

## Planning Report

**Application Number:** 22/00030/FLH

**Application Site:** 4 Mill Lane, Ewell, Epsom, Surrey, KT17 2AG

**Proposal:** Single storey rear extension.

### Relevant Planning History

None.

### Comments from Third Parties

The Local Planning Authority consulted five nearby residents. One comment received to date, the contents of which can be summarised as follows:

- Due the close proximity to the application site the following should be put in place:
  - Sound mitigation measures
  - Requirement to avoid impact on foundations
  - Noise and disruption during the construction phase should be kept to weekly working hours

### Consultations

#### Design and Conservation Officer:

No objection to the proposal on design and heritage grounds. As the proposal would be sited on the ground floor and at the rear of the building, it would not be visible from the street scene and therefore would not result in harm to the significance of the conservation area.

### Relevant Planning Constraints

Built Up Area  
Conservation and Article 4 Area

### Planning Policy

#### Key Policies

National Planning Policy Framework 2021  
Planning (Listed Buildings and Conservation Areas) Act 1990

## Core Strategy 2007

Policy CS1 – General Policy

Policy CS5 – The Built Environment

## Development Management Policies Document (September 2015)

Policy DM8 - Heritage Assets

Policy DM9 – Townscape Character/Distinctiveness

Policy DM10 – Design for New Developments

## Other Material Documents

Planning Practice Guidance (2021)

The Epsom and Ewell Borough Council Householder Applications SPG 2004

## **Site Description**

A semi-detached two-storey dwelling located on northern side of Mill Lane. The application site is located in the Built-Up area of Epsom and within the Ewell Village Conservation Area. The properties on Mill Lane are primarily of a traditional cottage design, and the palette of materials includes facing brick, render as well as horizontal cladding.

## **Proposal**

Planning permission is being sought for a single storey rear extension following the demolition of the existing rear extension.

The proposal would project beyond the main rear elevation by 3m and would extend the whole width of the host dwelling with a crown roof design to a maximum height of approximately 2.7m and eaves height of 2.3m incorporating a roof lantern.

The extension would be built out of facing brickwork with a tiled roof to match that in the roof of the host dwelling and GRP to the flat section.

## **Planning Considerations**

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

- Impact on Character, Appearance and Conservation Area
- Impact on Occupant/Neighbouring Amenity

## Impact on Character, Appearance and Conservation Area

1. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in considering applications within a Conservation Area, Local Planning Authorities must pay special attention to the desirability of preserving or enhancing the character and appearance of the area.

2. The NPPF 2021 attaches great importance to the conservation and enhancement of the historic environment. Paragraph 199 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
3. Policy DM8 Development Management Policies Document 2015, set outs the Council's intention to resist the loss of our Heritage Assets and take every opportunity to conserve and enhance them. It states that development proposals that involve or have an effect upon Heritage Assets must establish the individual significance of the Asset as part of the application or consent process. As part of the assessment process the significance of the Asset will be taken into account (namely whether it is a designated Heritage Asset or a non-designated Heritage Asset) when determining whether the impact of any proposed development is acceptable.
4. The NPPF 2021 attaches great importance to the design of the built environment. Paragraph 126 states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.
5. Policy CS5 of the Core Strategy 2007 seeks high quality and inclusive design for all developments.
6. Policy DM9 of the Development Management Policies Document 2015 seeks enhancement of the townscape through new development that makes a positive contribution to the Borough's visual character and appearance. The Policy further states that planning permission will be granted for proposals that make a positive contribution to the Borough's visual character and appearance. This includes compatibility to local character and relationship to the existing townscape, the inclusion of locally distinctive features and use of appropriate materials.
7. Policy DM10 of the Development Management Policies Document 2015 requires development to incorporate principles of good design and to contribute to the character and local distinctiveness of a street or area which should be respected, maintained or enhanced.
8. The application site is located within the Ewell Village Conservation Area, which lies to the north-east of Epsom Town Centre and is one of the largest conservation areas which comprises the commercial village centre as well as residential area.
9. The proposed extension would be sited to the rear of the host dwelling and would not be visible from within the street scene. It will replace an existing slightly smaller extension; however, it would not project any further than the existing extension at the immediately adjoining property at No.2, as such achieving a balance appearance when viewed from the rear.

10. It is considered that the proposal has been designed to integrate well with the host dwelling and would neither dominate nor compete with it. The Council's Conservation Officer was consulted on this application and raised no objection to this proposal as due to the siting of the proposal it would not result in harm to the significance of the conservation area.
11. Overall, it is considered that the proposal would be acceptable in terms form, mass, scale and design as well as use of matching materials and it would not result in harm to the character and appearance of the host dwelling, the wider character of the area and the Conservation Area
12. In light of the above, the proposal is considered to comply with Policy CS5 of the Core Strategy 2007, Policies DM8, DM9 and DM10 of the Development Management Policies Document 2015, the guidance set out in the Epsom and Ewell Borough Council Householder Applications SPG 2004 and the NPPF 2021.

#### Impact on Occupant/Neighbouring Amenity

13. Policy DM10 of the Development Management Policies Document 2015 requires, inter alia, new development to have regard to the amenities of occupants and neighbours, including in terms of privacy, outlook, sunlight/daylight, and noise and disturbance.
14. The neighbours potentially impacted by the proposal are the immediately adjoining properties at Nos.2 and 6 Mill Lane, located to the east and north-west of the application site respectively.
15. With regards to No.2, this neighbouring property is the other half of the pair of semi-detached dwellings. This property benefits from a rear extension to the same depth as the proposal, as such, it is not considered that the proposal would result in loss of light, overshadowing or overbearing impact.
16. With regards to No.6, the western side elevation of this property is located in close proximity to the rear amenity area at the application site. Due to the siting of the dwellings within their plots and the location of the proposal in relation to this neighbour's amenity area, the proposed extension would not result in loss of light, overshadowing or overbearing impact.
17. The comments received from the occupier of this neighbouring property are all noted. The proposal would replace an existing structure of a lesser quality, as such, it is not considered that it would result in undue noise as it would be an improvement over the existing situation. It is therefore not considered reasonable to impose specific noise mitigation conditions.
18. With regards to potential impact on foundations, a standard requirement of no encroachment for all new developments in close proximity to neighbouring properties is included in the decision notice (Informative No.5). The same applies to the days and times that building work is permitted on site (Informative No.3).

19. Due to the single nature of the proposal, it is not considered that it would result in undue overlooking and loss of privacy.
20. Whilst the retained amenity space is smaller than average, it must be noted that the proposed extension is only marginally larger than the one to be demolished; as such, there would be no material change to the existing amenity area.
21. In light of the above, the proposal is considered to comply with Policy DM10 of the Development Management Policies Document 2015, the Council's Household Applications SPG 2004 and the NPPF 2021.

**Recommendation: Grant, subject to Planning 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 development hereby permitted shall be carried out in accordance with the following approved plans:

Site Location Plan (1:1250)  
Proposed Block Plan & Section (1:500 & 1:50), Drawing No.ML04/003  
Proposed Floor Plans (1:00), Drawing No.ML04/002  
Existing & Proposed Elevations (1:100), Drawing No.ML04/001  
- all received on 14.01.2022

Reason: For avoidance of doubt and in the interests of proper planning.

3. The development hereby permitted shall be constructed entirely of the materials as detailed on the schedule of materials on the planning application form.

Reason: To ensure a satisfactory appearance on completion of the development in accordance with Policy CS5 of the Core Strategy 2007 and Policies DM9 and DM10 of the Development Management Policies Document 2015.

**Informatives**

1. In dealing with the application the Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies in the Core Strategy, Supplementary Planning Documents, Planning Briefs and other informal written guidance, as well as offering a full pre-application advice service, in order to ensure that the applicant has been given every opportunity to submit an application which is likely to be considered favourably.

2. Your attention is drawn to the need to comply with the relevant provisions of the Building Regulations, the Building Acts and other related legislation. These cover such works as - the demolition of existing buildings, the erection of a new building or structure, the extension or alteration to a building, change of use of buildings, installation of services, underpinning works, and fire safety/means of escape works. Notice of intention to demolish existing buildings must be given to the Council's Building Control Service at least 6 weeks before work starts.

A completed application form together with detailed plans must be submitted for approval before any building work is commenced.

3. You have been granted planning permission to build a residential extension. When undertaking building work, please be considerate to your neighbours and do not undertake work before 8am or after 6pm Monday to Friday, before 8am or after 1pm on a Saturday or at any time on Sundays or Bank Holidays. Furthermore, please ensure that all vehicles associated with the construction of the development hereby approved are properly washed and cleaned to prevent the passage of mud and dirt onto the adjoining highway. You are advised that the Council does have formal powers to control noise and nuisance under The Control of Pollution Act 1974, the Clean Air Acts and other relevant legislation. For further information and advice, please contact - Environmental Health Department Pollution Section.
4. The Party Wall Act 1996 requires a building owner to notify, and obtain formal agreement from, any adjoining owner, where the building owner proposes to:
  - carry out work to an existing party wall;
  - build on the boundary with a neighbouring property;
  - in some circumstances, carry out groundwork's within 6 metres of an adjoining building.

Notification and agreements under this Act are the responsibility of the building owner and are quite separate from Building Regulations, or Planning Controls. The Building Control Service will assume that an applicant has obtained any necessary agreements with the adjoining owner, and nothing said or implied by the Council should be taken as removing the necessity for the building owner to comply fully with the Party Wall Act. Further information and advice is to be found in "The Party Walls etc. Act 1996 - Explanatory Booklet".

5. No part of the development including foundations or guttering, shall encroach upon the adjoining property.

**DN 06/04/2022**