

DM2020/02066

1 Summerville Gardens

Cheam

SM1 2BU

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| Committee | Planning Committee |
| Committee Date | 5 May 2021 |
| Committee Chair | Councillor Drew Heffernan |
| Report From | Simon Latham, Interim Strategic Director of Regeneration, Housing and Planning |
| Site Reference | DM2020/02066 |
| Site Address | 1 Summerville Gardens Cheam SM1 2BU |
| Time taken | 11 weeks 1 day |
| Applicant | Mr & Mrs Brewer |
| Agent | Mr Alan Hedges |
| Ward(s) Affected | B06 - Sutton West |

1 Summary

- 1.1 The application seeks permission for the completion and retention of a single storey rear extension and conversion of the garage into habitable room.
- 1.2 This application has been referred to the committee because the applicant is an employee of Sutton council.

2 Recommendation

- 2.1 To **GRANT** planning permission, subject to the conditions outlined at Appendix B.

Summary of reasons for recommendation

- 2.2 The design of the proposed extension and garage conversion are considered to be acceptable in design terms, resulting in limited harm to the character and setting of the application property, the street scene and the adjacent Landseer Road Conservation Area.
- 2.3 The proposed alterations to the dwelling are not considered to result in any unreasonable impact on the amenities currently enjoyed by the occupants of the surrounding residential properties in terms of loss of daylight, sunlight, sense of enclosure and loss of privacy.

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- 2.4 The proposal would not result in harm to any nearby trees
- 2.5 The proposal would not adversely impact on parking provision or highway and pedestrian safety.

3 Background and Key Information

Conditions

- 3.1 The conditions of this application are attached at Appendix B.

Site and surroundings

- 3.2 The application property is a two storey semi-detached dwelling house located on the eastern side of Summerville Gardens. The property has been previously extended with the addition of a two storey side extension and garage.
- 3.3 The surrounding area is predominantly residential, characterised by pairs of semi-detached and detached dwellings. The site is adjacent to, but not within the Landseer Road Conservation Area.

Site specific designations

- 3.4 Area of potential intensification

Planning History

- 3.5 B2002/48865 -Erection of a two storey side extension. Granted on 08.05.2002

4 Application Proposals

- 4.1 This application proposes the retention and completion of a single storey rear extension and conversion of part of the garage to habitable space.
- 4.2 The single storey rear extension would be a maximum of 3.286m deep with a mono-pitched tiled roof containing flush roof lights. The front elevation of the property will remain as existing, however part of the internal space of the garage will be converted into a utility room and WC.
- 4.3 Work has commenced on the foundation level of the rear extension, hence why this application is part retrospective, however works have stopped pending the granting of planning permission.

Amendments

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4.4 None

5 Publicity

Consultation

5.1 In total 10 letters were sent to local residents on 26 February surrounding the site on the following roads listed below:

- **Cheam Road**
- **Cecil Road**
- **Summerville Gardens**

5.2 A site notice was displayed at the site on 26th February 2021 and an advert placed in the Guardian newspaper on 4th March 2021 as the site is adjacent to the Landseer Road Conservation Area.

Number of letters received in response to the proposal

5.3 None received

Representations received

5.4 None received

Summary of non-material representation(s)

5.5 None received

Internal and external consultations

5.6 The following internal consultees were consulted and the comments are listed in the table below:

| Internal Consultation | Comments Received |
|-----------------------|-------------------|
|-----------------------|-------------------|

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| <p>Principal Tree Officer</p> | <p>The extension and raised hard landscaping/patio falls within the root protection area of an early mature Oak tree, located in the rear garden of the neighbouring property. Had works not already started on the foundations of the building, tree protection measures for the Oak tree would have been required by condition, however the foundation works have already commenced and the applicant has provided information stating that they took care during construction and that no roots were found whilst excavating for foundations. The Principal Tree Officer raised no objection based on the absence of the severance or damage to significant tree roots.</p> |
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6 Material Planning Policies

6.1 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:

- London Plan 2021
- Sutton Local Plan 2018

6.2 Also a material consideration in determining planning applications are:

- National Planning Policy Framework (NPPF) 2019.
- National Planning Policy Guidance (NPPG).
- Adopted London Borough of Sutton Supplementary Planning Guidance Documents.
- Human Rights Act 1998
- Equality Act 2010

6.3 Public Sector Equality Duty (PSED) and Human Rights

6.4 In making your decision you must have regard to the Public Sector Equality Duty (PSED) under s149 of the Equality Act (2010). This means the Council must have due regard to the need (in discharging its functions) to: Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act. Advance equality of opportunity between people who share a protected characteristic and those who do not. This may

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include removing or minimising disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic; taking steps to meet the special needs of (paragraphs 5.22-5.51) those with a protected characteristic; encouraging participation in public life (or other areas where they are underrepresented) of people with a protected characteristic(s). Foster good relations between people who share a protected characteristic and those who do not, including tackling prejudice and promoting understanding.

- 6.5 The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 6.6 The PSED must be considered as a relevant factor in making this decision but does not impose a duty to achieve the outcomes in s149 as all the factors that need to be considered may be balanced against other relevant factors.
- 6.7 The proposal is for the completion of a single storey rear extension and conversion of garage at a private residence, and as such it is considered to have a neutral impact on any members of the public protected by the Equality Act 2010. It is also considered that the decision takes into account issues arising from the Human Rights Act (1998)

6.8 **Material Planning Policies in the Determination of this Application:**

London Plan 2021 Policies:

- Policy D4 Delivering good design
- Policy SI 13 Sustainable drainage
- Policy T6.1 Residential parking
- Policy HC1 Heritage conservation and growth

6.9 **Sutton Local Plan 2018 Policies:**

- Policy 28 Character and Design
- Policy 29 Protecting Amenity
- Policy 30 Heritage
- Policy 37 Parking

6.10 **Supplementary Planning Documents**

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

7 **Planning Considerations**

Principles of Development

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- 7.1 The main issues addressed within this report relate to the following (including whether any material planning objections have been reasonably addressed) as being most relevant to this application are:

- A) The Design of the Development**
- B) The Impact on Residential Amenity**
- C) Transport and Highways**
- D) Trees and Landscaping**

7.2 A) The Design of the Development

- 7.3 In accordance with Policy 28: Character and Design of the Sutton Local Plan 2018, the Council will only grant permission for development providing it is attractive, designed to the highest standard using high quality materials and maintains and enhances local character and the appearance of the surrounding area.
- 7.4 The proposed retention and completion of the single storey rear extension is acceptable. It will be an acceptable depth at 3.286m from the rear elevation and will be similar in design and depth to the rear extension to the adjoining property. The style of the extension and roof form are considered appropriate. Overall, the rear extension is considered to be in keeping with the appearance of the application property, the neighbouring properties and the wider surrounding area.
- 7.5 The conversion of part of the garage to habitable space is considered to be acceptable. The changes will occur internally to create a utility and WC on the ground floor. There would be no change to the front elevation of the property as a smaller garage/store will remain with the garage door retained.
- 7.6 The property is adjacent to the Landseer Road Conservation Area and therefore consideration is given to Policy 30 of the Sutton Local Plan. The boundary of the conservation area lies to the east at the rear of the garden. Given the scale and nature of the development, the proposal is considered not to detract from the character or setting of the conservation area.
- 7.7 As such the proposal is considered to comply with the aims and objectives set out in Policy 28 and 30 of the Sutton Local Plan 2018.

7.8 B) The Impact on Residential Amenity

- 7.9 Policy 29 of the Sutton Local Plan is relevant here as part of the assessment of the application regarding residential amenity impact. It is considered that the proposal would not result in an adverse impact on any adjoining occupiers in terms of increased noise and disturbance or loss of outlook, privacy and light.

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7.10 The main neighbouring property to take into consideration is no. 3 Summerville Gardens, the adjoining property to the south. This property has an existing single storey rear extension and as such would not be harmed by this development due to the screening benefit of their existing extension.

7.11 The properties located on Cheam Road to the north would have sufficiently deep rear gardens to prevent any unacceptable harm to amenity occurring from the rear extension.

7.12 As such the proposal is considered to accord with the aims of Policy 29 of the Sutton Local Plan.

7.13 C) Transport and Highways

7.14 Policy 36 of the Sutton Local Plan states that the Council will assess all new development applications for their impact on the existing and proposed transport infrastructure and services, and the local environment.

7.15 Policy 37 of the Sutton Local Plan states that 'new developments will be expected to provide car parking in accordance with the council's restraint based maximum car parking standards taking into account public transport accessibility levels, existing publicly available parking provision and usage in the vicinity of the site and the need to deter unnecessary car use while avoiding overspill parking problems'.

7.16 There are no objections to the proposal in terms of highway safety and or adding to any local parking pressure. The proposal involves loss of part of the existing garage but there will be ample off street parking remaining at the front of the property.

7.17 D) Trees and Landscaping:

7.18 In accordance with policy 28 of the Sutton Local Plan 2018, new developments will be expected to respect and retain existing landforms and natural features of application sites, including trees of amenity value, hedges and other landscape features, and make suitable provision for high quality additional landscaping.

7.19 The scheme has been reviewed by the Principal Tree Officer, who has commented that the extension and raised hard landscaping/patio fall within the root protection area of an early mature Oak tree, located in the rear garden of the neighbouring property. If the application had been considered prior to works starting, a condition requiring a tree protection methodology would have been recommended to include hand excavation of foundations to inform a suitable design.

7.20 However, at this stage there are now limited means to rectify this or enact tree protection measures given that work to the foundations have begun on site. The applicant has given assurances that they consulted with the owner of the tree, took care during construction



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and that no roots were found whilst excavating for foundations. In the absence of the severance or damage to significant tree roots no objections are raised

8 Reason(s) for recommendation

- 8.1 The design of the proposed extension and garage conversion are considered to be acceptable in design terms, resulting in limited harm to the character and setting of the application property, the street scene and the adjacent Landseer Road Conservation Area.
- 8.2 The proposed alterations to the dwelling are not considered to result in any unreasonable impact on the amenities currently enjoyed by the occupants of the surrounding residential properties in terms of loss of daylight, sunlight, sense of enclosure and loss of privacy.
- 8.3 The proposal would not result in harm to any nearby trees.
- 8.4 The proposal would not adversely impact on parking provision or highway and pedestrian safety.

9 Appendices and Background Documents

9.1 Appendices

| Appendix Letter | Appendix Title |
|-----------------|---------------------------|
| A | Site Plan |
| B | Conditions of application |

9.2 Background Documents

| Date of Expiry | Background Document |
|----------------|---------------------|
| N/A | N/A |