



Decision Notice

Date of Decision: 12th December 2018

Royal Borough of Kingston upon Thames
Guildhall 2, High Street
Kingston upon Thames
KT1 1EU

TOWN AND COUNTRY PLANNING ACT, 1990 (AS AMENDED)
TOWN AND COUNTRY (MANAGEMENT PROCEDURE ORDER) (ENGLAND) 2015
(AS AMENDED)

LOCATION: 15 Samuel Gray Gardens, Kingston upon Thames, KT2 5UY

PROPOSAL: Erection of single storey rear extension

Under the provisions of part III of the Act the Council hereby GRANTS PERMISSION for the development described above.

PERMIT subject to the following conditions:

1. The development hereby permitted shall be commenced within 3 years from the date of this decision.

Reason: In order 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:

Dwg No. 1777-01 - Site Location Plan	Received	16/10/2018
Dwg No. 1777-07 - Block Plan	Received	12/12/2018
Dwg. No. 1777-03 - Existing Elevations and Section Plan	Received	16/10/2018
Dwg. No. 1777-02 - Existing Floorplans	Received	16/10/2018
Dwg. No. 1777-05 - Proposed Elevations and Section Plan	Received	16/10/2018
Dwg. No. 1777-04 - Proposed Floorplans	Received	16/10/2018
Flood Risk Assessment	Received	01/11/2018

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

3. The materials and finishes of the external walls and roof of the development hereby permitted shall match in colour and texture those of the existing building, or such other materials as shall have been approved in writing by the Local Planning Authority and shall thereafter be retained as such.

Reason: To ensure a satisfactory appearance on completion of the development in accordance with Policy DM10 (Design Requirements for New Developments including House Extensions) of the LDF Core Strategy Adopted April 2012.

4. The roof of the extension hereby permitted shall not be converted or used as a balcony or a sitting out area, and no access shall be gained except for maintenance purposes.

Reason: To protect the amenities and privacy of the adjoining residential properties in accordance with Policy DM10 (Design Requirements for New Developments including House Extensions) of the LDF Core Strategy Adopted April 2012.

5. The finished floor levels of the extension hereby approved shall be no lower than the finished floor levels in the existing dwellinghouse.

Reason: To mitigate against potential flood risk in compliance with Policy DM4 (Water Management and Flood Risk) of the 2012 Local Development Framework Core Strategy.

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting this Order) no windows or other openings (other than those hereby approved) shall be formed in the flank walls of the extension hereby approved without the prior written consent of the Local Planning Authority.

Reason: To protect the amenities and privacy of the occupiers of the adjoining residential properties in accordance with Policy DM10 (Design Requirements for New Developments including House Extensions) of the LDF Core Strategy Adopted April 2012.

INFORMATIVE(S)

1. Your attention is drawn to the need to comply with the relevant provisions of the Building Regulations, the Building Acts and other related legislation.
These cover such works as - the demolition of existing buildings, the erection of a new building or structure, the extension or alteration to a building, change of use of buildings, installation of services, underpinning works, and fire safety/means of escape works. Notice of intention to demolish existing buildings must be given to the Council's Building Control Service at least 6 weeks before work starts. A completed application form together with detailed plans must be submitted for approval before any building work is commenced.
2. In dealing with the application the Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies in the Core Strategy, Supplementary Planning Documents, Planning Briefs and other informal written guidance, as well as offering a full pre-application advice service, in order to ensure that the applicant has been given every opportunity to submit an application which is likely to be considered favourably.
3. You have been granted planning permission to build a residential extension.
When undertaking demolition and/or building work, please be considerate to your neighbours and do not undertake work before 8am or after 6pm Monday to Friday, before 8am or after 1pm on a Saturday or at any time on Sundays or Bank Holidays. Furthermore, please ensure that all vehicles associated with the construction of the development hereby approved are properly washed and cleaned to prevent the passage of mud and dirt onto the adjoining highway. You are advised that the Council does have formal powers to control noise and nuisance under The Control of Pollution Act 1974, the Clean Air Acts and other relevant legislation. For further information and advice, please contact - Environmental Health Department Pollution Section.
4. The Party Wall Act 1996 requires a building owner to notify, and obtain formal agreement from, any adjoining owner, where the building owner proposes to:
 - carry out work to an existing party wall;
 - build on the boundary with a neighbouring property;

- in some circumstances, carry out groundwork's within 6 metres of an adjoining building.

Notification and agreements under this Act are the responsibility of the building owner and are quite separate from Building Regulations, or Planning Controls. The Building Control Service will assume that an applicant has obtained any necessary agreements with the adjoining owner, and nothing said or implied by the Council should be taken as removing the necessity for the building owner to comply fully with the Party Wall Act. Further information and advice is to be found in "The Party Walls etc. Act 1996 - Explanatory Booklet".

5. Your attention is drawn to the fact that planning permission does not override property rights and any ancient rights of light that may exist. This permission does not empower you to enter onto land not in your ownership without the specific consent of the owner. If you require further information or advice, you should consult a solicitor.
6. Unless clearly specified otherwise, the base of the development shown on the approved plans is taken to be external ground level, and not a Damp Proof Course or Internal Finished Floor Level. The external ground level is expected to remain consistent before and after construction of the approved development unless specified otherwise on the approved plans.
7. In dealing with the application the Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies in the Core Strategy, Supplementary Planning Documents, Planning Briefs and other informal written guidance, as well as offering a full pre-application advice service, in order to ensure that the applicant has been given every opportunity to submit an application which is likely to be considered favourably.