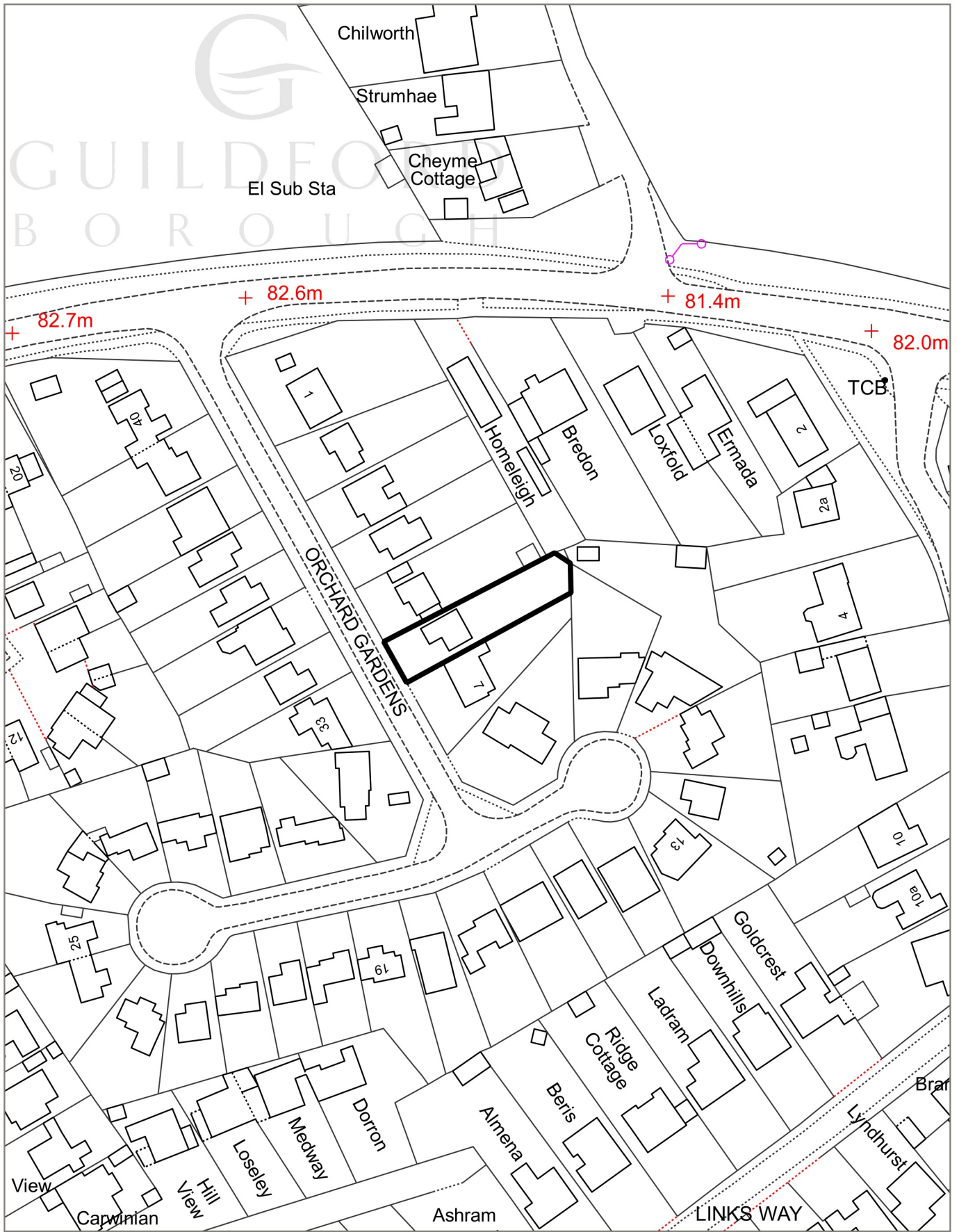


# 23/P/00007 - 6 Orchard Gardens, Effingham, Leatherhead



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Print Date: 21/03/2023

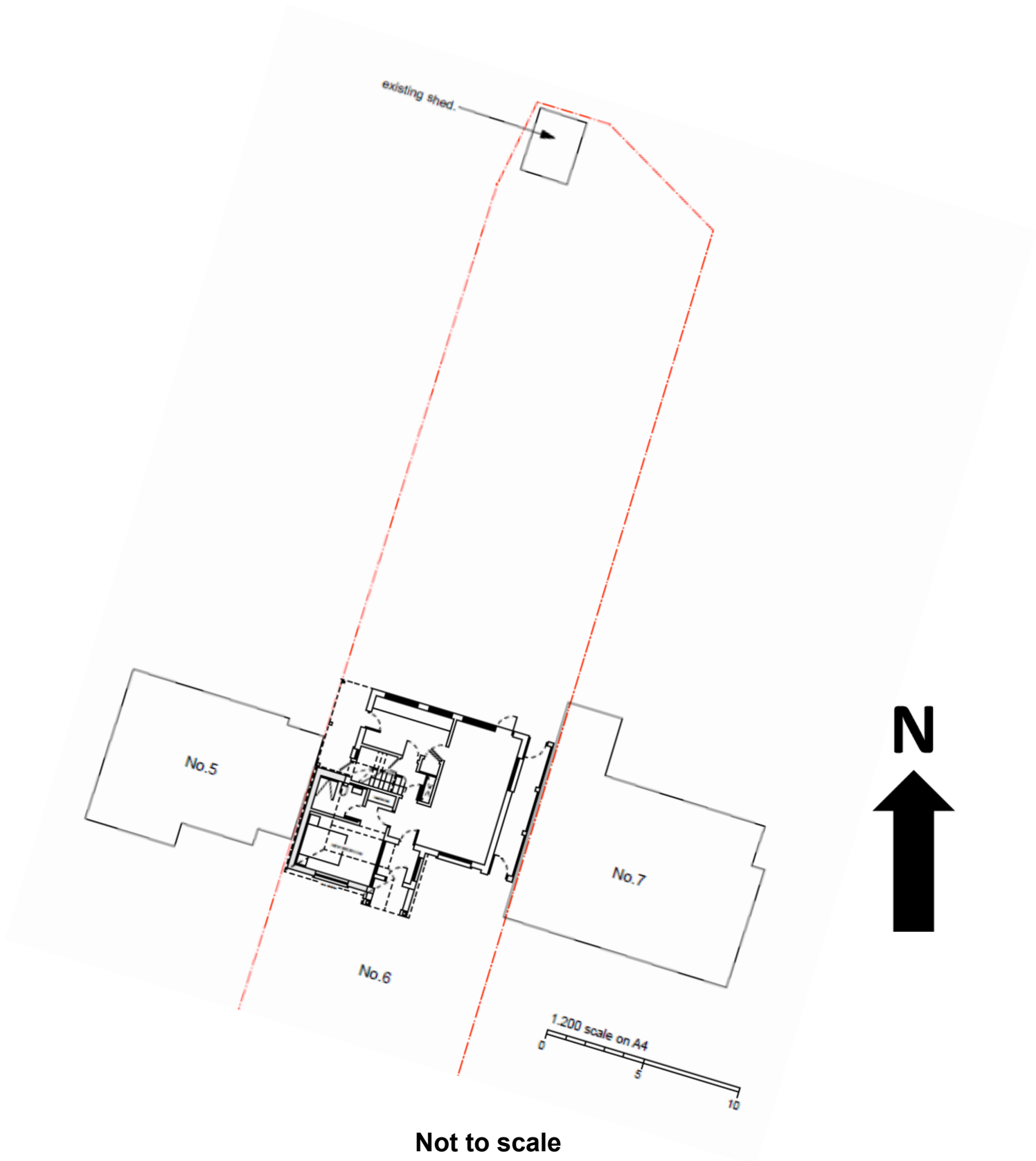


Not to Scale



GUILDFORD  
BOROUGH

23/P/00007 6 Orchard Gardens, Effingham



Not to scale

**App No:** 23/P/00007  
**Appn Type:** Full Application  
**Case Officer:** Chris Gent  
**Parish:** Effingham  
**Agent :** Mr. McGuinness  
15 Raymead Close  
Fetcham  
Leatherhead  
Surrey  
KT22 9LU

**8 Wk Deadline:** 01/05/2023

**Ward:** Effingham  
**Applicant:** Dr. Linda Graham  
6 Orchard Gardens  
Effingham  
Surrey  
KT24 5NR

**Location:** 6 Orchard Gardens, Effingham, Leatherhead, KT24 5NR  
**Proposal:** Proposed single storey front extension with new front porch and garage conversion to habitable accommodation including single storey side extension; single storey side extension to south-east elevation (Amended plan received on 07/03/2023 omitting the first floor front element from the proposed side (north-west) elevation)

## **Executive Summary**

### **Reason for referral**

This application has been referred to the Planning Committee because more than 10 letters of objection have been received, contrary to the Officer's recommendation.

### **Key information**

Proposed single storey front extension with new front porch and garage conversion to habitable accommodation including single storey side extension; single storey side extension to south-east elevation (Amended plan received on 07/03/2023 omitting the first floor front element from the proposed side (north-west) elevation)

### **Summary of considerations and constraints**

With the exception of a small open-sided front porch, the proposed single storey extension would not project beyond the foremost part of the dwelling (i.e. the existing garage). The proposal would have a pitched roof with flat roof element on top. The modest size of the structure means that the flat roof is an acceptable form of design in this instance. Due to its set back position from Orchard Gardens, size and design, it would not be unduly prominent in the street scene.

Despite the side extensions being built up to the side boundaries with the neighbouring properties No's 5 & 7 Orchard Gardens, these additions would not result in a terracing effect given their single storey size, nor would they result in overdevelopment of the plot. It is noted that single storey side extensions are a common feature within the road and there are provisions under permitted development for such development.

Taking the above into consideration, officers are satisfied that the proposal would not have an adverse affect on the scale and character of the existing property or have a detrimental impact on the character of the street scene and surrounding area.

## **RECOMMENDATION:**

### **Approve - subject to the following condition(s) and reason(s) :-**

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51(1) of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plans: unnumbered location plan, P2022/20.45 rev, P2022/20.43, P2022/20.31 received on 18/01/2023 and amended drawing number P2022/20.42 rev B received on 07/03/2023.

Reason: To ensure that the development is carried out in accordance with the approved plans and in the interests of proper planning.

3. The external finishes of the development hereby permitted, including making good to the retained fabric, shall match in material, colour, size, style, bonding, texture and profile those of the existing building.

Reason: To ensure that the external appearance of the building is satisfactory.

### **Informatives:**

1. If you need any advice regarding Building Regulations please do not hesitate to contact Guildford Borough Council Building Control on 01483 444545 or [buildingcontrol@guildford.gov.uk](mailto:buildingcontrol@guildford.gov.uk)
2. This statement is provided in accordance with Article 35(2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. Guildford Borough Council seek to take a positive and proactive approach to development proposals. We work with applicants in a positive and proactive manner by:
  - Offering a pre application advice service
  - Where pre-application advice has been sought and that advice has been followed we will advise applicants/agents of any further issues arising during the course of the application
  - Where possible officers will seek minor amendments to overcome issues identified at an early stage in the application process

However, Guildford Borough Council will generally not engage in unnecessary negotiation for fundamentally unacceptable proposals or where significant changes to an application is required.

Pre-application advice was not sought prior to submission and the application was acceptable as submitted.

## **Officer's Report**

### **Site description**

The property is a two storey detached dwelling located within Effingham, inset from the Green Belt. The surrounding area comprises mainly detached houses of individual design and appearance. There is an attached single storey, flat-roofed garage to the front.

### **Proposal**

Proposed single storey front extension with new front porch and garage conversion to habitable accommodation including single storey side extension; single storey side extension to south-east elevation (Amended plan received on 07/03/2023 omitting the first floor front element from the proposed side (north-west) elevation)

### **Relevant planning history**

23/P/00003 - Erection of part single/part two storey front extension with conversion of garage to habitable accommodation, new front porch and single storey side extension (Officer note: This application is currently under consideration)

22/P/01689 - Certificate of lawfulness for the proposed loft conversion with rear dormer, single storey rear extension, new roof lantern and new outbuilding. Part Approved, Part Refused - 24/12/2022

Part Approved:- single storey rear extension, loft conversion with rear dormer window, roof lantern

Part Refused:- outbuilding

### **Consultations**

Effingham Parish Council - raise objection to the proposal for the following reasons:

- proposal would result in a negative effect on character and appearance
- overdevelopment of the plot

### **Third party comments:**

10 letters have been received raising the following objections and concerns:

- terracing effect, this will impact negatively on the street scene
- overdevelopment of the plot
- parking
- discharge/maintenance of gutters
- concerns that storage area could be converted/extended into living space
- disproportionate size
- increase in habitable accommodation is vast

- risk of fire spreading
- drawings are incorrect because they do not show the extensions approved under certificate of lawfulness application 22/P/01689. (Officer note: The works approved under the certificate of lawfulness application have not been implemented. As such, the submitted plans (as existing) are correct

### **Planning policies**

The following policies are relevant to the determination of this application

#### **National Planning Policy Framework (NPPF) (revised on 20 July 2021)**

Chapter 12. Achieving well-designed places

#### **Guildford Borough Local Plan: Strategy and Sites (adopted by Council on 25 April 2019)**

Policy D1: Place shaping

The Guildford Borough Local Plan: Strategy and Sites was adopted by Council on 25 April 2019. The Plan carries full weight as part of the Council's Development Plan. The Local Plan 2003 policies that are not superseded are retained and continue to form part of the Development Plan (see Appendix 8 of the Local Plan: strategy and sites for superseded Local Plan 2003 policies).

#### **Guildford Borough Council: Development Management Policies (LPDMP) June 2022**

Guildford's Local Plan Development Management Policies (LPDMP) can now be considered to be at an advanced stage in production. The hearing sessions have been completed and the Inspector has now issued his final Inspector's Report and Schedule of Main Modifications, dated 27 February 2023. The draft plan is due to go before Full Council for adoption on 22 March 2023. Whilst it is not yet part of the statutory development plan, the policies are given full weight given their advanced stage and the fact that the policies can no longer be amended.

Policy H5: Housing Extensions and Alterations including Annexes

Policy D4: Achieving High Quality Design and Respecting Local Distinctiveness

Policy D5: Protection of Amenity and Provision of Amenity Space

#### **Guildford Borough Local Plan 2003 (as saved by CLG Direction 24 September 2007):**

Policy G1(3)

Policy G5

#### **Supplementary Planning Documents (SPD)**

Residential Extensions and Alterations 2018

Draft Parking Supplementary Planning Document 2022

#### **Effingham Neighbourhood Plan 2016-2030**

ENP-G2: Landscape, Heritage, Character and Design

ENP-R1: Car Parking

### **Planning considerations**

The main planning considerations in this case are:

- impact on scale and character of the existing dwelling and surrounding area
- impact on neighbour amenity
- parking considerations

### Impact on scale and character of the existing dwelling and surrounding area

With the exception of a small open-sided front porch, the proposed extension would not project beyond the foremost part of the dwelling (i.e. the existing garage). The proposal would have a pitched roof with flat roof element on top. The modest size of the structure means that the flat roof is an acceptable form of design in this instance. Due to its set back position from Orchard Gardens, size and design, it would not be unduly prominent in the street scene.

Despite the side extensions being built up to the side boundaries with the neighbouring properties No's 5 & 7 Orchard Gardens, these additions would not result in a terracing effect given their single storey size, nor would they result in overdevelopment of the plot. It is noted that single storey side extensions are a common feature within the road and there are provisions under permitted development for such development.

Given the above, the extensions would not be harmful to the character and appearance of either the host dwelling or the surrounding area.

The proposal would accord with Chapter 12 of the National Planning Policy Framework (NPPF) (as revised on 20 July 2021), Policy G5 of the Guildford Borough Local Plan (GBLP) 2003, Policy D1 of the Guildford Borough Local Plan 2015-2034, Emerging policies H5, D4 of the Guildford Borough Council: Development Management Policies (LPDMP) June 2022, and Policy ENP-G2 of the Effingham Neighbourhood Plan 2016-2030.

### Impact on neighbour amenity

The neighbouring properties most affected are 5 Orchard Gardens and 7 Orchard Gardens.

The proposal would encroach within 45 degrees of the centre of No.5 Orchard Garden's nearest front ground floor window. Therefore, it does not adhere to the advice contained within the Residential Extensions and Alterations SPD 2018 with regards to daylight/sunlight issues to neighbour amenity. This is just one assessment when considering the impact (in terms of daylight/sunlight) on neighbour's existing windows.

However, given that the front window is obscured glazed and the existing screening along the shared boundary already results in loss of light to this window, any additional impact would not be to such a degree that it would harm the living conditions of the occupiers of this neighbouring property.

There is an existing ad-hoc timber structure built up to the common shared boundary with No.5 Orchard Gardens. The rear part of this structure and existing hedging/trees along the boundary, cause some loss of light/overbearing effect to No. 5's rear window and the section of this neighbour's rear garden closest to it. Given that this existing structure would be retained behind the proposed extension, no additional impact to this neighbour's rear window and garden would result.

7 Orchard Gardens - The proposed single storey extension would bring development up to the common boundary with No.7. Adjacent to the boundary with No.6 lies the garage to No.7.

The presence of No.7's garage and position of the extension in relation to the front and rear elevations of this neighbouring dwelling is such that it would not cause loss of light or an overbearing relationship to result.

There are no overlooking concerns resulting from the development.

The proposal therefore complies with policy G1(3) of the Guildford Borough Local Plan 2003 (as saved by CLG Direction on 24 September 2007) and Policy D5: Protection of Amenity and Provision of Amenity Space of the Guildford Borough Council: Development Management Policies (LPDMP) June 2022.

#### Parking considerations

The proposal would create an additional bedroom resulting in a four bedroom dwelling. The Effingham Neighbourhood Plan states that all new developments are required to provide parking within its site boundary, or nearby, off the public highway, to meet the expected demand of development, without requiring the use of public roads as overflow parking. The plan states that 3 allocated car parking spaces are the minimum for four bedroom dwellings, and above.

There are currently three on-site parking spaces; one of these is within the existing garage to be converted. Whilst it is acknowledged that the number of on-site spaces following the garage conversion may not meet the guidance set out in the Effingham Neighbourhood Plan, it is noted that the small size of the existing garage is not practical to park a car in. As such, the proposed level of on-site parking would not be dissimilar from the current situation. In addition, there is already an element of on-street parking in the immediate locality and any additional parking overspill in this case would not result in the level of on street parking to increase to such a level that would be harmful. It is noted that there is no restricted parking in the immediate vicinity.