

**COMMITTEE AGENDA REFERENCE: 5b**

<b>APPLICATION REF:</b>	RU.22/0611
<b>LOCATION</b>	15 Kingswood Close Englefield Green TW20 0NQ
<b>PROPOSAL</b>	Part two storey part single storey rear extension and rear dormer. Two storey side extension. Replacement of front double storey section, new front bay windows, open porch and fenestration changes
<b>TYPE</b>	Full Planning Permission
<b>EXPIRY DATE</b>	Extension of time agreed until 11 <sup>th</sup> November 2022
<b>WARD</b>	Englefield Green West
<b>CASE OFFICER</b>	Katherine Appleby
<b>REASON FOR COMMITTEE DETERMINATION</b>	Number of letters of representation received
<i>If you have questions about this report please contact Ashley Smith, Victoria Gibson or the case officer.</i>	

**1. SUMMARY OF RECOMMENDATION**

<b>It is recommended the Planning Committee authorises the CHDMBC:</b>	
1.	Grant consent subject to conditions

**2. DETAILS OF THE SITE AND ITS SURROUNDINGS**

- 2.1 The application site lies on the north side of Kingswood Close and comprises a 2-storey detached dwelling set back on a large rectangular plot. The street is characterised by large, detached dwellings of varying styles along with a small number of bungalows. An Oak Tree within the rear garden is protected under TPO 452. The site is adjoined on either side by dwellings and backs onto Coopers Hill Recreational Club. The site is in the urban area.

**3. APPLICATION DETAILS**

- 3.1 The application proposes a general enlargement and internal reorganisation of the existing dwelling involving a part two storey, part single storey rear extension, rear dormer, 2 storey front extension, two storey side extension as well as additional front bay windows and porch. The side extension will match the ridge and eaves height of the existing dwelling with the front and rear extensions tying into the existing main roof at lower levels with a central front gable and rear treble hipped pitched roofs.
- 3.2 The main body of the dwelling will have a total ground floor depth of 11 metres with the central front extension and porch extending a further 3m with 1m deep bay windows either side. The attached garage which was located close to the side boundary with no.16 but has already been demolished, would be replaced with a reception room on the ground floor and a larger bedroom on the first floor and the side extension would be set away at least 1.43 metres from the side boundary with no.16 (a bungalow).
- 3.3 The single storey rear extension with a pitched and hipped glazed roof with rear windows and central bifold doors and would be set away 1.44-1.49 metres from both side boundaries. The rear extension above at first floor would have a treble pitched hipped roof with a depth of 3.5 metres and would be set away 2.94-2.99 metres from the side boundary with no.16 and 2.7 metres from the side boundary with no.14 (with no ground or first-floor side windows). A flat roof rear dormer which would be set down from the ridge, away from the sides, set back and tying into the main existing rear roof slope is also proposed. The dwelling will be rendered with grey roof tiling and grey metal fenestration detailing.

- 3.4 This application follows the refusals of RU.20/1423, RU.21/0463 and RU.21/1100. Following discussions with Officers the current proposals have been revised to overcome the Planning Inspector's concerns which were raised during the appeal for most recent application RU.21/1100. The revisions when compared with RU.21/1100 are set out below.

	<b>Previous RU.21/1100</b>	<b>Current RU.22/0611</b>
Depth of ground floor rear extension	6 metres	5.5 metres
Depth of first floor rear extension	4.2 metres	3.5 metres
Separation distance from first floor rear extension to side boundaries	1-1.2 metres	2.7 -2.99 metres
Height	6.97 metres	6.44 metres

- Reduced the total depth of the ground floor extension from 6m to 5.5m
- Reduced the depth of the first floor extension from 4.2m to 3.5m
- Increased the separation distance from the side extension to the boundary with no.16 by at least 0.4m
- Increased the separation distances from the first floor rear extension to both side boundaries by at least 1.5-1.9m (giving a total separation distance of at least 2.7-2.9 metres to both side boundaries)
- Removal of ground floor side window facing no.14
- Reduction in width of 2 first floor rear windows, one of which would be obscurely glazed
- Reduced the height of the first floor rear extension by 0.53m.
- As the reduction on the 1st floor would result in the loss of a bedroom and ensuite, this is proposed in the loft space with the introduction of a rear dormer

#### **4. RELEVANT PLANNING HISTORY**

4.1 The following history is considered relevant to this application:

4.2 RU.21/1100- Double/single storey rear extension, two storey side extension, replacement of front double storey section, new front bay windows and roof canopy above porch (revised plans received 13/07/21) – refused 15/09/21 for the following reasons.

1. The proposal, by reason of the bulk, scale and mass of the enlargements to the dwelling, would fail to integrate with the street scene and host dwelling resulting in harm to the street scene and character of the area, contrary to Policy EE1 of the Runnymede 2030 Local Plan.
2. The proposal would result in a poor relationship to its directly adjacent neighbour number 16 Kingswood Close due to the bulk, scale and mass of the extensions proposed. This would result in both a loss of light and an overbearing impact, with adverse harm to their amenities, contrary to Policy EE1 of the Runnymede 2030 Local Plan, the Runnymede Design SPD 2021, and guidance in the NPPF.

Appeal dismissed 25/01/22. Please note the Inspector only upheld reason for refusal 2.

4.3 RU.21/0463 - Double/single storey rear extension, two storey/part single storey side extension, double storey front extension, new front bay windows and roof canopy above porch (revised description 10/05/21). Refused 21/05/21 for similar reasons as above apart from referring to the impact of the proposals on both adjacent neighbours due to the size, scale and mass of the extensions proposed in close proximity to the boundaries.

4.4 RU.20/1423 - Double storey rear extension, double storey side extension, double storey front extension, new front bay windows, roof canopy above porch single storey rear/side extension

with balcony at rear. Refused 12/02/21 for similar reasons as above apart from referring to the impact of the proposals on both adjacent neighbours due to the size, scale and mass of the extensions proposed in close proximity to the boundaries. Appeal dismissed

## **5 SUMMARY OF MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION**

- 5.1 National Planning Policy Framework and Guidance.
- 5.2 The Runnymede 2030 Local Plan was adopted on 16 July 2020 and the policies have to be read as a whole. Any specific key policies will be referred to in the planning considerations.
- 5.3 SPGs which might be a material consideration in determination:  
Runnymede Design SPD (July 2021)

## **6. CONSULTATIONS CARRIED OUT**

### **Representations and comments from interested parties**

- 6.1 18 Neighbouring properties were consulted in addition to being advertised on the Council's website and 13 letters of representation were received in response to the original plans submitted which can be summarised as follows:
- The proposals have been changed very little from previous proposals
  - The length and height of the proposed rear extension so close to the shared boundary would have a dominant and overbearing effect on adjoining No. 14
  - The proposed side and rear extension would have an overbearing and intrusive effect on the living conditions to No.16
  - The development goes against Policy EE1, NPPF and PPG
  - Loss of views
  - A street facing facade that is too wide and tall, out of harmony with the area
  - Cramped form of development
  - Out of keeping with street scene and out of character with the area
  - Loss of light and privacy to neighbours
  - loss of light and overshadowing to immediate neighbours
  - The proposed materials are obtrusive and do not harmonise with the buildings in the Close
  - The summer house at the end of the garden has no permission
  - Development will destroy open view of the street
  - Proposed plans do not provide sufficient off street parking that is sympathetic to the style of the street
  - The results of the submitted Daylight, Sunlight, and Overshadowing Assessment is subjective

Following the receipt of the amended plans and further neighbour consultation in respect of these any further comments received will be reported in the addendum.

- 6.2 Englefield Green Village Residents Association responded on the original plans and considers that there has been very little change from application numbers RU.20/1423, RU.21/0463 and RU.21/1100 which were refused/dismissed at appeal and raises objection.

## **7. PLANNING CONSIDERATIONS**

- 7.1 In the determination of this application regard must be had to the Development Plan and National policy within the NPPF. The application site is located within the urban area where

the principle of such development is considered to be acceptable subject to detailed consideration. This must be considered in light of the presumption in favour of sustainable development advocated by the NPPF. The key planning matters are whether the current proposals have overcome the reason for the refusal regarding the impact upon neighbouring amenity and whether any of the design changes undermine the Inspectors previous conclusion that the proposal would not harm the host property or the street scene.

- 7.2 With regard to impact on the street scene the appeal inspector during his consideration of the appeal regarding ru.21/1100 concluded the following:

***“The appeal proposal would retain about 1m gap to both the side boundaries. In this respect the proposal would meet the requirements of the Runnymede Design Supplementary Planning Document 2021 Appendix 4 Householder Guide (the SPD).***

***As the roof of the proposed two storey side extension would be at the same height as the main roof there would be some conflict with the SPD. However, at the front, the hipped roof with projecting gable would be of the same form as the existing and would be in keeping with the street scene. Moreover, the projecting gable would be re-positioned so that the front elevation would be symmetrical.***

***There are other examples of substantial properties on Kingswood Close and the overall scale, mass and appearance of the proposal would not be out of character with the street scene. The appeal property is at a higher level than the properties across the street but, because of the setback from the roadside, it is not noticeably more prominent than other properties.***

***Various elevational materials including render are evident along Kingswood Close. Consequently, the use of render for the external walls would not be inappropriate and would avoid any potential problem of matching proposed and existing materials. I see no reason to suppose that the proposal would fail to integrate in the mixed style street scene.***

***Despite there being some conflict with the SPD in respect of the lack of subordination with the host dwelling, on balance I consider the appearance of the extended dwelling from the front would not harm the host property or the street scene.***

***At the rear the proposed three hipped roof design would be somewhat convoluted. However, this would mean the two storey extension roofs would be lower than the ridge of the host property resulting in less bulk above the eaves. The Council raises no specific concerns about the appearance from the sides or rear and I see no reason to come to a different conclusion.”***

The conclusions of the previous Inspector need to be given significant weight when assessing this current application

- 7.3 The introduction of the rear dormer which has been set in and down from the main roof and the reduction in the scale of the rear extension primarily at first floor do not result in changes that when compared with the previous scheme are at odds with the Inspectors previous conclusions. It is considered therefore that the proposed extensions would not harm the character and appearance of the host property or the street scene and would comply with Policy EE1 of the Runnymede 2030 Local Plan.
- 7.4 During the consideration of the previous application the Inspector raised concerns regarding the impact on adjoining neighbouring amenity, notably overbearingness and gloomy and oppressive outlook . In respect of No. 14 to the east, which is a two storey detached dwelling with rear conservatories, the proposed changes from the most recently refused scheme would amount to a further 0.5m reduction in the depth of the proposed single storey rear extension, a further 0.7m reduction in the depth of the proposed first floor rear extension, which would now also be set away from the side boundary by a further 1.5m giving a total separation of 2.7 m, a ground floor side window facing no.14 would be removed and the overall height of the extension has been reduced by 0.53m.

- 7.5 Both the single storey and first floor rear extensions would not breach the 60-and 45-degree splay lines from the neighbour's nearest window. Nevertheless, during the consideration of the appeal, the Inspector considered that despite this the Council's SPD states that the angles and dimensions cited are given to assist applicants but that individual cases will be considered on their own merits and thus concluded that the overall length and height of the proposed rear extensions so close to the shared boundary would have a dominant and overbearing effect on the outlook from the conservatories and garden of No 14 and would appear overbearing and would result in a gloomy and oppressive outlook for the occupiers of that property.
- 7.6 As a result of the above concerns, the current proposals have been reduced in length at both ground and first floors, the height has been reduced, and the separation distance to the shared boundary has increased.
- 7.7 In respect of No. 16 to the west, this is a single storey dwelling that extends deep into its plot and behind no.15 with a number of windows in the east side elevation, some of which are obscure glazed but the kitchen window and door are not. The bungalow is set away from the shared boundary with 2 approx. 2.3m high outbuildings sited in front of the kitchen window and door between the bungalow and the boundary. It is relevant that during the consideration of the recent appeal the Inspector considered that the outbuildings already impinge on the outlook and light to the side windows of No 16, however still concluded that the overall length and height of the proposed rear extensions so close to the shared boundary and projecting well above the outbuildings would have a dominant and overbearing effect on the outlook from the side windows and adjacent path at No 16 whether or not the kitchen counts as a habitable room and the extensions would result in gloomy and oppressive living conditions for occupiers of No 16.
- 7.8 As a result of the above concerns raised the current proposals have been reduced in length at both ground and first floors, the height has been reduced, and the separation distance to the shared boundary has increased which would result in a building to building separation distance of 4.8m from the ground floor rear extension and 6.3m from the first floor rear extension
- 7.9 As such given that the height, depth and width of the rear extension have been materially reduced the cumulative impact of these changes are considered to result in the extension having an acceptable impact on both neighbouring properties' amenities. By reducing the depth, width and height of the first-floor component it is not considered that the development would result in gloomy or oppressive living conditions or have an overbearing impact for the occupiers of no.16 or no. 14.
- 7.10 Thus, it is considered for these reasons that the proposed extensions would not have a harmful effect on the living conditions of the occupiers of the adjacent properties and would comply with Policy EE1 of the Runnymede 2030 Local Plan and refusal reason 2 of RU.21/1100 has been overcome.
- 7.11 In other matters, concerns have been raised about the provision of parking on site, however the site plan shows a driveway with sufficient space to park a number of vehicles. There are also no parking restrictions on the street and Officers have observed on street parking already taking place. Therefore, the development is considered to comply with the parking standards required by Policy SD4. Although a large amount of original hard and soft landscaping has been removed from the site the rear garden has since been landscaped with terracing and a new combination of hard and soft landscaping introduced in the rear garden, however as an Oak tree is covered by TPO 452 a condition is added to secure a gain in biodiversity to comply with Policy EE9.

## **8. PLANNING OBLIGATIONS/COMMUNITY INFRASTRUCTURE LEVY (CIL)**

- 8.1 The application proposes new residential development. Based on the submitted information, the internal floorspace would be increased by more than 100 sqm and therefore would be liable for a Community Infrastructure Levy contribution.

## **9. EQUALITY AND HUMAN RIGHTS CONSIDERATIONS**

- 9.1 Consideration has been given to Articles 1 and 8 of the First Protocol of the European Convention on Human Rights. It is not considered that the decision would result in a violation of any person's rights under the Convention.

Consideration has been given to s149 of the Equality Act 2010 (as amended), which has imposed a public sector equality duty that requires a public authority in the exercise of its functions to have due regard to the need to:

- (a) Eliminate discrimination, harassment, victimisation and any other conduct prohibited by the Act
- (b) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
- (c) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

It is considered that the decision would have regard to this duty.

## 10. CONCLUSIONS

- 10.1 The development is considered acceptable in terms of appearance and with harmful impacts on residential amenities. The application has overcome the previous reasons for refusal. There are no highway or parking impacts. The development has been assessed against the following Development Plan policies – EE1 and SD4 of the Runnymede 2030 Local Plan, the policies of the NPPF, guidance in the PPG, and other material considerations including third party representations. It has been concluded that the development would result in harm that would justify refusal in the public interest. The decision has been taken in compliance with the requirement of the NPPF to foster the delivery of sustainable development in a positive and proactive manner.

## 11. FORMAL OFFICER RECOMMENDATION

***The CHDMBC be authorised to grant planning permission subject to the following planning conditions:***

### 1. Full application (standard time limit)

The development for which permission is hereby granted must be commenced not later than the expiration of three years beginning with the date of this permission.

Reason: To comply with Section 51 of Part 4 of the Planning and Compulsory Purchase Act 2004.

### 2. List of approved plans

The development hereby permitted shall not be carried out except in complete accordance with the following approved plans, Location Plan & Proposed Site Plan, Proposed Elevations & Floorplans, received 17/10/22.

### 3. External materials (approved as stated on form)

The development hereby permitted shall be constructed entirely of the materials stated on the submitted valid planning application form.

Reason: To ensure high quality design and to comply with Policy EE1 of the Runnymede 2030 Local Plan and guidance within the NPPF.

### 4. Obscure glazing

Before the first occupation of the extension hereby permitted, the first and second floor ensuite and stairwell window(s) in the rear elevation shall be fitted with obscured glazing (at Pilkington Glass Level 4 or equivalent) and any part of the window(s) that are less than 1.7 metres above the floor of the room in which they are installed shall be non-opening and fixed shut. The window(s) shall be permanently retained in that condition thereafter.

Reason: To avoid overlooking into the adjacent property and to comply with Policy EE1 of the Runnymede 2030 Local Plan and guidance within the NPPF.

Informative:

1. The decision has been taken in compliance with the requirement in the NPPF to foster the delivery of sustainable development in a positive and proactive manner.