PLANNING COMMITTEE – 4 December 2019

Report of the Assistant Director, Environment, Housing and Regeneration Directorate

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Site: 22 Leechcroft Road, Wallington, SM6 7JF

Proposal: Completion and retention of a single storey rear extension and erection of a conservatory.

Applicant: Hina Shahid

Agent: Manmohan Dayal

Recommendation:

To Grant Planning Permission subject to conditions

Reason for report to Planning Committee: Applicant is an authority employee.

Summary of reasons why proposal is acceptable:

- The retention of the single storey rear extension and the proposed conservatory would appear subordinate to the main dwelling.
- The retention of the single storey rear extension and the proposed conservatory would not adversely affect the amenities of any adjoining neighbours.

1.0 BACKGROUND

1.1 Site and Surroundings:

1.2 The site address is a two storey semi-detached single family dwellinghouse located towards the centre of Leechcroft Road, between the Curran Avenue and Burleigh Avenue junctions.

1.3 The property has 3 bedrooms on the first floor and 1 bedroom on the ground floor. There are 2 entrances on the principal elevation, 1 to the main dwelling and 1 to the single storey side extension to access the ground floor bedroom. The property has an existing 3.3m single storey rear extension.

1.4 Leechcroft Road and the wider area is residential in character, comprised of semi-detached properties. To the east is the River Wandle and to the south is Westcroft Sports Centre.
1.5 The site address is located within an Archaeological Priority Area.

1.6 **Relevant Planning History:**

1.7 D2015/71201 – Planning approval was sought for **Erection of a single storey rear extension & conversion of loft space involving the formation of a dormer extension at rear and alteration to existing roofline** at 22 Leechcroft Road and was GRANTED on 17/04/2015.

1.8 DM2018/02273 – Prior Approval for **Single storey rear extension projecting from the rear of the original house by 6m** was REFUSED on 31/01/2019.

1.9 DM2019/00378 – Planning approval was sought for **Erection of a single storey side infill extension and a single storey rear extension** at 22 Leechcroft Road and was GRANTED at Planning Committee on 10/07/2019.

1.10 EC2019/0330 - Enforcement case as **Development is not being built in accordance with the approved plans DM2019/00378 (Taller than permitted).**

2.0 **APPLICATION PROPOSALS**

2.1 **Details of Proposal:**

2.2 The application proposes the completion and retention of a single storey rear extension and erection of a conservatory.

2.3 The applicant received planning permission on the 10 July 2019 for a side infill extension and rear extension. The development was not being built to the approved plans and the council’s Enforcement Team were notified. Subsequently, the applicant has submitted an application for the completion and retention of the single storey rear extension, and the erection of a conservatory.

2.4 It was observed during the officer’s site visit to the property on the 14 November that construction of the single storey rear extension had largely been completed, though the construction of the conservatory had not started.

2.5 The main changes from the previous approval relates to the size of the rear extension and that a conservatory would be built along the shared boundary with No.24 Leechcroft Road, where this had previously been a brick extension.

2.6 The extant permission projected 2.65m along the shared boundary with No.20, measuring 2.5m in height. The partially completed rear extension projects 3.35m along the shared boundary with No.20, measuring 3.33m in height. There would be no change to the depth of the extension along the shared boundary with No.24. The conservatory would have a pitched roof, measuring 3.15m at its highest point falling to 2.75m at the eaves.

2.7 The increased size means the rear extension projects 0.7m further along the shared boundary with No.20, measuring 0.83m greater in height. The rear conservatory
would have the same depth as the previously approved brick extension, measuring 0.25m greater in height at the eaves.

3.0 PUBLICITY - CONSULTATION

3.1 In total 7 letters were sent to local residents on the 18 of October surrounding the site on the following roads listed below:

- Leechcroft Road
- Burleigh Avenue

3.2 Number of Letters Received in response to the proposal:

3.3 The application received no comments.

3.4 Internal and External Consultation:

3.5 No consultation was required as part of the application.

3.6 Councillor Representations

3.7 No councillor representations as part of the application.

4.0 MATERIAL PLANNING POLICIES

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 2016
- The Sutton Local Plan 2018

4.2 Also a material consideration in determining planning applications are:

- National Planning Practice Guidance (NPPG)
- Adopted London Borough of Sutton Supplementary Planning Guidance documents.
- Human Rights Act 1998
- Equality Act 2010
- Draft London Plan 2017
- The Mayors Homes for Londoners SPG 2017
- The Mayors Housing SPG 2016

4.3 Public Sector Equality Duty (PSED) and Human Rights

4.4 Under the Equalities Act 2010, the Council must have due regard to the need to eliminate discrimination, harassment or victimisation of persons by reason of age, disability, pregnancy, race, religion, sex and sexual orientation. This planning
application has been processed and assessed with due regard to the PSED. The application proposals are not considered to conflict with the Duty.

4.5 The application has also been considered in the light of the Human Rights Act 1998 and it is considered that the analysis of the issues in this case, as set out in this report and recommendation below, is compatible with the Act.

4.6 Material Planning Policies in the Determination of this Application

4.7 Sutton Local Plan 2018 Policies

Policy 28 Character and Design
Policy 29 Protecting Amenity

4.8 Supplementary Planning Guidance/Documents:

SPD4 Design of Residential Extensions

5.0 PLANNING CONSIDERATIONS

5.1 The main issues which shall be addressed within this report relate to the following:

A) The design of the development
B) The impact on residential amenity
C) Transport and highways
D) Trees and landscaping
E) Conclusion
F) Recommendation

A. The Design of the Development:

5.2 Policy 28 of Sutton’s Local Plan states that the council will grant planning permission for new development, including extensions, provided the new development is of a suitable scale, massing and height to the setting of the site.

5.3 Design of Residential Extensions (SPD4) states for semi-detached dwellings, single storey rear extensions may be added up to a maximum of 3.5m in depth.

5.4 The extant permission projected 2.65m along the shared boundary with No.20, measuring 2.5m in height. The partially completed rear extension projects 3.35m along the shared boundary with No.20, measuring 3.33m in height.

5.5 The proposed rear conservatory would project 2.31m along the shared boundary with No.24, measuring 5.26m in width, maintaining a 2.79m separation distance to the shared boundary with No.20. The conservatory would have a pitched roof, measuring 3.15m at its highest point falling to 2.75m at the eaves.

5.6 The increased size means the rear extension projects 0.7m further along the shared boundary with No.20, measuring 0.83m greater in height.
5.7 There would be no change to the depth of the rear extension along the shared boundary with No.24, though the proposed conservatory would have a taller pitched roof, measuring 0.25m greater in height at the eaves.

5.8 Given the minor increase in the size of the rear extension from the extant permission together with the erection of a conservatory, the proposal would be subordinate to the main dwelling, integrating with the style of the previous additions. As such, the proposal is considered acceptable in design terms.

B. The Impact on residential amenity:

5.9 Policy 29 of Sutton’s Local Plan states that the council will not grant planning permission for development if it adversely affects the amenities of future occupiers or those currently occupying adjoining or nearby properties, or has an unacceptable impact on the residents of the surrounding area. As such, in assessing the impact of a proposed development, the council will take into consideration a loss of privacy, a loss of sunlight or daylight, and increase in noise and disturbance, the creation of a sense of enclosure or the loss of outlook.

5.10 Given the rear extension modest 3.5m depth, and that the proposal does not project beyond the 45 degree line to a window on No.20 Leechcroft Road (main rear elevation), it is considered that the rear extension does not adversely affect the amenities of this property in terms of loss of light, outlook or privacy and increased noise and disturbance.

5.11 The proposed rear conservatory would maintain a 2.79m separation distance to the shared boundary with No.20 Leechcroft Road. As such, it is considered that the proposed conservatory would not adversely impact on this property either.

5.12 No.24 Leechcroft Road have an existing single storey rear extension, as such it is not considered the rear extension adversely affects the amenity of this property. Furthermore given the modest 2.31m projection and 3.15m height of the proposed rear conservatory, the amenity impact to this property would be minimal.

5.13 In this instance the proposal would be acceptable in terms of residential amenity.

C. Transport and Highways:

5.14 Parking provision would not be adversely affected by the proposal and would not cause harm in terms of highway and pedestrian safety.

D. Trees and Landscaping:

5.15 The proposal would not result in harm to any significant trees within or adjoining the site.

E. Conclusion:

5.16 The proposal would appear subordinate to the main dwelling, and given its relationship within the plot and to adjacent properties, would not impact on neighbouring amenity.
F. Recommendation

5.17 It is recommended that planning permission be granted subject to conditions for the reasons set out above as the proposal is in accordance with relevant planning policies.
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

22 Leechcroft Road Wallington SM6 7JF

Completion and retention of a single storey side infill extension and erection of a rear conservatory.

SECOND SCHEDULE

(1) The development hereby permitted shall be carried out in accordance with the following approved plans:

Location Plan, 1, 4.1 and 5.1.

Reason: For the avoidance of doubt and in the interests of proper planning.
(2) All external facing materials, treatments and finishes shall be similar to those of the original building and maintained and retained thereafter. This applies unless differences are shown on the drawings we have approved.

Reason: To ensure that the extension harmonises with the existing building and to ensure compliance with Policy 28 of the Sutton Local Plan 2018.

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

(3) Should you require details of the consideration of the application that has led to this decision, the file may be inspected under the provisions of the Local Government (Access to Information) Act 1985. An appointment can be made for this purpose by telephoning 020 8770-5070.