



## Planning Committee

14 November 2018



<b>Application Nos.</b>	18/01269/HOU		
<b>Site Address</b>	44 Kings Avenue Sunbury On Thames TW16 7QE		
<b>Proposal</b>	Erection of single storey rear extension (following demolition of existing conservatory), a hip to gable end front and rear roof extension with the installation of 3 no. eastern and 3 no. western facing dormers and a rear facing Juliet balcony.		
<b>Applicant</b>	Mr Staple		
<b>Ward</b>	Sunbury Common		
<b>Call in details</b>	<p>The application has been called in by Cllr Spoor on the grounds of impacts on neighbours in terms of:-</p> <ul style="list-style-type: none"> <li>visual impact when seen from the street scene and out of keeping with all the other extensions and dwellings within the road.</li> </ul>		
<b>Case Officer</b>	Vanya Popova		
<b>Application Dates</b>	Valid: 04.09.2018	Expiry: 30.10.2018	Target: Extension of time agreed.
<b>Executive Summary</b>	<p>The application site is located within a residential area which contains a mix of bungalows and two storey properties, most of which have previously been altered and extended. A number of dwellings have dormers of varying sizes and design which creates a clear character along Kings Avenue.</p> <p>It is considered that the application which has been revised since the original submission would have an acceptable impact upon the character of the area and when viewed from the street scene. It is further considered that the revised 3 no pitched dormers on the each side of the property would respect the host building and neighbouring dormer in design terms.</p> <p>Taking into account that both adjoining properties have previously been altered and extended and that all proposed dormer windows would be obscured glazed and the proposal is for a 1<sup>st</sup> floor rear Juliet balcony, it is not considered that the proposal would have any significant adverse impacts upon the residential amenity of adjoining</p>		

	<p>properties in terms of loss of privacy, daylight or sunlight, or overbearing effect due to bulk and proximity or outlook.</p> <p>It is considered that the proposed scheme would have an acceptable impact upon the parking provision.</p>
<b>Recommended Decisions</b>	This planning 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)
- 1.2 Also relevant is the Supplementary Planning Document on the Design of Residential Extensions and New Residential Development, 2011

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

92/00341/FUL    Erection of a single storey rear conservatory

**Approved 24.07.1992**

SUN/FUL/7347/A    Erection of garage and extension to kitchen

**Approved 03.07.1963**

SUN/OUT/7347    Erection of garage and kitchen extension

**Approved 09.05.1963**

### **3. Description of Current Proposal**

- 3.1 The application site relates to a detached bungalow situated on the southern side of Kings Avenue in Sunbury-On-Thames. The site is within close proximity to a culverted main river, which runs along the bottom of the rear garden. The property contains an attached garage which has been partially converted into a utility room, and a conservatory with a substantial rear garden. The property has already made alterations to its roof including the installation of rooflights providing an additional bedroom. The majority of the front curtilage contains hardstanding to facilitate off-street parking.
- 3.2 Kings Avenue is a residential road which contains a mixture of dwelling types in terms of heights, designs and detailing, creating a varied street

scene with a particular predominance of single storey detached properties. A number of extensions and alterations to the roofs, including the installation of dormers windows in various designs, and rooflights have taken place on bungalow properties in order to provide additional habitable space. The application site is flanked on either side by chalet style dwellings, both of which have already been previously extended and altered at roof level.

- 3.3 The original proposal submitted by the applicant/agent comprised the erection of a single storey rear extension following demolition of an existing conservatory. In addition, the scheme also proposed the installation of two large flat roof dormers on each side which would have occupied more than half of the length of the roof; approximately 7.50 metres long together with a first floor rear facing Juliet Balcony. It is relevant to note that when the site visit was conducted on 18.09.2018, it was established that the building work has already commenced as the external walls of the single storey rear extension and the walls of the roof extension have been built. Several times the applicant and agent have been advised to stop works prior the decision is made. It is also relevant to note several amended plans have been submitted to the planning officer showing changes to the original proposal and requiring the neighbouring consultation period to be extended each time.
- 3.4 The latest plans submitted on 22.10.2018 show that the amended proposal comprises the erection of a single storey rear extension following demolition of an existing conservatory, hip to gable end front and rear roof extensions with the installation of 3 no. western and 3 no. eastern facing dormers with a rear facing Juliet Balcony. The amended scheme proposes a gable roof extension to the front and rear and a proposed extension at the rear which would extend 4.75 metres on the western elevation and 4 metres on the eastern elevation measured from the original rear wall of the bungalow. The visual effect to the side of the proposed extension is to create a chalet style property.
- 3.5 Copies of the Site Location plan, Block Plan, Existing and Proposed floor and elevation plans are provided as an Appendix.

#### **4. Consultations**

- 4.1. The following table shows those bodies consulted and their response.

<b>Consultee</b>	<b>Comment</b>
Environmental Health	No objection, recommends an <b>informative</b> is attached to the decision notice.
Environment Agency	No objections, recommends an informative.

## **5. Public Consultation**

5.1 The Council has received seven letters of objection have been received raising the following concerns:-

- The proposed extension at the rear extends more than what is allowed for a detached property
- The work has already started
- The drawings do not match what is being built (*Officer note: the development is not yet complete*)
- Over-looking
- Loss of privacy
- Over-bearing
- The proposed dormer windows should be obscured glazed and non-opening at low level (*Officer note: a condition has been recommended that the first floor windows are obscured glazed and non-opening under 1.7 metres internal floor level*)
- No dimensions have been shown on the dormers in terms of heights (*Officer's note:- The proposed plans are to scale and the dormers could be measured from the Council's website*)
- The front two dormers are much larger than the others
- Concern that the Juliet balcony will be turned into a proper balcony in the future (*Officer note: a condition has been recommended that no external access is provided*)
- The drawings keep changing

## **6. Planning Issues**

- Design and appearance
- Impact on neighbouring properties
- Parking

## **7. Planning Considerations**

7.1. Works on the extension commenced without the applicant first obtaining planning permission, and as a result of a recent enforcement investigation it is evident that the extension does not constitute 'permitted development'.

7.2. Whilst the building work has already commenced prior the determination of the application, the current planning application would still need to be assessed in the same way as other applications.

### **Design and Appearance**

7.3. Policy EN1 (a) of the Core Strategy and Policies Development Plan Document (2009) states that new developments should respect and make a positive contribution to the street scene in terms of scale, height, and proportions. Moreover, the Council's Supplementary Planning Document (SPD) on the Design of Residential Extensions and New

Residential Development, 2011 clearly states that the roof design and any dormers should reflect the character of the original property and should not be over dominant or out of proportion.

- 7.4. Kings Avenue contains a mix of bungalows and two storey properties which vary in architectural designs. Dormers with different sizes and designs including flat roofed, false pitched and fully pitched are common features along this residential street.
- 7.5. The revised scheme proposes 3 no. dormers on each side of the flank elevations which would be incorporated within the pitched roof. It is considered that the revised design of the dormers would respect the host building and neighbouring properties in design terms. It is further considered that the proposed alterations to the roof would be keeping with the character of the area, in particular the adjoining properties. The proposed front gable end design would have a half hipped element to the front, which would be slightly smaller than the adjacent neighbouring chalet properties. A clear presence of gable end properties have been observed along Kings Avenue.
- 7.6. In addition, it is considered that the revised dormers would have a similar appearance to the neighbouring property no 46 Kings Avenue particularly when viewed from the front. Whilst it has been noted that the two dormers to the front of the road would be slightly larger (approximately 1 metre) in scale than the others, taking into account the character of the locality, it is not considered that the appearance would be significantly unbalanced when viewed from the street scene or would appear as over dominant or out of proportion. The proposed dormers would be set in from the eaves by approximately 0.98 metre and the revised front dormers would be set back front the ridge edge by 1 metre, whereas the dormers closest to the rear edge would be set in 2.20 metres.
- 7.7. It is considered that the proposed design and appearance will be in keeping with the character of the surrounding area and complies with the requirements of Policy EN1 (a).

#### Impact on neighbouring properties

- 7.8. Policy EN1 (b) of the Core Strategy and Policies (CS & P DPD) states that proposals should 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 proximately or outlook. It is relevant to note that the Council's Supplementary Planning Document (SPD, 2011) recognises that most developments will have some impact on neighbours. However, it has to be ensured that the amenity of adjoining neighbours is not significantly harmed.

- 7.9. Notwithstanding the fact that in an urban area such as this case, it would be expected that some level of over-looking could occur and both adjoining properties on each side have been previously extended and altered and in fact both properties have 1<sup>st</sup> floor rear windows. The neighbour at no. 46 has a roof light in the rear single storey extension and has raised concern that overlooking would occur from the rear first floor window of the proposed extension. However, it is not considered that this would result in direct overlooking and could not be a reason to object to the application. It has been noticed that the neighbouring property to the west (no 42 Kings Avenue) contains a first floor balcony with an external access. No 46 Kings Avenue's original footprint has been extended by 8 metres at the rear, whereas the neighbouring property to the west of the site contains a single storey rear extension measuring 3 metres in depth.
- 7.10. It is relevant to note that both neighbouring properties have made alterations to their roofs including the installation of side dormers. Whilst the proposed rear extension would exceed the Council's 4 metres recommended depth by 0.75 metre, it would however be unreasonable to refuse the scheme on this basis because there would be no additional material impact. The neighbouring property to east of the site (no 46 Kings Avenue) would still extend further beyond the application site by approximately 3 metres.
- 7.11. In relationship to no 42 Kings Avenue, it has been noted the neighbouring concerns in terms of over-bearing. However, the proposed rear extension would project approximately 1.75 metres further from no 42 Kings Avenue's rear extension and the highest point of the single storey rear extension nearest to the western boundary would measure 3.5 metres in height. Therefore, it is not considered that the neighbouring amenity would be significantly impacted in terms of over-bearing and loss of light.
- 7.12. Taking into account that all proposed 6 no side facing first floor windows would be obscured glazed (the bedroom and office rooms have clear glazed windows looking to the front and back) and that no 46 and 42 Kings Avenue dormer windows facing the application site are obscured glazed with the exception of 1 no. dormer on the western flank elevation of 46 Kings Avenue, it is not considered that the proposal would cause a significant over-looking or loss of privacy. However, a condition is recommended for these windows to be obscured glazed.
- 7.13. It has been noted the neighbouring concerns in terms of potential over-looking and loss of privacy caused by the proposed Juliet Balcony to the rear., However it is relevant to note that the previous external space between the Juliet Balcony and above the single storey rear extension has been removed. Both adjoining properties contain 1<sup>st</sup> floor rear windows and as such it is not considered that a reason for refusal could be justified. It is relevant to note that the proposed/revised plans show that the Juliet Balcony would not have an external access. In addition, a

Juliet Balcony where there is no platform and therefore no external access, would normally be permitted development. However, a condition is recommended that no external access should be provided.

- 7.14. Therefore, the revised proposal is considered to have an acceptable impact upon amenity of neighbouring and adjoining properties.

#### Parking provision

- 7.15. It is considered that the proposed scheme would have an acceptable impact upon the parking provision. The site contains a large driveway to the front that can accommodate more than one vehicle. In addition, King's Avenue is an unrestricted road in terms of parking and as such it provides opportunities for on-street parking.

### **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 Country Planning Act, 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plans Location Plan, Site Plan, PL101 and PL111 Received on 31.08.2018, PL201 Rev j and PL211 Rev h Received on 22.10.2018.

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

3. The development 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.

4. Prior to the occupation of the development hereby permitted the first floor window (s) on the western and eastern flank elevation(s) shall be obscure glazed and be non-opening to a minimum height of 1.7 metres above internal floor level.The(se) window(s) shall thereafter be permanently retained as installed.

Reason:-.To safeguard the privacy of the adjoining property(ies) in accordance with policies SP6 and EN1 of the Spelthorne Borough Core Strategy and Policies Development Plan Document 2009.

5. That no further openings of any kind shall be formed on the eastern and western flank elevation(s) of the development hereby permitted without the prior written consent of the Local Planning Authority.

Reason:-.To safeguard the privacy of the adjoining property in the accordance with policies SP6 and EN1 of the Spelthorne Borough Core Strategy and Policies Development Plan Document 2009.

6. That a railing be provided in front of the proposed french windows in the rear elevation at first floor level and that no platform and external access is provided.

Reason:-. To safeguard the privacy of the adjoining property(ies) in accordance with policies SP6 and EN1 of the Spelthorne Borough Core Strategy and Policies Development Plan Document 2009.

#### INFORMATIVES TO APPLICANT

1. The applicant's attention is drawn to the requirements of the Party Wall Etc. Act 1996 in relation to work close to a neighbour's building/boundary.
2. This development is situated within 250 metres of a current or historic landfill site or gravel pit. A gas impermeable membrane should be incorporated within the structure along with a ventilated sub floor area. Any services entering/leaving the structure should be located above the gas impermeable membrane or alternatively, adequate seals will need to be provided if the membrane is to be breached. The details of the gas impermeable membrane and with particular attention to the joins with any existing structure and seals around any services, plus details of the sub-floor ventilation should be submitted to the Local Planning Authority for approval prior to the works being carried out.

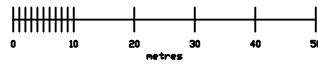
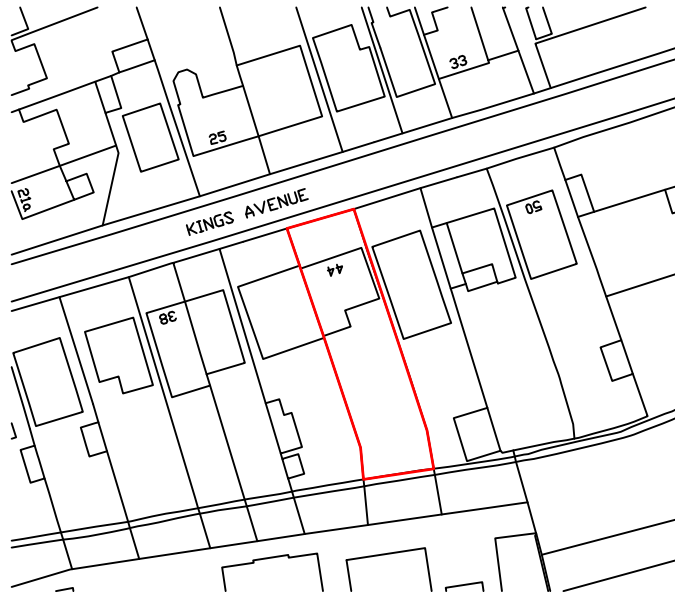
The applicant is advised to contact Spelthorne's Pollution Control team on 01784 446251 for further advice and information before any work commences.

3. Informative - Environmental Permit

This development may require an Environmental Permit from the Environment Agency under the terms of the Environmental Permitting (England and Wales) (Amendment) (No. 2) Regulations 2016 for any proposed works or structures, in, under, over or within 8 metres of the

top of the bank of designated 'main rivers'. This was formerly called a Flood Defence Consent. Some activities are also now excluded or exempt.

An environmental permit is in addition to and a separate process from obtaining planning permission.

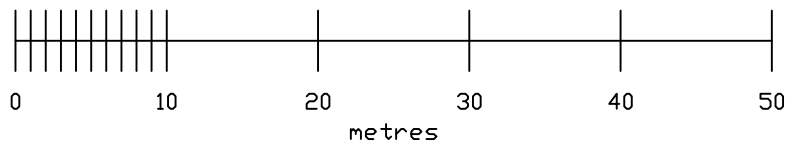
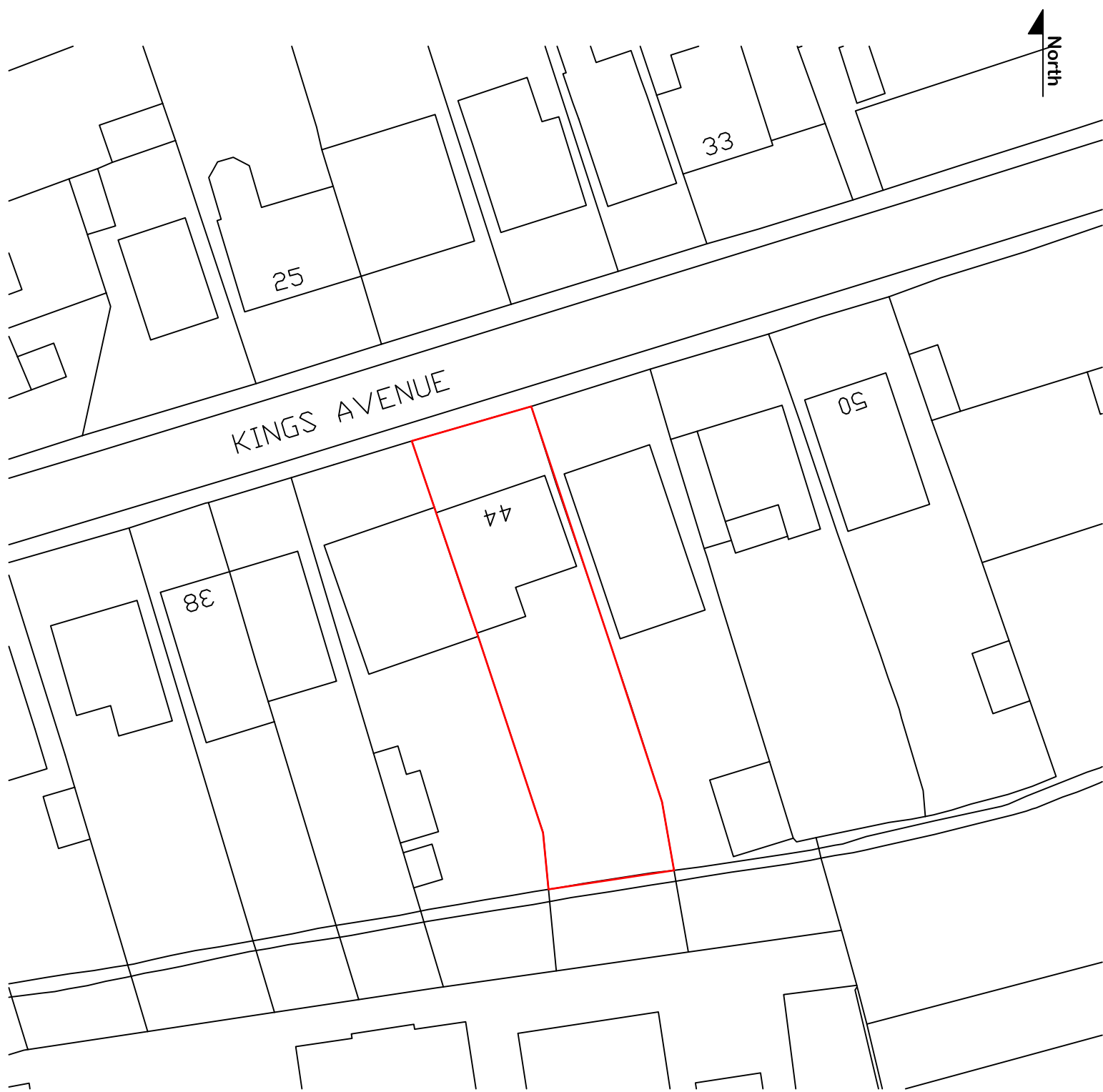


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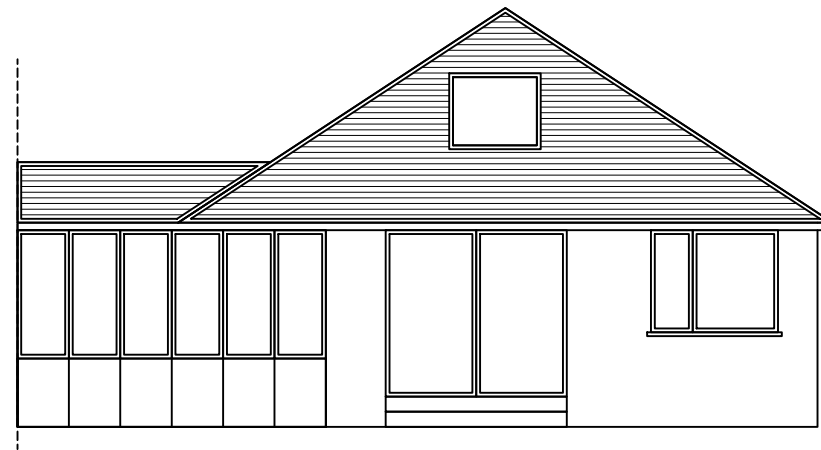
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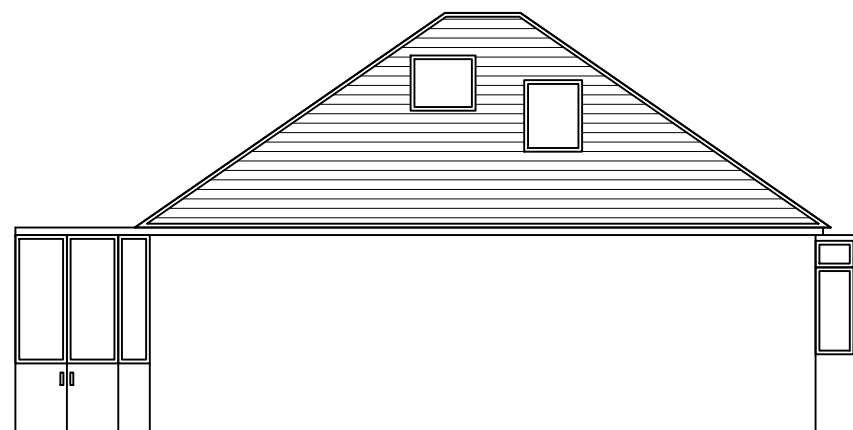
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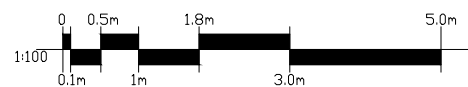
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Existing Rear Elevation



Existing Side Elevation

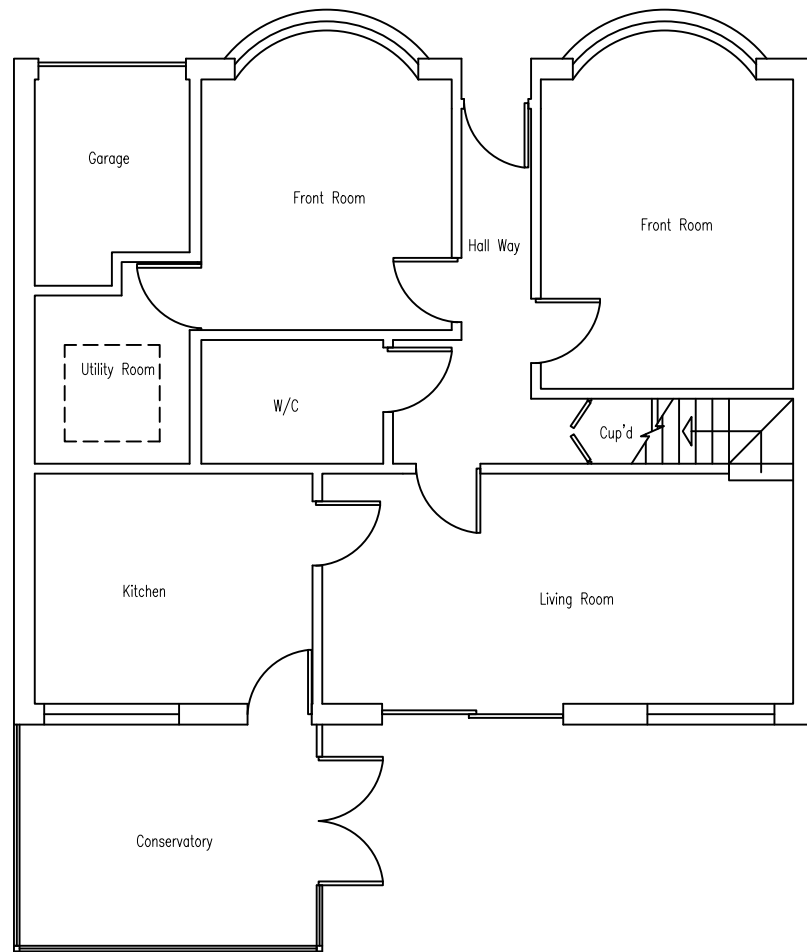


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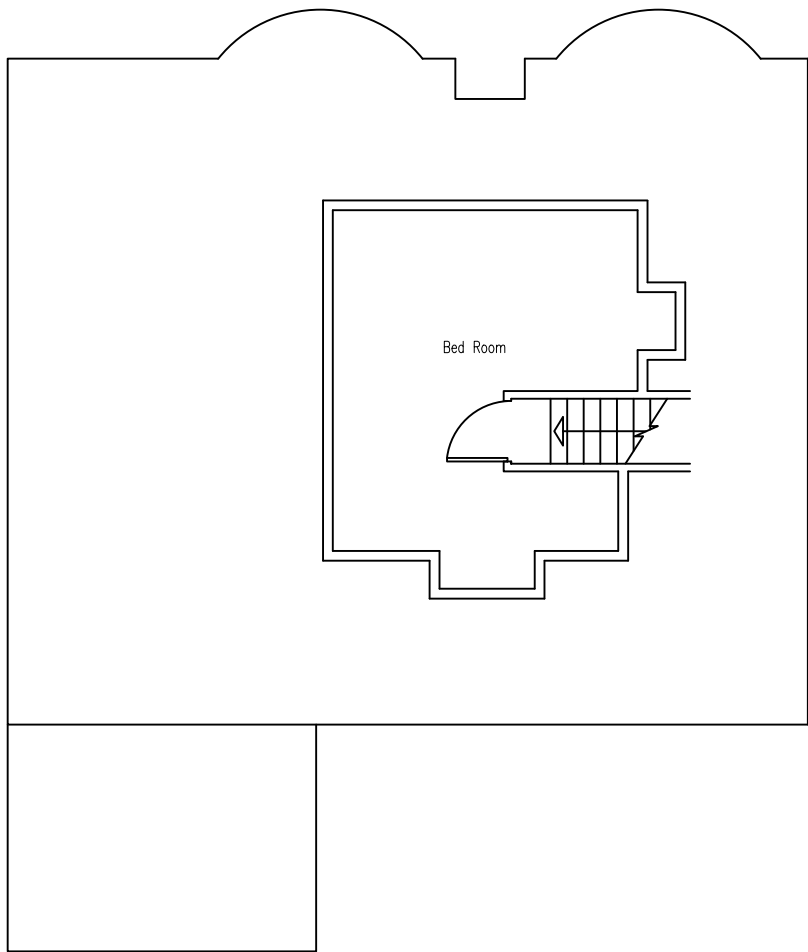
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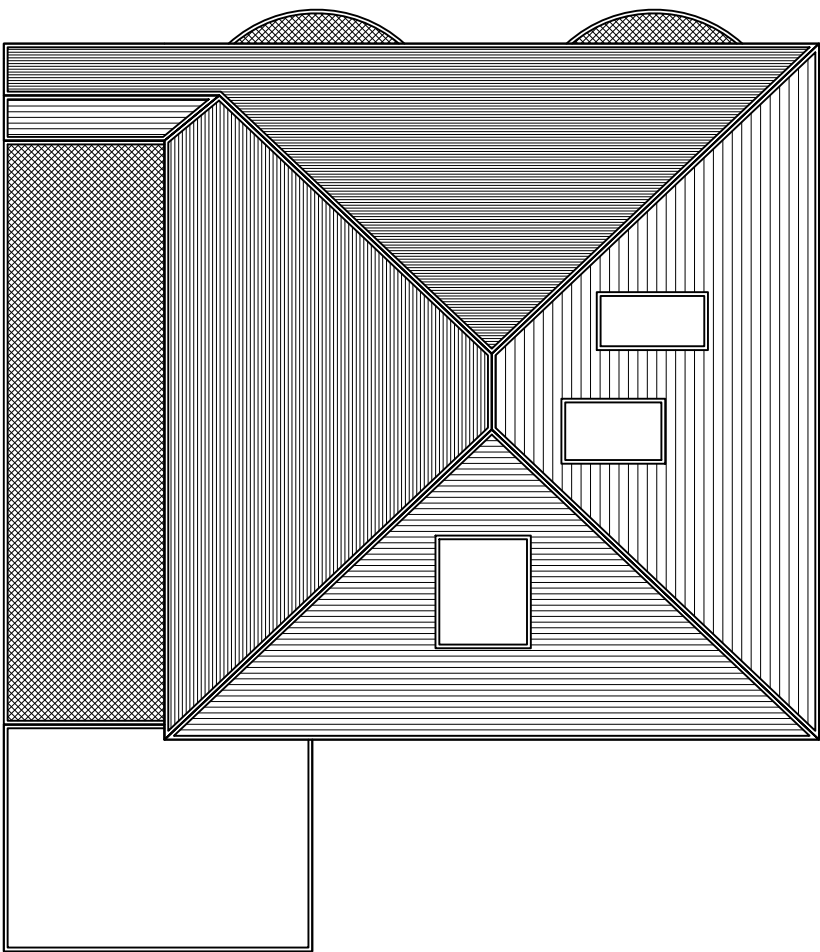
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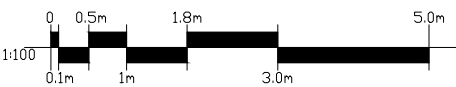
Existing Ground Floor



Existing First Floor



Existing Roof Plan



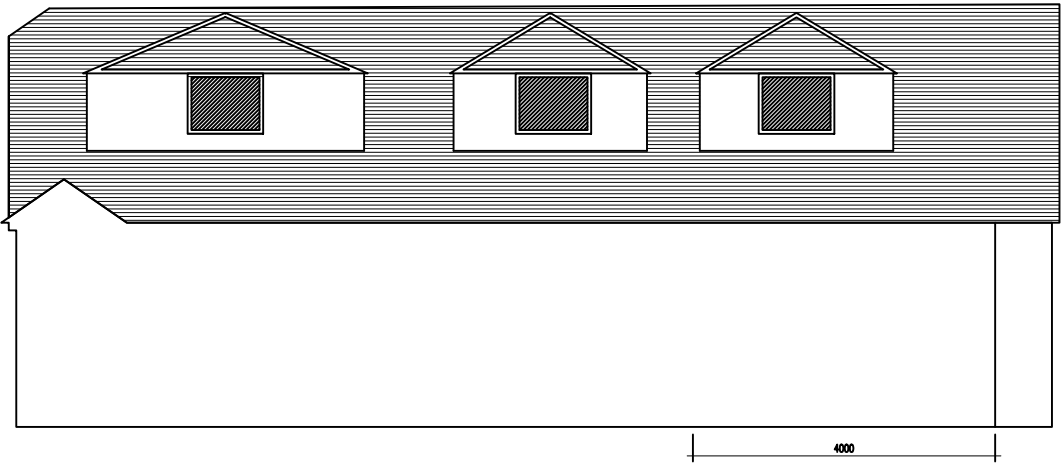
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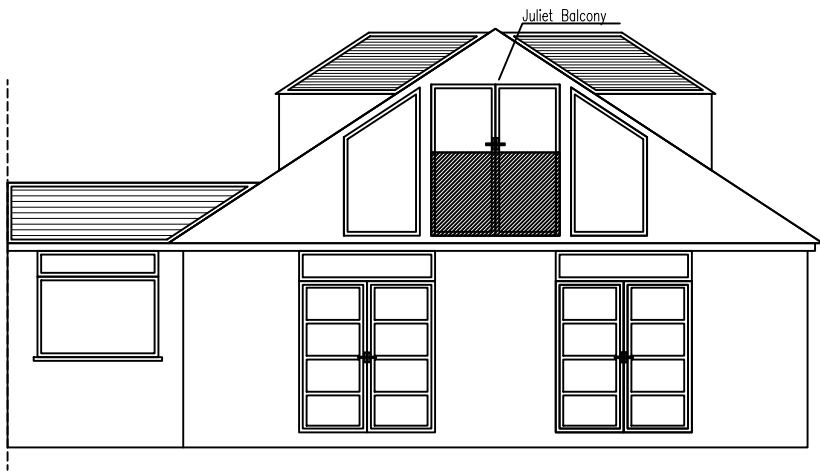
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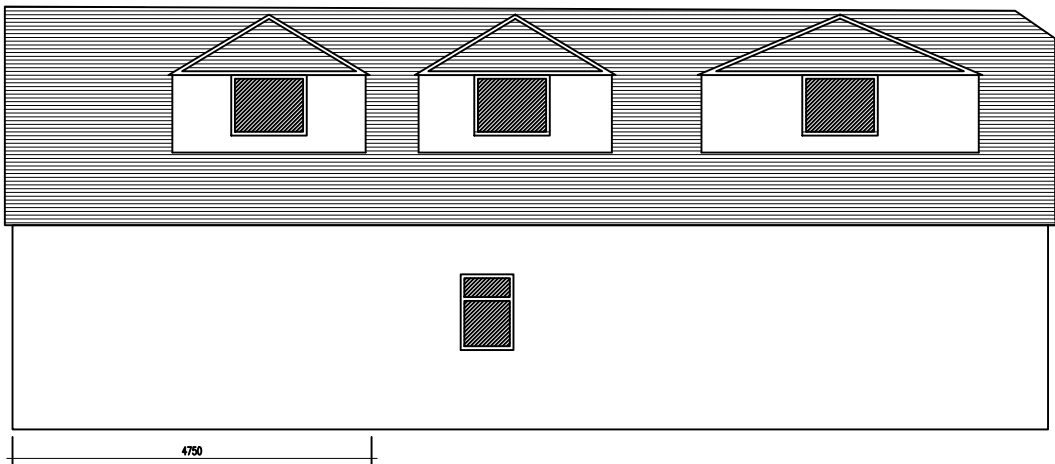
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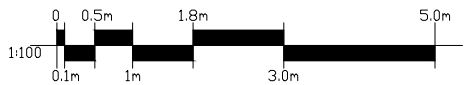
Proposed Side Elevation



Proposed Rear Elevation



Proposed Side Elevation

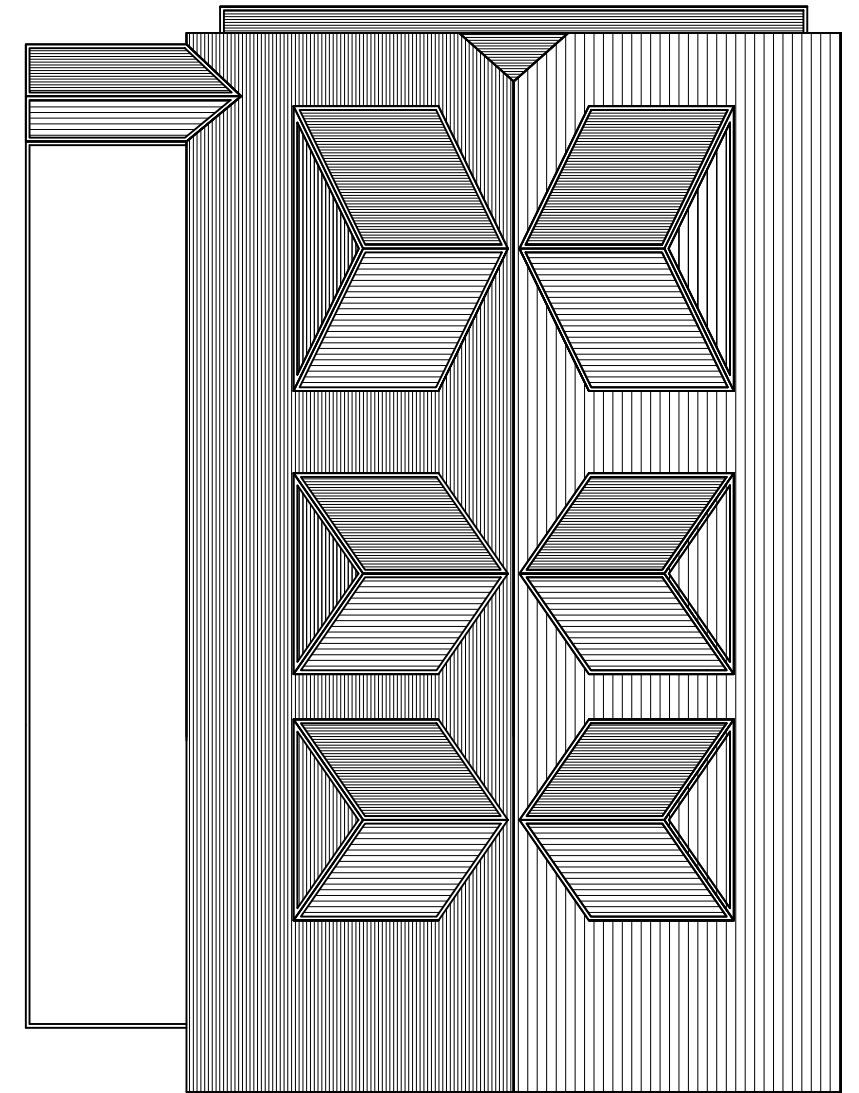
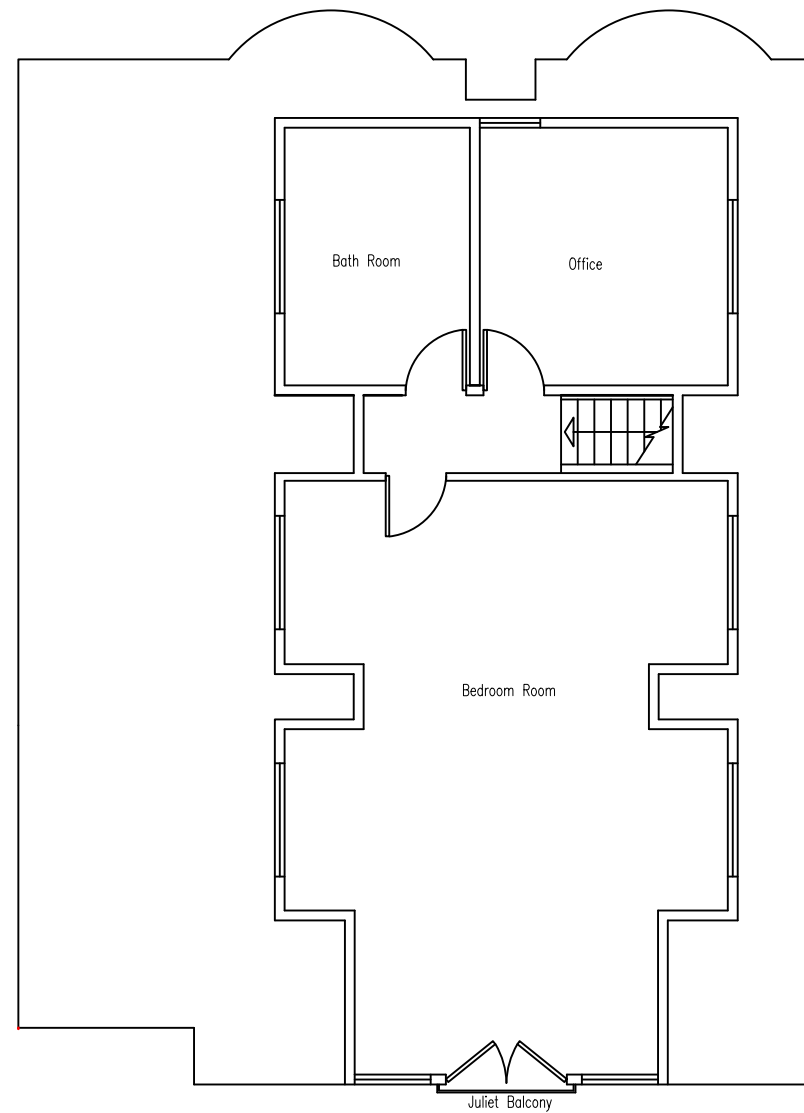
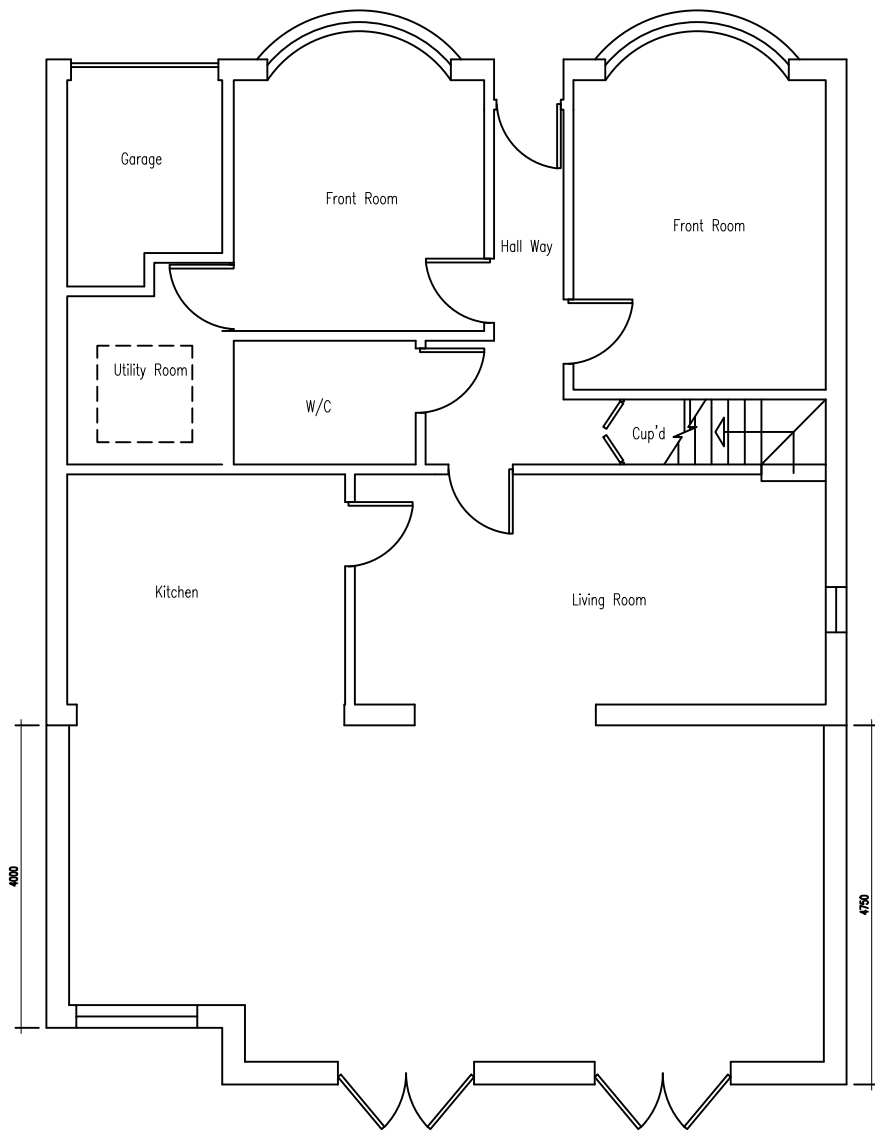


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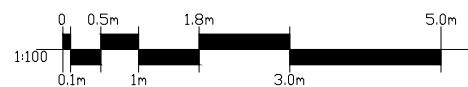
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Proposed Ground Floor

Proposed First Floor

Proposed Roof Plan



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