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# SURBITON NEIGHBOURHOOD COMMITTEE

**WEDNESDAY 12 NOVEMBER 2008**

**REPORT BY**

SERVICE DIRECTOR (PLANNING AND TRANSPORTATION)

**PLANNING APPLICATIONS**

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SURBITON NEIGHBOURHOOD COMMITTEE

12 NOVEMBER 2008

REPORT BY THE
SERVICE DIRECTOR (PLANNING AND TRANSPORTATION)

PLANNING APPLICATIONS

All recommendations for planning permission in this section are automatically subject to the condition limiting the duration of the permission required by Sections 91 and 92 of the Town and Country Planning Act (as amended) 1990 unless permission is to be granted for a limited period or unless there is a specific recommendation that the period for such duration be other than the period referred to in the standard condition. All background papers are incorporated into Planning Application Reports.

The policies listed are those from the Royal Borough of Kingston upon Thames Unitary Development Plan First Alteration
Surbiton Neighbourhood Committee

Date of Meeting: 12/11/2008

A1 Register No: 08/16356/FUL

Address: 52 THE RIDINGS, SURBITON, KT5 8HQ

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[Please note that this plan is intended to assist in locating the development it is not the site plan of the proposed development which may have different boundaries. Please refer to the application documents for the proposed site boundaries.]
Ward: Berrylands
Description of Proposal: Erection of single storey side, part single part two storey rear extension, side dormer roof and front porch extensions
Plan Type: Full Application
Expiry Date: 11/09/2008

Applicant's Plan Nos:
0508-1323 Received 17/07/2008
OS Sitemap Received 17/07/2008
0708-1342A Received 27/10/2008

BASIC INFORMATION

Development Plan: Mayor for London - The London Plan
Royal Borough of Kingston upon Thames - Unitary Development Plan First Alteration

UDP Policies
BE11 Design of New Buildings and Extensions
BE12 Layout and Amenity of Buildings and Extensions
H1 Protection of Residential Amenities
SPG Residential Extension
STR6 Conserving and Enhancing the Built Environment

Total Site Area 0sq m
Total Floor Area 0sq m
Density
Dwellings
Habitable rooms
No. of Units
Car Parking: required
Car Parking: proposed

Previous Relevant History
04/16517/FUL Erection of single storey side extension Permit 5 Year Condition and Conditions 12/11/2004
08/16260/FUL Erection of single storey side and part single part two storey rear extension Application Withdrawn 15/07/2008
Consultations

1. 5 neighbours were consulted. 2 written objections were received.
2. 50 The Ridings objected to the application for the following reasons:
   (a) The extensions are large in nature and would compete with the host building
   (b) The side extensions would obscure the living room of the property
   (c) The extensions are too deep resulting in a loss of outlook
   (d) The extensions would result in a lack of space between dwellings which is an important feature of the street
   (e) The size and design of the first floor rear extension is out of keeping with the host property and would be an incongruous feature
   (f) The proposed front porch would detract and is out of character with the design of the host property
3. 54 The Ridings objected to the application for the following reasons:
   (a) The dormer window on the side elevation would create privacy issues by looking directly into the front of their dwelling
   (b) The double storey extension would result in a loss of light
   (c) The extensions would result in a lack of space between the dwellings which is an important feature of the street
   (d) The extension would look into their rear garden resulting in a loss of privacy
   (e) The design of the extensions are out of character with the area
4. The objectors have been consulted on amended plans. Any additional comments received will be reported as late material.
5. The application has been referred by the Co-Chair for the Neighbourhood to the Committee for determination.

Site and Surroundings

6. The site comprises the curtilage of a two detached dwelling located in The Ridings. The surrounding area is residential in character consisting predominately of two storey houses.

Proposal

7. Erection of single storey side, part single part two storey rear extension, side dormer roof and front porch extensions
Assessment

The main considerations material to the determination of this application are:

1. Principle of Proposed Development
2. Impact on Character of Area
3. Impact on Neighbour’s Residential Amenity
4. Highways and Parking
5. Trees
6. Legal Agreements
7. Sustainability
8. Other Material Considerations

Principle of Proposed Development

8. There is no objection in principle to extension of houses in the urban area as in this case.

Impact on Character of Area

9. The design of the extensions as originally proposed have been improved by the proposed amendments, the key elements of which are the provision of a fully ridged roof on the roof of both the two storey extension and the side dormer extension and the provision of a symmetrical roof form on the projecting rear extension. With these changes it is considered that the extensions would harmonise well with the design of the original house. Other similar first floor side extensions are evident in the locality. The proposed development would therefore complement the character and appearance of the area. The front porch is of a size and design that would not be detrimental to the appearance of the street scene. IA condition is recommended to ensure that the materials used for the proposed works match the existing dwelling.

Impact on Neighbours’ Residential Amenity

10. The rear extension would project a distance of approximately 4 metres. The new extension would be approximately 1.8 metres deeper than 50 The Ridings which is on the western side of the property. It is considered that the depth of the proposed extension would not have a detrimental impact on the amenity of that property. There is a side window on the rear extension at 50 The Ridings, which would be affected by the proposed extensions. However, this window is not the principal window serving this room and it is therefore considered that the extension would not result in a significant detrimental impact on the light or outlook to that room.

-A5-
11. The first floor rear extension would project 4 metres and would be located 3.5 metres from 50 The Ridings. No. 50 is situated 1.3 metres from the boundary. It is therefore considered that the extension would be at a sufficient distance from 50 The Ridings to ensure that it would not be over-dominant. No. 54 The Ridings is on the eastern side of the property and is significantly deeper than the No. 52. and would remain deeper even with the proposed extension. No. 54 has no windows on its side elevation and it is considered that the extensions would not have a detrimental impact on the amenities of that property.

12. There is a proposed dormer on the eastern side elevation of the dwelling. The edge of the dormer would be slightly forward of the front building line of 54 The Ridings and therefore the proposed window would not offer a direct outlook into the front windows of that property.

Highways & Parking
13. There would be no impact in regard to highways and parking considerations.

Trees
14. No trees would be affected by this application

Legal Agreements
15. No legal agreements are required as part of this application

Sustainability
16. The application is considered to be consistent with the principles of sustainability

Other Material Considerations
17. There are no other material considerations

Reason for Approval
18. The proposal would complement the character and appearance of the locality and of the existing house and no significant harm would be caused to the residential amenities of neighbouring properties. It therefore complies with Policies H1, STR6, BE11 and BE12 of the Royal Borough of Kingston Upon Thames Unitary Development Plan First Alteration.
Recommendation:

Approve 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 facing materials to be used in the construction of the extensions shall be those specified on the application form and approved drawings or such other materials as have been approved in writing by the Local Planning Authority before the development is commenced.
   Reason: To ensure a satisfactory appearance on completion of the development in accordance with Policies BE11 (Design of New Buildings and Extensions) and STR6 (Conserving and Enhancing the Built Environment) of the Royal Borough of Kingston upon Thames Unitary Development Plan First Alteration.

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting this Order) no windows or other openings shall be formed in the western side elevation wall of the single storey and two storey rear extensions 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 Policies BE12 (Layout and Amenity of Buildings and Extensions) and H1 (Protection of Residential Amenities) of the Royal Borough of Kingston upon Thames Unitary Development Plan First Alteration.

4. The windows in the western side elevation and situated on the first floor of the building hereby permitted, 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 of a patterned type only.
   Reason: To protect the amenities and privacy of the occupiers of the adjoining residential properties in accordance with Policies BE12 (Layout and Amenity of Buildings and Extensions) and H1 (Protection of Residential Amenities) of the Royal Borough of Kingston upon Thames Unitary Development Plan First Alteration.
Informative(s)

1. The use of any type of film material affixed to clear glass is not acceptable for the purposes of Condition 4. All glazing should conform with Approved Document N of the Building Regulations 2000 which provides guidance about the suitability of glass at low level and in critical locations.
A2  Register No: 08/16358/FUL
Address: 89 DITTON ROAD, SURBITON, KT6 6RJ

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[Please note that this plan is intended to assist in locating the development it is not the site plan of the proposed development which may have different boundaries. Please refer to the application documents for the proposed site boundaries.]
Ward: Surbiton Hill  
**Description of Proposal:** Erection of single storey rear extension  
**Plan Type:** Full Application  
**Expiry Date:** 12/09/2008  

**Applicant's Plan Nos:**  
636/112 Received 18/07/2008  
Design Statement Received 18/07/2008  
Access Statement Received 18/07/2008  
Heritage & Archaeological Statement Received 18/07/2008  
636/110 D Received 18/07/2008  
636/111G Received 18/07/2008  

**BASIC INFORMATION**  
**Development Plan:** Mayor for London - The London Plan  
Royal Borough of Kingston upon Thames - Unitary Development Plan First Alteration  

**UDP Policies**  
BE11 Design of New Buildings and Extensions  
BE12 Layout and Amenity of Buildings and Extensions  
BE3 Development in Conservation Areas  
H1 Protection of Residential Amenities  
STR2 Residential Environment  
STR6 Conserving and Enhancing the Built Environment  
T20 Compliance with Car and Cycle Parking Standards  

Total Site Area 0sq m  
Total Floor Area 0sq m  
Density  
Dwellings  
Habitable rooms  
No.of Units  
Car Parking: required  
Car Parking: proposed  

**Previous Relevant History**  
08/16150/FUL Erection of single storey rear extension Application Withdrawn
Consultations

1. Twenty three letters have been sent to the occupiers and owners of neighbouring property in Ditton and Hook Roads. Letters of objection from two writers have been received on grounds of inappropriate and over large design within the conservation area, intrusion upon outlook, and loss of light and privacy.

2. The Conservation Design team raises no objection to the development subject to the use of matching materials including timber joinery.

3. Surbiton Conservation Area Advisory Committee raises no objection to the development.

Site and Surroundings

4. The application concerns the curtilage of a two-storey detached dwelling with a single storey conservatory and lean-to addition at the rear. The property is situated within Southborough Conservation Area at its southern edge.

Proposal

5. The proposals concern a revised form of a scheme for alterations to the rear of the house to form a single storey kitchen/breakfast room extension which was proposed in application reference 08/16150, but then withdrawn to reflect concerns raised by Surbiton CAAC at the overall depth of the extension then proposed.

6. The proposals will require the demolition of an existing conservatory which extends up to a depth of 6.3 metres from the back wall of the main building, and wraps around the single storey lean-to addition. It has been submitted that the roof of this conservatory and addition is prone to leaking and is in a generally poor structural condition. The new extension would have a similar width, at 8m, but project a further 2.8 metres with a combination of pitched roofs, hipped, gable-fronted and lean-to, at an eaves height of 2.3 metres and a main roof ridge height of 4.7 metres, which would incorporate 5 rooflights.

Assessment

The main considerations material to the determination of this application are:

1. Principle of Proposed Development
2. Impact on Character of Area
3. Impact on Neighbour’s Residential Amenity
Principle of Proposed Development

7. The proposals concern extension of a residential property within a residential area and there is no Development Plan objection to it in principle. The principal planning considerations arising concern the effects of the development on the appearance and character of the locality, with particular regard to its conservation area designation and the amenities of neighbouring properties.

Impact on Character of Area

8. The previous proposal was withdrawn to allow for the CAAC to give its thinking behind its concerns and incorporate that in a revised submission. Unfortunately it became apparent that there was little in that regard, other than an expression by one or two of its members, that the new extension should go no further back than the existing, which is neither helpful nor defensible as a design principle. However the Committee did not consider the extension design would be a conspicuous element when viewed with the host building, as a result of its hybrid and highly articulated roof form; indeed they went so far as to record their support for that roof design. In this context the design guidance given by the officers in the preparation of this scheme was to recommend a reduction in size to observe the 45 degree criteria in relation to the nearest window on the neighbouring property to the nearest window on the neighbouring property. This has been observed with the current proposal, which is for an extension projection of 500mm less than that previously proposed.

9. The development would have no effect on the street scene or any view of the property within the public domain. Although concerns of subordinate and ancillary appearance do not generally arise with regard to single storey rear extensions, they are pertinent to the evaluation of proposals in a conservation area. However in this case there is no argument to demonstrate that the proposals would not be acceptable in this regard and given that the new addition would add only 2.8m to the depth of the existing addition, and result in a far better and integrated design than the existing, it is considered that the development would preserve or enhance the qualities of the conservation area. It will be noted that neither CAAC nor the Conservation and Design officer are now raising concerns in this respect.
Impact on Neighbours’ Residential Amenity

10. Although the representations received refer to harm to the outlook and loss of light and privacy for the neighbouring properties it is considered that the extension would have no material effect on the prevailing amenities of neighbouring residents in these respects. It would offer no potential for any direct overlook of neighbouring gardens. On the side adjoining 87 it would be 1m away from the party boundary and the projection behind the rear addition to that neighbouring property would be at an eaves height of 2.4m, which would mean that it would have no effect on the passage of light over a 2m high boundary fence or outlook from the garden. Although both of the neighbouring properties would have a view of the extension from upper floor windows this in itself would require overlooking of the application property at a side angle and any view of the extension over a 2m garden boundary fence or wall would be so limited that it is not considered that it would be tantamount to a reasonable or sustainable objection to the development. On the side adjoining 91 it would be 200mm away from the party boundary and project some 2m behind the higher party wall next to the rear addition to that neighbouring property, again at an eaves height of 2.4m. Although in this case it would mean that the extension would have some effect on the passage of light over a 2m high boundary fence or outlook from the garden, this effect would be slight and it would not infringe the lighting controls in either of the two BRE publications on the assessment of natural light conditions referred to in Policy BE12.

Highways & Parking

11. The development would have no effect on the potential size of household at the property or parking arrangements on site; accordingly no highway concerns arise from it.

Trees

12. The development would have no implications in this regard.

Legal Agreements

13. There are no legal agreement implications arising.

Sustainability

14. The structure would need to satisfy the Building Regulations in regard to sustainability measures and this is considered sufficient and appropriate in regard to a house extension.
Other Material Considerations

15. There are no other material considerations.

Reason for Approval

16. The development would not harm the character and appearance of Southborough Conservation Area nor the amenities of neighbouring properties. It would therefore comply with Policies BE3, BE11, BE12, H1, STR2 and STR6 of the Royal Borough of Kingston upon Thames Unitary Development Plan First Alteration.

Recommendation:

Approve 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 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 all new external joinery shall be in timber.
   Reason: To ensure a satisfactory appearance on completion of the development in accordance with Policies BE11 (Design of New Buildings and Extensions), BE3 (Development In Conservation Areas) and STR6 (Conserving and Enhancing the Built Environment) of the Royal Borough of Kingston upon Thames Unitary Development Plan First Alteration.

Informative(s)

N/A
A3 Register No: 08/16369/FUL
Address: 22 ST MARKS HILL, SURBITON, KT6 4PT

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[Please note that this plan is intended to assist in locating the development it is not the site plan of the proposed development which may have different boundaries. Please refer to the application documents for the proposed site boundaries.]
Ward: St Marks
Description of Proposal: Erection of 3 storey rear extension and extension to flat roof to side to facilitate conversion to 7 flats comprising 4 x 2 bedroom and 3 x 1 bedroom flats
Plan Type: Full Application
Expiry Date: 20/11/2008

Applicant's Plan Nos:
GP-P-002B Received 25/09/2008
Tree Report Received 25/09/2008
Design and Access Statement Received 24/07/2008
Site location plan Received 24/07/2008
GP-P-050 Received 24/07/2008
GP-P-051 Received 24/07/2008
GP-P-052 Received 24/07/2008
GP-P-003 Received 25/09/2008
GP-P-053A Received 14/10/2008
GP-P-054A Received 14/10/2008
GP-P-055A Received 14/10/2008

BASIC INFORMATION

Development Plan: Mayor for London - The London Plan
Royal Borough of Kingston upon Thames - Unitary Development Plan First Alteration

UDP Policies
N/A

Total Site Area 0sq m
Total Floor Area 0sq m
Density
Dwellings
Habitable rooms
No.of Units
Car Parking: required
Car Parking: proposed
Previous Relevant History

Consultations

1. Highways and Transportation- recommends standard conditions and informatives and advises that a legal agreement to prevent eligibility for parking permits should be sought.
2. Borough Cycling Officer- Requires further details of secure cycle parking facilities
3. 39 neighbouring properties were consulted- no response.

Site and Surroundings

4. The application relates to one half of a pair of semi-detached properties that are designated as Buildings of Townscape Merit. Both properties are subdivided into flats with No. 22 being currently in multiple occupation. The property has permission for use as four flats, one on each floor of the building (including a semi-basement). The property has a shared garden to the rear. This part of St Marks Hill is close to Surbiton Town Centre and is typified by flat developments whether new build or in converted properties.

Proposal

5. The application proposes to convert and extend the property to provide six self contained flats. The extension involves a four storey rear extension projecting 3 metres beyond the existing rear wall and in line with the side wall. Both semi-detached properties have a flat roofed three storey part which is subordinate to the main hipped roof. It is proposed to add another storey on part of this flat roofed part, the front wall of this extension being 4.8 metres behind the front wall of the existing house, 1.8 metres from the side wall and in line with the main rear wall of the house. The extension would have a shallow pitched roof. No additional parking space is provided, although there are four existing spaces in the front garden and a cycle store is shown to be provided together with a refuse/recycling enclosure.
Assessment

The main considerations material to the determination of this application are:

1. Principle of Proposed Development
2. Impact on Character of Area
3. Impact on Neighbour’s Residential Amenity
4. Highways and Parking
5. Trees
6. Legal Agreements
7. Sustainability
8. Other Material Considerations

Principle of Proposed Development

6. As this is a large property in multiple occupation in an area where there are a number of flat developments, the proposals would comply with policy H7 of the UDP and no objection is raised to the conversion of the property. The main planning considerations are considered to be the impact of the proposed extension on the appearance of the existing (largely unaltered) property and the impact on the amenities of occupiers of adjoining flats.

Impact on Character of Area

7. The rear extension would be clearly visible from the road frontage but it is considered to be well proportioned and would not be a dominant feature of the street scene. The addition to the flat roof part of the house would be modest in scale and would be discreetly sited (away from the front and side walls) to ensure that it would not be immediately visible in the street scene. As a result the proposed extensions would not be dominant features and would remain subordinate to the main part of the original house.

8. It is therefore concluded that the proposed extensions would not harm the appearance of the pair of Buildings of Townscape Merit (of which 22 St Marks Hill forms one half) nor the character and appearance of the area in general.

Impact on Neighbours’ Residential Amenity

9. The extension would be at least metres away from the nearest flats in the adjoining properties at 20 and 24 St Marks Hill. This would be sufficient to ensure that the extension would not be over-dominant when viewed from these properties. The conversion scheme has
been designed so that the rear projection forms part of flats immediately adjoining the extension, therefore the effect on amenity would not be harmful. As the property faces towards the south east there would be a reasonable standard of daylighting and sunlighting.

Highways & Parking

10. The four existing parking spaces would be retained to serve six flats however the site is 100 metres from Surbiton Station and a low level of parking provision is therefore encouraged and a legal agreement preventing eligibility for on-street or Council car park permits would be appropriate in the event of approval.

Trees

11. The rear extension would result in the loss of 2 trees (out of 26 trees on the site). One of these is dead and both are small Leyland cypresses. Neither are protected and the loss of these trees is not considered significant.

Legal Agreements

12. It is appropriate to secure a legal agreement to provide a financial contribution to fund additional school places generated by the development in accordance with policy RES8 of the UDP. The applicant has not signed the necessary Unilateral Undertaking to provide this contribution. In the event of approval, a Unilateral Undertaking preventing eligibility for on-street or Council car park permits would also be required.

Sustainability

13. The development would provide additional flats in an accessible location. No details of measures to promote a sustainable form of construction are provided in the application and therefore these details should be required to be provided by a condition.

Other Material Considerations

14. The proposed development does not comply fully with Lifetime Homes standards however it is accepted that it is impractical to do so, given the design and layout of the existing Victorian building.
Reason for Approval

15. The property is a large house suitable for sub-division into smaller units and the proposed extensions would harmonise well with the character and appearance of 20 and 22 St Marks Hill as Buildings of Townscape Merit and the character and appearance of the street scene. The development would not harm residential amenity and would not result in loss of significant trees. For these reasons the development would comply with policies H7, BE8, BE9, BE11 and BE12 of the Royal Borough of Kingston Unitary Development Plan First Alteration.

Recommendation A:

Subject to the completion of an agreement under Section 106 of the Town and Country Planning Act 1990 to ensure that occupiers of the development are not eligible for permits to park either on-street or in Council owned car parks, and to secure provision of a financial contribution of £6,000 towards the funding of additional school places.

APPROVE 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 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.
   Reason: To ensure a satisfactory appearance on completion of the development in accordance with Policies BE11 (Design of New Buildings and Extensions) and STR6 (Conserving and Enhancing the Built Environment) of the Royal Borough of Kingston upon Thames Unitary Development Plan First Alteration.

3. Refuse storage facilities and recycling facilities and secure cycle parking facilities shall be provided prior to the occupation of the development hereby permitted in accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development, such facilities to be permanently retained at the site.
   Reason: To ensure the provision of refuse facilities and recycling facilities to the satisfaction of the Council in accordance with Policies H1 (Protection of Residential Amenities), STR6
Details of proposed sustainability measures shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. Such measures shall address the following:- energy, water, pollution, materials, transport, ecology, health and well-being and shall be designed to achieve a Building Research Establishment EcoHomes Environmental Assessment Rating of Excellent.

Reason: In the interests of sustainability, and energy conservation as set out in policies STR10, MW2, MW4 of the First Alteration to the adopted Unitary Development Plan.

All works on site shall take place in accordance with the following details which shall have previously been submitted to and approved in writing by the Local Planning Authority prior to the commencement of work:

(a) Provision for loading/unloading materials.
(b) Storage of plant, materials and operatives vehicles.
(c) Temporary site access.
(d) Signing system for works traffic.
(e) Measures for the laying of dust, suppression of noise and abatement of other nuisance arising from development works.
(f) Location of all ancillary site buildings.
(g) Measures to protect any tree, shrubbery and other landscape features to be retained on the site during the course of development.
(h) Means of enclosure of the site.
(i) Wheel washing equipment.

Reason: In order to safeguard the amenities of the surrounding residential occupiers and to safeguard highway safety and the free flow of traffic in accordance with Policies H1 (Protection of Residential Amenities), STR6 (Conserving and Enhancing the Built Environment) and T1 (Transport Safety) of the Royal Borough of Kingston upon Thames Unitary Development Plan First Alteration.

No demolition, site clearance or building operations shall be commenced until fencing to the standards set out in BS5837: 2005 "Protection of Trees on Construction Sites" (figures 4 and 5) of a height not less than 1.5 metres has been erected around the trees.
shown on the approved drawings as being retained on the site. The fencing shall enclose either:-

(a) the area described by the limit set out in Table 1
or
(b) a radius as set out in Figure 2 of BS 5837: 2005,
or alternatively
(c) such an area as may have previously been approved in writing by the Local Planning Authority.

Such fencing shall be maintained during the course of development, and no storage, site structures, parking or any other operation shall be permitted within the area thereby enclosed.

Within the fencing:
(a) levels shall not be raised or lowered in relation to the existing ground level,
(b) no roots shall be cut, trenches dug, or soil removed or drains and services laid,
(c) no buildings, site huts, roads or other engineering operations shall be constructed or carried out,
(d) no vehicles shall be driven over the area,
(e) no materials or equipment shall be stored.

and the destruction by burning of any materials shall not take place on the site or adjoining land unless the fires are at a minimum distance from the fenced area of 6.00 metres.

Reason: To prevent unnecessary damage occurring to the trees during building operations, thereby safeguarding the visual amenities of the site in accordance with Policy BE9 (Trees and Soft Landscaping) of the Royal Borough of Kingston upon Thames Unitary Development Plan First Alteration.

Informative(s)
N/A

Recommendation B:

If the Agreement is not completed by 19 November 2008, planning permission be REFUSED for the following reasons:
1. The development would result in additional demand for on-street parking in an area where there is already a high demand for such parking space and the proposal would for this reason be contrary to Policies T1 and T21 of the Royal Borough of Kingston Upon Thames Unitary Development Plan First Alteration.

2. The development fails to provide planning obligations to secure the funding of additional school places and to ensure that the development does not increase demand for on-street parking, contrary to policies RES3 and RES8 of the Royal Borough of Kingston upon Thames Unitary Development Plan First Alteration.
Surbiton Planning Sub-Committee

Date of Meeting: 12/11/2008

A4  Register No: 08/16383/FUL
Address: 93-97 BRIGHTON ROAD, SURBITON

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[Please note that this plan is intended to assist in locating the development it is not the site plan of the proposed development which may have different boundaries. Please refer to the application documents for the proposed site boundaries.]
Ward: St Marks

Description of Proposal:
Restoration and extension of the building fronting Brighton Road to provide 3 x A1/A2 units at ground and basement floors, and 5 x B1a units at first floor and to the rear. Erection of three storey building at the rear to provide 6 x 1 bedroom flats and 1 x 4 bedroom house with associated parking and landscaping

Plan Type: Full Application
Expiry Date: 30/10/2008

Applicant's Plan Nos:
- P/03 Received 01/08/2008
- P/02 Received 01/08/2008
- 2887 sheet 1 Received 01/08/2008
- 2887 sheet 2 Received 01/08/2008
- Site location plan Received 01/08/2008
- Schedule of Accommodation Received 01/08/2008
- Design Access & Sustainability Statement Received 01/08/2008
- Letter from London Planning Practice Received 01/08/2008
- P/05 Received 22/08/2008
- P/04 B Received 04/09/2008
- P/01 A Received 04/09/2008

BASIC INFORMATION

Development Plan:
- Mayor for London - The London Plan
- Royal Borough of Kingston upon Thames - Unitary Development Plan First Alteration

UDP Policies

DC4 Areas of Mixed Use

Total Site Area 0sq m
Total Floor Area 0sq m
Density
Dwellings

-A25-
Habitable rooms
No. of Units
Car Parking: required
Car Parking: proposed

Previous Relevant History

Consultations

1. Highways Officer - 19 spaces are required to be in line with the maximum parking standards of the UDP; 13 are provided, giving a shortfall of 7 spaces; no objection is raised to this but a condition to ensure parking area is hard bound and dust free is recommended.

2. Workplace Travel Plan Officer - workplace travel plan should be implemented for each company based on the site; the developers could put a developmental travel plan which companies could commit to; 11 cycle spaces should be provided. 2 conditions are recommended to secure workplace travel plans and cycle parking and an informative regarding contact details for any queries.

3. Economic Development Officer - no response.

4. Borough Cycling Officer- Provision of cycle parking is welcomed, further details are required as a condition of planning permission.

5. 1 letter of objection received from an adjoining resident in Akerman Road. Issues raised include the following:
   (1) loss of light to garden and outlook from rear of house
   (2) other similar applications on Brighton Road have stipulated only offices at rear (Officers note: this has been for land use reasons, not amenity reasons) plus they were only allowed up to pitch of existing metal work building so there would be no greater impact
   (3) overlooking from new homes which would reduce privacy
   (4) protected Victorian stone built wall to the rear should be retained (Officers note: wall is not listed, nor is it in a conservation area)
   (5) impact on garden planting on Akerman Road and for the willow tree at the rear of gardens on Akerman Road, which has been pruned by builders working on neighbouring scheme
   (6) overcrowding of area due to a number of residential schemes built recently meaning problems with local facilities (schools, doctors, dentists) and associated traffic problems
   (7) flooding issues due to more land being built on.

Site and Surroundings

6. The application site is a located in the Surbiton District Centre and is designated as an area of mixed use. Currently, the site consists of a two
storey, flat roofed residential building fronting Brighton Road with a mews
cottage attached at the rear, a single storey office building stretching along
the northern boundary of the site, a number of small units stretching along
the southern boundary of the site and a number of garages and open car
parking spaces to the rear. It is bounded from the properties on Akerman
Road to the rear of the site by a high wall, approximately 3m in height.

7. The frontage building is in poor condition with a former shop front retained
at No.93 and a poorly integrated more modern wall and window at No.97.
It has small basement windows with small light wells covered by grates
adjacent to the footway. It has a number of decorative features, such as
coping and lintels, which are inconsistently applied across the front of the
building.

8. The buildings to the rear are varied. The office building is modern in
appearance with yellow bricks and a red roof tiles whilst the small units are
generally constructed from wood and metal with a variety of frontages. The
garages at the rear are constructed from breeze block, wood and a
corrugated metal roof.

9. The neighbouring property, No.81-87 Brighton Road, is currently used as a
vehicle repair centre and has a long workshop building sited alongside the
boundary with the application site. There are no windows in the facing wall
of this building. No.99 (Kitchencraft) is used for retail purposes and has a
small two storey cottage building at the front and two long single storey
outbuildings running the length of the site at the rear. This site separates
the application site from a similar scheme at No.103-111 Brighton Road.

10. The wider area is a district commercial centre consisting of a mix of uses
including retail, office and residential. The centre is served by good public
transport links including many buses and a rail line. This side of Brighton
Road has retained some light industrial uses.

Proposal

11. As in the case of previous applications (see planning history) the
application proposes the redevelopment of the site, including the retention
and refurbishment for change of use of upper floors of the frontage
building from residential to retail and offices and the improvement of the
shop fronts. The previously approved application proposed 'Retention of
facade and redevelopment of front of site to provide 2 x A1/A2 units and 4
x B1 units, and 3 x 4 bedroom mews houses at the rear of site with
associated parking and landscaping'. The principal difference in the
current application is that it would provide 5 x B1 units (in smaller units
than previously proposed), 6 x 1 bed flats and 1 x 4 bed house to the rear.
The other significant differences are that an additional storey of office
accommodation is provided in an extension to the frontage building
resulting in a mansard design of roof and that new dormer windows facing
Akerman Road are proposed in the rear roof plane of the mews dwellings.

-A27-
Assessment

The main considerations material to the determination of this application are:

1. Principle of Proposed Development
2. Impact on Character of Area
3. Impact on Neighbour’s Residential Amenity
4. Highways and Parking
5. Trees
6. Legal Agreements
7. Sustainability
8. Other Material Considerations

Principle of Proposed Development

12. Policy E1a 'Existing Employment Land Outside Industrial/ Warehouse/Business Areas' seeks to retain employment uses on existing employment sites, however proposals for B1 business (other than large scale B1a) will normally be permitted. Only where it is impractical to keep a site in employment use, for instance where there is undue harm as a result of the operations or where the site has been unsuccessfully marketed at reasonable rates may an alternative use such as live/work units, affordable housing or community uses be considered.

13. 93-97 Brighton Road currently has employment use to the rear of the site. Therefore any re-development of the site must retain employment uses compatible with Policy DC4 'Areas of Mixed Use'. This policy supports proposals for retail (A1), financial and professional services (A2), community and leisure use and B1 business, providing they comply with other policies of the plan. The proposal seeks to retain the employment floor space through the conversion of the property fronting Brighton Road from residential to office and retail use.

14. The proposed employment floor space to be provided is the same as in the previous application, that is; 567 m2 (the original floor space has been calculated at approximately 310m2). It is considered that this provision of the five B1 (Business) units and the two A1/A2 retail units adequately meets the requirements set out in Policy E1a, whilst providing uses compatible to the mixed-use designation.

15. This form of re-development of the site allows for the under-utilised premises to be used more efficiently, providing other local services and improving the attraction of the area. In addition to this, it allows for diversification and variety in employment within the borough, allowing people to live closer to work.
16. Whilst it is noted that the policies E1a and DC4 do not promote residential development of the site, it is considered that the introduction of the residential units would be complementary to the site development. The area supports a mix of commercial and residential uses and the proposed accommodation would not conflict with the surrounding environment.

17. The site currently accommodates 2 flats in the frontage building and an attached cottage, and it is therefore appropriate to retain residential units on the site. Although the current application increases the number of dwellings on the land, the overall density of housing compared with the approved scheme has not increased and is not therefore considered to be excessive.

**Impact on Character of Area**

18. The proposed alterations to the frontage building are considered to be sympathetic to the visual character of the surrounding area in that the materials and architectural design will improve and enhance the street scene. It is proposed to implement features that will complement or continue those which currently exist including the shop front at No.97 and coping above No.93. The mews offices to be constructed on the north-west flank of the site would have a mansard roof that would match the mews housing at the back of the site and would be no higher than the frontage building. The mews dwellings at the rear of the site, adjacent to the south west boundary of the site, will match in detail those already approved and built at Nos. 103 - 111 Brighton Road, as they will be two storeys with a mansard roof facilitating a third floor. They will measure 6.4m in height to the eaves and 8.1m maximum.

19. Both the mews offices and houses would complement the character and appearance of the area, as their height and design is considered to be compatible with the existing character of the site and the burgeoning appearance of buildings on adjacent sites. A condition is recommended for samples of materials to be submitted prior to the commencement of the development in order that the final appearance is satisfactory.

20. The overall appearance of the site is also to be improved with some greenery added, including landscaping to the parking areas and rear gardens to the residential properties. A condition is recommended for further landscaping details to be submitted should the application be approved.

21. No details have been submitted regarding boundary treatment and as such a condition is recommended to ensure this is approved by the Council prior to the commencement of development. It is recommended that any development retains the high brick walls and fences on the south west and north-west boundaries in order that the overall impact on the adjoining properties is limited.
Impact on Neighbours’ Residential Amenity

22. The development is considered to be without detriment to the amenities of any nearby properties. The only residential properties near to the site are those situated on Akerman Road and the semi-detached dwellings at the rear of No.103-107 Brighton Road.

23. The mews houses at the south west corner of the site would be sited 20 metres from the houses on Akerman Road. This is very similar to the distance achieved with the recently completed mews offices on the adjoining site. The rear building line of the three units would be set back between 6.7 metres and 8.8 metres away from the south west boundary and the buildings would each have a separate amenity space to the rear acting as a buffer between the buildings and the boundary. The buildings would be 6.4m at eaves level up to 8.1m to the top of the flat roof.

24. The rear elevation has been designed to minimise the impact of the building on the neighbouring properties in Akerman Road. The ground floor of the buildings would not be visible from Akerman Road, as a result of the lower ground level and the retention of the existing wall at approximately 3.0 metres. The rear facing windows would be between 7.5 and 9.0 metres away from the rear boundary and 20 metres away from the rear walls of the houses in Akerman Road. This distance would not result in undue overlooking.

25. As such, due to the distance to the neighbouring properties, the difference in ground levels between Brighton Road and Akerman Road and the internal layout of the proposed buildings, the development is not considered to result in an undue loss of light, outlook or privacy for the dwellings in Akerman Road.

26. The mews offices are similarly considered to be acceptable, as they are sited adjacent to the north-west boundary. The neighbouring building, No.99 Brighton Road is a commercial operation and as such there would be no loss of residential amenity. It should be noted that planning permission ref: 08/16175/FUL (subject to a legal agreement) has been granted for the extension of 99 Brighton Road, together with a residential building at the end of its curtilage. The current application would not compromise the implementation of this permission.

Highways & Parking

27. The development proposes a total of 13 off-street parking spaces with access from Brighton Road through the existing archway. The number of spaces to be provided, whilst short of the maximum standards, are considered to be appropriate for this development in this location. However, in order to ensure that the development does
not result in increased pressures for parking in local controlled parking zones, the applicants have been asked to enter into an S106 legal agreement to preclude future residents from purchasing parking permits. The recommendation to approve is made subject to this being signed by the applicants. Furthermore, to ensure that sufficient parking is allocated to the business and retail units, a condition is recommended to reserve 6 spaces for these uses only.

28. In terms of cycle parking, the plans show 12 spaces are to be provided. The Council’s policies recommend that 12 spaces should be allocated for a scheme of this size. Further details should be required by condition.

Trees

29. There are no trees currently located on the site. However, a large willow is located on an adjoining site to the south east, which partially overhangs the application site. This may require some pruning but as this tree is not protected, and has already suffered some pruning as a result of a neighbouring development, this is not considered to be harmful to the overall greenery of the local area, particularly as the scheme will result in additional trees being planted on the application site.

Legal Agreements

30. The applicants have been asked to enter into a Section 106 legal agreement to provide a financial contribution to educational facilities locally in order to cover the likely event that the additional residential dwellings will result in more demand for local school places. Also, a S106 legal agreement to preclude parking permits being sought and obtained by future residents is also appropriate in this case.

31. Both legal agreements have yet to be signed and as such the recommendation is made subject to these agreements being completed.

Sustainability

32. The supporting sustainability statement to the application states that 5% of the energy used in the resultant development will be sourced from on-site renewable means. This would be provided by 16m2 of photo-voltaic cells and 10m2 solar panels located on the roofs of the buildings. The Council’s guidance on sustainability states that a minimum of 20% should be provided. However it is considered that, with the expanse of flat roof to be provided as a result of this development, measuring approximately 215m2, further energy can be sourced to meet the required 20% and a condition is recommended to secure this.
Other Material Considerations

33. There are no other material considerations.

Reason for Approval

34. The proposal is considered to be an appropriate development within this urban location which will provide an appropriate mix of uses to the benefit of the locality without causing harm to the character and appearance of the street scene, the residential and visual amenities of the neighbouring properties and the highway network. The proposal is considered to be in accordance with policies H1, STR6, BE11, BE12, BE16, DC1, DC3, DC4, DC5, E1A, SUR1, SUR2, SUR3, T1, T13, T15, T20, T21 of the Royal Borough of Kingston upon Thames Unitary Development Plan First Alteration and Policies 3A.03 and 4B.1 of the London Plan.

Recommendation:

Approve subject to the completion of an agreement under Section 106 of the Town and Country Planning Act 1990 (as amended), as specified in the above legal agreements section, and 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 garage or car parking accommodation shown upon the approved drawings shall be provided with a permeable surface, adequately drained before the development to which it relates is occupied and thereafter it shall be kept free from obstruction at all times for use by the occupier of the development and shall not thereafter be used for any purposes other than the parking of vehicles for the occupiers of the development and visitors to it.
   Reason: To ensure the provision of adequate off-street parking accommodation and to avoid the congestion of surrounding roads by parked vehicles in accordance with Policies T1 (Transport Safety) and T20 (Compliance with Car and Cycle Parking Standards) of the Royal Borough of Kingston upon Thames Unitary Development Plan First Alteration.

3  Full details of the materials, colour and texture of the external finish of the building shall be submitted to and approved in writing by the Local Planning Authority before development commences and the development shall be constructed in accordance with the approved finishes.
Reason: To ensure a satisfactory appearance on completion of the development in accordance with Policies BE11 (Design of New Buildings and Extensions) and STR6 (Conserving and Enhancing the Built Environment) of the Royal Borough of Kingston upon Thames Unitary Development Plan First Alteration.

4 Fences, walls or other means of enclosure shall be erected along the boundaries of the site (and individual plots) prior to the occupation of the dwelling to which they relate, in accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority and shall thereafter be permanently retained.

Reason: In order to ensure the privacy of adjoining occupiers and visual amenity of the area is retained in accordance with Policies BE11 (Design of New Buildings and Extensions), BE12 (Layout and Amenity of Buildings and Extensions), H1 (Protection of Residential Amenities) and STR6 (Conserving and Enhancing the Built Environment) of the Royal Borough of Kingston upon Thames Unitary Development Plan First Alteration.

5 The levels of buildings, roads, parking areas and pathways within the site shall only be in accordance with details which shall have previously been submitted to and approved in writing by the Local Planning Authority before development is commenced.

Reason: To ensure that the appearance and functioning of the development is satisfactory and to safeguard the amenities of adjoining occupiers in accordance with Policies BE11 (Design of New Buildings and Extensions), BE12 (Layout and Amenity of Buildings and Extensions), H1 (Protection of Residential Amenities) and T13 (Facilities for People with Disabilities) of the Royal Borough of Kingston upon Thames Unitary Development Plan First Alteration.

6 All works on site shall take place in accordance with the following details which shall have previously been submitted to and approved in writing by the Local Planning Authority prior to the commencement of work:

(a) Provision for loading/unloading materials.
(b) Storage of plant, materials and operatives vehicles.
(c) Temporary site access.
(d) Signing system for works traffic.
(e) Measures for the laying of dust, suppression of noise and abatement of other nuisance arising from development works.
(f) Location of all ancillary site buildings.
(g) Measures to protect any tree, shrubbery and other landscape features to be retained on the site during the course of development.
(h) Means of enclosure of the site.
(i) Wheel washing equipment.

Reason: In order to safeguard the amenities of the surrounding residential occupiers and to safeguard highway safety and the free flow of traffic in accordance with Policies H1 (Protection of Residential Amenities), STR6 (Conserving and Enhancing the Built Environment) and T1 (Transport Safety) of the Royal Borough of Kingston upon Thames Unitary Development Plan First Alteration.

7 Refuse storage facilities and recycling facilities shall be provided prior to the occupation of the development hereby permitted in accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development, such facilities to be permanently retained at the site.

Reason: To ensure the provision of refuse facilities and recycling facilities to the satisfaction of the Council in accordance with Policies H1 (Protection of Residential Amenities), STR6 (Conserving and Enhancing the Built Environment) and MW2 (Waste and Environment) of the Royal Borough of Kingston upon Thames Unitary Development Plan First Alteration.

8 No fans, louvres, ducts or other external plant other than those shown on the drawings hereby approved shall be installed without the prior written approval of the Local Planning Authority.

Reason: To safeguard the amenities of the occupiers of the neighbouring properties and the visual amenities of the area in accordance with Policies H1 (Protection of Residential Amenities) and BE11 (Design of New Buildings and Extensions) of the Royal Borough of Kingston upon Thames Unitary Development Plan First Alteration.

9 Notwithstanding the provisions of Part 1 of Schedule 2 of the Town & Country Planning (General Permitted Development) Order, 1995 (or any Order revoking or re-enacting this Order) no extensions (including porches or dormer windows) to the dwelling houses or buildings shall be erected within their respective curtilages.

Reason: To safeguard the privacy and amenity of adjoining occupiers, maintain adequate amenity space and safeguard the cohesive appearance of the development in accordance with Policies BE11 (Design of New Buildings and Extensions), BE12 (Layout and Amenity of Buildings and Extensions), H1 (Protection
of Residential Amenities), STR6 (Conserving and Enhancing the Built Environment) and T1 (Transport Safety) of the Royal Borough of Kingston upon Thames Unitary Development Plan First Alteration.

10 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting this Order) no further windows or other openings other than those shown on the approved drawings shall be formed in any wall of these buildings 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 Policies BE12 (Layout and Amenity of Buildings and Extensions) and H1 (Protection of Residential Amenities) of the Royal Borough of Kingston upon Thames Unitary Development Plan First Alteration.

11 The building to the front of the site, fronting Brighton Road, shall only be used for A1/A2 uses (where identified as 'retail') and B1 use as identified on plan No.P/02 and for no other use of the Town and Country Planning (Use Classes) Order 1987, or succeeding legislation.

Reason: To ensure that the site is retained as an employment site and the viability and vitality of the shop frontage is retained in accordance with Policies E1a (Existing Employment Land Outside Industrial/Warehouse/Business Areas) and DC4 (Areas of Mixed Use) of the Royal Borough of Kingston upon Thames Unitary Development Plan Proposed First Alteration.

12 Secure covered cycle parking for at least eleven bicycles shall be provided before the development is first occupied and retained permanently thereafter for that purpose in accordance with details to be submitted to, and approved in writing by, the Local Planning Authority prior to the commencement of development.

Reason: To ensure the provision of secure and sheltered parking for cycles in accordance with Policies T1 (Transport Safety) and T20 (Compliance with Car and Cycle Parking Standards) of the Royal Borough of Kingston upon Thames Unitary Development Plan First Alteration.

13 Workplace travel plans for each commercial organisation shall be implemented upon the development being first brought into use, and in accordance with details to be submitted to, and approved by, the Local Planning Authority prior to the commencement of development. Travel plans shall contain a package of measures for
reducing the number of vehicle trips to the site by staff and customers, an action plan with timescales for the implementation of the proposed measures, details of an ongoing programme of monitoring and review and targets for reductions in car use. The monitoring and review process shall include the submission of an annual travel plan update report for the approval of the Local Planning Authority, containing the results of annually repeated staff travel surveys and demonstrating progress towards meeting targets.

Reason: In order to minimise travel to the site by private motor car in the interest of residential amenity and the functioning of the highway network in accordance with the Policy STR13 (A Sustainable Transport Strategy) of the Royal Borough of Kingston upon Thames Unitary Development Plan First Alteration.

14 Notwithstanding the details shown on the approved plans, further details showing an amended parking layout shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The details should identify the allocation of each space for use ancillary with a specific unit on the site. The development is then to be completed and retained in all respects in accordance with the approved plans unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the character and appearance of the area and the highway network in accordance with policies BE11 (Design of New Buildings and Extensions), T1 (Transport Safety) and T20 (Compliance with car and cycle parking standards) of the Royal Borough of Kingston upon Thames Unitary Development Plan First Alteration.

Informative(s)

N/A
Surbiton Planning Sub-Committee

Date of Meeting: 12/11/2008

A5 Register No: 08/16391/FUL

Address: REDWING AND ST CYRES, 10-10A
UPPER BRIGHTON ROAD, SURBITON,
KT6 6JY

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[Please note that this plan is intended to assist in locating the development it is not the site plan of the proposed development which may have different boundaries. Please refer to the application documents for the proposed site boundaries.]
Ward: Surbiton Hill  
Description of Proposal: Erection of single storey rear extension, conversion of rear of garage to habitable room and internal alterations to facilitate conversion of Redwing and St Cyres to one dwelling  
Plan Type: Full Application  
Expiry Date: 09/12/2008  

Applicant's Plan Nos:  
180609 Received 20/08/2008  
180608/2 Received 08/08/2008  
Site location plan Received 09/10/2008  

BASIC INFORMATION  
Development Plan: Mayor for London - The London Plan  
Royal Borough of Kingston upon Thames - Unitary Development Plan First Alteration  

UDP Policies  
BE11 Design of New Buildings and Extensions  
BE12 Layout and Amenity of Buildings and Extensions  
BE9 Trees and Soft Landscaping  
H1 Protection of Residential Amenities  
SPG Residential Extension  
STR6 Conserving and Enhancing the Built Environment  
T1 Transport Safety  

Total Site Area 0sq m  
Total Floor Area 0sq m  
Density  
Dwellings  
Habitable rooms  
No. of Units  
Car Parking: required  
Car Parking: proposed  

Previous Relevant History  

Consultations  
1. Nineteen local residents were consulted. No responses have been received. Highways and Transportation were consulted and raised no objections.
Site and Surroundings

2. The application concerns a set of two adjacent semi-detached residential properties (Redwing and St Cyres) which are situated on the southern side of Upper Brighton Road.

Proposal

3. Erection of single storey rear extension, conversion of rear of garage to habitable room, replacement of rooflight structure and internal alterations to facilitate conversion of Redwing and St Cyres to one dwelling

Assessment

The main considerations material to the determination of this application are:

1. Principle of Proposed Development
2. Impact on Character of Area
3. Impact on Neighbour’s Residential Amenity
4. Highways and Parking
5. Trees
6. Legal Agreements
7. Sustainability
8. Other Material Considerations

Principle of Proposed Development

4. The proposal involves the conversion of a two residential units into a single unit, within a predominantly residential area, and the creation of more habitable space through a single storey rear extension and a partial garage conversion. As such there is no Development Plan policy objection to the principle of the development.

Impact on Character of Area

5. Policy 3A.3 of the London Plan states that London Boroughs should seek "achieve the maximum intensity of (residential) use compatible with local context" to achieve the housing targets set and states that the Mayor will refuse permission for strategic referrals that underuse the potential of the site. The development would reduce housing stock in the Borough by one unit, however, it is noted that in the past Redwing and St Cyres comprised one dwelling and were originally given permission to separate in 1953 (under reference 1589). Therefore the proposal is tantamount to a "re-conversion" and is considered compatible with the local context and is not considered an 'underusage' of the current site.
6. The proposed rear extension would integrate comfortably with the existing house, and would be similar in size and design to a rear projection located on the other side of St Cyres. Subject to the use of matching materials, there would be no harm caused to the appearance or character of host property or the surrounding area.

Impact on Neighbours’ Residential Amenity

7. The proposed rear extension will project along the SE boundary of the site by 3.275m and will have a width of 3.85m and a pitched roof with a maximum height of 3.8m and a height of 2.85m along the eaves. This projection along the boundary is greater than the 3m limit advocated in the SPG for residential extensions generally. However, along this boundary there is already a significant high structure, comprising a wall approximately 2m high with an additional 1m timber fence on top of this. The proposed extension would not project above this boundary fence and so the outlook of the residents of the adjacent flats will not be compromised. The proposed conversion will not result in any significant increase in the potential size of household occupying the properties and would not have any noise disturbance implications.

Highways & Parking

8. It is proposed to convert a rear part of the garage at number 10A into a bathroom. This would reduce the space inside the garage to a length of 4.8m and a width of 3.2m. These dimensions fit within the guidelines for parking space sizes as set out by the UDP. In addition, the property has ample space to the front of the property for parking. No objections have been raised by Highways and Transportation officers.

Trees

9. There will be no loss of trees or landscaping features as a result of the proposals.

Legal Agreements

10. There are no Legal Agreement requirements arising.

Sustainability

11. The development is small in scale and is not considered to have any significant negative impacts upon the environment or considerations of sustainability which would not be adequately addressed under the Building Regulations.

SUR Agenda 12-11-2008 (S)
Other Material Considerations

12. There are no other material conditions to consider

Reason for Approval

13. The proposed reversion to a single dwelling house would not harm the character of the surrounding area nor harm the amenities of neighbouring residents. The proposed extension and new roof light will not be detrimental to the appearance or character of the site nor the outlook of neighbouring residents. The proposed partial garage conversion will not harm highway safety. Accordingly the proposal complies with policies BE11, BE12, H1, STR6 and T1 of the Royal Borough of Kingston Upon Thames Unitary Development Plan First Alteration, the Supplementary Planning Guidance titled 'Residential Extensions,' and policy 3A.3 of the London Plan.

Recommendation:

Approve 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 materials and finishes of the external walls and roof of the rear extension 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.
   Reason: To ensure a satisfactory appearance on completion of the development in accordance with Policies BE11 (Design of New Buildings and Extensions) and STR6 (Conserving and Enhancing the Built Environment) of the Royal Borough of Kingston upon Thames Unitary Development Plan First Alteration.

Informative(s)

N/A
Surbiton Planning Sub-Committee
Date of Meeting: 12/11/2008

A6 Register No: 08/16459/FUL
Address: 405 EWELL ROAD, SURBITON, KT6 7DG

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[Please note that this plan is intended to assist in locating the development it is not the site plan of the proposed development which may have different boundaries. Please refer to the application documents for the proposed site boundaries.]
Ward: Alexandra
Description of Proposal: Erection of two storey side and rear dormer roof extension to facilitate conversion and provision of 4 flats comprising 1 x 3 bedroom, 2 x 2 bedroom and 1 x studio flats
Plan Type: Full Application
Expiry Date: 04/12/2008

Applicant’s Plan Nos:

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BASIC INFORMATION

Development Plan: Mayor for London - The London Plan
                    Royal Borough of Kingston upon Thames - Unitary Development Plan First Alteration

UDP Policies

H6 Residential Density

<p>| | |</p>
<table>
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<td>Total Floor Area</td>
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Previous Relevant History
Consultations

1. Local addressees were consulted and no responses were received.
2. RBK Borough Valuer was consulted and had no comments on the proposal.
3. Building Control Access - considers the proposal is acceptable
4. RBK Waste Management - advises that no details of waste/recycling storage are provided
5. Borough Cycling Officer - advises that no details of cycle parking are provided.
6. Highways and Transportation - Development Control - No objection

Site and Surroundings

7. The site is located on the northern side of Ewell Road. The area is of mixed character, although the site itself is within a group of semi-detached houses. Opposite the site is a petrol station and further beyond that is the shopping area on Ewell Road. To the north/rear of the site is a primary school, to the east is an adjoining dwelling, to the south the petrol station and to the west is a detached dwelling with further outbuildings/bungalow in the rear garden.
8. The site is occupied by a semi-detached dwelling 2 storeys high with a detached garage behind the house along the western boundary.

Proposal

9. Two previous applications for similar proposals were refused for the following reasons:
10. The side and rear extensions are considered to unduly affect the residential amenities of the neighbouring property 401 Ewell Road. The proposal would therefore be contrary to Policies H1, BE11 and BE12 of the Royal Borough of Kingston Upon Thames Unitary Development Plan First Alteration.
11. Without a signed Section 106 legal agreement requiring the applicant to provide a financial contribution to education facilities in the borough, the proposal is contrary to Policy RES8 of the Royal Borough of Kingston upon Thames Unitary Development Plan First Alteration.
12. The proposal fails to provide off-street parking. For this reason the development is likely to result in an increase in on-street parking, adversely affecting traffic flows and the amenities of local residents. The proposal would therefore be contrary to Policies T20 and T21 of the Royal Borough of Kingston Upon Thames Unitary Development Plan First Alteration.
13. The current proposal differs from the refused schemes in that it no longer includes a conservatory to the rear of the two storey side extension, increases the set back of the two storey extension from 0.7 to 1.7 metres behind the front wall of the house and proposes a side extension that does not project beyond the rear wall of the existing house. (The previous schemes showed a projection beyond the rear wall of the house of 2.3 and 3.3 metres respectively).

Assessment

The main considerations material to the determination of this application are:

1. Principle of Proposed Development
2. Impact on Character of Area
3. Impact on Neighbour’s Residential Amenity
4. Highways and Parking
5. Trees
6. Legal Agreements
7. Sustainability
8. Other Material Considerations

Principle of Proposed Development

14. The proposal to convert into flats is acceptable in principle as the house has a floor area greater than 116 square metres and has 4 original bedrooms, while nos. 419, 421 and 423 Ewell Road are subdivided into flats. The proposal therefore complies with Policy H7 of the UDP. The conversion would provide a good standard of amenity for each of the flats including a shared rear garden.

Impact on Character of Area

15. The house is set well back behind the line of 401 Ewell Road. The side extension would harmonise well with the design of the existing house. There are other similar side extensions on properties in the vicinity as well as similar uses of the front gardens for parking. The development would therefore complement the character and appearance of the locality.

Impact on Neighbours’ Residential Amenity

16. The two storey side extension would project up to the boundary with no. 401 at ground floor level but would be set back behind the front wall of the house and would be in line with the rear wall of the existing
house. 405 is sited behind the building line of 401 thus the proposed extensions would be clearly visible from the garden of 401. However there are mature trees close to boundary and belonging to 401 which despite necessary pruning during the building of the extension would provided a reasonable screen.

17. In the circumstances it is considered that previous concerns about the effect on the amenities of 401 have been appropriately addressed.

18. A single storey extension to the rear would project 3.3 metres. Although this exceeds the recommended depth of 3.0 metres in the Supplementary Planning Guidance-Residential Extensions, the extension would be 2.0 metres from the boundary with 407. In the circumstances this extension would not be over-dominant when viewed from No .407.

19. The dormer proposed to the rear roof slope is also acceptable as it is considered to be subordinate to the main rear roof slope in which it is set.

Highways & Parking

20. Off-street parking for at least 4 parking spaces is provided in the front garden. This is similar to the position for a number of other properties in the locality and is regarded as acceptable.

Trees

21. As reported above the building work would require pruning of trees adjoining boundary. Although these trees are mature specimens, they are not protected by a Preservation Order and would not be harmed significantly by the proposed work.

Legal Agreements

22. A signed legal agreement in respect of a contribution towards educational facilities in the Borough has not been received. The recommendation to approve is therefore subject to the receipt of the necessary Unilateral Undertaking in order to ensure that the development complies with Policy RES8. A contribution of £2,000 is required in this case.

Sustainability

23. The development would make effective use of a residential property in a sustainable location with relatively good access to public transport.
Other Material Considerations

24. There are no other material considerations.

Reason for Approval

25. The property is suitable for conversion to smaller units. The proposed extensions would complement the character and appearance of the locality and would not harm the amenities of these properties. The proposed development would not cause significant harm existing trees and would provide adequate parking space. For these reasons the development would comply with Policies H1, H7, BE11, BE12, and T21 of the Royal Borough of Kingston Upon Thames Unitary Development Plan First Alteration.

Recommendation A:

Approve subject to the completion of an agreement under Section 106 of the Town and Country Planning Act 1990 (as amended), as specified in the above legal agreements section, and 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 car parking accommodation shown upon the approved drawings shall be provided with an adequately drained permeable surface before the development to which it relates is occupied and thereafter it shall be kept free from obstruction at all times for use by the occupier of the development and shall not thereafter be used for any purposes other than the parking of vehicles for the occupiers of the development and visitors to it.
   Reason: To ensure the provision of adequate off-street parking accommodation and to avoid the congestion of surrounding roads by parked vehicles in accordance with Policies T1 (Transport Safety) and T20 (Compliance with Car and Cycle Parking Standards) of the Royal Borough of Kingston upon Thames Unitary Development Plan First Alteration.

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.
Reason: To ensure a satisfactory appearance on completion of the
development in accordance with Policies BE11 (Design of New
Buildings and Extensions) and STR6 (Conserving and Enhancing
the Built Environment) of the Royal Borough of Kingston upon
Thames Unitary Development Plan First Alteration.

Informative(s)
N/A

Recommendation B:

If the required, completed legal agreement is not received by 3 December
2008, planning permission be REFUSED for the following reason:-

1. The development fails to provide a planning obligation to secure the
funding of additional school places contrary to policies RES3 and RES 8 of
the Royal Borough of Kingston upon Thames Unitary Development Plan,
First Alteration.
Surbiton Planning Sub-Committee

Date of Meeting: 12/11/2008

A7  Register No: 08/16462/FUL
Address: 62 CLEAVELAND ROAD, SURBITON, KT6 4AJ

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[Please note that this plan is intended to assist in locating the development it is not the site plan of the proposed development which may have different boundaries. Please refer to the application documents for the proposed site boundaries.]
Ward: St Marks
Description of Proposal: Erection of single storey side/rear extension
Plan Type: Full Application
Expiry Date: 02/12/2008

Applicant's Plan Nos:
- R/ELE/E Received 24/09/2008
- R/ELE/P Received 24/09/2008
- FF/E Received 24/09/2008
- FF/P Received 24/09/2008
- GF/E Received 24/09/2008
- GF/P Received 24/09/2008
- S/ELE/E&P Received 24/09/2008
- OS Sitemap Received 07/10/2008
- Legal Agreement dated 28/10/2008 Received 30/10/2008

BASIC INFORMATION

Development Plan: Mayor for London - The London Plan
Royal Borough of Kingston upon Thames - Unitary Development Plan First Alteration

UDP Policies
- BE11 Design of New Buildings and Extensions
- BE12 Layout and Amenity of Buildings and Extensions
- H1 Protection of Residential Amenities
- RES3 Determination of Planning Applications
- STR6 Conserving and Enhancing the Built Environment
- T20 Compliance with Car and Cycle Parking Standards

Total Site Area 0sq m
Total Floor Area 0sq m

No. of Units

Previous Relevant History
- 92/0762/FUL Erection of first floor rear extension Permit 5 Year
Consultations

1. Seven neighbour notification letters have been sent to adjoining owner/occupiers without response at the time of writing this report.

Site and Surroundings

2. The application site concerns the curtilage of a two-storey end of terrace dwelling located on the northern side of Cleaveland Road. The surrounding area is exclusively residential in character, consisting predominantly of two storey dwellings.

Proposal

3. The application concerns the construction of a single storey rear extension with a projection of 5m. It is proposed as part of a tandem development for a similar proposal at the rear of no 63, with both extensions being served by a common valley gutter on the boundary line. [The latter development is proposed under reference 08/16463 and is the subject of the following report on this agenda.]

Assessment

The main considerations material to the determination of this application are:

1. Principle of Proposed Development
2. Impact on Character of Area
3. Impact on Neighbour’s Residential Amenity
4. Highways and Parking
5. Trees
6. Legal Agreements
7. Sustainability
8. Other Material Considerations

Principle of Proposed Development

4. The development concerns extension of a residential property within a developed residential area and there is no Development Plan objection to the principle of the proposals.
Impact on Character of Area

5. The extension would have no effect on the street scene or the view of the property from any public vantage point and is of a typical residential design. It would be largely screened from any appreciation from neighbouring properties and it is therefore considered to maintain the character of the area without harming its appearance.

Impact on Neighbours’ Residential Amenity

6. The extension would be sited in the lee of an existing 2-storey rear addition (as approved under reference 92/0762) which would screen it from any effect on the prevailing conditions of amenity for the residents of 60 Cleaveland Road. It would be some 2m deeper than the general guidance in the Council's Supplementary Planning Guidance on Residential Extensions and, without the concurrent proposals for a similar extension at no.63, the extension would be likely to give rise to harm to the amenities of the neighbours there in terms of light and outlook; with the joint proposals such concerns do not arise; it is therefore appropriate to require both developments to be undertaken at the same time to secure a satisfactory relationship.

Highways & Parking

7. The extension would have no effect in increasing the potential size of household at the property and would not affect the current arrangements for a parking space on site in front of the house. Given this it is considered that no highway objections should be raised.

Trees

8. There are no trees which would be affected by the development.

Legal Agreements

9. A legal agreement is required to be entered into by the owners of nos. 62 and 63 Cleaveland Road to prevent the construction of only one of the single storey rear extensions currently proposed at these properties. A Unilateral Undertaking signed by the owners of both properties has now been received in this regard.

Sustainability

10. As a domestic extension development the opportunities for incorporating sustainability measures are limited and it is considered that in this case this matter would be adequately addressed under the building control regime.
Other Material Considerations

11. There are no other material considerations which have not been covered elsewhere in this report.

Reason for Approval

12. The development would not give rise to any harmful effects on the appearance and character of the property and the locality or the amenities of any neighbouring properties. It would therefore comply with Policies BE11, BE12, H1, RES3 and STR6 of the Royal Borough of Kingston upon Thames Unitary Development Plan First Alteration.

Recommendation:

Approve subject to the completion of an agreement under Section 106 of the Town and Country Planning Act 1990 (as amended), as specified in the above legal agreements section, and 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 materials and finishes of the external walls of the extension 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.
   Reason: To ensure a satisfactory appearance on completion of the development in accordance with Policies BE11 (Design of New Buildings and Extensions) and STR6 (Conserving and Enhancing the Built Environment) of the Royal Borough of Kingston upon Thames Unitary Development Plan First Alteration.

Informative(s)

N/A
Surbiton Planning Sub-Committee

Date of Meeting: 12/11/2008

A8 Register No: 08/16463/FUL
Address: 63 CLEAVELAND ROAD, SURBITON, KT6 4AJ

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[Please note that this plan is intended to assist in locating the development it is not the site plan of the proposed development which may have different boundaries. Please refer to the application documents for the proposed site boundaries.]
Ward: St Marks
Description of Proposal: Erection of single storey side/rear and first floor rear extensions
Plan Type: Full Application
Expiry Date: 02/12/2008

Applicant's Plan Nos:
OS Sitemap Received 07/10/2008
R/ELE/E Received 23/09/2008
GF/P Received 23/09/2008
GF/E Received 23/09/2008
FF/P Received 23/09/2008
R/ELE/P Received 23/09/2008
FF/E Received 23/09/2008
S/ELE/E&P Received 23/09/2008
Legal Agreement dated 28/10/2008

BASIC INFORMATION

Development Plan: Mayor for London - The London Plan
Royal Borough of Kingston upon Thames - Unitary Development Plan First Alteration

UDP Policies
BE11 Design of New Buildings and Extensions
BE12 Layout and Amenity of Buildings and Extensions
H1 Protection of Residential Amenities
RES3 Determination of Planning Applications
STR6 Conserving and Enhancing the Built Environment
T20 Compliance with Car and Cycle Parking Standards

Total Site Area 0sq m
Total Floor Area 0sq m
Density
Dwellings
Habitable rooms
No.of Units
Car Parking: required
Car Parking: proposed
Previous Relevant History

08/16333/FUL  Erection of single storey side/rear and first floor rear extensions  Permit with conditions
29/08/2008

Consultations

1. Nine neighbour notification letters have been sent to adjoining owner/occupiers without response at the time of writing this report.

Site and Surroundings

2. The application site concerns the curtilage of a two-storey end of terrace dwelling located on the northern side of Cleaveland Road. The surrounding area is exclusively residential in character, consisting predominantly of two storey dwellings.

Proposal

3. The application concerns a revised form of development, from that recently proposed and approved under reference 08/16333/FUL, for single storey and first floor rear extensions. It reiterates the proposals for a first floor extension at the rear of an existing addition, to add a projection of 2.3m, but revises the approved scheme for a single storey extension with a projection of 2.9m. The latter extension would adjoin the party boundary with no.62 Cleaveland Road, and under the current scheme an extension with a 5m projection is proposed as part of a tandem development for a similar proposal at the rear of no 62, with both extensions being served by a common valley gutter on the boundary line. [The latter development is proposed under reference 08/16462 and is the subject of the preceding report on this agenda.]

Assessment

The main considerations material to the determination of this application are:

1. Principle of Proposed Development
2. Impact on Character of Area
3. Impact on Neighbour’s Residential Amenity
4. Highways and Parking
5. Trees
6. Legal Agreements
7. Sustainability
8. Other Material Considerations

Principle of Proposed Development

4. The development concerns extension of a residential property within a developed residential area and there is no Development Plan objection to the principle of the proposals and this was recognised in the previous permission for a similar development to that now proposed.

Impact on Character of Area

5. The extensions would have no effect on the street scene or the view of the property from any public vantage point and are of a typical residential design and as such are considered to maintain the character of the area without harming its appearance.

Impact on Neighbours’ Residential Amenity

6. In considering the proposal for the first floor extension at the time of the previous application, it was noted that it would be located along the eastern side boundary of the site which is shared with 64 Cleaveland Road which has a similar first floor extension. Whilst the proposed extension would be slightly deeper than that extension at 64, it was noted that the nearest window on this neighbouring extension is obscure glazed and serves a bathroom, and it would continue to receive an adequate arc of available daylight to the north and east. As such it was considered that the extension would not have a detrimental impact to the residential amenity of neighbouring property in terms of outlook. It should be noted that the neighbouring property to the west, 62 Cleaveland Road has undertaken similar works of extension to a similar depth and there are other similar two-storey rear extensions within the vicinity at 61, 67 and 68 Cleaveland Road.

7. The single storey extension now proposed would be some 2m deeper than that previously approved and the general guidance in the Council’s Supplementary Planning Guidance on Residential Extensions. Without the concurrent proposals for a similar extension at no.62, this extension would be likely to give rise to harm to the amenities of the neighbours there in terms of light and outlook; with the joint proposals such concerns do not arise; it is therefore appropriate to require both developments to be undertaken at the same time to secure a satisfactory relationship.
Highways & Parking

8. The additional bedroom in the first floor extension would have a marginal effect in increasing the potential size of household at the property but would not affect the current arrangements for a parking space on site in front of the house. Given this it is considered that no highway objections should be raised.

Trees

9. There are no trees which would be affected by the development.

Legal Agreements

10. A legal agreement is required to be entered into by the owners of nos. 62 and 63 Cleaveland Road to prevent the construction of only one of the single storey rear extensions currently proposed at these properties. A Unilateral Undertaking signed by the owners of both properties has now been received in this regard.

Sustainability

11. As a domestic extension development the opportunities for incorporating sustainability measures are limited and it is considered that in this case this matter would be adequately addressed under the building control regime.

Other Material Considerations

12. There are no other material considerations which have not been covered elsewhere in this report.

Reason for Approval

13. The development would not give rise to any harmful effects on the appearance and character of the property and the locality or the amenities of any neighbouring properties. It would therefore comply with Policies BE11, BE12, H1, RES3 and STR6 of the Royal Borough of Kingston upon Thames Unitary Development Plan First Alteration.

Recommendation:

Approve subject to the completion of an agreement under Section 106 of the Town and Country Planning Act 1990 (as amended), as specified in the above legal agreements section, and the following condition(s):

-A58-
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 materials and finishes of the external walls of the extensions 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.

Reason: To ensure a satisfactory appearance on completion of the development in accordance with Policies BE11 (Design of New Buildings and Extensions) and STR6 (Conserving and Enhancing the Built Environment) of the Royal Borough of Kingston upon Thames Unitary Development Plan First Alteration.

3 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting this Order) no windows or other openings shall be formed in the side (north western and south eastern) walls of the first floor extension hereby permitted 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 Policies BE12 (Layout and Amenity of Buildings and Extensions) and H1 (Protection of Residential Amenities) of the Royal Borough of Kingston upon Thames Unitary Development Plan First Alteration.

Informative(s)

N/A
A9  Register No: 08/16488/FUL
Address: 70A BRIGHTON ROAD, SURBITON, KT6 5PP

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[Please note that this plan is intended to assist in locating the development it is not the site plan of the proposed development which may have different boundaries. Please refer to the application documents for the proposed site boundaries.]

SUR Agenda 12-11-2008 (S)
Ward: St Marks

Description of Proposal: Conversion of existing single family house including erection of roof and two storey side/rear extensions to provide 2 x 2 bedroom and 1 x 1 bedroom flats

Plan Type: Full Application

Expiry Date: 03/12/2008

Applicant's Plan Nos:

Design and Access Statement Received 08/10/2008
0819/EX.01 Received 08/10/2008
Site location plan Received 08/10/2008
0819/EX.02 Received 08/10/2008
0819/EX.03 Received 08/10/2008
0819/GA.01 C Received 08/10/2008
0819/GA.02 C Received 08/10/2009
0819/GA.03 C Received 08/10/2008
0819/ST.01 A Received 08/10/2008

BASIC INFORMATION

Development Plan: Mayor for London - The London Plan
Royal Borough of Kingston upon Thames - Unitary Development Plan First Alteration

UDP Policies

N/A

Total Site Area 95sq m
Total Floor Area 0sq m
Density
Dwellings 3
Habitable rooms 8
No.of Units 3
Car Parking: required
Car Parking: proposed 0

Previous Relevant History
Consultations

1. Neighbourhood Traffic Engineering Manager- To be reported.
2. The occupiers and owners of 9 neighbouring properties have been notified without response.

Site and Surroundings

3. The application property is a two storey detached dwelling located on Brighton Road. The surrounding area consists of a mixture of commercial premises and residential properties. The site adjoins the boundary of Surbiton Town Conservation Area.

Proposal

4. Conversion of existing single family house including erection of roof and two storey side/rear extensions to provide 1 x 2 bedroom and 2 x 1 bedroom flats.
5. The application scheme is similar to the proposal under reference 08/16354 which was refused for the following reasons:
   (i) The proposed roof extension by reason of its design would harm the character and appearance of the property and the character and appearance of the area including Surbiton Town Conservation Area which adjoins the application site. It would therefore be contrary to Policies BE3, BE11 and STR6 of the Royal Borough of Kingston Upon Thames Unitary Development Plan First Alteration and the Local Planning Authority's Supplementary Planning Guidance on 'Residential Extensions'.
   (ii) The proposal would result in the loss of a small family dwelling house contrary to Policy H7 of the Royal Borough of Kingston Upon Thames Unitary Development Plan First Alteration.
   (iii) The lack of any on-site parking to serve the development would result in additional demand for on-street parking in an area where there is already a high demand for such parking space and the proposals would be contrary to Policies T1 and T21 of the Royal Borough of Kingston Upon Thames Unitary Development Plan First Alteration.
6. The current application differs from the refused scheme in two respects. Firstly it extends the property vertically with a hipped roof to match existing (compared with a mansard roof previously proposed) and secondly it provides a small rear garden area by removing single storey outbuildings.
Assessment

The main considerations material to the determination of this application are:

1. Principle of Proposed Development
2. Impact on Character of Area
3. Impact on Neighbour’s Residential Amenity
4. Highways and Parking
5. Trees
6. Legal Agreements
7. Sustainability
8. Other Material Considerations

Principle of Proposed Development

7. Policy H7 considers that a house with an original floor area of 116 square metres is suitable for conversion. The original floorspace of the dwelling is calculated as 113 square metres and as such is under that requirement. As the dwelling does not comply with the required minimum floor space area under Policy H7, it would not normally be considered to be a suitable house for conversion. However, it should be noted that the house at present has no rear garden and adjoins commercial premises on both sides. Notwithstanding the policy presumption towards retention of small family housing it is not considered that in this case this would be a sustainable reason for refusal in the absence of any other grounds for refusal.

Impact on Character of Area

8. The proposed extension would add a further full storey to the building but proposes a roof to match existing and in general updates the appearance of the building in a sympathetic manner. The scale of buildings in this part of Brighton Road varies therefore the resultant building would not be over-dominant and would complement the general appearance of the street scene. It is also considered that the removal of the clutter of rear outbuildings is another welcome improvement on the previous application. It is also concluded that as a result of these improvements the development would not harm the setting of the adjoining Conservation Area.
Impact on Neighbours’ Residential Amenity

9. The neighbouring properties on each side are in commercial uses. The additional storey and rear extension will not be unduly imposing when viewed from the adjoining properties. The nearest residential properties to the rear are 45 metres away in St Andrews Square and although a rear balcony is proposed at second floor level, in view of this distance from the nearest properties in St Andrews Square there would be no harm caused to the privacy of those properties. The development would not therefore harm the amenities of adjoining properties.

Highways & Parking

10. The development makes no provision for parking space but has the potential to increase demand for limited on-street parking space in the locality which lies within a Controlled Parking Zone. The site is in a sustainable location with good access to public transport. In the circumstances no objection is seen to the lack of parking space provided a legal agreement to ensure that occupiers of the development are not eligible for parking permits either on street or in Council owned car parks is entered into. Cycle parking facilities are shown to be provided in the front garden area, further details of this, (together with details of the means of enclosure of the front and rear garden areas and of refuse and recycling facilities) are required as a condition of approval.

Trees

11. No trees are affected by the development.

Legal Agreements

12. Permission is recommended subject to the prior completion of a legal agreement as referred to in the Highways and Parking section above.

Sustainability

13. The development will make effective use of a property in an accessible location.

Other Material Considerations

14. There are no other material considerations.
Reason for Approval

15. The proposed extensions would complement the character and appearance of the property and the character and appearance of the area including Surbiton Town Conservation Area which adjoins the application site. The proposal would not harm the amenities of adjoining properties. The proposal would make effective use of a residential property in a sustainable location. The development includes a legal agreement to prevent additional demand for parking space on-street or in Council owned car parks. For these reasons the development would comply with policies H1, BE3, BE11, BE12, STR6, and T21 of the Royal Borough of Kingston Upon Thames Unitary Development Plan First Alteration and policies 3A.3 and 4B.1 of the London Plan-Consolidated with Alterations since 2004.

Recommendation A:

Subject to the completion of an agreement under Section 106 of the Town and Country Planning Act 1990 to ensure that occupiers of the development are not eligible for permits to park either on-street or in Council owned car parks.

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. A sample of the facing materials to be used shall be submitted to and approved in writing by the Local Planning Authority before any works on site are commenced.
   Reason: To ensure a satisfactory appearance on completion of the development in accordance with Policies BE11 (Design of New Buildings and Extensions) and STR6 (Conserving and Enhancing the Built Environment) of the Royal Borough of Kingston upon Thames Unitary Development Plan First Alteration.

3. Before the development is commenced details of the following shall be submitted to and approved in writing by the Local Planning Authority:
   (i) refuse and recycling facilities
   (ii) cycle parking facilities

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(iii) the means of enclosure of the front and rear garden areas.

The approved details shall be completed before any part of the development is first occupied.

Reason: To ensure the provision of refuse facilities, recycling and cycle parking facilities in accordance with of the Royal Borough of Kingston upon Thames Unitary Development Plan First Alteration and to ensure that the character and appearance of the locality is not harmed in accordance with Policies H1 (Protection of Residential Amenities), STR6 (Conserving and Enhancing the Built Environment), MW2 (Waste and Environment), BE11 (Design of New Buildings and Extensions), BE12 (Layout and Amenity of Buildings and Extensions), T15 (Cycling) and STR6 (Conserving and Enhancing the Built Environment) of the Royal Borough of Kingston upon Thames Unitary Development Plan First Alteration.

Informative(s)

N/A

RECOMMENDATION B:

If the Agreement is not completed by 2 December 2008, planning permission be REFUSED for the following reason:

The development would result in additional demand for on-street parking in an area where there is already a high demand for such parking space and the proposal would for this reason be contrary to Policies T1 and T21 of the Royal Borough of Kingston Upon Thames Unitary Development Plan First Alteration.