

DELEGATED REPORT

REF No: 18/16769/HOU
SITE: 2A Lingfield Avenue, Kingston upon
Thames, KT1 2TN

WARD: St Marks

PROPOSAL:

Erection of side dormer roof extension and installation of 2 no rooflights to the rear to facilitate loft conversion.

Plan Type: Householder

Expiry Date: 31/12/2018

APPLICANT'S PLAN NOS:

L2294/40 Rev A Existing Floor and Roof Plans	Received	05/11/2018
L2294/41 Rev B Existing Elevations	Received	16/11/2018
L2294/42 Rev A Proposed Floor Plans	Received	05/11/2018
L2294/43 Rev A Proposed Elevations	Received	05/11/2018
L2294/44 Rev A Existing and Proposed Block Plan	Received	05/11/2018
L2294/45 Proposed Section B-B	Received	07/01/2019
L2294/LP Rev B Site Location Plan	Received	05/11/2018

PLANNING POLICY GUIDANCE/PLANNING POLICY STATEMENTS

DEVELOPMENT PLAN:

Mayor for London
London Plan March 2016 (consolidated with alterations since 2011)
LDF Core Strategy Adopted April 2012
Kingston Town Centre AAP 2008

POLICIES

DM10 LDF CORE STRATEGY DEVELOPMENT MANAGEMENT
Design Requirements for New Developments

PREVIOUS RELEVANT HISTORY

CONSULTATIONS

1. Neighbour notification: 33 local addresses have been notified. No written representations have been received.

SITE AND SURROUNDINGS

2. The application concerns a two storey detached residential property situated on the southern side of Lingfield Avenue. The property is not Listed, does not lie within a conservation area, but does lie within a Local Area of Special Character.

PROPOSAL

3. The application proposes the erection of a side dormer roof extension and two **rooflights** to the rear roof slope. At the time of the site visit, the proposed rear **rooflights** had been installed.

ASSESSMENT

4. Condition 4 of appeal permission APP/**Z5630/W**/15/3004151 states:
5. *Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking, re-enacting or modifying that Order), no windows/dormer windows other than those expressly authorised by this permission shall be constructed on the flank wall elevations.*
6. As such, no permitted development rights exist for the dwelling.
7. Policy Guidance 39 (Dormer Extensions) of the **SPD** states that dormer windows should be designed so that they:
 - are set down from the ridge line of the existing roof by at least **500mm**; are set in from the sides and eaves of the roof by at least **500mm**;
 - do not feature on the front slope of the roof (in most cases);
 - are designed to complement the character of the existing house and wider area;
 - match or line-up with any original windows below;
 - are not built in the style of a mansard roof
8. The proposed dormer roof extension would be set down from the ridge by 600mm, up from the eaves by 800mm and from both sides by at least 1m. As such, it comply with the guidance and would sit comfortably within the existing roofscope. Subject to the use of matching materials, no harm would be caused to the character or appearance of the site or the surrounding area
9. Similarly, subject to a condition requiring obscure glazing for the dormer window, no amenity harm would result.
10. Finally, the proposed rear rooflights would not require planning permission (they are not precluded by the aforementioned condition), and so objections are raised to these.
11. As such, the application is recommended for approval.

RECOMMENDATION

Approve subject to the following condition(s):

- 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:

L2294/42 Rev A Proposed Floor Plans	05/11/2018
L2294/43 Rev A Proposed Elevations	05/11/2018
L2294/44 Rev A Existing and Proposed Block Plan	05/11/2018
L2294/40 Rev A Existing Floor and Roof Plans	05/11/2018
L2294/41 Rev B Existing Elevations	16/11/2018
L2294/LP Rev B Site Location Plan	05/11/2018
L2294/45 Proposed Section B-B	07/01/2019

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 Before any occupation of the development, any windows inserted into the flank elevations of the development shall be constructed so that no part of the framework less than 1.7m above finished floor level shall be openable. Any part below that level shall be fitted with, and retained in, obscure glazing to a minimum of level 3 on the standard scale. Any film used to achieve the requisite obscurity level shall be non-perishable and tamper-proof, and shall be replaced immediately in the event that it ceases to result in obscurity to level 3.

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 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.

- 2 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.
- 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.

Signature of Case Officer: Paul Young

Date : 07/01/2

Signature of Lead Officer: Barry John Lomax

Date : 07/01/2019

To be initialled by the Chair of Neighbourhood Committee or other authorised Councillor in all cases involving unresolved material planning representations.

1. I endorse the recommendation of the Service Director(Planning and Transportation) to GRANT planning permission

Signature : _____

Date : _____

or

2. I wish this application to be referred to the Committee for determination.

Signature : _____

Date : _____

Signature of Authorising Officer :

Date :