

Public Document Pack



TO THE CHAIRMAN AND MEMBERS OF THE **PLANNING COMMITTEE**

You are hereby summoned to attend a meeting of the Planning Committee to be held on Tuesday, 8 September 2020 at 7.00 pm. The meeting will be held virtually and webcast live through the Council's website in accordance with the Coronavirus Act 2020 and The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 (S.I.2020 No. 392).

The agenda for the meeting is set out below.

RAY MORGAN
Chief Executive

AGENDA

PART I - PRESS AND PUBLIC PRESENT

1. Minutes

To approve the minutes of the meeting of the Planning Committee held on 21 July 2020 as published.

2. Apologies for Absence

3. Declarations of Interest

- (i) To receive declarations of disclosable pecuniary and other interests from Members in respect of any item to be considered at the meeting.
- (ii) In accordance with the Members' Code of Conduct, any Member who is a Council- appointed Director of a Thamesway Group company will declare a non-pecuniary interest in any item involving that Thamesway Group company. The interest will not prevent the Member from participating in the consideration of that item.
- (iii) In accordance with the Officer Procedure Rules, any Officer who is a Council- appointed Director of a Thamesway Group company will declare an interest in any item involving that Thamesway Group company. The interest will not prevent the Officer from advising the Committee on that item.

4. Urgent Business

To consider any business that the Chairman rules may be dealt with under Section 100B(4) of the Local Government Act 1972.

Matters for Determination

5. Planning and Enforcement Appeals (Pages 3 - 4)

6. Planning Applications (Pages 5 - 8)

Section A - Applications for Public Speaking

There are no items for public speaking.

Section B - Application reports to be introduced by Officers

6a. 2020/0681 Triangle of land between Guildford Road, Victoria Road and Station approach (Pages 13 - 28)

6b. 2020/0543 Triangle of land between Guildford Road, Victoria Road and Station approach (Pages 29 - 44)

6c. 2020/0523 Mark House, Aviary Road (Pages 45 - 70)

6d. 2020/0378 Heath Lodge, Prey Heath Road (Pages 71 - 88)

Section C - Application Reports not to be introduced by officers unless requested by a Member of the Committee

6e. 2019/1214 30 Winern Glebe (Pages 91 - 116)

6f. 2019/0324 Woodhambury House, 491 Woodham Lane (Pages 117 - 144)

AGENDA ENDS

Date Published - 28 August 2020

For further information regarding this agenda and arrangements for the meeting, please contact Becky Capon on 01483 743011 or email becky.capon@woking.gov.uk



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PLANNING COMMITTEE – 8 SEPTEMBER 2020

PLANNING AND ENFORCEMENT APPEALS

The Committee is requested to:

RESOLVE:

That the report be noted.

The Committee has authority to determine the above recommendation.

Background Papers:

Planning Inspectorate Reports

Reporting Person:

Peter Bryant, Head of Legal and Democratic Services

Date Published:

28 August 2020

APPEALS LODGED

2019/1247

Application for erection of a part single/two storey side and rear extension and single storey front extension at 100 Balmoral Drive, WOKING, Surrey, GU22 8EU.

Refused by Delegated Powers
30 July 2020.
Appeal Lodged
27 July 2020.

2020/0167

Outline application for the erection of a detached single storey dwelling on land adjacent to Dovers Cottage and erection of a single storey extension and external alterations to Dovers Cottage following demolition of parts of dwelling (Matters of appearance and landscaping reserved) at Dovers Cottage Barrs Lane Knaphill Woking Surrey GU21 2JN.

Refused by Delegated Powers
21 April 2020.
Appeal Lodged
5 August 2020.

2019/1210

Application for New building containing six apartments following demolition of bungalow and detached double garage at Homeleigh Guildford Road Woking Surrey GU22 7UP.

Refused by Delegated Powers
5 February 2020.
Appeal lodged
6 August 2020.

APPEALS DECISION

2019/0989

Application for Certificate of Proposed Lawful Development for the erection of domestic outbuildings and a swimming pool at Primrose Cottage Bagshot Road Woking Surrey GU3 3QB.

Refused by Delegated Powers
16 December 2019.
Appeal Lodged
26 February 2020.
Appeal Allowed in Part (Split decision)
10 August 2020.

PLANNING COMMITTEE AGENDA

PLANNING APPLICATIONS AS AT 8TH SEPTEMBER 2020

This report contains applications which either fall outside the existing scheme of delegated powers or which have been brought to the Committee at the request of a Member or Members in accordance with the agreed procedure (M10/TP 7.4.92/749). These applications are for determination by the Committee.

This report is divided into three sections. The applications contained in Sections A & B will be individually introduced in accordance with the established practice. Applications in Section C will be taken in order but will not be the subject of an Officer's presentation unless requested by any Member.

The committee has the authority to determine the recommendations contained within the following reports.

Key to Ward Codes:

BWB = Byfleet and West Byfleet
GP = Goldsworth Park
HO = Horsell
KNA = Knaphill
PY = Pyrford

C = Canalside
HE = Heathlands
HV = Hoe Valley
MH = Mount Hermon
SJS = St. Johns

Major Applications Index to Planning Committee

08 September 2020

<u>ITEM</u>	<u>LOCATION</u>	<u>APP. NO.</u>	<u>REC</u>	<u>WARD</u>
0006A	Triangle Of Land Between, Guildford Road, Victoria Road And Station Approach, Guildford Road, Woking	PLAN/2020/0681	PER	MH
0006B	Triangle Of Land Between, Guildford Road, Victoria Road And Station Approach, Guildford Road, Woking	PLAN/2020/0543	PER	MH
0006C	Mark House, Aviary Road, Pyrford, Woking, Surrey, GU22 8TH	PLAN/2020/0523	PER	PY
0006D	Heath Lodge, Prey Heath Road, Mayford, Woking, Surrey, GU22 0RN	PLAN/2020/0378	REF	HE
0006E	30 Winern Glebe, Byfleet, West Byfleet, Surrey, KT14 7LT	PLAN/2019/1214	ENFREF	BWB
0006F	Woodhambury House, 491 Woodham Lane, Woking, Surrey, GU21 5SR	PLAN/2020/0324	ENFREF	C

SECTION B - 6A-6D

SECTION C - 6E-6F

PER - Grant Planning Permission

REF - Refuse

ENFREF - Refuse with enforcement

SECTION A

**APPLICATIONS ON WHICH
PUBLIC ARE ELIGIBLE
TO SPEAK**

(Note: Ordnance Survey Extracts appended to the reports are for locational purposes only and may not include all current developments either major or minor within the site or the area generally)

SECTION B

**APPLICATIONS WHICH WILL BE
THE SUBJECT OF A PRESENTATION
BY OFFICERS**

(Note: Ordnance Survey Extracts appended to the reports are for locational purposes only and may not include all current developments either major or minor within the site or area generally)

Triangle Of Land Between Guildford Road, Victoria Road And Station Approach, Guildford Road, Woking

PLAN/2020/0681

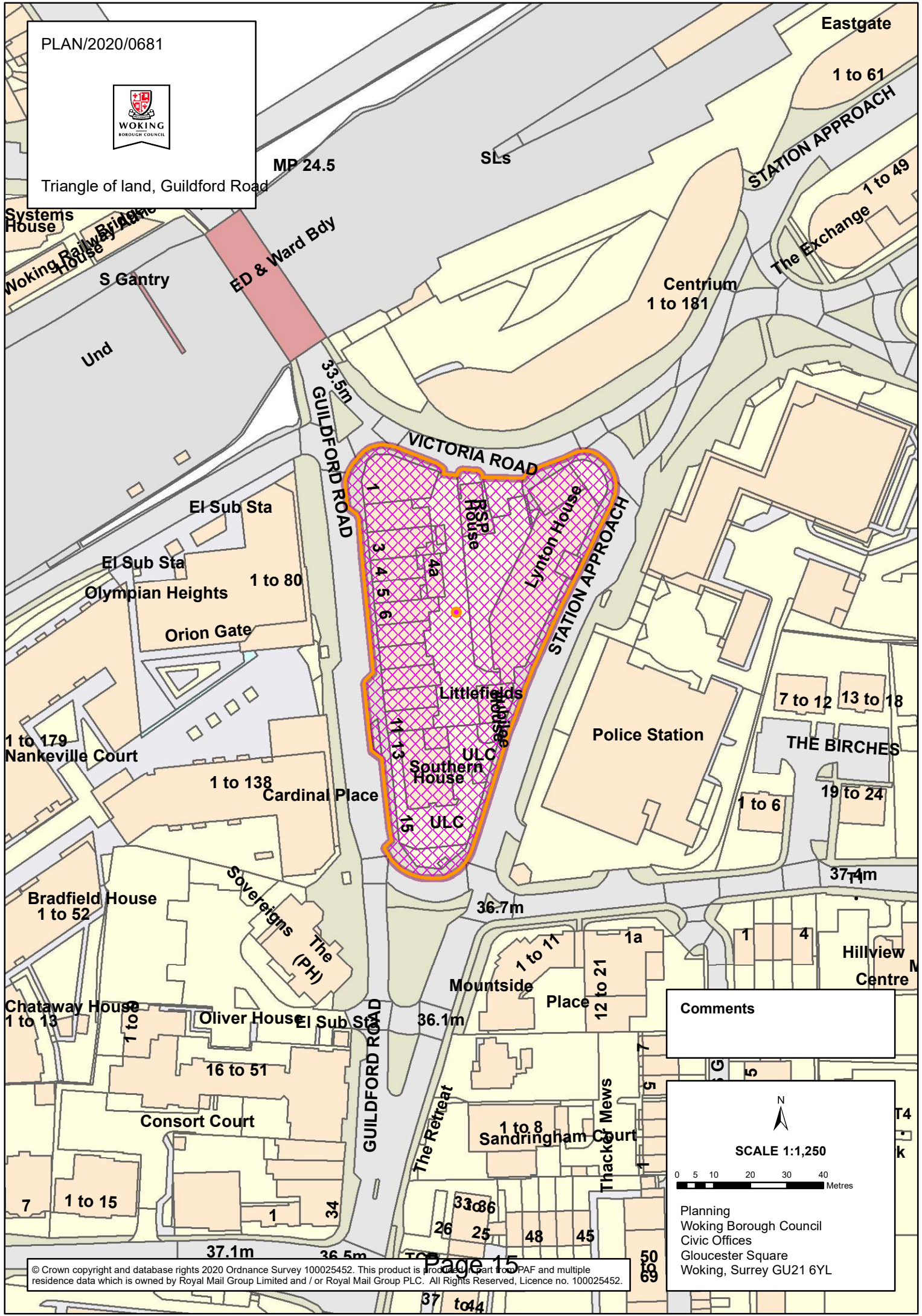
Erection of hoarding to enclose site.



PLAN/2020/0681



Triangle of land, Guildford Road



Comments

N

SCALE 1:1,250

0 5 10 20 30 40 Metres

Planning
Woking Borough Council
Civic Offices
Gloucester Square
Woking, Surrey GU21 6YL

6A PLAN/2020/0681

WARD: MH

LOCATION: Triangle of Land between Guildford Road, Victoria Road and Station Approach, Guildford Road, Woking, Surrey, GU22 7PX

PROPOSAL: Erection of hoarding to enclose site.

APPLICANT: Mrs Louisa Calam

OFFICER: David Raper

REASON FOR REFERRAL TO COMMITTEE:

The application is referred to Committee as the applicant is employed by Woking Borough Council.

SUMMARY OF PROPOSED DEVELOPMENT

The proposal seeks planning permission for the erection of site hoarding around the proposal site.

PLANNING STATUS

- Urban Area
- Woking Town Centre
- Shopping Parade
- Major Highway Improvement Scheme
- Thames Basin Heaths SPA ZoneB (400m-5km)

RECOMMENDATION

GRANT Planning Permission subject to conditions.

SITE DESCRIPTION

The proposal site comprises part of a triangular shaped piece of land in Woking Town Centre which includes Lynton House, Jubilee House and Southern House which all date from the 1960s/1970s. The site is bounded by Guildford Road to the west, Station Approach to the east and Victoria Road to the north. The site forms part of an intended highways improvement project and Prior Approval has been deemed to be not required for the demolition of the buildings on the site.

RELEVANT PLANNING HISTORY

- PLAN/2020/0543– Advertisement Consent to display non-illuminated advertisements on site hoarding – Not yet determined
- PLAN/2020/0402 - Prior Approval for the demolition of Lynton House – Prior Approval not required 04/06/2020
- PLAN/2020/0178 - Prior Approval for the demolition of Southern House and Jubilee House – Prior Approval not required 18/03/2020

CONSULTATIONS

- **County Highway Authority:** No objection.

REPRESENTATIONS

None received.

RELEVANT PLANNING POLICIES

National Planning Policy Framework (NPPF) (2019):
Section 12 - Achieving well-designed places

Woking Borough Core Strategy (2012):
CS2 - Woking Town Centre
CS18 - Transport and Accessibility
CS21 - Design

Supplementary Planning Documents:
Woking Design (2015)
Outlook, Amenity, Privacy and Daylight (2008)

PLANNING ISSUES

Impact on Character:

1. The proposal is to erect site hoarding to enclose the site which would measure 2.4m in height. The site comprises Lynton House, Jubilee House and Southern House which are all buildings dating from the 1960s and 1970s; Prior Approval has previously been deemed to be not required for the demolition of these buildings. The buildings are therefore intended to be demolished and the proposed site hoarding is intended to enclose the site for safety and visual amenity reasons. The proposed hoarding is considered to provide some visual screening to the site during demolition and is considered to result in an acceptable impact on the character of the proposal site and the surrounding area.
2. The proposed hoarding is therefore considered to have an acceptable impact on the visual amenities of the area.

Impact on Neighbouring Amenity:

3. Residential neighbours in the area are located at first floor level and above; there are no residential neighbours in close proximity to the proposed hoarding which would be unduly impacted upon by the proposal in terms of loss of light and overbearing impacts. The proposal is therefore considered to have an acceptable impact on neighbouring amenity.

Impact on Parking and Highway Safety:

4. The proposed plans demonstrate adequate pedestrian and vehicle visibility splays at the vehicular access points and existing pedestrian crossing points around the site would be maintained. The hoarding would incorporate parts of the existing pavements and roads around the site, including on-street parking bays with capacity for approximately 10x cars. The loss of these bays would be temporary in nature and it

8 SEPTEMBER 2020 PLANNING COMMITTEE

should be borne in mind that demand for these spaces would be reduced as Lynton House, Jubilee House and Southern House would be demolished. In the context of parking availability in the wider Town Centre, the proposal is considered to have an acceptable impact on parking. The County Highway Authority has reviewed the proposal and raises no objection.

5. Overall the proposal is therefore considered to have an acceptable impact on parking and highway safety.

CONCLUSION

6. Overall the proposal is considered to have an acceptable impact on the character of the area, the amenities of neighbours and in transportation terms. The proposal therefore accords with Woking Core Strategy (2012) policies CS18 and CS21, the Woking Design SPD (2015) and the NPPF (2019) and is recommended for approval.

BACKGROUND PAPERS

1. Site visit photographs
2. Consultation responses
3. General Site Notice

RECOMMENDATION

Grant Planning Permission subject to the following conditions:

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

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

02. The development hereby permitted shall be carried out in accordance with the approved plans numbered:

Unnumbered plan named 'Hoarding line phase One' showing a Location Plan received by the LPA on 06/08/2020
Unnumbered plan named 'Hoarding line phase One' showing a Block Plan and Visibility Splays received by the LPA on 17/08/2020
Unnumbered plan named 'Hoarding line phase One' showing a Block Plan received by the LPA on 06/08/2020
Drawing numbered 22072020 named 'Guildford Road Hoarding plan' received by the LPA on 06/08/2020

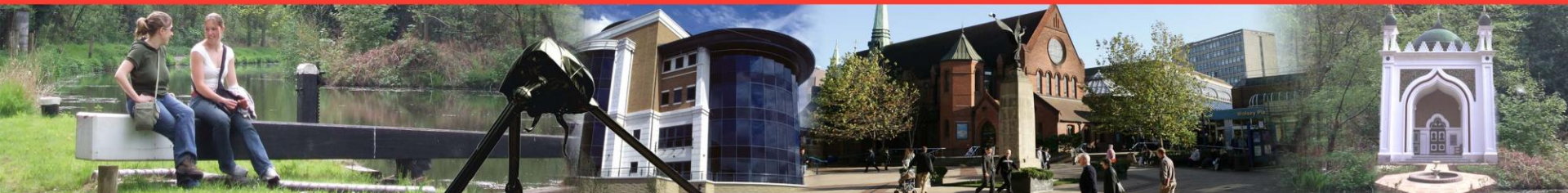
Reason: For the avoidance of doubt and in the interests of proper planning.

Informatives

01. The Council confirms that in assessing this planning application it has worked with the applicant in a positive and proactive way, in line with the requirements of the National Planning Policy Framework (2019).

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02. The permission hereby granted shall not be construed as authority to carry out any works on the highway. The applicant is advised that prior approval must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, or verge to form a vehicle crossover to install dropped kerbs.
03. Notwithstanding any permission granted under the Planning Acts, no signs, devices or other apparatus may be erected within the limits of the highway without the express approval of the Highway Authority.



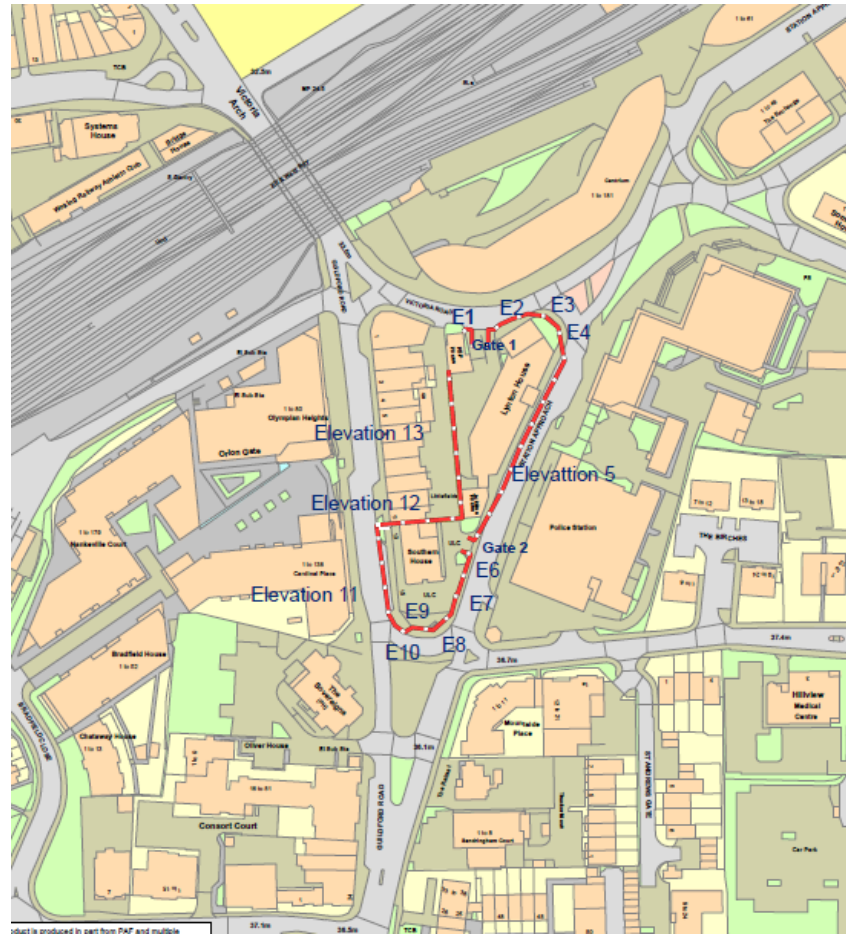
ITEM 6a – PLAN/2020/0681

Triangle Of Land Between Guildford Road, Victoria Road And Station Approach, Guildford Road, Woking.

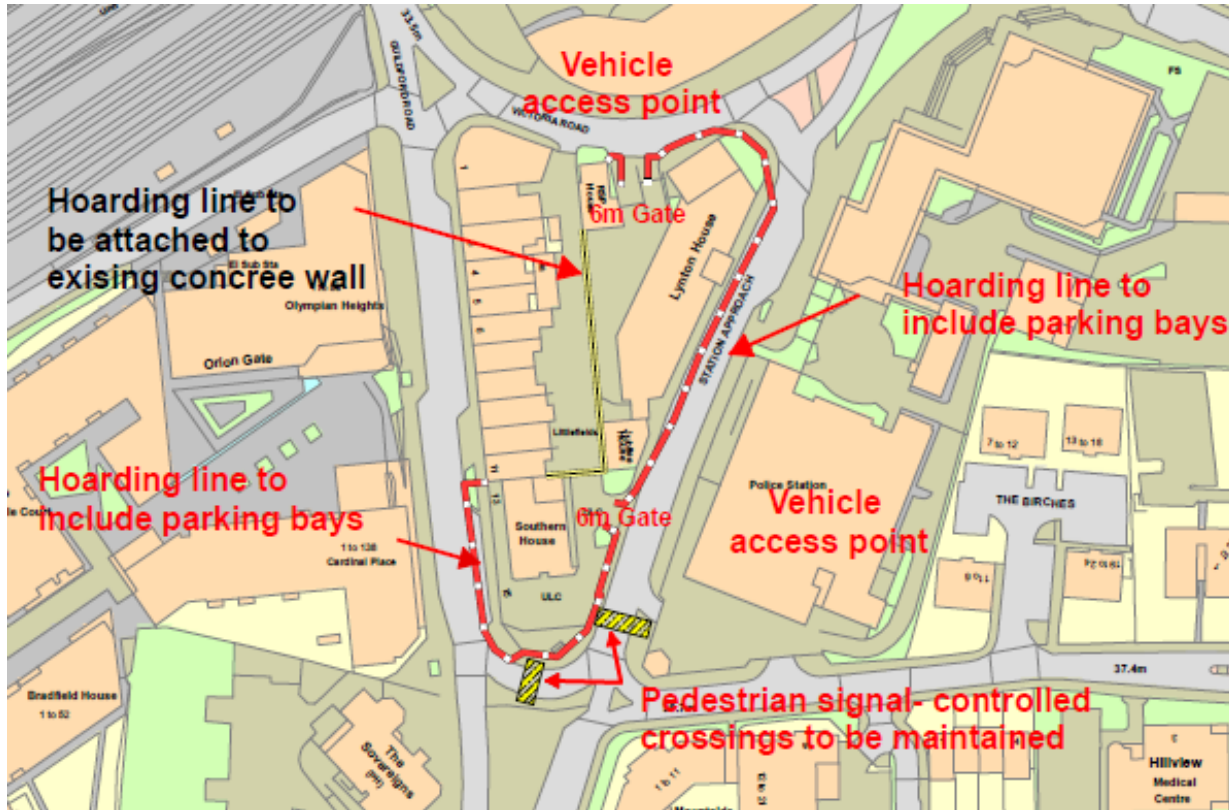
Erection of hoarding to enclose site.

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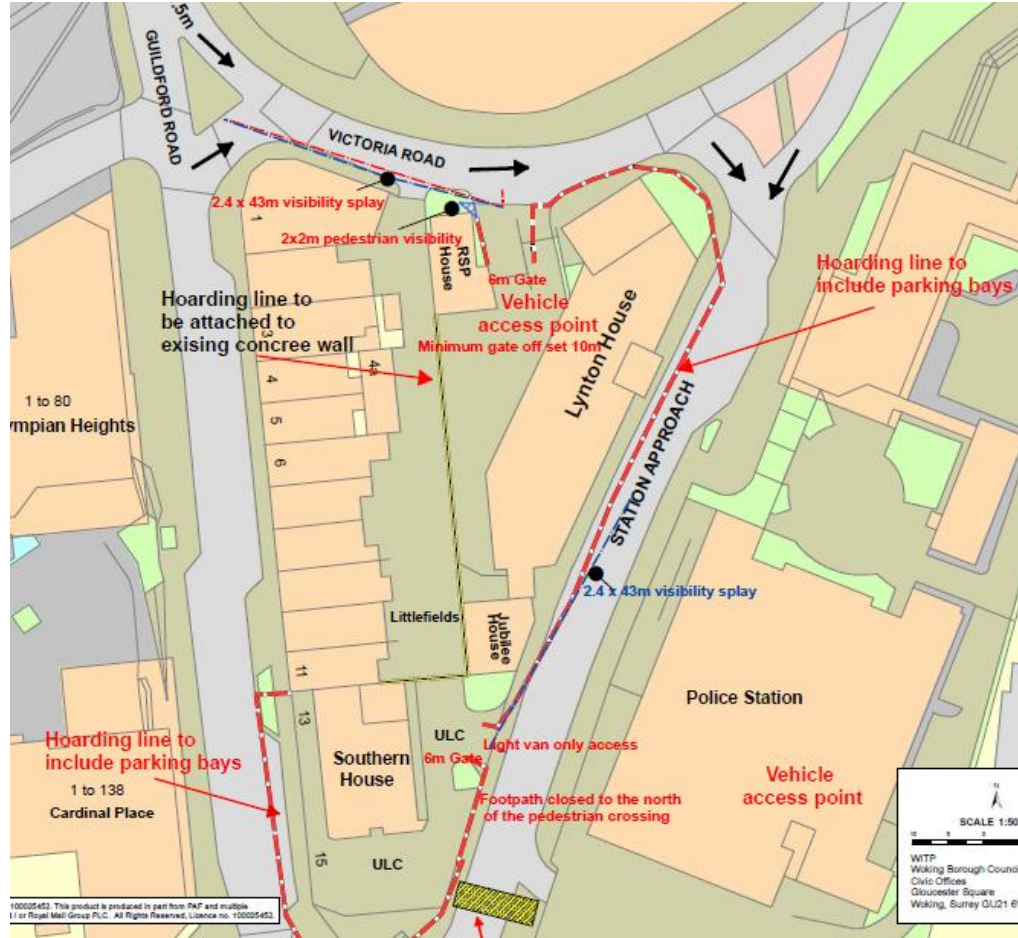
Location Plan – PLAN/2020/0681



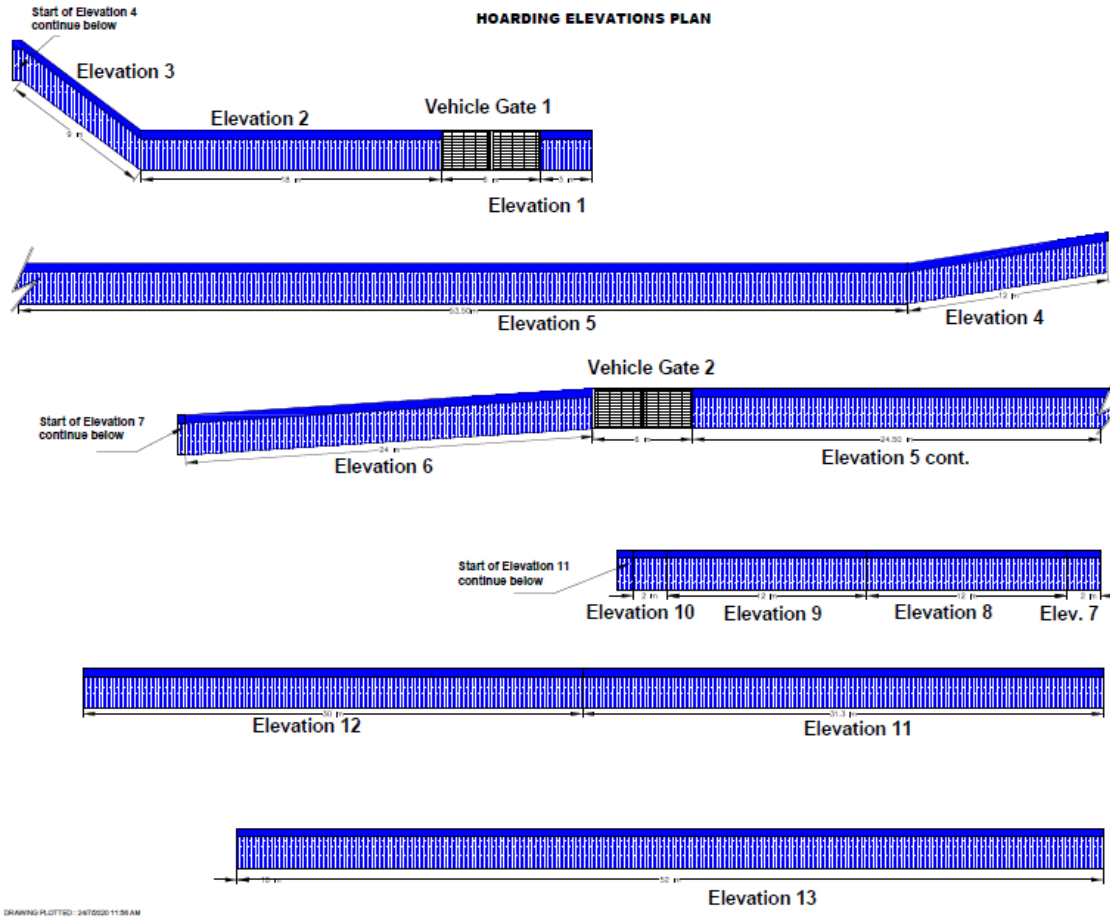
Block Plan – PLAN/2020/0681



Block Plan – PLAN/2020/0681



Elevations – PLAN/2020/0681



Photographs – PLAN/2020/0681



Photographs – PLAN/2020/0681



Triangle Of Land Between Guildford Road, Victoria Road And Station Approach, Guildford Road, Woking

PLAN/2020/0543

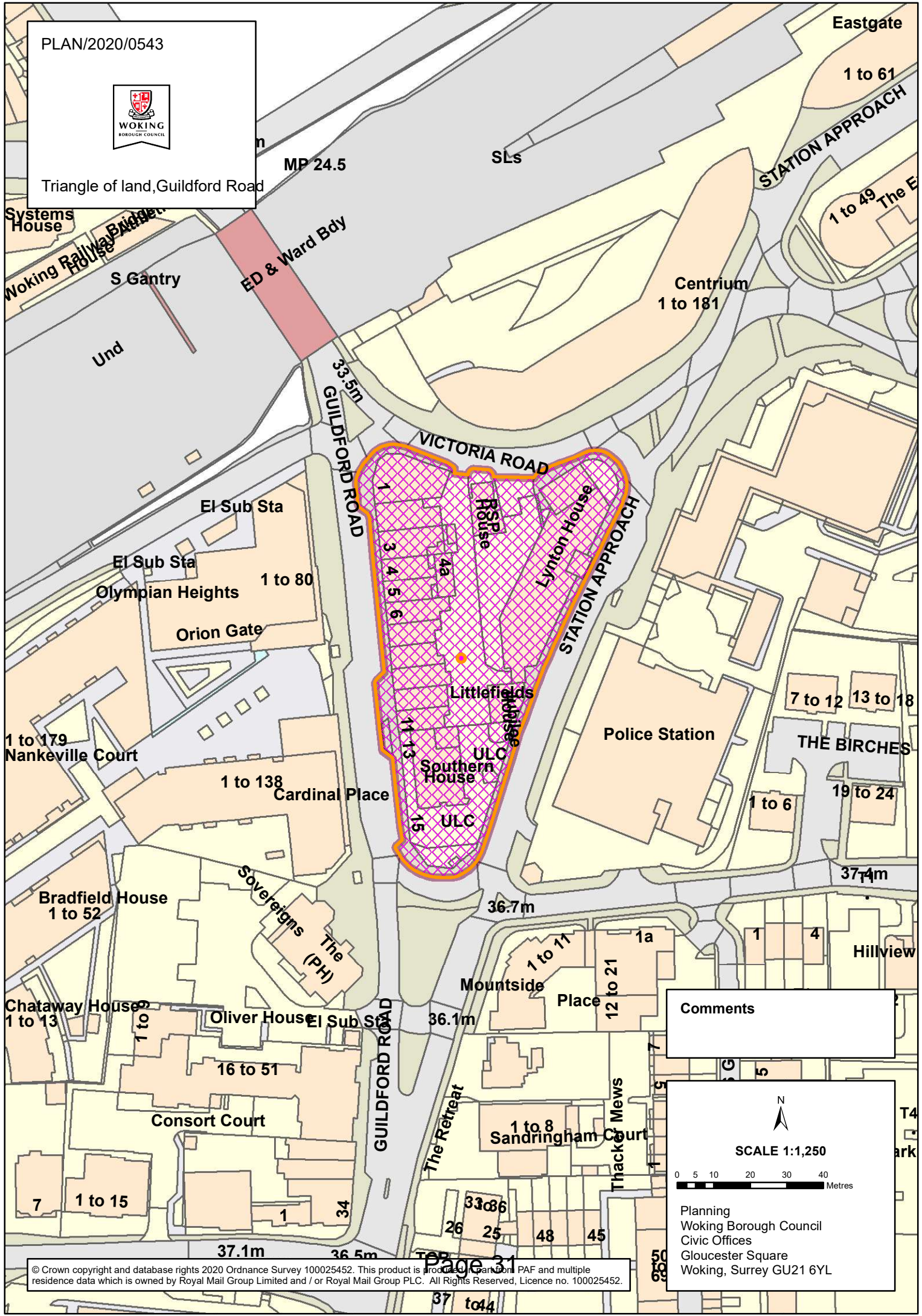
Advertisement Consent to display non-illuminated advertisements on site hoarding.




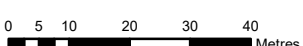
PLAN/2020/0543



Triangle of land, Guildford Road



Comments


SCALE 1:1,250

 Planning
 Woking Borough Council
 Civic Offices
 Gloucester Square
 Woking, Surrey GU21 6YL

6B PLAN/2020/0543

WARD: MH

LOCATION: Triangle of Land between Guildford Road, Victoria Road and Station Approach, Guildford Road, Woking, Surrey, GU22 7PX

PROPOSAL: Advertisement Consent to display non-illuminated advertisements on site hoarding.

APPLICANT: Mrs Louisa Calam

OFFICER: David Raper

REASON FOR REFERRAL TO COMMITTEE:

The application is referred to Committee as the applicant is employed by Woking Borough Council.

SUMMARY OF PROPOSED DEVELOPMENT

The proposal seeks Advertisement Consent to display non-illuminated advertisements on site hoarding.

PLANNING STATUS

- Urban Area
- Woking Town Centre
- Shopping Parade
- Major Highway Improvement Scheme
- Thames Basin Heaths SPA ZoneB (400m-5km)

RECOMMENDATION

GRANT Advertisement Consent.

SITE DESCRIPTION

The proposal site comprises part of a triangular shaped piece of land in Woking Town Centre which includes Lynton House, Jubilee House and Southern House which all date from the 1960s/1970s. The site is bounded by Guildford Road to the west, Station Approach to the east and Victoria Road to the north. The site forms part of an intended highways improvement project and Prior Approval has been deemed to be not required for the demolition of the buildings on the site.

RELEVANT PLANNING HISTORY

- PLAN/2020/0681 - Erection of hoarding to enclose site – Not yet determined
- PLAN/2020/0402 - Prior Approval for the demolition of Lynton House – Prior Approval not required 04/06/2020
- PLAN/2020/0178 - Prior Approval for the demolition of Southern House and Jubilee House – Prior Approval not required 18/03/2020

CONSULTATIONS

- **County Highway Authority:** No objection.

REPRESENTATIONS

None received.

RELEVANT PLANNING POLICIES

National Planning Policy Framework (NPPF) (2019):
Section 12 - Achieving well-designed places

Woking Development Management Policies DPD (2016):
DM18 - Advertising and Signs

Woking Borough Core Strategy (2012):
CS18 - Transport and Accessibility
CS21 - Design

Supplementary Planning Documents:
Woking Design (2015)

PLANNING ISSUES

1. The proposal is for Advertisement Consent and as such, the only issues for consideration are the potential impacts on amenity and public safety in accordance with The Town and Country Planning (Control of Advertisements) (England) Regulations (2007) (as amended).

Impact on Visual Amenity:

2. Policy DM18 'Advertising and Signs' of the Development Management Policies DPD (2016) states that "*proposals for outdoor advertising will be considered having regard to its effect on the: (i) appearance of the building or on the visual amenity in the immediate neighbourhood where it is displayed; and (ii) safe use and operation of any form of traffic or transport on land (such as pedestrians), on or over water, or in the air*" whilst Section 12 of the National Planning Policy Framework (2019) states that "*the quality and character of places can suffer when advertisements are poorly sited and designed*".
3. The proposal relates to advertisements in the form of non-illuminated graphics to be applied to site hoarding surrounding the site. The application is accompanied by example graphics of what is to be displayed which includes "WeAreWoking" branding with white text against a predominately black background with elements of colour. The advertisements would add colour and interest to otherwise blank site hoarding in a prominent town centre location. The adverts are considered consistent with the mixed character of the surrounding area and are considered visually acceptable.
4. The proposed advertisements are therefore considered to have an acceptable impact on the visual amenities of the area.

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Impact on Neighbouring Amenity:

5. There are no residential neighbours in close proximity to the proposed advertisements which would be unduly impacted upon by the proposal and no illumination is proposed. The proposal is therefore considered to have an acceptable impact on neighbouring amenity.

Impact on Public Safety:

6. The advertisements would be non-illuminated and would be viewed in the context of the variety of other advertisements in the area. The County Highway Authority raises no objection on highway safety grounds. The proposal is therefore considered to have an acceptable impact on public safety.

CONCLUSION

7. The advertisements are considered to have an acceptable impact on visual and neighbouring amenity and on public safety. The proposal therefore accords with Woking Core Strategy (2012) policies CS18 and CS21, Woking DMP DPD (2016) policy DM18, the Woking Design SPD (2015) and the NPPF (2019) and is recommended for approval.

BACKGROUND PAPERS

1. Site visit photographs
2. Consultation responses
3. General Site Notice

RECOMMENDATION

Grant Advertisement Consent subject to the following conditions:

01. This consent shall be limited to a five year period from the date of the permission.

Reason: To accord with the requirements of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

02. Any advertisement displayed and any site used for the display of advertisements, shall be maintained in a clean and tidy condition to the reasonable satisfaction of the Local Planning Authority.

Any hoarding or similar structure, or any sign, placard, board or device erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition.

Where any advertisement is required under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 to be removed, the removal thereof shall be carried out to the reasonable satisfaction of the Local Planning Authority.

No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.

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No advertisement shall be sited or displayed so as to obscure or hinder the ready interpretation of any road traffic sign, railway signal or aid to navigation by water or air, or so as otherwise to render hazardous the use of any highway, railway, waterway (including any coastal waters) or aerodrome (civil or military)

Reason: To comply with Schedule 2 Regulation 2(1) of the Town and Country Planning (Control of Advertisements) Regulations 2007 and Policies CS21 and CS24 of the Woking Core Strategy 2012

03. The development hereby permitted shall be carried out in accordance with the approved plans numbered:

Unnumbered plan named 'Hoarding line phase One' showing a Location Plan received by the LPA on 24/07/2020

Unnumbered plan named 'Hoarding line phase One' showing a Block Plan received by the LPA on 24/07/2020

Drawing numbered 22072020 named 'Guildford Road Hoarding plan' received by the LPA on 24/07/2020

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

Informatives

01. The Council confirms that in assessing this planning application it has worked with the applicant in a positive and proactive way, in line with the requirements of the National Planning Policy Framework (2019).
02. The permission hereby granted shall not be construed as authority to carry out any works on the highway. The applicant is advised that prior approval must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, or verge to form a vehicle crossover to install dropped kerbs.
03. Notwithstanding any permission granted under the Planning Acts, no signs, devices or other apparatus may be erected within the limits of the highway without the express approval of the Highway Authority.



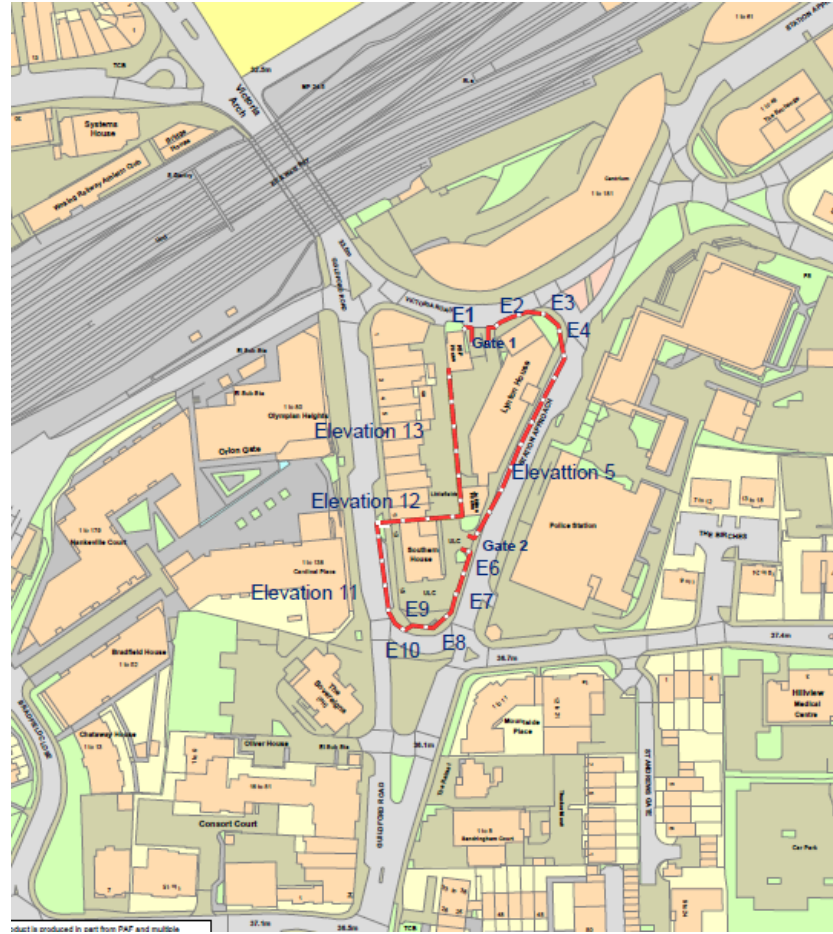
ITEM 6b – PLAN/2020/0543

Triangle Of Land Between Guildford Road, Victoria Road And Station Approach, Guildford Road, Woking

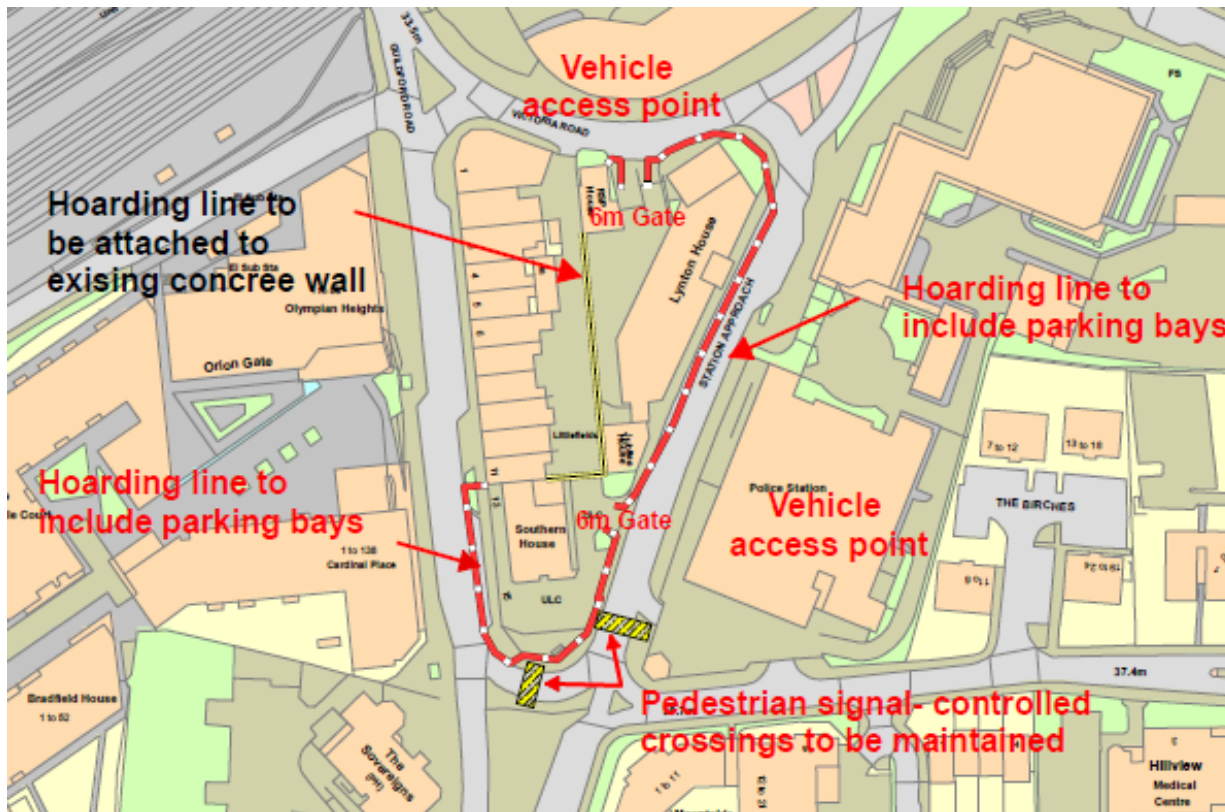
Advertisement Consent to display non-illuminated advertisements on
site hoarding.

Page 37

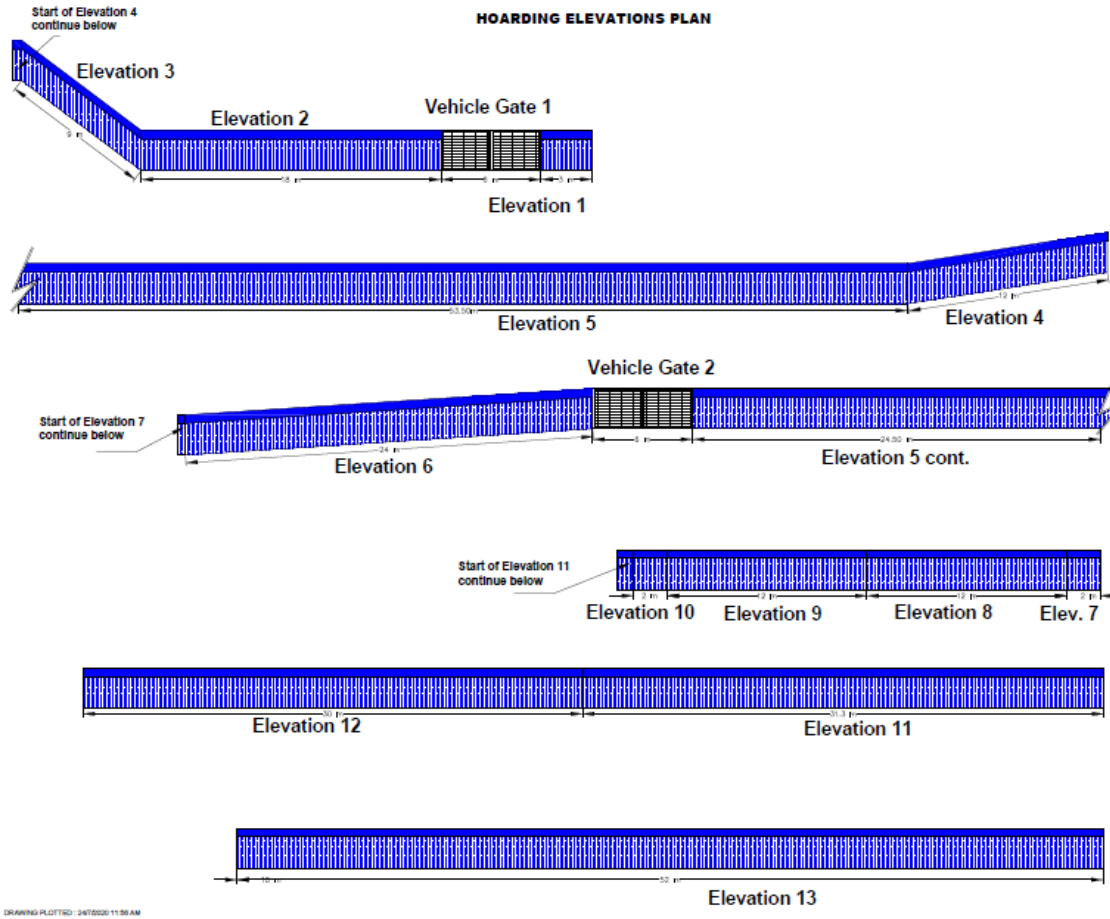
Location Plan – PLAN/2020/0543



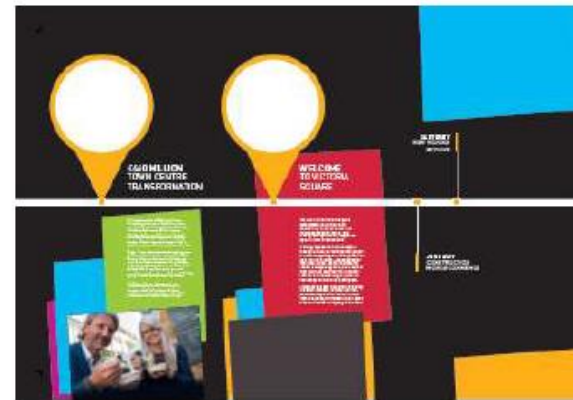
Block Plan – PLAN/2020/0543



Elevations – PLAN/2020/0543



Example Designs – PLAN/2020/0543



Photographs – PLAN/2020/0543



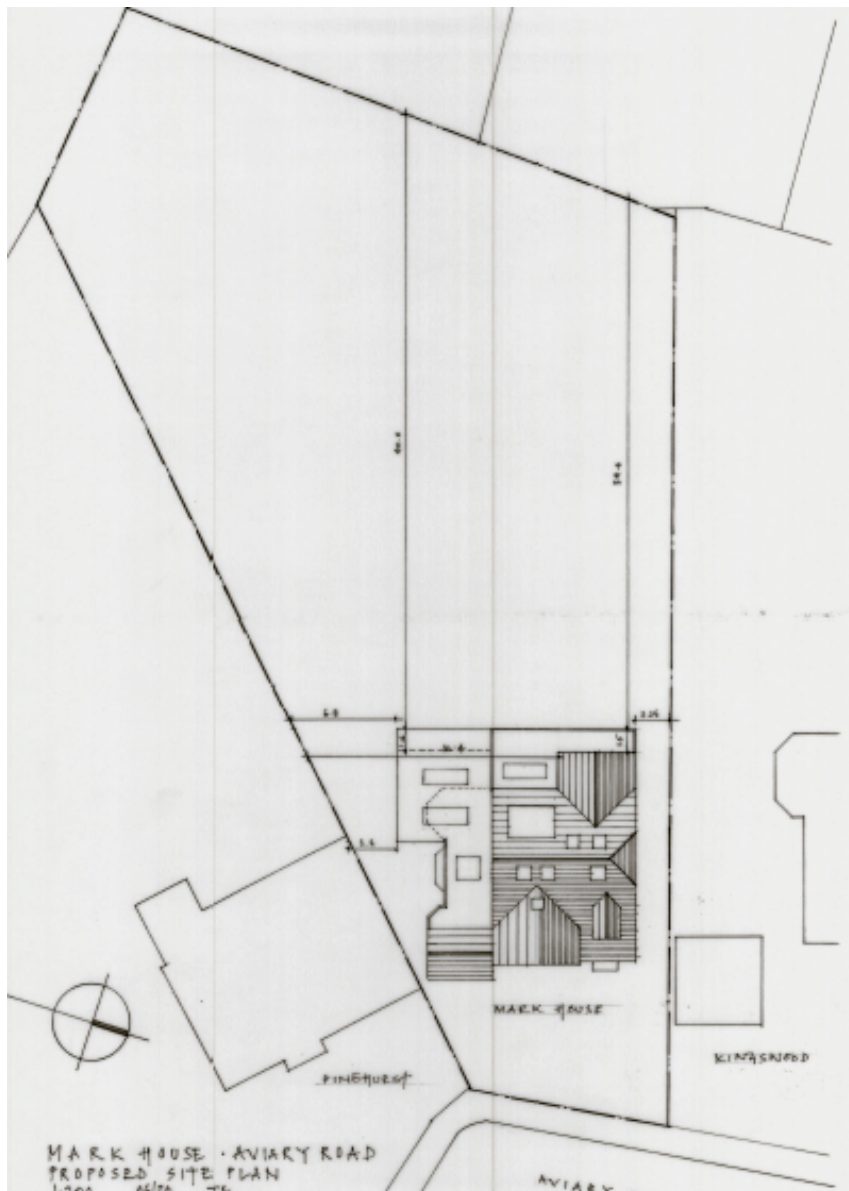
Photographs – PLAN/2020/0543



Mark House, Aviary Road, Pyrford, Woking

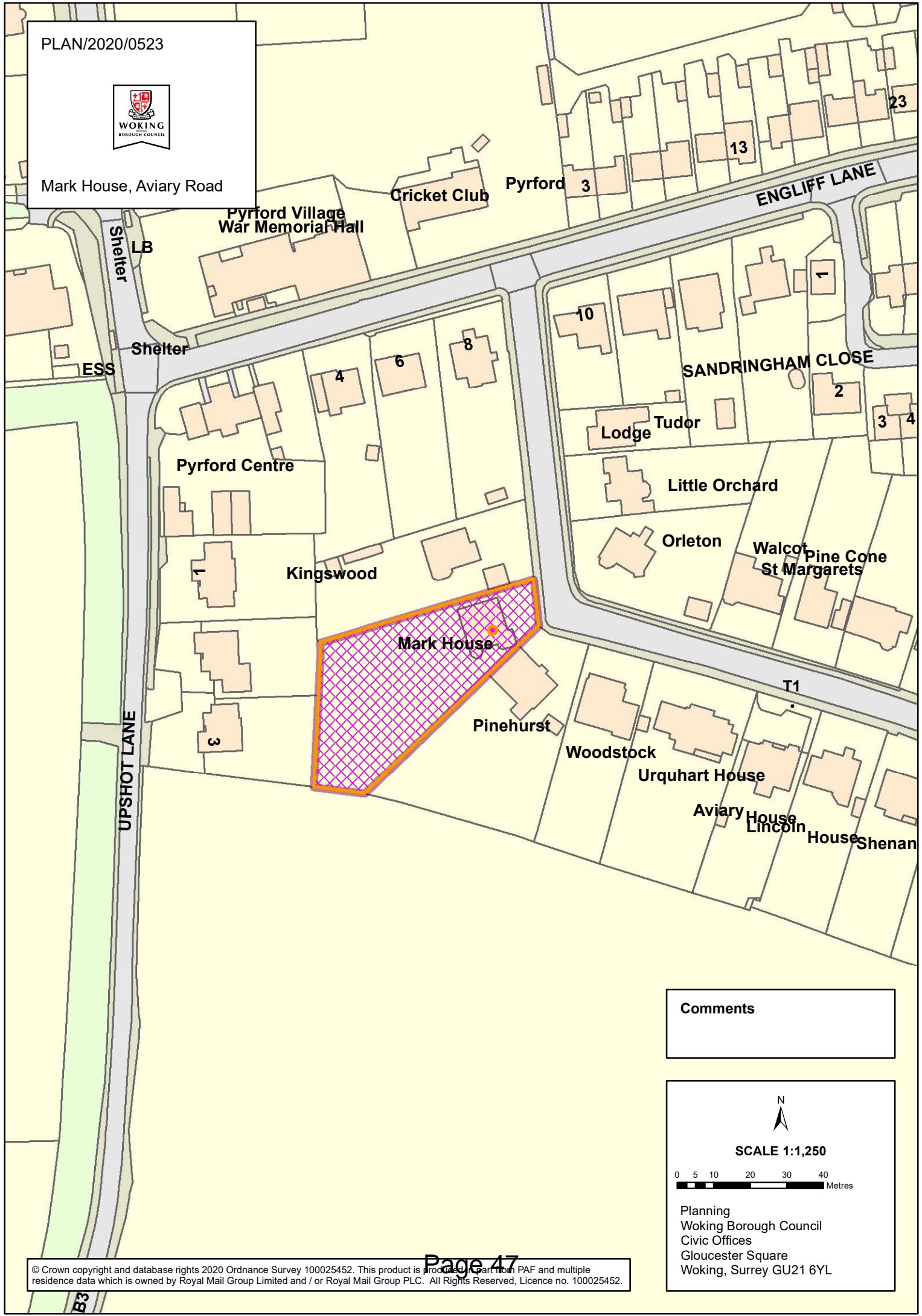
PLAN/2020/0523

Erection of a part single and part two storey rear extension following the demolition of existing rear conservatory. Alterations to the main roof to include a rear dormer and 2no. rooflights to the rear and 3no. rooflights to the front to facilitate the conversion of the loft into habitable accommodation.





Mark House, Aviary Road



Comments

N

SCALE 1:1,250

0 5 10 20 30 40 Metres

Planning
Woking Borough Council
Civic Offices
Gloucester Square
Woking, Surrey GU21 6YL

8 SEPTEMBER 2020 PLANNING COMMITTEE

6c PLAN/2020/0523

WARD: PY

LOCATION: Mark House, Aviary Road, Pyrford, Woking, Surrey, GU22 8TH

PROPOSAL: Erection of a part single and part two storey rear extension following the demolition of existing rear conservatory. Alterations to the main roof to include a rear dormer and 2no. rooflights to the rear and 3no. rooflights to the front to facilitate the conversion of the loft into habitable accommodation.

APPLICANT: Mr and Mrs Ben and Emily Young

OFFICER: Barry Curran

REASON FOR REFERRAL TO COMMITTEE

The proposal has been called to Planning Committee at the request of Cllr Graham Chrystie.

SUMMARY OF PROPOSED DEVELOPMENT

Planning consent is sought for the erection of a single storey part two storey side and rear extension along following demolition of the existing conservatory, extend the ridge of the existing roof and installation of a rear roof dormers and front and rear roof lights to facilitate a loft conversion.

PLANNING STATUS

- Urban Area
- Conservation Area
- Thames Basin Heaths SPA Zone B (400m-5km)

RECOMMENDATION

That planning permission be APPROVED.

SITE DESCRIPTION

The application site is located on the south-western side of Aviary Road and includes a two storey detached dwelling constructed of painted render and red brick under a slate tiled roof. The property is situated within the Aviary Road Conservation Area and benefits from a generous plot which stretches westwards with a substantial rear garden. The boundaries enclosing the rear garden consist of dense hedging measuring approximately 3 metres in height along the southern boundary with a mix of 2 metre high close timber board fencing and hedging along the northern boundary.

PLANNING HISTORY

PLAN/2019/1034 - Proposed single storey side and rear extension following demolition of the existing conservatory, roof extension and creation of 2no rear dormers and 3No front rooflights to facilitate a loft conversion (Amended Description) – Permitted 21.02.20

8 SEPTEMBER 2020 PLANNING COMMITTEE

PLAN/1989/0670 - Erection of a single storey side extension to provide garage, conservatory and extension to lounge – Permitted 26.09.1989

PROPOSED DEVELOPMENT

Planning consent is sought for the erection of a single storey part two storey side and rear extension along following demolition of the existing conservatory, extend the ridge of the existing roof and installation of a rear roof dormers and front and rear roof lights to facilitate a loft conversion.

CONSULTATIONS

Pyrford Neighbourhood Forum: No comments raised

Conservation Officer: No adverse comments to make (29.06.20)

REPRESENTATIONS

There has been 1 no third party letter of objection received in relation to the proposed development. The concerns raised in this letter are summarised as follows:

- Significant loss of daylight and sunlight to main habitable room windows in the southern side of Kingswood as a result of the rear additions and roof extension
- Submitted plans does not give sufficient information demonstrating windows on neighbouring properties (Officer Note: a site visit was carried out on 23rd July 2020 where a full perspective of neighbouring properties and window positions was gained)
- Overlooking or the perception of overlooking and loss of privacy from the proposed northern side second floor en-suite window
- Additional bulk and mass from the rear addition and roof extension would lead to an overbearing impact on Kingswood
- Concern over the design of the additions and front and rear roof lights which would result in an imbalance and cluttered appearance.

RELEVANT PLANNING POLICIES

National Planning Policy Framework

Section 12

Section 16

Woking Borough Core Strategy/Phase

CS20 – Heritage and conservation

CS21 - Design

Development Management Documents DPD 2016

DM20 – Heritage Assets and their Settings

Pyrford Neighbourhood Plan 2016

Policy BE 1

Policy BE 3

Supplementary Planning Documents

SPD - Outlook, Amenity, Privacy and Daylight

SPD – Design

PLANNING ISSUES

1. The planning issues that need to be addressed in the determination of this application are; whether the proposed addition would be detrimental to the character of the dwelling or character of the Conservation Area and whether the proposed side and rear and roof additions would cause harm to the amenities enjoyed by neighbours.

Impact on Existing Dwelling/Character of the Conservation Area

2. It is proposed to demolish the existing rear conservatory which measures approximately 5 metres in width and 4 metres in depth and stems off the southern and western elevations. The replacement extension will stand on the footprint of this existing addition measuring 6.4 metres in width and 7.7 metres in total depth projecting approximately 4 metres beyond the predominant rear elevation. The proposal would include a flat roof across the primary mass of the addition with two central lanterns standing at a total height of 3.4 metres from ground level. At 8.3 metres in height, the proposed two storey element would be set out as subordinate set down 1.7 metres below the ridge line of the host dwelling adopting a dual pitched roof so as to sympathize with the existing roof form.
3. Whilst the proposed extension is considered to constitute a sizeable addition, it would remain subordinate to the main building and one which adopts a subservient form and design and respects the established character of the host building. Sited within grounds which can accommodate it with ease, the extension is not seen to significantly reduce the level of amenity available and would retain a suitable gap of between 2.7 and 6.5 metres to the shared boundary. Given this, the extension is not considered to be of detriment to the character of the existing dwelling.
4. As part of the development it is proposed to increase the length of the existing ridge line and extent it northwards. The extension would measure approximately 1.3 metres and increase the level of bulk of the roof on the northern side elevation whilst retaining the half-hipped roof form and front cat-slide which appears to be an established characteristic of this part of the area. This addition would be largely indiscernible from the existing dwelling and would not result in any further increase in the footprint whilst a small reduction in the level of roof and increase to the northern gable would occur. This addition is proposed to facilitate accommodation within the roof space with 2 rear box dormers and 3no front roof light proposed. The proposed rear dormers and front roof lights are considered to be acceptable in terms of its design and appearance on the original dwelling house and has been designed to sit within the centre of the roof slope and retain adequate separations to the eaves level. 3no roof lights are proposed on the front roof slope and although, not a characteristic which is prevalent along Aviary Road, they are considered to be suitably placed and sized so as not to materially harm the dwelling's established character remaining proportionate to the roof.
5. The proposed rear extension will replace an existing rear addition spanning across an area of hard-standing utilised as a patio area. With the adoption of complimentary materials and a design in keeping with the character of the main dwelling which, although larger, is considered to be a more sympathetic

8 SEPTEMBER 2020 PLANNING COMMITTEE

addition to the dwelling. Further to this, the proposed roof additions including the extension of the ridge line, rear roof dormers and front roof lights are considered to respect the character of the dwelling in protecting the defining architectural features and thereby, in turn, preserving the character of the Conservation Area. Notwithstanding this, the dwellings along Aviary Road are positioned along a relatively consistent building line with views into the rear of the property prohibited from the public domain thereby limiting the exposure of the proposed rear dormers and rear addition. Nevertheless, the proposed extensions are considered subordinate and are considered to preserve the character of the dwelling and in turn the character of the surrounding Conservation Area adhering to provisions outlined in the National Planning Policy Framework, Policies CS20 and CS21 of the Woking Core Strategy 2012, Policy DM20 of the Development Management Policies DPD 2016, Policy BE1 and BE3 of the Pyrford Neighbourhood Plan 2016 and Supplementary Planning Document 'Design' 2015.

Impact on Neighbour Amenities

6. The application dwelling is bound to the North and south-east by dwellings along a similar building line on Aviary Road in line with the highway. The proposed additions will be assessed against these neighbours accordingly.
7. The proposed addition will wrap around the side and rear elevations with the two storey element extending the northern side elevation by approximately 2.5 metres. Policy BE3 of the Pyrford Neighbourhood Plan 2016 notes that developments must respect *"the separation between buildings, and between buildings and the site boundaries, in relation to likely impact on the privacy and amenity of neighbouring properties"*. Whilst the extension will increase the level of bulk and mass along this elevation, it would remain 2.3 metres off the shared boundary and would not extend back beyond the rear elevation of the neighbouring Kingswood formed by the single storey side and rear wrap around. It is also acknowledged that the extension to the roof will increase the level of roof scape and amount of gable on the northern side elevation but this too would remain at least 2.3 metres off the shared boundary.
8. A number of habitable room windows are located on the southern flank elevation of Kingswood including a bedroom, lounge and garden room/study. This is apparently due to the orientation of the dwelling coupled with the heavily vegetated nature of the land on the northern side. Kingswood is set between 6.8 - 8.8 metres off the shared boundary which in turn results in a respective 9 and 11 metres gap between it and the application dwelling. It is proposed to construct a part two storey part single storey rear addition which will extend the northern flank elevation by 4 metres at single storey level and 2.5 metres at two storey level. The addition has been designed around the host dwelling and incorporates a lower ridge line at 8.4 metres with an eaves level of 5.4 metres in height. This sets the addition out as subordinate and approximately 1.7 metres lower than the current ridge line. A roof extension is also proposed which would retain the current hip but would extend it by approximately 0.8 metres.
9. A bedroom and en-suite is currently served by two first floor windows in the southern elevation of Kingswood. The main bedroom is subjected to views of the flank wall of the current dwelling considering its positioning directly opposite it. This is a similar situation for the ground floor lounge which includes a window directly below this bedroom window. It is quite unusual

8 SEPTEMBER 2020 PLANNING COMMITTEE

when a layout includes the main habitable room windows located in the flank elevation particularly when it appears that both Kingswood and Mark House were constructed around the same period. Further to this, the single storey side and rear addition as erected on Kingswood under PLAN/1991/0868 resulted in a garden room/study sited 6.8 metres off the shared boundary.

10. Policy CS21 of the Woking Core Strategy 2012 requires development proposals to *“achieve a satisfactory relationship to adjoining properties avoiding significant harmful impact in terms of loss of privacy, daylight or sunlight, or an overbearing effect due to bulk, proximity or outlook”*. It is acknowledged that the proposed extension would increase the level of bulk and mass opposite these habitable room windows in Kingswood but it also has to be borne in mind that these windows are located between 9 and 11 metres opposite the flank elevation. A way of determining whether a development would have a significant impact on the living conditions on a neighbouring property, with particular reference to daylight, is to apply the 25° test as per the Council’s Supplementary Planning Document ‘Outlook, Amenity, Privacy and Daylight’ 2008 section 6. This test has been applied to the first floor window which passes given the significant gap between properties, indicating that no significant loss of light would occur to this room. The same test is applied to the ground floor lounge which does not pass but it is a material consideration that this window would not pass under the current layout. The proposal results in additional mass but not to a level which would completely alter the outlook from this room. In fact, if we were to apply the 25° test to this lounge window to the proposed rear addition (this hasn’t been carried out as the lounge window is opposite the flank wall rather than the addition) then it would pass considering the lowered ridge line of the two storey addition.
11. The 25° test has been applied to the garden room/study window opposite the application dwelling which, considering its shorter separation distance would not pass. Notwithstanding this, this addition is served by a number of other windows on the rear and south-western elevation which would provide a level of light to this room which would be sufficient. Further to this, the objection letter states that significant harm would occur to this habitable space within the garden room/study as a result of the proposal. It is evident from floor plans relating to PLAN/1991/0868 that this room is an addition to the dwelling and it has to be noted that additions carried out on properties should not stifle development on neighbouring properties which may otherwise be considered acceptable.
12. Concern has been raised in relation to how the addition will significantly change the outlook from these windows. It is acknowledged that the additions will alter the outlook from Kingswood. It also has to be borne in mind that protection of views out over third party land are not protected and are not considered a material planning consideration unless the proposed development would detrimentally reduce light or cause an overbearing impact. It has been established in the previous paragraph that the 25° test for access to light as per the Council’s SPD on Outlook has been applied to the first floor bedroom and ground floor lounge and is considered to be acceptable. Section 3.1 of the Supplementary Planning Document ‘Outlook, Amenity, Privacy and Daylight’ 2008 states that the protection of one’s particular view from a property is not considered as a material planning consideration and, as such, loss of these views is not something by which a refusal could be substantiated.

8 SEPTEMBER 2020 PLANNING COMMITTEE

13. A second floor side elevation window is proposed in the flank elevation to serve an en-suite bathroom at loft level. Concern has been raised on the insertion of this window which could lead to the perception of overlooking from this window into habitable room windows in Kingswood. It has to be noted that the flank elevation of Kingswood is set almost directly opposite the flank elevation of the application dwelling. Under the current layout a first floor northern side window serving a bedroom within Mark House provides views over the southern flank elevation of Kingswood. There is an existing relationship evident with habitable room windows in both properties sited directly opposite each other. The proposed second floor window is a single pane window and proposed to serve an en-suite bathroom. Given the space it is to serve, it is considered reasonable to assume that no significant loss of privacy or perceived loss of privacy would occur as a result on the installation of this window. It is also considered reasonable to attach a condition to ensure this window is non-opening below 1.7 metres of floor level and obscurely glazed (Condition 4).
14. Given the above, it is considered that the proposals, by way of their positioning and modest size, will not have a significantly harmful impact on the amenities enjoyed by the occupiers of Kingswood in terms of loss of light, overbearing or loss of privacy.
15. Pinehurst is sited to the south-east of the application site and adopts a slightly tapered relationship to the application dwelling where they splay away from each other towards the rear. The proposal will replace the existing addition with an increase of approximately 4 metres in depth. Whilst this represents a sizable increase in the depth of the addition, a minimum gap of 2.7 metres is retained between the addition and shared boundary and increases to approximately 6.5 metres towards the rear of the addition.
16. The Council's Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight' 2008 recommend a separation distance of at least 1 metre between built structure and boundary which is satisfied in this case. Further to this, the existing boundary treatment along this shared boundary consists of 3 metres high hedging which provides a natural concealment to the proposed extension thereby mitigating any potential impacts associated with the proposal in terms of loss of light or overbearing impact. The proposed rear dormers would provide views out over the rear garden of the application dwelling and given the splayed relationship between sites, would not result in any views over the amenity space of Pinehurst above or beyond the existing views offered from the first floor windows.
17. From the above points, the proposed replacement extension is considered to comply with guidance outlined in the National Planning Policy Framework, Policy CS21 of the Woking Core Strategy 2012, Policy BE3 of the Pyrford Neighbourhood Plan 2016 and Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight' 2008.

Highways and Parking Implications

18. Supplementary Planning Document 'Parking Standards' 2018 recommends a minimum of 3 parking spaces per dwelling of 4 or more bedrooms. A large area of hardstanding as well as an integral garage are existing elements on

8 SEPTEMBER 2020 PLANNING COMMITTEE

site which provide on-site parking capable of meeting the minimum requirements of the SPD.

19. The 'Parking Standards' SPD 2018 also sets out cycle parking standards of 2 cycle spaces per dwelling. There is considered to be sufficient space within the garage to provide secure cycle parking to serve the replacement dwelling.
20. The proposal therefore accords with Policy CS18 of the Woking Core Strategy 2012, Supplementary Planning Document 'Parking Standards' 2018 and provisions set out in the National Planning Policy Framework.

Conclusion

21. The proposed development has been assessed against its impact on the character of the existing dwelling and the character of the surrounding Conservation Area and is considered to result in adequately subservient features with no material harm on the host dwelling and would preserve the character of the surrounding Conservation Area. The impact of the extensions and roof additions have been assessed against the impact of adjacent neighbours and are not considered to result in a level of detrimental harm by which a recommendation for refusal could be substantiated.
22. As such the development is considered to adhere to provisions outlined in the National Planning Policy Framework, Policies CS20 and CS21 of the Woking Core Strategy 2012, Policy DM20 of the Development Management Policies DPD 2016, Policies BE1 and BE3 of the Pyrford Neighbourhood Plan 2016 and Supplementary Planning Documents 'Outlook, Amenity, Privacy and Daylight' 2008 and 'Design' 2015 and is accordingly recommended for approval subject to the attached conditions.

BACKGROUND PAPERS

1. Site visit photographs.
2. 1no third party letter of objection

RECOMMENDATION

It is recommended that planning permission be Granted subject to the following Conditions:

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

Reason:

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

2. The materials to be used in the construction of the external surfaces of the extension hereby approved shall match those outlined in the submitted application form.

8 SEPTEMBER 2020 PLANNING COMMITTEE

Reason:

To ensure that the development protects the visual amenities of the area.

3. The development hereby permitted shall be carried out in accordance with approved plan;

Proposed Site Plan (Received 18.06.20)
Drawing No. 2123/P/02.C
Drawing No. 2123/P/01.A
Drawing No. 2123/E/01.B

Reason:

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

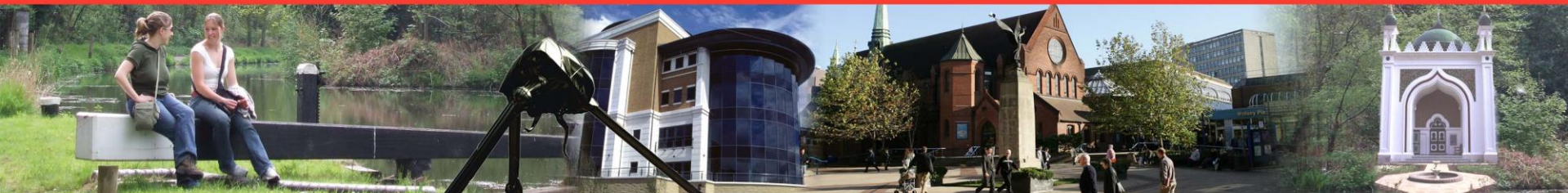
4. The window in the second floor northern elevation hereby permitted shall be glazed entirely with obscure glass and non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed. Once installed the window shall be permanently retained in that condition unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To safeguard the amenities of the adjoining properties.

Informatives:

1. The Council confirms that in assessing this planning application it has worked with the applicant in a positive and proactive way, in line with the requirements of the National Planning Policy Framework 2019.
2. You are advised that Council officers may undertake inspections without prior warning to check compliance with approved plans and to establish that all planning conditions are being complied with in full. Inspections may be undertaken both during and after construction.



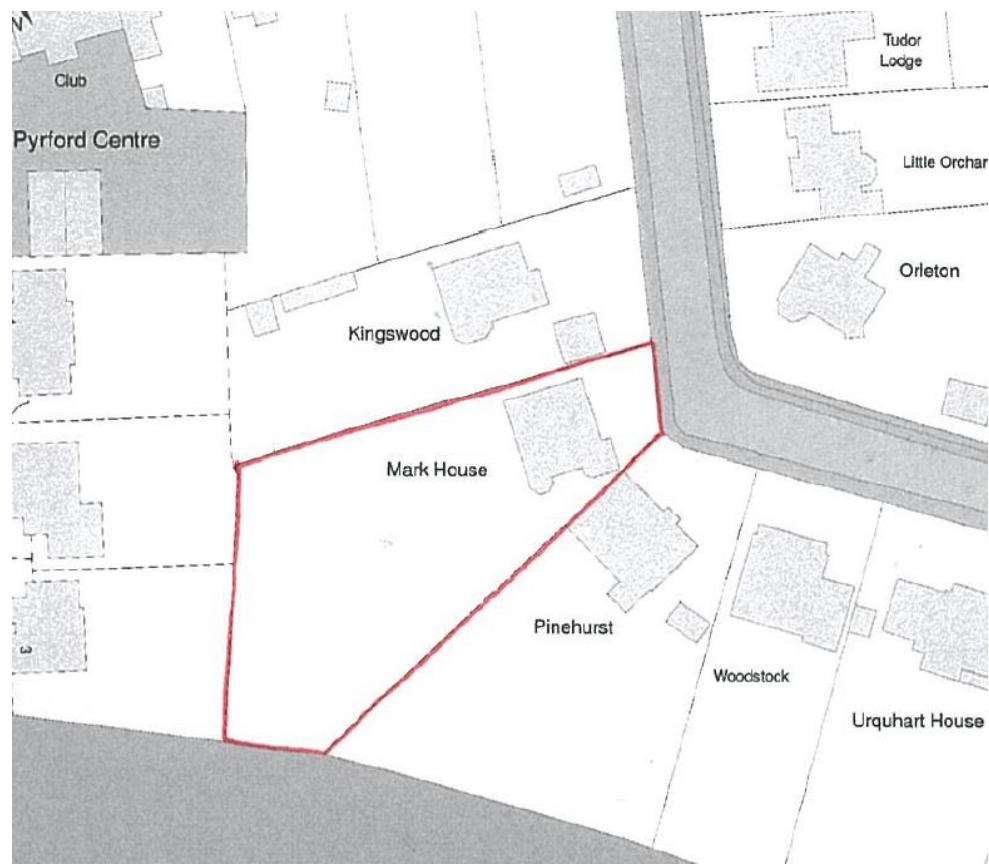
ITEM 6c – PLAN/2020/0523

Mark House, Aviary Road, Pyrford, Woking

Erection of a part single and part two storey rear extension following the demolition of existing rear conservatory. Alterations to the main roof to include a rear dormer and 2no. rooflights to the rear and 3no. rooflights to the front to facilitate the conversion of the loft into habitable accommodation.

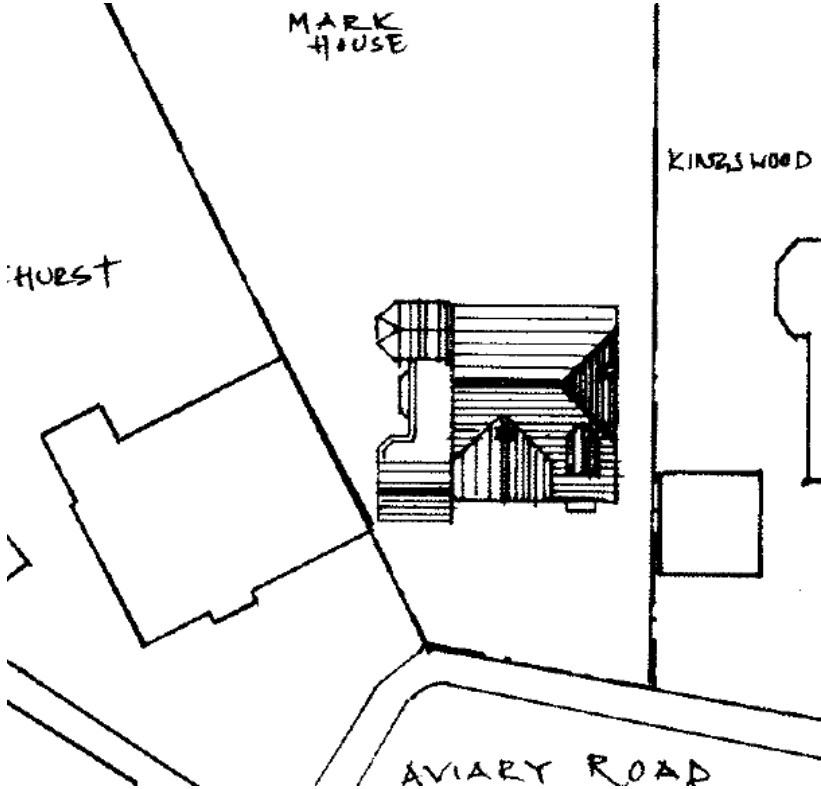
Page 57

Location Plan – PLAN/2020/0523

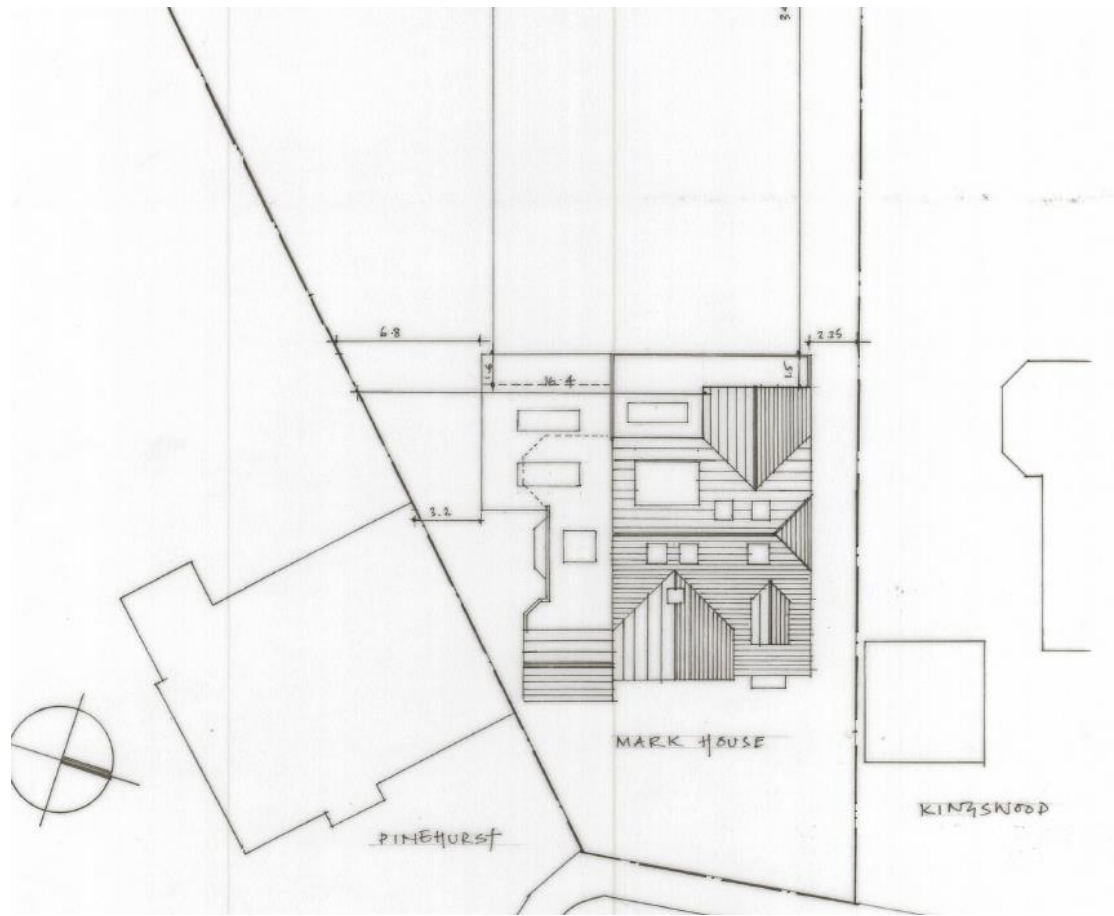


Existing Block Plan – PLAN/2020/0523

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Proposed Block Plan – PLAN/2020/0523



Site Photographs – PLAN/2020/0523

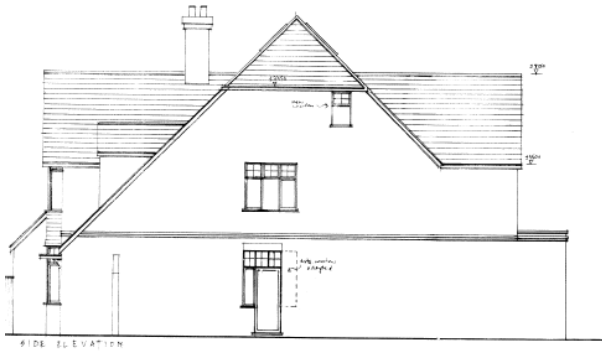


Existing Elevations – PLAN/2020/0523



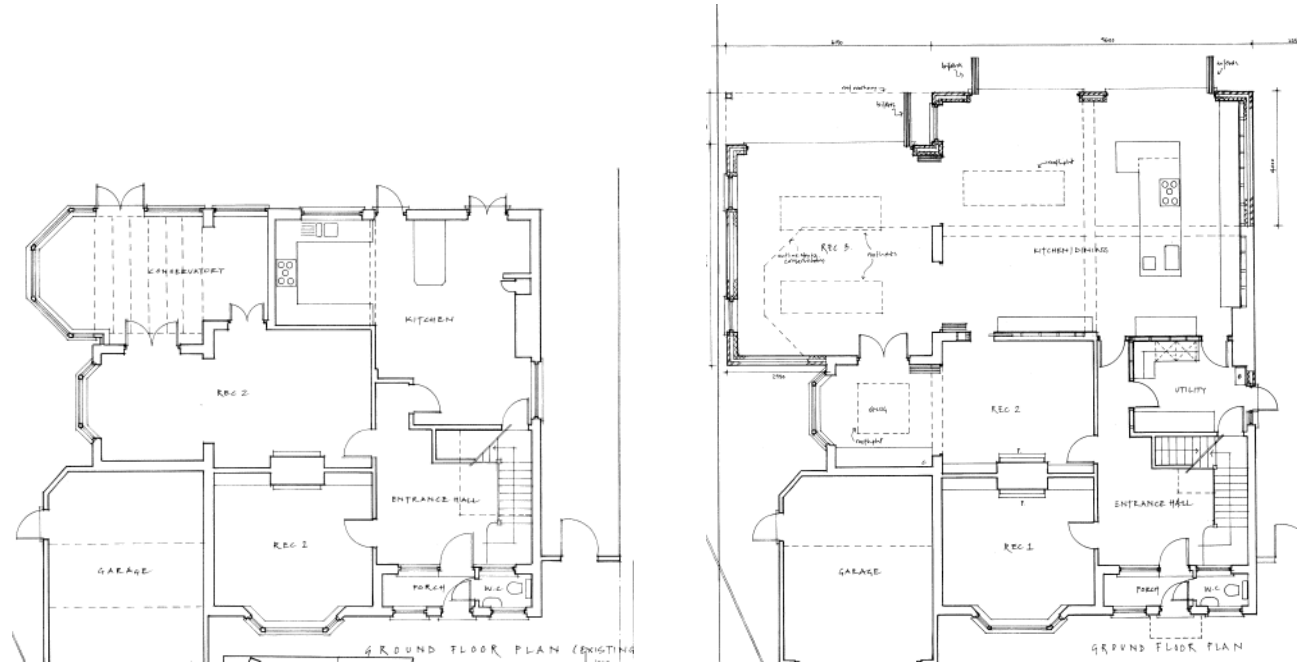
Proposed Elevations – PLAN/2020/0523

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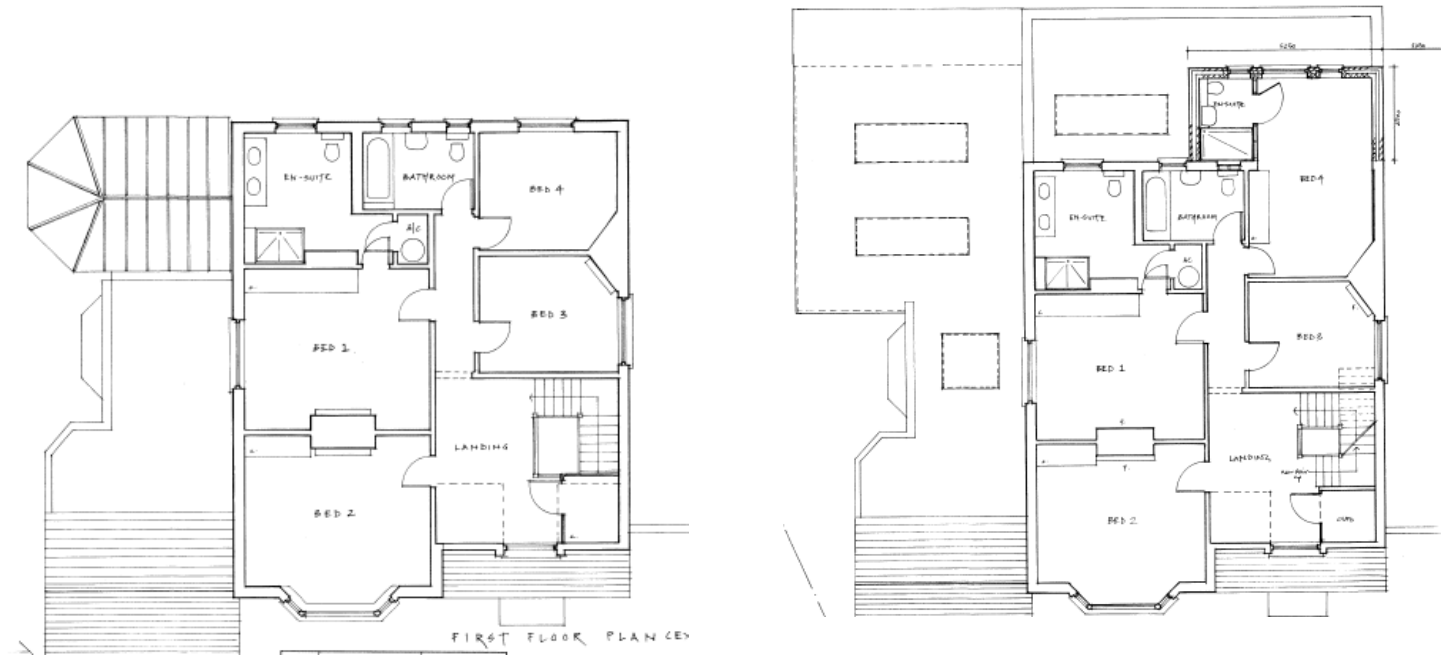
Existing and Proposed Ground Floor Plans – PLAN/2020/0523

Page 64

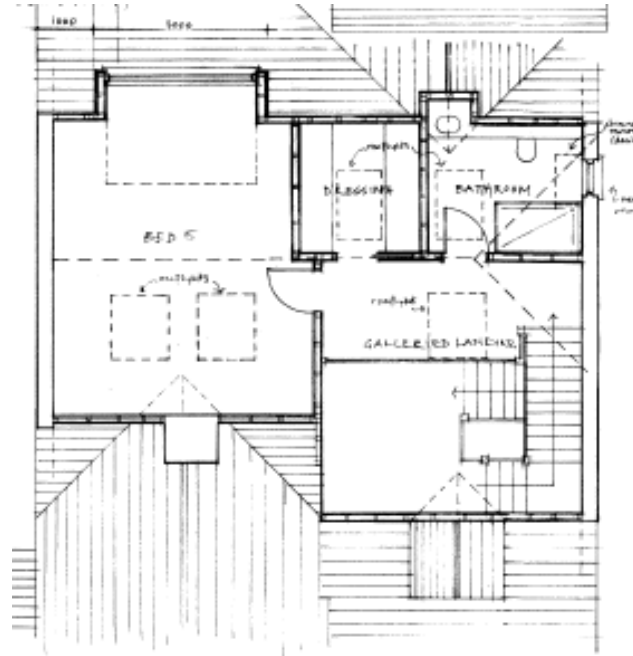


Existing and Proposed First Floor Plans – PLAN/2020/0523

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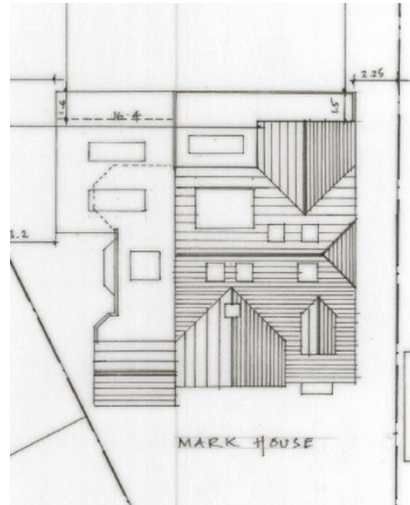
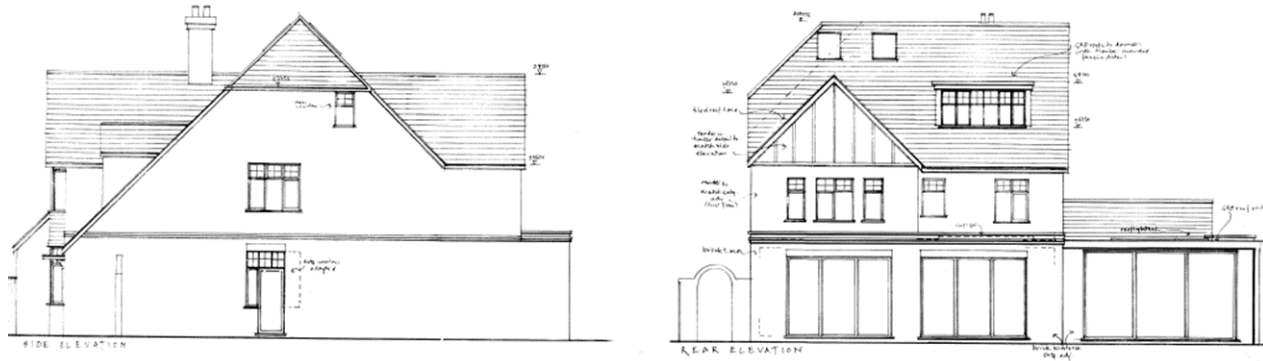
Proposed Loft Plans – PLAN/2020/0523



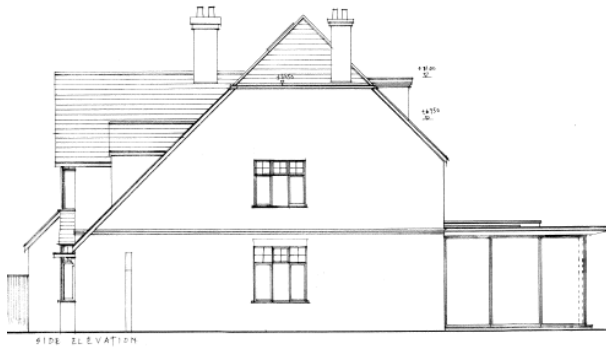
Site Photographs (Kingswood) – PLAN/2020/0523



Proposed Elevations – PLAN/2020/0523



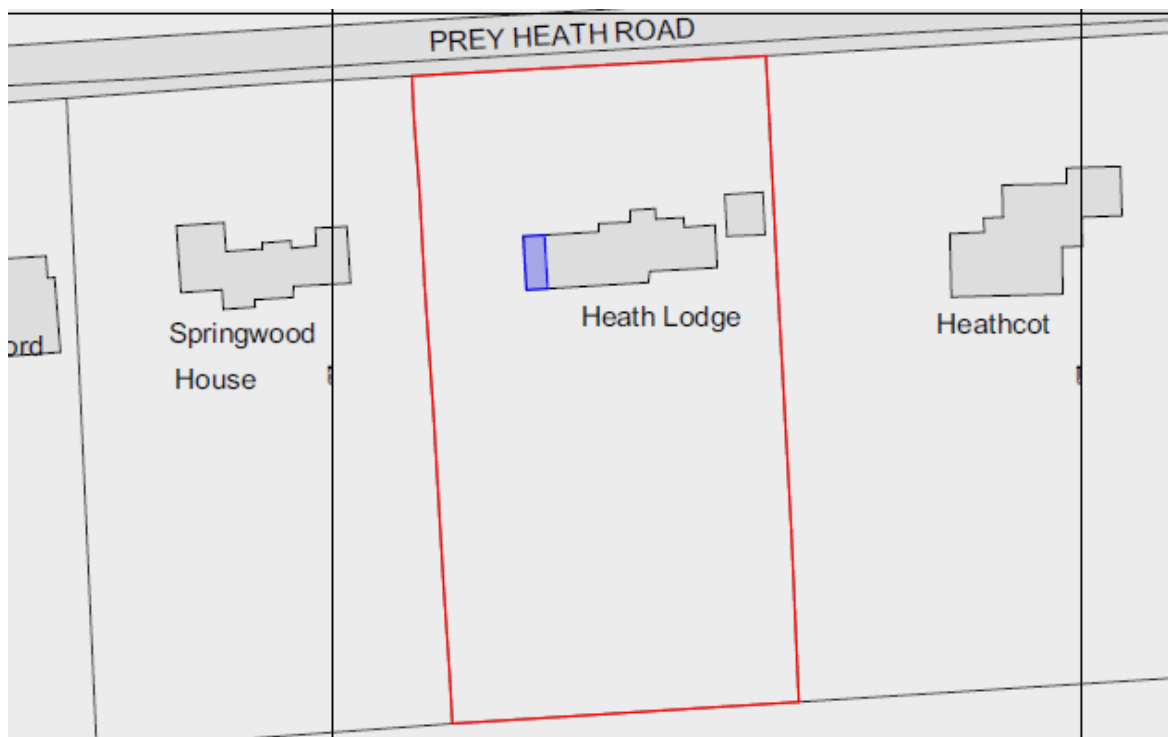
Extant Scheme – PLAN/2020/0523



Heath Lodge, Prey Heath Road, Mayford, Woking

PLAN/2020/0378

Erection of first floor extension to master bedroom.



PLAN/2020/0378



Heath Lodge, Prey Heath Road

Prey Heath
or
Pray Heath

PREY HEATH ROAD

Hemingford

Springwood
House

Heath Lodge

Heathcot

Rosneath

Elmcroft

Comments



SCALE 1:1,250

0 5 10 20 30 40
Metres

Planning
Woking Borough Council
Civic Offices
Gloucester Square
Woking, Surrey GU21 6YL

08 SEPTEMBER 2020 PLANNING COMMITTEE

6d PLAN/2020/0378

WARD: Heathlands

LOCATION: Heath Lodge, Prey Heath Road, Mayford, Woking, GU22 0RN

PROPOSAL: Erection of first floor extension to master bedroom.

APPLICANT: Mr Wiper

OFFICER: James Kidger

REASON FOR REFERRAL TO COMMITTEE

The application is brought before the Committee at the request of Councillor Ashall.

PROPOSED DEVELOPMENT

Planning permission is sought to erect a first floor extension to the west flank of the property.

PLANNING STATUS

- Green Belt

RECOMMENDATION

Refuse planning permission.

SITE DESCRIPTION

The property is a substantial two storey detached dwelling on a large plot. The site and the whole of the surrounding area lie within the Green Belt.

PLANNING HISTORY

- PLAN/1993/0490 – two storey front extension – approved 16th July 1993
- PLAN1999/0003 – single storey rear extension – approved 18th February 1999
- PLAN/2005/0197 – bay windows – approved 24th March 2005
- PLAN/2010/0905 – side and rear extension – approved 16th November 2010
- PLAN/2013/0620 – two storey side and rear extension and front porch – approved 29th August 2013

CONSULTATIONS

None.

REPRESENTATIONS

None received.

RELEVANT PLANNING POLICY

National Planning Policy Framework (NPPF) (2019):

08 SEPTEMBER 2020 PLANNING COMMITTEE

Section 2 – Achieving sustainable development
Section 12 – Achieving well-designed places
Section 13 – Protecting Green Belt land

Development Management Policies DPD (2016):
DM13 – Buildings in and adjacent to the Green Belt

Woking Core Strategy (2012):
CS6 – Green Belt
CS21 – Design
CS24 – Woking's landscape and townscape
CS25 – Presumption in favour of sustainable development

Supplementary Planning Documents (SPDs):
Woking Design (2015)
Outlook, Amenity, Privacy and Daylight (2008)

PLANNING ISSUES

1. The main planning consideration material to this application is the impact of the proposed development on the Green Belt, character of the area and amenities of neighbouring properties.

Impact on the Green Belt

2. Development within the Green Belt is covered at national level by Section 13 of the National Planning Policy Framework (NPPF), particularly by paragraphs 143-145. These provisions are reinforced at local level by policies CS6 and DM13 of the Woking Core Strategy and Development Management Policies DPD respectively.
3. Paragraph 145 of the NPPF establishes that the construction of new buildings should be regarded as inappropriate in the Green Belt, and that one of the exceptions to this is "the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building".
4. The proposed extension would be relatively minor and the increases in volume (around 13m³) and floorspace (8.5m²) are not in themselves particularly significant. However, the property has already been very substantially extended, most recently by a large side extension approved under PLAN/2013/0620. This extension took the cumulative volume addition, over and above the volume of the original building, to approximately 92%. The current proposal, though small, would increase this still further.
5. The reasoned justification to policy DM13 explains (paragraph 5.40) how the Council assesses whether an extension to a building within the Green Belt would be 'proportionate' or 'disproportionate'. It states "...the details of any application will be judged on its own individual merits. Nevertheless, based on the Council's past experience, and in line with standards commonly applied to similar development in Surrey and the South East, the expectation is that to be acceptable, proposals will be within the range of 20-40% above the original volume of the building."
6. In this case the cumulative increase in volume would be in excess of 92%. This is considerably greater of the guideline figures within policy DM13. It is further noted that the previous addition, approved under PLAN/2013/0620, was itself considered disproportionate at the time.

08 SEPTEMBER 2020 PLANNING COMMITTEE

7. Overall, taking into account the substantive cumulative increases in footprint, floorspace and volume over and above those of the original building, the proposed extension would constitute a disproportionate addition.
8. As a disproportionate addition, the proposed extension would therefore constitute inappropriate development as per paragraph 145 of the NPPF.
9. Paragraph 143 of the NPPF states that “Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.”
10. ‘Very special circumstances’ is not considered to apply to the proposed development. The gain would primarily accrue to the applicant and there would be some limited economic benefit during construction works. This has to be set against the resulting harm to the Green Belt, to which paragraph 144 of the NPPF requires “substantial weight” be given.

Other matters

11. The proposed extension is not considered harmful to the appearance of the property or wider surround, and were approval to be recommended a condition could be applied to the proposed side window to secure obscure glazing, which would overcome any harmful impact to neighbouring properties. However, these considerations do not outweigh the identified harm to the Green Belt, which must be given substantial weight as per the NPPF.

Local Finance Considerations

12. The proposed new build residential floor space would not exceed 100m² and thus would not be liable for a financial contribution under the Community Infrastructure Levy (CIL).

CONCLUSION

The proposed extension would constitute inappropriate development within the Green Belt for the reasons set out above. This is harmful to the Green Belt by definition and contrary to the NPPF, policy CS6 of the Woking Core Strategy and policy DM13 of the Development Management Policies DPD. The application is therefore recommended for refusal.

BACKGROUND PAPERS

Site Photographs dated 19th June 2020.

RECOMMENDATION

It is recommended that planning permission be REFUSED for the following reason:

1. The proposed extension would add additional volume and floorspace to the property. This addition, when considered cumulatively with previous such additions, would be disproportionate to the size of the original building and would therefore constitute inappropriate development within the Green Belt. This would be harmful to the Green Belt by definition and contrary to policy CS6 of the Woking Core Strategy, DM13 of the Development Management Policies DPD and Section 13 of the NPPF.

08 SEPTEMBER 2020 PLANNING COMMITTEE

Informatives:

1. The Council confirms that in assessing this planning application it has worked with the applicant in a positive and proactive way, in line with the requirements of the National Planning Policy Framework 2019.
2. The plans relating to the development hereby refused are:
5168-MH-P/04 Rev A - Proposed Plans and Elevations - received 5th May 2020



ITEM 6d – PLAN/2020/0378

Heath Lodge, Prey Heath Road, Mayford, Woking.

Erection of first floor extension to master bedroom.

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Location Plan – PLAN/2020/0378

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Aerial Photograph – PLAN/2020/0378

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Existing Front – PLAN/2020/0378



Existing Front – PLAN/2020/0378



Existing Flank – PLAN/2020/0378



From Rear – PLAN/2020/0378

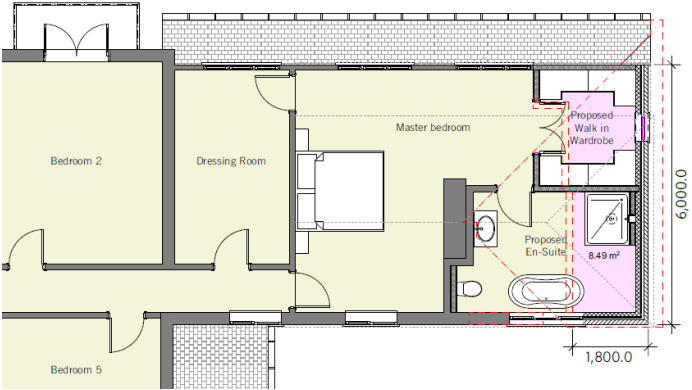
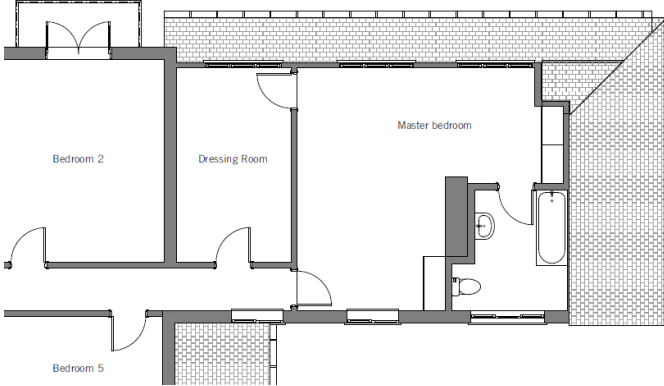


Proposed Elevations – PLAN/2020/0378

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Floor Plans – PLAN/2020/0378



SECTION C

**APPLICATION REPORTS NOT TO BE
PRESENTED BY OFFICERS UNLESS REQUESTED
BY A MEMBER OF THE COMMITTEE**

(Note: Ordnance Survey Extracts appended to the reports are for locational purposes only and may not include all current developments either major or minor within the site or the area generally)

30 Winern Glebe, Byfleet, West Byfleet, Surrey

PLAN/2019/1214

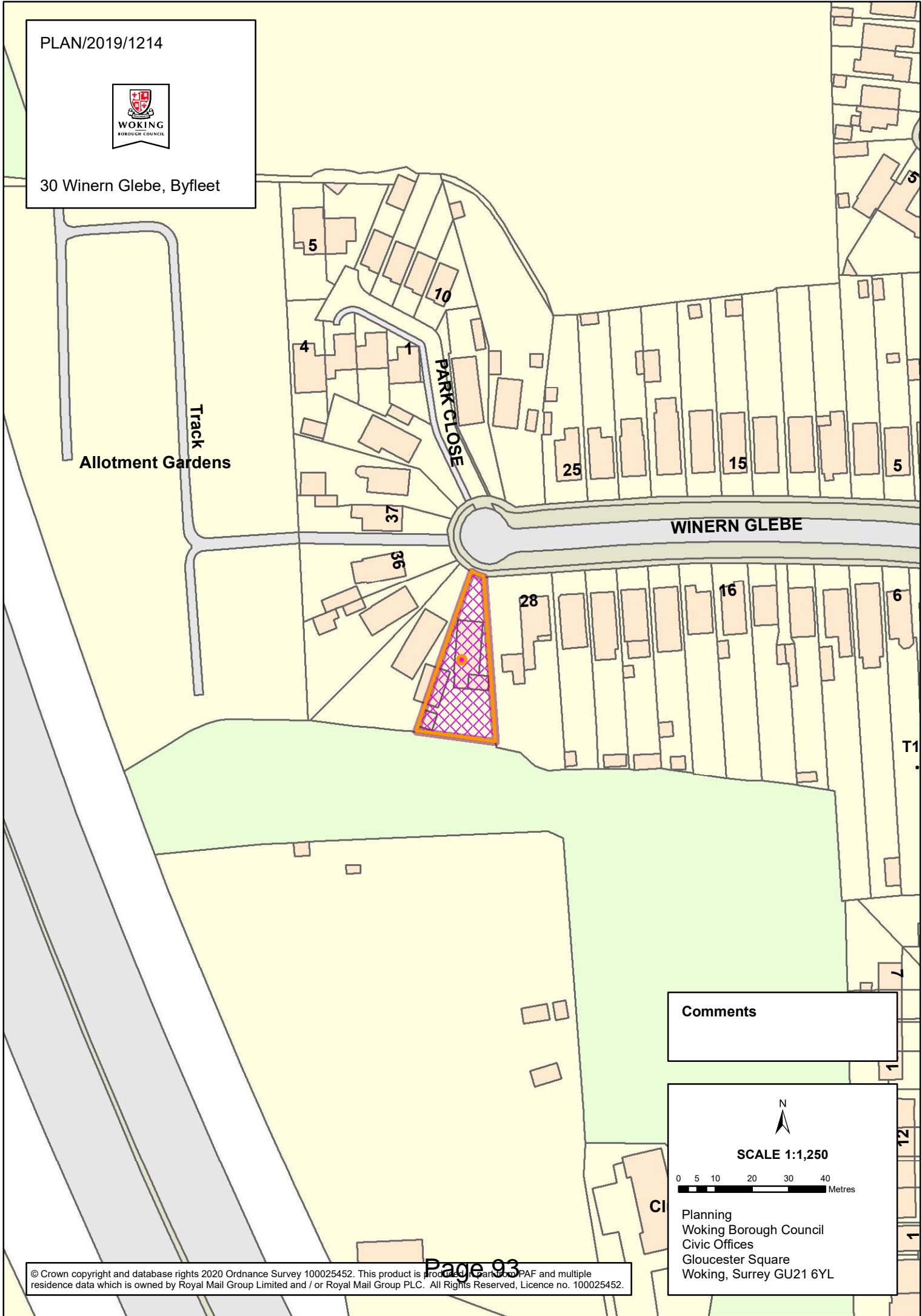
Removal of Condition 3 (Use of Garage) of planning permission ref: PLAN/2004/1192 dated 25.11.2004 to allow the garage to be used as an annexe for the sole enjoyment of the main dwelling along with a single storey rear addition to the garage (Retrospective).



PLAN/2019/1214



30 Winern Glebe, Byfleet



Comments

N
SCALE 1:1,250
0 5 10 20 30 40 Metres
Planning
Woking Borough Council
Civic Offices
Gloucester Square
Woking, Surrey GU21 6YL

8 SEPTEMBER 2020 PLANNING COMMITTEE

6e PLAN/2019/1214

WARD: BWB

LOCATION: 30 Winern Glebe, Byfleet, West Byfleet, Surrey, KT14 7LT

PROPOSAL: Removal of Condition 3 (Use of Garage) of planning permission ref: PLAN/2004/1192 dated 25.11.2004 to allow the garage to be used as an annexe for the sole enjoyment of the main dwelling along with a single storey rear addition to the garage (Retrospective).

APPLICANT: Mr Kaushik Trivedi

OFFICER: Barry Curran

REASON FOR REFERRAL TO COMMITTEE

The decision on whether to take enforcement action falls outside the scope of delegated powers.

SUMMARY OF PROPOSED DEVELOPMENT

The application seeks to remove Condition 3 of PLAN/2004/1192 (Demolish existing garage and construct new garage with shared access with No 32) so as to regularise the habitable use of the detached garage/annexe as opposed to the parking or vehicles ancillary and incidental to the dwellinghouse restricted by Condition 3 of PLAN/2004/1192. A single storey rear addition on the garage is also sought to be retained.

PLANNING STATUS

- Urban Area
- Land adjacent to Green Belt
- Thames Basin Heaths SPA Zone B (400m-5km)

RECOMMENDATION

That planning permission be REFUSED and authorise formal enforcement proceedings.

SITE DESCRIPTION

The application site is located on the southern side of Winern Glebe, and contains a detached chalet style bungalow. The garage subject to this application, is a single storey linked detached garage and is adjoined on its western elevation by the neighbouring garage belonging to No.32 Winern Glebe, both of which are served by a shared access.

PLANNING HISTORY

PLAN/2004/1192 - Demolish existing garage and construct new garage with shared access with No 32 – Permitted 25.11.2004

PROPOSED DEVELOPMENT

Retrospective planning consent is sought to retain a single storey rear extension on the garage and to retrospectively change of use of the linked/detached garage to habitable space by allowing the removal of the restrictive condition (Condition 3) of PLAN/2004/1192.

The condition reads as follows:

“The garage shall only be used for the parking of vehicles ancillary and incidental to the residential use of the dwelling house and shall be retained thereafter solely for that purpose and made available to the occupiers of the property at all times for parking purposes unless the Local Planning Authority otherwise first agrees in writing.

Reason

To preserve the amenities of the neighbourhood and ensure the provision of off-street parking facilities.”

CONSULTATIONS

West Byfleet Neighbourhood Forum: No comments raised

County Highways Authority: No highway requirements (09.07.20)

REPRESENTATIONS

None received

RELEVANT PLANNING POLICIES

National Planning Policy Framework 2019

Section 2 - Achieving sustainable development

Section 9 – Promoting sustainable transport

Section 12 - Achieving well-designed places

Section 14 – Meeting the challenge of climate change, flooding and coastal change

Core Strategy Document 2012

CS1 - A Spatial Strategy for Woking

CS8 - Thames Basin Heaths Special Protection Area

CS9 – Flooding and water management

CS18 - Transport and accessibility

CS21 - Design

CS22 - Sustainable Design and Construction

CS24 - Woking’s Landscape and Townscape

CS25 - Presumption in Favour of Sustainable Development

Development Management Policies DPD 2016

DM9 – Flats above Shops and Ancillary Accommodation

DM10 – Development on Garden Land

Supplementary Planning Guidance

Supplementary Planning Document ‘Parking Standards’ 2018

Supplementary Planning Document ‘Outlook, Amenity, Privacy and Daylight’ 2008

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Supplementary Planning Document 'Design' 2015

Thames Basin Heaths Special Protection Area Avoidance Strategy 2010-2015

PLANNING ISSUES

1. The application seeks to remove Condition 3 of PLAN/2004/1192 and the consideration is therefore whether there remain substantial planning reasons for the condition in question to remain attached to the permission.

Planning History

2. Planning permission was granted in November 2004 for the erection of a detached garage across Nos. 30 and 32 Winern Glebe following removal of the existing pair of garages (Certificate B was signed indicating that notification was served to No.32 Winern Glebe). As part of this permission a condition was attached to prevent the use of the garage for anything but the parking of vehicles ancillary and incidental to the residential use of the dwelling house. This condition was attached to ensure off-street parking provision.

Principal of Development

3. The existing garage has been converted into habitable space with an independent lounge/kitchen area and an en-suite bathroom serving the bedroom and in total covers an internal floor area of approximately 36.5 sq.m. Given the siting and internal floor area of the accommodation space, it is considered that, as a freestanding unit, it would be difficult to demonstrate that it would be genuinely ancillary to the occupation of the main dwellinghouse.

4. Policy DM9 of the Development Management Policies DPD 2016 states that:

“Ancillary residential extensions, including ‘granny annexes’ and staff accommodation, designed in accordance with Core Strategy policy CS21 and the Council’s Design SPD, will be permitted provided they share a common access with the main dwelling and are physically incorporated within it, and are designed in such a way that renders them incapable of being occupied separately from the main dwelling. Freestanding units that can demonstrate they are genuinely ancillary to the occupation of the main house will be considered in light of the character and amenities of the area and may be subject to conditions restricting their occupancy. Separate, freestanding, independent accommodation will be treated in the same way as a proposal for a new dwelling.”

5. The wording *“freestanding units that can demonstrate they are genuinely ancillary to the occupation of the main house will be considered in light of the character and amenities of the area and may be subject to conditions restricting their occupancy”* within Policy DM9 of the Development Management Policies DPD 2016 is considered to be relevant in this instance. A ‘freestanding unit’ could be a smaller (than that subject to this application) building within the residential curtilage which contains habitable accommodation although does not contain all the requirements for separate freestanding accommodation. Given that the development includes an internal floor area of approximately 36.5 sq.m, together with the provision of a

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lounge/kitchen and separate bedroom with ensuite, in this instance, it is considered that the current space represents separate, freestanding, independent accommodation. The internal facilities include running water, kitchen sink, fridge, washing machine along with grill/hob along with a separate bedroom and en-suite which points towards an independent living space and should, therefore, be treated in the same way as a proposal for a new dwelling as outlined by Policy DM9.

6. It is noted that this space represents a modest living space and falls marginally short of the 'Technical housing standards - nationally described space standard (2015) for a 1 bed, 1 person dwelling. However, since the introduction of Prior Approval Change of Use from Office to Residential (Class O Schedule 2 Part 3 of the General Permitted Development Order 2015 (as amended) 2015), it is apparent that a number of residential units are commonly below the minimum standard as set out by the Department for Communities and Local Government yet are still utilised and counted as independent dwellings.
7. The detached nature of the garage/annexe along with its separation and fact that it does not have to interact physically with the existing dwelling on site, with access to the garage/annexe gained through the shared drive on Nos.30 and 32 Winern Glebe, indicates that the structure would be separate with no physical incorporation within the building, therefore, it would have no reliance upon it.
8. It should be noted that separate, self-contained living accommodation (as per the application) would be incapable of being constructed by virtue of Article 3, Schedule 2, Part 1, Class E of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) as Class E requires a "*purpose incidental to the enjoyment of the dwellinghouse*"; separate, self-contained living accommodation is not considered incidental. Considering the paragraph above, there is, therefore, not considered to be a 'fall-back' position in this instance.
9. As such, the unauthorised development has not been designed in such a way which would render it incapable of being occupied separately from the main dwelling and it has not been demonstrated that the garage would be genuinely ancillary to the occupation of the main dwelling considering the level of facilities available within this space including kitchen with plumbed sink, fridge, oven and stove top and separate bedroom with en-suite with submitted plans even annotating the entrance point as a 'separate entrance'. The removal of Condition 3 of PLAN/2004/1192 would remove any restrictions on the building and as outlined above, this would, therefore, be contrary to Policy DM9 of the Development Management Policies DPD 2016. As such, the proposal is required to be assessed against National and Local Policies as a new detached dwellinghouse towards the rear of Nos.30 and 32 Winern Glebe.

Impact on Character

10. Section 12 of the National Planning Policy Framework 2019 states that development should be "*sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change*". Policy CS21 of the Woking Core Strategy 2012 echoes this provision and notes that new developments

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“should respect and make a positive contribution to the street scene and the character of the area in which they are situated”.

11. The ‘garage’ (building subject of the application) forms part of a pair of linked detached garages constructed towards the rear of Nos.30 and 32 Winern Glebe under PLAN/2004/1192. Sited towards the side and rear of the dwellinghouse, the garage, which adopts a dual pitched roof form, is recessed back from the street scene which is typical for garages along Winern Glebe. This separation coupled with its detached nature means that the garage does not share a common access with, nor is physically incorporated within, the main dwelling. Additionally, as outlined above, the unit has not been designed in such a way which would render it incapable of being occupied separately from the main dwelling and it has not been demonstrated that the habitable space would be genuinely ancillary to the occupation of the main dwelling. The application is therefore considered to be similar to the creation of separate, freestanding, independent accommodation and is therefore assessed in the same way as a proposal for a new dwelling in line with Policy DM9 of the Development Management Policies DPD 2016.

12. The surrounding area is urban in character, where there is a presumption in favour of new development provided it conforms to the existing pattern of development and that it is consistent with land uses. The dwelling on the application site forms part of a consistent grain of development which follows the highways around in a ‘horse-shoe’ layout corresponding to the cul-de-sac. Properties towards the terminus of the cul-de-sac demonstrate shallow rear amenity spaces and wedge shaped plots. Policy CS21 of the Core Strategy 2012 notes that *“buildings should respect and make a positive contribution to the street scene and the character of the area in which they are situated, paying due regard to the scale, height, proportions, building lines layout, materials and other characteristics of adjoining buildings and land”*. It is acknowledged that the garage was granted under PLAN/2004/1192 with a restrictive condition ensuring its use for parking ancillary and incidental to the use of the dwellinghouse restricting the conversion of the garage into habitable space in order to preserve the car parking provision. The built form of the garage has, therefore, been previously found to be acceptable as a secondary and ancillary building.

13. Policy CS24 of the Woking Core Strategy 2012 seeks development to provide a positive benefit to townscape character and respect the setting of, and relationship between, settlements and individual buildings in the landscape. Properties from the application site around to No.39 Winern Glebe form the apex of the Winern Glebe cul-de-sac and therefore adopt broadly similar site characteristics. The proposal seeks to retain the linked/detached garage as separate accommodation which is to be considered in the same light as a dwelling as per Policy CS9 of the Development Management Policies DPD 2016, resulting in a second tier of development or garden/tandem development. Policy DM10 (Development on Garden Land) of the Development Management Policies DPD 2016 states that housing development on garden land and/or that to the rear or side of an existing property will be supported provided that it meets the other relevant Development Plan policies and that:
 - it does not involve the inappropriate sub-division of existing curtilages to a size below that prevailing in the area, taking account of the need to retain and enhance mature landscapes;

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- it presents a frontage in keeping with the existing street scene or the prevailing layout of streets in the area, including frontage width, building orientation, visual separation between buildings and distance from the road;
 - the means of access is appropriate in size and design to accommodate vehicles and pedestrians safely and prevent harm to the amenities of adjoining residents and is in keeping with the character of the area; and
 - suitable soft landscape is provided for the amenity of each dwelling appropriate in size to both the type of accommodation and the characteristic of the locality.
14. The garage has been designed to serve as an ancillary parking building to the main dwelling and, therefore, does not include a layout or scale which is consistent with the prevailing pattern of dwellings. Policy BE2 of the West Byfleet Neighbourhood Plan 2016 states that *“Proposals for new residential development should demonstrate good design and should contribute positively to creating a sense of place. Garden and/or amenity space should be commensurate with the size and type of dwelling and in keeping with the character of the Housing Character Zone in which it is located.”* It is considered that the garage does not relate to the prevailing character of detached dwellings with rear amenity spaces and would appear discordant in terms of the character of dwellings in the locality and would fail to successfully integrate with the prevailing character of dwellinghouses.
15. It is noted that there is an existing unauthorised extension to the garage which extends the garage at the rear by approximately 1.5 metres. This together with the summer house results in a high level of development along the shared boundary, but it is not considered out of place as a number of detached outbuildings appear to extend along shared boundaries within Winern Glebe.
16. Removal of Condition 3 of PLAN/2004/1192 to allow for the habitable use of the garage would result in the creation of a separate detached unit. Further to this, it is considered that in order to provide the separate dwelling with a suitable amenity provision, the subdivision of the plot to facilitate this would involve the inappropriate sub-division of an existing curtilage to a size below that prevailing in the area. It is considered that the unauthorised unit would appear discordant in terms of the character of the area and would fail to respect and make a positive contribution to the character of the area. The development is, therefore, contrary to provisions outlined in the National Planning Policy Framework, Policies CS21 and CS24 of the Woking Core Strategy 2012, Policies DM9 and DM10 of the Development Management Policies DPD 2016, Policy BE2 of the West Byfleet Neighbourhood Plan 2016 and Supplementary Planning Document ‘Design’ 2015.

Impact on Neighbour Amenities

17. Policy CS21 of the Woking Core Strategy 2012 advises that proposals for new developments should achieve a satisfactory relationship to adjoining properties, avoiding significant harmful impact in terms of loss of privacy, loss

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of daylight or sunlight, or an overbearing effect due to bulk, proximity or loss of outlook. Detailed guidance on assessing neighbouring amenity impacts is provided within Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight' 2008. The garage was approved under PLAN/2004/1192 and was considered to be acceptable in design and impact on neighbour amenities therefore its presence is not deemed to conflict with the amenities enjoyed by neighbours. The conversion of the garage, however, may raise other issues which may be detrimental to neighbours, in terms of parking, which will be assessed in the relevant section of this report.

18. The single storey addition to the rear of the garage would extend the garage by approximately 1.5 metres along the shared western boundary. Its present, however, does not impact on the amenities of the neighbouring property given the level of development evident along this shared boundary from No.32 Winern Glebe.
19. While the development may be considered acceptable, in terms of impact on neighbour amenities, this does not outweigh the fact that the development would fail to comply with both National and Local Policies with regards to principal of development and impact on the character of the area.

Layout and Creation of Acceptable Residential Development for Proposed Occupiers

20. One of the Core planning principles set out within Section 12 of the National Planning Policy Framework is to *"secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings"*.
21. The garage is currently fitted out to serve as a separate, freestanding, independent accommodation to the side and rear of No.30 Winern Glebe and off a shared communal parking area. The accommodation previously served as an ancillary garage to the host dwelling and amounts to approximately 36.5 sqm of gross internal area (GIA).
22. The Woking Borough Council's Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight' 2008 states that *"in established residential areas, where the existing pattern of development has a well-defined character, the size shape and position of the garden will need to reflect the existing context and be in proportion to the size of the dwelling proposed."*
23. No private garden has been shown for the independent residential unit on the submitted plans. If the plot was subdivided, it would result in an inadequately sized plot for either the existing dwelling or the unauthorised independent unit and this would be out of character with the rest of the local area. The lack of any dedicated amenity space for the proposed unit would be detrimental to the amenities of any future occupiers.
24. Overall, by reason of its lack of private amenity space would fail to provide a good quality of accommodation and good standard of amenity for future residential occupiers contrary to the National Planning Policy Framework, Policy CS21 of the Woking Core Strategy 2012 and Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight' 2008.

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Highways and Parking Implications

25. The proposal is considered to be similar to the creation of separate, freestanding, independent accommodation and is therefore assessed in the same way as a proposal for a new dwelling in line with Policy DM9 of the emerging Development Management Policies DPD 2016.
26. The resulting residential unit would provide 1-bedroom accommodation. The existing main dwellinghouse provides 4 bedrooms across ground and first floor. Supplementary Planning Document 'Parking Standards' 2018 identifies a car parking standard for dwellings providing 4 or more bedrooms of 3 car parking spaces, and 1 space per 1 bedroom/studio unit; cumulatively a parking standard of 4 spaces across both resulting units is therefore required.
27. The submitted plans show an area of hard-standing to the front of the existing dwelling which would appear to provide car parking spaces which could accommodate 3-4 cars, thereby addressing the provision required.
28. While the development may be considered acceptable, in terms of impact on parking, this does not outweigh the fact that the development would fail to comply with both National and Local Policies with regards to principal of development, impact on the character of the area and the substandard level of accommodation provided.

Local Finance Considerations

29. CIL is a mechanism adopted by the Woking Borough Council which came into force on 1st April 2015, as a primary means of securing developer contributions towards infrastructure provisions in the Borough. The Local Planning Authority considers the development to constitute the creation of an independent self-contained residential unit by way of conversion of the pre-existing ancillary garage. Therefore the proposal would be liable for the Community Infrastructure Levy (CIL) on internal GIA. 36.5 of sq.m and therefore liable to the measure of £5,861.06 (including the 2020 Indexation). The development, therefore would be liable to a total CIL contribution of £5,861.06 which would be payable in the event of an approval.

Impact on the Thames Basin Heaths Special Protection Area

30. The application site falls within the 400m - 5km (Zone B) of the Thames Basin Heath Special Protection Area (TBH SPA) buffer zone. The Thames Basin Heath Special Protection Area (SPA) is a European designated site afforded protection under the Conservation of Habitats and Species Regulations 2010 as amended (the Habitats Regulations). The Habitats Regulations designate the Local Planning Authority as the Competent Authority for assessing the impact of development on European sites and the LPA must ascertain that development proposals will not have an adverse effect on the integrity of the site, alone or in combination with other plans and projects, either directly or indirectly, before granting planning permission. The TBH SPA is designated for its internationally important habitat which supports breeding populations of three rare bird species: Dartford Warbler, Woodlark and Nightjars. The Conservation Objectives of the TBH SPA are to ensure that the integrity of the site is maintained or restored as appropriate, and to ensure that the site contributes to achieving the aims of the Wild Birds Directive.

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31. Policy CS8 of the Woking Core Strategy 2012 requires new residential development beyond a 400m threshold, but within 5 kilometres, of the SPA boundary to make an appropriate contribution towards the provision of Suitable Alternative Natural Greenspace (SANG) and Strategic Access Management and Monitoring (SAMM).
32. The Suitable Alternative Natural Greenspace (SANG) and Landowner Payment elements of the SPA tariff are encompassed within the Community Infrastructure Levy (CIL) however the Strategic Access Management and Monitoring (SAMM) element of the SPA tariff is required to be addressed outside of CIL. The applicant has not submitted a Legal Agreement to secure the relevant SAMM contribution of £515 (1 bedroom unit at £515 per unit) in line with the Thames Basin Heaths Special Protection Area Avoidance Strategy as a result of the uplift of a studio unit that has arisen from the conversion. Due to other substantive concerns with the application proposal, the applicant was not requested to provide a signed and completed Legal Agreement during assessment of the application.
33. In view of the above, and in the absence of a Legal Agreement or other appropriate mechanism to secure contributions towards mitigation measures, the Local Planning Authority is unable to determine that the additional dwellings would not have a significant impact upon the Thames Basin Heaths Special Protection Area, contrary to Policy CS8 of the Woking Core Strategy 2012, the Thames Basin Heaths Avoidance Strategy, saved Policy NRM6 of the South East Plan 2009 and The Conservation of Habitats and Species Regulations 2017 (SI No.1012 - the "Habitats Regulations").

Conclusion

34. To conclude, by reason of its detached nature, internal accommodation and siting in relation to the main dwelling, the converted garage would not share a common access with, nor be physically incorporated within, the main dwelling. Additionally, the accommodation has not been designed in such a way which would render it incapable of being occupied separately from the main dwelling and it has not been demonstrated that the accommodation would be genuinely ancillary to the occupation of the main dwelling. The removal of Condition 3 of PLAN/2004/1192 which would mean that there is no restriction on the use of the detached building and, therefore, allow for its continuous use as separate detached habitable space with facilitates capable of providing independent accommodation is, therefore, contrary to Policy DM9 of the emerging Development Management Policies DPD. As such, the proposal represents the creation of an independent self-contained residential unit and would involve the inappropriate sub-division of an existing curtilage to a size below that prevailing in the area. Additionally, the layout would appear discordant in terms of the character of the area and would fail to respect and make a positive contribution to the character of the area.
35. The development is tantamount to the creation of an independent self-contained residential unit sited to the side and rear of the existing dwelling at No.3 Winern Glebe. It has not been demonstrated that a good standard of residential amenity, in terms of private amenity space, would be retained for the existing dwelling at Winern Glebe nor the separate detached accommodation for potential future occupiers.

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36. In addition, in the absence of a Legal Agreement or other appropriate mechanism to secure contributions towards mitigation measures or to secure the proposed units as affordable housing, the Local Planning Authority is unable to determine that the additional dwellings would not have a significant impact upon the Thames Basin Heaths Special Protection Area, contrary to Policies CS8 and CS12 of the Woking Core Strategy 2012, the Thames Basin Heaths Avoidance Strategy, saved Policy NRM6 of the South East Plan 2009 and The Conservation of Habitats and Species Regulations 2017 (SI No.1012 - the "Habitats Regulations").
37. Consequently it is considered that the development is contrary to provisions outlined in the National Planning Policy Framework, Policies CS8, CS9, CS21 and CS24 of the Woking Core Strategy 2012, Policies DM9 and DM10 of the Development Management Policies DPD 2016, Policy BE2 of the West Byfleet Neighbourhood Plan 2016, the Council's Supplementary Planning Documents on 'Design' 2015 and 'Outlook, Amenity, Privacy and Daylight' 2008, the Thames Basin Heaths Special Protection Area Avoidance Strategy 2010-2015 and the Conservation of Habitats and Species Regulations 2017 (SI No. 1012 - the "Habitats Regulations") and is, therefore, recommended for refusal for the reasons outlined below. It is further recommended that enforcement action to ensure the unauthorised accommodation is reverted back to its original state as a garage for parking/storage.

BACKGROUND PAPERS

1. Site visit photographs.

RECOMMENDATION

It is recommended that planning permission be REFUSED for the following reason:-

1. By reason of its scale, internal accommodation and the size of the accommodation in relation to the main dwelling, the accommodation proposed to be retained as part of this application has not been designed in such a way which would render it incapable of being occupied separately from the main dwelling and has not been demonstrated to be genuinely ancillary to the occupation of the main dwelling. The proposal is therefore contrary to Policy DM9 of the Development Management Policies DPD 2016.
2. Retention of the separate accommodation would appear as an anomaly and discordant to the prevailing plot characteristics of the surrounding area failing to make a positive contribution to the area contrary to guidance outlined in the National Planning Policy Framework, Policies CS21 and CS24 of the Woking Core Strategy, Policies DM10 of the Development Management Documents DPD 2016, Policy BE2 of the West Byfleet Neighbourhood Plan 2016 and Supplementary Planning Document 'Design' 2015.
3. No private amenity space has been demonstrated for the independent accommodation. The proposal is therefore contrary to provisions of the National Planning Policy Framework, Policy CS21 of the Woking Core Strategy 2012, Policies DM10 and DM11 of the Development Management Policies Development Plan Document 2016, Policy BE2 of the West Byfleet neighbourhood Plan 2016 and Supplementary Planning Documents 'Design' 2015 and 'Outlook, Amenity, Privacy and Daylight' 2008.

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4. In the absence of a Legal Agreement or other appropriate mechanism to secure contributions towards mitigation measures, the Local Planning Authority is unable to determine that the additional dwelling would not have a significant impact upon the Thames Basin Heaths Special Protection Area, contrary to Policy CS8 of the Woking Core Strategy 2012, the Thames Basin Heaths Avoidance Strategy, saved Policy NRM6 of the South East Plan (2009), the Conservation of Habitats and Species Regulations 2017 (SI No.1012 - the "Habitats Regulations") and Policy DM11 of the Development Management Policies DPD 2016.

It is further recommended that:-

The Head of Legal Services be instructed to issue an Enforcement Notice under Section 172 of The Town & Country Planning Act 1990 (as amended) in respect of the above land requiring the remedy of the breach of planning control to be achieved through:

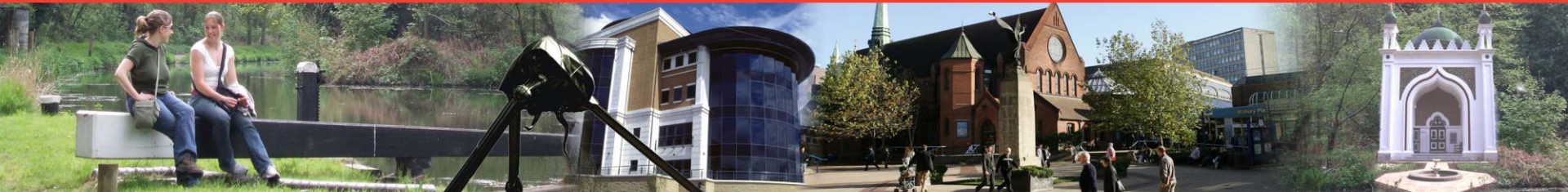
1. Enforcement action be authorised to remedy the breach of planning control within six months of the date of the Enforcement Notice to;
 - (i) Cease the unauthorised use of the garage as a separate residential unit contrary to Condition 3 of planning permission PLAN/2004/1192
 - (ii) Remove the blockwork/brickwork to the front elevation used in connection with the conversion of the garage to habitable accommodation so that the garage can be made available for the parking of vehicles by provision of the garage doors in accordance with Condition 3 of planning permission PLAN/2004/1192.
 - (iii) Remove all unauthorised door and windows on the side elevation used in connection with the conversion of the garage as habitable accommodation and restore the side elevation to accord with the approved plans no CS/01 and CS/02 dated 29/07/2004 from planning permission PLAN/2004/1192
 - (iv) Remove the cooking facilities, bathroom and all internal walls from the garage used in connection with the conversion of the garage as habitable accommodation so that the garage can be made available for the parking of vehicles

Informatives:

1. The Council confirms that in assessing this planning application it has worked with the applicant in a positive and proactive way, in line with the requirements of the National Planning Policy Framework 2019.
2. The plans/particulars relating to the development hereby refused are numbered / titled:

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Drawing No. 1 (Received 12.12.19)
Drawing No. 4 (Received 18.06.20)
Drawing No. 6 (Received 12.12.19)



ITEM 6e – PLAN/2019/1214

30 Winern Glebe, Byfleet, West Byfleet, Surrey.

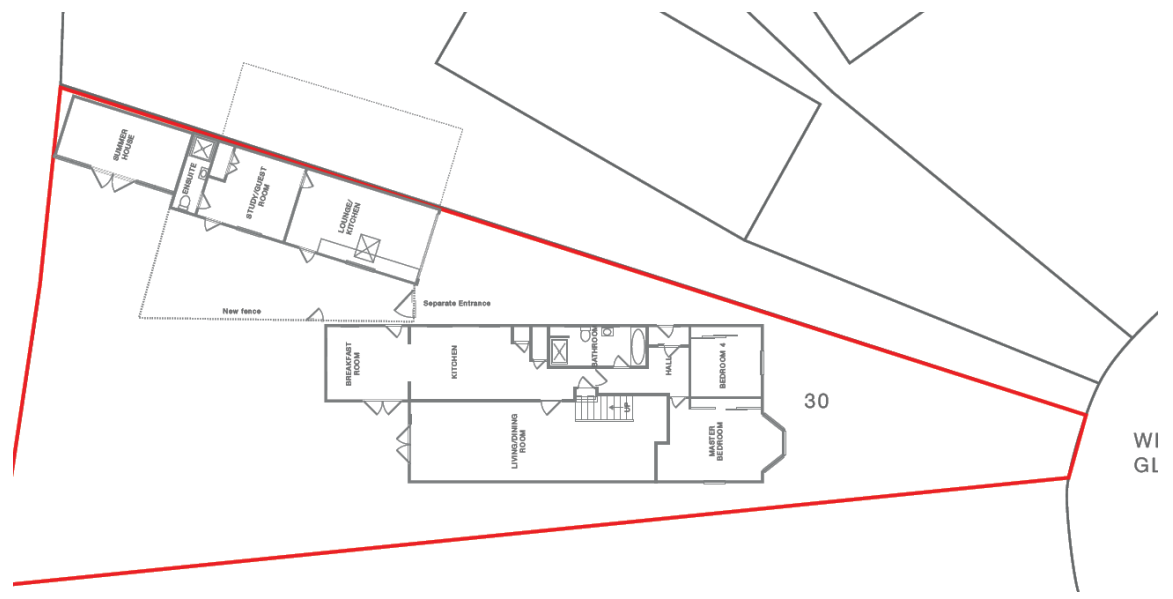
Removal of Condition 3 (Use of Garage) of planning permission ref: PLAN/2004/1192 dated 25.11.2004 to allow the garage to be used as an annexe for the sole enjoyment of the main dwelling along with a single storey rear addition to the garage (Retrospective).

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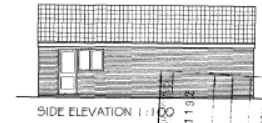
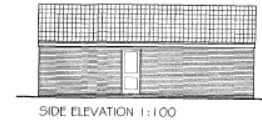
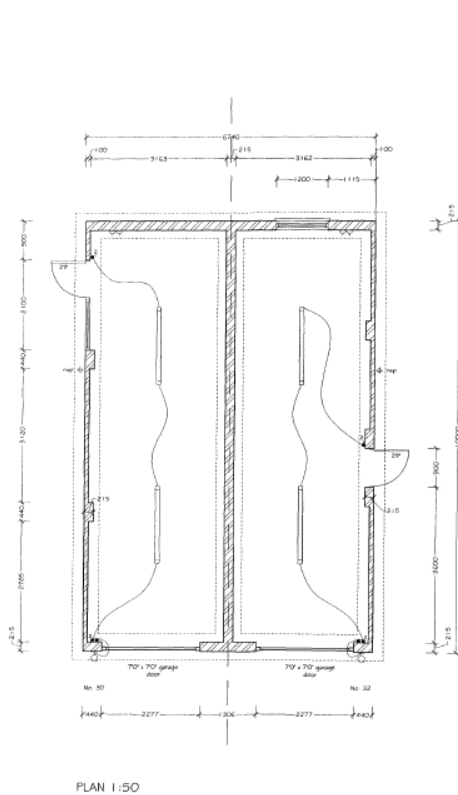
Location Plan – PLAN/2019/1214



Block Plan – PLAN/2019/1214



Plans – PLAN/2004/1192



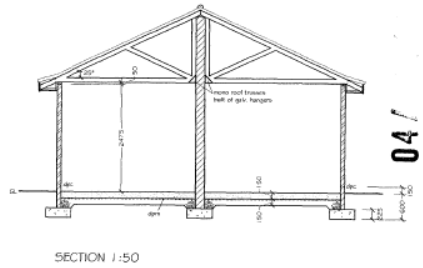
FOUNDATIONS - 600mm wide x 225mm thick concrete foundations, taken down to a depth agreed on site with Local Authority Building Inspector. GDN 1. Designated concrete mix in accordance with BS 5320 Part 1 : 1997

GARAGE FLOOR - 150mm concrete slab, on a 1200g polythene damp proof membrane, all over a 150mm concrete/stone base.

WALLS - 100mm / 215mm brickwork with 215mm piers as indicated on the floor plan. Damp Proof Course (aged - 3000 gram bitumen polythene) also to all walls, 150mm above the adjacent ground level.

LETTLER - Gradon Celnic galvanneal steel lettlers over garage / personnel doors and window in accordance with manufacturers schedule.

ROOF - Rufast Miv Dosewulf concrete interlocking roof tiles on 25 x 50mm softwood treated tie battens - reinforced battens left to BS 747 Type 1F / 50 grade - all supported on a pitched trussed rafter roof structure designed and manufactured by Madon Teaser Engineering Limited, or similar approved manufacturer. Construction, bracing and langle all in accordance with the manufacturers design drawings.



SITE		
30, WINERN GLEBE BYFLEET SURREY KT14 7LT		
PROJECT		
PROPOSED NEW GARAGE PLAN : ELEVATIONS : SECTIC		
CLIENT		
MR. C. STROTTON		
DRAWN	TRNO	DRAWING NUMBER
----	----	----

Condition 3 – PLAN/2004/1192

C025-Private vehicles only to use garage.

The garage shall only be used for the parking of vehicles ancillary and incidental to the residential use of the dwelling house and shall be retained thereafter solely for that purpose and made available to the occupiers of the property at all times for parking purposes unless the Local Planning Authority otherwise first agrees in writing.

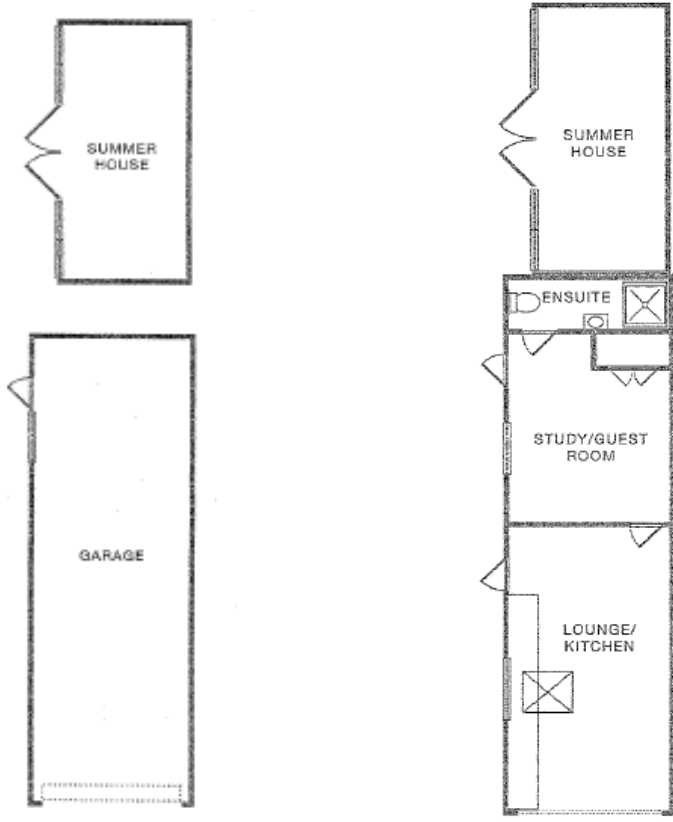
R025-Provide on-site parking.

Reason

To preserve the amenities of the neighbourhood and ensure the provision of off-street parking facilities.

Pre-Existing and Existing/Proposed Floor Plans – PLAN/2019/1214

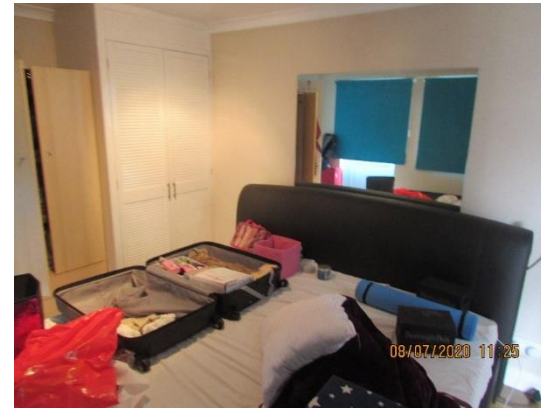
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Site Photographs – PLAN/2019/1214



Site Photographs – PLAN/2019/1214



Site Photographs – PLAN/2019/1214



Woodhambury House,
491 Woodham Lane,
Woking

PLAN/2020/0324

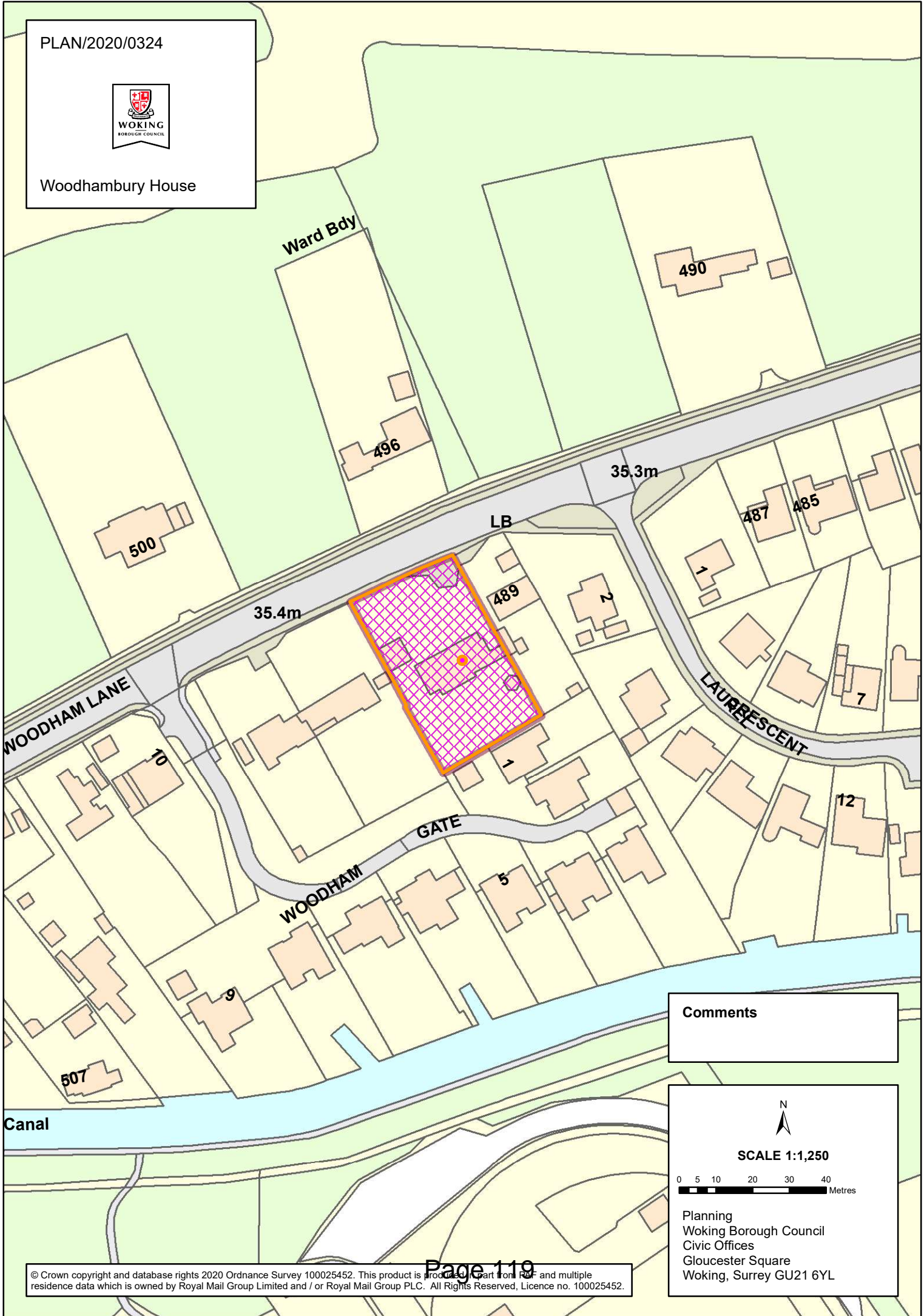
Erection of raised decking, spa and fence to side of existing dwelling (retrospective).



PLAN/2020/0324



Woodhambury House



Comments

N
SCALE 1:1,250
0 5 10 20 30 40 Metres

Planning
Woking Borough Council
Civic Offices
Gloucester Square
Woking, Surrey GU21 6YL

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6f PLAN/2020/0324

WARD: Canalside

LOCATION: Woodhambury House, 491 Woodham Lane, Woking, GU21 5SR

PROPOSAL: Erection of raised decking, spa and fence to side of existing dwelling (retrospective).

APPLICANT: Mr Wayne Acquah

OFFICER: James Kidger

REASON FOR REFERRAL TO COMMITTEE

The decision on whether to take enforcement action falls outside the scope of delegated powers.

PROPOSED DEVELOPMENT

Planning permission is sought for the erection of raised decking, a spa comprising a small swimming pool and Jacuzzi, and a boundary fence, all to the west side of the existing dwelling. The development has already been carried out and the application is retrospective.

PLANNING STATUS

- Adjacent Listed Building
- Tree Preservation Order

RECOMMENDATION

Refuse planning permission and authorise enforcement proceedings.

SITE DESCRIPTION

The property is a two storey detached dwelling on the southerly side of Woodham Lane. The neighbouring property to the west, no. 493, is Grade II listed, and the whole of the site and surrounding area is covered by a tree preservation order (TPO).

PLANNING HISTORY

- PLAN/2007/0655 – gates and piers – approved 9th August 2007.
- PLAN/2007/1372 – two storey extensions – approved 13th February 2008.
- PLAN/2008/0337 – detached garage – approved 22nd May 2008.

CONSULTATIONS

Arboriculture: Full arboricultural information required.

Heritage Consultant: No objection.

REPRESENTATIONS

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One (1) representation has been received objecting to the proposed development for the following reasons:

- The submitted drawings do not represent what has been built on site;
- Detrimental impact to the setting of the listed building and garden;
- Overlooking of neighbouring garden and ground floor habitable rooms;
- Compromises the security of the neighbouring property;
- An undesirable precedent would be set for similar development elsewhere;
- Health and Safety concerns;
- Noise and light pollution to the neighbouring garden and dwelling;
- Chemically treated water within the spa may be a hazard; and
- Draining the spa for maintenance may cause flooding.

RELEVANT PLANNING POLICY

National Planning Policy Framework (NPPF) (2019):

Section 2 – Achieving sustainable development

Section 12 – Achieving well-designed places

Section 15 – Conserving and enhancing the natural environment

Section 16 – Conserving and enhancing the historic environment

Development Management Policies DPD (2016):

DM2 – Trees and Landscaping

DM7 – Noise and Light Pollution

DM20 – Heritage Assets and their Settings

Woking Core Strategy (2012):

CS20 – Heritage and conservation

CS21 – Design

CS24 – Woking's landscape and townscape

CS25 – Presumption in favour of sustainable development

Supplementary Planning Documents (SPDs):

Woking Design (2015)

Outlook, Amenity, Privacy and Daylight (2008)

PLANNING ISSUES

1. The main planning considerations material to this application are the design and appearance of the proposed development and the impact on the adjacent listed building, the impact on the amenity of neighbouring properties and the impact on protected trees.

Design and appearance

2. The decking and spa abut the boundary fence, which in turn abuts the original fence on the westerly boundary. Collectively the development is bound by the existing detached garage to the north, existing dwelling to the east and residential garden to the south.
3. The ground level gently slopes down from north to south. The proposed fence at the northerly end is around the same height as the original fence, but unlike the original (which slopes down with the ground level) it maintains its height – AOD – over the whole of its length. This results in a modest increase in height over the original which

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is more marked toward the southerly end. The maximum height of 2.25m is not considered excessive in its context and there would be no harm to the setting of the adjacent listed building.

4. The proposed decking is close to ground level at the northerly end, and due to the change in levels is around 400mm high at the southerly end. The structure includes railings and steps for access and does not appear out of place in its suburban setting.
5. The proposed spa is surrounded by the decking and has the appearance of a squat grey box when covered. When uncovered the white finished interior is visible. Though large, it would not exceed the height of the proposed fence and would not be readily visible from the grounds of the neighbouring listed building, the setting of which is not considered to be harmed.

Neighbouring amenity

6. As noted above the proposed spa would not exceed the height of the boundary fence, while the additional height of the fence itself is not considered excessively overbearing toward the neighbouring garden.
7. The main issue in amenity terms, and indeed with the proposal as a whole, is that of overlooking. In order to access the pool and Jacuzzi within the spa, one must climb over the raised sides, which are around 1.4m above the level of the decking. Irrespective of the method used – a pair of step-ladders were observed on the Officer's site visit – an adult of average height would inevitably obtain clear, uninterrupted views of the neighbouring garden, encompassing the raised terrace immediately behind the listed building to the southerly end some 25m distant.
8. Such overlooking – facilitated on every occasion the spa is accessed or vacated – would largely remove the privacy previously enjoyed by the occupiers of the neighbouring property and is considered significantly harmful to their amenity.
9. The proposed decking, at its southerly end where its height would be greatest, would facilitate an additional element of overlooking toward the rear of the neighbouring garden, at an oblique angle between the end of the proposed fence and the tree beyond.
10. The proximity of the proposed spa to the neighbouring garden would likely give rise to situations where noise would carry across, particularly if groups of people were to use the Jacuzzi simultaneously. However, this would be no more detrimental than, say, a group of children in a paddling pool, which would not amount to development at all. The potential impact in terms of noise, whilst acknowledged, is not therefore considered to be over and above that ordinarily tolerated within residential gardens.
11. Overall, the proposed development would facilitate the overlooking of the neighbouring garden to a point significantly harmful to the amenity of the occupiers. This is contrary to policy CS21 of the Woking Core Strategy, which calls for developments which 'Achieve a satisfactory relationship to adjoining properties avoiding significant harmful impact in terms of loss of privacy', and is considered to warrant the refusal of planning permission.

Trees

12. The site is covered by an area TPO made in 2007. The southerly end of the proposed decking is sited within 0.5m of a protected tree and is therefore well within the root

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protection area (RPA). Had the application been prospective rather than retrospective, arboricultural information would have been required in order to establish the potential impact to the tree, and how – if at all – this could be mitigated.

13. As it is, any damage to the tree as a result of the building operations proposed will now have already been done. However, given the close proximity of the decking to the tree, and the absence of any information to the contrary, there remains the possibility of ongoing impact to the roots as a result of the incursion into the RPA, and the potential for soil compaction due to the weight of the structure.
14. This potential harm to the RPA, and in turn to the health and longevity of the protected tree, would be contrary to policy DM2 of the Development Management Policies DPD, which amongst other provisions requires 'adequate space to be provided between any trees to be retained and the proposed development'. Further, this loss would be detrimental to the visual amenity of the surrounding area and including the setting of the neighbouring listed building.

CONCLUSION

15. Significantly harmful overlooking of the neighbouring garden would be facilitated by the use of the proposed spa, while the incursion into the RPA of the nearby protected tree is considered, in the absence of any information to the contrary, harmful to its health and longevity. The development is therefore contrary to policy CS21 of the Woking Core Strategy, policy DM2 of the Development Management Policies DPD, and the provisions of the NPPF. The absence of harm to the character of the area or to the setting of the adjacent listed building does not overcome these considerations, and it is recommended that planning permission be refused.

Expediency of enforcement action

16. The decking, spa and fence currently in situ constitute operational development for the purposes of Section 55 of the Town and Country Planning Act 1990, and require planning permission. For the reasons given above it is recommended such permission be refused.
17. Officers have been in discussion with the applicants and their agents during the course of the application, and advice was given to the effect that the development was considered to be unacceptable in its current form. Suggestions that the spa be either moved or lowered into the ground were declined by the applicants for reasons of both cost and practicality.
18. It is acknowledged that the applicants were not aware of the need for planning permission when the development commenced, and that subsequent to completion have lowered the height of the decking substantially. However, the application must be considered on its merits, and these factors do not outweigh the planning considerations discussed above. Enforcement action requiring the complete removal of the spa and decking from the site is therefore recommended.

BACKGROUND PAPERS

Site Photographs dated 22nd May 2020 and 6th July 2020.

RECOMMENDATION

It is recommended that planning permission be REFUSED for the following reasons:

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1. The proposed spa and decking would facilitate the overlooking of the neighbouring garden at no. 493 Woodham Lane to a point significantly harmful to the amenity of the occupiers of that property. This is contrary to policy CS21 of the Woking Core Strategy (2012) and to the provisions of the NPPF.
2. It has not been demonstrated that the extent of the incursion of the proposed decking into the root protection area (RPA) of the nearby protected tree would not be harmful to its health and longevity. This is contrary to policy CS21 of the Woking Core Strategy (2012), policy DM2 of the Development Management Policies DPD (2016), and to the provisions of the NPPF.

It is further recommended that:

1. The Head of Legal Services be instructed to issue an Enforcement Notice under Section 172 of the Town and Country Planning Act 1990 (as amended) and officers be authorised in the event of non-compliance to prosecute under Section 179 of the Act, or appropriate power, and/or take direct action under Section 178 in the event of non-compliance with the Notice.
2. Enforcement action be authorised to issue an Enforcement Notice in respect of the above land requiring:
 - i. Removal of the spa comprising a swimming pool and Jacuzzi;
 - ii. Removal of the wooden raised decking in its entirety; and
 - iii. Removal from the land of all materials brought onto the land in connection with the unauthorised decking and spa, and all rubble and debris arising from compliance with the Notice, all within six months of the Notice taking effect.

Informatives:

1. The Council confirms that in assessing this planning application it has worked with the applicant in a positive and proactive way, in line with the requirements of the National Planning Policy Framework 2019. An opportunity was given for an amended scheme to be submitted, but this was not taken up by the applicant.
2. The plans relating to the development hereby refused are:

HA/2113/1 Rev 1 - Proposed Plans and Elevations - received 8th April 2020
HA/2113/2 Rev 1 - Existing Plans and Elevations - received 8th April 2020
HA/2113/3 Rev 1 - Existing and Proposed Site Plans - received 8th April 2020



ITEM 6f – PLAN/2020/0324

Woodhambury House, 491 Woodham Lane, Woking

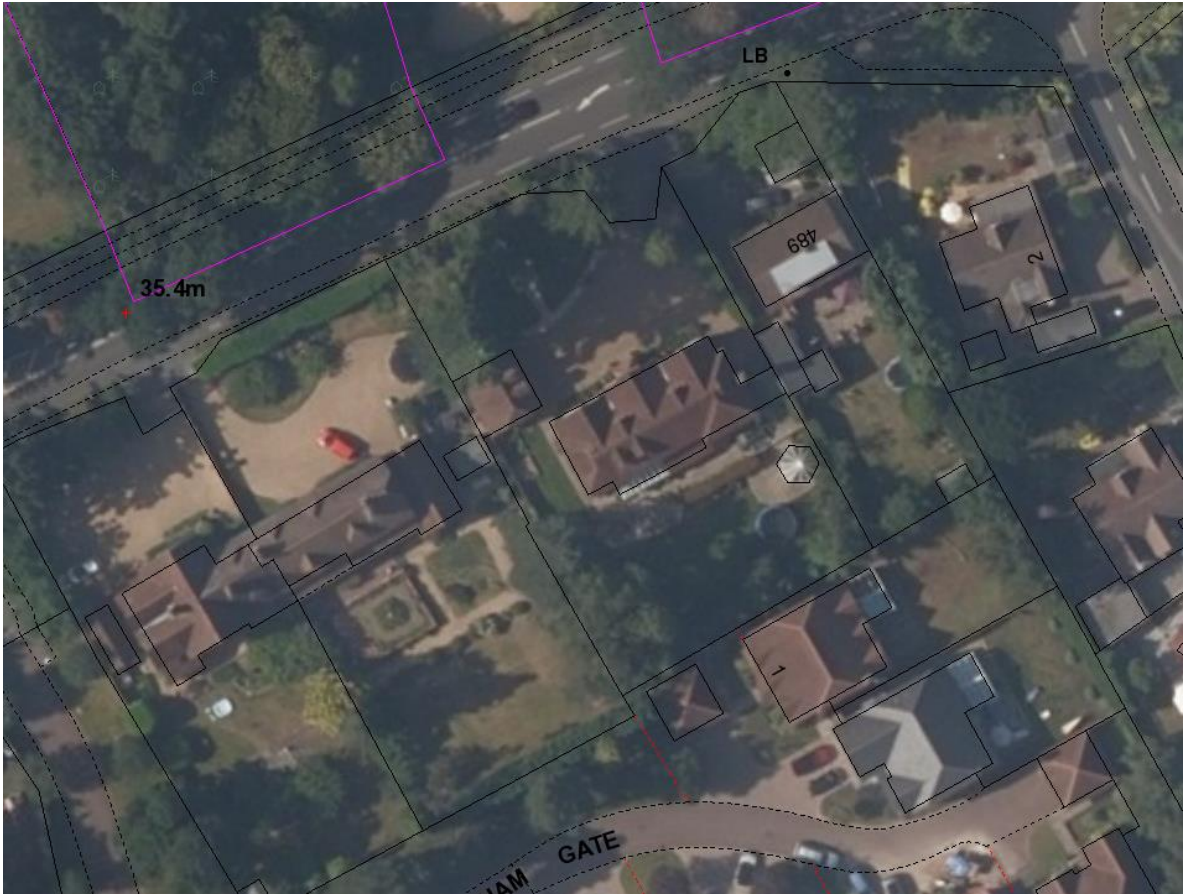
Erection of raised decking, spa and fence to side of existing dwelling (retrospective).

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Location Plan – PLAN/2020/0324

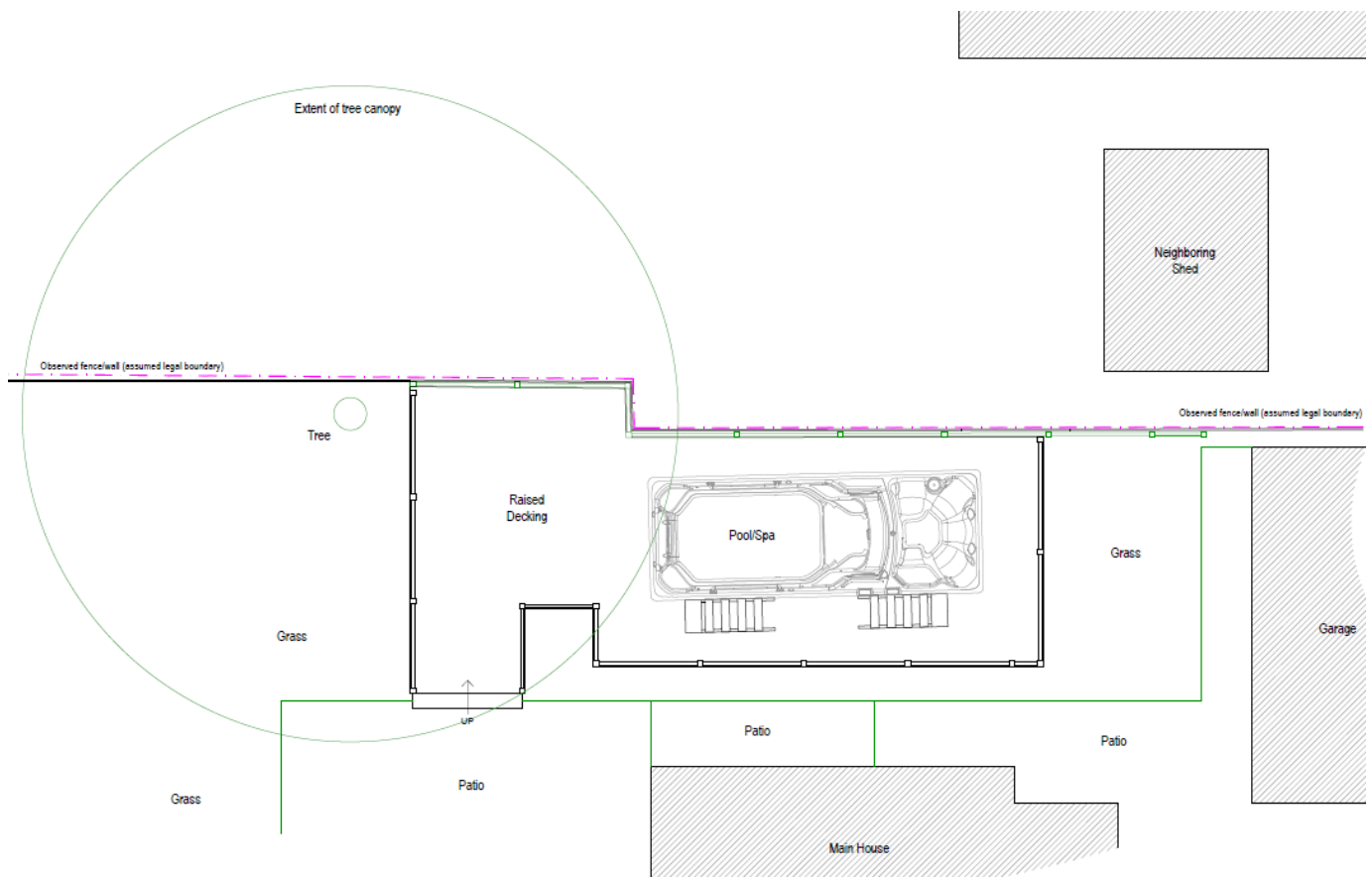


Aerial Photograph – PLAN/2020/0324



Site Plan – PLAN/2020/0324

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From Garage – PLAN/2020/0324



From Garden – PLAN/2020/0324



From Garden – PLAN/2020/0324



From Ground Level – PLAN/2020/0324



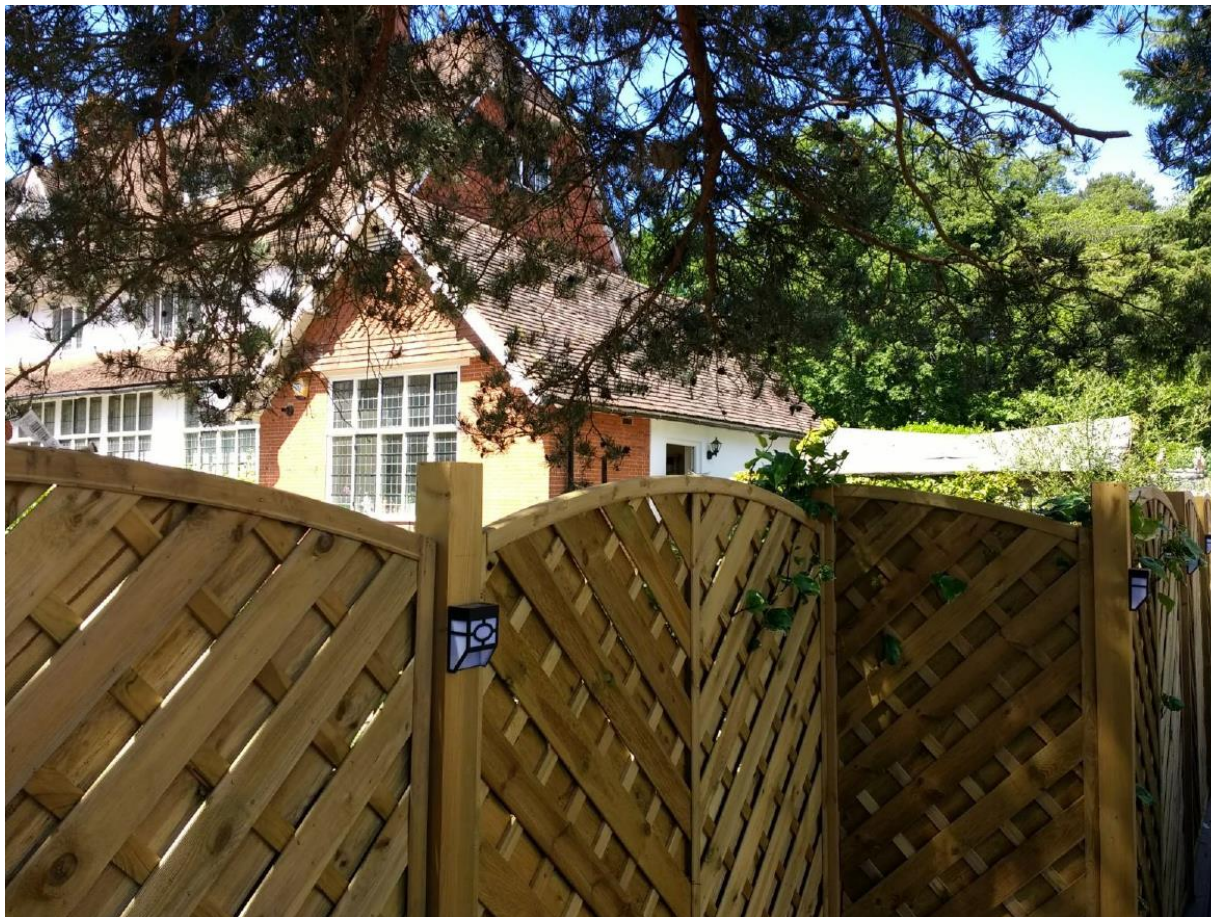
From Ground Level – PLAN/2020/0324



From Decking – PLAN/2020/0324



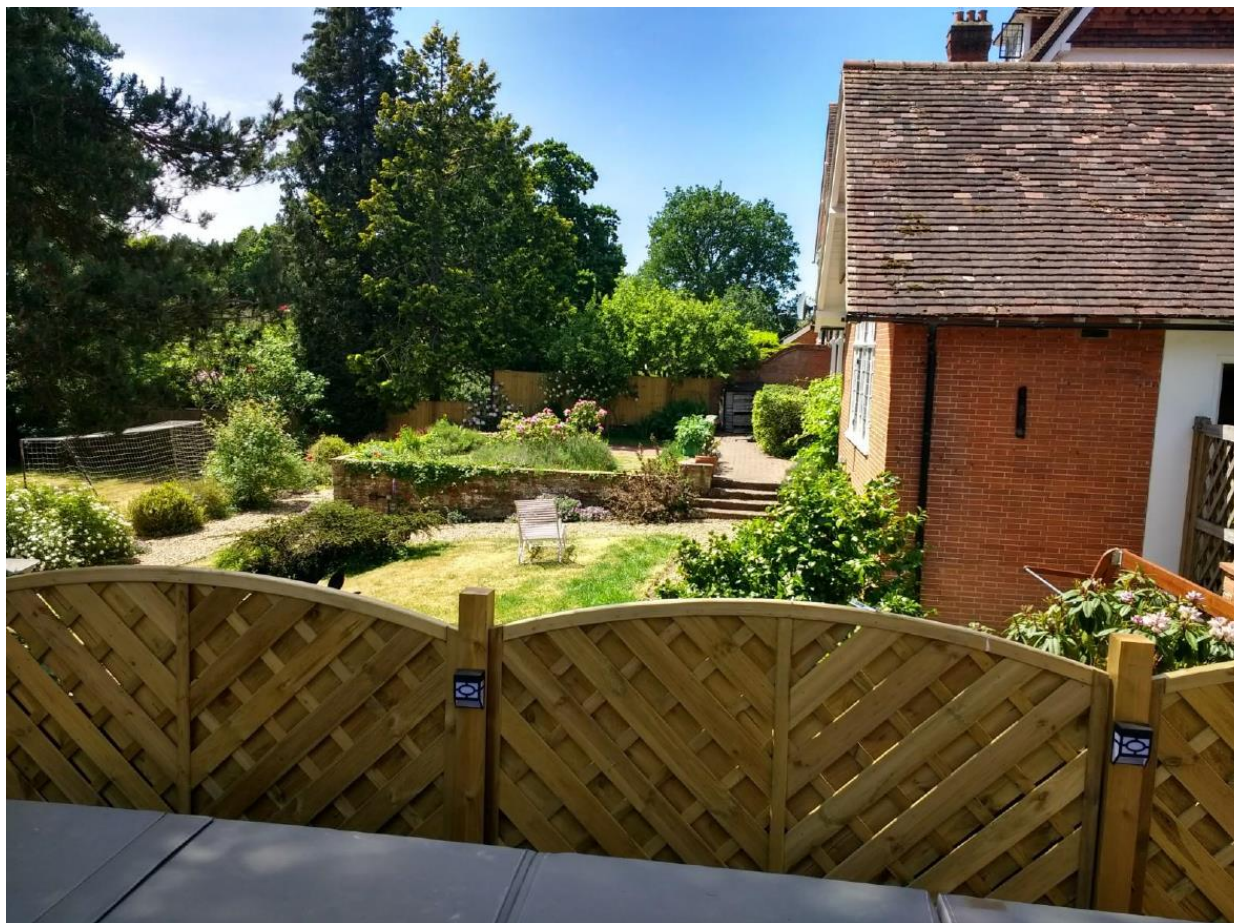
From Decking – PLAN/2020/0324



From Steps – PLAN/2020/0324



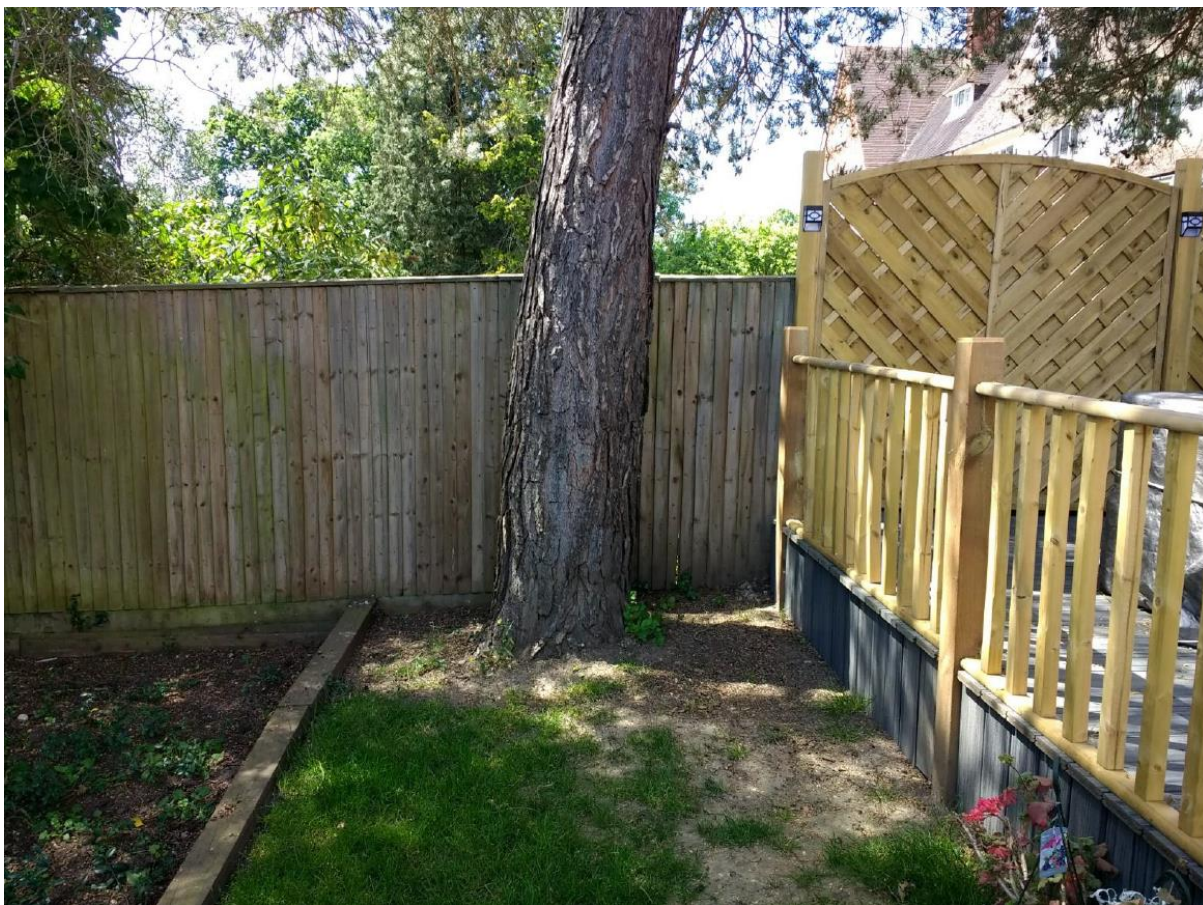
From Steps – PLAN/2020/0324



From Steps – PLAN/2020/0324



Protected Tree – PLAN/2020/0324



Spa Interior – PLAN/2020/0324



Spa Interior – PLAN/2020/0324



Spa Interior – PLAN/2020/0324

