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**15/01343/FUL**  
**32 Maryland Way, Sunbury-on-Thames, TW16 6HR**

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## Planning Committee

13 January 2016



<b>Application Nos.</b>	15/01343/HOU		
<b>Site Address</b>	32 Maryland Way, Sunbury-on-Thames TW16 6HR		
<b>Proposal</b>	Erection of a two storey rear extension.		
<b>Applicant</b>	Mr P. Bonner		
<b>Ward</b>	Sunbury East		
<b>Call in details</b>	The application has been called in by Cllr. Friday due to concerns of local residents on the potential impacts of the proposal.		
<b>Case Officer</b>	Matthew Clapham		
<b>Application Dates</b>	Valid: 08.10.2015	Expiry: 03.12.2015	Target: Over 8 weeks
<b>Executive Summary</b>	<p>This application seeks the erection of a two storey rear extension. The extension would be across the entire existing width of the dwelling and extending to the rear by 3.75m replacing an existing single storey flat roofed extension. The proposal has been redesigned and reduced in size compared to a previously withdrawn scheme (15/00804/HOU). The roof has been designed with hipped sides to slope away from the side boundaries and the proposal has an acceptable impact on the amenity of adjoining residential properties. The overall design, height and scale of the development now respects the design and proportions of the original house. Consequently, the impact on the character and appearance of the area is considered acceptable.</p> <p>The proposal complies with Policy EN1 (Design of New Development) of the Spelthorne Borough Core Strategy and Policies DPD (2009) and the guidance contained in the Councils Supplementary Planning Document on the Design of Residential Extensions and New Residential Development (2011).</p>		
<b>Recommended Decision</b>	The 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)

### 2. Relevant Planning History

15/00804/HOU	Erection of a two storey rear extension.	Withdrawn 29.07.2015
09/00158/HOU	Erection of part single storey, part two-storey rear extension following demolition of brick-built outbuilding.	Application Refused 21.05.2009
08/00806/HOU	Erection of single storey rear extension with pitched roof over. Installation of 2 side dormers to create loft conversion following demolition of existing single storey rear extension.	Application Refused 13.11.2008

### 3. Description of Current Proposal

- 3.1 This application site is located on the southern side of Maryland Way and is currently occupied by a detached two storey dwelling. The area is characterised by similarly designed detached two storey dwellings, the design and style of which is known as the 'Berg Estate'.
- 3.2 It is proposed to erect a two storey rear extension. The extension projects 3.75m to the rear and across the entire width of the existing dwelling. The roof height matches the existing ridge height in the form of a double pitched roof design to the rear. The eaves height to the rear is 5.3m. To the side the extension has been designed to have sloping hipped roofs away from the side boundaries. The eaves height to the sides is reduced to 3.4m. A rooflight is also proposed on the eastern side serving a new bathroom.
- 3.3 An application was made earlier this year (15/00804/HOU) by the same applicant for a two storey rear extension which was withdrawn. This proposed a larger fully two storey extension with eaves heights to the side and rear of 5.1m.
- 3.4 Previously in 2008 and 2009, two proposals from a different applicant were refused. The most recent (09/00158/HOU) being for the following reason:

*The design of the proposed extension has insufficient regard to the design of the host building and would appear unduly obtrusive when viewed from the adjoining properties and would result in a poor outlook from and have an overbearing effect upon no 34 Maryland Way*

3.5 The 2009 proposal extended out to a depth of 4.2m at single storey level, and a maximum of 4.2m at first floor level to the centre of the roof, with two smaller first floor elements at depths of 2m and 2.7m respectively.

3.6 The 2008 proposal (08/00806/HOU) was refused for the following reason:

*The proposed rear extension by reason of its overall scale and location would have an unacceptable overbearing relationship with the rear of the adjacent property no 34, Maryland Way and its rear garden*

3.7 The 2008 proposal extended out to a depth of 4.2m at single storey level, and a maximum of 4.2m at first floor level to the centre of the roof, with two smaller first floor elements at depths of 2m and 2.7m respectively.

3.8 Copies of the proposed plans and elevations are provided as an Appendix.

#### **4. Consultations**

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

Consultee	Comment
County Highway Authority	No objection
Environmental Health	No comments

#### **5. Public Consultation**

5.1 9 letters of notification were sent out to neighbouring properties. At the time of writing 10 letters of representation had been received from 8 separate addresses. The following concerns have been raised:

- Loss of daylight
- Poor outlook from side window to bedroom
- Overshadowing from increased footprint
- Out of proportion compared to surrounding properties/overdevelopment
- Design shows insufficient regard to host property
- Visually Intrusive/overbearing/poor outlook
- Previous applications have been refused or withdrawn
- Loss of privacy
- Loss of sunlight
- Separation distance to side boundaries below prescribed 1m
- Special consideration should be given to the elderly resident at no. 34 Maryland Way
- Noise, dust and disturbance during construction
- Breach of the neighbours Human Right for the 'peaceful enjoyment of his home'

## **6. Planning Issues**

- Design and appearance
- Impact on neighbouring properties
- Other matters

## **7. Planning Considerations**

### Design and appearance

- 7.1 Policy EN1(a) of the Core Strategy & Policies DPD (CS & P DPD) 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 and land.
- 7.2 The existing property is a chalet-style property that is modest in scale and similar in design to the other 'Berg' style properties in the area. A previous application (ref 15/00804/HOU) was withdrawn and this application has been submitted to try to overcome the previous concerns of the Council Officer. These included the bulk and mass of the proposal when viewed from the adjoining properties by virtue of the full height two storey extension and not paying due regard to the character of the area and the host building which has a chalet style design with accommodation within the first floor roof space with dormer windows.
- 7.3 The design of the rear extension has been amended from the previously withdrawn application so that the integrity of the existing main roof form is maintained and the rear extension maintains a 'chalet' style. It has also been designed so that the roof of the rear extension slopes away from the side boundaries at first floor level. This allows the building, when viewed from the neighbouring properties to the side and for those parts of the extension visible from the street scene to continue to provide a chalet style appearance with accommodation within the roofspace. As such the previous large flat roofed area of the previous proposal that resulted in a bulky addition, has been omitted. The current design with the dual pitch roof at the rear will mean that when the property is viewed from the gaps between the buildings from the street scene, the main roof form is retained. Similar designs have been accepted within the locality, including one recently at 55 Maryland Way, nearly opposite this site and also one nearby at 47 Queensway which was presented to this Committee in July of last year. The height of the main roof will remain as existing. A condition can ensure that it will be built of materials to match the existing dwelling. It is considered that the proposal respects the scale and design of the host building and conforms to policy EN1.

### Impact on adjoining properties

- 7.4 Policy EN1(b) of the Core Strategy & Policies DPD (CS & P DPD) 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 proposed 2 storey rear extension does not cross the 45 degree horizontal or vertical line when taken from the windows of either of the neighbouring properties, as required by the Councils Supplementary Planning Document for the Design of Residential Extensions (SPD). In the case of no. 30, there is an existing rear extension which means that this proposal would not infringe the horizontal angle taken from the patio doors to the rear of this property. The sloping roof means that the vertical angle is also not infringed.
- 7.6 In the case of the other adjoin property at no.34, there is a glazed door on the rear elevation and a window serving a kitchen where both the 45 degree horizontal and vertical angle are not infringed. There is a rear extension to this property forming a lounge / sun room with a large expanse of glazing to the side. However, once again the 45 degree vertical angle from this window is not broken by the extension. Due to the design of the extension with the sloping roof it is not considered that the proposals would give rise to any overbearing or visual intrusion or sufficiently impact upon the visual outlook from adjoining properties and their gardens to justify refusal. The proposal does not result in any significant loss of daylight or sunlight to the rear of the adjoining properties.
- 7.7 The first floor side facing bedroom window at no. 34 adjoining is the sole source of light to that room. The window is relatively wide allowing significant amounts of light to enter and a wide angle of view to both the street and rear gardens. Due to the proposed angled design of the roof away from the adjoining properties, it is not considered that there will be a significant loss of outlook or light to this window. There is also a window and door at ground floor level on the side elevation. The door is obscurely glazed and both appear to serve a garage / store and already look directly onto the flank elevation of the application site. Therefore no adverse impacts are considered to affect these windows.
- 7.8 The three rear facing first floor windows of the extension at the application site serve a bedroom and en-suite. While one may be obscurely glazed, the other windows will look outwards to the rear of the property. However, the rear extension extends further outwards beyond the rear of the adjoining property at no. 30 with no scope to overlook the 3m area immediately to the rear of no. 30. There is also an existing dormer window to the rear now with potentially greater scope for overlooking than the property when extended. Therefore it is not considered that any significant loss of privacy will result. No new windows will be inserted into the side elevations of the proposal (with the exception of a bathroom rooflight which will be obscurely glazed) and a condition restricting any flank windows can be imposed.
- 7.9 The proposal maintains the same separation distances to the side boundaries that currently exist. In the case of the boundary to no. 34, at 90cm this is slightly below the Councils minimum 1m separation distance applying to 2 storey extensions as required by the SPD on design to ensure that the gaps between the dwellings are maintained and no terracing effect is created.

However as the roof slopes away from the boundary it may be considered as single storey rather than two storey at this point and at which the separation distance does not apply. The submitted plans show that the distance to the other boundary at no. 30 is 1.025m although a representation letter states this is also below 1m. However the same consideration would apply to this boundary as with that to no. 30.

- 7.10 The rear extension will be some 18m from the rear boundary which exceeds the minimum separation distance from back to boundary development of 10.5m as set out in the SPD.
- 7.11 Therefore the proposal will have an acceptable relationship with the neighbouring dwellings and will not have a significant impact on their amenity. Therefore the proposal conforms to policy EN1.

#### Other matters

- 7.12 Particular concerns have been raised by the elderly neighbour at no. 34 Maryland Way regarding the potential impacts upon himself and human rights points raised on his behalf. In view of the size of the plot, the design and size of the extension, it is not considered to represent a disproportionate addition or overdevelopment and no significant amenity impacts. There is only minimal demolition proposed and while there will inevitably be some noise and disturbance during any building works, it is not considered that this will be sufficient to justify refusal or unacceptably infringe anyone's 'human rights'.

#### Conclusion

- 7.13 It is considered that the design and style of the proposed extension is acceptable and pays sufficient regard to the host property and the character and appearance of the area. The proposal complies with the guidance contained in the Design SPD and after careful consideration, it is not considered that it would result in any significant adverse impacts upon the residential amenity of adjoining properties. 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 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 and drawings:

MW/32/01 revision A received 08 October 2015.

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. That no further openings of any kind be formed in the side elevations of the extension hereby permitted without the prior written consent of the Local Planning Authority.

Reason:-To safeguard the amenity of neighbouring residential properties

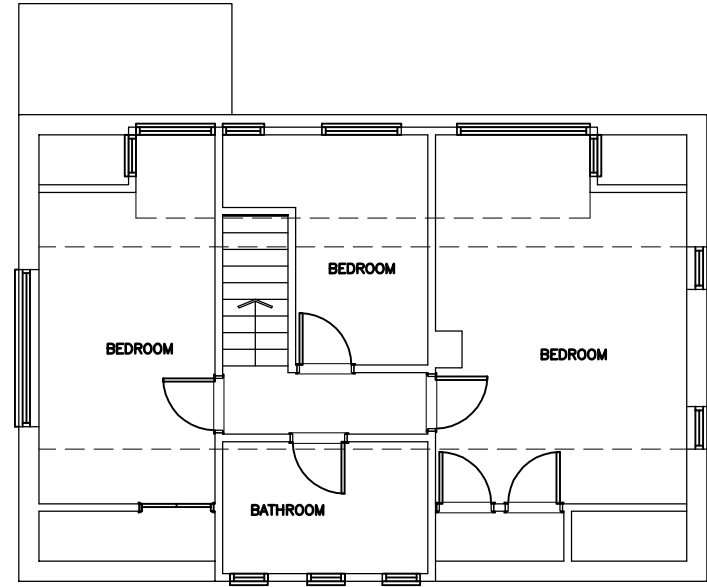
5. Prior to the occupation of the development hereby permitted the first floor bathroom rooflight window on the eastern side elevation shall be obscure glazed and be non-opening to a minimum height of 1.7 metres above internal floor level in accordance with details/samples of the type of glazing pattern 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 properties, in accordance with policies SP6 and EN1 of the Spelthorne Borough Core Strategy and Policies Development Plan Document 2009.

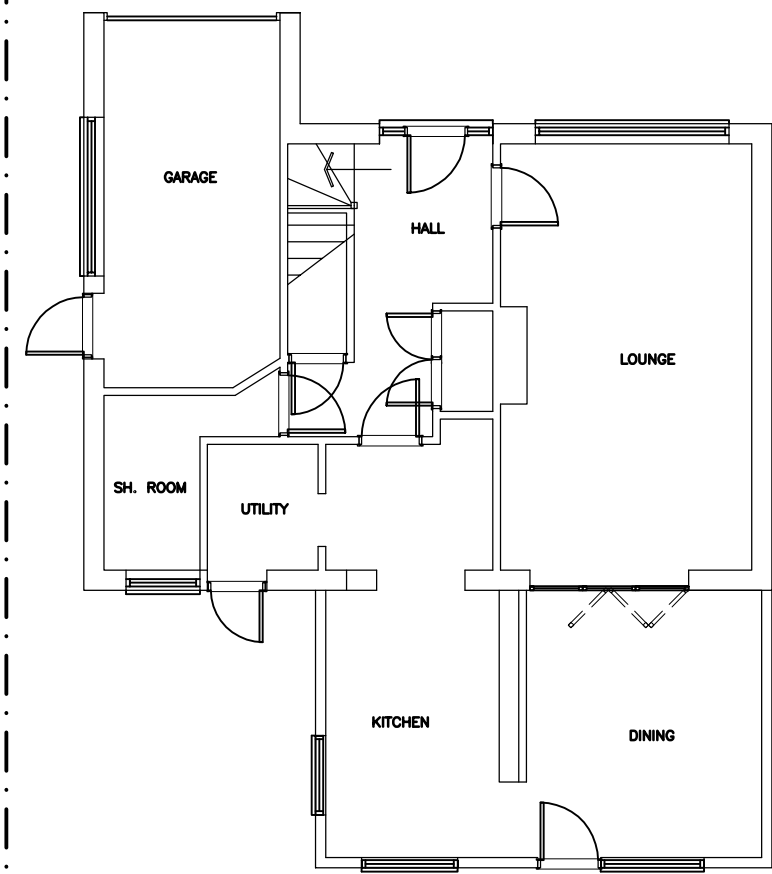
#### Informatives

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 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.
2. The applicant should be mindful to avoid significant noise and disturbance during the construction process and be mindful not create dust nuisance during building works.

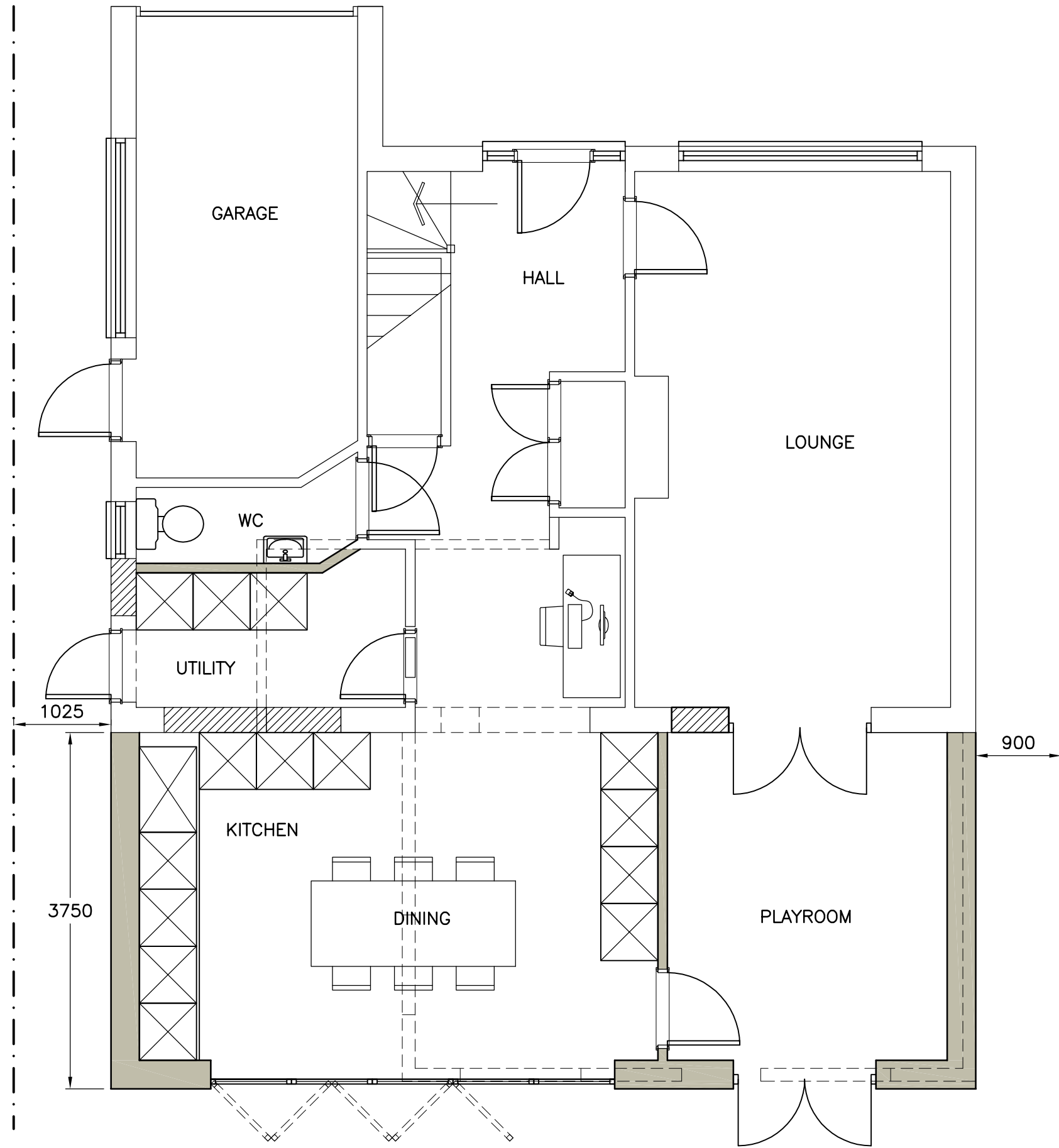




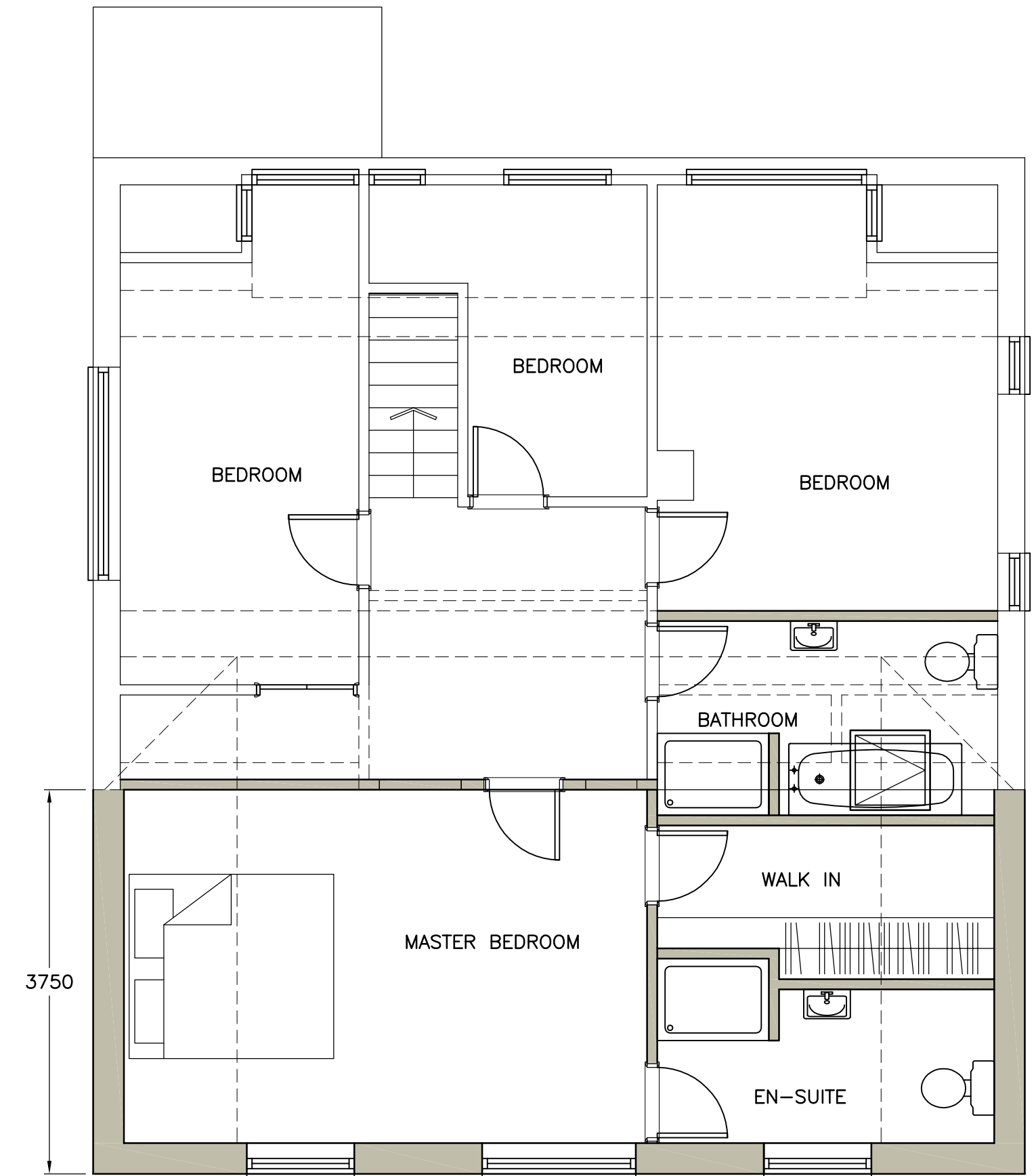
EXISTING FIRST FLOOR



EXISTING GROUND FLOOR



PROPOSED GROUND FLOOR



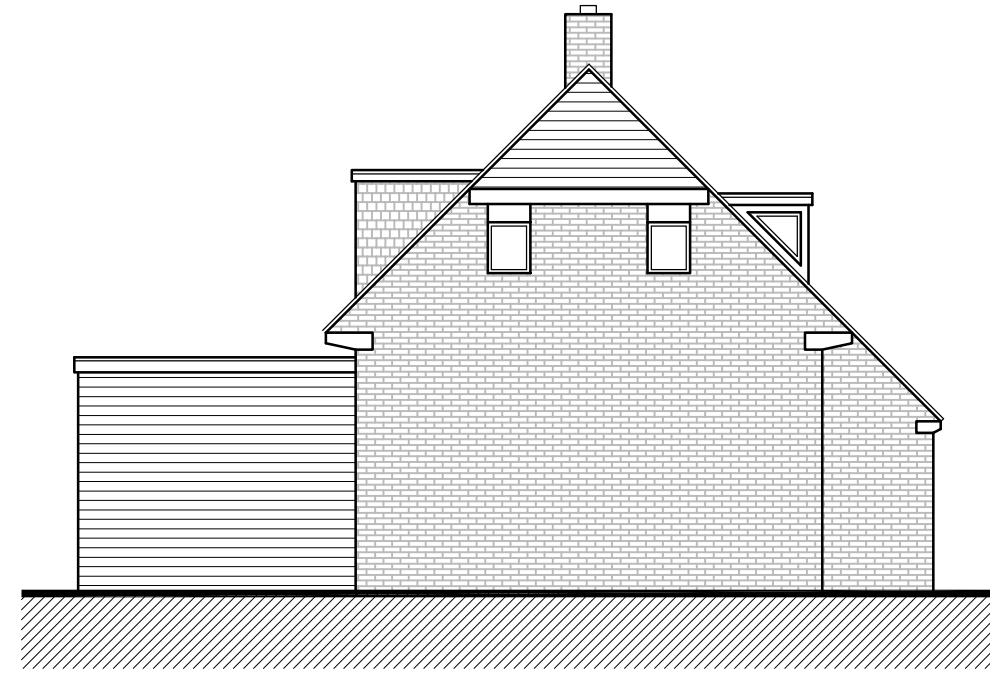
PROPOSED FIRST FLOOR



EXISTING REAR ELEVATION



EXISTING SIDE ELEVATION



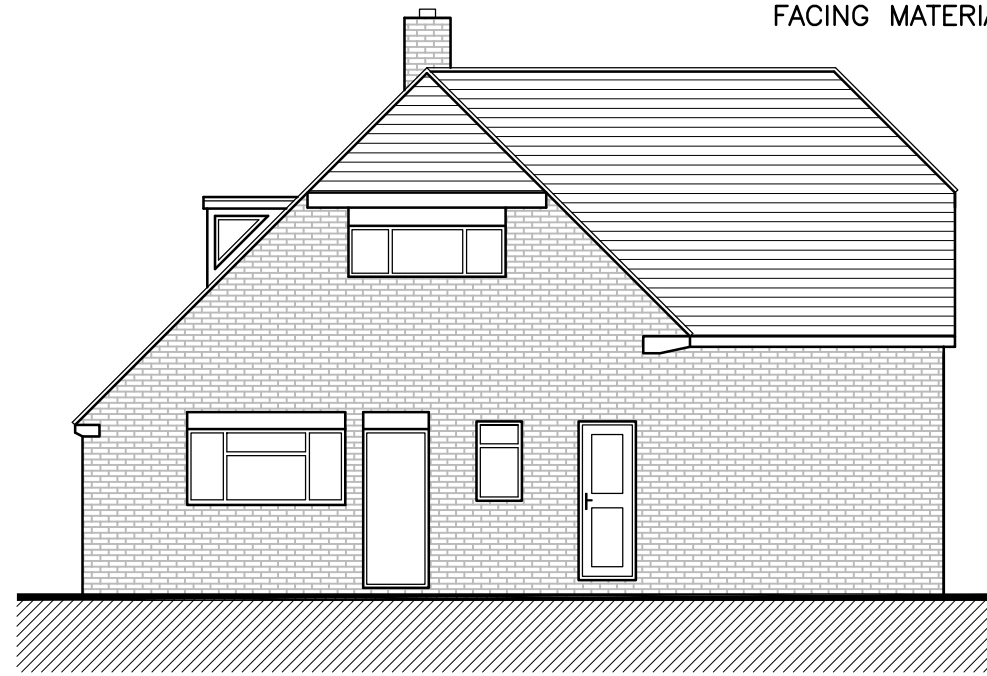
EXISTING SIDE ELEVATION



EXISTING FRONT ELEVATION

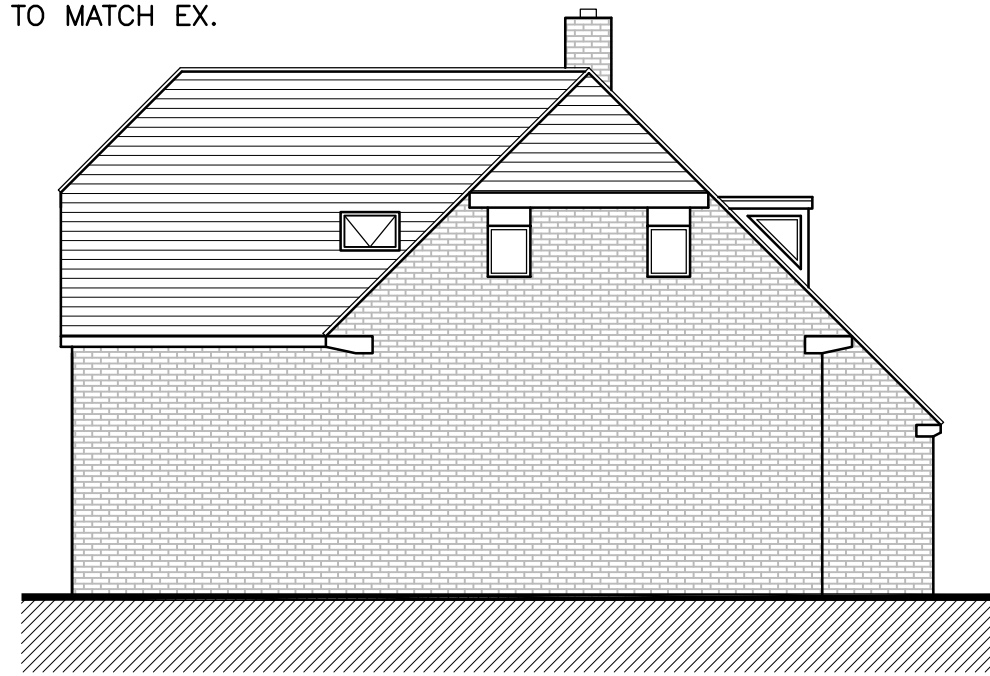


PROPOSED REAR ELEVATION



PROPOSED SIDE ELEVATION

FACING MATERIALS TO MATCH EX.



PROPOSED SIDE ELEVATION



PROPOSED FRONT ELEVATION