

Planning Committee

3 February 2021



Application No.	20/01380/HOU
Site Address	15 Stratton Road, Sunbury
Applicant	Mr S Unni
Proposal	Erection of single storey side/rear extension, garage conversion and new first floor flank window
Case Officer	Susanna Angell
Ward	Halliford and Sunbury West
Reason for referral to Planning Committee	The partner of the applicant is a member of staff

Application Dates	Valid: 15.11.2020	Expiry: 04.02.2021	Target: Under 8 weeks
Executive Summary	This application relates to 15 Stratton Road which is a two-storey 'chalet style' dwelling house situated on the eastern side of the road. The application is for the erection of a single storey side and rear extension, garage conversion and new flank first floor window. The extension would replace an existing conservatory. It would extend an additional 1.8m in depth along its northern elevation, would be 6.5m across the rear and 8m along its southern elevation (encompassing the existing garage). The extension would have a flat roof with a maximum height of 3m. The proposal is considered to be acceptable in terms of its impact on the character of the area and impact on the amenity of neighbouring properties and is recommended for approval.		
Recommended Decision	Approve the application (subject to conditions) set out at 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:

➤ Policy EN1 (Design of New Development)

- 1.2 It is also considered that the following Supplementary Planning Document (SPD) is relevant:

➤ Design of Residential Extensions and New Residential Development, Supplementary Planning Document 2011

2. Relevant Planning History

- 2.1 The site has the following planning history:

05/00241/FUL	Erection of rear conservatory and a side porch.	Granted 06.05.2005
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3. Description of Current Proposal

- 3.1 The application site relates to 15 Stratton Road which is a two-storey 'chalet style' dwelling house in Sunbury on Thames. It is situated on the eastern side of the road. The properties to the north, south and east of the site are similar chalet style dwellings.
- 3.2 The extension would replace an existing conservatory. It would extend an additional 1.8m in depth along its northern elevation (adjacent to no 13 Stratton Road), 6.5m across the rear and 8ms along its southern elevation (encompassing the existing garage). The extension would have a flat roof with a maximum height of 3m. It would be constructed of materials to match the existing property. The proposed new first floor flank window would be located in the southern elevation of the dwelling.

4. Consultations

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

Consultee	Comment
Environmental Health (Pollution Control Team)	No objection

5. Public Consultation

- 5.1 No letters of representation have been received

6. Planning Issues

- 6.1 The main planning considerations for this application are the impact of the proposed development on the character of the area and impact on the amenity of neighbouring properties.

7. Planning Considerations

Character of the area

- 7.1 Policy EN1 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, paying due regard to the scale, height, proportions, building lines, layout, materials and other characteristics of adjoining buildings.
- 7.2 It is considered that the proposed side extension would not detract from the street scene. Although it would extend 3m further forward of the existing garage towards the road, it would have a similar appearance to the existing garage and would be set well back from the highway. The rear extension would have a flat roof to match the existing single storey rear extension. The Council's Supplementary Planning Document on the Design of Residential Extensions and New Residential Development 2011, states that single storey rear extensions can have flat roofs. There are other flat roofed extensions in the immediate area and it is not considered that it would appear out of character.

Impact on neighbouring amenity

- 7.3 Policy EN1 states that proposals for new development 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 proximity of outlook.
- 7.4 The extension would replace an existing conservatory and would stand higher on the boundary with the adjoining property (No.13 Stratton Road) at 3m overall. It will also extend approximately 1.8m further in additional depth. However, No.13 has a single storey extension and conservatory extension to the rear of this, extending to some 6.4m in depth. There is also a 1.8m high boundary fence separating the two properties. This would mitigate the impact of the proposal. Furthermore, the proposed new extension would be set back 1m from the boundary with no.13. Overall, it is not considered the additional height and depth on the boundary would result in significant loss of light or overbearing impact to no. 13.
- 7.5 The plans show that the proposal would include 2 high level windows in its northern elevation, adjacent to no.13. The Council would require by condition that these windows are retained as high level to ensure no loss of privacy/overlooking would occur.
- 7.6 In terms of its relationship with the neighbouring property to the south (No.17 Stratton Road), the proposed extension would extend 8.1m along its southern elevation. It would be constructed on the footprint of the existing garage and would also extend an additional 3m forward of this. It would stand 3m in height on the boundary. This is higher than the existing garage, which stands

3m in overall height, but reduces to a height of 2.3m to its eaves. However, no. 17 has an existing garage located on the boundary extending approximately 8m in depth which would mitigate the impact of the proposal. It is therefore considered to have an acceptable relationship, avoiding significant loss of light, privacy and overbearing impact.

- 7.7 The proposal includes a new first floor side facing window. However, this would serve an en-suite bathroom and therefore could be required by condition to the obscure glazed and non-opening above 1.7m to ensure no loss of privacy would occur.

Conclusion

- 7.8 Overall, it is considered that the proposed development respects the character of the area, amenities of the neighbouring properties. No objections to the works have been received.

The proposal is considered acceptable in accordance with Policy EN1.

Equality Act

- 7.9 This planning application has been considered in light of the Equality Act 2010 and associated Public Sector Equality Duty, where the Council is required to have due regard for:

The elimination of discrimination, harassment and victimisation; The advancement of equality of opportunity between persons who share a relevant protected characteristic and person who do not share it; The fostering of good relations between persons who share a relevant protected characteristic and person who do not share it; which applies to people from the protected equality groups.

Human Rights Act 1998

- 7.10 This planning application has been considered against the provisions of the Human Rights Act 1998 and the following articles were found to be particularly relevant:-

Under Article 6 the applicants (and those third parties who have made representations) have the right to a fair hearing and to this end full consideration will be given to their comments.

- 7.11 Article 8 and Protocol 1 of the First Article confer a right to respect private and family life and a right to the protection of property, i.e. peaceful enjoyment of one's possessions which could include a person's home, and other land and business assets. In taking account of the Council policy as set out in the Spelthorne Local Plan and the NPPF and all material planning considerations, Officers have concluded on balance that the rights conferred upon the applicant/ objectors/ residents/ other interested party by Article 8 and Article 1 of the First Protocol may be interfered with, since such interference is in accordance with the law and is justified in the public interest. Any restriction of these rights posed by the approval of the application is legitimate since it is proportionate to the wider benefits of such a decision, is based upon the merits of the proposal, and falls within the margin of discretion afforded to the Council under the Town & Country Planning Acts.

8. Recommendation

8.1 To GRANT planning permission 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 shall 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. Prior to the occupation of the development hereby permitted the first floor window on the southern elevation(s) shall be obscure glazed and be non-opening to a minimum height of 1.7 metres above internal floor level in accordance with details/samples of the type of glazing pattern to be submitted to and approved in writing by the Local Planning Authority. The window 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.

4. Only high level window(s) (cill level to be at least 1.7m above floor level) shall be installed in the northern elevation of the development and thereafter shall be retained.

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. The development hereby permitted shall be carried out in accordance with the following approved plans: SR1501 and SR1502 received 15.11.2020.

Reason: For the avoidance of doubt and to ensure the development is completed as approved.

INFORMATIVES TO APPLICANT:

1. This statement is provided in accordance with Article 35(2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. Spelthorne Borough Council seek to take a positive and proactive approach to development proposals. We work with applicants in a positive and proactive manner by:
 - Offering a pre application advice service

- Where pre-application advice has been sought and that advice has been followed, we will advise applicants/agents of any further issues arising during the course of the application
- Where possible officers will seek minor amendments to overcome issues identified at an early stage in the application process.

However, Spelthorne Borough Council will generally not engage in unnecessary negotiation for fundamentally unacceptable proposals or where significant changes to an application are required. Pre-application advice was not sought prior to submission and the application was acceptable as submitted.