

## PLANNING COMMITTEE - Date: 24 June 2015

**Report of the Executive Head for Economic Development, Planning and Sustainability.**

Ref: D2015/71537/HHA	WARD: D15 / WALLINGTON NTH	Time Taken: 10 weeks, 1 day
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Site: 5 ST MARY AVENUE Wallington SM6 7JH  
 Proposal: Erection of a single storey rear extension and formation of a front entrance porch.  
 Applicant: Mrs Jemany Logambal Hameed  
 Agent: Mr Sabulal Bahuleyan

**Recommendation:****GRANT PLANNING PERMISSION**

**Reason for report to Committee: The application was De-Delegated by Councillor Melican.**

**Summary of why application proposals are acceptable:**

- The proposed extensions to the dwelling would not significantly harm the character of the area. Furthermore the proposal would not significantly harm the amenity of neighbouring occupiers nor would the development be prejudicial to pedestrian or highway safety.

**1.0 BACKGROUND****1.1 Site and Surroundings:**

1.2 The site comprises a two-storey semi-detached dwellinghouse with a pitched, hipped roof. The property has been extended by way of a single storey rear extension. Construction works are currently in progress for the development proposed under this application. Boundary screening to the rear part of the site is by way of a 1.8m high close boarded fence.

1.3 The adjoining property (No.7 St Mary Avenue) has been extended by way of a single storey rear extension, which measures approximately 3m in depth. The other neighbouring property (No.3) is separated from the site by an access shared by the subject property and 3 St Mary Avenue, measuring 3m in width.

1.4 The surrounding area mainly comprises semi-detached dwellings and is suburban in character.

**1.5 Site Specific LDF Designations:**

1.6 The site falls within an Archaeological Priority Area.

**1.7 Relevant Planning History:**

1.8 There are no planning history records relating to this site. However, a Building Control application for the existing single storey rear extension was approved on 15 March 1989 (ref. 37240BN). An enforcement investigation (ref. EC15/0094) is currently ongoing in relation to the extensions currently under construction (the subject of this application).

## 2.0 APPLICATION PROPOSAL

### 2.1 Details of Proposal:

2.2 The proposal is for the erection of a porch to the front elevation and a conservatory to the rear elevation of the property. As previously stated, construction of the extensions has already commenced.

2.3 The porch would measure 1.5m in depth by 2m in width, the eaves would stand at a height of 2.5m, with a maximum ridge height of 3.5m. The porch would have a gable end roof, which would attach to the original canopy roof to the front elevation (which has recently been re-tiled). Construction materials are indicated to match the existing property.

2.4 The conservatory would measure 3.0m in depth by 3m in width, the eaves would stand at a height of 2.3m, with the top of the roof lantern being 3.3m in height. Rainwater guttering would be to the rear elevation of the conservatory only.

2.5 **Significant Amendments to application since submitted:** The roof form and design of the proposed conservatory has been amended.

## 3.0 PUBLICITY

### 3.1 Method of notification:

3.2 Seven adjoining neighbours were notified by way of letter dated 21 April 2015.

### 3.3 Number of Letters Received:

3.4 Four letters were received from the following addresses: nos.3, 7 and 8 St Mary Avenue.

### 3.5 Summary of material representations:

- Works have started already. The application form is incorrect in this regard.
- Query whether materials would be the same as existing.
- Concerns that guttering would overhang the boundary.
- Conservatory would look inappropriate in height and design from the bedroom and garden of 7 St Mary Avenue.
- The applicant has stated that they are the agent but they are the owners. The application form is incorrect in this regard.
- Extension is too close to the boundary with 7 St Mary Avenue.
- The windows to the porch are frosted, making it an extra room.
- In relation to the porch, no other house has been allowed to extend their property in this way and it would be out of keeping with the character of the area.
- Loss of sunlight to No.7.
- The rear extension would 'take away sight and vision from the neighbours as well as making it stick out inappropriately to the rest of the road and locality'.
- The house has already been extended to the rear.

### 3.6 Summary of non-material representations:

- Measurements are not shown on the plans.
- Unclear how guttering and drainage would be attached to the extension.

- Various lighting schemes have been added to the front of the property, affecting the whole character of the road.

3.7 **Official Consultation:**

3.8 **Internal Consultation:**

3.9 Highway Engineer: No significant concerns regarding highway or pedestrian safety.

3.10 **External Consultation:**

3.11 None.

3.12 **Councillor Representations:**

3.13 Councillor Melican De-Delegated the application on grounds of the 'impact of the development on the neighbours' amenity, and of the impact of the side porch on the neighbours' visual amenity'.

4.0 **MATERIAL PLANNING POLICES**

4.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that when determining a planning application, regard is to be had to the development plan, and the determination shall be made in accordance with the development plan, unless material considerations indicate otherwise. The development plan for the London Borough of Sutton comprises the following documents:

- The London Plan 2015
- The Core Planning Strategy December 2009
- The Site Development Policies DPD March 2012

4.2 Also a material consideration in determining planning applications are:

- National Planning Policy Framework (NPPF)
- National Planning Practice Guidance (NPPG)
- Adopted London Borough of Sutton Supplementary Planning Guidance documents.

4.3 **London Plan (2015):**

- 5.3 Sustainable Design and Construction
- 7.4 Local Character

4.4 **Core Planning Strategy DPD:**

- PMP2 Suburban Heartlands
- BP12 Good Urban Design and Heritage

4.5 **Site Development Policies DPD:**

- DM1 Character and Design
- DM2 Protecting Amenity
- DM3 Enhancing Street Scene and Public Realm
- DM4 Historic Environment
- DM5 Sustainable Design and Construction
- DM22 Parking

4.6 **Supplementary Planning Documents:**

- SPD 4 Design of Residential Extensions
- SPD 14 Creating Locally Distinctive Places

## 5.0 PLANNING CONSIDERATIONS

5.1 The principle planning considerations (including whether any material planning objections have been reasonably addressed) for this application are

- **Design Quality**
- **Impact on Neighbours**
- **Parking and highway considerations**

### 5.2 Design Quality:

5.3 Core Policy BP12 states that the Council will seek to ensure that development respects the local context and distinctive local character. Core Policy PMP2 states that 'The Council will maintain and seek to enhance the quality of the Borough's environment by ensuring that all new development within the residential heartlands respects the positive features of Sutton's suburban character, reinforcing local distinctiveness and a sense of identity.' Likewise, Site Development Policy DM1 states that 'the Council will only grant permission for extensions providing they maintain and enhance the local character and appearance of the surrounding area.' Site Development Policy DM3 states that 'the Council will expect all new development to contribute positively to the street scene in terms of the design and appearance of any buildings.'

5.4 The proposed porch would be significant in terms of overall size. However, the established front building line along the road is staggered and the proposed porch would be set back some 4m from the front building line of the adjacent property, 3 St Mary Avenue. Therefore, whilst a porch of this size has the potential to appear intrusive, in this case, due to the staggered building line in the street, it is considered that the proposed porch would not appear visually obtrusive. As such, the porch would not result in significant harm to the character and appearance of the streetscene.

5.5 It is noted that under the Town and Country Planning (General Permitted Development) Order 2015 it would be possible to construct a front porch of the same width and depth, without the need for planning permission. The porch would be 0.5m higher than what could be achieved under permitted development rights, however, it is considered that reducing the height of the porch would have a negligible impact upon its overall appearance in this case.

5.6 The canopy roof to the frontage has been recently re-tiled, along with the porch currently under construction. The tiles are brighter than the previously existing tiles and as such make the new works appear visually prominent. However, this initial brightness would dull and weather over time and the roof covering is considered to be appropriate. A condition is also recommended to ensure that the porch is finished in materials to match the main house.

5.7 The conservatory to the rear elevation would project off an existing single storey rear extension. Whilst this would result in a significant overall depth of extensions, the proposed conservatory would not constitute an unusual feature on a dwelling of this nature and it is considered that it would not be significantly harmful on visual amenity due to its positioning to the rear of the house. Furthermore, the extension would be of a relatively low height set well below the first floor windows of the main dwelling and therefore would appear subordinate to the main house.

5.8 Overall, the development would not harm the character of the building or surrounding area and the proposal is considered to be acceptable in terms of design.

**5.9 Impact on Neighbours:**

5.10 Policy DM2 of the Site Development Policies DPD states that the Council will not grant planning permission for any development that adversely affects the amenities of future occupiers or those currently occupying adjoining or nearby properties or has an unacceptable impact on the surrounding area.

5.11 The proposed conservatory would extend approximately 2.7m beyond the rear building line of the rear extension at 7 St Mary Avenue. This limited depth and modest height with the roof lantern set away from the site boundary with 7 St Mary Avenue is such that it is considered that there would not be a significantly harmful impact on the neighbour in terms of loss of light, overbearing form or loss of outlook.

5.12 The separation distance to the other neighbouring property, (No.3 St Mary Avenue), is such that there is considered to be no significant impact on the amenities of that occupier.

5.13 Overall it is considered that the proposal would not significantly harm the amenity of adjoining neighbours.

**5.14 Parking and highway considerations:**

5.15 The proposed development would not affect the existing access or parking arrangements at the site. The driveway can accommodate two car parking spaces, in accordance with Appendix 3 of the Site Development Policy DM22.

5.16 The Council's Highway Engineer has commented on the proposal and has confirmed that the position of the porch and the position of the porch door would not result in harm to pedestrian or highway safety.

5.17 For this reasons it is considered that the proposal would not be prejudicial to pedestrian or highway safety.

**6.0 CONCLUSIONS AND RECOMMENDATIONS**

6.1 Overall, it is considered that the proposal would not result in material harm to the character of the area. The proposal would not significantly affect the amenity of the neighbouring occupiers or have an adverse impact in terms of highway or pedestrian safety.

6.2 It is recommended that permission be granted.

Background Papers: D2015/71537/HHA

Drawings and other documents can be viewed on line –

1) Go to page: <http://gis.sutton.gov.uk/FASTWEB/welcome.asp>

2) Enter Planning Application Number: **D2015/71537**

3) Click on Search and View Current Applications

4) Click on View Plans & Documents



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D2015/71537/HHA

# DRAFT

WARNING: It is in your interests to ensure you obtain the approval of the Local Planning Authority, where the conditions require that to occur. Failure to comply with the following conditions may lead to enforcement action to secure compliance.

## FIRST SCHEDULE

5 ST MARY AVENUE Wallington SM6 7JH

Erection of a single storey rear extension and formation of a front entrance porch.

## SECOND SCHEDULE

(1) The development must be begun not later than the expiration of three years beginning with the date hereof.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990, as amended.

(2) The development hereby permitted shall be carried out in accordance with the following approved plans: un-numbered site location plan, 01, THALAM/05/01 (received 17<sup>th</sup> June 2015) and THALAM/05/02 (received 17<sup>th</sup> June 2015).

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

(3) All external facing materials, treatments and finishes (including rendering and paint colour) shall be similar in appearance to those of the original building. Where this is not possible the type and treatment of the materials to be used shall be agreed in writing by the Local Planning Authority prior to the development being carried out.

Reason: To ensure that the extension harmonises with the existing building.

(4) The proposed windows in the southeast elevation of the development hereby approved shall be glazed with obscure glass fixed shut in a manner that they cannot be opened and so maintained thereafter.

Reason: To safeguard the current level of privacy enjoyed by the occupants of adjoining properties.

INFORMATIVES.

(1) This approval only grants permission under section 57 of the Town and Country Planning Act 1990. Further approval or consent may be required by other legislation, in particular the Building Regulations and you should contact Building Control on 020 8770 6263 or 6325 before proceeding with the work.

(2) The permission hereby granted confers no rights on the applicant to encroach upon, extend over or otherwise enter upon property not in his ownership for any purposes connected with the implementation of this planning permission.

(3) The submitted application complied with the relevant planning policies and Sutton Council has accordingly granted planning permission.

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