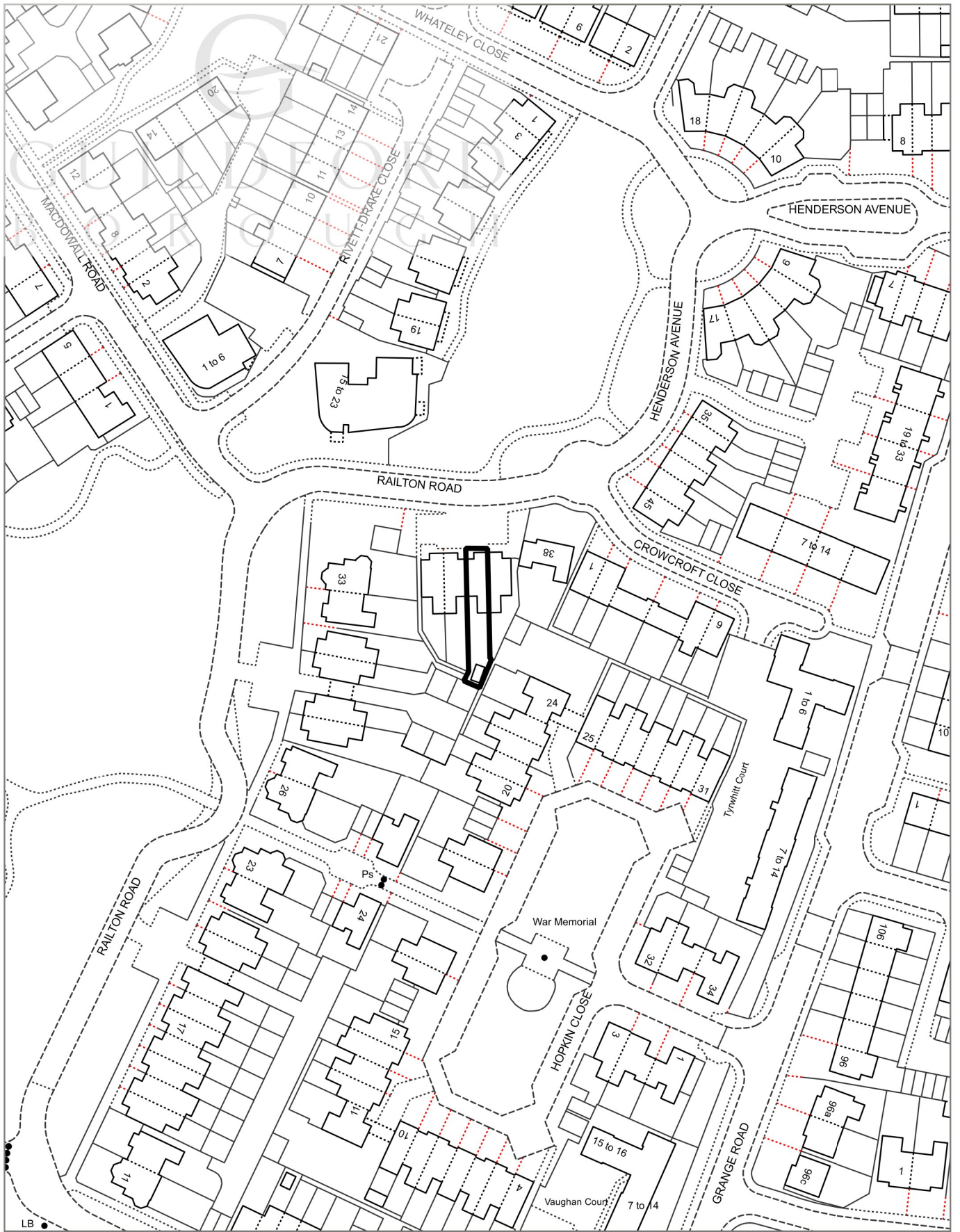


23/P/01424 - 36 Railton Road, Guildford



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Print Date: 17/11/2023

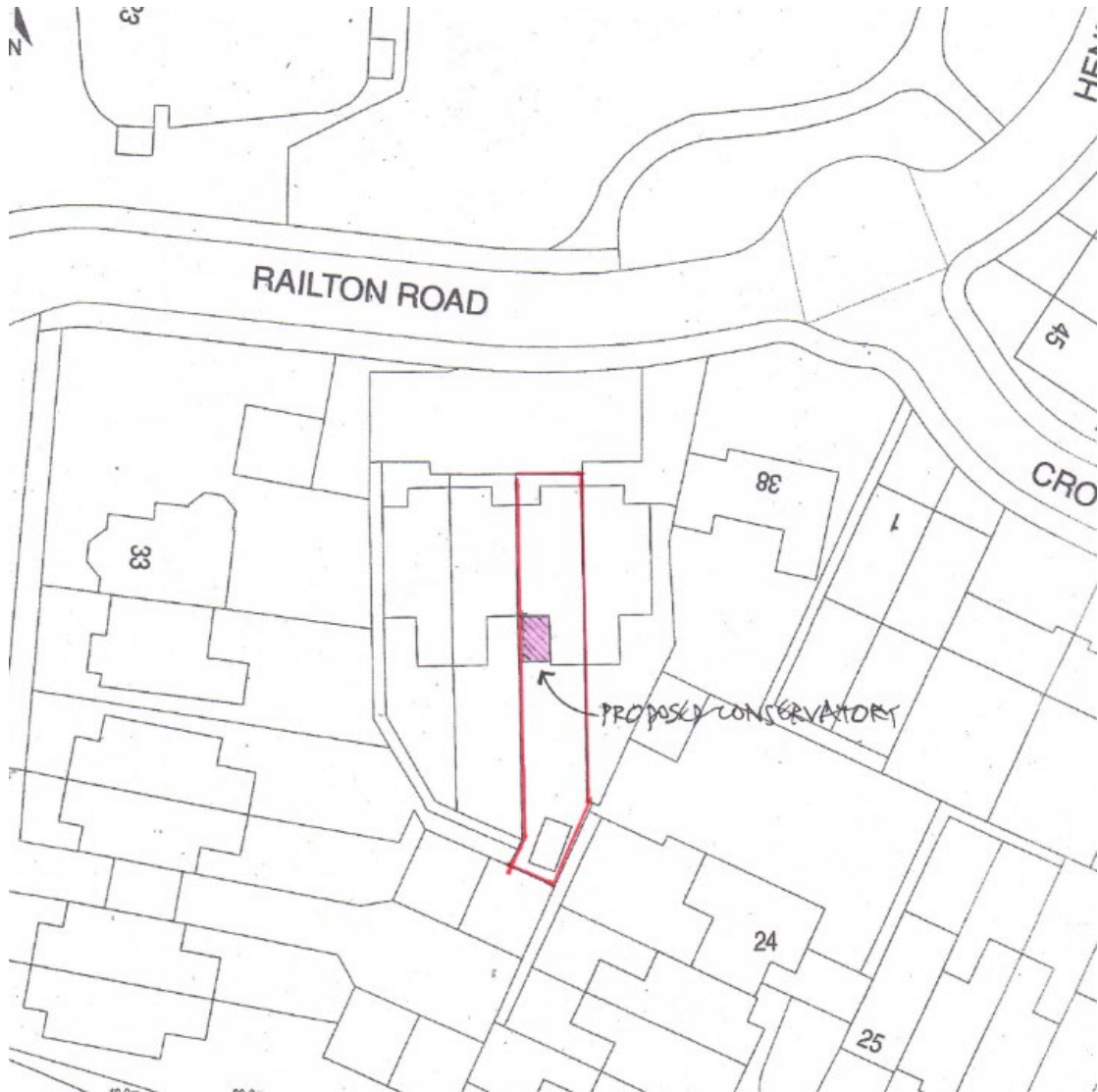


Not to Scale



GUILDFORD
BOROUGH

23/P/01424 – 36 Railton Road, Guildford



Not to scale

App No: 23/P/01424 **8 Wk 12/12/2023**
Deadline:

Appn Type: Full Application

Case Officer: Sakina Khanbhai

Parish: Stoughton North

Ward: Stoughton North

Agent : Mr A. Clare

Applicant: Ms V. Potts

Clare and Company Ltd

t: 36 Railton Road

85 High Path Road

Guildford

Guildford

Surrey

GU1 2QL

GU2 9LX

Location: 36 Railton Road, Guildford, GU2 9LX

Proposal: Variation of condition no 2 (drawing numbers) of application 21/P/00812, approved on 11/08/2021 for a single storey rear conservatory extension and enlargement of 2nd floor rear dormer. Amendments to glazing and roof structure.

Executive Summary

Reason for referral

This item has been referred to Planning Committee by the Council's Joint Executive Head of Planning Development because the application has been submitted on behalf of a member of staff.

Key information

Variation of condition no 2 (drawing numbers) of application 21/P/00812, approved on 11/08/2021 for a single storey rear conservatory extension and enlargement of 2nd floor rear dormer. Amendments to glazing and roof structure.

The minor material changes proposed are as follows:

- Removal of high level obscure glazed windows on the side elevation of the approved extension.
- 0.5m increase in the amount of brick courses on the side elevation of the

approved extension.

- Amendment to the glazed roof structure so that the pitch roof directly adjoins the rear elevation of the dwelling.

No material increases in the approved external dimensions of the scheme are being sought.

Summary of considerations and constraints

The proposal would be small scale and subservient design and, as such, would respect the scale and character of the existing property and the character of the surrounding area.

The proposed is not considered to result in a detrimental impact on residential amenities enjoyed by the occupants of the neighbouring properties.

Therefore, the proposed development is recommended for approval.

RECOMMENDATION:

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

1. The development hereby permitted shall be begun before 11/08/2024 being the expiration of three years from the date of the original 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: 264/04 Rev G, 264/02 Rev E, 264/06 Rev C, 264/08 Rev D and 264/07 Rev B and additional information received on 18/08/23.

Reason: To ensure that the development is carried out in

accordance with the approved plans and in the interests of proper planning.

Informatives:

1. 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 in certain circumstances
 - 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.

In this case, pre-application advice was not sought prior to submission and the application was acceptable as submitted.

2. 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

Officer's Report

Site description.

The application relates to a mid terrace three storey property located within the Urban Area of Guildford.

Proposal.

Variation of condition no 2 (drawing numbers) of application 21/P/00812, approved on 11/08/2021 for a single storey rear conservatory extension and enlargement of 2nd floor rear dormer. Amendments to glazing and roof structure.

Relevant planning history.

- 23/N/00038 - Non Material Amendment to planning permission 21/P/00812 approved 11/08/21 to omit glazing to side wall of conservatory, change arrangement of roof glazing- Refused 24/07/23
- 21/P/00812 - Single storey rear conservatory extension and enlargement of 2nd floor rear dormer.- Approved 11/08/21

Consultations.

Internal consultees

Head of Environmental Health and Licensing: No objection.

Third party comments:

No letters of representation have been received.

Planning policies.

National Planning Policy Framework (NPPF), 2023:

- Ch 4: Decision-making.
- Ch 12: Achieving well-designed spaces.

Guildford Borough Local Plan: Strategy and Sites 2015-2034:

D1 Place Shaping

D2 Climate Change, Sustainable design, construction and energy

Guildford Borough Council: Development Management Policies (LPDMP) March 2023

Guildford's Local Plan Development Management Policies (LPDMP) was adopted by the Council on 22 March 2023. This now forms part of the statutory development plan and the policies are given full weight.

Policy H4: 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

Supplementary planning documents:

Residential Extensions and Alterations SPD 2018

Planning considerations.

This application is submitted under Section 73 of the Town and Country Planning Act (as amended). The provisions of Section 73 relate to the variation or removal of planning conditions attached to a grant of planning permission. The intention is that such matters would represent a minor material change to the original grant of planning permission.

The application must be determined on the basis of the effect of varying/removing the specified conditions. No other matters can be taken into account for example the principle of the original permission cannot be re-visited. Additionally, it is not appropriate to dismiss a proposal simply on the grounds that conditions were originally proposed and therefore by default should be retained. The local planning authority must consider whether any planning harm would result from the variation.

Section 73, gives two options when considering such applications:

- (a) if they decide that planning permission should be granted subject to conditions differing from those subject to which the previous permission was granted, or that it should be granted unconditionally, they shall grant planning permission accordingly, and
- (b) if they decide that planning permission should be granted subject to the same conditions as those subject to which the previous permission was granted, they shall refuse the application.

Under Section 73(a) officers should not limit themselves to assessing just the specific variation or removal suggested by the applicant. If an alternative change to the conditions would be acceptable then permission should be granted to that effect.

Part of the assessment under Section 73(b) should also be whether this would cause more than a minor material change to the change to the original permission. In such cases permission should also be refused.

In this instance, the application seeks planning permission of the variation of condition 2 (approved drawings) to remove glazing to the side wall of the approved single storey extension and minor adjustments to the roof shape of the approved extension.

The primary considerations resulting from this change would be:

- impact on the scale and character of the existing dwelling and the surrounding area
- impact on neighbouring amenity

impact on the scale and character of the existing dwelling and the surrounding area

The application site lies within the urban residential area.

The approved conservatory extension measures approximately 3.6m in depth, 2.3m in width and 2.8m in height. The approved extension has a brick finish built up to 1.7m above the finished floor level on the side elevation with glazing to eaves level and a glazed roof.

There would be no material change to the approved dimensions of the extension.

The main material change is the increase in the amount of brick courses on the side elevation of the extension due to the removal of high level obscure glazing from the approved scheme. The proposed height of the brick wall would be 2.2m and therefore there would be a difference of 0.5m in the amount of brickwork on the side wall of the approved extension. This material change would increase the amount of solid brick wall when viewed from the neighbouring property.

The proposal would also involve a small enlargement to the roof in terms of volume of the extension by removing the approved flat roof section of the roof and extending the length of the pitched glazed roof so that it would directly adjoin on to the rear elevation of the dwelling. The glazed roof structure would directly adjoin the rear elevation and this would result in a more simplified roof structure.

The scale and overall design would be in keeping with the character and appearance of the existing dwelling. Given the siting of the extension to the rear, the minor material changes to the approved scheme would not have a significant material impact on the street scene nor would it detract from the character of the area.

The impact on neighbouring amenity

The neighbouring property most affected is No.35 Railton Road.

The proposal would result in the removal of high level obscure glazing positioned 1.7m above the finished floor level of the approved extension and replace with additional brick work to raise the overall height of the brickwall to 2.2m. The increase in the amount of brickwork by 0.5m would not be so different to the glazing on the side elevation approved under the original permission in terms of impact on No.35's amenity.

It is considered that the removal of the side facing glazing would reduce light pollution to No.35 and limit noise emitted from the extension approved.

The proposed material changes to the approved scheme would not have an unacceptable impact on the amenities enjoyed by the occupants of this neighbouring property and surrounding neighbours.

Conclusion.

The proposed minor material changes to the approved scheme would be acceptable in scale and design and would not result in a detrimental impact on residential amenities of the neighbouring properties. For these reasons, the application is acceptable and is therefore recommended for approval.