

## PLANNING COMMITTEE – Date: 13 January 2016

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

Ref: B2015/73229/HHA	WARD: B06 / SUTTON WEST	Time Taken: 6 weeks, 2 days
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Site: 103 CHEAM ROAD Sutton SM1 2BE  
 Proposal: Replacement of single glazed windows at rear of first floor with double glazed uPVC windows.  
 Applicant: Mr Kevin Burke  
 Agent:

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

**Reason for Report to Committee: The applicant is Councillor Burke**

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

- The proposal would not harm to the appearance or character of the building.
- The proposal would preserve the appearance or character of the Landseer Road Conservation Area.

**1.0 BACKGROUND**

**2.0 Site and Surroundings:**

3.0 The application site, 103 Cheam Road, is a detached two storey residential dwelling. The building is located on the southern side of the road, opposite Sutton Cricket Ground, and is within the Landseer Road Conservation Area.

4.0 The application property is of Victorian construction and appears to contain original sash windows.

**5.0 Site Specific Designation:**

6.0 The site falls within the following specially designated areas in the Council's Site Development Policy DPD:

- Landseer Road Conservation Area

**7.0 Relevant Planning History:**

8.0 B2009/61366: Erection of detached garage at rear. Refused on 11/08/2009.

**9.0 APPLICATION PROPOSALS**

**10.0 Details of Proposal:**

11.0 The application proposes to replace the existing rear windows to the rear of the property at first floor level. The existing windows are glazed timber sash windows and the application states that they are original to the building.

- 12.0 The proposed replacement units consist of white heritage style uPVC windows that would feature sash horns and ovolo mouldings.
- 13.0 **Significant amendments to application since submitted:** None.
- 14.0 **PUBLICITY**
- 15.0 **Adjoining Occupiers Notified**
- 16.0 Letters were sent to 10 residents on 14/12/2015 and a site notice was posted on 18/12/2015.
- 17.0 **Number of Letters Received:**
- 18.0 No letters of representation have been received.
- 19.0 **Official Consultation:**
- 20.0 **Internal:**
- 21.0 None.
- 22.0 **External:**
- 23.0 None.
- 24.0 **Councillor Representation:**
- 25.0 None.
- 26.0 **MATERIAL PLANNING POLICIES**
- 27.0 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 (As Amended) 2015
  - The Core Planning Strategy DPD 2009
  - The Site Development Policies DPD 2012
- 28.0 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.
- 29.0 **London Plan:**
- 3.4 Optimising Housing Potential
  - 3.5 Quality and Design of Housing Developments
  - 7.3 Designing Out Crime
  - 7.4 Local Character
  - 7.6 Architecture

- 30.0 **Core Planning Strategy DPD:**
- BP12 Good Urban Design and Heritage
- 31.0 **Site Development Policies DPD:**
- DM1 Character and Design
  - DM2 Protecting Amenity
  - DM3 Enhancing the Street Scene and Public Realm
  - DM4 Historic Environment
- 32.0 **Supplementary Planning Guidance/Documents:**
- SPD4 Design of Residential Extensions
  - SPD14 Creating Locally Distinctive Places
- 33.0 **PLANNING CONSIDERATIONS**
- 34.0 The principal considerations (including whether any material planning objections have been reasonably addressed) in relation to this application are:
- 35.0 **Design Quality**
  - 36.0 **Impact on Neighbours**
- 37.0 **Design Quality:**
- 38.0 Core Policy BP12 of the Core Planning Strategy DPD seeks to ensure that development is respectful of local context and distinctive local character. In accordance with this policy the Council will seek to preserve or enhance heritage areas in the Borough, designated as Conservation Areas.
- 39.0 In accordance with policy DM4 of the Site Development Policies DPD planning permission will only be granted for development that preserves and enhances the local character and appearance of the Conservation Area. Accordingly, development will be expected to complement or improve the character of an area through the use of high quality architectural design and layouts, ensuring integration with the surrounding land and buildings, together with the use of high quality materials.
- 40.0 Policy DM3 of the Site Development Policies DPD requires all new development to contribute positively to the streetscene.
- 41.0 The proposed uPVC windows would reflect the style of the original frames that are characteristic of the properties in this area of the Landseer Conservation Area. It is noted that a number of neighbouring properties feature uPVC windows similar to those that are proposed under this application. Of particular relevance is the neighbouring property, 101 Cheam Road, was granted permission for the installation of replacement windows with uPVC frames under application, B2013/68445/FUL.
- 42.0 The committee report for B2013/68445/FUL stated that *“the large number of properties, either side of the application site, with uPVC windows, which include nos. 85, 87, 89, 91, 97, 99 and 105 (first floor only) is a result of the location of these houses in close proximity to a heavy used red route. As such, although it is considered that the proposal would not enhance the Conservation Area, it would help preserve the style of window design which is one of the most defining aspects of the Landseer Road Conservation Area. It would also improve the noise and thermal insulation of the building in line with the Council’s sustainability objectives. Therefore it is not considered that a reason for refusal could be justified in this instance given the proliferation of uPVC frames within Cheam Road”*.

- 43.0 It is considered in this instance that the proposed windows, in being consigned to the rear of the property, would not give rise to an adverse impact upon the streetscene and, as such, the character of the Conservation Area would be preserved. In light of this, and considering the prevalence of uPVC windows in the surrounding area, it is considered that the application is acceptable in design terms.
- 44.0 **Impact on Neighbours:**
- 45.0 In accordance with policy DM2 of the Site Development Policies DPD 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.
- 46.0 It is considered that due to the nature of the proposal there would be no adverse impacts upon the amenities of adjoining neighbours as a result of the proposed development.
- 47.0 **CONCLUSION AND RECOMMENDATION**
- 48.0 It is considered that the proposal would not cause unacceptable harm to the character and appearance of the surrounding area, or the amenities of any neighboring occupiers.
- 49.0 It is therefore recommended that the application be granted.

Background Papers: B2015/73229/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: **B2015/73229**
- 3) Click on Search and View Current Applications
- 4) Click on View Plans & Documents

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Mr Kevin Burke  
103 CHEAM ROAD  
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SM1 2BE

B2015/73229/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

103 CHEAM ROAD Sutton SM1 2BE

Replacement of single glazed windows at rear of first floor with double glazed uPVC windows.

## 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: Rear elevation received 30/11/2015, Examples of proposed replacement windows received 30/11/2015, Photographs received 30/11/2015, Site Plan 30/11/2015.

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

## 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 5000 before proceeding with the work.

(2) This application has been assessed against the relevant policies of the London Plan 2015, Sutton's Core Planning Strategy 2009 and the Site Development Policies DPD 2012. The proposal is generally in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) and for this reason planning permission is granted.

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