of this proposal.

8. Conclusions

- 8.1 It is considered that the principle of an HMO in this location is acceptable. The design of the extensions and existing building maintain the appearance of a semi-detached property and is acceptable within the street scene. No adverse impacts would arise upon the residential amenity of the adjoining properties. Satisfactory amenity is provided for future occupiers and the parking provision is considered acceptable for this use in this location. The application is recommended for approval.

9. Recommendation

- 9.1 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 Country 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. That no further openings of any kind be formed in the side elevations of the extensions 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.

4. The development hereby permitted shall be carried out in accordance with the following approved plans: RSD2341-001 and RSD2341-400 received 18.09.2018.

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

5. The occupation of the HMO hereby permitted shall be limited to a maximum of 7 residents at any time.

Reason:-.To safeguard the amenity of adjoining residents and ensure adequate parking provision.

6. That within 3 months of the commencement of any part of the development permitted, or such longer period as may be approved by the Local Planning Authority, facilities shall be provided within the curtilage of the site for the storage of refuse and waste materials in accordance with the approved plans, and thereafter the approved facilities shall be maintained as approved.

Reason:- To ensure that the proposed development does not prejudice the enjoyment by neighbouring occupiers of their properties and the appearance of the locality, in accordance with policies SP6 and EN1 of the Spelthorne Borough Core Strategy and Policies Development Plan Document 2009.

INFORMATIVES

1. 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 38 – 46 of the NPPF. This included the following:-

- a) Provided pre-application advice to seek to resolve problems before the application was submitted and to foster the delivery of sustainable development.
 - b) 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;
 - c) Have suggested/accepted/negotiated amendments to the scheme to resolve identified problems with the proposal and to seek to foster sustainable development.
 - d) Have proactively communicated with the applicant through the process to advise progress, timescales or recommendation.
2. You are advised that the Council will expect the following measures to be taken during any building operations to control noise, pollution and parking:

- (a) Work that is audible beyond the site boundary should only be carried out between 08:00hrs to 18:00hrs Monday to Friday, 08:00hrs to 13:00hrs Saturday and not at all on Sundays or any Public and/or Bank Holidays;
- (b) The quietest available items of plant and machinery should be used on site. Where permanently sited equipment such as generators are necessary, they should be enclosed to reduce noise levels;
- (c) Deliveries should only be received within the hours detailed in (a) above;
- (d) Adequate steps should be taken to prevent dust-causing nuisance beyond the site boundary. Such uses include the use of hoses to damp down stockpiles of materials, which are likely to generate airborne dust, to damp down during stone/slab cutting; and the use of bowzers and wheel washes;
- (e) There should be no burning on site;
- (f) Only minimal security lighting should be used outside the hours stated above; and
- (g) Building materials and machinery should not be stored on the highway and contractors' vehicles should be parked with care so as not to cause an obstruction or block visibility on the highway.

Further details of these noise and pollution measures can be obtained from the Council's Environmental Health Services Unit. In order to meet these requirements and to promote good neighbourliness, the Council recommends that this site is registered with the Considerate Constructors Scheme - www.ccscheme.org.uk/index.php/site-registration.2.

Architectural floor plan of the first floor. The plan includes a large central hall (HALL) with a staircase (STAIRS) and a reception area (RECEPTION). To the left is a parking area (PARKING) with two cars shown. To the right is a large open area (OPEN SPACE) with a table and chairs. The plan also shows various rooms like a kitchen (KITCHEN), a bathroom (BATHROOM), and a storage area (STORAGE). Dimensions are provided for various sections, and there are callouts for 'PARKING SPACE' and 'PARKING SPACE'.

01 PROPOSED GROUND FLOOR PLAN



02 PROPOSED FIRST FLOOR PLAN



04 PROPOSED REAR ELEVATION



06 PROPOSED FRONT ELEVATION



03 PROPOSED ROOF PLAN



05 PROPOSED FLANK ELEVATION



07 PROPOSED FLANK ELEVATION



BLOCK PLAN
1-250

[illegible]

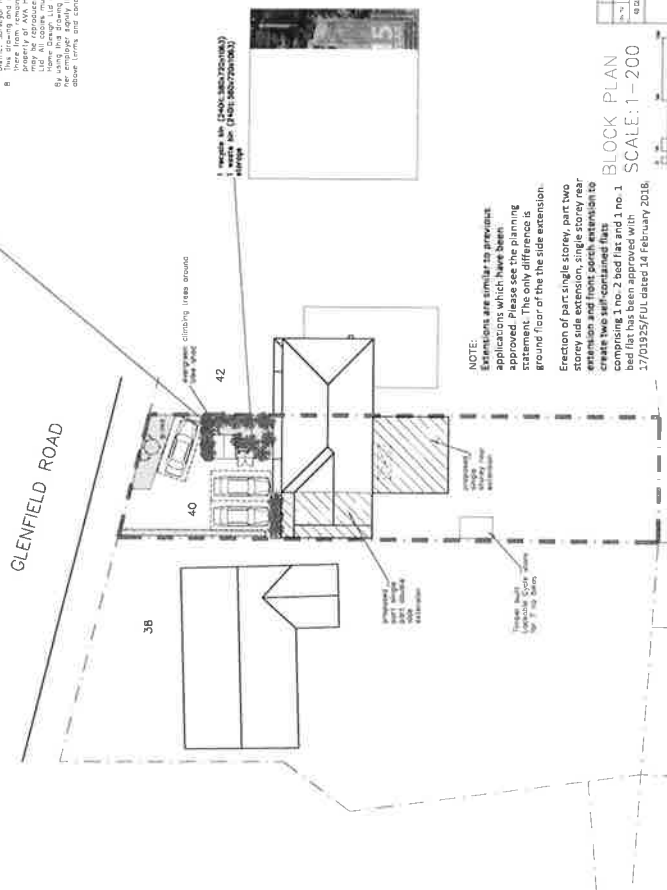
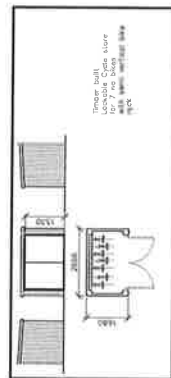
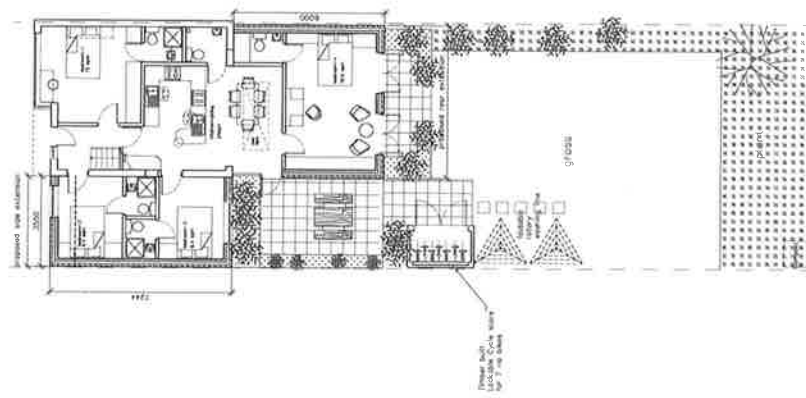
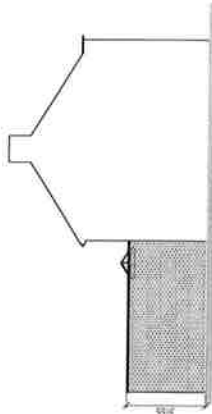
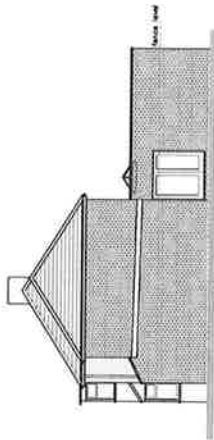
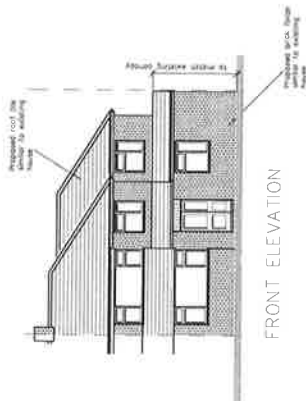
40 GLENFIELD ROAD
LONDON
TW15 1JJ

100 A2	SEP 20 7
--------	----------

Color	Length	Age
-------	--------	-----

15	100000
----	--------

PLANNING

[illegible]

8

ager built
able Cycle store
7 no bikes
is sent north to
%

Ten
 Less
 for
 all
 1990

Diagram of a rectangular plate with a width of 0.075 m.

Page 10 of 10

The second floor plan shows a large central hall with a curved desk area. To the left is a room labeled '12'. To the right is a room labeled '13'. A door is visible at the bottom center of the hall.

This architectural floor plan shows the layout of the first floor. It includes a large central hall, several smaller rooms, and a kitchen area. The plan is oriented with a north arrow pointing towards the top right. The drawing is a black and white line drawing.

NOTE: Extensions are similar to previous applications which have been approved. Please see the planning statement. The only difference is ground floor of the side extension.

rection of part single storey, part two storey side extension, single storey rear extension and front porch extension to create two self-contained flats comprising 1 no. 2 bed flat and 1 no. 1 bed flat has been approved with conditions.

BLOCK PLAN
SCALE: 1-200

FIRST FLOOR LAYOUT

GROUND FLOOR LAYOUT