



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, 10 November 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

NOTE: Filming Council Meetings

Please note the meeting will be filmed and will be broadcast live and subsequently as an archive on the Council's website (www.woking.gov.uk). The images and sound recording will also be used for training purposes within the Council. By joining the meeting remotely you are consenting to being filmed.

AGENDA

PART I - PRESS AND PUBLIC PRESENT

1. Minutes

To approve the minutes of the meeting of the Planning Committee held on 20 October 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

6a. 2019/1050 Grosvenor Court, Hipley Street, Woking (Pages 11 - 46)

Section B - Application reports to be introduced by Officers

6b. COND/2019/0110 Sheerwater Estate, Albert Drive, Sheerwater (Pages 49 - 58)

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

6c. 2020/0140 153 Hawthorn Rd, Woking (Pages 61 - 100)

6d. 2020/0141 155 Hawthorn Rd, woking (Pages 101 - 138)

6e. 2020/0779 Barn End, Bracken Close, Woking (Pages 139 - 200)

AGENDA ENDS

Date Published - 2 November 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 – 10 NOVEMBER 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:

2 November 2020

APPEAL DECISIONS

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.
Appeal Dismissed
14 October 2020.

2020/0261

Application for erection of a side extension to the main roof, including an additional front dormer and an increase in the height of an existing rear dormer, to enlarge existing accommodation in the roof space at 2 Downsview Avenue, Kingfield, Woking, GU22 9BT.

Refused by Delegated Powers
5 May 2020.
Appeal Lodged
17 September 2020.
Appeal allowed
21 October 2020.

ENF/2019/00114

Enforcement on proposed two storey side and rear addition and two storey rear extension following demolition of existing rear conservatory with car parking space at rear (Retrospective) not in accordance to the approved plans at land at 153 Hawthorn Road, Woking, Surrey , GU22 0BQ

Enforcement Notice Issued
28 January 2020.
Appeal Lodged
14 May 2020.
Appeal Dismissed
22 October 2020.

ENF/2019/00115

Enforcement following a visit to no.153 Hawthorn Road, a look at this property showed a breach to the approved plans at land at 155 Hawthorn Road, Woking, Surrey, GU22 0BQ.

Enforcement Notice Issued
28 January 2020.
Appeal Lodged
14 May 2020.
Appeal Dismissed
22 October 2020.

2020/0407

Application for the erection of a rear outbuilding at 212 Albert Drive, Sheerwater, Woking, GU21 5TY.

Refused by Delegated Powers
9 July 2020.
Appeal Lodged
17 September 2020.
Appeal Dismissed
26 October 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.
Appeal Dismissed
29 October 2020.

PLANNING COMMITTEE AGENDA

PLANNING APPLICATIONS AS AT 10TH NOVEMBER 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

10 November 2020

<u>ITEM</u>	<u>LOCATION</u>	<u>APP. NO.</u>	<u>REC</u>	<u>WARD</u>
0006a	Land At Grosvenor Court, Hipley Street, Old Woking, Woking, Surrey, GU22 9LL	PLAN/2019/1050	LEGAL	HV
0006b	Sheerwater Estate, Albert Drive, Sheerwater, Woking, Surrey	COND/2019/0110	PER	C
0006c	153 Hawthorn Road, Woking, Surrey, GU22 0BQ	PLAN/2020/0140	REF	HE
0006d	155 Hawthorn Road, Woking, Surrey, GU22 0BQ	PLAN/2020/0141	REF	HE
0006e	Barn End, Bracken Close, Woking, Surrey, GU22 7HD	PLAN/2020/0779	PER	MH

SECTION A - A

SECTION B - B

SECTION C - C - E

PER - Grant Planning Permission

LEGAL - Grant Planning Permission Subject To Compliance Of A Legal Agreement

REF - Refuse

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)

Land At Grosvenor Court, Hiple Street, Old Woking

PLAN/2019/1050

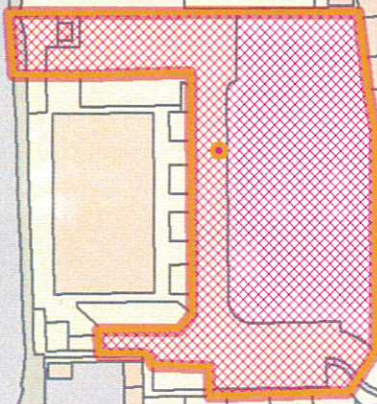
Erection of part five storey, part four storey building containing x28 apartments (x2 studio, x17 one bedroom and x9 two bedroom) with car parking, cycle stores, landscaping and associated works (amended red line on location plan).



PLAN/2019/1050



Grosvenor Court, Hipley Street

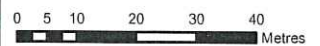


Comments

Not Set



SCALE 1:1,250



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

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6a PLAN/2019/1050 WARD: HV

LOCATION: Land At Grosvenor Court, Hipley Street, Old Woking, Woking, Surrey, GU22 9LL

PROPOSAL: Erection of part five storey, part four storey building containing x28 apartments (x2 studio, x17 one bedroom and x9 two bedroom) with car parking, cycle stores, landscaping and associated works.

APPLICANT: Mr S Prockter, Tanatalus Homes **OFFICER:** Brooke Bougnague

REASON FOR REFERRAL TO COMMITTEE

The proposal is of a development type which falls outside the Management Arrangements and Scheme of Delegations.

SUMMARY OF PROPOSED DEVELOPMENT

The proposal is for the erection of part five storey, part four storey building containing x28 apartments (x2 studio, x17 one bedroom and x9 two bedroom) with car parking, cycle stores, landscaping and associated works. The proposal would utilise an existing vehicular access onto Hipley Street which would be slightly modified and the proposal would provide 33x parking spaces.

Site Area:	0.2238ha (2,238m ²)
Existing units:	0
Proposed units:	28
Existing density:	N/A
Proposed density:	125.1dph (dwellings per hectare)

PLANNING STATUS

- Urban Area
- Thames Basin Heaths SPA Zone B (400m-5km)
- Flood Zone 2

RECOMMENDATION

GRANT planning permission subject to conditions and Section 106 Agreement.

SITE DESCRIPTION

The application site is a vacant parcel of land formerly occupied by a rubber components factory. The site is accessed from Hipley Street sited to the east of the application site with Priors Croft sited to the west of the application site. Grosvenor Court itself is a three storey building sited to the west of the application site which has recently been converted from offices to flats through the Prior Approval process. Bordering the north of the site is Prospect House, a flatted development built in the 2000s. Westminster Court sited to the south of the site is a complex of three storeys buildings that have also recently been converted from offices to flats through the Prior Approval process. A two storey commercial building occupied by Nittan is sited to the east of the application site.

PLANNING HISTORY

PLAN/2018/0619: Erection of part five storey, part four storey building to provide x27 apartments (x18 one bedroom and x9 two bedroom) with associated entrance gates, car and motorcycle parking, landscaping and bin store. Withdrawn

PLAN/2003/0295: Variation of Condition No.7 of planning permission 2001/0485, to allow flexibility for individual units to be up to 688 sq.m (7400 sq.ft) in floor area. Permitted 30.04.2003

PLAN/2001/0485: Demolition of existing industrial building and erection of new office floorspace in two blocks, formation of new vehicular access from Hipley Street and associated car parking and landscaping. Permitted 26.11.2001

(Note: this permission was part-implemented. See under 'Planning Issues' below)

CONSULTATIONS

Surrey County Highways: No objection subject to conditions

Environment Agency South East: No comments

Thames Water: No objection subject to condition

Housing Services: Agree with the findings of the Council's Viability Consultants.

Environmental Health: No objection subject to condition

Drainage and Flood Risk Team: No objection subject to conditions

Surrey County Council Drainage Team: *'Under local agreements, the statutory consultee role under surface water drainage is dealt with by Woking Borough Council's Flood Risk Engineering Team'*.

Waste Services: No objection

Contamination Officer: No objection subject to conditions

Kempton Carr Croft (Viability Consultant): The inputs included within the viability appraisal are reasonable. The development is unable to provide any element of affordable housing.

REPRESENTATIONS

17 letters of objection have been received on the initial submission of the planning application raising the following points:

- Hipley Street is already hazardous due to the amount of parked cars and to add more flats/cars and traffic down this little road would make this even more dangerous.
- Loss of daylight
- Overlooking
- Loss of privacy
- There is the economic risk to Woking as a whole as it becomes oversaturated with properties
- Overspill parking onto Hipley Street

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- Pedestrian safety
- Insufficient on-site parking
- Parking and access is already an issue in Hipley Street
- Loss of light, overshadowing and loss of privacy to Nittan premises
- Concern over access to the rear of Nittan premises for maintenance/repairs
- Tall building
- No affordable housing provided
- Overbearing
- Exacerbate traffic in the area
- Concerns over capacity at schools, leisure facilities etc.
- Too many flats in Woking
- The development is in an area with high risk of flooding and has flooded in the last 5 years.
- Out of character
- Increase congestion

26 letters of objection have been received on the amended plans and additional/amended raising the following points:

- Increase in traffic
- Insufficient parking
- Already too much new housing in the area
- Highway safety as cars park close to the Hipley Street/A247 junction
- Concerns over emergency vehicular access
- Inadequate parking for the current amount of residents
- Too tall
- Overbearing
- Bulky
- Loss of daylight
- Loss of privacy
- Increase in density
- Overshadowing
- Decrease value of properties
- More overspill parking onto Hipley Street
- Overlooking
- Increase in noise during construction and post completion
- Hipley Street is already hazardous due to the amount of parked cars and to add more flats/cars and traffic down this little road would make this even more dangerous.
- Out of character
- Concern over drainage and sewage capacity
- Impact on biodiversity
- Health concerns over contaminated land and asbestos
- Impact on Hipley Street - some is privately owned
- Loss of light, overshadowing and loss of privacy to Nittan premises
- Concern over access to the rear of Nittan premises for maintenance/repairs

BACKGROUND

Amended plans were received on 1 October 2020 amending the red line and providing details of the bin store. A daylight and sunlight report and additional/amended drainage and flood risk information have also been submitted. The proposal has been assessed on the basis of these amended plans and additional information.

RELEVANT PLANNING POLICIES

National Planning Policy Framework (NPPF) (2019):

Section 2 - Achieving sustainable development
Section 5 - Delivering a sufficient supply of homes
Section 9 - Promoting sustainable transport
Section 11 - Making effective use of land
Section 12 - Achieving well-designed places
Section 14 - Meeting the challenge of climate change, flooding and coastal change

Woking Core Strategy (2012):

CS1 - A Spatial strategy for Woking Borough
CS8 - Thames Basin Heaths Special Protection Areas
CS9 - Flooding and water management
CS10 - Housing provision and distribution
CS11 - Housing Mix
CS12 - Affordable housing
CS15 - Sustainable economic development
CS18 - Transport and accessibility
CS21 - Design
CS24 - Woking's landscape and townscape
CS25 - Presumption in favour of sustainable development

Woking Development Management Policies DPD (2016):

DM2 - Trees and Landscaping
DM8 - Land Contamination and Hazards

Supplementary Planning Documents (SPDs):

Parking Standards (2018)
Woking Design (2015)
Affordable Housing Delivery (2014)
Climate Change (2013)
Outlook, Amenity, Privacy and Daylight (2008)

PLANNING ISSUES

Principle of development

1. The application site is a vacant parcel of land formerly occupied by a rubber components factory. The site is located within the Old Woking Industrial Estate Employment Area. Policy CS15 states *'the Council will.....permit the redevelopment of B use sites elsewhere in the Borough for alternative uses that accord with other policies in the Core Strategy where (i) the existing use of the site causes harm to amenity and/or (ii) it can be demonstrated that the location is unsuitable for the needs of modern business'*. The applicant has submitted information seeking to justify the loss of the employment land.
2. The application site and Grosvenor Court sited to the west of the application site were granted planning permission (ref: PLAN/2001/0485) on 26 November 2001 for demolition of existing industrial building and erection of new office floorspace in two blocks, formation of new vehicular access from Hipley Street and associated car parking and landscaping. One of the Blocks (Grosvenor Court – Phase I) was subsequently built, however the other block (Phase II) that was proposed within the current application site has never been built. The applicant has submitted a letter from Gascoignes Chartered Surveyors who have advised *'whilst there has been enquires, no formal interest in the site was expressed in*

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either Phase I or Phase II.....Old Woking is not a sought after office location hence Phase II has failed to illicit any interest on either a pre-let or pre-sales basis.’ Due to the lack of interest in office accommodation Phase II has never been built. Phase I at Grosvenor Court was only ever let on short term leases before recently being converted from office use to residential use under prior approval (ref: PLAN/2017/0545).

3. Westminster Court, a complex of buildings sited to the south of the application site which is also located within the Employment Area has similarly been converted from office use to residential use under prior approval (ref: PLAN/2013/0738). In 2015 planning permission was granted under PLAN/2014/0825 for a new building at Westminster Court for 4 flats within the Employment Area.
4. The conversion of these buildings from office to residential use and erection of a new building at Westminster Court for residential use is considered to demonstrate a lack of viable market interest for commercial properties in this area of Woking.
5. Gascoignes Chartered Surveyors have also advised that Serviced Offices have grown significantly in popularity in recent years and that the absence of conventional office acquisitions could be due to an increase in working from home, improved ICT and businesses wanting to locate in accessible locations near an assortment of activities.
6. In addition to the residential use at Grosvenor Court and Westminster Court sited to the west and south of the application site, Prospect Place (granted planning permission under PLAN/2003/0193) is a flatted development sited to the north of the application site and there are additional residential properties sited further to the west along Priors Croft. It is considered that the character of this section of the Employment Area has now changed and now has a prevailing residential character.
7. Although the Employment Land within the application site could be used for alternative B Class uses (now Class E under Use Class order amended on 1 September 2020) it is considered that these potential commercial uses could cause conflict in terms of noise, disturbance and emissions to the residential uses that now border the north, south and west of the application site.
8. Overall, although the proposal would result in the loss of land within the Employment Area, it is considered that there is a lack of demand for office use in this location and there is potential that other commercial uses on the site will cause harm to the amenity of residential uses that now border the north, south and west of the application site.
9. The National Planning Policy Framework (NPPF) (2019) and Core Strategy (2012) Policy CS25 promote a presumption in favour of sustainable development and the site is within the designated Urban Area. The development of previously developed land for additional dwellings can be acceptable provided that the proposal respects the overall grain and character of development in the area. Core Strategy (2012) Policy CS10 seeks to ensure that sufficient homes are built in sustainable locations where existing infrastructure is in place. The principle of loss of employment land and provision of residential development is therefore considered to be justifiable subject to the further material planning considerations discussed below.

Impact on Character

10. Section 12 of the NPPF states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve and that good design is a key aspect of sustainable development. Policy CS21 of the Woking Core

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Strategy (2012) states that development should respect and make a positive contribution to the street scene and the character of the area paying due regard to the scale, height, proportions, building lines, layout, materials and other characteristics of adjoining buildings and land.

11. Policy CS24 of the Woking Core Strategy (2012) states that future development should be well-suited and sensitive to its location to protect the Borough's different character areas, whilst accommodating the change needed to contribute to environmental, social and economic objectives. The Woking Character Study (2010) and SPD Design (2015) also provide design considerations.
12. The application site is bounded by big blocks of buildings (Grosvenor Court, Westminster Court, Prospect Place and Nittan Building) with further large buildings sited to the south east of the application site fronting High Street (Harvey Water Softeners and Capital Park) and along Manor Way. Planning application PLAN/2020/0304 recently granted planning permission for a large 'U' shaped building on the former Ian Allan site which is now under construction.
13. The surrounding area is characterised by two and three storey buildings finished in brick and render. Prospect Place sited to the north of the application site is a three storey building with accommodation in the roofspace facilitated by dormer windows. The building is finished in buff brick and render with external balconies. A two storey commercial building occupied by Nittan which incorporates pitched and flat roofs and is finished in buff brick, painted brick and render is sited to the east of the application site. Westminster Court, a complex of three storey buildings which have recently been converted from office to residential use is sited to the south of the application site. Immediately to the west of the application site is Grosvenor Court, a three storey building that has recently been converted from office to residential use. Grosvenor Court is finished in red brick with external balconies. Hipley Street and Priors Croft sited further to the east and west of the application site are characterised by two storey semi-detached dwellings and short terraces of dwellings.
14. The proposal is for a part five storey, part four storey building with a flat roof. The building would be have a contemporary appearance and be finished in red brick and dark grey aluminium cladding with black window frames and balcony balustrades similar to the appearance of Grosvenor Court sited to the west of the application site. The fifth floor would be set in from the north and south elevations and finished in zinc cladding with a glazed balustrade to provide a lightweight contemporary element. The west elevation orientated towards Grosvenor Court would have a staggered built form with recessed windows and balconies.
15. The proposed building would be sited approximately 0.8m from the north boundary with Prospect Place. Prospect Place is an L shaped building with the parking area serving the flats sited next to the north boundary of the application site adjacent to the proposed building. It is considered that sufficient space would be retained between Prospect Place and the proposed building. A minimum separation of approximately 2.6m would be retained to the east boundary with a commercial building currently occupied by Nittan. An approximate minimum 14.8m separation would be retained between the proposed building and Westminster Court sited to the south of the application site. The proposed building would retain an approximate 21.4m separation distance to Grosvenor Court sited to the west of the application site. Overall these separation distances are considered acceptable and would retain sufficient spacing between buildings.

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16. The proposed building would be separated from Hipley Street and Priors Croft by the Nitan Building and Grosvenor Court. An approximate 25.6m would be retained to Hipley Street and approximately 44.4m separation distance to Priors Croft.
17. The proposed building would have a height of approximately 16.4m (excluding plant). Prospect Place, sited to the north, is approximately 12.6m high. Grosvenor Court sited to the west is approximately 14.1m high. The buildings at Westminster Court sited to the south of the site are approximately 12m and the Nittan Building to the east has a maximum height of approximately 8.7m. Planning application PLAN/2020/0304 granted on 10 June 2020 (which is currently under construction) permitted a building with a maximum height of approximately 13.2m (excluding plant) at the former Ian Allan Motors site, sited a short distance to the west.
18. Whilst a sizeable building is proposed, it is considered that the proposed building would be consistent with the large grained buildings immediately surrounding the application site. Furthermore, the overall scale is further mitigated by the generous distances to Priors Croft and Hipley Street.
19. Overall the proposed building is considered to have an acceptable impact on the character of the surrounding area and accord with Policies CS21 and CS24 of the Woking Core Strategy (2012), Supplementary Planning Document 'Woking Design' (2015) and the NPPF (2018).

Density

20. Core Strategy (2012) policy CS10 sets an indicative density range for infill development in the urban area of 30-40dph. This policy makes clear however that density ranges are indicative and states that '*Density levels will be influenced by design with the aim to achieve the most efficient use of land. Where possible, density should exceed 40 dwellings per hectare and will not be justified at less than 30 dwellings per hectare, unless there are significant constraints on the site or where higher densities cannot be integrated into the existing urban form. Higher densities than these guidelines will be permitted in principle where they can be justified in terms of the sustainability of the location and where the character of an area would not be compromised*'.
21. The proposed density would be 125.1dph. Prospect Place sited to the north of the application site has a density of approximately 123dph and Grosvenor Court to the west has a density of approximately 154dph. Planning application PLAN/2020/0304 granted on 10 June 2020 at the former Ian Allan Motors and sited a short distance to the west of the application site has a density of approximately 158dph. The proposal is considered to result in an efficient use of land and is considered to result in an acceptable impact on the character of the area. The proposed density is therefore considered acceptable and is considered consistent with the aims of Policy CS10 and the wider aims of the Woking Core Strategy (2012).

Impact on Neighbours

22. Policy CS21 of the Woking Core Strategy (2012) advises that proposals for new development should achieve a satisfactory relationship to adjoining properties, avoiding significant harmful impact in terms of loss of privacy, loss of daylight or sunlight, or an overbearing effect due to bulk, proximity or loss of outlook.
23. In terms of potential overlooking and loss of privacy, the Council's 'Outlook, Amenity, Privacy and Daylight' SPD (2008) sets out recommended separation distances for different relationships and different building heights. For three storey development and above, the

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SPD recommends a minimum separation distance of 15m for 'front-to-front' relationships and 30m for 'rear-to-rear' relationships to avoid undue overlooking. However, these standards are advisory and the SPD makes clear that the context of development proposals will be of overriding importance.

24. In terms of potential impact on daylight and sunlight, the Building Research Establishment (BRE) have set out guidelines for assessing such impacts ('Site Layout Planning for Daylight & Sunlight. A Guide to Good Practice' 2011). The BRE guidance states that *"If, for any part of the new development, the angle from the centre of the lowest affected window to the head of the new development is more than 25°, then a more detailed check is needed to find the loss of skylight to the existing buildings"*. It should be noted that the BRE Guide is, however, a guide and compliance is not mandatory, since the actual effect can be influenced by other factors.

Daylight impacts:

25. The BRE guidelines set out several methods for calculating loss of daylight. The two methods predominantly used are those involving the measurement of the total amount of skylight available (the Vertical Sky Component - VSC) and its distribution within the building (Daylight Distribution). VSC is the ratio, expressed as a percentage, of the direct sky illuminance falling on a reference point (usually the centre of the window) to the simultaneous horizontal illuminance under an unobstructed sky (overcast sky conditions). According to the BRE guidance, if the VSC measured at the centre of a window, is at least 27% then enough daylight should still reach the window of the existing building. If the VSC, with the new development in place, is both less than 27% and less than 0.8x its former value, occupants of the existing building will notice the reduction in the amount of light.
26. The Daylight Distribution method takes account of the internal room layouts of the rooms in question and indicates how well daylight is distributed within the room. The BRE guidance states that daylight may be adversely affected if the daylight distribution figure is reduced to less than 0.8x its former value (i.e. no more than a 20% loss).
27. The BRE Guide recognises the importance of receiving adequate daylight within new residential accommodation. Average Daylight Factor (ADF) is used to determine the average illuminance on the working plane in a room, divided by the illuminance on an unobstructed surface outdoors, in accordance with BS 8206 Part 2:2008. The BRE Guide suggests minimum ADF standards for room use as follows:

- Kitchens 2.0%
- Living rooms 1.5%
- Bedrooms 1.0%

Neighbours:

28. The submitted daylight and sunlight report has only assessed the impact on Grosvenor Court sited to the West of the application site as the 25 degree test is failed at a number ground floor windows in the east elevation orientated towards the application site.
29. Prospect Place is sited to the north of the application site. The proposed building would be sited approximately 0.8m from the boundary with Prospect Place. Prospect Place is an 'L' shaped building along the north and west boundaries adjacent to Priors Croft with the parking area serving the flats sited next to the north boundary of the application site adjacent to the proposed building. Although the proposed building would be within 2m of the side boundary due to the minimum 19.2m separation distance to the flats at Prospect Place it is considered there would not be a significant overbearing or loss of daylight impact

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on the amenities of Prospect Place. Windows are proposed in the front and north side elevation of the proposed building. The proposed windows in the front elevation closest to the boundary with Prospect Place would be orientated towards the parking area serving the proposed flats and the proposed windows in the side elevation would be orientated towards the parking area serving Prospect Place. It is considered that the proposal would not consequently result in a significant loss of privacy or overlooking to Prospect Place.

30. A commercial building currently occupied by Nittan is sited to the east of the application site. Given its use, it is considered that the proposal would not have an impact on this building.
31. Westminster Court is sited to the south of the application site. The proposed building would be sited a minimum of approximately 14.8m from Westminster Court increasing to approximately 18.6m as the building at Westminster Court closest to the south boundary of the application site has a staggered rear elevation. The minimum 14.8m separation distance to Westminster Court is only 0.2m below the minimum recommended 15m separation distance for 'back to boundary/flank' relationships for three storey and above development set out in the Council's 'Outlook, Amenity, Privacy and Daylight' SPD (2008). Five windows (one on each floor) serving an open plan living/kitchen/dining room are proposed in the south side elevation orientated towards the rear elevation of Westminster Court. An approximate 16.6m separation would be retained between the proposed windows and the rear elevation of Westminster Court opposite these windows. Due to the separation distance it is considered there would not be a significant impact on the amenities of Westminster Court in terms of loss of daylight, loss of privacy or overbearing impact.
32. Grosvenor Court is sited to the west of the application site and is in residential use. A minimum separation distance of approximately 21.4m would be retained to the front elevation of Grosvenor Court, this separation distance complies with minimum separation distance set out in the Council's 'Outlook, Amenity, Privacy and Daylight' SPD (2008). The 25 degree test has been applied and failed to ground floor windows in the east elevation. A daylight and sunlight report has been submitted which has assessed the windows in the front (east) elevation and part of both side (north and south) elevations. In terms of the cumulative impact, of the 47x windows assessed, 35x would meet BRE guidance with regards to VSC. 5x of the windows are classified as experiencing a "minor adverse" loss of light and 7x a "moderate adverse" loss of light. With regards to ADF and the Daylight Distribution test, the submitted daylight and sunlight report shows that all the windows tested would achieve the BRE target criteria. Overall the proposed development is considered to form an acceptable relationship with these neighbours in terms of loss of light, overbearing and overlooking impacts.
33. An approximate 38.8m would be retained to the front elevations of the two storey dwellings sited along Hipley Street. This separation distance complies with minimum separation distance set out in the Council's 'Outlook, Amenity, Privacy and Daylight' SPD (2008). The commercial building occupied by Nittan and Hipley Street would provide a separation between the proposed building and Hipley Street. The 25 degree test has been applied and passed. It is considered there would not be a significant impact on the amenities of the dwellings along Hipley Street in terms of loss of daylight, loss of privacy or overbearing impact.
34. Overall the proposal is therefore considered to have an acceptable impact on the amenities of neighbours in terms of loss of light, overlooking and overbearing impacts and accords with Policy CS21 of the Core Strategy (2012), Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight' (2008) and the policies in the NPPF (2019).

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Transportation impact

35. The proposed flats would have pedestrian and vehicular access from an existing access off Hipley Street.
36. Supplementary Planning Document 'Parking Standards' (2018) requires a studio/1 bedroom flat to provide a minimum of 0.5 onsite parking spaces and a 2 bedroom flat to provide a minimum of 1 onsite parking space. To comply with minimum parking standards a minimum of 19 onsite parking spaces would be required. It is proposed to provide 33 onsite parking spaces plus 4 motorcycle spaces in a communal parking area. The proposal would consequently comply with onsite parking standards within Supplementary Planning Document 'Parking Standards' (2018).
37. A condition (Condition 8) is recommended to secure 2 active charging points and 4 passive charging points within the 33 space communal car park in accordance with Supplementary Planning Document 'Climate Change' (2013).
38. Planning Document 'Parking Standards' (2018) requires the provision of 2 cycle spaces per residential dwelling. As the proposal includes a high proportion of studio/1 bed flat the County Highways Authority have advised that the provision of a minimum of 28 cycle spaces is considered acceptable. It is proposed to provide 34 cycle spaces to the east of the application site in 3 bike stores. A condition (Condition 11) is recommended to ensure the proposed cycle stores are provided prior to first occupation of the proposed building.
39. A Construction Transport Management Plan condition (Condition 12) is recommended to minimise disruption to local residents during the build period should planning permission be granted. There is also potential storage space for materials on site during any build period
40. The County Highway Authority have been consulted and raised no objection subject to conditions.
41. Overall therefore the proposal is considered to result in an acceptable impact upon highway safety and car parking provision and accords with Policy CS18 of the Woking Core Strategy (2012), Supplementary Planning Document 'Parking Standards' (2018) and the National Planning Policy Framework (2019).

Standard of accommodation

42. The proposal would deliver 17 x one bedroom and 9 x two bedroom units ranging from 50sq.m to 79sq.m which is consistent with the recommended minimum standards set out in the National Technical Housing Standards (2015). The 2 x studio flats would be 36sq.m which is 1sq.m below the recommended minimum standards set out in the National Technical Housing Standards (2015). However, these studio flats would still be an acceptable size and both have a balcony. The proposed flats are considered of an acceptable size with acceptable quality outlooks to habitable rooms.
43. With regards to provision of amenity space for family accommodation (flats with two bedrooms or more and exceeding 65sq.m. gross floor space) 'Outlook Amenity, Privacy and Daylight' SPD (2008) states '*alternative forms of on-site amenity provision may be permitted in lieu of a conventional private garden, although this should always be the first option*'. The ground floor flats would have direct access to a small area of amenity space and the flats on the upper floors would either have a balcony or roof terrace. Overall the proposal is considered to achieve an acceptable size and standard of accommodation for future residents.

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44. A commercial building currently operated by Nittan which manufactures fire detection equipment is located to the east of the application site. A noise assessment has been submitted and concluded that appropriate target internal noise levels have been proposed and these are achievable using conventional mitigation measures. A condition (Condition 17) is recommended to secure details of the glazing specification and ventilation to ensure the proposed design target internal noise levels as recommended in the Noise report are achieved.
45. A bin store is proposed in the south west corner of the application site. The proposed bin store would serve the 28 proposed flats and the 19 existing flats at Grosvenor Court granted under prior approval ref: PLAN/2017/0545. The Waste Services Team have been consulted and raised no objection to the proposal.

Impact on Trees

46. There are no significant trees on the site which would require protection during construction however a landscaping scheme can be secured by condition.

Drainage and Flood Risk

47. The application site is located in Flood Zone 2. The planning application has been supported by a Flood Risk Assessment and Site Drainage Management and Maintenance Strategy. The Council's Flood Risk and Drainage Team have been consulted and raised no objection subject to conditions requiring compliance with submitted information and submission and approval of a detailed flood warning and management plan and verification report. The proposal is therefore considered acceptable in terms of drainage and flood risk subject to conditions.

Contamination

48. Due to the previous use of the site, there is potential for contamination on the proposal site. The Council's Scientific Officer raises no objection to the proposal subject to conditions (Conditions 13-15 refer) securing the investigation and remediation of potential contamination. The proposal is therefore considered acceptable in this regard subject to these conditions.

Impact on the Thames Basin Heaths Special Protection Area (SPA)

49. The Thames Basin Heaths Special Protection Area (TBH SPA) has been identified as an internationally important site of nature conservation and has been given the highest degree of protection. Policy CS8 of the Core Strategy states that any proposal with potential significant impacts (alone or in combination with other relevant developments) on the TBH SPA will be subject to Habitats Regulations Assessment to determine the need for Appropriate Assessment. Following recent European Court of Justice rulings, a full and precise analysis of the measures capable of avoiding or reducing any significant effects on European sites must be carried out at an 'Appropriate Assessment' stage rather than taken into consideration at screening stage, for the purposes of the Habitats Directive (as interpreted into English law by the Conservation of Habitats and Species Regulations 2017 (the "Habitat Regulations 2017")). An Appropriate Assessment has therefore been undertaken for the site as it falls within 5 kilometres of the TBH SPA boundary.
50. Policy CS8 of Woking Core Strategy (2012) requires new residential development beyond a 400m threshold, but within 5 kilometres of the TBH SPA boundary to make an appropriate contribution towards the provision of Suitable Alternative Natural Greenspace

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(SANG) and Strategic Access Management and Monitoring (SAMM), to avoid impacts of such development on the SPA. The SANG and Landowner Payment elements of the SPA tariff are encompassed within the Community Infrastructure Levy (CIL), however the SAMM element of the SPA tariff is required to be addressed outside of CIL. The proposed development would require a SAMM financial contribution of £16,476.00 based on a net gain of 2x studios, 17 x 1 bedroom flats and 9 x 2 bedrooms flats which would arise from the proposal. The Appropriate Assessment concludes that there would be no adverse impact on the integrity of the TBH SPA providing the SAMM financial contribution is secured through a S106 Legal Agreement. CIL would be payable in the event of planning permission being granted. For the avoidance of doubt, sufficient SANG at Heather Farm has been identified to mitigate the impacts of the development proposal.

51. Subject to securing the provision of the SAMM tariff and an appropriate CIL contribution, and in line with the conclusions of the Appropriate Assessment (as supported by Natural England), the Local Planning Authority is able to determine that the development will not affect the integrity of the TBH SPA either alone or in combination with other plans and projects in relation to urbanisation and recreational pressure effects. The development therefore accords with Policy CS8 of Woking Core Strategy (2012), the measures set out in the Thames Basin Heaths SPA Avoidance Strategy, and the requirements of the Habitat Regulations 2017.

Sustainability

52. Following a Ministerial Written Statement to Parliament on 25 March 2015, the Code for Sustainable Homes (aside from the management of legacy cases) has now been withdrawn. For the specific issue of energy performance, Local Planning Authorities will continue to be able to set and apply policies in their Local Plans that require compliance with energy performance standards that exceed the energy requirements of Building Regulations until commencement of amendments to the Planning and Energy Act 2008 in the Deregulation Bill 2015. The government has stated that the energy performance requirements in Building Regulations will be set at a level equivalent to the outgoing Code for Sustainable Homes Level 4.
53. Until the amendment is commenced, Local Planning Authorities are expected to take this statement of the Government's intention into account in applying existing policies and setting planning conditions. The Council has therefore amended its approach and an alternative condition will now be applied to all new residential permissions which seeks the equivalent water and energy improvements of the former Code Level 4. The Council has therefore amended its approach and an alternative condition will now be applied to all new residential permissions which seeks the equivalent water and energy improvements of the former Code Level 4 (see Conditions 6 and 7).

Affordable housing

54. Policy CS12 of the Woking Core Strategy (2012) states that all new residential development on previously developed (brownfield) land will be expected to contribute towards the provision of affordable housing and that, on sites providing 15 or more dwellings, or on sites of over 0.5ha (irrespective of the number of dwellings proposed), the Council will require 40% of dwellings to be affordable. Policy CS12 also sets out that the proportion of affordable housing to be provided by a particular site will take into account, among other factors, the costs relating to the development; in particular the financial viability of developing the site (using an approved viability model). The policy provides a clear set of considerations that will be taken into account in determining the final proportion of on-site affordable housing and is supplemented by SPD Affordable Housing Delivery (2014).

55. Paragraph 57 of the NPPF sets out that it is up to the applicant to demonstrate whether particular circumstances justify the need for a viability assessment at the application stage and that the weight to be given to a viability assessment is a matter for the decision maker, having regard to all the circumstances in the case, including whether the plan and the viability evidence underpinning it is up to date, and any change in site circumstances since the plan was brought into force.
56. The applicant has submitted a financial viability assessment with the planning application which shows that is not viable for the applicant to provide any affordable housing within the proposed development or make any financial affordable housing contribution to the Council. The Council has retained specialist advisors to assess the submissions made in this respect. Kempton Carr Croft have analysed the submitted viability appraisal, including an interrogation of build costs, and have undertaken further research into the Gross Development Values, Benchmark Values, Build Costs and other inputs adopted for the development.
57. Kempton Carr Croft has concluded that the scheme is unable to provide an affordable housing contribution and remain viable as the site is unlikely to come forward for residential development at a value of any less than the residual land value for the proposed scheme. On this basis, it is considered that Policy CS12 of the Woking Core Strategy (2012) would be addressed.

Community Infrastructure Levy (CIL)

58. The proposal would be liable to make a CIL contribution.

CONCLUSION

59. Considering the points discussed above, the proposal is considered an acceptable form of development which would have an acceptable impact on the amenities of neighbours, on the character of the surrounding area and in transportation terms. The proposal therefore accords with the Development Plan and is recommended for approval subject to conditions and subject to a Section 106 Agreement.

BACKGROUND PAPERS

1. Site visit photographs
2. Consultation responses

RECOMMENDATION

It is recommended that planning permission be Granted subject to the following Conditions and a S.106 Agreement to secure a SAMM financial contribution of £16,476.00:

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 development hereby permitted shall be carried out in accordance with the approved plans listed below:

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29459A/10 Rev P4 received by the Local Planning Authority on 01.10.2020
29459A/11 Rev P3 received by the Local Planning Authority on 25.10.2019
29459A/100 Rev P4 received by the Local Planning Authority on 01.10.2020
29459A/101 Rev P2 received by the Local Planning Authority on 25.10.2019
29459A/102 Rev P1 received by the Local Planning Authority on 25.10.2019
29459A/103 Rev P1 received by the Local Planning Authority on 25.10.2019
29459A/110 Rev P1 received by the Local Planning Authority on 25.10.2019
29459A/111 Rev P1 received by the Local Planning Authority on 25.10.2019
29459A/151 Rev P2 received by the Local Planning Authority on 25.10.2019
29459A/200 Rev P1 received by the Local Planning Authority on 25.10.2019
29459A/201 Rev P1 received by the Local Planning Authority on 25.10.2019
3001 received by the Local Planning Authority on 01.10.2020

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

3. Notwithstanding the material details outlined on the approved plans, No above ground development associated with the development hereby permitted shall commence until details and/or samples and a written specification of the materials to be used in the external elevations, hard surfaced areas and boundary walls have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and thereafter retained in accordance with the approved details unless otherwise agreed in writing by the local planning authority.

Reason: To protect the visual amenities of the area.

4. Notwithstanding any details shown on the approved plans listed within Condition 02, no above ground development associated with the development hereby permitted shall commence until a detailed landscaping scheme has been submitted to and approved in writing by the Local Planning Authority which specifies species, planting sizes, spaces and numbers of trees/ shrubs and hedges to be planted. All landscaping shall be carried out in accordance with the approved scheme in the first planting season (November-March) following the occupation of the buildings or the completion of the development (in that phase) whichever is the sooner and maintained thereafter. Any retained or newly planted trees, shrubs or hedges which die, become seriously damaged or diseased or are removed or destroyed within a period of 5 years from the date of planting shall be replaced during the next planting season with specimens of the same size and species unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of amenity and biodiversity and to preserve and enhance the character and appearance of the locality.

5. No above ground development associated with the development hereby permitted shall commence until details of all screen and boundary walls, fences, hedges and any other means of enclosure (including private garden and sub-station enclosures) have been

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submitted to and approved in writing by the Local Planning Authority. The means of enclosure will be implemented fully in accordance with the approved details prior to the occupation of any part of the development and thereafter maintained to the height and position as approved unless otherwise agreed in writing by the Local Planning Authority. Any hedges and planting which die or become seriously damaged or diseased within a period of 5 years from the completion of the development shall be replaced during the next planting season with specimens of the same size and species unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure that the proposed development does not adversely affect the amenities at present enjoyed by the occupiers of the adjoining and nearby properties and to preserve and enhance the character and appearance of the locality.

6. ++Prior to the commencement of the development hereby approved, written evidence shall be submitted to and approved in writing by the Local Planning Authority (LPA) demonstrating that the development will:
 - a. Achieve a minimum of a 19% improvement in the dwelling emission rate over the target emission rate, as defined in the Building Regulations for England Approved Document L1A: Conservation of Fuel and Power in New Dwellings (2013 edition). Such evidence shall be in the form of a Design Stage Standard Assessment Procedure (SAP) Assessment, produced by an accredited energy assessor; and,
 - b. Achieve a maximum water use of no more than 110 litres per person per day as defined in paragraph 36(2b) of the Building Regulations 2010 (as amended), measured in accordance with the methodology set out in Approved Document G (2015 edition). Such evidence shall be in the form of a Design Stage water efficiency calculator.

Development shall be carried out wholly in accordance with the agreed details and maintained as such in perpetuity unless otherwise agreed in writing by the LPA.

Reason: To ensure that the development achieves a high standard of sustainability and makes efficient use of resources and to comply with policy CS22 of the Woking Core Strategy 2012.

7. The development hereby permitted shall not be occupied until written documentary evidence has been submitted to and approved in writing by the Local Planning Authority demonstrating that the development has:
 - a. Achieved a minimum of a 19% improvement in the dwelling emission rate over the target emission rate, as defined in the Building Regulations for England Approved Document L1A: Conservation of Fuel and Power in New Dwellings (2013 edition). Such evidence shall be in the form of an As Built Standard Assessment Procedure (SAP) Assessment, produced by an accredited energy assessor; and
 - b. Achieved a maximum water use of 110 litres per person per day as defined in paragraph 36(2b) of the Building Regulations 2010 (as amended). Such evidence shall be in the form of the notice given under Regulation 37 of the Building Regulations.

Development shall be carried out wholly in accordance with the agreed details and maintained as such in perpetuity unless otherwise agreed in writing by the LPA.

8. No above ground development associated with the development hereby permitted shall commence until details of no.2 active electric vehicle charging points and no.4 of passive electric vehicle charging points to be provided have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details prior to first occupation of the development and thereafter

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retained in accordance with the approved details unless the Local Planning Authority subsequently agrees in writing to their replacement with more advanced technology serving the same objective.

Reason: in the interests of achieving a high standard of sustainability with regards to electric vehicle charging infrastructure requirements.

9. No impact piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to impact on local underground sewerage utility infrastructure.

10. The development hereby approved shall not be first occupied unless and until space has been laid out within the site in accordance with the approved plans for vehicles to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the parking and turning areas shall be retained and maintained for their designated purposes.

Reason: In order that the development should not prejudice highway safety nor should it inconvenience other highway users.

11. Prior to the occupation of the development hereby permitted, the cycle parking and any associated facilities shown on the approved plans shall be fully implemented and made available for use. The cycle parking and any associated facilities shall thereafter be retained and maintained for use by the occupants of and visitors to the development at all times.

Reason: To ensure that satisfactory facilities for the parking of cycles are provided and to encourage travel by means other than the private car.

12. ++No development shall commence until a Construction Transport Management Plan, to include details of:
 - (a) parking for vehicles of site personnel, operatives and visitors
 - (b) loading and unloading of plant and materials
 - (c) storage of plant and materials
 - (d) provision of boundary hoarding behind any visibility zones
 - (e) measures to prevent the deposit of materials on the highway
 - (f) on-site turning for construction vehicleshas been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented during the construction of the development.

Reason: In order that the development should not prejudice highway safety nor should it inconvenience other highway users.

13. ++Prior to the commencement of the development a detailed remediation method statement shall be submitted to and approved in writing by the Local Planning Authority (including any additional requirements that it may specify). The remediation method statement shall detail the extent and method(s) by which the site is to be remediated, to

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ensure that unacceptable risks are not posed to identified receptors at the site and shall detail the information to be included in a validation report. The remediation method statement shall also provide information on a suitable discovery strategy to be utilised on site should contamination manifest itself during site works that was not anticipated. The Local Planning Authority shall be given a minimum of two weeks written prior notice of the commencement of the remediation works on site. The development shall then be undertaken in accordance with the approved details.

Reason: To ensure that a satisfactory strategy is put in place for addressing contaminated land, making the land suitable for the development hereby approved without resulting in risk to construction workers, future users of the land, occupiers of nearby land and the environment. This condition is required to be addressed prior to commencement in order that the ability to discharge its requirement is not prejudiced by the carrying out of building works or other operations on the site.

14. Prior to the first occupation of the development hereby permitted, a remediation validation report for the site shall be submitted to and approved in writing by the Local Planning Authority. The report shall detail evidence of the remediation, the effectiveness of the remediation carried out and the results of post remediation works, in accordance with the approved remediation method statement and any addenda thereto, so as to enable future interested parties, including regulators, to have a single record of the remediation undertaken at the site. Should specific ground gas mitigation measures be required to be incorporated into a development the testing and verification of such systems shall have regard to CIRIA C735 guidance document entitled 'Good practice on the testing and verification of protection systems for buildings against hazardous ground gases' and British Standard BS 8285 Code of practice for the design of protective measures for methane and carbon dioxide ground gases for new buildings.

Reason: To ensure that a satisfactory strategy is put in place for addressing contaminated land, making the land suitable for the development hereby approved without resulting in risk to construction workers, future users of the land, occupiers of nearby land and the environment.

15. Contamination not previously identified by the site investigation, but subsequently found to be present at the site shall be reported to the Local Planning Authority as soon as is practicable. If deemed necessary development shall cease on site until an addendum to the remediation method statement, detailing how the unsuspected contamination is to be dealt with, has been submitted to and approved in writing to the Local Planning Authority (including any additional requirements that it may specify). The development shall then be undertaken in accordance with the approved details. Should no further contamination be identified then a brief comment to this effect shall be required to be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the development hereby approved.

Reason: To ensure that a satisfactory strategy is put in place for addressing contaminated land, making the land suitable for the development hereby approved without resulting in risk to construction workers, future users of the land, occupiers of nearby land and the environment.

16. Prior to the first occupation of the development hereby permitted, the refuse and recycling facilities shown on the approved plans shall be made available and thereafter be retained for use at all times.

Reason: To ensure the provision of satisfactory facilities for the storage and recycling of refuse and to protect the amenities of the area

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17. No above ground development associated with the development hereby permitted shall commence until details of the details of the glazing specification and ventilation have been submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented in full prior to the first occupation of the development and shall be retained in perpetuity thereafter.

Reason: To protect the environment and amenities of the occupants of neighbouring properties.

18. All development shall be constructed in accordance with the submitted and approved Flood Risk Assessment R004-01 (dated June 2020) and the Floodplain Compensation Assessment – Proposed Site Floodplain Area Drawing Number 18064-002 (dated 18/10/19). This includes the proposed development having a ground floor finished floor level set at 23.76 mAOD unless otherwise first approved in writing by the Local Planning Authority.

Reason: To ensure the flood risk is adequately addressed for the development and not increased in accordance with policy CS9 of the Woking Core Strategy 2012 and the policies in the NPPF

19. No dwelling shall be first occupied until a detailed flood warning and management plan for the development has been submitted to and approved (in writing) by the Local Planning Authority. The flood warning and management plan must include (but not limited to) details of safe access and egress, information on the restrictions of vehicle movement and appropriate signage. Once approved this plan should be provided to each dwelling.

Reason: To ensure the flood risk is adequately addressed for the development and not increased in accordance with policy CS9 of the Woking Core Strategy 2012 and the policies in the NPPF.

20. All development shall be constructed in accordance with the submitted and approved Drainage Strategy Design Summary 18064-R006 (dated 18/06/2020) and Proposed Drainage Strategy Drawing Number 18064-003 (dated 01/06/20) unless otherwise first approved in writing by the Local Planning Authority.

Reason: To ensure the flood risk is adequately addressed for each new dwelling and not increased in accordance with NPPF and Policy CS9 of the Woking Core Strategy 2012 and the policies in the NPPF.

21. All maintenance and management of the surface water drainage system will be carried out in accordance with the Site Drainage Management and Maintenance Strategy ref: R007-02 (dated August 2020) in perpetuity.

Reason: To ensure that the development achieves a high standard of sustainability and to comply with Policies CS9 and CS16 of the Woking Core Strategy 2012 and the policies in the NPPF.

22. No dwelling shall be first occupied until a verification report, (appended with substantiating evidence demonstrating the approved construction details and specifications have been implemented in accordance with the surface water drainage scheme), has been submitted to and approved (in writing) by the Local Planning Authority. The verification report shall include photographs of excavations and soil

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profiles/horizons, any installation of any surface water structures and control mechanisms.

Reason: To ensure that the development achieves a high standard of sustainability and to comply with Policies CS9 and CS16 of the Woking Core Strategy 2012 and the policies in the NPPF.

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.
3. The applicants attention is specifically drawn to the conditions above marked ++. These condition(s) require the submission of details, information, drawings, etc. to the Local Planning Authority PRIOR TO THE RELEVANT TRIGGER POINT. Failure to observe these requirements will result in a contravention of the terms of the permission and the Local Planning Authority may serve Breach of Condition Notices to secure compliance. You are advised that sufficient time needs to be given when submitting details in response to conditions, to allow the Authority to consider the details and discharge the condition. A period of between five and eight weeks should be allowed for.
4. The applicant is advised that, under the Control of Pollution Act 1974, site works which will be audible at the site boundaries are restricted to the following hours:-
08.00 – 18.00 Monday to Friday
08.00 – 13.00 Saturday
and not at all on Sundays and Bank/Public Holidays.
5. Thames Water have advised the applicant should read their guide 'working near our assets' to ensure your workings will be in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures. <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Workingnear-or-diverting-our-pipes>. Should you require further information please contact Thames Water. Email: developer.services@thameswater.co.uk Phone: 0800 009 3921 (Monday to Friday, 8am to 5pm) Write to: Thames Water Developer Services, Clearwater Court, Vastern Road, Reading, Berkshire RG1 8DB
6. The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders. (Highways Act 1980 Sections 131, 148, 149).
7. The Contaminated Land Officer would like to draw the applicants/agents/consultants attention to the specifics of the contaminated land conditional wording such as 'prior to commencement', 'prior to occupation' and 'provide a minimum of two weeks notice'.

The submission of information not in accordance with the specifics of the planning conditional wording can lead to delays in discharging conditions, potentially result in conditions being unable to be discharged or even enforcement action should the required

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level of evidence/information be unable to be supplied. All relevant information should be formally submitted to the Local Planning Authority and not direct to the Contaminated Land Officer.

8. This decision notice should be read in conjunction with the related S.106 Legal Agreement.
9. The applicant is advised that the development hereby permitted is subject to a Community Infrastructure Levy (CIL) liability. The Local Planning Authority will issue a Liability Notice as soon as practical after the granting of this permission.

The applicant is advised that, if he/she is intending to seek relief or exemptions from the levy such as for social/affordable housing, charitable development or self-build developments it is necessary that the relevant claim form is completed and submitted to the Council to claim the relief or exemption. In all cases (except exemptions relating to residential exemptions), **it is essential that a Commencement Notice be submitted at least one day prior to the starting of the development.** The exemption will be lost if a commencement notice is not served on the Council prior to commencement of the development and there is no discretion for the Council to waive payment. For the avoidance of doubt, commencement of the demolition of any existing structure(s) covering any part of the footprint of the proposed structure(s) would be considered as commencement for the purpose of CIL regulations. A blank commencement notice can be downloaded from: http://www.planningportal.gov.uk/uploads/1app/forms/form_6_commencement_notice.pdf

Claims for relief must be made on the appropriate forms which are available on the Council's website at: <https://www.woking.gov.uk/planning/service/contributions>

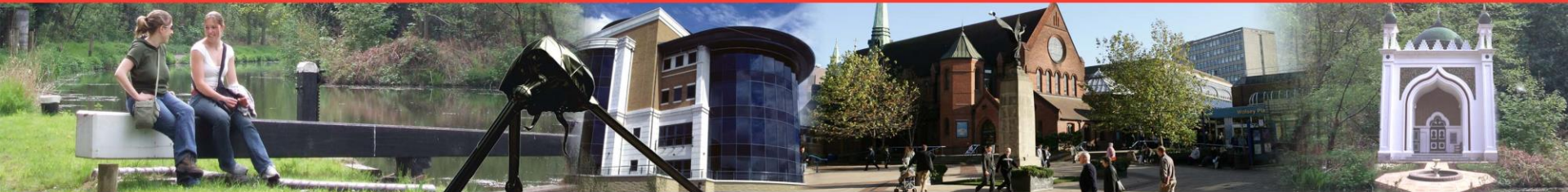
Other conditions and requirements also apply and failure to comply with these will lead to claims for relief or exemption being rendered void. The Local Planning Authority has no discretion in these instances.

For full information on this please see the guidance and legislation here:

<https://www.gov.uk/guidance/community-infrastructure-levy>

<http://www.legislation.gov.uk/all?title=The%20Community%20Infrastructure%20Levy%20Regulations%20>

Please note this informative provides general advice and is without prejudice to the Local Planning Authority's role as Consenting, Charging and Collecting Authority under the Community Infrastructure Levy Regulations 2010 (as amended).



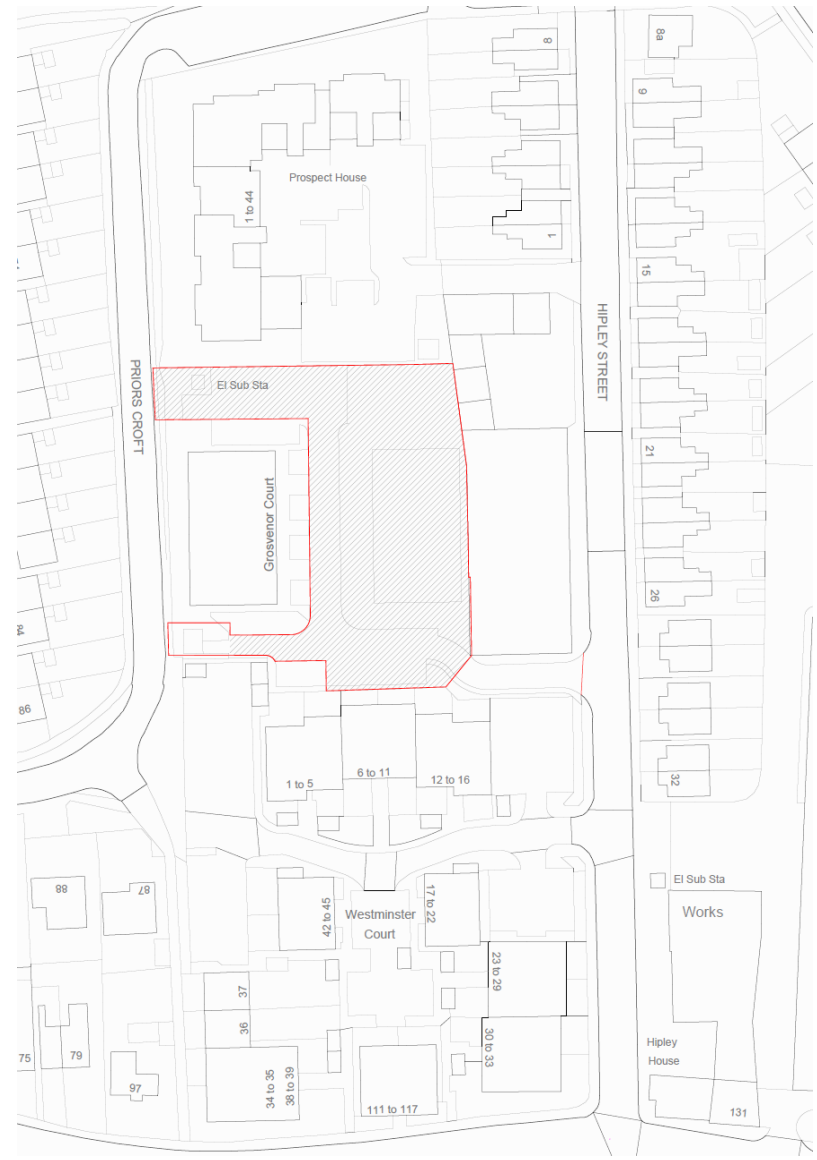
ITEM 6a – PLAN/2019/1050

Grosvenor Court, Hipley Street, Woking.

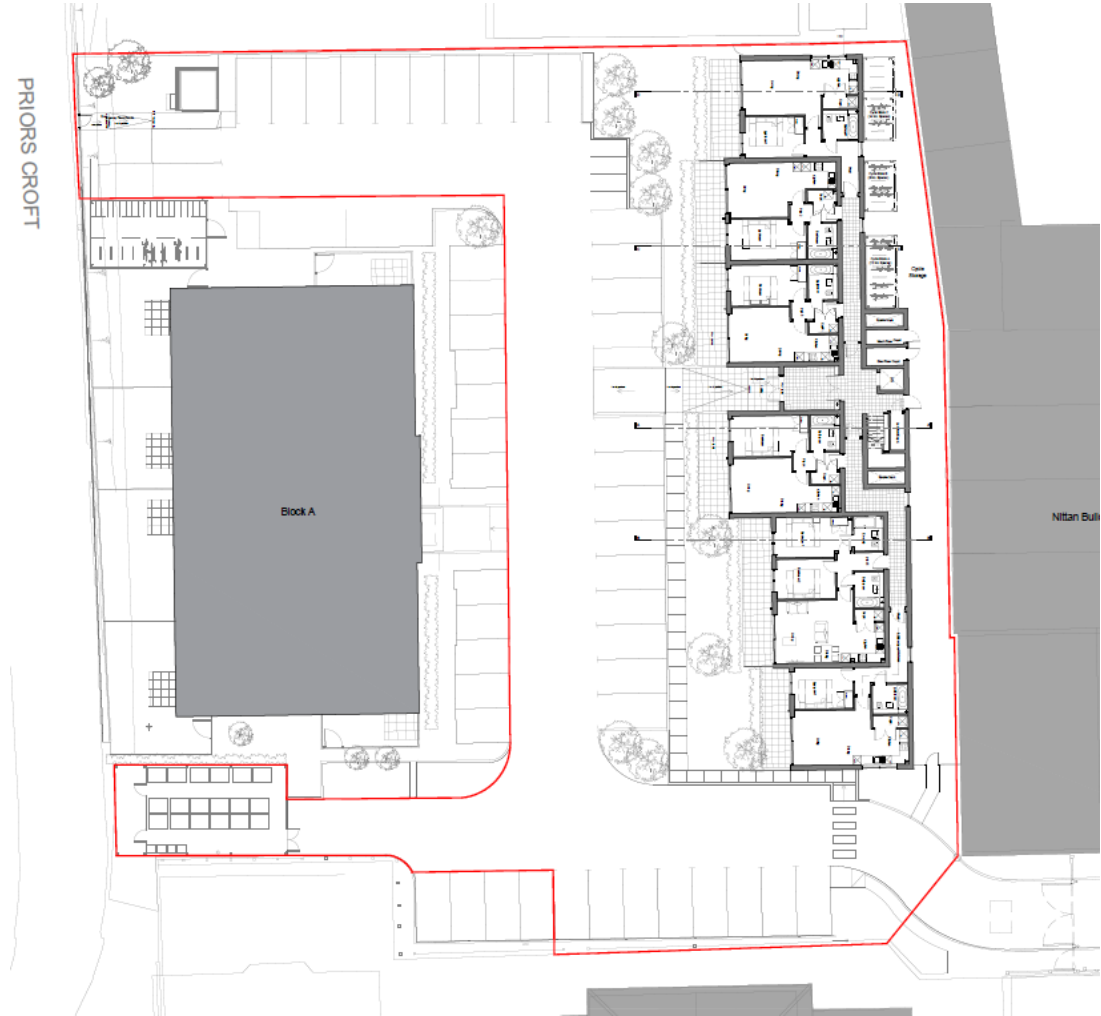
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Erection of part five storey, part four storey building containing x28 apartments (x2 studio, x17 one bedroom and x9 two bedroom) with car parking, cycle stores, landscaping and associated works (amended red line on location plan).

Location Plan – PLAN/2019/1050



Proposed block plan – PLAN/2019/1050

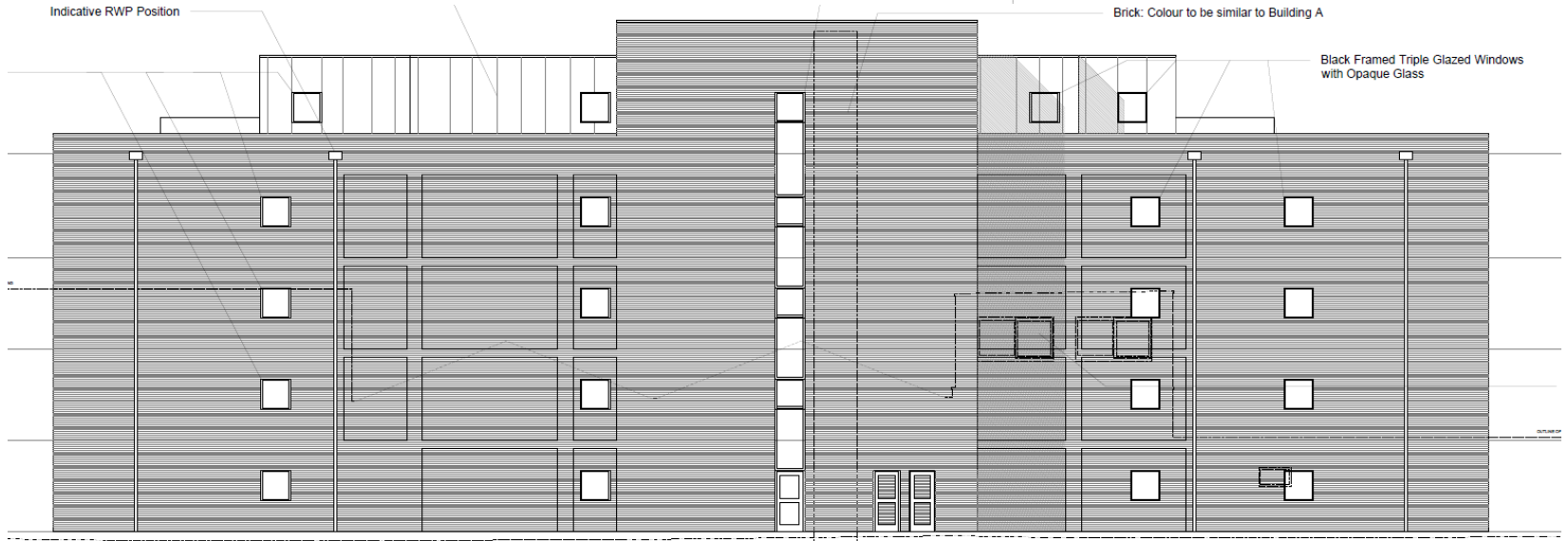


Proposed elevations – PLAN/2019/1050

Page 38



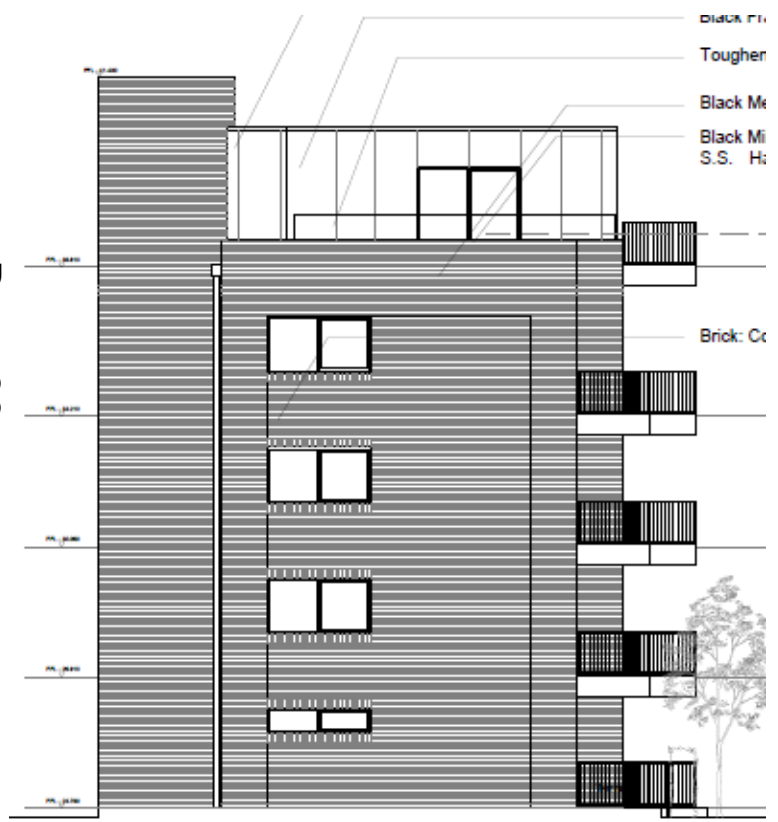
West Elevation



East Elevation

Proposed elevations – PLAN/2019/1050

Page 39



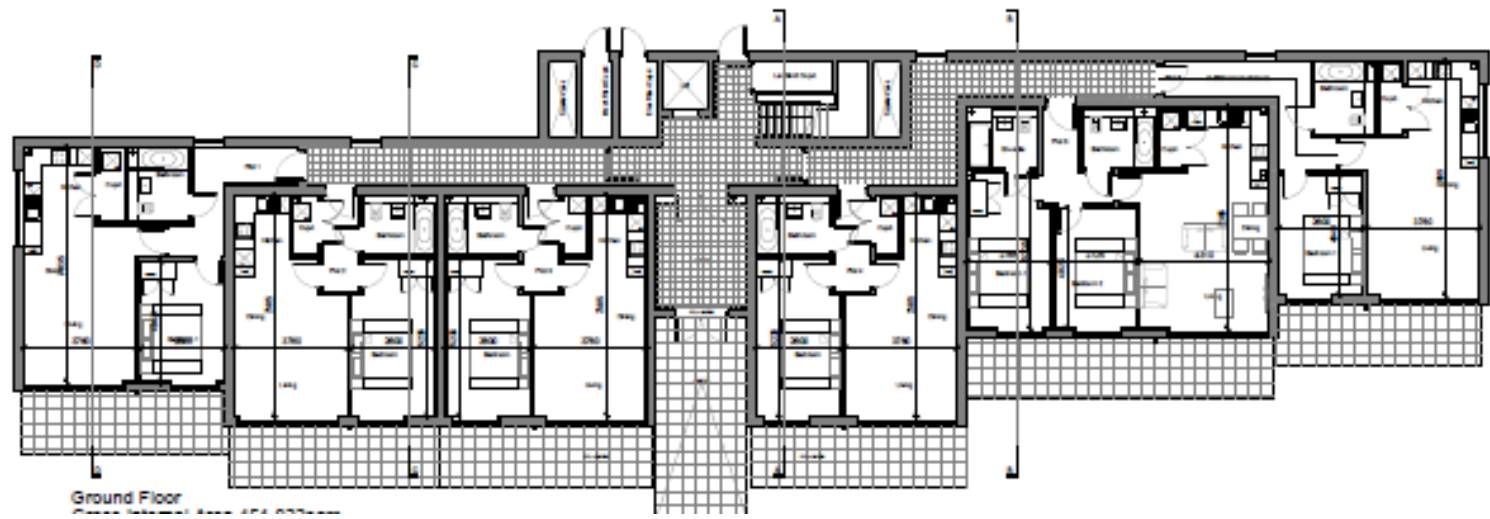
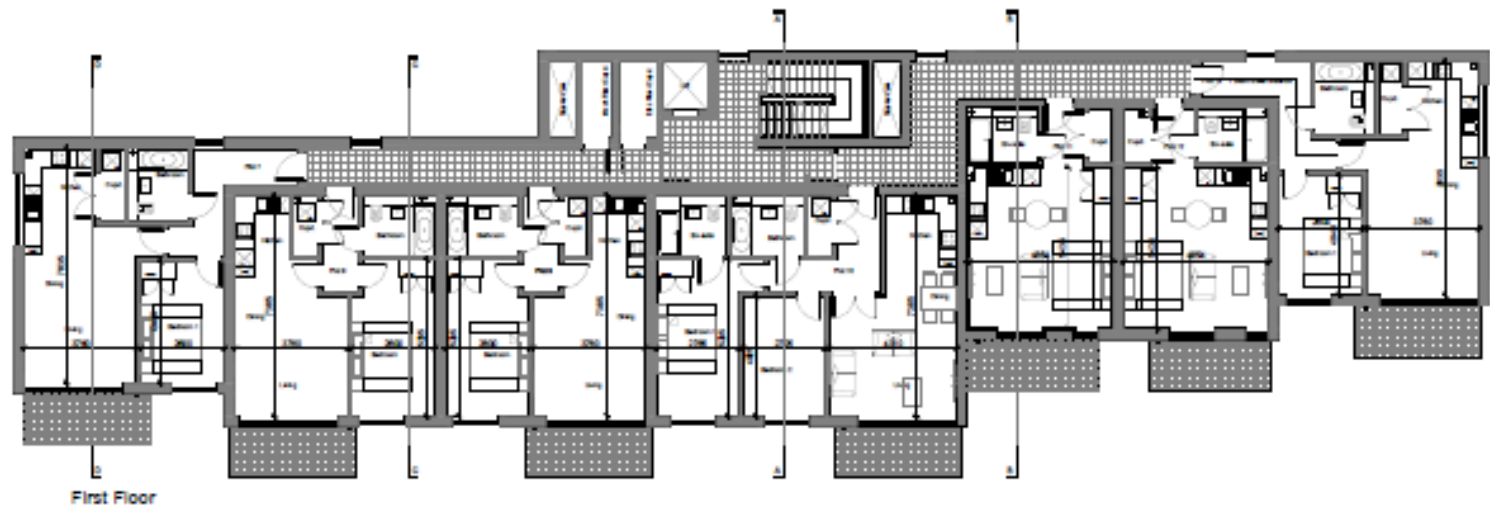
North Elevation



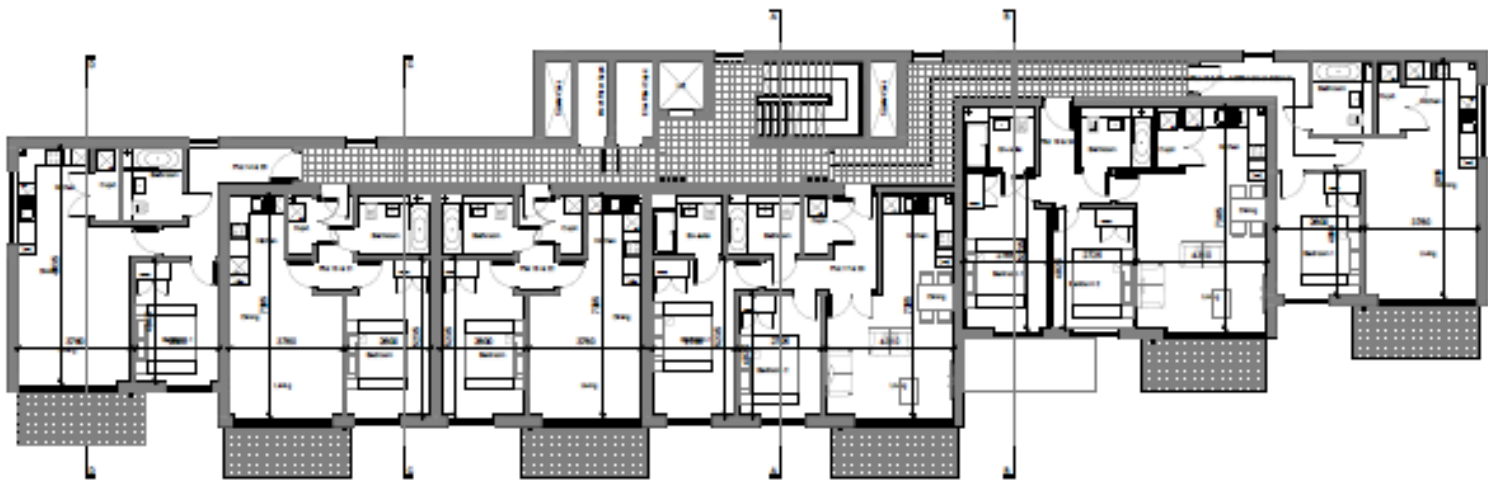
South Elevation

Proposed floorplans – PLAN/2019/1050

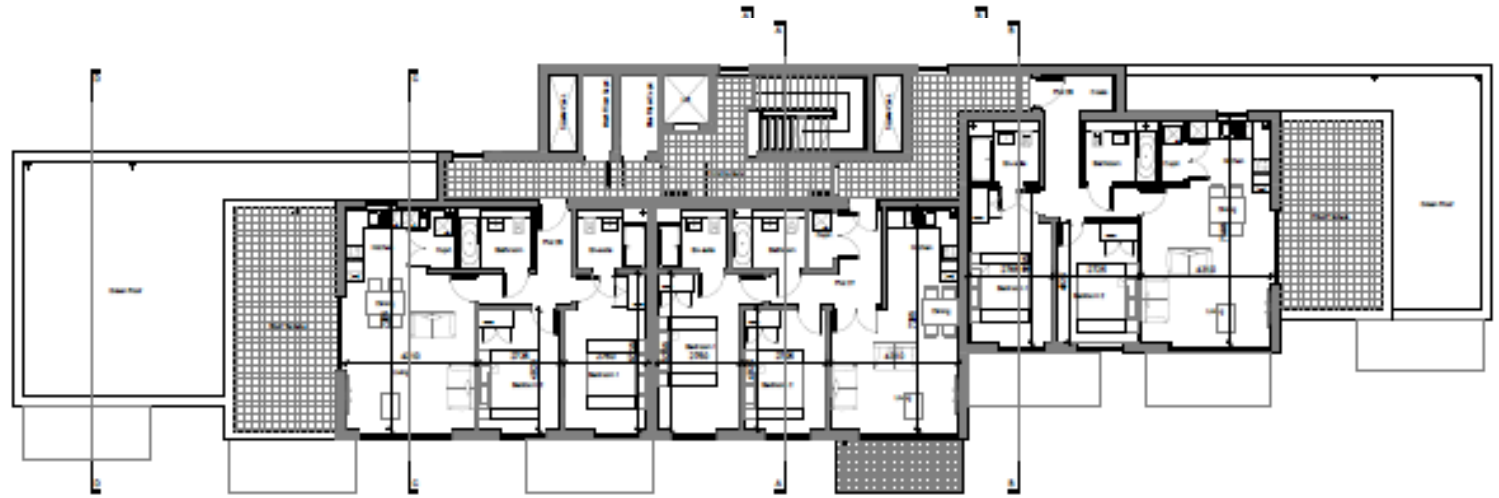
Page 40



Proposed floorplans – PLAN/2019/1050



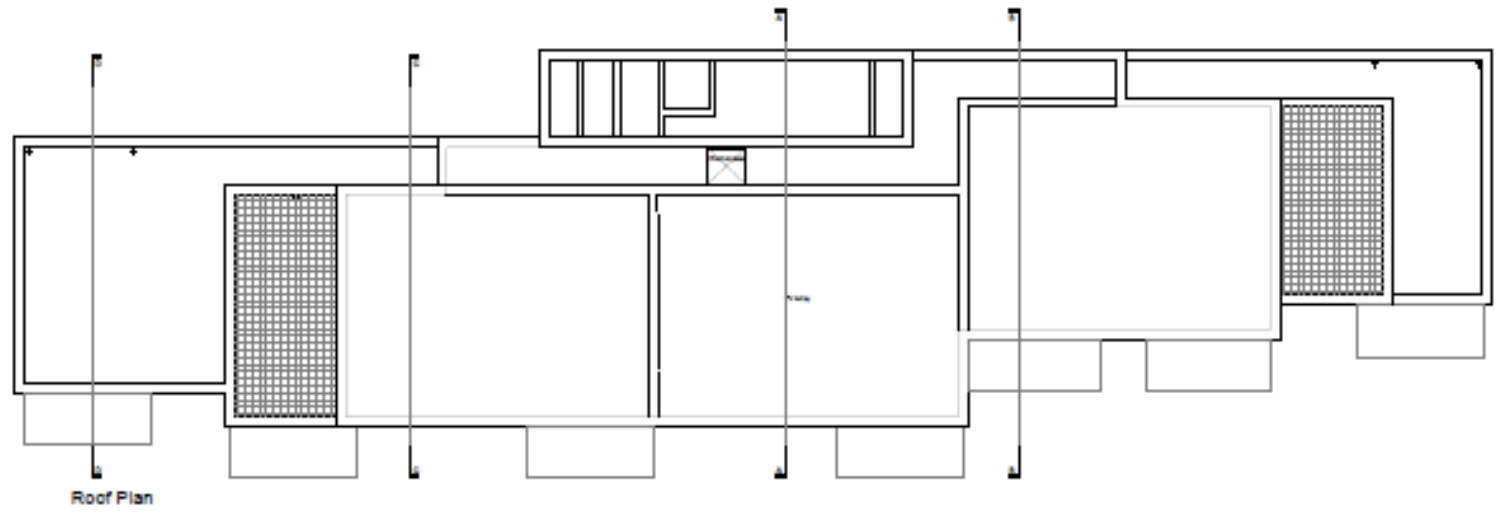
Second & Third Floors



Fourth Floor

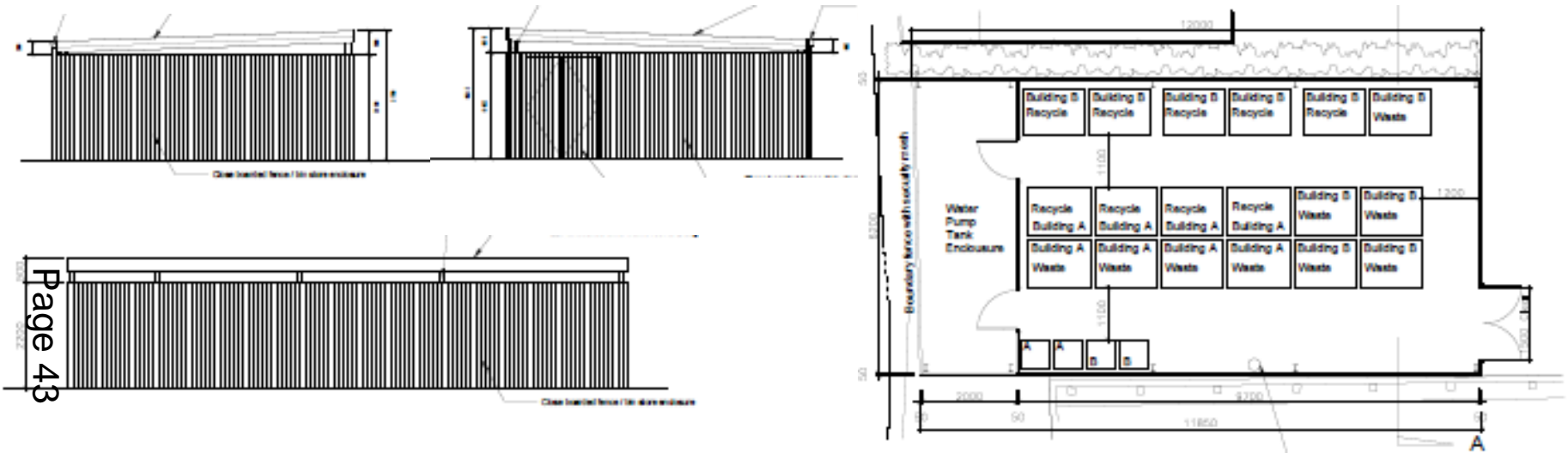
Proposed roof plan – PLAN/2019/1050

Page 42



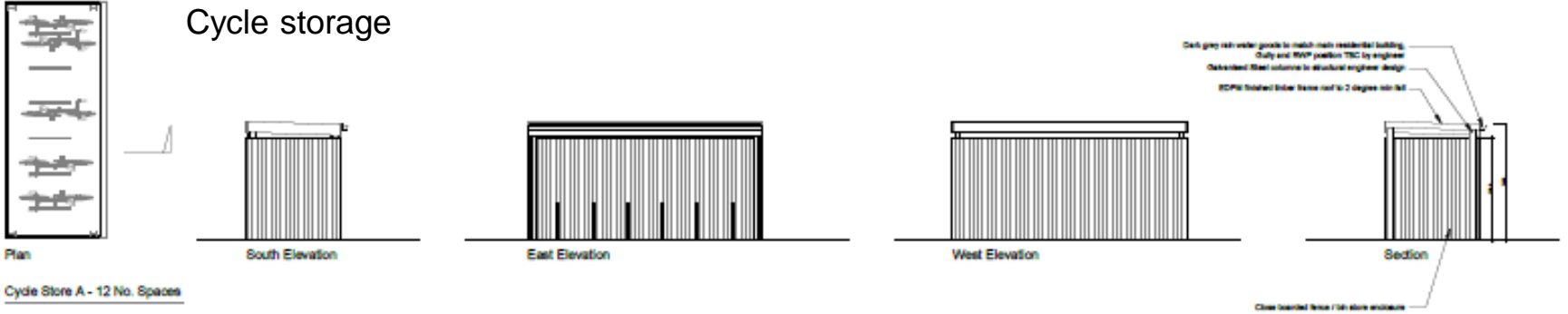
Proposed bin and cycle storage – PLAN/2019/1050

Bin storage



Page 43

Cycle storage



Photographs - PLAN/2019/1050



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Photographs - PLAN/2019/1050



Page
45



Photographs - PLAN/2019/1050



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SECTION B

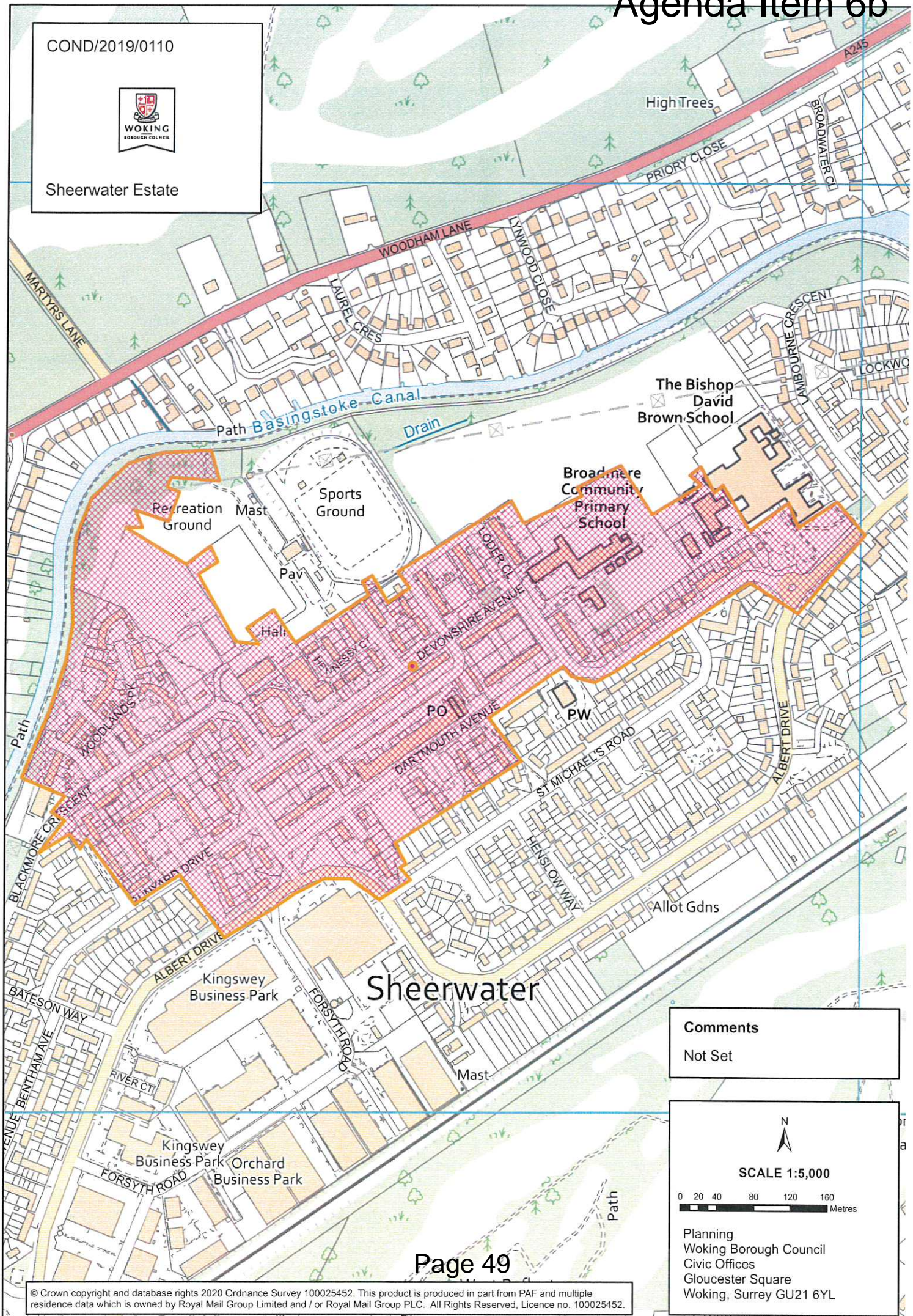
**APPLICATIONS WHICH WILL BE
THE SUBJECT OF A PRESENTATION
BY OFFICERS**

(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)

COND/2019/0110



Sheerwater Estate



Comments
Not Set

N
SCALE 1:5,000
0 20 40 80 120 160 Metres

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

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6b

COND/2019/0110

WARD: C

LOCATION: Sheerwater Estate, Albert Drive, Sheerwater, Woking

PROPOSAL: Partial approval of details pursuant to Conditions 44 (Landscape and Ecological Management Plan), 54 (Arboricultural Information and Method Statement) and 57 (Works within the RPAs) for Phase Purple only of planning permission PLAN/2018/0337 for the Sheerwater Regeneration.

APPLICANT: Thameswey

OFFICER: Joanne Hollingdale

REASON FOR REFERRAL TO COMMITTEE

The applicant is Thameswey and under the Scheme of Delegation, applications for approval of details pursuant to condition fall outside the delegation to Officers and thus such applications are required to be determined by the Planning Committee.

SUMMARY OF PROPOSED DEVELOPMENT

This conditions application seeks approval of details pursuant to Conditions 44 (Landscape and Ecological Management Plan), 54 (Arboricultural Information and Method Statement) and 57 (Works within the RPAs) of planning permission PLAN/2018/0337.

PLANNING STATUS

- Urban Area
- Thames Basin Heaths SPA Zone B (400m-5km)
- Priority Place
- Flood Zone 1 and 2 (some areas)
- Basingstoke Canal Conservation Area & SSSI
- Urban Open Space
- Local Centre

RECOMMENDATION

APPROVE details submitted.

SITE DESCRIPTION

This conditions application relates to the first phase of the residential development for the Sheerwater Regeneration. The first residential phase, known as phase Purple is under construction. This phase is located opposite Asda and lies between Albert Drive, Devonshire Avenue and Bunyard Drive.

PLANNING HISTORY

The most relevant planning history for this application is as follows:

PLAN/2018/0337 - Hybrid planning application (part outline, part full planning application) for the demolition of 573 residential units and existing non-residential buildings and redevelopment of the site to be implemented in phases to provide a mixed-use development comprising of 869 residents

10 NOVEMBER 2020 PLANNING COMMITTEE

units (Class C3), 134 specialist residential units (Class C3/C2), 904 sqm community centre (Class D1), 929 sqm nursery/children's centre (Class D1), 312 sqm health centre (Class D1), 290 sqm additional classrooms (Class D1), 1,728 sqm of retail (flexible use within Class A1 and/or A2 and/or A3 and/or A4 and/or A5), 117sqm management office (flexible use within Class A1 and/or A2 and/or A3 and/or A4 and/or A5 and/or B1a and/or SG), and 132 sqm dentist (flexible use within Class A1 and/or A2 and/or A3 and/or A4 and/or A5 and/or class D1), a new energy centre, formation of a new car park for Broadmere Primary school, formation of an extended car park for Bishop David Brown School and the Leisure Centre, including a bus/coach drop off area, formation of a new community car park to serve community hub, hard and soft landscaping and open space with a kiosk, a multi-use games area (MUGA) and a skate park, reconfigured and new vehicular and pedestrian access and works to the public highway and associated works; including full planning application for the detailed phases comprising of: demolition of 412 residential units and 7,609 sqm existing non-residential buildings, and construction of 695 residential units (7 no. studios, 68 no. 1-bedroom specialist accommodation, 160 no. 1-bed units, 227 no. 2-bed units, 160 no. 3-bed units, 71 no.4-bed units, and 2 no. 5-bed units.), 904 sqm Community Centre (Class D1), 1,728 sqm of retail (flexible use within Class A1 and/or A2 and/or A3 and/or A4 and/or A5), 117sqm management office (flexible use within Class A1 and/or A2 and/or A3 and/or A4 and/or A5 and/or B1a and/or SG) and 132 sqm dentist (flexible use within Class A1 and/or A2 and/or A3 and/or A4 and/or A5 and/ or class D1), 929 sqm of nursery/children's centre (Class D1), 312 sqm health centre (Class D1), an energy centre, formation of an extended car park for Bishop David Brown School and the Leisure Centre, including a bus/coach drop of area, formation of a new community car park to serve community hub, hard and soft landscaping and open space with a kiosk, a multi-use games area (MUGA) and a skate park reconfigured and new vehicular and pedestrian access and works to the public highway and associated works. Permitted 18.04.2019 subject to a S106 Legal Agreement and Executive Obligations.

PROPOSED DEVELOPMENT

This conditions application seeks approval of details pursuant to Condition 44 (Landscape and Ecological Management Plan), 54 (Arboricultural Information and Method Statement) and 57 (Works within the RPAs) for Phase Purple only of planning permission PLAN/2018/0337 for the Sheerwater Regeneration.

Condition 44

A Landscape Management Plan and an Ecological Enhancement Strategy have been submitted for this condition in addition to plans and a Planting Schedule.

Conditions 54 & 57

An Arboricultural Method Statement has been submitted for these two conditions, along with plans showing root protection areas and construction details within the root protection areas.

CONSULTATIONS

Environment Agency – No comments to make as this phase is not adjacent to the Basingstoke Canal.

WBC Arboricultural Officer – The [revised] information is considered acceptable and should be complied with in full.

WBC Drainage and Flood Risk Engineer – Satisfied with the details for the rain gardens.

REPRESENTATIONS

As this application seeks approval of details pursuant to conditions on a planning permission, there is no statutory requirement for neighbour notification.

RELEVANT PLANNING POLICIES

Woking Core Strategy 2012

CS7 – Biodiversity and nature conservation

CS17 – Open space, green infrastructure and sport and recreation

CS21 – Design

CS24 – Woking's landscape and townscape

PLANNING ISSUES

1. The only issue to consider is whether the details submitted are considered acceptable to comply with the requirements of the stated conditions.

Condition 44 – Landscape and Ecological Management Plan

2. The purpose of a Landscape and Ecological Management Plan (LEMP) is to set out the general proposals, design objectives and long term maintenance activities for the landscaped areas of the site which can include planting, communal amenity/open space areas and ecological enhancements. Phase Purple includes landscaped/planted areas, communal amenity space for residents (podium garden), amenity open space at Murray Green and biodiversity enhancements. A LEMP will not cover the private garden areas of individual dwellings.

3. In this case a Landscape Management Plan (LMP) and an Ecological Enhancement Strategy (EES) have been submitted for phase Purple. The LMP includes detail of the proposed landscaped areas e.g. tree planting, amenity grassland, shrub and hedge planting and rain gardens, details of the design objectives for the landscaped areas and the maintenance activities for each type of landscape feature within the phase. The LMP also outlines maintenance responsibilities for each landscaped area.

4. The EES details the proposed ecological enhancements for both habitats and species for phase Purple which include:

- wildflower grassland planting providing new and enhanced habitats for invertebrates;
- amenity planting with a known value to wildlife;
- rain garden planting;
- removal of invasive species in this phase;
- provision of 10no. bat boxes to provide opportunities for roosting bats;
- 10no. bird boxes in a range of designs to provide new opportunities for nesting birds including Swift boxes, House Sparrow terraces and general bird boxes; and
- Bug and bee boxes.

Many of the species boxes will be integrated into the building with a plan provided, showing the positions of the proposed installations. These features will be inspected/maintained on an annual basis.

5. The submitted plans and Planting Schedule support the LMP and EES and specify the landscaping types for the phase e.g. amenity grass, rain garden planting, tree planting, raised bed shrub planting and also provide the species planting details for the different landscaped areas. The landscape type areas and planting reflect the details of the landscaping as approved under PLAN/2018/0337 (notwithstanding that the landscaping details require LPA approval under Condition 55 of PLAN/2018/0337).

6. No objections have been raised to the submitted information by the Environment Agency, the Council's Arboricultural Officer or the Council's Drainage and Flood Risk

10 NOVEMBER 2020 PLANNING COMMITTEE

Engineer. The submitted details contained in the LMP, plans, Planting Schedule and EES are therefore considered to comply with the requirements of the condition.

Conditions 54 (Arboricultural Information and Method Statement) & 57 (Works within the RPAs)

7. An Arboricultural Method Statement (AMS) and accompanying plans have been submitted to address Conditions 54 and 57. The AMS includes information relating to tree protection (which has been in place since commencement of development) and construction methods of new works within the root protection areas (RPAs) of the retained trees etc. The Council's Arboricultural Officer has reviewed the submitted AMS and plans and has advised that the details are acceptable.
8. The submitted details are therefore considered to comply with the requirements of these conditions.

CONCLUSION

9. The details submitted are considered acceptable and would meet the requirements of the respective conditions. The submitted details would also comply with Policies CS7, CS17, CS21 and CS24 of the Woking Core Strategy 2012 and the NPPF. The details submitted are therefore recommended for approval as noted in the recommendation below.

BACKGROUND PAPERS

Planning file - COND/2019/0110

RECOMMENDATION

It is recommended that details submitted are **APPROVED** as follows:

Condition 44 – Landscape and Ecological Management Plan

Details approved are:

- Landscape Management Plan (SHE-TRI-P0-XX-RP-L-90-1001 P04) received on 11.09.2020;
 - General Arrangement - Phase Purple Level 00 Tree Planting Plan (SHE-TRI-00-00-PL-L-90-1073 P02) received on 11.09.2020;
 - General Arrangement - Phase Purple Level 00 Planting Plan (SHE-TRI-00-00-PL-L-90-1083 P02) received on 11.09.2020;
 - General Arrangement - Phase Purple 1st Floor Podium Landscape (SHE-TRI-00-01-PL-L-90-1003 P03) received on 11.09.2020;
 - General Arrangement - Tree Planting Plan (Phase Purple 1st Floor) (SHE-TRI-00-01-PL-L-90-1073 P02) received on 11.09.2020;
 - General Arrangement - Planting Plan (Phase Purple 1st Floor) (SHE-TRI-00-01-PL-L-90-1083 P03) received on 11.09.2020;
 - Tree Pit & Tree Planting Detail - Within Areas of Soft Landscape (SHE-TRI-00-00-DT-L-90-1271 P01) received on 11.09.2020;
 - Tree Pit & Tree Planting Detail - Within Adopted Highway Footway (SHE-TRI-00-00-DT-L-90-1272 P03) received on 11.09.2020;
 - Tree Pit & Tree Planting Detail - Within Adopted Highway Verge (SHE-TRI-00-00-DT-L-90-1273 P06) received on 11.09.2020;
 - Planting Schedule (SHE-TRI-P0-XX-SC-L-90-1001 P01) received on 11.09.2020;
- and

10 NOVEMBER 2020 PLANNING COMMITTEE

- Ecological Enhancement Strategy (8438.EES.vf2) received on 10.12.2019.

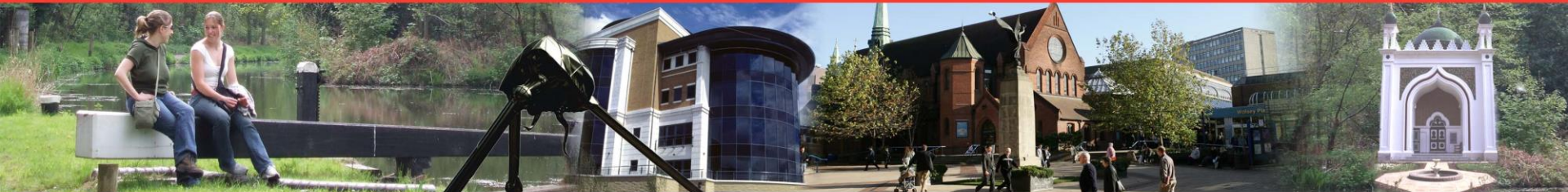
Note to applicant: The applicant is advised that notwithstanding the approved Planting Schedule (SHE-TRI-P0-XX-SC-L-90-1001 P01) above, full details of the landscaping including species, sizes and number are required to be submitted for approval to the LPA under Condition 55.

Conditions 54 (Arboricultural Information and Method Statement) & 57 (Works within the RPAs)

Details approved are:

- Arboricultural Method Statement (RT-MME-130984-02 Rev H October 2020) received on 06.10.2020;
- General Arrangement - Phase Purple Level 00 Landscape & Public Realm (SHE-TRI-00-00-PL-L-90-1003 P03) received on 11.09.2020. **Note to applicant:** The colours of the surfacing material as noted on this plan are not approved as they require LPA approval under Condition 45;
- General Arrangement - Phase Purple Tree Removal & Retention (SHE-TRI-00-00-PL-L-90-1011 P02) received on 11.09.2020;
- Section Arrangement - T12 Root Protection Area (SHE-TRI-00-00-SE-L-90-1001 P01) received on 11.09.2020;
- Section Arrangement - T7 Root Protection Area (SHE-TRI-00-00-SE-L-90-1002 P01) received on 11.09.2020. **Note to applicant:** This plan incorrectly notes the 'existing grass verge to Albert Drive footway' which is to be changed to provide a rain garden as shown on the approved drainage plans under COND/2019/0091, the approved plan Sustainable Drainage Design Layout (SHE-BDP-00-XX-PL-L-90-0135) approved under PLAN/2018/0337 and the approved plan below;
- Section Arrangement - Albert Drive Footway & 'A3' Rain Garden (SHE-TRI-00-00-SE-L-90-1121 P04) received on 11.09.2020;
- Permeable Pavement Construction Details (SHE-MLM-33-XX-DT-D-98-0125 C1) received on 11.09.2020; and
- Fire Tender Tracking – Murray Green (SHE-MLM-33-00-PL-D-98-0160 T01) received on 11.09.2020.

Note to applicant: The applicant is advised that the approved details relate to phase Purple only and details pursuant to this condition require LPA approval for all other phases of the development in accordance with the requirements of the condition.



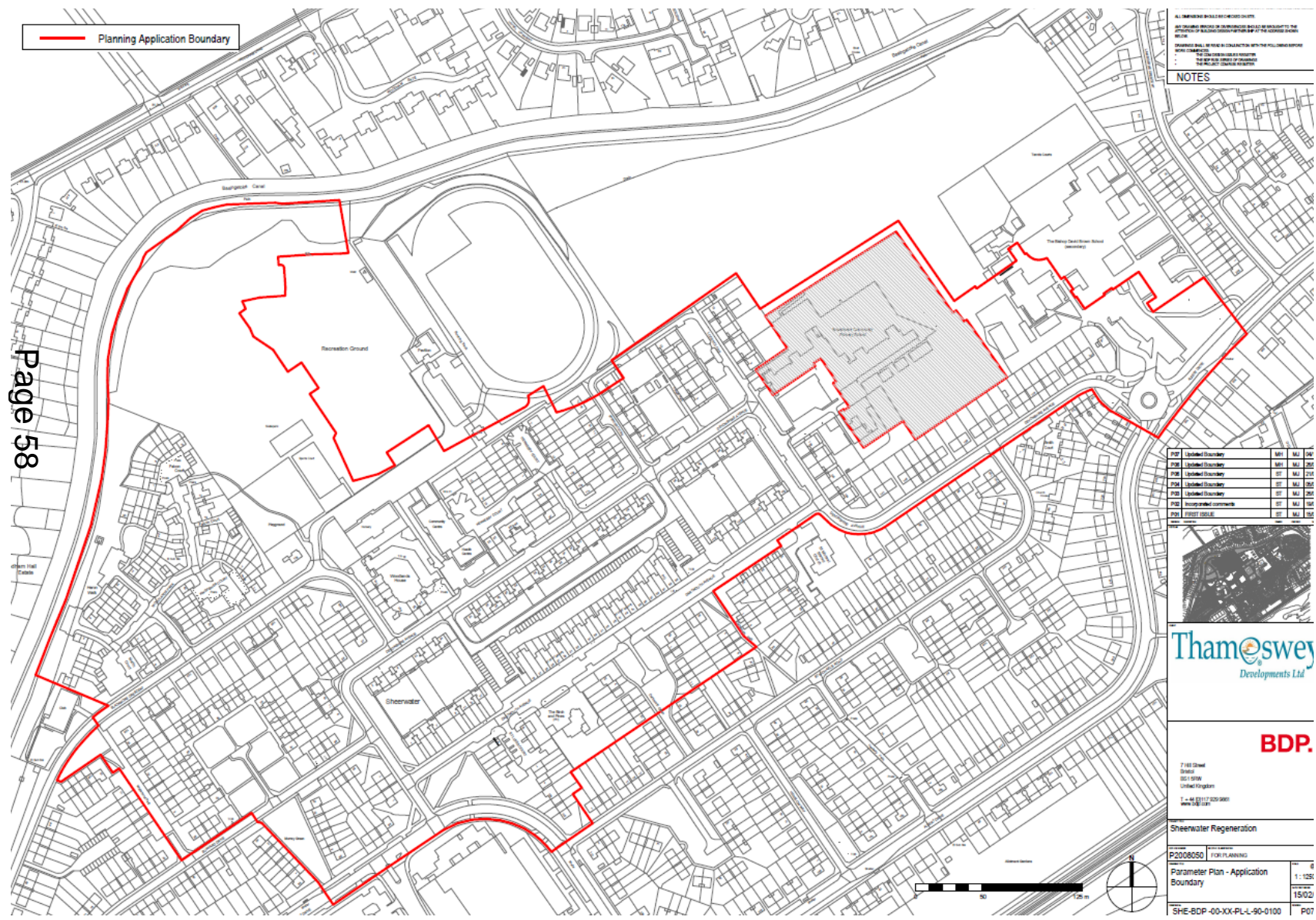
ITEM 6b – COND/2019/0110

Sheerwater Estate, Woking

Partial approval of details pursuant to Conditions 44 (Landscape and Ecological Management Plan), 54 (Arboricultural Information and Method Statement) and 57 (Works within the RPAs) for Phase Purple only of planning permission PLAN/2018/0337 for the Sheerwater Regeneration.

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Site Location Plan – COND/2019/0110



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— Planning Application Boundary

ALL DIMENSIONS SHOWN ON THIS DRAWING ARE TO BE TAKEN AS INDICATED UNLESS OTHERWISE SPECIFIED.
 ALL DIMENSIONS SHOWN ON THIS DRAWING SHALL BE TAKEN TO THE CENTRE OF THE DIMENSION LINE UNLESS OTHERWISE SPECIFIED.
 DIMENSIONS SHALL BE TAKEN IN CONJUNCTION WITH THE FOLLOWING DIMENSIONS:
 DIMENSIONS SHALL BE TAKEN TO THE CENTRE OF THE DIMENSION LINE UNLESS OTHERWISE SPECIFIED.
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NOTES

P20	Updated Boundary	18/11	MJ	04
P21	Updated Boundary	18/11	MJ	04
P22	Updated Boundary	18/11	MJ	04
P23	Updated Boundary	18/11	MJ	04
P24	Updated Boundary	18/11	MJ	04
P25	Updated Boundary	18/11	MJ	04
P26	Updated Boundary	18/11	MJ	04
P27	Updated Boundary	18/11	MJ	04
P28	Updated Boundary	18/11	MJ	04
P29	Updated Boundary	18/11	MJ	04
P30	Updated Boundary	18/11	MJ	04
P31	Updated Boundary	18/11	MJ	04
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P44	Updated Boundary	18/11	MJ	04
P45	Updated Boundary	18/11	MJ	04
P46	Updated Boundary	18/11	MJ	04
P47	Updated Boundary	18/11	MJ	04
P48	Updated Boundary	18/11	MJ	04
P49	Updated Boundary	18/11	MJ	04
P50	Updated Boundary	18/11	MJ	04



Thamesway
Developments Ltd

BDP.

7 Hill Street
 Sheerwater
 BS1 5PW
 United Kingdom
 T: +44 (0)117 200 9881
 www.bdp.co.uk

Sheerwater Regeneration

P2008050	FOR PLANNING	18/11	MJ	04
Parameter Plan - Application Boundary		18/11	MJ	04
SHE-BDP-00-XX-PL-L-90-0100		18/11	MJ	04

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)

153 Hawthorn Road, Woking

PLAN/2020/0140

Erection of a two storey side and rear extension and two storey rear extension following demolition of existing rear conservatory with car parking area at rear (part retrospective).



PLAN/2020/0140



153 Hawthorn Road

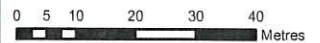


Comments

Not Set



SCALE 1:1,250



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

10 NOVEMBER 2020 PLANNING COMMITTEE

6C **PLAN/2020/0140** **WARD: HE**

LOCATION: **153 Hawthorn Road, Woking, Surrey, GU22 0BQ**

PROPOSAL: **Erection of a two storey side and rear extension and two storey rear extension following demolition of existing rear conservatory with car parking area at rear (part retrospective).**

APPLICANT: **Kookaburra Construction Ltd** **OFFICER: Barry Curran**

REASON FOR REFERRAL TO COMMITTEE

The application has been called to the Planning Committee at the request of Councillor Aziz as the application falls to be resolved by exercise of planning judgement.

SUMMARY OF PROPOSED DEVELOPMENT

Retrospective planning consent is sought to retain the unauthorised two storey side and rear extensions following demolition of the pre-existing conservatory along with car parking towards the rear.

PLANNING STATUS

- Urban Area
- Tree Preservation Order
- Flood Zone 2
- Surface Water Flood Risk (Medium and High)
- Thames Basin Heaths SPA Zone B (400m-5km)

RECOMMENDATION

That planning permission be REFUSED.

SITE DESCRIPTION

The application site is located towards the eastern end of Hawthorn Road, close to the junctions with Hawthorn Close and Willow Way. The property is a two storey semi-detached dwelling which, along with No.155 Hawthorn Road, form a 'T' shaped layout to address their position at the junction. A 2 metre high timber close board fence wraps around the limited rear amenity space with a substantial Oak covered by a TPO located in close proximity. The site is also located to the north-west of the Hoe Stream and within Flood Zone 2.

PLANNING HISTORY

No.155 Hawthorn Road - PLAN/2020/0141 - Proposed erection of a two storey side and rear extension with porch addition (Retrospective) – Under Consideration

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PLAN/2019/0878 - Proposed two storey side and rear extensions and conversion of existing family dwellings into 8 flats (two 2-bed and six 1-bed) following demolition of existing rear conservatory with access and car parking (Part Retrospective) – Refused 15.11.2019

Reason 1: The proposal would result in the loss of family dwellings, for which there is an identified local need, and replacement with 8 flats which are unsuitable for family accommodation due to lack of suitable private amenity space, contrary to Policy CS11 of the Woking Core Strategy 2012 and Policy DM11 of the Woking DMP DPD 2016.

Reason 2: By reason of the scale and design of the extensions, the development would fail to respect and make a positive contribution to the street scene of Hawthorn Road and to the character of the area in which they would be situated. The development would conflict sharply with the prevailing density of the area at almost seven times that of Hawthorn Road and three times that of the neighbouring flatted development. Additionally, the extensions would appear incongruous within the street scene enveloping the pre-existing pair of semi-detached family dwellings and failing to observe their pronounced location on 3 converging highways with substantial additions resulting in a bulky and contrived building. The development is, therefore, contrary to provisions outlined in the National Planning Policy Framework, Policy CS21 of the Woking Core Strategy 2012, and Supplementary Planning Document 'Design' 2015.

Reason 3: The development would cause harm to the living conditions of future residential occupiers through a severe restriction in terms of outlook and light to 2 of the ground floor flats and would therefore fail to provide a good quality of accommodation and good standard of amenity for future residential occupiers. Furthermore, considering the restricted rear space, this would not provide a good standard of communal amenity space falling below that of the required amount as outlined in the Council's Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight' 2008. The development would, therefore, fail to accord with the provisions of the National Planning Policy Framework, Policy CS21 of the Woking Core Strategy 2012 and Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight' 2008.

Reason 4: By reason of depth, bulk, massing, proximity and fenestration layout, the two storey northern side extension causes a detrimental loss of outlook, loss of privacy, loss of light and overbearing impact on the amenities of neighbours at No.151 Hawthorn Road and 1-4 The Oaks Hawthorn Close. The development, therefore, represents an unneighbourly form of development contrary to provisions outlined in the National Planning Policy Framework, Policy CS21 of the Woking Core Strategy 2012 and Supplementary Planning Documents 'Outlook, Amenity, Privacy and Daylight' 2008 and 'Design' 2015.

Reason 5: The development would increase the parking demand of the site on an already heavily parked street and fails to meet the minimum standards set out in the Council's Supplementary Planning Document 'Parking Standards' 2018, much to the detriment of the amenities of the area and would set an undesirable precedent for similar future developments in the local area. Consequently the Local Planning Authority cannot be satisfied that there would no adverse effect upon the free flow of

10 NOVEMBER 2020 PLANNING COMMITTEE

traffic or car parking provision within the locality. The development is therefore contrary to Policy CS18 of the Woking Core Strategy 2012, Policy DM11 of the Woking Development Management Policies DPD 2016 and Supplementary Planning Document 'Parking Standards' 2018.

Reason 6: Further works on top of what has already been carried out would result in catastrophic damage to the protected Oak Tree in the rear amenity space which would likely lead to significant implications of the root protection area and ultimately the loss of the tree. Further incursions in the form of additional parking and soakaways are not considered acceptable and, therefore, the development is considered contrary to provisions outlined in the National Planning Policy Framework, Policy CS21 of the Woking Core Strategy 2012 and Policy DM2 of the Development Management Document DPD 2016.

Reason 7: The development is in Flood Zone 2 and it has not been demonstrated through a Sequential Test that there are no other sequentially preferable sites that are reasonably available that are at a lesser risk of flooding. Furthermore, the Flood Risk Assessment submitted demonstrates a drainage design which fails to mitigate the likelihood of flooding the surrounding area with inappropriate infiltration measures proposed. The development is, therefore, contrary to Section 14 of the National Planning Policy Framework and Policy CS9 of the Woking Core Strategy 2012.

Reason 8: 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), the Conservation of Habitats and Species Regulations 2017 (SI No.1012 - the "Habitats Regulations") and Policy DM11 of the Development Management Policies DPD 2016.

ENF/2019/00115 - Unauthorised Operational Development – Two storey front and side extensions and creation of 4 flats following conversion of 3 bedroom family home – Resolution to Enforce on Unauthorised Development granted at Planning Committee 24.09.2019 – Appeal Dismissed and Enforcement Notice Upheld 22.10.2020

ENF/2019/00114 - Unauthorised Operational Development – Two storey side and rear extensions and creation of 4 flats following conversion of 3 bedroom family home – Resolution to Enforce on Unauthorised Development granted at Planning Committee 24.09.2019 – Appeal Dismissed and Enforcement Notice Upheld 22.10.2020

PLAN/2018/1026 - Proposed erection of a two storey front and two storey side extension with porch addition (Retrospective) - Permitted Subject to Legal Agreement 25.04.2019

PLAN/2018/1019 - Proposed two storey side and rear addition and two storey rear extension following demolition of existing rear conservatory with car parking space at rear (Retrospective) – Permitted Subject to Legal Agreement 25.04.2019.

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PLAN/2017/1079 - Proposed erection of a two storey front and side extension with porch addition – Permitted Subject to Legal Agreement 10.04.2018

PLAN/2017/1078 - Proposed two storey side and part two storey, part single storey rear extension following demolition of existing rear conservatory with car parking space at rear – Permitted Subject to Legal Agreement 10.04.2018

PLAN/2017/0689 - Proposed side and rear extensions to Nos 153 and 155 Hawthorn Road – Permitted 24.08.2017

PLAN/2016/1325 - Proposed erection of a two storey side and rear extension – (Called to Planning Committee) Refused 30.03.2017

Reason 1: By virtue of their size, siting and design the two storey front and side extensions would fail to respect and make a positive contribution to the street scene of Hawthorn Road and to the character of the area in which they would be situated. Additionally the proposal would appear incongruous within the street scene destroying the relationship the existing dwelling has with 3 converging highways and erecting substantial front and side additions resulting in bulky, contrived additions. The proposal is therefore contrary to provisions outlined in the National Planning Policy Framework, Policy CS21 of the Woking Core Strategy 2012, and Supplementary Planning Document 'Design' 2015.

Reason 2: By reason of height, depth, bulk, massing and proximity, the proposed two storey side extension would cause a detrimental loss of outlook and overbearing impact on the amenities of neighbours at No.153 Hawthorn Road. The proposal therefore represents an unneighbourly form of development contrary to provisions outlined in the National Planning Policy Framework, Policy CS21 of the Woking Core Strategy 2012 and Supplementary Planning Documents 'Outlook, Amenity, Privacy and Daylight' 2008 and 'Design' 2015.

Reason 3: It has not been demonstrated that the proposed development could be constructed without having a detrimental impact upon adjacent Oak trees which are protected by a Tree Preservation Order and have visual amenity and screening value and contribute to the character of the surrounding area, contrary to provisions outlined in the National Planning Policy Framework, Policy CS21 of the Woking Core Strategy 2012, Policy DM2 of the Development Management Policies DPD 2016.

PLAN/2016/1324 - Proposed two storey side and part two storey part single storey rear extension following demolition of existing rear conservatory with car parking space at rear – (Called to Planning Committee) Refused 30.03.2017

Reason 1: By virtue of its size, siting and design the two storey rear extension is considered to result in an incongruous feature which would adversely affect the character of the dwelling and in turn the surrounding area, contrary to provisions outlined in the National Planning Policy Framework, Policy CS21 of the Woking Core Strategy 2012, and Supplementary Planning Document 'Design' 2015.

Reason 2: By reason of height, depth, bulk, massing, proximity and fenestration layout, the proposed two storey side and rear extensions would cause a detrimental loss of outlook, loss of privacy, loss of light and

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overbearing impact on the amenities of neighbours at No.151 and No.155 Hawthorn Road. The proposal therefore represents an unneighbourly form of development contrary to provisions outlined in the National Planning Policy Framework, Policy CS21 of the Woking Core Strategy 2012 and Supplementary Planning Documents 'Outlook, Amenity, Privacy and Daylight' 2008 and 'Design' 2015.

Reason 3: It has not been demonstrated that the proposed development could be constructed without having a detrimental impact upon adjacent Oak trees which are protected by a Tree Preservation Order and have visual amenity and screening value and contribute to the character of the surrounding area, contrary to provisions outlined in the National Planning Policy Framework, Policy CS21 of the Woking Core Strategy 2012, Policy DM2 of the Development Management Policies DPD 2016.

PLAN/2006/1236 – Subdivision of existing plot to form 4 new apartments and retention of existing No.153 Hawthorn Road – Permitted 07.02.2007

PLAN/2005/1293 - Outline application for subdivision of existing plot to form 2 x houses and retention of existing 153 - Refused 08.12.2005

PLAN/1999/1287 - Erection of replacement and additional boundary fencing 1.95m in height, formation of new vehicular access and erection of detached garage.
Approved 27.01.2000

PLAN/1990/0693 -Erection of two semi-detached bungalows and a pair of attached garages - Refused 23.10.1990

PLAN/1988/0908 - Erection of two detached three bedroom houses with integral garages - Refused 22.11.1988

PROPOSED DEVELOPMENT

Retrospective planning consent is sought to retain the unauthorised two storey side and rear extensions following demolition of the pre-existing conservatory along with car parking towards the rear.

CONSULTATIONS

Arboricultural Officer: Encroachment of the development upon the root protection area of the protected tree has had/will have a significantly detrimental impact this protected trees. In light of the current application an Investigation will take place into the increase of the agreed size from the previously approved plan as these are protected trees and it is very likely that damage has occurred (10.10.19, 12.11.19 and 20.03.20)

Drainage Officer: details are not sufficient to recommend planning approval in accordance with NPPF and working Core Strategy Policy CS9 as this is a retrospective application (08.04.20)

REPRESENTATIONS

There have been 2 third party letters of objection received (both from the same neighbours) in relation to the proposed development. The issues raised in this representation are summarised as follows:

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- Development is out of character with the wider area.
- Proposed parking layout is not accurate and the parking space shown on submitted plans are not accessible without crossing over land outside of the red line.
- Annotated plans are incorrect (Officer Note: *this is noted and the extent of the development is acknowledged as well as what the original/existing dwelling consisted of.*)

RELEVANT PLANNING POLICIES

National Planning Policy Framework 2019

Section 12 - Achieving well-designed places

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

Core Strategy Publication Document 2012

CS9 - Flooding and water management

CS18 – Transport and accessibility

CS21 - Design

CS24 - Woking's Landscape and Townscape

Development Management Policies DPD 2016

DM2 – Trees and Landscaping

DM9 – Flats Above Shops and Ancillary Accommodation

Supplementary Planning Documents

Supplementary Planning Document 'Parking Standards' 2018

Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight' 2008

Supplementary Planning Document 'Design' 2015

Other Material Considerations

Community Infrastructure Levy (CIL) Charging Schedule 2015

Technical Housing Standards - Nationally Described Space Standard 2015

House of Commons: Written Statement (HCWS161) - Sustainable drainage systems

PLANNING ISSUES

1. The extensive Planning and Planning Enforcement history related to this site and, in particular, the recent history are significant material considerations in the assessment of this application along with the following planning issues; the principal of development, whether the development has a detrimental impact on the character of the pre-existing dwelling or character of the surrounding area, impact on amenity provision, whether the development causes significant harm to the amenities of neighbours, impact on highway safety and parking, impact on trees and impact on flooding.

Background

2. As evident from the 'Relevant Planning History' section above, the application site along with adjoining No.155 have gone through an extensive planning history, particularly with regards to extensions to both properties since 2016. It is considered necessary to summarise the sequence of events from the outset to have a clear understanding of the history.

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3. Under PLAN/2016/1324 and PLAN/2016/1325, extensions to the front, side and rear elevations of No.153 and No.155 respectively were refused at Planning Committee on 28 March 2017, for the same three reasons of; i) adverse effects on the character of the dwelling and the surrounding area due to bulk, scale and design; ii) the impact on the amenities of neighbours including 153 and 155 (respectively) as there was no legal agreement in place to secure concurrent construction of extensions on both dwellings and iii) lack of information relating to impact on protected trees.
4. Following numerous discussions between the agent/applicant and Local Planning Authority, the applicant submitted a revised scheme under ref. PLAN/2017/0689 which took into consideration the previous reasons for refusal and reduced the bulk and scale of the developments. The submitted application showed the red line around both properties, thereby addressing the concern of impact on the respective adjoining property, in terms of amenity. The LPA found that these additions formed *“adequately subordinate additions which merge with the host dwelling in a seamless manner whilst improving the character of the area”* with the proposed rear elevation found to be *“much less complicated with a twin central gable and valley with subordinate single store additions.”* Reasons relating to impact on neighbour amenity and trees were also addressed. The application was approved under delegated powers. However, as the site was contained within a single red line and the overall increase in floor area was 151 sq.m, the application fell liable for a Community Infrastructure Levy (CIL) contribution. This approval was never implemented. Instead the applicant submitted proposed developments under PLAN/2017/1078 and PLAN/2017/1079 with separate red lines for each property which effectively mirrored the previous approval. These were subsequently approved subject to a legal agreement to secure concurrent construction. The proposals were based on an identical scale and design to that of PLAN/2017/0689.
5. In September/October 2018, following a significant amount of discussion, two retrospective applications were submitted (PLAN/2018/1019 and PLAN/2018/1026) for retention of extensions to both properties. These partly-built extensions not only exceeded the width, depth and height of the most recently approved schemes and failed to adhere to restrictive conditions such as obscure glazing on certain windows, but also exceeded the dimensions of the proposals which were refused at Planning Committee on 28 March 2017. Nevertheless, these retrospective applications were approved at Committee in April 2019.
6. What is of paramount importance in this matter is that the plans submitted and approved under PLAN/2018/1019 and PLAN/2018/1026 did not, in fact, represent what had actually commenced on site and what is currently under consideration in this application. Therefore the decision reached by the Planning Committee was on a hypothetical scheme which, considering the level of development that had already occurred, appeared to be beyond compliance of any plans submitted with these applications. This breach of planning control only became apparent following third party complaints to the Planning Enforcement Team who, in turn, advised the developer/builders to suspend works, as what had been constructed did not benefit from planning permission. In fact the development of significantly larger extensions, compared to that approved, along with the conversion of the dwellinghouses into 8 flats, did not benefit from any permission. As the 2018 permissions was

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approved on the basis of extensions to single dwellinghouses they could therefore no longer be implemented.

7. It was a clear and obvious risk to pursue this development as it was apparent by the LPA's objections to the initial scheme in March 2017, as well as the reservations relayed to the agent and applicant about the scale and design throughout the application processes of PLAN/2018/1019 and PLAN/2018/1026. The decision to carry out the current development was a premediated one as the foundations and layout of the scheme were implemented despite submission of plans under the applications in 2018 for a different form of development. The decision to continue with construction was entirely at the applicant's risk.
8. The underlying objective for the multiple occupation of these dwellings became obvious following submission of an application in September 2019 for the retention of two storey side and rear extensions and conversion of existing family dwellings at No.153 and No.155 into 8 flats (two 2-bed and six 1-bed), following demolition of existing rear conservatory. The merits of this case were determined and considering the significant impacts on the character of the area, standard of accommodation, loss of family housing, inadequate amenity space, inadequate parking provision, impact on trees and the significant impact on flooding as well as impact on the Thames Basin Heaths Special Protection Area with no legal mechanism submitted to mitigate this effect, the application was refused.
9. Enforcement action commenced on both 153 and 155 Hawthorn Road where a resolution to Enforce on Unauthorised Development was granted at Planning Committee on 24 September 2019. These Enforcement Notices were appealed against with the Appeals being dismissed and the varied Enforcement Notice upheld on 22 October 2020.

Principal of Development

10. The most recent application on this site was a joint retrospective application (PLAN/2019/0878) seeking permission to retain unauthorised developments which included unauthorised larger extensions to both the application property as well as the adjoining No.155 Hawthorn Road. Part of this unauthorised development included subdividing both properties into a block of 8 flats, 4 of which would be located within each dwelling. Works carried out as part of the development included installation of a stairwell in a position within the application dwelling which could be accessed independently from a side door which would have provided a separate entrance point to the intended first floor flats. No interaction would have been necessary with the notional ground floors units, thereby resulting in 4 separate units across the ground and first floors. As previously noted, this application was refused and Enforcement Notices were served. Appeals against the Notices were dismissed on 22 October.
11. Permission is now sought to retain the unauthorised extensions with submitted plans demonstrating a similar arrangement with regards to the stairwell providing access to the first floor albeit as single dwellinghouse rather than 4 flats. Despite the recent appeal dismissal (ref. APP/A3655/C/20/3247235) requiring the cessation of the use as flats, the plans as submitted are still laid out such that they can be occupied as separate flats. Policy DM9 of the Development Management Policies DPD

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2016 seeks to ensure that ancillary residential extensions will be permitted provided they “...are designed in such a way that renders them incapable of being occupied separately from the main dwelling”. The proposal would retain the existing main entrance on the front of the dwelling, however, it is sought to retain the northern side elevation entrance which provides an external access point to the stairwell indicative of a separate independent entrance to the first floor accommodation. It is acknowledged that it is proposed to introduce internal doorways to the stairs but it also has to be acknowledged that these doorways could be easily closed off thereby rendering the ground floor accommodation and first floor accommodation as separate independent space. Policy DM9 of the Development Management Policies DPD 2016 goes further and states that residential extensions “will be permitted provided they share a common access with the main dwelling and are physically incorporated within it.” Whilst the dwelling would share a common access, as indicated, the first floor space could be segregated off and would therefore retain an independent access point via the unauthorised side elevation doorway.

12. Further to this, the level of accommodation provided at both ground floor and first floor could easily accommodate separate independent units considering the amount of floorspace created as a result of the unauthorised extensions. The ground floor and first floor area of the dwelling, has the potential to be utilised as a separate unit considering the internal layout and external doorway to the staircase, each covering 116 sq.m GIA, a space which would constitute generous accommodation in itself. The ‘Technical housing standards - nationally described space standard (2015)’ defines a minimum gross internal floor area for a 4no bedroom 1 storey dwelling of 108 sq.m. There are many other permutations possible too. Considering the proposed addition and indeed the internal layout, it is not unreasonable to deduce that the internal space could be easily manipulated to form separate independent accommodation and therefore could result in the form of development which was refused under the previous application PLAN/2019/0878 and which associated S.174 Enforcement Notice Appeal was dismissed.
13. Considering the points discussed above the development, by reason of its nature and layout of internal accommodation, is not considered to meet the requirements of Policy DM9 if the Development Management Policies DPD 2016 in that it has not been designed in such a way which would render it incapable of being occupied as a single dwellinghouse with external access provided to the first floor accommodation and could be easily segregated off from the ground floor. The proposal therefore remains contrary to Policy DM9 of the Woking Development Management Policies DPD 2016.

Impact on Character

14. The National Planning Policy Framework attaches great importance to the design of the built environment throughout Section 12 with emphasis being placed on planning positively for the achievement of high quality and inclusive design for all development. Policy CS21 of the Woking Core Strategy 2012 is generally consistent with this in so far as they expect development proposals to have regard to the general character and quality of the surrounding area.
15. As addressed in the ‘Background’ section of this report, under PLAN/2018/1019 extensions to 153 Hawthorn Road had been approved at Planning Committee in January 2019 for extensions which were larger than

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those refused at Planning Committee in March 2017. These extensions, which were approved, are not what has been implemented, and cannot now be implemented in accordance with the approved plans. It is accepted that the planning history is an important material consideration. The current scheme will be assessed with this in mind.

16. Planning consent is sought to retain a two storey side and rear extension on the northern side elevation of No.153 in line with an application on No.155 for two storey front and side extensions (subject to a separate application PLAN/2020/0141). In terms of physical appearance, this application at No.153 is effectively a re-submission of a scheme which was refused in November 2019 under PLAN/2019/0878 (albeit that scheme was for the retention of the additions along with the subdivision of both No.153 and No.155 into an apartment block of 8 flats). This too is identical to the enforcement case (ENF/2019/00114) which was refused with a resolution to authorise enforcement at Planning Committee on 24 September 2019 and subsequently dismissed at appeal (APP/A3655/C/20/3247235). Whilst the merits of the case differ in this application is described as being a "householder application" to retain extensions to a single dwellinghouse, the assessment in terms of impact on character regarding the built bulk and scale does not change.
17. The unauthorised side addition measures 2.9 metres in width, 10.8 metres in depth extending beyond the pre-existing two storey rear building line by 3.2 metres and would stand at 7 metres in height, set down just 0.2 metres from the existing ridge line.
18. A two storey side extension was approved under PLAN/2018/1019 with a width of 2.9 metres and depth of 9.1 metres. What had been approved at Planning Committee in April 2019 was for a much smaller scheme which measures only 9.1 metres in depth some 1.7 metres less than what has been carried out. Whilst this increase in depth of this northern side addition might not be as stark or evident from the street-scene, the cumulative impact of the increase with the extension carried out on No.155 (addressed under PLAN/2020/0141) results in a block-like structure which completely dominates the area with a scale and form that dwarfs the neighbouring semi-detached dwellings and even the block of flats to the North of the application site. The National Planning Policy Framework at Paragraph 130 states that "*Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents.*" The bulk and scale of this extension, when read against the grain and scale of the pre-existing dwelling, cannot be considered as subordinate or subservient with a resultant dwelling that nearly trebles the size of the dwelling from a pre-existing GIA of approximately 97 sq.m to a current floor area of 232 sq.m. The Council's Supplementary Planning Document 'Design' 2015 states that "*The additional mass should respect the existing building proportion, symmetry and balance.*" It is not considered that the extensions do this, given that they engulf the existing dwelling to such a degree that the original house is currently undistinguishable.
19. The northern addition wraps around the rear elevation at two storey in height which, together with the two storey side addition, spans across the entirety of the rear elevation with a twin gable and central valley along with a two storey

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flat roofed addition. This two storey rear addition measures approximately 11.3 metres in width across the rear elevation. As previously noted, the dwelling forms part of a 'T' shaped semi-detached layout with No.155 acting as the corner dwelling on the junctions. As such, No.155's side elevation (eastern side) projects back in line with this rear addition at approximately 3.2 metres, 1.7 metres more than the consented scheme. As part of the application, the submitted elevations demonstrate how both the extension of No.153 as well as No.155 appear collectively but not individually.

20. Policy CS21 of the Woking Core Strategy 2012 states that developments *"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"*. Spanning the width of the rear elevation, the proposed two storey rear extension would adjoin the proposed two storey side extension on No.155. Although applications need to be determined on their own merits, it is difficult to individualise the additions given that they were carried out concurrently and form part of the same elevation. The additions collectively transform the existing side/rear elevations from a pitched gable on No.155 with a subordinate roof scape to No.153, to an elevation with 4 projecting gables consisting of primary and secondary gables, 2 roof valleys and a flat roofed central valley incorporated in a bid to accommodate the proposal which is symptomatic of the over-development of the sites. The rear addition of No.153 would project off the rear elevation at 90° with the outriggers adopting differing ridge heights of 7 and 6.2 metres and the proposed two storey side addition adding to the contrived and complex roof form proposed. The additions, measuring 11.3 metres in width across the rear elevation of No.153 and with an unbroken depth projecting 5.5 metres beyond the existing rear building line of No.153, require the adoption of such a complex roof form consisting of projecting gables and section of flat roof (valley) to accommodate this sizeable addition.
21. Supplementary Planning Document 'Design' 2015 states that *"the additional mass (of extensions) should respect the existing building proportion, symmetry and balance...(and that) the roof of an extension is a prominent component of the building form and should normally be of a similar format to that of the existing dwelling"*. The SPD on 'Design' 2015 also states that *"roof forms that are contrary to the existing roof form will generally be resisted"*. The pre-existing host dwelling demonstrated a simple roof form; a dual pitched design. Flat roofed elements are often synonymous with overdevelopment and are, in most cases, a way to achieve extra space despite appearing at odds with the existing roof form. It is considered that erection of this rear addition which, coupled with the side and rear extension, increases the floor area to such a level that it fails to respect or make a positive contribution to the street-scene or character of the area (from approximately 97 sq.m GIA to approximately 232 sq.m GIA). In terms of relationship with the host dwelling, it is apparent considering the addition has been carried out that it represents a contrived and incongruous addition due to its scale and poor marriage to the host building which is harmful to its character and appearance.
22. Section 12 of National Planning Policy Framework states that *"Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions"*. With the development on No.153 increasing the floor

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area to almost treble that of the pre-existing dwelling (from approximately 97 sq.m GIA to approximately 232 sq.m GIA), it is inevitable that the purpose built layout would be malformed with the constructed additions resulting in a completely different building and relationship to the surrounding area. These overly dominant and bulky elevations contain large expanses of blank gable on the northern elevation and bland, unrelieved elevation across the rear (eastern) side which appears out of keeping with the surrounding character. The cumulative extension completely transform the existing form and layout of not only the application dwelling but the adjoining No.155. It is considered that this form of development points towards overdevelopment of not only the dwelling but of the site which would have a consequential impact on the street-scene.

23. Consideration has been paid to the previous approvals on No.153, but the current scheme is significantly larger than that approved and, therefore, there remains considerable concern regarding the overdevelopment of the site due to the insubordinate, contrived and incongruous additions. The once proportionate semi-detached pair of dwellings were purposely designed to respect their pronounced location. However, the current scheme has enveloped the application dwelling and together with the additions on the adjoining dwelling at No.155 Hawthorn Road replaced them with a block-like structure almost 3 times the size of neighbouring pairs of semi-detached properties and indeed the pre-existing dwelling. The result is apparent and stark with regards to its impact on the character of the area with a dwelling in combination with No.155 dwarfing the neighbouring flatted building at The Oaks to the North. The development is therefore contrary to provisions outlined in the National Planning Policy Framework, Policies CS21 and CS24 of the Woking Core Strategy 2012 and Supplementary Planning Document 'Design' 2015.

Amenity Provision

24. One of the planning principles set out within Section 12 of the National Planning Policy Framework (NPPF) is to ensure that developments have a high quality design and a good standard of amenity for existing and future occupants of land and buildings. Paragraph 130 states that *"permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area."*
25. As previously noted the floor area of the application dwelling more than doubles from approximately 97 sq.m to 232 sq.m, a significant increase across the site with the footprint increase from 58 sq.m (including the demolished conservatory) to approximately 130 sq.m, much of which occurs to the rear with the private amenity space.
26. The Council's Supplementary Planning Document on 'Outlook, Amenity, Privacy and Daylight' 2008 recommends that *"family accommodation will be taken to mean all houses with two bedrooms or more and exceeding 65 sq.m gross floor area"*. It goes on to state that *"all dwellings designed for family accommodation (as per above) need to provide a suitable sunlit area of predominantly soft landscaped private amenity space, appropriate in size and shape for outdoor domestic and recreational needs of the family it is intended to support"*. The area of amenity space should approximate with the gross floor-space of the dwelling or at least be as large as the footprint of the dwelling. Section 4.6 of the SPD states that *"Private amenity space is best*

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provided as an enclosed garden to the rear or side of the property where it is clearly separate from more public areas of the site". As the areas to the front of the dwellings would not constitute enclosed spaces to the side or rear, or indeed separate from more public areas of the site, these could not be taken into account in the provision of amenity space. Furthermore, the narrow access paths down along the side of dwelling are not considered to constitute amenity space as they consist of passage-like spaces providing a route to the rear with little room to be utilised as anything else and therefore could not be considered as usable amenity space.

27. The application site is located in a setting where the semi-detached properties demonstrate generous amenity spaces on rectangular shaped plots. It is noted that the application site as well as the adjoining No.155 demonstrate different layouts due to their positioning at the convergence of a number of highways and, therefore, the amenity space would have already been less than those of the prevailing properties. The proposed floor-space of the dwelling would increase to approximately 232 sq.m with a footprint of approximately 130 sq.m, an increase of 125% over the existing. Considering the proposed parking layout, which would include 2 spaces within this rear amenity space as well as the vegetation towards the south-eastern corner of the amenity space, the figure shown on Drawing No. P.806 is misleading and in reality the usable amenity space is closer to approximately 90 sq.m which falls considerably short of the 232 sq.m required as per the SPD on 'Outlook, Amenity, Privacy and Daylight' 2008 or even the minimum allocation of an area similar to that of the footprint. Given this, the allocated amenity space would fall short of the recommended space in the Outlook SPD with inadequate amenity provision provided. As per the above paragraphs, this is indicative of overdevelopment of a site with not only a detrimental impact on the character of the area but on the amenity of potential future occupiers as well as setting an undesirable precedent for inadequate levels of amenity space.
28. Overall, it is considered that the restricted private amenity space for the plot, by reason of its size, is not sufficient to provide a good standard of amenity for future residential occupiers. The proposed development is, therefore, considered contrary to the core principles of the National Planning Policy Framework, Policy CS21 of the Woking Core Strategy 2012 and Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight' 2008.

Impact on Neighbour Amenities

29. 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"* while Supplementary Planning Document 'Outlook, Amenity, Privacy & Daylight' 2008 seeks to protect the amenities of neighbouring occupiers and to avoid loss of light, overlooking or overbearing impacts resulting from development proposals. Section 12 of the National Planning Policy Framework states that *"Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions"*.

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30. No.153 is a semi-detached property adjoined by a similar style dwelling albeit at a different orientation to address the convergence of three separate highways, Hawthorn Road, Hawthorn Close and Willow Way. The application site is positioned to the North of this adjoining dwelling and to the East of the relatively linear grain of dwellings along Hawthorn Road with a block of 4no. apartments on land to the North which previously served as amenity land to No.153, therefore properties effectively surround the application site on three sides.
31. The scheme on No.155 (PLAN/2020/0141) is subject to a separate application but is being recommended for refusal on a number of grounds including principal, impact on character and lack of amenity space amongst others. The impacts of the scheme, therefore, need to be assessed against the pre-existing layout.
32. No.155 Hawthorn is the adjoining dwelling which is South facing and adjoins the application dwelling on its rear elevation. As previously noted, due to the union of these properties, the side elevation of No.155, as existing, previously projected back 1.5 metres beyond the rear elevation of the application dwelling. Measuring 4.7 metres in depth, the proposed rear extension would project 3.2 metres beyond the side elevation of No.155. Supplementary Planning Document 'Design' 2015 states that *"the location of the extension...should not result in any adverse overshadowing or overbearing impact on adjacent dwellings"*. Stemming back a further 3.2 metres from the side elevation of No.155, the 45° test has been applied to the pre-existing ground and first floor windows on this side elevation which are breached both in elevation and plan form. The increase in bulk and massing would be sited directly North of a number of habitable room windows.
33. While the current addition on No.155 would project back in line with the rear addition proposed under this application, the separate applications for each property need to be assessed on their own merits and the worst case scenario, in terms of the development's impacts on neighbouring amenities, needs to be examined for the purposes of this report. Considering this, and by reason of the cumulative impact of the height, depth, bulk, massing and proximity to No.155 Hawthorn Road, this two storey rear element would exert a loss of outlook, and, by reason of the introduction of significant massing resulting in a significant loss of light upon habitable rooms, of the adjoining property which would be significantly harmful to the residential amenity contrary to Policy CS21 of the Woking Core Strategy 2012, Supplementary Planning Documents 'Design' 2015 and 'Outlook, Amenity, Privacy and Daylight' 2008.
34. The two storey northern side extension projects 2.9 metres out on the side elevation which faces the eastern flank elevation of No.151 to the West. Under PLAN/2018/1019 the extension was not deemed to cause a detrimental level of overshadowing on this property given its relationship. The width of the first floor northern side extension of the previously approved scheme and indeed the current scheme are largely unchanged. A first floor western elevation window was included in this extension to serve 'Bedroom 4' which was conditioned (Condition 3 under PLAN/2018/1019) to be obscurely glazed and non-opening below 1.7 metres to ensure no loss of privacy would occur to No.151 Hawthorn Road. Whilst under the previously refused scheme (PLAN/2019/0878) this western elevation window was to be clear glazed and the sole window serving the bedroom within a 1 bedroom flat, it is now

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proposed to revert the window back to obscure glazed with restricted opening serving a bathroom. A condition to ensure its obscurity would have been attached in the event of an approval.

35. No.1-4 The Oaks is sited to the North of the application dwelling and previously served as amenity land to this property. This building fronts onto Hawthorn Close and contains a rear amenity space for the apartments which run back along the shared northern boundary of the application site. It is a material planning consideration that a planning permission for a side addition which stemmed back along this shared boundary was allowed under PLAN/2018/1019, however, the current development is materially different in that it increases the depth of the extension significantly which in effect means that the two storey addition along this side now includes an unrelieved, monotonous wall measuring 10.8 metres in depth and just 0.7 metres off the shared boundary. The extent and harshness of this addition has a significant impact on the amenity space of The Oaks to the North. This scale of development coupled with its minimal separation distance to the shared boundary completely dominates the outlook from the amenity space of 1-4 The Oaks causing an overbearing impact on this space. As previously noted, Policy CS21 of the Woking Core Strategy 2012 advises that new developments should *“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”*. The extension measures 10.8 metres in depth, an increase of almost 2 metres over the previously approved development, imposing a built mass with minimal visual relief abutting the shared boundary and in turn dominates the outlook from this space resulting in an oppressive and unneighbourly form of development.
36. The side and rear extensions cause significant overbearing on the private amenity space of No.1-4 The Oaks given the extent of the northern side elevation which stretches down alongside the entirety of this space and just 0.7 metres off the shared boundary. This along with the potential impact on the pre-existing situation on No.155 would cause significant detriment to the residential amenity of these neighbours and therefore represents an unneighbourly form of development contrary to the core principles of the National Planning Policy Framework, Policy CS21 of the Woking Core Strategy 2012, Supplementary Planning Documents ‘Outlook, Amenity, Privacy and Daylight’ 2008 and ‘Design’ 2015.

Impact on Highway Safety and Parking

37. It is proposed to retain the single car-parking space to the front of the property with 2no. partly-finished spaces to the rear of the property off Hawthorn Close. This would include the provision of a dropped kerb onto Hawthorn Close and would be similar to that proposed under the permitted scheme PLAN/2017/1078 where the County Highways Authority raised no objection to the parking layout or highways safety issues. This was subject to conditions ensuring that the proposed layout is carried out in accordance with the submitted plans and that development should not be commenced until the existing access has been permanently closed and any kerbs, verge, footway is fully reinstated.
38. The Council’s Supplementary Planning Document on ‘Parking Standards’ 2018 proposes minimum standards as opposed to the maximum standards in

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the previous SPD. For dwellings with 4 or more bedrooms it indicates a requirement for at least 3 spaces. The proposed dropped kerb and new parking spaces off Hawthorn Road would provide 2 spaces to the rear with the other space sited towards the front. This space towards the front of the site is not considered to constitute a parking space which is accessible without passage over neighbouring sites. Submitted plans (Drawing No. P.807) illustrate the parking layout with 2 spaces towards the rear, off Hawthorn Close and 1 further space towards the front, off Hawthorn Road. This space towards the front appear as though they have been positioned in an ad-hoc and contrived way. For example, the proposed space would occur right up against the habitable room window of this ground floor flat and does not appear to be accessible in the event that the 2 parking spaces for No.155 are occupied unless crossing over grass verge and encroaching onto land in ownership of No.151 Hawthorn Road and outside of the red line of the application site. This, in effect, renders this space unusable and would, therefore, result in a shortfall in the minimum number of parking spaces.

39. On-street parking is severely limited along Hawthorn Road and Willow Way with the area in and around the site heavily parked with the majority of parking bays typically observed as being occupied during weekday daytime hours. Vehicles routinely parked on the footpaths to avoid blocking the carriageway. Whilst the County Highway Authority have yet to respond to this current scheme, under previous schemes they have raised no objection. The remit of the County Highway Authority is, however, limited to highway safety and operation rather than parking pressure and the amenity issues associated with it.
40. As previously noted, the layout proposed also remains laid out such that it is capable of being occupied as multiple flats. Additional residential units would increase the parking demand on the site on an already heavily parked street whilst delivering an insufficient number off-street parking. Whether occupied as flats or an extended dwelling, it is considered that the proposal places further pressure on the existing on-street parking to the detriment of the amenities of the area and parking provision generally. Consequently the Local Planning Authority cannot be satisfied that there would no adverse effect upon the free flow of traffic or car parking provision within the locality. The proposal is therefore contrary to Policy CS18 of the Woking Core Strategy 2012, Policy DM11 of the Woking Development Management Policies DPD 2016 and Supplementary Planning Document 'Parking Standards' 2018.

Impact on Trees

41. The eastern side of the site contains 2no substantial Oak Trees positioned within the curtilage of the application property as well as the adjoining No.155, one of which is covered by a Tree Preservation Order. An Arboricultural Impact Assessment and Method Statement has been submitted along with a Tree Protection Plan (ACD Environmental) which outlines protection measures to be adopted as part of the development. These protection details are immaterial at this stage as the development has been carried out and is substantially complete. The scheme has been carried out and differs significantly from the previously approved scheme and since the initial refusals (PLAN/2016/1324 & PLAN/2016/1325), the development has increased significantly in scale and, as such, encroaches much closer towards these trees which has a significant impact on the root protection

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area. Additional hardstanding is also included on this side of this site which has significant impact on these trees.

42. It is acknowledged that Planning Permission was granted subsequent to these refusals in 2017 and 2019 but it also has to be borne in mind that the information submitted as part of these applications portrayed a completely different situation to that of the previous approvals with the development now having encroached upon the root protection areas of these trees. This incursion is not considered acceptable considering the rooting environment of these significant trees. The protected tree, in particular, is set up against the rear (eastern) boundary of the site with the hard standing of Hawthorn Close bordering it on this side and the once open soft landscaped gardens of No.153 and No.155 Hawthorn Road on their western, northern and southern sides. This soft landscaped area, therefore, would have provided the principal rooting area of these trees where the roots would have gravitated towards over time and as a consequence would host the majority of them. It is reasonable to assume, therefore, that the unauthorised developments has had a significant detrimental impact upon the health and wellbeing of these trees.
43. The scheme also introduces additional parking at the rear within the rooting environment of the protected Oak as well as additional soakaways to accommodate the significant increase in size. These would have further detrimental impacts on the protected trees and would likely cause catastrophic implications for the trees which would be under stress from the current encroachment from the unauthorised block of flats.
44. The Council's Arboricultural Officer has been consulted on this application and considering the significant incursions that have already occurred on the rooting environment of this protected tree, no further incursions will be consented. It is noted that an arboricultural investigation is currently underway considering the deviation from the previous information provided with damage to any protected trees likely to carry repercussions. The LPA will separately determine whether any further enforcement action is appropriate in this respect.

Impact on Flooding

45. Located to the north-west of the Hoe Stream, the application property is located within Flood Zone 2. Paragraph 100 of the NPPF states that *"inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere"*. Paragraph 003 of the NPPG states that *"for the purposes of applying the National Planning Policy Framework, areas at risk from all sources of flooding are included. For fluvial (river) and sea flooding, this is principally land within Flood Zones 2 and 3."*
46. The application has been supported by a Flood Risk Assessment carried out by Apple Environmental dated January 2017 and SuDS Drainage Report. This information has been examined by the Council's Drainage Officer and found to be unacceptable and insufficient as it demonstrates that the surface water drainage system does not work appropriately. Details within the SuDS Report show the "half drain time" is 4.7 days which is over the required time of 24hrs to allow for preceding storms. Calculations do not match the

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drawings with the proposed system failing to drain sufficiently to allow a preceding rainfall event to occur and disperse without flooding the surrounding area. The development, therefore, fails to comply with Policies CS9 and CS16 of the Woking Core Strategy and provisions within Section 14 of the National Planning Policy Framework.

Conclusion

47. Overall, by reason of its layout of internal accommodation and indeed scale, the development has not been designed in such a way which would render it incapable of being occupied as a single dwellinghouse with external access provided to the first floor accommodation and could be easily segregated off from the ground floor. The proposal is therefore contrary to Policy DM9 of the Development Management Policies DPD 2016.
48. It is clear that the two storey side and rear addition together with the two storey rear extension result in contrived and conflicting additions which indicate an overdevelopment of the site by way of the adopted complex and contrived roof form (in line with PLAN/2020/0141) that requires a central flat roof valley to accommodate the development. Furthermore, due to this bulk, scale and proximity to neighbours, the development along the northern elevation has a detrimental overbearing impact on the amenity space of 1-4 The Oaks and would cause significant harm to the pre-existing situation at No.155 causing significant detriment to the amenities of these neighbouring properties.
49. Due to the unauthorised increase in the scale of the development and indeed additional parking provision towards the rear in a bid to comply with parking standards, the resultant amenity space has been significantly reduced and fails to provide suitable provision for a family dwelling of this size. The development therefore fails to comply with Section 12 of the National Planning Policy Framework or Policies CS21 of the Core Strategy 2012 or the Council's Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight' 2008.
50. The increase in the size of the dwelling would increase the parking demand on the site on an already heavily parked street with the on-site parking provision failing to meet the minimum parking standards as set out in the Council's SPD on parking 2018. This would place further pressure on the existing on-street parking and highway safety, much to the detriment of the amenities of the area and parking provision generally.
51. In spite of the information submitted with regards to the arboricultural information, further encroachment on the root protection areas of the protected trees to the West of the building would be unacceptable and has possibly caused irreversible damage to said trees. Further investigation is currently underway.
52. Furthermore, the information submitted relating to SuDS are insufficient as they demonstrate the surface water drainage system does not work appropriately. Evidence presented as part of the submissions represent calculations which do not match the drawings with a notional system not being able to drain sufficiently to allow a preceding rainfall event to occur without flooding the surrounding area. The development, therefore, fails to

10 NOVEMBER 2020 PLANNING COMMITTEE

comply with Section 14 of the National Planning Policy Framework or Policies CS9 and CS16 of the Woking Core Strategy.

53. The development is therefore contrary to provisions set out in Sections 12 and 14 of the National Planning Policy Framework, Policies CS9, CS16, CS18 and CS21 of the Woking Core Strategy 2012, Policies DM2 and DM9 of the Development Management Policies DPD 2016 and Supplementary Planning Documents 'Outlook, Amenity, Privacy and Daylight' 2008, 'Design' 2015 and 'Parking Standards' 2018 and is accordingly recommended for refusal.

BACKGROUND PAPERS

1. Site visit photographs
2. Response from Arboricultural Officer (20.03.20)
3. Response from Drainage Officer (08.04.20)

RECOMMENDATION

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

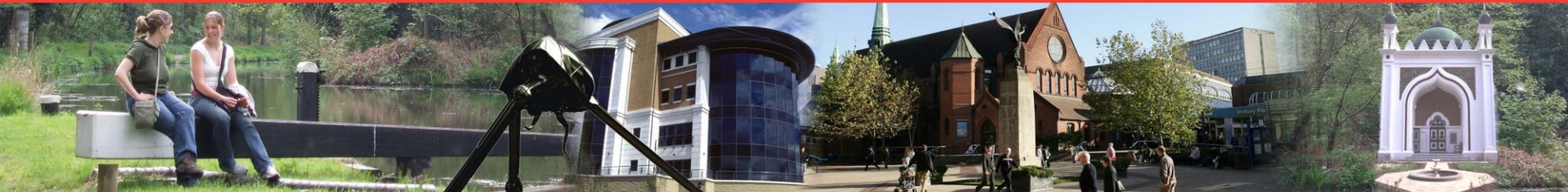
1. The extensions, by reason of their scale and nature of internal accommodation, have been designed in such a way that could render it possible to subdivide the dwelling into a number of separate independent units which would represent overdevelopment and be detrimental to the prevailing character of the area. The proposal is therefore contrary to Policy DM9 of the Development Management Policies DPD 2016.
2. By reason of their overall size, siting and complex roof design, the two storey side and rear extensions are considered to result in incongruous features which would dominate and adversely affect the character of the dwelling and in turn the surrounding area contrary to provisions outlined in the National Planning Policy Framework, Policy CS21 of the Woking Core Strategy 2012, and Supplementary Planning Document 'Design' 2015.
3. The development would fail to provide a good standard of amenity for future residential occupiers considering the restricted rear space that would fall below the minimal amount of space required as outlined in the Council's Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight' 2008. The development would, therefore, fail to accord with the provisions of the National Planning Policy Framework, Policy CS21 of the Woking Core Strategy 2012 and Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight' 2008.
4. By reason of height, depth, bulk, massing, proximity and fenestration layout, the proposed two storey side and rear extensions would cause a detrimental loss of outlook, loss of light and overbearing impact on the pre-existing layout of No.155 Hawthorn Road and on the amenities enjoyed by 1-4 The Oaks Hawthorn Close. The proposal therefore represents an unneighbourly form of development contrary to provisions outlined in the National Planning Policy Framework, Policy CS21 of the Woking Core Strategy 2012 and Supplementary Planning Documents 'Outlook, Amenity, Privacy and Daylight' 2008 and 'Design' 2015.

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5. The development fails to meet the minimum standards set out in the Council's Supplementary Planning Document 'Parking Standards' 2018, much to the detriment of the amenities of the area and would set an undesirable precedent for similar future developments in the local area. Consequently the Local Planning Authority cannot be satisfied that there would no adverse effect upon the free flow of traffic or car parking provision within the locality. The development is therefore contrary to Policy CS18 of the Woking Core Strategy 2012, Policy DM11 of the Woking Development Management Policies DPD 2016 and Supplementary Planning Document 'Parking Standards' 2018.
6. Insufficient information has been submitted in relation to sustainable drainage systems. The submissions show that the surface water drainage system does not work properly with the system failing to demonstrate sufficient drainage to allow a preceding rainfall event to occur without flooding the surrounding area. The proposal is therefore contrary to Policy CS9 and CS16 of the Woking Core Strategy 2012, House of Commons: Written Statement (HCWS161) - Sustainable drainage systems and Section 14 of the National Planning Policy Framework (NPPF) 2019.

Informatives:

1. The plans relating to the development hereby refused are numbered / titled:
 - Drawing No: P.806 Proposed Site Plan
 - Drawing No. P.804 Elevations Sheet 1
 - Drawing No. P.805 Elevations Sheet 2
 - Drawing No. P.801 Proposed Ground Floor Plans
 - Drawing No. P.802 Proposed First Floor Plans
 - Drawing No. P.803 Roof Plan
2. The applicant is advised that further works on top of what has already been approved are likely to result in catastrophic damage to the protected Oak Tree in the rear amenity space. They would likely lead to significant implications of the root protection area and ultimately the loss of the tree. Further incursions in the form of additional parking and soakaways are not considered acceptable. The LPA will separately investigate whether any breaches of planning control have already occurred in this respect.



ITEM 6c – PLAN/2020/0140

153 Hawthorn Road, Woking

Erection of a two storey side and rear extension and two storey rear extension following demolition of existing rear conservatory with car parking area at rear (part retrospective).

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Location Plan – PLAN/2020/0140

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Block Plan – PLAN/2020/0140

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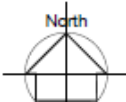
CLIENT	Sharaz Homes Ltd
PROJECT	153 Hawthorn Road, Woking, GU22 0BQ
TITLE	Proposed Site Plan
SCALE	DATE

Previous Refusal PLAN/2019/0878

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Enforcements Cases – ENF/2019/00114 & 00115

6I ENF/2019/00115 WARD: HE

Subject: 155 HAWTHORN ROAD, WOKING, SURREY, GU22 0BQ.

Description: UNAUTHORISED OPERATIONAL DEVELOPMENT – CREATION OF A 4 STUDIO FLATS BY THE COVERSION OF A THREE BEDROOM HOME WITH PLANNING PERMSIION FOR A TWO STOREY SIDE AND REAR EXTENSION

Case Officer: DAVE CALVERT

.....

1. **PURPOSE**

To seek Committee approval for Enforcement Action and to authorise all actions necessary to rectify the breaches of planning control.

2. **RECOMMENDATION**

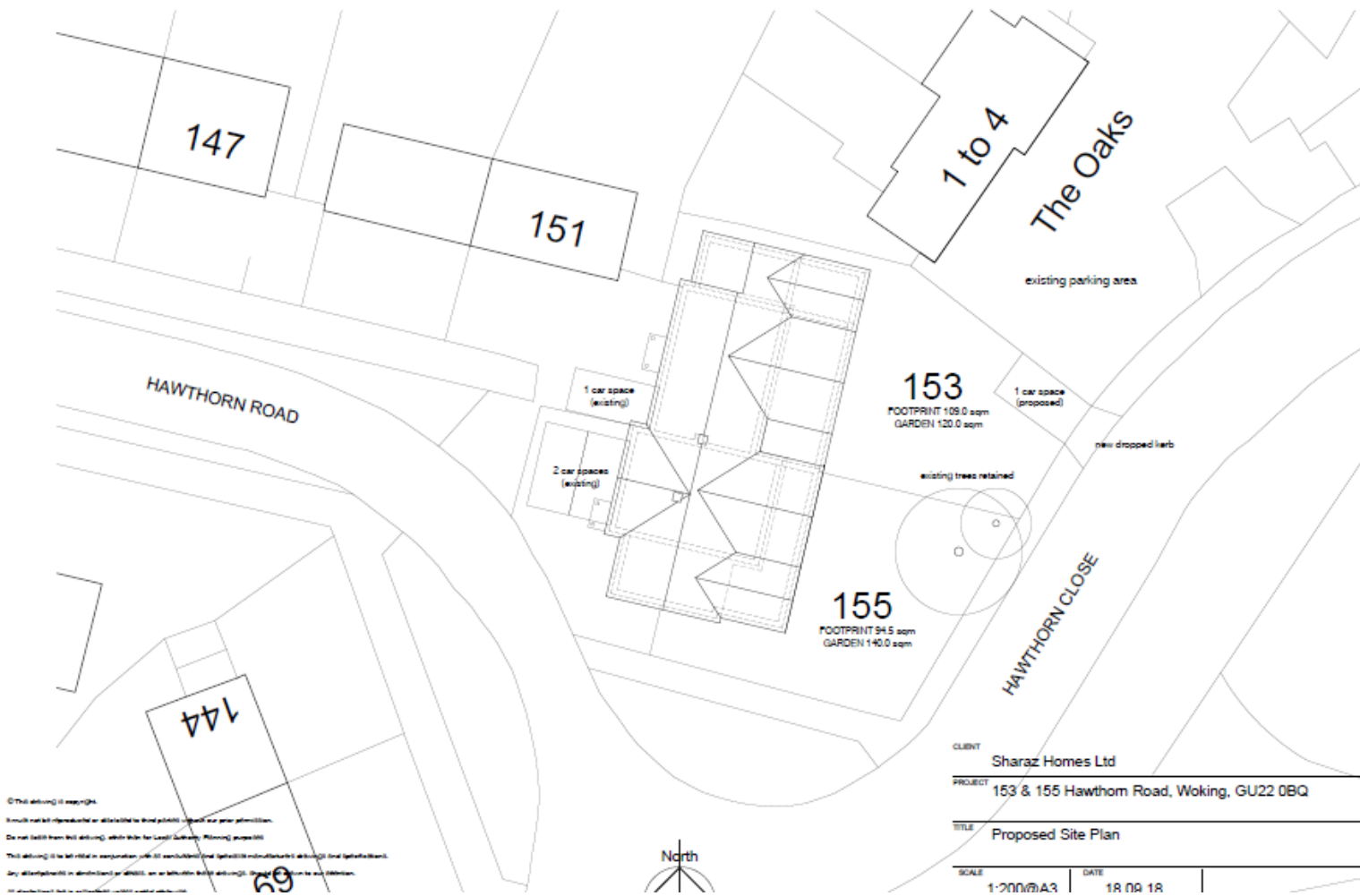
(i) Enforcement action be authorised to issue an Enforcement Notice in respect of the above land requiring removal of:

- I. Remove all internal partition walls to stop the use as 4 self-contained flats; and
- II. to reinstate an internal stair case so that access is always accessible for the whole house from the ground floor to the first floor; and
- III. To revert to the original development and use of a domestic house as per planning consent bearing reference 0005764; and/or
- IV. To revert back to the approved planning permission bearing planning reference PLAN/2018/1026

To remove all materials from the site including all associated paraphernalia within three month of the notice taking place.

Approved Schemes – PLAN/2018/1019 & PLAN/2018/1026

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Policy DM9 Development Management Policies DPD 2016

DM9: Flats above shops and ancillary accommodation

Flats above shops

Where proposals fall outside the remit of permitted development rights, the change of use of vacant or under-used accommodation above shops to residential purposes will be permitted in accordance with other policies in the Development Plan, and provided:

- (i) it meets relevant space standards⁷;
- (ii) it would not undermine the economic vitality of the immediate area;
- (iii) the property can be satisfactorily occupied as a self-contained dwelling unit;
- (iv) there is suitable access to amenity space having regard to the general principles in the Outlook, Amenity, Privacy and Daylight SPD and the Design SPD; and
- (v) there is a safe access and egress route during flood events.

The appropriate car parking standards for such developments will be decided taking into account the locational characteristics of the site, including its proximity to key services and public transport accessibility.

Ancillary accommodation

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.

Proposed Layouts – PLAN/2020/0140

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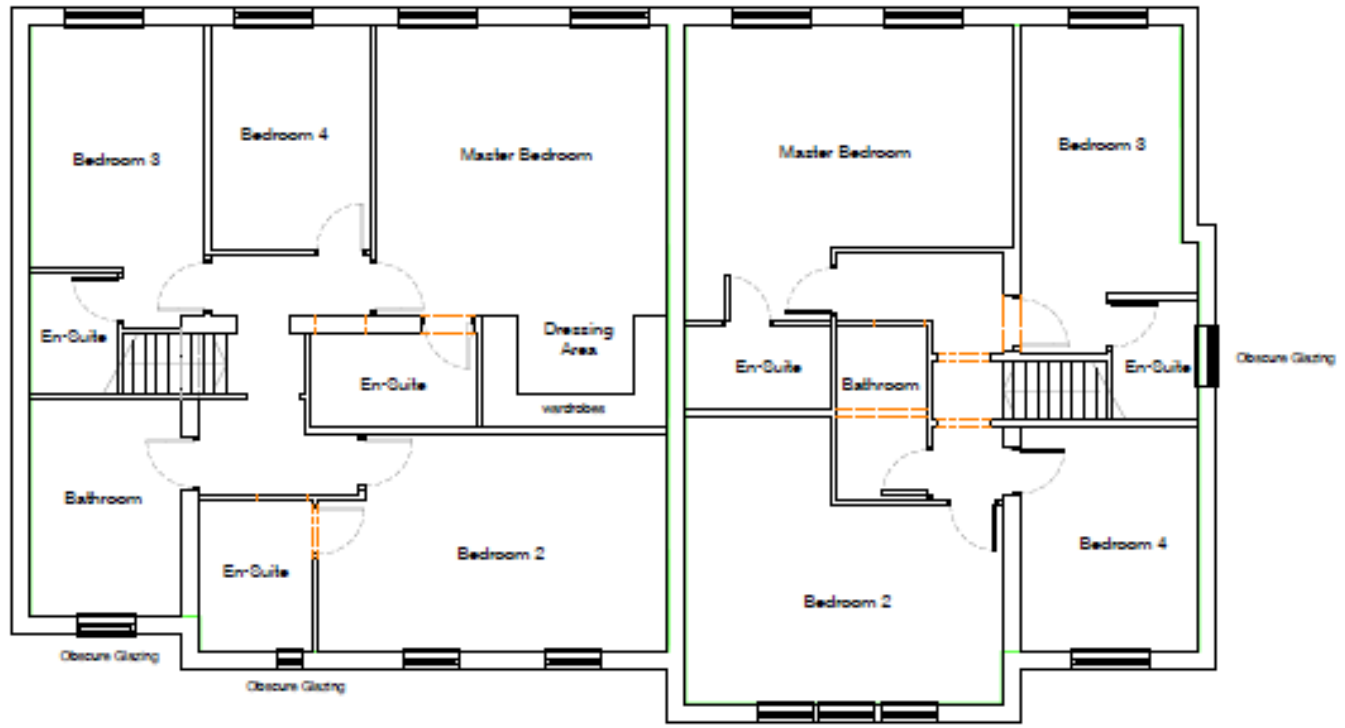


Ground Floor Plan No 153

Ground Floor Plan No 155

Proposed Layouts – PLAN/2020/0140

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First Floor Plan No 153

Gross Internal Area
116.0 sqm

First Floor Plan No 155

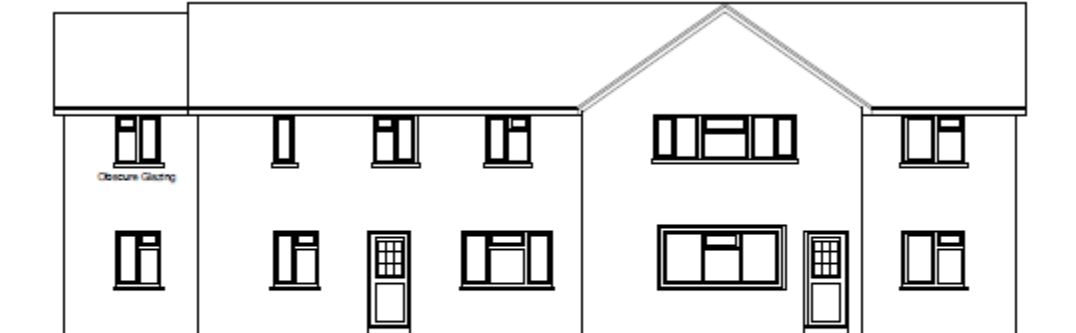
Gross Internal Area
98.8 sqm

CLIENT
Sharaz Homes Ltd

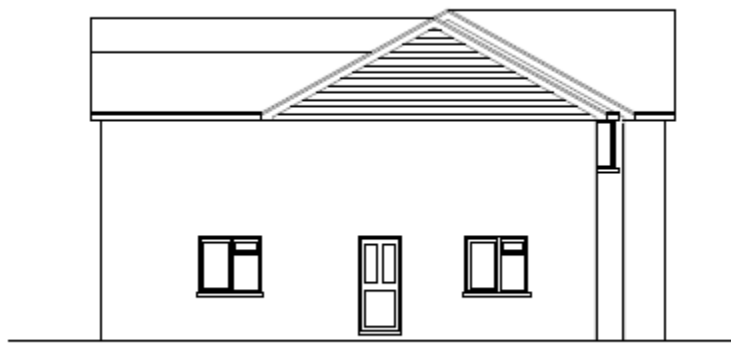
PROJECT
153 & 155 Hawthorn F

Proposed Elevations– PLAN/2020/0140

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Front Elevation



Side Elevation No 153

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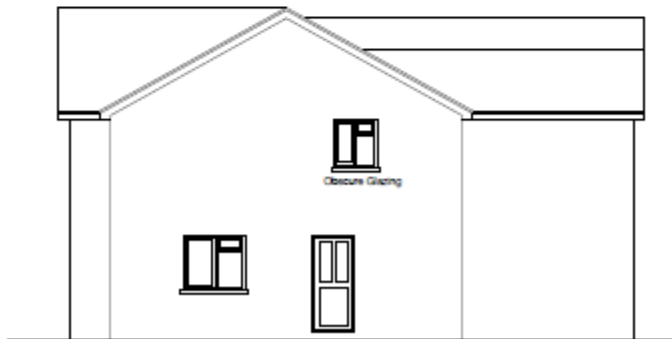
CLIENT Sharaz Homes L
 PROJECT 153 & 155 Hawth
 TITLE Elevations Sheet
 SCALE | DATE

Proposed Elevations– PLAN/2020/0140

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Rear Elevation

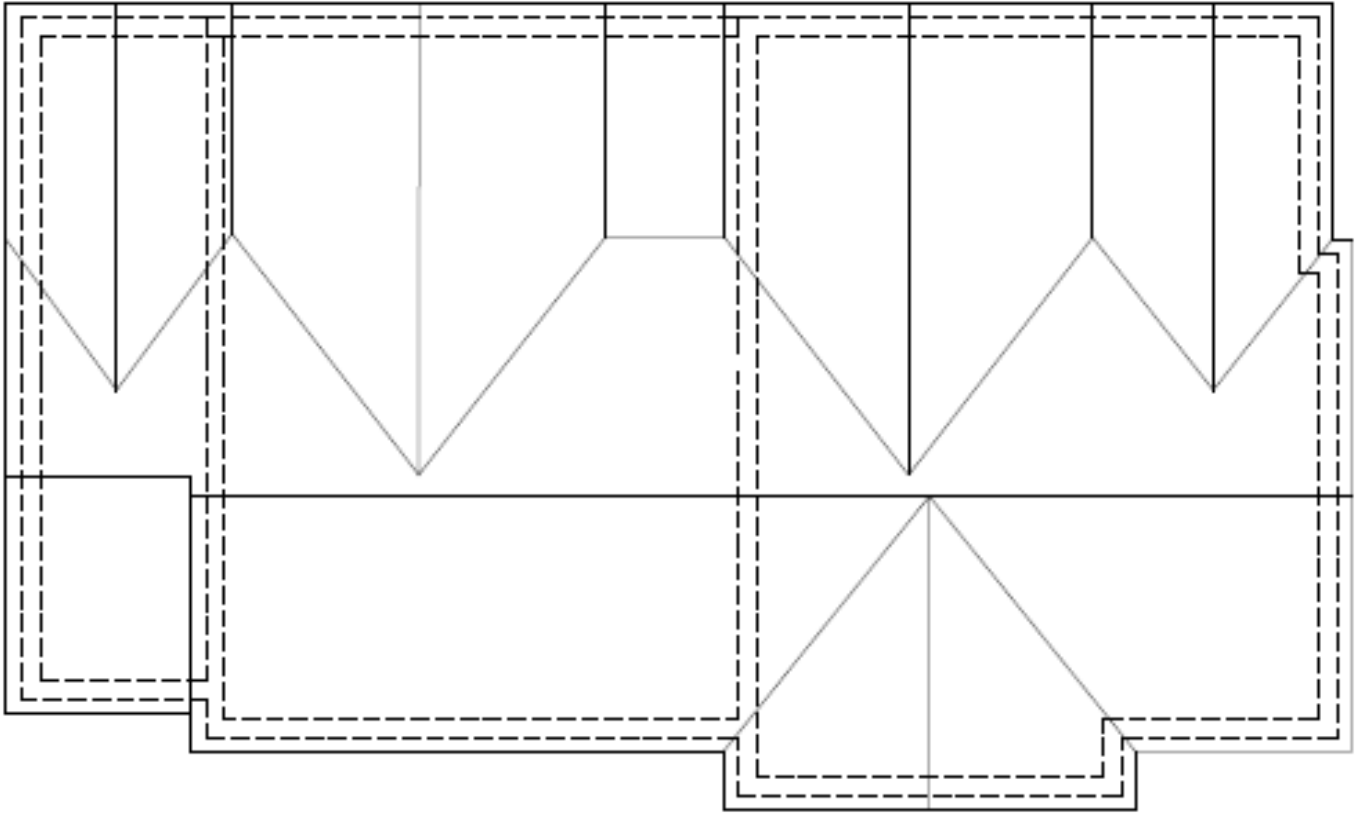


Side Elevation No 155

CLIENT Sharaz Homes Ltd
PROJECT 153 & 155 Hawthorn Road, V
TITLE Elevations Sheet 2

Proposed Roof Plan – PLAN/2020/0140

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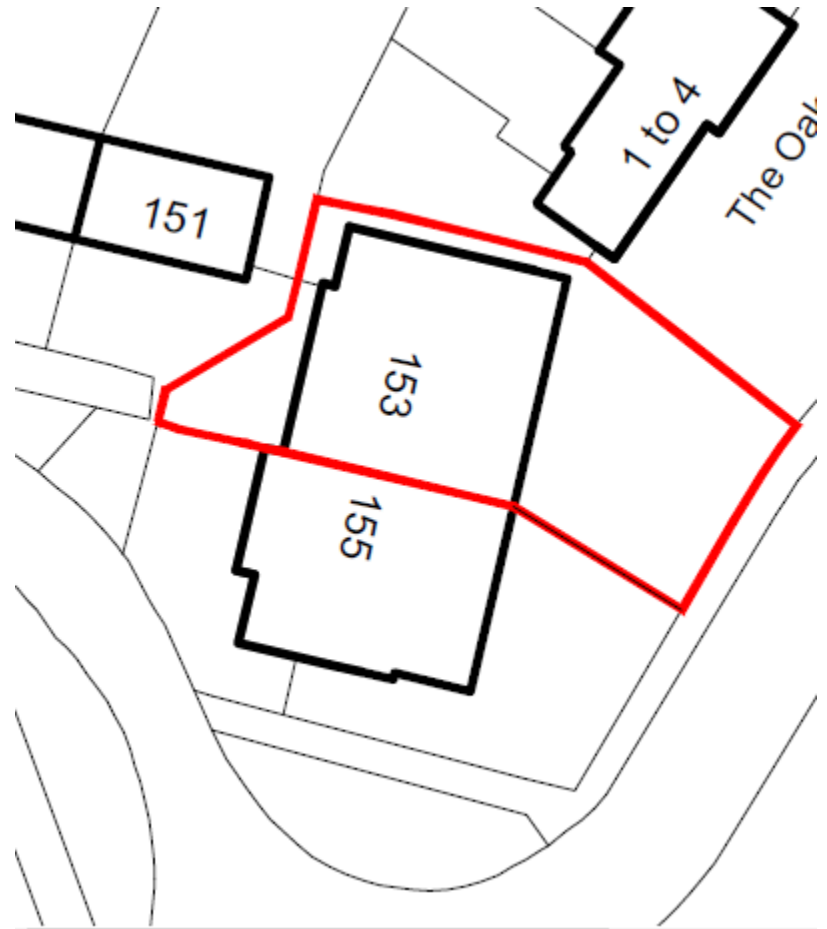
Roof Plan

Proposed Roof Plan – PLAN/2020/0140

Consented Scheme



Proposed Scheme



Photograph – PLAN/2020/0140



Photographs – PLAN/2020/0140



155 Hawthorn Road, Woking.

PLAN/2020/0141

Proposed erection of a two storey front and side extension with porch addition
(Retrospective).



PLAN/2020/0141



155 Hawthorn Road

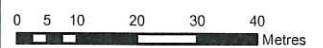


Comments

Not Set



SCALE 1:1,250



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

10 NOVEMBER 2020 PLANNING COMMITTEE

6D **PLAN/2020/0141** **WARD: HE**

LOCATION: **155 Hawthorn Road, Woking, Surrey, GU22 0BQ**

PROPOSAL: **Proposed erection of a two storey front and side extension with porch addition (Retrospective).**

APPLICANT: **Shazad Homes Ltd** **OFFICER: Barry Curran**

REASON FOR REFERRAL TO COMMITTEE

The application has been called to the Planning Committee at the request of Councillor Aziz as the application falls to be resolved by exercise of planning judgement.

SUMMARY OF PROPOSED DEVELOPMENT

Retrospective planning consent is sought to retain the unauthorised two storey front and side extensions with porch addition

PLANNING STATUS

- Urban Area
- Tree Preservation Order
- Flood Zone 2
- Surface Water Flood Risk (Medium and High)
- Thames Basin Heaths SPA Zone B (400m-5km)

RECOMMENDATION

That planning permission be REFUSED.

SITE DESCRIPTION

The application site is located towards the eastern end of Hawthorn Road, close to the junctions with Hawthorn Close and Willow Way. The property is a two storey semi-detached dwelling which, along with No.153 Hawthorn Road, form a 'T' shaped layout to address their position at the junction. A 2 metre high timber close board fence wraps around the limited rear amenity space with a substantial Oak covered by a TPO located in close proximity. The site is also located to the north-west of the Hoe Stream and within Flood Zone 2.

PLANNING HISTORY

No.155 Hawthorn Road - PLAN/2020/0141 - Proposed erection of a two storey side and rear extension with porch addition (Retrospective) – Under Consideration

PLAN/2019/0878 - Proposed two storey side and rear extensions and conversion of existing family dwellings into 8 flats (two 2-bed and six 1-bed) following demolition of

10 NOVEMBER 2020 PLANNING COMMITTEE

existing rear conservatory with access and car parking (Part Retrospective) –
Refused 15.11.2019

Reason 1: The proposal would result in the loss of family dwellings, for which there is an identified local need, and replacement with 8 flats which are unsuitable for family accommodation due to lack of suitable private amenity space, contrary to Policy CS11 of the Woking Core Strategy 2012 and Policy DM11 of the Woking DMP DPD 2016.

Reason 2: By reason of the scale and design of the extensions, the development would fail to respect and make a positive contribution to the street scene of Hawthorn Road and to the character of the area in which they would be situated. The development would conflict sharply with the prevailing density of the area at almost seven times that of Hawthorn Road and three times that of the neighbouring flatted development. Additionally, the extensions would appear incongruous within the street scene enveloping the pre-existing pair of semi-detached family dwellings and failing to observe their pronounced location on 3 converging highways with substantial additions resulting in a bulky and contrived building. The development is, therefore, contrary to provisions outlined in the National Planning Policy Framework, Policy CS21 of the Woking Core Strategy 2012, and Supplementary Planning Document 'Design' 2015.

Reason 3: The development would cause harm to the living conditions of future residential occupiers through a severe restriction in terms of outlook and light to 2 of the ground floor flats and would therefore fail to provide a good quality of accommodation and good standard of amenity for future residential occupiers. Furthermore, considering the restricted rear space, this would not provide a good standard of communal amenity space falling below that of the required amount as outlined in the Council's Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight' 2008. The development would, therefore, fail to accord with the provisions of the National Planning Policy Framework, Policy CS21 of the Woking Core Strategy 2012 and Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight' 2008.

Reason 4: By reason of depth, bulk, massing, proximity and fenestration layout, the two storey northern side extension causes a detrimental loss of outlook, loss of privacy, loss of light and overbearing impact on the amenities of neighbours at No.151 Hawthorn Road and 1-4 The Oaks Hawthorn Close. The development, therefore, represents an unneighbourly form of development contrary to provisions outlined in the National Planning Policy Framework, Policy CS21 of the Woking Core Strategy 2012 and Supplementary Planning Documents 'Outlook, Amenity, Privacy and Daylight' 2008 and 'Design' 2015.

Reason 5: The development would increase the parking demand of the site on an already heavily parked street and fails to meet the minimum standards set out in the Council's Supplementary Planning Document 'Parking Standards' 2018, much to the detriment of the amenities of the area and would set an undesirable precedent for similar future developments in the local area. Consequently the Local Planning Authority cannot be satisfied that there would no adverse effect upon the free flow of traffic or car parking provision within the locality. The development is therefore contrary to Policy CS18 of the Woking Core Strategy 2012, Policy

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DM11 of the Woking Development Management Policies DPD 2016 and Supplementary Planning Document 'Parking Standards' 2018.

Reason 6: Further works on top of what has already been carried out would result in catastrophic damage to the protected Oak Tree in the rear amenity space which would likely lead to significant implications of the root protection area and ultimately the loss of the tree. Further incursions in the form of additional parking and soakaways are not considered acceptable and, therefore, the development is considered contrary to provisions outlined in the National Planning Policy Framework, Policy CS21 of the Woking Core Strategy 2012 and Policy DM2 of the Development Management Document DPD 2016.

Reason 7: The development is in Flood Zone 2 and it has not been demonstrated through a Sequential Test that there are no other sequentially preferable sites that are reasonably available that are at a lesser risk of flooding. Furthermore, the Flood Risk Assessment submitted demonstrates a drainage design which fails to mitigate the likelihood of flooding the surrounding area with inappropriate infiltration measures proposed. The development is, therefore, contrary to Section 14 of the National Planning Policy Framework and Policy CS9 of the Woking Core Strategy 2012.

Reason 8: 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), the Conservation of Habitats and Species Regulations 2017 (SI No.1012 - the "Habitats Regulations") and Policy DM11 of the Development Management Policies DPD 2016.

ENF/2019/00115 - Unauthorised Operational Development – Two storey front and side extensions and creation of 4 flats following conversion of 3 bedroom family home – Resolution to Enforce on Unauthorised Development granted at Planning Committee 24.09.2019 – Appeal Dismissed and Enforcement Notice Upheld 22.10.2020

ENF/2019/00114 - Unauthorised Operational Development – Two storey side and rear extensions and creation of 4 flats following conversion of 3 bedroom family home – Resolution to Enforce on Unauthorised Development granted at Planning Committee 24.09.2019 – Appeal Dismissed and Enforcement Notice Upheld 22.10.2020

PLAN/2018/1026 - Proposed erection of a two storey front and two storey side extension with porch addition (Retrospective) - Permitted Subject to Legal Agreement 25.04.2018

PLAN/2018/1019 - Proposed two storey side and rear addition and two storey rear extension following demolition of existing rear conservatory with car parking space at rear (Retrospective) – Permitted Subject to Legal Agreement 25.04.2018

PLAN/2017/1079 - Proposed erection of a two storey front and side extension with porch addition – Permitted Subject to Legal Agreement 10.04.2018

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PLAN/2017/1078 - Proposed two storey side and part two storey, part single storey rear extension following demolition of existing rear conservatory with car parking space at rear – Permitted Subject to Legal Agreement 10.04.2018

PLAN/2017/0689 - Proposed side and rear extensions to Nos 153 and 155 Hawthorn Road – Permitted 24.08.2017

PLAN/2016/1325 - Proposed erection of a two storey side and rear extension – (Called to Planning Committee) Refused 30.03.2017

Reason 1: By virtue of their size, siting and design the two storey front and side extensions would fail to respect and make a positive contribution to the street scene of Hawthorn Road and to the character of the area in which they would be situated. Additionally the proposal would appear incongruous within the street scene destroying the relationship the existing dwelling has with 3 converging highways and erecting substantial front and side additions resulting in bulky, contrived additions. The proposal is therefore contrary to provisions outlined in the National Planning Policy Framework, Policy CS21 of the Woking Core Strategy 2012, and Supplementary Planning Document 'Design' 2015.

Reason 2: By reason of height, depth, bulk, massing and proximity, the proposed two storey side extension would cause a detrimental loss of outlook and overbearing impact on the amenities of neighbours at No.153 Hawthorn Road. The proposal therefore represents an unneighbourly form of development contrary to provisions outlined in the National Planning Policy Framework, Policy CS21 of the Woking Core Strategy 2012 and Supplementary Planning Documents 'Outlook, Amenity, Privacy and Daylight' 2008 and 'Design' 2015.

Reason 3: It has not been demonstrated that the proposed development could be constructed without having a detrimental impact upon adjacent Oak trees which are protected by a Tree Preservation Order and have visual amenity and screening value and contribute to the character of the surrounding area, contrary to provisions outlined in the National Planning Policy Framework, Policy CS21 of the Woking Core Strategy 2012, Policy DM2 of the Development Management Policies DPD 2016.

PLAN/2016/1324 - Proposed two storey side and part two storey part single storey rear extension following demolition of existing rear conservatory with car parking space at rear – (Called to Planning Committee) Refused 30.03.2017

Reason 1: By virtue of its size, siting and design the two storey rear extension is considered to result in an incongruous feature which would adversely affect the character of the dwelling and in turn the surrounding area, contrary to provisions outlined in the National Planning Policy Framework, Policy CS21 of the Woking Core Strategy 2012, and Supplementary Planning Document 'Design' 2015.

Reason 2: By reason of height, depth, bulk, massing, proximity and fenestration layout, the proposed two storey side and rear extensions would cause a detrimental loss of outlook, loss of privacy, loss of light and overbearing impact on the amenities of neighbours at No.151 and No.155 Hawthorn Road. The proposal therefore represents an unneighbourly form

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of development contrary to provisions outlined in the National Planning Policy Framework, Policy CS21 of the Woking Core Strategy 2012 and Supplementary Planning Documents 'Outlook, Amenity, Privacy and Daylight' 2008 and 'Design' 2015.

Reason 3: It has not been demonstrated that the proposed development could be constructed without having a detrimental impact upon adjacent Oak trees which are protected by a Tree Preservation Order and have visual amenity and screening value and contribute to the character of the surrounding area, contrary to provisions outlined in the National Planning Policy Framework, Policy CS21 of the Woking Core Strategy 2012, Policy DM2 of the Development Management Policies DPD 2016.

PLAN/2006/1236 – Subdivision of existing plot to form 4 new apartments and retention of existing No.153 Hawthorn Road – Permitted 07.02.2007

PLAN/2005/1293 - Outline application for subdivision of existing plot to form 2 x houses and retention of existing 153 - Refused 08.12.2005

PLAN/1999/1287 - Erection of replacement and additional boundary fencing 1.95m in height, formation of new vehicular access and erection of detached garage. Approved 27.01.2000

PLAN/1990/0693 -Erection of two semi-detached bungalows and a pair of attached garages - Refused 23.10.1990

PLAN/1988/0908 - Erection of two detached three bedroom houses with integral garages - Refused 22.11.1988

PROPOSED DEVELOPMENT

Retrospective planning consent is sought to retain the unauthorised two storey front and side extensions with porch addition.

CONSULTATIONS

Arboricultural Officer: Encroachment of the development upon the root protection area of the protected tree has had/will have a significantly detrimental impact this protected trees. In light of the current application an Investigation will take place into the increase of the agreed size from the previously approved plan as these are protected trees and it is very likely that damage has occurred (10.10.19, 12.11.19 and 20.03.20)

Drainage Officer: details are not sufficient to recommend planning approval in accordance with NPPF and working Core Strategy Policy CS9 as this is a retrospective application (08.04.20)

REPRESENTATIONS

None received

RELEVANT PLANNING POLICIES

National Planning Policy Framework 2019
Section 12 - Achieving well-designed places

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

Core Strategy Publication Document 2012

CS9 - Flooding and water management

CS18 – Transport and accessibility

CS21 - Design

CS24 - Woking's Landscape and Townscape

Development Management Policies DPD 2016

DM2 – Trees and Landscaping

DM9 – Flats Above Shops and Ancillary Accommodation

Supplementary Planning Documents

Supplementary Planning Document 'Parking Standards' 2018

Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight' 2008

Supplementary Planning Document 'Design' 2015

Other Material Considerations

Community Infrastructure Levy (CIL) Charging Schedule 2015

Technical Housing Standards - Nationally Described Space Standard 2015

House of Commons: Written Statement (HCWS161) - Sustainable drainage systems

PLANNING ISSUES

1. The extensive Planning and Planning Enforcement history related to this site and, in particular, the recent history are significant material considerations in the assessment of this application along with the following planning issues; the principal of development, whether the development has a detrimental impact on the character of the pre-existing dwelling or character of the surrounding area, impact on amenity provision, whether the development causes significant harm to the amenities of neighbours, impact on highway safety and parking, impact on trees and impact on flooding.

Background

2. As evident from the 'Relevant Planning History' section above, the application site along with adjoining No.153 have gone through an extensive planning history, particularly with regards to extensions to both properties since 2016. It is considered necessary to summarise the sequence of events from the outset to have a clear understanding of the history.
3. Under PLAN/2016/1324 and PLAN/2016/1325, extensions to the front, side and rear elevations of No.153 and No.155 respectively were refused at Planning Committee on 28 March 2017, for the same three reasons of; i) adverse effects on the character of the dwelling and the surrounding area due to bulk, scale and design; ii) the impact on the amenities of neighbours including 153 and 155 (respectively) as there was no legal agreement in place to secure concurrent construction of extensions on both dwellings and iii) lack of information relating to impact on protected trees.
4. Following numerous discussions between the agent/applicant and Local Planning Authority, the applicant submitted a revised scheme under ref. PLAN/2017/0689 which took into consideration the previous reasons for refusal and reduced the bulk and scale of the developments. The submitted application showed the red line around both properties, thereby addressing

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the concern of impact on the respective adjoining property, in terms of amenity. The LPA found that these additions formed “*adequately subordinate additions which merge with the host dwelling in a seamless manner whilst improving the character of the area*” with the proposed rear elevation found to be “*much less complicated with a twin central gable and valley with subordinate single store additions.*” Reasons relating to impact on neighbour amenity and trees were also addressed. The application was approved under delegated powers. However, as the site was contained within a single red line and the overall increase in floor area was 151 sq.m, the application fell liable for a Community Infrastructure Levy (CIL) contribution. This approval was never implemented. Instead the applicant submitted proposed developments under PLAN/2017/1078 and PLAN/2017/1079 with separate red lines for each property which effectively mirrored the previous approval. These were subsequently approved subject to a legal agreement to secure concurrent construction. The proposals were based on an identical scale and design to that of PLAN/2017/0689.

5. In September/October 2018, following a significant amount of discussion, two retrospective applications were submitted (PLAN/2018/1019 and PLAN/2018/1026) for retention of extensions to both properties. These partly-built extensions not only exceeded the width, depth and height of the most recently approved schemes and failed to adhere to restrictive conditions such as obscure glazing on certain windows, but also exceeded the dimensions of the proposals which were refused at Planning Committee on 28 March 2017. Nevertheless, these retrospective applications were approved at Committee in April 2019.
6. What is of paramount importance in this matter is that the plans submitted and approved under PLAN/2018/1019 and PLAN/2018/1026 did not, in fact, represent what had actually commenced on site and what is currently under consideration in this application. Therefore the decision reached by the Planning Committee was on a hypothetical scheme which, considering the level of development that had already occurred, appeared to be beyond compliance of any plans submitted with these applications. This breach of planning control only became apparent following third party complaints to the Planning Enforcement Team who, in turn, advised the developer/builders to suspend works, as what had been constructed did not benefit from planning permission. In fact the development of significantly larger extensions, compared to that approved, along with the conversion of the dwellinghouses into 8 flats, did not benefit from any permission. As the 2018 permissions was approved on the basis of extensions to single dwellinghouses they could therefore no longer be implemented.
7. It was a clear and obvious risk to pursue this development as it was apparent by the LPA's objections to the initial scheme in March 2017, as well as the reservations relayed to the agent and applicant about the scale and design throughout the application processes of PLAN/2018/1019 and PLAN/2018/1026. The decision to carry out the current development was a premediated one as the foundations and layout of the scheme were implemented despite submission of plans under the applications in 2018 for a different form of development. The decision to continue with construction was entirely at the applicant's risk.
8. The underlying objective for the multiple occupation of these dwellings became obvious following submission of an application in September 2019 for

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the retention of two storey side and rear extensions and conversion of existing family dwellings at No.153 and No.155 into 8 flats (two 2-bed and six 1-bed), following demolition of existing rear conservatory. The merits of this case were determined and considering the significant impacts on the character of the area, standard of accommodation, loss of family housing, inadequate amenity space, inadequate parking provision, impact on trees and the significant impact on flooding as well as impact on the Thames Basin Heaths Special Protection Area with no legal mechanism submitted to mitigate this effect, the application was refused.

9. Enforcement action commenced on both 153 and 155 Hawthorn Road where a resolution to Enforce on Unauthorised Development was granted at Planning Committee on 24 September 2019. These Enforcement Notices were appealed against with the Appeals being dismissed and the varied Enforcement Notice upheld on 22 October 2020.

Principal of Development

10. The most recent application on this site was a joint retrospective application (PLAN/2019/0878) seeking permission to retain unauthorised developments which included unauthorised larger extensions to both the application property as well as the adjoining No.153 Hawthorn Road. Part of this unauthorised development included subdividing both properties into a block of 8 flats, 4 of which would be located within each dwelling. Works carried out as part of the development included installation of a stairwell in a position within the application dwelling which could be accessed independently from a side door which would have provided a separate entrance point to the intended first floor flats. No interaction would have been necessary with the notional ground floors units, thereby resulting in 4 separate units across the ground and first floors. As previously noted, this application was refused and Enforcement Notices were served. Appeals against the Notices were dismissed on 22 October.
11. Permission is now sought to retain the unauthorised extensions with submitted plans demonstrating a similar arrangement with regards to the stairwell providing access to the first floor albeit as single dwellinghouse rather than 4 flats. Despite the recent appeal dismissal (ref. APP/A3655/C/20/3247235) requiring the cessation of the use as flats, the plans as submitted are still laid out such that they can be occupied as separate flats. Policy DM9 of the Development Management Policies DPD 2016 seeks to ensure that ancillary residential extensions will be permitted provided they *"...are designed in such a way that renders them incapable of being occupied separately from the main dwelling"*. The proposal would retain the existing main entrance on the front of the dwelling, however, it is sought to retain the northern side elevation entrance which provides an external access point to the stairwell indicative of a separate independent entrance to the first floor accommodation. It is acknowledged that it is proposed to introduce internal doorways to the stairs but it also has to be acknowledged that these doorways could be easily closed off thereby rendering the ground floor accommodation and first floor accommodation as separate independent space. Policy DM9 of the Development Management Policies DPD 2016 goes further and states that residential extensions *"will be permitted provided they share a common access with the main dwelling and are physically incorporated within it."* Whilst the dwelling would share a common access, as indicated, the first floor space could be segregated off and would therefore

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retain an independent access point via the unauthorised side elevation doorway.

12. Further to this, the level of accommodation provided at both ground floor and first floor could easily accommodate separate independent units considering the amount of floorspace created as a result of the unauthorised extensions. The ground floor and first floor area of the dwelling, has the potential to be utilised as a separate unit considering the internal layout and external doorway to the staircase, each covering 116 sq.m GIA, a space which would constitute generous accommodation in itself. The 'Technical housing standards - nationally described space standard (2015)' defines a minimum gross internal floor area for a 4no bedroom 1 storey dwelling of 108 sq.m. There are many other permutations possible too. Considering the proposed addition and indeed the internal layout, it is not unreasonable to deduce that the internal space could be easily manipulated to form separate independent accommodation and therefore could result in the form of development which was refused under the previous application PLAN/2019/0878 and which associated S.174 Enforcement Notice Appeal was dismissed.
13. Considering the points discussed above the development, by reason of its nature and layout of internal accommodation, is not considered to meet the requirements of Policy DM9 if the Development Management Policies DPD 2016 in that it has not been designed in such a way which would render it incapable of being occupied as a single dwellinghouse with external access provided to the first floor accommodation and could be easily segregated off from the ground floor. The proposal therefore remains contrary to Policy DM9 of the Woking Development Management Policies DPD 2016.

Impact on Character

14. The National Planning Policy Framework attaches great importance to the design of the built environment throughout Section 12 with emphasis being placed on planning positively for the achievement of high quality and inclusive design for all development. Policy CS21 of the Woking Core Strategy 2012 is generally consistent with this in so far as they expect development proposals to have regard to the general character and quality of the surrounding area.
15. As addressed in the 'Background' section of this report, under PLAN/2018/1026 extensions to 155 Hawthorn Road had been approved at Planning Committee in January 2019 for extensions which were larger than those refused at Planning Committee in March 2017. These extensions, which were approved, are not what has been implemented, and cannot now be implemented in accordance with the approved plans. It is accepted that the planning history is an important material consideration. The current scheme will be assessed with this in mind.
16. Planning consent is sought to retain a two storey front and side extension on the eastern side elevation on No.155 in line with an application on No.153 for two storey side and rear extensions (subject to a separate application PLAN/2020/0140). In terms of physical appearance, this application at No.155 is effectively a re-submission of a scheme which was refused November 2019 under PLAN/2019/0878 (albeit that scheme was for retention of the additions along with the subdivision of both No.153 and No.155 into an apartment block of 8 flats). This too is identical to an enforcement case (ENF/2019/00114) which was refused with a resolution to authorise enforcement at Planning

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Committee on 24 September 2019 and subsequently dismissed and upheld on appeal on 22 October 2020. Whilst the merits of the case differ in this application is described as being a “householder application” to retain extensions to a single dwellinghouse, the assessment in terms of impact on character regarding the built bulk and scale does not change.

17. The unauthorised front addition measure 11.4 metres in width, 3.4 metres in depth extending beyond the pre-existing two storey side/rear building line by 3.1 metres and would stand at 7.2 metres in height, matching the existing ridge line.
18. What had been approved at Planning Committee in April 2019 under PLAN/2018/1026 was for a much smaller scheme which measures only 9.8 metres in depth approximately 2 metres less than what has been carried out. This increase in depth appears as obvious and stark from the street-scene given its prominence and this along with the cumulative impact of the increase with the extension carried out on No.153 (addressed under PLAN/2020/0140) results in a block-like structure which completely dominates the area with a scale and form that dwarfs the neighbouring semi-detached dwellings and even the block of flats to the North of the application site. The National Planning Policy Framework at Paragraph 130 states that *“Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents.”* The bulk and scale of this extension when read against the scale of the pre-existing dwelling cannot be considered as subordinate or subservient with a resultant dwelling that more than doubles the size of the dwelling from a pre-existing GIA of approximately 87 sq.m to a current floor area of 197 sq.m. The Council’s Supplementary Planning Document ‘Design’ 2015 states that *“The additional mass should respect the existing building proportion, symmetry and balance.”* It is not considered that the extensions do this given that they engulf the existing dwelling to such a degree that the original house is currently undistinguishable.
19. No.155 along with No.153 have been designed in this particular ‘T’ shaped layout intentionally given the location of both dwellings. No.155 is set up as the principal dwelling given its location on the convergence of three separate highways with the front elevation is orientated South to meet Willow Way and both flank elevations addressing Hawthorn Road and Hawthorn Close respectively. Supplementary Planning Document on ‘Design’ 2015 notes that *“the front elevation of a dwelling is of primary importance to the character and appearance of the street scene”* and *“significant extensions will usually be resisted where there is a well established building line.”* The two storey front extension is currently set along a similar front building line to the alternatively orientated No.153 stemming off the ridge line of the host dwelling. The increase in depth over the previously approved scheme and forward projection represents a significant addition on the principal elevation which is directly contrary to the SPD. The encroachment of the two storey extension towards the southern boundary, along with a depth of 11.4 metres, would create a level of bulk and mass which appears at odds with the host dwelling and would contribute to a frontage feature which amounts to overdevelopment of the principal elevation to such a level that it changes the overall character of the semi-detached pair completely overwhelming the visual prominence of the original building.

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20. Policy CS21 of the Woking Core Strategy 2012 states that developments *“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”*. Spanning the width of the side elevation, the proposed two storey side extension would adjoin the proposed two storey rear extension on No.153. Although applications need to be determined on their own merits, it is difficult to individualise the addition given that they were carried out concurrently and form part of the same elevation. The additions collectively transform the existing side/rear elevations from a pitched gable on No.155 with a subordinate roof scape of No.153, to an elevation with 4 projecting gables consisting of primary and secondary gables, 2 roof valleys and a flat roofed central valley incorporated in a bid to accommodate the vast expanse of development which is symptomatic of the over-development of the site. The side addition of No.155 would project off the side elevation at 90° with the outriggers adopting differing ridge height of 6.2 and 6.9 metres. The additions, measuring 9.5 metres in total width across the side elevation of No.155 and with an unbroken depth projecting 3.1 metres beyond the pre-existing side building line of No.155.
21. Supplementary Planning Document ‘Design’ 2015 states that *“the additional mass (of extensions) should respect the existing building proportion, symmetry and balance...(and that) the roof of an extension is a prominent component of the building form and should normally be of a similar format to that of the existing dwelling”*. The SPD on ‘Design’ 2015 also states that *“roof forms that are contrary to the existing roof form will generally be resisted”*. The host dwelling, as previously noted, is South facing with the two flank elevations orientated towards Hawthorn Road and Hawthorn Close with a pre-existing simple roof form; a dual pitched design. It is considered that the erection of the front and side extensions would increase the floor area by 126% on No.155 which is difficult to be regarded as “subordinate” and fails to respect or make a positive contribution to the street-scene or character of the area. The considerable increase in floor area transforms the dwelling and the purposely designed layout of the semi-detached pair to a development which effectively doubles the size of the building with the overall effect proving damaging to the character of the pair of buildings and even more so to the street-scene.
22. Section 12 of National Planning Policy Framework states that *“Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions”*. With the developments on No.155 effectively doubling the overall floor area of the dwelling, it is inevitable that the purpose built layout would be malformed with the proposed front and side additions resulting in a completely different dwelling and relationship to the surrounding area. The proposed layout takes no cues from the dwelling’s significant position and merely reverts both the application dwelling and No.153 to a semi-detached pair typical to a pair seen along the linear grain on Hawthorn Road (albeit at a much larger grain). While this may be appropriate along the linear row of semi-detached properties, the location of the application dwelling requires a respective form of development given its prominence. With front and side extensions cumulating to completely transform the existing layout of the dwelling, it is considered that this form of development points towards

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overdevelopment of not only the dwelling but of the site which would have a consequential impact on the street-scene.

23. Consideration has been paid to the previous approvals on No.153, but the current scheme is significantly larger than that approved and, therefore, there remains considerable concern regarding the overdevelopment of the site due to the insubordinate, contrived and incongruous additions. The once proportionate semi-detached pair of dwellings were purposely designed to respect their pronounced location. However, the current scheme has enveloped the application dwelling and together with the additions on the adjoining dwelling at No.153 Hawthorn Road replaced them with a block-like structure almost 3 times the size of neighbouring pairs of semi-detached properties and indeed the pre-existing dwelling. The result is apparent and stark with regards to its impact on the character of the area with a dwelling in combination with No.153 dwarfing the neighbouring flatted building at The Oaks to the North. The development is therefore contrary to provisions outlined in the National Planning Policy Framework, Policies CS21 and CS24 of the Woking Core Strategy 2012 and Supplementary Planning Document 'Design' 2015.

Amenity Provision

24. One of the planning principles set out within Section 12 of the National Planning Policy Framework (NPPF) is to ensure that developments have a high quality design and a good standard of amenity for existing and future occupants of land and buildings. Paragraph 130 states that *"permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area"*.
25. As previously noted the floor area of the application dwelling more than doubles from approximately 87 sq.m to 197 sq.m, a significant increase across the site with the footprint increase from 44 sq.m to approximately 98 sq.m, much of which occurs within the private amenity space to the East of the dwelling.
26. The Council's Supplementary Planning Document on 'Outlook, Amenity, Privacy and Daylight' 2008 recommends that *"family accommodation will be taken to mean all houses with two bedrooms or more and exceeding 65 sq.m gross floor area"*. It goes on to state that *"all dwellings designed for family accommodation (as per above) need to provide a suitable sunlit area of predominantly soft landscaped private amenity space, appropriate in size and shape for outdoor domestic and recreational needs of the family it is intended to support"*. The area of amenity space should approximate with the gross floor-space of the dwelling or at least be as large as the footprint of the dwelling. Section 4.6 of the SPD states that *"Private amenity space is best provided as an enclosed garden to the rear or side of the property where it is clearly separate from more public areas of the site"*. As the areas to the front of the dwellings would not constitute enclosed spaces to the side or rear, or indeed separate from more public areas of the site, these could not be taken into account in the provision of amenity space. Furthermore, the narrow access paths down along the side of dwelling are not considered to constitute amenity space as they consist of passage-like spaces with little ability to be utilised as anything else and therefore could not be considered as usable amenity space.

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27. The application site is located in setting where the semi-detached properties demonstrate generous amenity spaces on rectangular shaped plots. It is noted that the application site as well as the adjoining No.153 demonstrate different layouts due to their positioning on the convergence of a number of highways and therefore, the amenity space would have already been less than those of the prevailing properties. The proposed floor-space of the dwelling would increase to approximately 200 sq.m with a footprint of approximately 100 sq.m, an increase of 126% over the existing. Considering the proposed parking layout, which would include a parking space down along the side as well as the vegetation towards the north-eastern corner of the amenity space, the figure shown on Drawing No. P.807 is misleading and in reality the usable amenity space is closer to approximately 75 sq.m which falls short of the 200 sq.m required as per the SPD on 'Outlook, Amenity, Privacy and Daylight' 2008 or even the minimum allocation of an area similar to that of the footprint. Given this, the allocated amenity space would fall short of the recommended space as per the Outlook SPD with inadequate amenity provision provided. As per the above paragraphs, this is indicative of overdevelopment of a site with not only a detrimental impact on the character of the area but on the amenity of potential future occupiers as well as setting an undesirable precedent for inadequate levels of amenity space.
28. Overall, it is considered that the restricted private amenity space for the plot, by reason of its size, is not sufficient to provide a good standard of amenity for future residential occupiers. The proposed development is, therefore, considered contrary to the core principles of the National Planning Policy Framework, Policy CS21 of the Woking Core Strategy 2012 and Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight' 2008.

Impact on Neighbour Amenities

29. 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*" while one of the core planning principles in 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. It is acknowledged that the addition has been erected on the adjoining No.153 which, when in place, would not experience harm from the additions on No.155.
30. No.153 is the adjoining dwelling attached on the rear (northern) elevation of the application dwelling. The pre-existing layout of the properties included the application dwelling projecting 1.5 metres beyond the rear elevation of No.153. Under the current scheme, the side extension would project a further 3.2 metres beyond the rear elevation of No.153 at two storey level including a ridge height of 7 metres and eaves height of 4.8 metres. This total projection of 4.5 metres would result in a large, bulky, dominating feature along the shared boundary with No.153. While the 45° test, as per the Council's Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight' 2008 passes in elevation form only, the height, depth and proximity of the extension on the shared boundary would result in an unneighbourly form of development which would dominate the outlook from the habitable room windows and indeed the private amenity space of the property.

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Supplementary Planning Document 'Design' 2015 states that *"the location of the extension...should not result in any adverse overshadowing or overbearing impact on adjacent dwellings"*. Cumulatively, this form of development and its positioning would create a detrimental overbearing effect on the pre-existing situation at No.153 casting shadow over the primary area of amenity and a number of habitable room windows.

31. The scheme on No.153 (PLAN/2020/0140) is subject to a separate application but is being recommended for refusal on a number of grounds including principal, impact on character, impact on neighbour amenities impact on parking and drainage. As such, it is not considered that a condition or legal agreement can be secured in connection with this current application on No.155 as the accompaniment (PLAN/2020/0140) is being recommended for refusal. The impacts of the scheme, therefore, need to be assessed against the pre-existing layout.
32. While the proposed addition on No.153 would project back in line with the side addition proposed under this application, the worst case scenario, in terms of the developments impact on neighbour amenities, needs to be examined for the purposes of this report. Considering this, by reason of the cumulative impact of the height, depth, bulk, massing and proximity to No.153 Hawthorn Road, this two storey side element would exert a loss of outlook, and, by reason of its location along the shared boundary introduce significant mass resulting in a significant overbearing impact on the adjoining property which would be significantly harmful to the residential amenity contrary to Policy CS21 of the Woking Core Strategy 2012, Supplementary Planning Documents 'Design' 2015 and 'Outlook, Amenity, Privacy and Daylight' 2008.

Impact on Highway Safety and Parking

33. The Council's Supplementary Planning Document on 'Parking Standards' 2018 indicates a requirement for at least 3 spaces. The proposed parking layout demonstrates off-street parking provision for 3 cars which meets this provision.
34. While the development may be considered acceptable in terms of its impact on highway safety and parking, this does not outweigh the fact that the development would fail to comply with both National and Local Policies and indeed previous reasons for refusal with regard failure to adhere to Policy DM9 of the Development Management Policies DPD 2016, overdevelopment of the site leading to insubordinate extensions with a contrived design and form, impact on neighbour amenities and inadequate on site amenity space for potential future.

Impact on Trees

35. The eastern side of the site contains 2no substantial Oak Trees positioned within the curtilage of the application property as well as the adjoining No.155, one of which is covered by a Tree Preservation Order. An Arboricultural Impact Assessment and Method Statement has been submitted along with a Tree Protection Plan (ACD Environmental) which outlines protection measures to be adopted as part of the development. These protection details are immaterial at this stage as the development has been carried out and is substantially complete. The scheme has been carried out and differs significantly from the previously approved scheme and since the initial

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refusals (PLAN/2016/1324 & PLAN/2016/1325), the development has increased significantly in scale and, as such, encroaches much closer towards these trees which has a significant impact on the root protection area.

36. It is acknowledged that Planning Permission was granted subsequent to these refusals in 2017 and 2019 but it also has to be borne in mind that the information submitted as part of these applications portrayed a completely different situation to that of the previous approvals with the development now having encroached upon the root protection areas of these trees. This incursion is not considered acceptable considering the rooting environment of these significant trees. The protected tree, in particular, is set up against the rear (eastern) boundary of the site with the hard standing of Hawthorn Close bordering it on this side and the once open soft landscaped gardens of No.153 and No.155 Hawthorn Road on their western, northern and southern sides. This soft landscaped area, therefore, would have provided the principal rooting area of these trees where the roots would have gravitated towards over time and as a consequence would host the majority of them. It is reasonable to assume, therefore, that the unauthorised developments has had a significant detrimental impact upon the health and wellbeing of these trees.
37. The Council's Arboricultural Officer has been consulted on this application and considering the significant incursions that have already occurred on the rooting environment of this protected tree, no further incursions will be consented. It is noted that an arboricultural investigation is currently underway considering the deviation from the previous information provided with damage to any protected trees likely to carry repercussions. The LPA will separately determine whether any further enforcement action is appropriate in this respect.

Impact on Flooding

38. Located to the north-west of the Hoe Stream, the application property is located within Flood Zone 2. Paragraph 100 of the NPPF states that *"inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere"*. Paragraph 003 of the NPPG states that *"for the purposes of applying the National Planning Policy Framework, areas at risk from all sources of flooding are included. For fluvial (river) and sea flooding, this is principally land within Flood Zones 2 and 3."*
39. The application has been supported by a Flood Risk Assessment carried out by Apple Environmental dated January 2017 and SuDS Drainage Report. This information has been examined by the Council's Drainage Officer and found to be unacceptable and insufficient as it demonstrates that the surface water drainage system does not work appropriately. Details within the SuDS Report show the "half drain time" is 4.7 days which is over the required time of 24hrs to allow for preceding storms. Calculations do not match the drawings with the proposed system failing to drain sufficiently to allow a preceding rainfall event to occur and disperse without flooding the surrounding area. The development, therefore, fails to comply with Policies CS9 and CS16 of the Woking Core Strategy and provisions within Section 14 of the National Planning Policy Framework.

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Conclusion

40. Overall, by reason of its layout of internal accommodation and indeed scale, the development has not been designed in such a way which would render it incapable of being occupied as a single dwellinghouse with external access provided to the first floor accommodation and could be easily segregated off from the ground floor. The proposal is therefore contrary to Policy DM9 of the Development Management Policies DPD 2016.
41. The extensions would result in a form of development which pays no due regard to the original layout of the building and would, as a result, fail to make a positive contribution to the street-scene in which it was originally designed to address. Notwithstanding this, the two storey side addition significantly increase the scale of the dwelling adopting a twin gable element along a prominent elevation fronting a highway resulting in contrived and conflicting additions which points towards overdevelopment of the site by way of the adopted complex and contrived roof form (in line with the development on No.153) that requires a central flat roof valley to accommodate the development.
42. Taking account of the fact that the adjoining dwelling contains unauthorised development on its rear elevation, it is necessary to consider the development against the pre-existing dwelling at No.153. The cumulative impact of the height, depth, bulk, massing and proximity to No.153 Hawthorn Road, the two storey side element would exert a loss of outlook, and, by reason of its location along the shared boundary introduce significant mass resulting in an overbearing impact on the adjoining property which would be considerably harmful to the residential amenity.
43. Due to the unauthorised increase in the scale of the development, the resultant amenity space has been significantly reduced and not fails to provide suitable provision for a family dwelling of this size. The development therefore fails to comply with Section 12 of the National Planning Policy Framework or Policies CS21 of the Core Strategy 2012 or the Council's Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight' 2008.
44. In spite of the information submitted with regards to the arboricultural information, further encroachment on the root protection areas of the protected trees to the West of the building would be unacceptable and has possibly caused irreversible damage to said trees. Further investigation is currently underway.
45. Furthermore, the information submitted relating to SuDS are insufficient as they demonstrate the surface water drainage system does not work appropriately. Evidence presented as part of the submissions represent calculations which do not match the drawings with a notional system not being able to drain sufficiently to allow a preceding rainfall event to occur without flooding the surrounding area. The development, therefore, fails to comply with Section 14 of the National Planning Policy Framework or Policies CS9 and CS16 of the Woking Core Strategy.
46. The development is therefore contrary to provisions set out in Sections 12 and 14 of the National Planning Policy Framework, Policies CS9, CS16,

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CS21 and CS24 of the Woking Core Strategy 2012, Policies DM2 and DM9 of the Development Management Policies DPD 2016 and Supplementary Planning Documents 'Outlook, Amenity, Privacy and Daylight' 2008 and 'Design' 2015 and is accordingly recommended for refusal.

BACKGROUND PAPERS

1. Site visit photographs
2. Response from Arboricultural Officer (20.03.20)
3. Response from Drainage Officer (08.04.20)

RECOMMENDATION

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

1. The extensions, by reason of their scale and nature of internal accommodation, have been designed in such a way that could render it possible to subdivide the dwelling into a number of separate independent units which could prove detrimental to the area given the prevailing character. The proposal is therefore contrary to Policy DM9 of the Development Management Policies DPD 2016.
2. By reason of their overall size, siting and design the two storey front and side extensions would fail to respect and make a positive contribution to the street scene of Hawthorn Road and to the character of the area in which they would be situated. Additionally the proposal would appear incongruous within the street scene destroying the relationship the existing dwelling has with 3 converging highways and erecting substantial front and side additions resulting in bulky, contrived additions. The proposal is therefore contrary to provisions outlined in the National Planning Policy Framework, Policy CS21 of the Woking Core Strategy 2012, and Supplementary Planning Document 'Design' 2015.
3. The development would fail to provide a good standard of amenity for future residential occupiers considering the restricted rear space that would fall below the minimal amount of space required as outlined in the Council's Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight' 2008. The development would, therefore, fail to accord with the provisions of the National Planning Policy Framework, Policy CS21 of the Woking Core Strategy 2012 and Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight' 2008.
4. By reason of the cumulative impact of the height, depth, bulk, massing and proximity to No.153 Hawthorn Road, this two storey side element would exert a loss of outlook, and, by reason of its location along the shared boundary introduce significant mass resulting in a significant overbearing impact on the pre-existing layout of the adjoining property which would be significantly harmful to the residential amenity contrary to Policy CS21 of the Woking Core Strategy 2012, Supplementary Planning Documents 'Design' 2015 and 'Outlook, Amenity, Privacy and Daylight' 2008.
5. Insufficient information has been submitted in relation to sustainable drainage systems. The submissions show that the surface water drainage system does not work properly with the system failing to demonstrate sufficient drainage to allow a preceding rainfall event to occur without flooding the surrounding

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area. The proposal is therefore contrary to Policy CS9 and CS16 of the Woking Core Strategy 2012, House of Commons: Written Statement (HCWS161) - Sustainable drainage systems and Section 14 of the National Planning Policy Framework (NPPF) 2019.

Informatives:

1. The plans relating to the development hereby refused are numbered / titled:

Drawing No: P.806 Proposed Site Plan
Drawing No. P.804 Elevations Sheet 1
Drawing No. P.805 Elevations Sheet 2
Drawing No. P.801 Proposed Ground Floor Plans
Drawing No. P.802 Proposed First Floor Plans
Drawing No. P.803 Roof Plan

2. The applicant is advised that further works on top of what has already been approved are likely to result in catastrophic damage to the protected Oak Tree in the rear amenity space. They would likely lead to significant implications of the root protection area and ultimately the loss of the tree. Further incursions in the form of additional parking and soakaways are not considered acceptable. The LPA will separately investigate whether any breaches of planning control have already occurred in this respect.



ITEM 6d – PLAN/2020/0141

155 Hawthorn Road, Woking

Proposed erection of a two storey front and side extension with porch addition (Retrospective).

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Location Plan – PLAN/2020/0141

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Block Plan – PLAN/2020/0141

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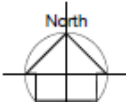
All work shall be done in accordance with the provisions of the Building Act 2004 and the Building Regulations 2006. The client shall be responsible for obtaining all necessary consents and approvals from the relevant authorities. The architect shall be responsible for ensuring that the design complies with all applicable laws and regulations.

Previous Refusal PLAN/2019/0878

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 All dimensions are in millimetres unless stated otherwise.



Enforcements Cases – ENF/2019/00114 & 00115

6I ENF/2019/00115 WARD: HE

Subject: 155 HAWTHORN ROAD, WOKING, SURREY, GU22 0BQ.

Description: UNAUTHORISED OPERATIONAL DEVELOPMENT – CREATION OF A 4 STUDIO FLATS BY THE COVERSION OF A THREE BEDROOM HOME WITH PLANNING PERMSIION FOR A TWO STOREY SIDE AND REAR EXTENSION

Case Officer: DAVE CALVERT

.....

1. **PURPOSE**

To seek Committee approval for Enforcement Action and to authorise all actions necessary to rectify the breaches of planning control.

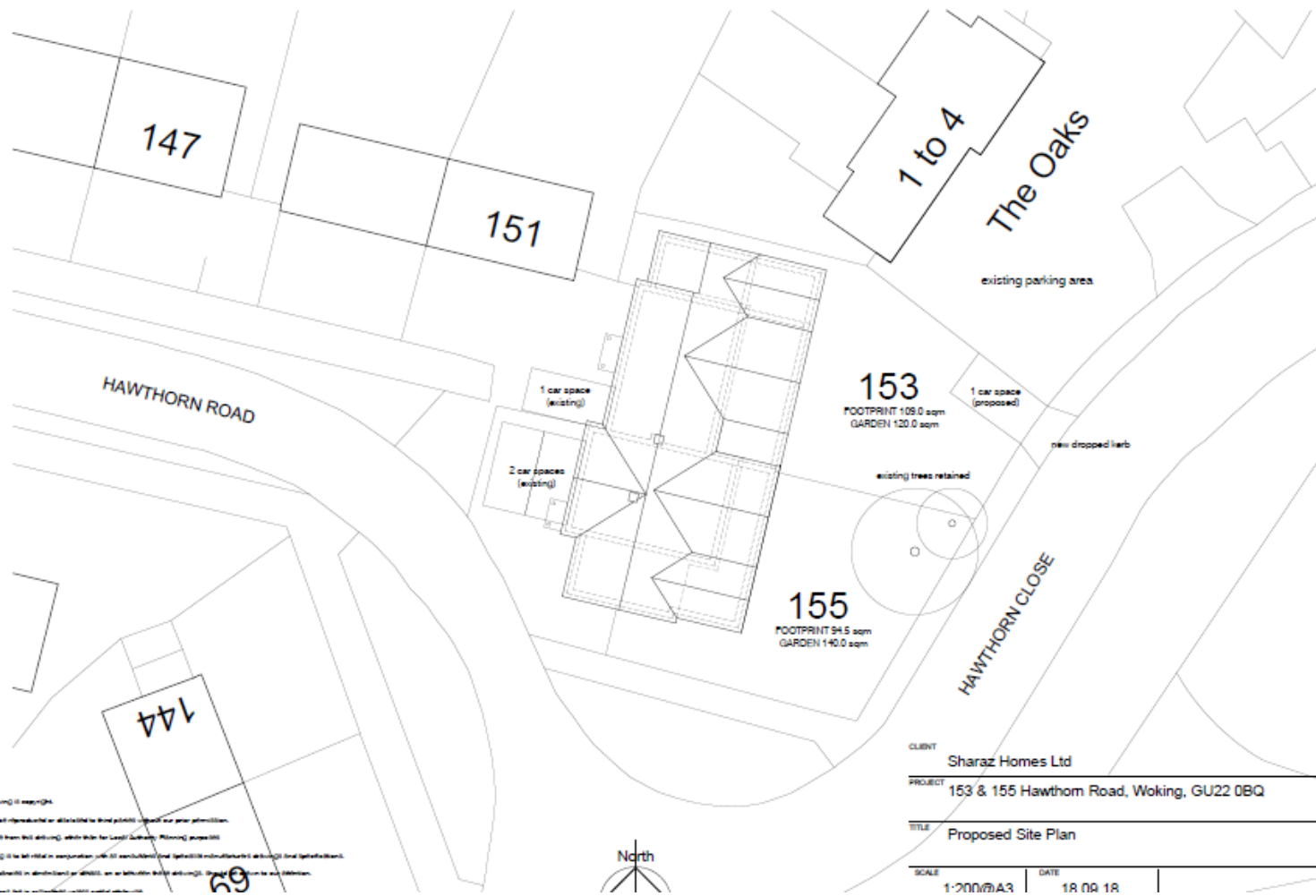
2. **RECOMMENDATION**
 - (i) Enforcement action be authorised to issue an Enforcement Notice in respect of the above land requiring removal of:
 - I. Remove all internal partition walls to stop the use as 4 self-contained flats; and
 - II. to reinstate an internal stair case so that access is always accessible for the whole house from the ground floor to the first floor; and
 - III. To revert to the original development and use of a domestic house as per planning consent bearing reference 0005764; and/or
 - IV. To revert back to the approved planning permission bearing planning reference PLAN/2018/1026

To remove all materials from the site including all associated paraphernalia within three month of the notice taking place.

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Approved Schemes – PLAN/2018/1019 & PLAN/2018/1026

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It must not be reproduced or altered without the prior written permission of the author.
Do not build from this drawing unless under the supervision of the author.
This drawing is to be read in conjunction with all applicable planning and building regulations and all other relevant documents.
Any alterations to this drawing must be made in consultation with the author.
The author shall not be responsible for any errors or omissions in this drawing.

Policy DM9 Development Management Policies DPD 2016

DM9: Flats above shops and ancillary accommodation

Flats above shops

Where proposals fall outside the remit of permitted development rights, the change of use of vacant or under-used accommodation above shops to residential purposes will be permitted in accordance with other policies in the Development Plan, and provided:

- (i) it meets relevant space standards⁷;
- (ii) it would not undermine the economic vitality of the immediate area;
- (iii) the property can be satisfactorily occupied as a self-contained dwelling unit;
- (iv) there is suitable access to amenity space having regard to the general principles in the Outlook, Amenity, Privacy and Daylight SPD and the Design SPD; and
- (v) there is a safe access and egress route during flood events.

The appropriate car parking standards for such developments will be decided taking into account the locational characteristics of the site, including its proximity to key services and public transport accessibility.

Ancillary accommodation

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.

Proposed Layouts – PLAN/2020/0141

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Ground Floor Plan No 153

Gross Internal Area
116.0 sqm

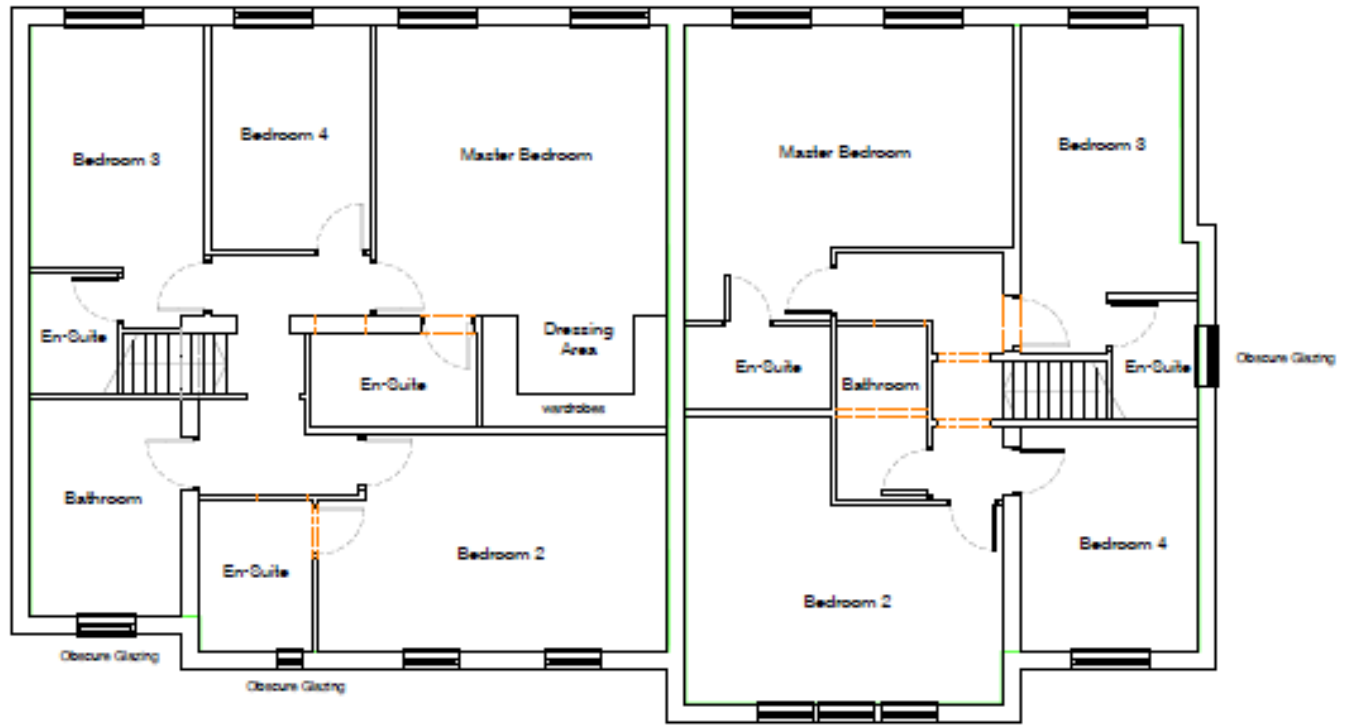
Ground Floor Plan No 155

Gross Internal Area
98.8 sqm

CLIENT
Sharaz Homes
PROJECT
153 & 155 Haw

Proposed Layouts – PLAN/2020/0141

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First Floor Plan No 153

Gross Internal Area
116.0 sqm

First Floor Plan No 155

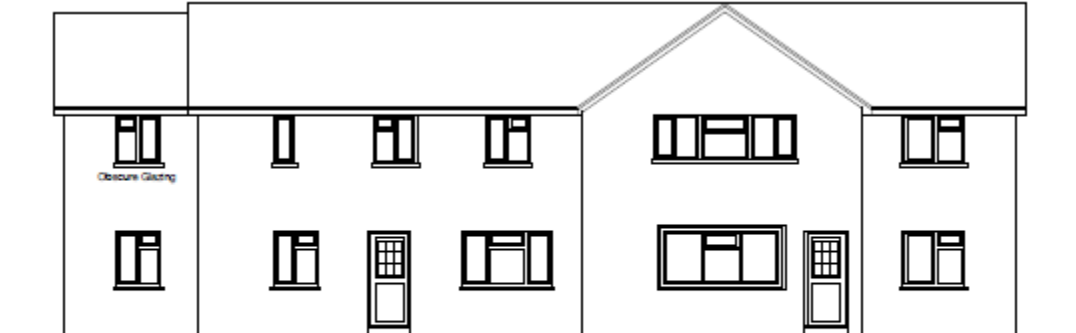
Gross Internal Area
98.8 sqm

CLIENT
Sharaz Homes Ltd

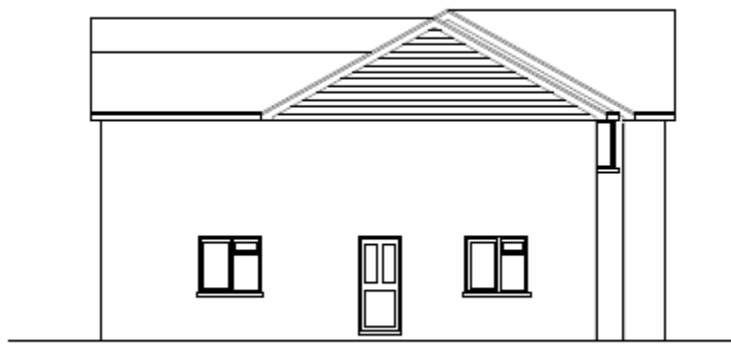
PROJECT
153 & 155 Hawthorn F

Proposed Elevations– PLAN/2020/0141

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Front Elevation



Side Elevation No 153

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 4/15
 not to be used without the permission of the architect.
 Please refer to our website.

CLIENT Sharaz Homes L
 PROJECT 153 & 155 Hawth
 TITLE Elevations Sheet
 SCALE | DATE

Proposed Elevations– PLAN/2020/0141

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Rear Elevation

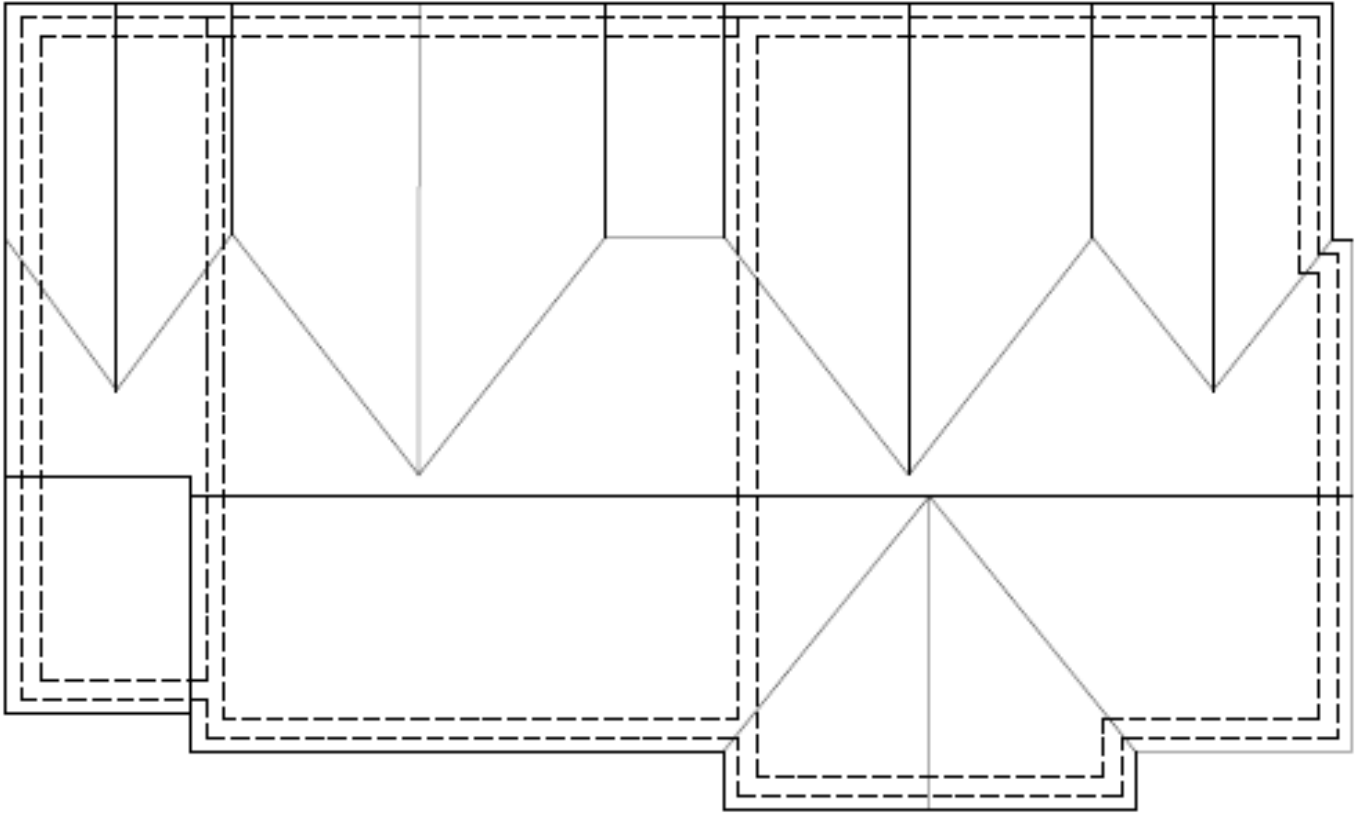


Side Elevation No 155

CLIENT Sharaz Homes Ltd
PROJECT 153 & 155 Hawthorn Road, V
TITLE Elevations Sheet 2

Proposed Roof Plan – PLAN/2020/0141

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Roof Plan

Proposed Roof Plan – PLAN/2020/0141

Consented Scheme



Proposed Scheme



Photograph – PLAN/2020/0141

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Photographs – PLAN/2020/0141



Barn End, Bracken Close, Woking.

PLAN/2020/0779

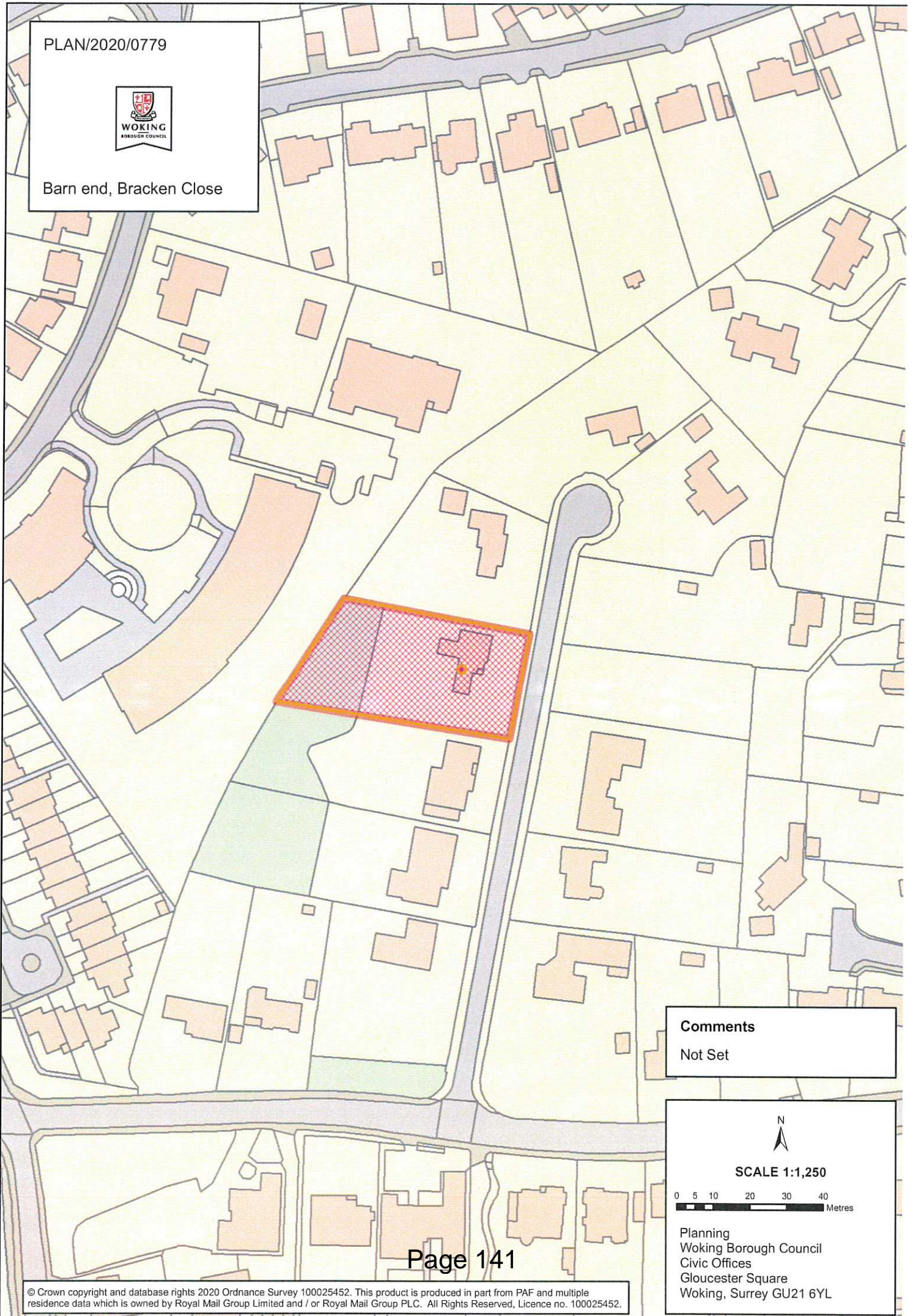
Demolition of existing part two storey, part single storey detached dwelling. Erection of a replacement part two storey (with roof accommodation), part single storey (including garage) detached dwelling and associated landscaping, including erection of front pillars.



PLAN/2020/0779



Barn end, Bracken Close



Comments
Not Set

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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78/0832 - The execution of site works and the carrying out of alterations and the erection of additions to existing dwelling at Barn End, Bracken Close.
Permitted subject to conditions (01.08.1978)

CONSULTATIONS

Arboricultural Officer: The proposed is considered acceptable from an arboricultural perspective. The arboricultural information provided by GHA is considered acceptable and should be complied with in full. A pre-commencement meeting should take place prior to any works on site and should include the LA tree officer, project manager and project arboriculturalist (Condition 04 refers).

Surrey Wildlife Trust: Please refer to report section sub-headed 'Biodiversity and protected species.'

County Highway Authority (SCC): The application site is accessed via Bracken Close, which is a private road and does not form part of the public highway, therefore it falls outside The County Highway Authority's jurisdiction. The County Highway Authority has considered the wider impact of the proposed development and considers that it would not have a material impact on the safety and operation of the adjoining public highway.

REPRESENTATIONS

x5 letters of representation (x4 in objection and x1 neutral) have been received raising the following points:

- Is far too large for the plot
- Existing house, built in 1937/38, is one of the more attractive properties in Bracken Close
- New dwelling spans across the plot – on the wider plots, as per Barn End, the houses allow both visual and green space between them
- Not in-keeping with the nature of the Close
- Internal floor space is almost double the size of the average house in Bracken Close
- Unacceptably overbearing impact to Missenden
- Chimney within rear pergola will not be sufficiently tall to prevent smoke and fumes harming amenity value of garden of Missenden
- Large first floor bay window would result in loss of privacy to Missenden
- Dressing room window at first floor would result in loss of privacy to Missenden
- Would overshadow Missenden and its patio area and rear garden
- Would have severe impact on energy efficiency of Missenden which contains southerly aspect windows at ground floor level to take advantage of passive solar gain in the cool months and southern roof slope of single storey rear part of Missenden is covered in PV cells to generate electricity
- No reference to energy conservation in the proposal
- Loss of privacy to Fox's Lodge
- 'Missenden' is incorrectly referred to as 'Arden'
(Officer Note: This is noted but does not affect validity of the application)
- Would be easier to leave the bats in-situ and retain the existing building
- Is one storey higher than anything previously allowed

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- Almost 25% larger than the recently built 'Arden' property which already dwarves many of the other houses
(Officer Note: Previous 'Arden' is now known as 'Missenden')
- Loss of privacy due to dormer windows being a full storey higher than existing properties - would result in overlooking towards front and rear
- Is unlikely to accommodate sufficient off-street parking for 6 bedrooms
- Significant increase in traffic which would affect Bracken Close
- All properties in Bracken Close should have been notified of the application
(Officer Note: Neighbour notification has been undertaken in accordance with the Council's adopted procedures and proportionately to the nature of the proposal as a replacement dwelling)
- The building of such a large property will cause disruption in the Close
(Officer Note: Temporary disruption during works is not a valid reason to potentially refuse planning permission)
- Loss of bushes, shrubs and plants
- Does it meet the Zero Carbon Policy?
- New housing should be designed to reduce potential for summer overheating
- New developments should consider the greater risk of extreme rainfall
- Suggest the provision of an external power point to charge an electric car, electric bicycles and to use electric garden tools
- Should include cycle parking in the form of a covered area, or a lockable shed or garage

RELEVANT PLANNING POLICIES

National Planning Policy Framework (NPPF) (2019)

Section 2 - Achieving sustainable development

Section 4 - Decision-making

Section 5 - Delivering a sufficient supply of homes

Section 9 - Promoting sustainable transport

Section 11 - Making effective use of land

Section 12 - Achieving well-designed places

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

Section 15 - Conserving and enhancing the natural environment

Woking Core Strategy (2012)

CS1 - A spatial strategy for Woking Borough

CS7 - Biodiversity and nature conservation

CS8 - Thames Basin Heaths Special Protection Areas

CS9 - Flooding and water management

CS11 - Housing mix

CS18 - Transport and accessibility

CS21 - Design

CS22 - Sustainable construction

CS24 - Woking's landscape and townscape

CS25 - Presumption in favour of sustainable development

Development Management Policies Development Plan Document (DM Policies DPD) (2016)

DM2 - Trees and landscaping

DM10 - Development on garden land

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Supplementary Planning Documents (SPD's)

Design (2015)

Parking Standards (2018)

Outlook, Amenity, Privacy and Daylight (2008)

Climate Change (2013)

Other Material Considerations

National Design Guide (2019)

Planning Practice Guidance (PPG) (online resource)

Woking Character Study (2010)

South East Plan (2009) (Saved policy) NRM6 - Thames Basin Heaths Special Protection Area

Thames Basin Heaths Special Protection Area Avoidance Strategy

Woking Borough Council Strategic Flood Risk Assessment (November 2015)

Community Infrastructure Levy (CIL) Charging Schedule (2015)

Waste and recycling provisions for new residential developments

Technical Housing Standards - Nationally Described Space Standard (March 2015)

PLANNING ISSUES

01. The main planning considerations in determining this application are:

- Principle of development
- Design and character
- Neighbouring amenity
- Amenities of future occupiers
- Highways and parking
- Arboriculture
- Biodiversity and protected species
- Thames Basin Heaths Special Protection Area (TBH SPA)
- Flooding and water management
- Energy and water consumption

having regard to the relevant policies of the Development Plan, other relevant material planning considerations and national planning policy and guidance.

Principle of development

02. The site falls within the Urban Area, as designated on the Proposals Map, wherein the principle of a replacement dwelling is established. The proposal would not result in the loss of a family dwelling (due to replacement) and would therefore comply with Policy CS11 of the Woking Core Strategy (2012) in this regard.

Design and character

03. Policy CS21 of the Woking Core Strategy (2012) requires proposals for new development to create buildings and places that are attractive with their own distinct identity and which 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. SPD Design (2015) provides more detailed design guidance. The NPPF states that the creation of high quality buildings and places is fundamental to what the

10 NOVEMBER 2020 PLANNING COMMITTEE

planning and development process should achieve and that good design is a key aspect of sustainable development.

04. The existing dwelling is of an 'Arts and Crafts' style and exhibits some architectural interest and aesthetic value, although has historically been rather unsympathetically extended to its northern side (ie. flat roofed two storey extension). Whilst the existing dwelling exhibits some aesthetic value it is nonetheless not located within a Conservation Area, and is not listed at either local or national level. The demolition of the existing dwelling therefore cannot be reasonably resisted by the Local Planning Authority subject to a suitable replacement. Although close to Woking Town Centre the area within which the site is located is of an Arcadian character however the replacement of the existing single dwelling on the plot will not have intrinsically adverse implications in this regard because the existing plot would remain the same size and shape and remain host to a single dwelling.
05. The reasoned justification text to Policy CS21 states that different parts of the Borough present different contexts for development, that a character study has been carried out to provide evidence of the distinctiveness of the various parts of the Borough and that all forms of development should have regard to the Council's Character Study. The site falls within Character Area 17 (Hockering) of the Character Study. The Character Study states that Character Area 17 is a large, Arcadian residential area to the south of the railway, with small areas of post war and modern housing infill, identifying that the majority of the properties are two to two and a half storey detached houses built on large plots, generally constructed of buff and red brick, that many of the properties have large chimneys and that the upper floors often have dormer windows. Dwellings fronting Bracken Close are generally large, detached and two storeys in height, being situated in large plots. More limited examples of detached bungalows are also evident, again being situated in large plots. The prevailing external finishes are of a traditional 'Surrey style' (i.e. facing or painted brick / tile-hanging) although some render finishes are evident, including at adjacent Missenden, which adopts a contemporary external material palette albeit is of a relatively traditional form.
06. The replacement would be a dwelling of a substantial size but this alone does not result in intrinsic harm given that it is consistent with the character of the area, which is marked by substantial dwellings. At two storey level the projecting front gable of the replacement would remain on an almost identical building line to the most forward section of the existing dwelling with the 'primary' two storey front elevation of the replacement set back by circa 2.5m and 2.0m respectively compared to the existing dwelling. Whilst a single storey element (to the south) would project very slightly forwards of the front building line of the existing dwelling this element would nonetheless remain set back from the two storey front building line of adjacent Fox's Lodge to the south and would remain clearly subordinate in height to the main body of the replacement. The front building line therefore remains in character with the street scene and the prevailing pattern and layout of development.
07. Whilst the footprint of the replacement would span a greater width of the plot than the existing dwelling above ground floor level circa 12.0m separation would be retained to the common southern boundary with Fox's Lodge. Whilst a single storey element would encroach to within circa 2.7m of the southern boundary this element would have a maximum height of circa 4.1m, such that

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its street scene impact would be relatively limited and a significant level of visual spacing would be retained above ground floor level. This southern element would also remain clearly subordinate in height to the main body of the replacement, which would be situated towards the northern boundary of the site; however this is the case with the existing dwelling which forms the 'baseline' for assessment of the present proposal. The replacement would retain a similar distance to the common northern boundary with Missenden as the existing dwelling to be demolished, although it is acknowledged that the northern (side) elevation adjacent to this boundary would be greater in depth than the existing. For these reasons, and as demonstrated by the submitted proposed street scene, the replacement would not appear unduly cramped within the width of the plot, retaining sufficient visual spacing above ground floor level to its southern side and with its two storey massing reflecting the siting of the existing dwelling within the northern part of the plot.

08. Above ground floor level the depth of the main body of the replacement (i.e. excluding the front gabled projection) would measure circa 11.7m, which is entirely consistent with that of a new dwelling recently granted planning permission directly on the opposite side of Bracken Close (Ref: PLAN/2018/0008), which would measure circa 11.8m above ground floor level (excluding its front bay windows). Whilst works appear yet to commence to implement that permission it remains extant until 13 February 2022 and therefore must be afforded significant weight. Furthermore, the northern side elevation of the replacement, which would be more open to views from Bracken Close than the southern side elevation, would be articulated through the inclusion of a gabled bay window feature, emphasising the 'Arts and Crafts' design influence of the replacement and adding visual interest, and relief, to the depth of this main body elevation.
09. The two storey eaves height of the replacement would be a modest circa 0.3m greater than that of the existing dwelling with the maximum height of the replacement also a modest circa 0.5m greater than that of the existing dwelling. Furthermore the two storey eaves (circa 5.7m) and maximum heights (circa 8.5m) of the replacement are entirely consistent with those of the new dwelling recently granted planning permission directly on the opposite side of Bracken Close (Ref: PLAN/2018/0008), which would measure circa 5.7m to two storey eaves, and circa 8.8m to maximum, height. For these reasons the maximum and two storey eaves heights are appropriate in this street scene context.
10. The front projecting gable responds well to the character of Bracken Close, in which some properties have prominent gables facing towards the carriageway, and reflects the 'Arts and Crafts' design influence of the replacement. The projecting gable adds visual interest, relief and articulation to the northern (side) elevation. The proposed external material palette of brick, tile hanging and a tiled roof is reflective of the 'Arts and Crafts' style of both the existing dwelling and many properties within the surrounding area, is visually acceptable with further details can be secured through Condition 03. The horizontal split between tile-hanging at first floor level above facing brick at ground floor level adds visual interest and assists in reducing the perceived bulk and mass of the replacement. Windows are of a traditional design and the ratio of glazing to solid is visually appropriate. The inclusion of a large chimney stack to the southern side elevation is a positive aspect, adding further visual interest and 'Arts and Crafts' influenced design elements to the replacement.

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11. The replacement exhibits an area of flat roof at maximum height. Whilst this is somewhat regrettable it is nonetheless a significant material consideration that the new dwelling recently granted planning permission directly on the opposite side of Bracken Close (Ref: PLAN/2018/0008) would exhibit an identical amount of flat roof at maximum height (circa 45 sq.m). For this reason no objection can be sustained in respect of the area of flat roof at maximum height. The small roof lantern within the area flat roof would be modest in scale and not readily apparent in views from ground/street level.
12. The front (x1) and rear (x2) dormer windows are sufficiently modest in scale and design such that they appear as clearly subordinate features within the roof. Whilst front dormer windows are not a particular characteristic within Bracken Close the single front dormer window is centrally positioned, modest in scale and adds some visual interest to the front roof slope. Furthermore it is a significant material consideration that the new dwelling recently granted planning permission directly on the opposite side of Bracken Close (Ref: PLAN/2018/0008) would exhibit a large partial dormer window within its front (i.e. western) elevation, split across first and second floor levels and breaking the eaves line. For these combined reasons the front dormer window is visually acceptable. Whilst the x2 rear dormer windows are not positioned centrally nor symmetrically, given their modest scale and positioning to the rear, no consequential design and character harm would arise. The single storey element to the rear would appear clearly subordinate in scale to the main body of the replacement.
13. A landscape proposal has been submitted with the application which identifies the provision of a centrally located gravel drive, hedging along the front boundary, planting beds and lawn to the frontage, and areas of patio hardstanding, planting and paving to the sides and rear. Whilst front pillars are proposed either side of the relocated vehicular entrance the submitted landscape proposal identifies these pillars as being 1 metre high, such that they would be 'permitted development' (by virtue of Art 3, Sch 2, Part 2, Class A of the GPDO). It is also noted that adjacent Fox's Lodge benefits from front entrance piers and gates (Ref: PLAN/1998/1051). No in principle concern arises with regard to relocating the front vehicular entrance centrally although the retention or re-planting of front boundary hedging would be required, as is shown on the submitted landscape proposal. Whilst a landscape proposal has been submitted with the application a more detailed landscaping scheme, including further details of the proposed driveway/boundary treatments etc, can be secured through Condition 06 to ensure that the development enhances the character and appearance of the surrounding area in landscaping terms.
14. Overall, for the reasons previously set out, it is considered that the replacement dwelling is a visually acceptable form of development which would respect the character and appearance of the surrounding area.

Neighbouring amenity:

15. Policy CS21 of the Woking Core Strategy (2012) advises that proposals for new development should 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. More detailed guidance is provided within SPDs Outlook, Amenity, Privacy and Daylight (2008) and Design (2015).

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16. It must be borne in mind that the potential loss of enjoyment of a view is not a ground on which planning permission can be refused although the impact of a development on outlook is a material planning consideration and stems on whether the development would give rise to an undue sense of enclosure or overbearing effect to neighbouring/nearby residential properties. There are no established guidelines for what is acceptable or unacceptable in this regard, with any assessment subjective as opposed to empirical, with key factors in this assessment being the existing local context and arrangement of buildings and uses. It must also be noted that Policy CS21 refers to significantly harmful impact; this is the threshold which must be reached in order to form any potentially robust, and defensible, reason for refusal on neighbouring amenity grounds.
17. In respect of daylight, and where existing habitable room windows/openings are orientated at 90° in relation to a proposed development, SPD Outlook, Amenity, Privacy and Daylight (2008) states that "*significant loss of daylight will occur if the centre of the affected window (or a point 2m in height above the ground for floor to ceiling windows) lies within a zone measured at 45° in both plan and elevation*". Where existing habitable room windows/openings are directly opposite a proposed development the SPD identifies that suitable daylight is achieved where an unobstructed vertical angle of 25° can be drawn from a point taken from the middle of the existing opening.

Missenden (formerly Arden):

18. Adjacent Missenden is a detached part two storey, part single storey dwelling situated to the north, being a recently constructed replacement dwelling (Ref: PLAN/2017/1452). On the basis of the approved plans for PLAN/2017/1452 the closest part of Missenden (i.e. the single storey element to the south side) is circa 7.5m from the common boundary, with the staggered plan form of Missenden resulting in the more northerly rear elements of this dwelling being circa 15.0m and 21.8m from the common boundary respectively. At ground floor level Missenden benefits from corner windows to its staggered rear elements, resulting in all habitable ground floor rooms/areas being served by full height style glazing within both the side (south) and rear (west) elevations. In such cases even if a significantly harmful loss of daylight or outlook were to occur to glazing within the side (south) elevations glazing within the rear (west) elevations, where serving the same habitable ground floor rooms/areas, would retain sufficient daylight and outlook to the room/area overall. At first floor level Missenden contains no glazing within the southern side elevations with the exception of a small window serving a secondary function to the master bedroom, which is circa 19.0m distant from the common boundary, and therefore sufficiently distant so as to not be materially affected in terms of daylight. A patio area is situated immediately to the rear of Missenden, being staggered in plan form in line with the staggered rear elevations.
19. With the exception of the gabled northern bay window the replacement would be located on the same northern (side) building line as the existing dwelling. At two storey level the projecting front gable of the replacement would remain on an almost identical building line to the most forward section of the existing dwelling with the 'primary' two storey front elevation of the replacement set back by circa 2.5m and 2.0m respectively compared to the existing dwelling. The 'primary' two storey front building line of the replacement would project

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circa 1.0m, and the two storey front gable of the replacement circa 3.6m, forwards of the closest, single storey element of Missenden. The front gable element of the replacement would be situated circa 4.1m away from the common boundary.

20. When viewed from Missenden (particularly from the side (south) and rear (west)) the replacement would project not insignificantly further to the rear, and certainly appear as a larger and more obvious building, in comparison to the existing dwelling, however this consideration alone does not give rise to significantly harmful impact.
21. Whilst the two storey form of the replacement would be sited close to the common (northern) boundary with Missenden this is the situation with the existing dwelling, forming the 'baseline' for assessment. With the exception of the northern bay window the main body of the replacement would remain circa 2.1m away from the common boundary, projecting a relatively modest circa 2.0m more rearward than the two storey form of Missenden, which is situated circa 15.0m away from the common boundary. Whilst the main body of the replacement would project circa 5.2m more rearward than the closest, single storey, section of Missenden, this element of Missenden is situated circa 7.5m from the common boundary. To the rear of the main body the circa 3.0m deep single storey rear projection of the replacement would measure a relatively modest circa 3.0m in maximum, flat roofed, height (excluding the 'chimney' style feature which would reach circa 3.9m in maximum height), remaining circa 1.5m from the common boundary. The rear garden of Missenden is large and wide, with the main patio areas (where located to the rear of the dwelling) being situated at least circa 7.5m from the common boundary and up to circa 19.0m from the common boundary. Whilst there would clearly be some impact to Missenden, for the combined reasons previously set out, the replacement would not give rise to significantly harmful impact to Missenden, including its rear garden or patio areas, by reason of loss of daylight or overbearing effect due to bulk, proximity or outlook.
22. Although situated largely directly south of Missenden when having regard to the similar siting and height of the replacement in comparison to the existing dwelling the replacement would not give rise to significantly greater overshadowing or loss of sunlight to the glazing within the side and rear elevations of Missenden than the existing dwelling. Whilst the additional rearward projection of the replacement (particularly of the main body) is likely to give rise to some additional overshadowing of the rear garden of Missenden, taking into account the overall size and width of this rear garden, together with the location of patio areas (where located to the rear of the dwelling) at least circa 7.5m from the common boundary and up to circa 19.0m from the common boundary, any additional overshadowing of the rear garden of Missenden would not be significantly harmful and would be fairly limited in duration and extent, mainly occurring close to the southern edge of the rear garden. For these same reasons the replacement is not considered to result in a severe impact upon the energy efficiency of Missenden by reason of reducing passive solar gain through the south facing ground floor windows of Missenden (all of which 'turn the corner' into the west elevation) or overshadowing the PV cells within the southern roof slope of the single storey rear part of Missenden, which is situated circa 21.8m away from the common boundary.

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23. At ground floor level the northern (side) elevation of the replacement contains three windows (including the two storey bay window) facing directly towards the common boundary with Missenden, together with a 'gap' in the side of the rear pergola. These openings would largely be situated between circa 1.5m and 2.0m from the common boundary; whilst the bay window would be closer it would nonetheless maintain 1.0m separation to the common boundary, in line with the relevant minimum distance (side to boundary) stated within SPD Outlook, Amenity, Privacy and Daylight (2008). Therefore these ground floor level openings would not facilitate any significantly harmful loss of privacy to Missenden.
24. At first floor level the bay window within the northern (side) elevation would serve the stair/landing. Outlook from this bay window towards Missenden would be entirely precluded by the void over the entrance hall, which would prevent occupiers from standing in close proximity to this window (the finished first floor level (i.e. landing) is circa 5.5m away from this window). However Officer concerns remained in terms of the perception of overlooking to Missenden due to the use of clear-glazing. During the course of the application amended plans have therefore been submitted which show the use of obscure-glazing to these lower portions of glazing (including the side 'returns' of the bay). Given the non-habitable nature of the space served by this window this is considered an appropriate solution which would prevent a significantly harmful loss of privacy or perception of a loss of privacy to Missenden (Condition 11 refers). Whilst some perception of overlooking towards Missenden may remain, this bay window within the replacement would not be positioned in a significantly different location to the existing first floor window within the northern elevation of the existing (side) flat roofed extension at Barn End. On this basis any perception of overlooking would not be significantly harmful in comparison to the existing situation.
25. The more rearward first floor level window within the northern (side) elevation would serve a dressing room; given the non-habitable nature of this room the obscure-glazing and restricted opening of this window can also be secured through condition to protect the privacy of Missenden (Condition 11 refers). Two rooflights would be inserted into the northern side roof slope of the replacement, serving a secondary function to two bedrooms at second floor level, which would be primarily served by the front and rear dormer windows. These rooflights would be sited at high level (i.e. a sill height of 1.7m above FFL), precluding outlook towards Missenden. Again, this can be secured through condition (condition 13 refers).
26. Overall, subject to recommended conditions, the replacement would avoid significantly harmful impact upon Missenden by reason of loss of privacy, daylight or sunlight or overbearing effect.

Fox's Lodge:

27. Adjacent Fox's Lodge is a detached part two storey, part single storey dwelling situated to the south. Fox's Lodge contains only a single window within its north (side) elevation, located at first floor level and which appears to serve a bathroom or w/c (non-habitable). The area between the common boundary and the dwelling of Fox's Lodge is laid to hard surfacing and was being used for car parking purposes at the time of the site visit. The replacement would be set behind the front building line of Fox's Lodge.

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28. Whilst the main body of the replacement would project circa 7.4m beyond that of the closest part of Fox's Lodge, the main body of the replacement would nonetheless be situated circa 12.0m away from the common boundary, and partially opposite the side profile of Fox's Lodge, which contains no window nor other openings serving habitable rooms. Whilst the single storey element on the southern side of the replacement would project circa 5.4m beyond the rear elevation of the closest part of Fox's Lodge this element would remain a minimum of circa 2.7m away from the common boundary (at which point it would be opposite the side profile of Fox's Lodge) and circa 3.0m away from the common boundary where projecting beyond the rear elevation of Fox's Lodge. This element would also have a maximum height of circa 4.1m, with the front and rear elements being pitched, and thus resulting in lower eaves heights. To the rear of the main body the circa 3.0m deep single storey rear projection of the replacement would measure a relatively modest circa 3.0m in maximum, flat roofed, height (excluding the 'chimney' style feature which would reach circa 3.9m in maximum height), remaining circa 15.0m from the common boundary.
29. The replacement would cause no breach of the 45° angle test for daylight to windows/openings within the rear elevation of Fox's Lodge, and no habitable room windows are apparent within the northern (side) elevation. The replacement would be situated almost directly to the north of Fox's Lodge and therefore would have no significant implications in respect of potential loss of sunlight or overshadowing. For the combined reasons previously set out the replacement would not give rise to significantly harmful impact to Fox's Lodge by reason of loss of daylight, sunlight or overbearing effect due to bulk, proximity or outlook.
30. The replacement contains several openings within the staggered side (south) elevations, facing directly towards the common boundary with Fox's Lodge. At ground floor level the closest opening (a door serving the garage & store) would remain circa 3.0m from the common boundary, exceeding the relevant 1.0m minimum distance within SPD Outlook, Amenity, Privacy and Daylight (2008). Other side (south) openings at ground floor level (serving the kitchen/dining/living) would be in excess of 12.0m away from the common boundary. A single window at first floor level would face south although would serve an en-suite (non-habitable); Condition 12 can secure the obscure-glazing and restricted opening of this window to ensure no harmful loss of privacy to Fox's Lodge. Given these factors there would be no significantly harmful impact, by reason of loss of privacy, to Fox's Lodge.
31. Overall, subject to recommended conditions, the replacement would avoid significantly harmful impact to Fox's Lodge in respect of loss of privacy, daylight or sunlight or overbearing effect.

Copper Beech House:

32. Copper Beech House is a building providing flats situated to the rear (west). At its closest the replacement would remain circa 25.0m from the common boundary, which is screened by protected trees, to be retained. Notwithstanding the screening, and having regard to this retained separation distance, together with the scale (circa 5.7m two storey eaves height and circa 8.5m maximum height) and form of the replacement no significantly harmful

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loss of daylight, sunlight, or overbearing effect would arise to dwellings within Copper Beech House. In the case of three storey developments, as in this instance (i.e. the x2 proposed rear dormer windows), SPD Outlook, Amenity, Privacy and Daylight (2008) recommends a minimum separation distance of 15.0m for back-to-boundary relationships, which would be exceeded by circa 10.0m, precluding any significantly harmful loss of privacy to dwellings within Copper Beech House. Overall the replacement would avoid significantly harmful impact to Copper Beech House in respect of loss of privacy, daylight or sunlight or overbearing effect.

Land adjacent to White Walls:

33. A new dwelling was recently granted planning permission directly on the opposite side of Bracken Close at land adjacent to White Walls (Ref: PLAN/2018/0008); whilst works appear yet to commence to implement this permission it remains extant until 13 February and therefore is a significant material consideration. The replacement would be located in a very similar position to the existing dwelling, being located circa 9.0m back from the front boundary and, therefore, circa 18.0m from the front boundary of the development permitted under PLAN/2018/0008, the dwelling of which is located circa 15.0m back within its plot. Having regard to these retained separation distances, together with the scale (circa 5.7m two storey eaves height and circa 8.5m maximum height) and form of the replacement no significantly harmful loss of daylight, sunlight, or overbearing effect would arise to the extant dwelling permitted under PLAN/2018/0008.
34. In the case of three storey developments, as in this instance (i.e. the x1 proposed front dormer window), SPD Outlook, Amenity, Privacy and Daylight (2008) recommends a minimum separation distance of 15.0m for front-to-front elevation relationships, which would be exceeded, precluding any significantly harmful loss of privacy to the extant dwelling permitted under PLAN/2018/0008. Overall the replacement would avoid significantly harmful impact to the extant dwelling permitted under PLAN/2018/0008 in respect of loss of privacy, daylight or sunlight or overbearing effect.

Other properties:

35. Having regard to the nature, scale, siting and form of the replacement no material impacts would arise to properties other than those assessed previously.

Amenities of future occupiers:

36. The Technical housing standards - nationally described space standard (March 2015) (NDSS) set out minimum gross internal floor areas. The replacement would measure circa 510 sq.m in GIA (including the pergola, garage, store etc) and therefore very comfortably exceed the relevant minimum of 138 sq.m for three storey 6 bedroom dwellings (8p). Habitable rooms would predominately face east or west (with some benefiting from openings in the south and north elevations) and therefore benefit from direct sunlight for at least part of the day. All habitable rooms would achieve sufficient levels of daylight and outlook and be of a good size.

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37. Policy CS21 of the Woking Core Strategy (2012) requires development proposals to provide appropriate levels of private amenity space. SPD Outlook, Amenity, Privacy and Daylight (2008) sets out recommended minimum garden amenity areas, stating that large family dwelling houses (e.g. over 150 sq.m gross floorspace), as in this instance, should provide a suitable area of private garden amenity in scale with the building (e.g. greater than the gross floor area of the building). The retained area of private rear garden (in excess of 700 sq.m) would remain greater than the gross floor area of the replacement (circa 510 sq.m), such that sufficient private amenity space would be retained.

Highways and parking:

38. Policy CS18 of the Woking Core Strategy (2012) states that minimum car parking standards will be set for residential development (outside of Woking Town Centre), as in this instance. Accordingly SPD Parking Standards (2018) sets out a minimum residential parking standard of x3 spaces for 5+ bedroom houses. The SPD sets out that garages only contribute 50% towards parking provision and that the minimum size of a garage, when contributing towards parking provision, should be 6m x 3m (internal floorspace); whilst the attached garage meets this requirement it is clear that sufficient space for the parking of at least x3 cars, in line with the SPD requirements, would be provided on the centrally located gravel drive, such that it is not necessary to restrict use of the attached garage solely for parking purposes through condition.
39. No concerns arise with regard to relocating the front vehicular entrance centrally although the retention / re-planting of front boundary hedging would be required, as is shown on the submitted landscape proposal; a more detailed landscaping scheme, including further details of the proposed driveway/boundary treatments etc, can be secured by way of planning condition to ensure that the development enhances the character and appearance of the surrounding area in landscaping terms (condition 06 refers).
40. Whilst front pillars are proposed either side of the relocated vehicular entrance the submitted landscape proposal identifies these as being 1 metre in height, such that they would be 'permitted development' (by virtue of Art 3, Sch 2, Part 2, Class A of the GPDO); it is also noted that adjacent Fox's Lodge benefits from front entrance piers and gates (Ref: PLAN/1998/1051).
41. The County Highway Authority (Surrey CC) have been consulted and comment that Bracken Close is a private road which is not publicly maintained and therefore does not form part of the public highway (being outside the County Highway Authority's jurisdiction). However the County Highway Authority has considered the wider impact of the proposed development and considers that it would not have a material impact on the safety and operation of the adjoining public highway.
42. In order to encourage sustainable transport modes SPD Parking Standards (2018) requires the provision of x2 secure, lit and covered cycle parking spaces per house, regardless of bedroom provision. This is shown within the garage & store and can be secured through Condition 10.
43. Overall the proposal complies with Policy CS18 of the Woking Core Strategy (2012), SPD Parking Standards (2018) and the provisions of the NPPF and the highways and parking implications are acceptable.

Arboriculture:

44. Policy CS21 of the Woking Core Strategy (2012) requires proposals to incorporate landscaping, including the retention of any trees of amenity value and other features. Policy DM2 of the Development Management Policies DPD (DMP DPD) (2016) sets out that the Council will not normally permit development proposals which would result in the loss of trees of amenity value. The supporting text to Policy DM2 sets out that, where trees are present within the site, or within close proximity to the site that could influence, or be affected by, the development, information will be required about which trees should be retained and how they will be protected during construction works.
45. The rear section of the site falls within a Tree Preservation Order Area (Ref: 626/0038/1961). Arboricultural information has been submitted with the application which identifies that a single tree (T2 - Cherry - Category C (low quality) - not within the TPO Area) will require removal because it is located within the outline of the new vehicular access, that no retained trees will require pruning as a result of the development, that the replacement dwelling is situated outside of the root protection areas (RPA's) of all retained trees and that any new services can be routed outside of the RPA's of retained trees. The submitted arboricultural information also makes provision for tree protection measures, including tree protection fencing, during the course of demolition and construction works. The removal of the single low quality Cherry tree (which is not protected) can be mitigated through a landscaping scheme to be secured through Condition 06.
46. The Arboricultural Officer considers the submitted arboricultural information to be acceptable and raises no arboricultural objections subject to compliance with the submitted information, which can be secured through condition (Condition 04 refers). On this basis the proposal complies with Policies CS21 and DM2, and the provisions of the NPPF, in respect of arboriculture.

Biodiversity and protected species:

47. The NPPF states that planning policies and decisions should contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity. This approach is supported by Circular 06/05 – Biodiversity and Geological Conservation and is reflected in Policy CS7 of the Woking Core Strategy (2012).
48. In its role as a Local Planning Authority the Council has a legal duty under Regulation 9(3) of The Conservation of Habitats and Species Regulations 2017 which states that “*a competent authority must, in exercising any of their functions, must have regard to the requirements of the Habitats Directive so far as they may be affected by the exercise of those functions*”.
49. All species of bat and their roost sites are protected under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) and Schedule 2 of the Conservation of Habitats and Species Regulations 2017. A Preliminary Roost Assessment (PRA), dated June 2020, and Emergence and Activity Bat Survey (EBS), dated August 2020, have been submitted in support of the application,

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together with a Cherryfield Ecology Response Letter (dated 23rd October 2020) which has been submitted during the course of the application.

50. Surveys found the existing dwelling to contain active bat roosts for low numbers of common pipistrelle and soprano pipistrelle bats. During the PRA some bat droppings were recorded in the roof void, mostly in the southern gable end. The applicant's ecological consultant has provided a confirmation letter (dated 23rd October 2020) that these droppings are considered to be consistent with the roosts identified above. A single tree (T2) is proposed for removal and this tree has been assessed by the applicant's ecological consultant as offering no features suitable for roosting bats. Because the proposal involves the demolition of the existing dwelling the works will directly impact roosting bats. Therefore appropriate impact avoidance, mitigation, compensation and enhancement measures are required. The EBS report sets out that the demolition of suitable bat roosting features (i.e. hanging tiles etc.) will require the supervision of a bat licensed ecologist and will be stripped by hand only and that all areas across the roof/wall tops etc. will be checked for bats (i.e. endoscope (where possible)) and via destructive search. If bats are found these will be removed by hand (by a licensed ecologist only) and placed in the minimum of three Schweglar 1FF (or similar) bat boxes which will first be hung on retained trees at a minimum of 3 metres from ground level, and face south/south-westerly before works begin; these bat boxes are known to be used by crevice and void dwelling species.
51. The site offers suitable habitat for roosting, commuting and foraging bats and a number of species were recorded using the site during surveys and therefore any tree, hedges or linear feature should be retained where possible. The submitted arboricultural information shows only the removal of a single tree at the front which does not form part of a linear feature.
52. As nocturnal animals, bats are sensitive to any increase in artificial lighting of their roosting and foraging places and commuting routes. The EBS report identifies that any external lighting near or shining onto any trees, especially those with bat boxes in or commuting routes, should be designed to minimize the impact on potential bat roosting and commuting and in line with the BCT lighting guidelines (Bats and Lighting in the UK (Bat Conservation Trust, 2018) (Condition 16 refers).
53. In terms of the loss of the bat roost the Conservation of Habitats and Species Regulations 2017 requires the decision maker to have regard to the 3 tests set out in the European Habitats Directive. These are:
 - a) *Preserving public health or public safety or other imperative reasons of overriding public interest;*
 - b) *There is no satisfactory alternative; and*
 - c) *The action will not be detrimental to maintaining the population of the species concerned at a favourable conservation status in its natural range.*
54. The applicants' ecological consultant classifies the existing bat roost as being of low conservation importance, therefore qualifying for registration under Natural England's 'low impact' licence, which "*permits the disturbance and capture of bats and/or damage/destruction of roost(s) of no more than three low*

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conservation significance roosts affecting no more than three species of bats, which are present in small numbers”.

55. In relation to (a) the visually attractive, sustainable and accessible design would pass this test. In relation to (b) the present dwelling does not meet the needs of the owners for modern day living, there are no alternative sites given that the applicants own the property and it would be prohibitively expensive to purchase an alternative property/site. The proposed development cannot take place without the demolition of the existing dwelling. In relation to (c) the proposed development is considered by the applicants' ecological consultant to qualify for a 'low impact' licence which, due to the criteria of this licence type, it has already been assessed that the impact would not be detrimental to maintaining the population of the species concerned at a favourable conservation status (FCS) in its natural range.
56. The Surrey Wildlife Trust (SWT) have been consulted as part of the assessment of the application and advise that the proposed development would not have any significant or unacceptable adverse impact on bats. This conclusion is subject to the applicant obtaining a European Protected Species (EPS) licence from Natural England (following planning permission, if granted) and undertaking all the mitigation, compensation and enhancement actions presented within the submitted EBS report, which will also need to be detailed in a Method Statement submitted to Natural England as part of the (separate) EPS licence application. This conclusion is also subject to compliance with the Bat Conservation Trust's document "Bats and lighting in the UK - Bats and the Built Environment Series" (Condition 16 refers).
57. For the avoidance of any doubt, there is a legal requirement under The Conservation of Habitats and Species Regulations 2017 for the applicant to obtain an EPS Mitigation Licence from Natural England prior to the carrying out of any activities which may kill, injure or disturb an individual or damage or destroy a breeding site or resting place of that individual. A planning condition requiring the applicant to acquire an EPS Mitigation Licence from Natural England is not reasonable or necessary as it is required by alternative legislation and secured by a separate permitting regime. The bat mitigation and compensation measures can be secured by Condition 05.
58. In the letter dated 23rd October 2020 the applicants' ecological consultant has confirmed that the site is considered to offer negligible potential for badgers and that no evidence was found during surveys, such that badger surveys are therefore not considered necessary. There is suitable habitat for terrestrial mammals in the local area and SWT have recommended that appropriate precautions are put in place to avoid harm to any species that may move through the site during works. The SWT have also assessed the impact of the proposal upon breeding birds. The recommendations of the SWT can be secured by way of Condition 18 with informatives advising the applicant of their obligations in respect of terrestrial mammals. Biodiversity enhancement measures can be secured through Condition 19.
59. Overall it is considered that there is a reasonable prospect of an EPS Mitigation Licence being granted by Natural England. It is therefore considered that the proposed development would not result in any significant or unacceptable harm to protected species, subject to compliance with the relevant legislation referenced above. The mitigation and compensation measures identified by the

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applicant in the submitted reports can be secured by Condition 05. It is therefore considered that the proposed development would comply with Policy CS7 of the Woking Core Strategy (2012) and the NPPF.

Thames Basin Heaths Special Protection Area (TBH SPA):

60. The site falls within the 400m - 5km (Zone B) Thames Basin Heaths Special Protection Area (TBH SPA) buffer zone. However the Thames Basin Heaths Special Protection Area Avoidance Strategy states (paragraph 1.28) that *“replacement dwellings will not generally lead to increased recreational pressure, therefore, will have no likely significant effect on the SPA and will not be required to make a contribution to the provision of avoidance measures”*.

Flooding and water management:

61. Paragraphs 155-165 (inclusive) of the NPPF relate to planning and flood risk. Policy CS9 of the Woking Core Strategy (2012) states that the Council will determine planning applications in accordance with the guidance contained within the NPPF and that the Council expects development to be in Flood Zone 1.
62. The site is located entirely within Flood Zone 1 (low risk), as identified on the Flood map for planning, and therefore no fluvial flood issues arise. The Council’s Strategic Flood Risk Assessment (SFRA) (November 2015) does not identify any areas within the site to be at risk of surface water flooding and the site is not within 20 metres of any areas identified as being at very high risk of surface water flooding. Therefore surface water matters would be addressed outside of planning control (i.e. under the Building Regulations) and do not represent a planning constraint in this instance.

Energy and water consumption and EV charging:

63. The Planning and Energy Act 2008 allows LPAs to set energy efficiency standards in their Development Plan policies that exceed the energy efficiency requirements of the Building Regulations. However, such policies must not be inconsistent with relevant national policies for England. A Written Ministerial Statement to Parliament, dated 25 March 2015, set out the Government’s expectation that such policies should not be used to set conditions on planning permissions with requirements above the equivalent of the energy requirement of Level 4 of the (now abolished) Code for Sustainable Homes - this is approximately 19% above the requirements of Part L1A of the Building Regulations. This is now reiterated in Planning Practice Guidance (PPG) on Climate Change, which supports the NPPF. Therefore, whilst Policy CS22 of the Woking Core Strategy (2012) sought to achieve zero carbon standards (as defined by the Government) from 2016, standards have been ‘capped’ at a 19% uplift in Part L1A Building Regulations standards in accordance with national planning policy and national zero carbon buildings policy.
64. The LPA requires all new residential development to achieve as a minimum the optional requirement set through Building Regulations for water efficiency, which requires estimated water use of no more than 110 litres/person/day. Recommended Conditions 07 and 08 can secure the requisite energy and water consumption requirements.

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65. A letter of representation states than an external power point should be provided; this is beyond the scope of local planning policy, although Electric Vehicle (EV) charging infrastructure requirements are set out under the parking requirements of Policy CS18 of the Woking Core Strategy (2012). SPD Climate Change (2013) provides detailed guidance on the implementation of EV parking infrastructure, including a requirement to install at least 1 passive charging point per new dwelling; this provision can be secured by planning condition (Condition 17 refers).

Local Finance Considerations

66. The Community Infrastructure Levy (CIL) is a mechanism adopted by Woking Borough Council as a primary means of securing developer contributions towards infrastructure provision in the Borough. In this case, the proposed residential development would have a chargeable area of approximately 300 sq.m (the net increase in floorspace following demolition of the existing dwelling). The CIL rate would be £125 plus indexation for inflation.
67. The applicant has however submitted a self-build exemption form claiming relief from CIL. Notwithstanding this, the LPA must assess the application for exemption separately and the applicant must submit a Commencement of Development Notice prior to any commencement of development.

Conclusion

68. Overall the development is acceptable in principle and, subject to recommended conditions, acceptable in terms of design and character, neighbouring amenity, amenities of future occupiers, highways and parking, arboriculture, biodiversity and protected species, Thames Basin Heaths Special Protection Area (TBH SPA), flooding and water management and energy and water consumption.
69. The proposal complies with Policies CS1, CS7, CS8, CS9, CS11, CS18, CS21, CS22, CS24 and CS25 of the Woking Core Strategy (2012), Policies DM2 and DM10 of the Development Management Policies DPD (2016), SPD's Design (2015), Outlook, Amenity, Privacy and Daylight (2008), Parking Standards (2018) and Climate Change (2013), Sections 2, 4, 5, 9, 11, 12, 14 and 15 of the NPPF, the PPG and SFRA and is recommended for approval. In considering this application the Council has had regard to the provisions of the Development Plan, so far as material to the application, and to any other material considerations. In making the recommendation to grant planning permission it is considered that the application is in accordance with the Development Plan of the area.

BACKGROUND PAPERS

Letters of representation
Consultee responses

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RECOMMENDATION

Grant planning permission subject to the following conditions:

01. The development hereby permitted must be commenced not later than three years from 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 must be carried out only in accordance with the following approved plans numbered / titled:

010-100 PL-01 (Location Plan), dated 08/09/2020 (rec'd by LPA 09.09.2020)

021-100 PL-01 (Existing Site Plan), dated 08/09/2020 (rec'd by LPA 09.09.2020)

021-101 PL-01 (Proposed Site Plan), dated 08/09/2020 (rec'd by LPA 09.09.2020)

021-102 PL-01 (Street Scene Elevations), dated 08/09/2020 (rec'd by LPA 09.09.2020)

031-100 PL-01 (Existing Ground Floor), dated 08/09/2020 (rec'd by LPA 09.09.2020)

031-101 PL-01 (Existing First Floor), dated 08/09/2020 (rec'd by LPA 09.09.2020)

031-102 PL-01 (Existing Second Floor), dated 08/09/2020 (rec'd by LPA 09.09.2020)

031-103 PL-01 (Existing Roof Plan), dated 08/09/2020 (rec'd by LPA 09.09.2020)

032-100 PL-01 (Existing North & South Elevations), dated 08/09/2020 (rec'd by LPA 09.09.2020)

032-101 PL-01 (Existing East & West Elevations), dated 08/09/2020 (rec'd by LPA 09.09.2020)

051-100 PL-01 (Proposed Ground Floor), dated 08/09/2020 (rec'd by LPA 09.09.2020)

051-101 PL-01 (Proposed First Floor), dated 08/09/2020 (rec'd by LPA 09.09.2020)

051-102 PL-01 (Proposed Second Floor), dated 08/09/2020 (rec'd by LPA 09.09.2020)

051-103 PL-01 (Proposed Roof Plan), dated 08/09/2020 (rec'd by LPA 09.09.2020)

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052-100 PL-02 (Proposed East & West Elevations), dated 21/10/2020 (amended plan rec'd by LPA 21.10.2020)

052-101 PL-02 (Proposed North & South Elevations), dated 21/10/2020 (amended plan rec'd by LPA 21.10.2020)

053-100 PL-01 (Proposed Sections A & B), dated 08/09/2020 (rec'd by LPA 09.09.2020)

053-101 PL-01 (Proposed Sections C & D), dated 26/10/2020 (rec'd by LPA 27.10.2020)

Landscaping Proposal, undated (rec'd by LPA 14.09.2020)

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

03. ++Notwithstanding the details submitted with the application prior to the application/installation of external facing materials to the development hereby permitted full details of all external facing materials must be submitted to and approved in writing by the Local Planning Authority. The submitted details must include specifications of all external facing materials including window/door frame material/RAL colour(s), roof covering materials (including dormer windows), tile hanging, masonry (including details of brick and mortar types/colours) and rainwater goods. The details must accord with the type and quality of materials indicated within the application. The development hereby permitted must thereafter be carried out and permanently maintained in accordance with the approved details unless otherwise first agreed in writing by the Local Planning Authority.

Reason: To ensure a high quality development in accordance with Policy CS21 of the Woking Core Strategy (2012), SPD Design (2015) and the NPPF.

04. Protective measures must be carried out in strict accordance with the Arboricultural and Planning Integration Report by GHA trees arboricultural consultancy, dated 2nd September 2020 (Ref: GHA/DS/122960:20) and the Tree Protection Plan (dated September 2020) by GHA trees arboricultural consultancy including the convening of a pre-commencement meeting attended by the Council's Arboricultural Officer and the Project Manager and arboricultural supervision as indicated. Any works or demolition must not take place until tree protective measures have been fully implemented. Tree protection must be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition. Any deviation from the works prescribed or methods agreed in the report will require prior written approval from the Local Planning Authority.

Reason: To ensure the retention and protection of trees on and adjacent to the site in the interests of the visual amenities of the locality and the appearance of the development in accordance with Policy CS21 of the Woking Core Strategy (2012), Policy DM2 of the Development Management Policies DPD (2016) and the NPPF.

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05. The development hereby permitted must be carried out only in strict accordance with the recommended mitigation and compensation measures specified within the 'Emergence and Activity Bat Survey (EBS)' report undertaken by Cherryfield Ecology, dated August 2020. A minimum of three Schweglar 1FF (or similar) bat boxes must be hung on suitable trees within the site at a minimum of 3 metres from ground level and face south/south-westerly before works (including the demolition of the existing dwelling) commence. The installed bat boxes must thereafter be permanently maintained for the lifetime of the development hereby permitted.

Reason: To secure mitigation for the bats at the site and their habitat in accordance with The Conservation of Habitats and Species Regulations 2017, the Wildlife and Countryside Act 1981, Policy CS9 of the Woking Core Strategy (2012) and the provisions of the NPPF.

06. ++Notwithstanding the details shown on the approved plans listed within Condition 02 of this notice the development hereby permitted must not be first occupied until hard and soft landscaping has been implemented in accordance with details which have first been submitted to and approved in writing by the Local Planning Authority. The submitted details must include:
- a) details of proposed tree planting including confirmation of location, species and planting size(s) (including at least x1 tree to the frontage to replace the Cherry tree to be removed);
 - b) soft planting, grassed/turfed areas, shrubs and herbaceous areas detailing species, planting sizes and numbers/densities; and
 - c) hard landscaping, including specifications of all ground surface materials.

All planting must be completed/planted in accordance with the approved details during the first planting season following practical completion of the development hereby permitted or in accordance with a programme otherwise first agreed in writing with the Local Planning Authority. Any new planting which dies, is removed, becomes severely damaged or diseased within five years of planting must be replaced during the following planting season. Unless further specific written permission has first been given by the Local Planning Authority, replacement planting must be in accordance with the approved details.

Reason: To ensure a high quality development in accordance with Policy CS21 of the Woking Core Strategy (2012), Policy DM2 of the Development Management Policies DPD (2016), SPD Design (2015) and the NPPF.

07. ++Prior to the progression of any works beyond superstructure stage pursuant to the construction of the development hereby permitted, written evidence must be submitted to and approved in writing by the Local Planning Authority demonstrating that the development will:
- a. Achieve a minimum of a 19% improvement in the dwelling emission rate over the target emission rate, as defined in the Building Regulations for England Approved Document L1A: Conservation of Fuel and Power in New Dwellings (2013 edition). Such evidence must be in the form of a Design Stage Standard Assessment Procedure (SAP) Assessment, produced by an accredited energy assessor; and

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- b. Achieve a maximum water use of no more than 110 litres per person per day as defined in paragraph 36(2b) of the Building Regulations 2010 (as amended), measured in accordance with the methodology set out in Approved Document G (2015 edition). Such evidence must be in the form of a Design Stage water efficiency calculator.

Development must be carried out wholly in accordance with such details as may be approved and the approved details must be permanently maintained and operated for the lifetime of the development unless otherwise first agreed in writing by the Local Planning Authority.

Reason: To ensure that the development achieves a high standard of sustainability and makes efficient use of resources in accordance with Policy CS22 of the Woking Core Strategy (2012), SPD Climate Change (2014) and the NPPF.

08. ++The development hereby permitted must not be first occupied until written documentary evidence has been submitted to and approved in writing by the Local Planning Authority demonstrating that the development has:
 - a. Achieved a minimum of a 19% improvement in the dwelling emission rate over the target emission rate, as defined in the Building Regulations for England Approved Document L1A: Conservation of Fuel and Power in New Dwellings (2013 edition). Such evidence must be in the form of an As Built Standard Assessment Procedure (SAP) Assessment, produced by an accredited energy assessor; and
 - b. Achieved a maximum water use of 110 litres per person per day as defined in paragraph 36(2b) of the Building Regulations 2010 (as amended). Such evidence must be in the form of the notice given under Regulation 37 of the Building Regulations.

Such approved details must be permanently maintained and operated for the lifetime of the development unless otherwise first agreed in writing by the Local Planning Authority.

Reason: To ensure that the development achieves a high standard of sustainability and makes efficient use of resources in accordance with Policy CS22 of the Woking Core Strategy (2012), SPD Climate Change (2014) and the NPPF.

09. The development hereby permitted must not be first occupied until space has been laid out within the site in accordance with the approved plans listed within condition 02 of this notice for the parking and turning of vehicles within the site. Thereafter all vehicle parking and turning areas must be permanently retained and maintained for their designated purposes.

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with Policy CS18 of the Woking Core Strategy (2012), SPD Parking Standards (2018) and the NPPF.

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10. The development hereby permitted must not be first occupied until facilities for the covered, secure and lit parking of x2 bicycles have been provided in accordance with the approved plans listed within condition 02 of this notice. Thereafter the said approved facilities must be permanently maintained.

Reason: To promote more sustainable modes of transport than the private motor vehicle in accordance with Policy CS18 of the Woking Core Strategy (2012), SPD Parking Standards (2018) and the NPPF.

11. Prior to the first occupation of the development hereby permitted, where annotated as 'Proposed opaque glazing' on the approved plans listed within condition 02 of this notice, first floor level window(s) within the north (side) elevation of the development (including the east and west (side) returns of the first floor level bay window(s) within the north (side) elevation) must be glazed entirely with obscure glass and non-opening unless the parts of the window(s) which can be opened are more than 1.7 metres above the finished floor level of the room in which the window(s) are installed. Where such window(s) are on a staircase or landing (i.e. not in a room) the 1.7 metre measurement must be made from the stair or point on a landing immediately below the centre of the window(s), upwards to the opening part of the window(s). Once installed the window(s) must be permanently retained in that condition.

Reason: To protect the amenity and privacy of the occupiers of adjoining Missenden in accordance with Policy CS21 of the Woking Core Strategy (2012), SPD Outlook, Amenity, Privacy and Daylight (2008) and the provisions of the NPPF.

12. Prior to the first occupation of the development hereby permitted the first floor level window(s) within the south (side) elevation of the development must be glazed entirely with obscure glass and non-opening unless the parts of the window(s) which can be opened are more than 1.7 metres above the finished floor level of the room(s) in which the window(s) are installed. Once installed the window(s) must be permanently retained in that condition.

Reason: To protect the amenity and privacy of the occupiers of adjoining Fox's Lodge in accordance with Policy CS21 of the Woking Core Strategy (2012), SPD Outlook, Amenity, Privacy and Daylight (2008) and the provisions of the NPPF.

13. Prior to the first occupation of the development hereby permitted the rooflight(s) within the north (side) roof slope of the development must be installed within a minimum sill height of 1.7 metres above the finished floor level of the room(s) in which the rooflights(s) are installed. Once installed the rooflights(s) must be permanently retained in that condition.

Reason: To protect the amenity and privacy of the occupiers of adjoining Missenden in accordance with Policy CS21 of the Woking Core Strategy (2012), SPD Outlook, Amenity, Privacy and Daylight (2008) and the provisions of the NPPF.

14. Notwithstanding the provisions of Article 3 of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order(s) revoking and/or re-enacting that Order with or without modification(s)) window(s) or other additional openings other than as expressly authorised by

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this permission must not be formed at first floor level in the side (north and south) elevations of the development without planning permission being first obtained from the Local Planning Authority.

Reason: To protect the amenity and privacy of the occupiers of adjoining Missenden and Fox's Lodge in accordance with Policy CS21 of the Woking Core Strategy (2012), SPD Outlook, Amenity, Privacy and Daylight (2008) and the provisions of the NPPF.

15. Notwithstanding the provisions of Article 3, Schedule 2, Part 1, Classes A and B of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order(s) amending and/or re-enacting that Order with or without modification(s)) extension or enlargement of the development hereby permitted must not be carried out without planning permission being first obtained from the Local Planning Authority.

Reason: The Local Planning Authority considers that further development could cause detriment to the residential amenities of the occupiers of adjoining Missenden and Fox's Lodge and for this reason would wish to control any future development in accordance with Policy CS21 of the Woking Core Strategy (2012), SPDs Outlook, Amenity, Privacy and Daylight (2008) and Design (2015) and the provisions of the NPPF.

16. ++ External lighting attached to the replacement dwelling hereby permitted must not be installed until full details (to include a layout plan with beam orientation and a schedule of equipment in the design (luminaire type, mounting height, aiming angles and luminaire profiles)) and demonstrating compliance with the recommendations of the Bat Conservation Trusts' document entitled "Bats and Lighting in the UK - Bats and The Built Environment Series" (or any future equivalent) have been submitted to and approved in writing by the Local Planning Authority. The submitted details must make provision for any external lighting installed on the replacement dwelling to be installed with a timer or infrared sensor. The external lighting scheme must thereafter be installed and permanently maintained in accordance with the approved details unless otherwise first agreed in writing by the Local Planning Authority.

Reason: During the bat surveys bats were recorded commuting / foraging around the site. As nocturnal animals, bats are sensitive to any increase in artificial lighting of their roosting and foraging places and commuting routes. To accord with Policy CS7 of the Woking Core Strategy (2012), Circular 06/05 Biodiversity and Geological Conservation and the NPPF.

17. ++Prior to the progression of any works beyond superstructure stage pursuant to the construction of the development hereby permitted details of active/passive electric vehicle charging points to be provided must be submitted to and approved in writing by the Local Planning Authority. The works must be carried out in accordance with the approved details prior to first occupation of the development and thereafter permanently retained in accordance with the approved details unless the Local Planning Authority subsequently agrees in writing to their replacement with more advanced technology serving the same objective.

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Reason: In the interests of achieving a high standard of sustainability and in accordance with the electric vehicle charging infrastructure requirements of Policy CS22 of the Woking Core Strategy (2012) and SPD Climate Change (2013).

18. Any scrub, hedgerow and tree clearance must be undertaken outside the bird breeding season (early March to August inclusive) unless the applicant has first carried out a survey of such vegetation (undertaken by a suitably qualified and experienced ecologist) immediately prior to clearance works which demonstrates that there are no active nests within relevant parts of the application site and any such survey results have first been submitted to and approved in writing by the Local Planning Authority. If any active nests are found they must be left undisturbed with a buffer zone around them until it can be confirmed by a suitably qualified and experienced ecologist that the nest is no longer in use.

Reason: To prevent birds being injured or killed during site clearance works and to comply Policy CS7 of the Woking Core Strategy (2012), Circular 06/05 Biodiversity and Geological Conservation and the NPPF.

19. ++Prior to the progression of any works beyond superstructure stage pursuant to the construction of the development hereby permitted details of measures for the enhancement of biodiversity on the site must be submitted to and approved in writing by the Local Planning Authority, together with a timetable for the implementation of such measures. Biodiversity enhancements could include, but are not limited to, the following:

- Providing a wildlife friendly soft landscaping scheme, including using a range of native species when planting new trees and shrubs, preferably of local provenance from seed collected, raised and grown only in the UK, suitable for site conditions and complimentary to surrounding natural habitat. Planting should focus on nectar-rich flowers and/or berries as these can also be of considerable value to wildlife;
- Including log piles within areas of boundary vegetation, to provide habitat for a range of species;
- Providing bird boxes erected on or integral within the new building and/or on suitable trees. Their design and placement should follow best practice guidance; and
- Providing bat roosting features (in addition to those required as compensation and mitigation) erected on or integral within the new building and/or on suitable trees. Their design and placement should follow best practice guidance.

The measures as are approved must be implemented in full accordance with the agreed details prior to the first occupation of the development hereby permitted and thereafter be permanently retained for the lifetime of the development unless otherwise first agreed in writing by the Local Planning Authority.

Reason: To ensure that there is a net gain in biodiversity on the site in accordance with Policies CS7 and CS21 of the Woking Core Strategy (2012) and the NPPF.

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 NPPF.
02. The applicant is 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.
03. The applicants attention is specifically drawn to the conditions above marked ++. These conditions require the submission of details, information, drawings, etc. to the Local Planning Authority PRIOR TO THE RELEVANT TRIGGER POINT(S). Failure to observe this requirement will result in a contravention of the terms of the permission and the Local Planning Authority may serve Breach of Condition Notices (BCNs) to secure compliance. The applicant is advised that sufficient time needs to be given when submitting details in response to conditions, to allow the Local Planning Authority to consider the details and discharge the condition(s). A period of between five and eight weeks should be allowed for.
04. The applicant is advised that the development hereby permitted is subject to a Community Infrastructure Levy (CIL) liability. The Local Planning Authority will issue a Liability Notice as soon as practical after the granting of this permission.

The applicant is advised that, if he/she is intending to seek relief or exemptions from the levy such as for social/affordable housing, charitable development or self-build developments it is necessary that the relevant claim form is completed and submitted to the Council to claim the relief or exemption. In all cases (except exemptions relating to residential exemptions), it is essential that a Commencement Notice be submitted at least one day prior to the starting of the development. The exemption will be lost if a commencement notice is not served on the Council prior to commencement of the development and there is no discretion for the Council to waive payment. For the avoidance of doubt, commencement of the demolition of any existing structure(s) covering any part of the footprint of the proposed structure(s) would be considered as commencement for the purpose of CIL regulations. A blank commencement notice can be downloaded from:

http://www.planningportal.gov.uk/uploads/1app/forms/form_6_commencement_notice.pdf

Claims for relief must be made on the appropriate forms which are available on the Council's website at:

<https://www.woking.gov.uk/planning/service/contributions>

Other conditions and requirements also apply and failure to comply with these will lead to claims for relief or exemption being rendered void. The Local Planning Authority has no discretion in these instances.

For full information on this please see the guidance and legislation here:

<https://www.gov.uk/guidance/community-infrastructure-levy>

<http://www.legislation.gov.uk/all?title=The%20Community%20Infrastructure%20Levy%20Regulations%20>

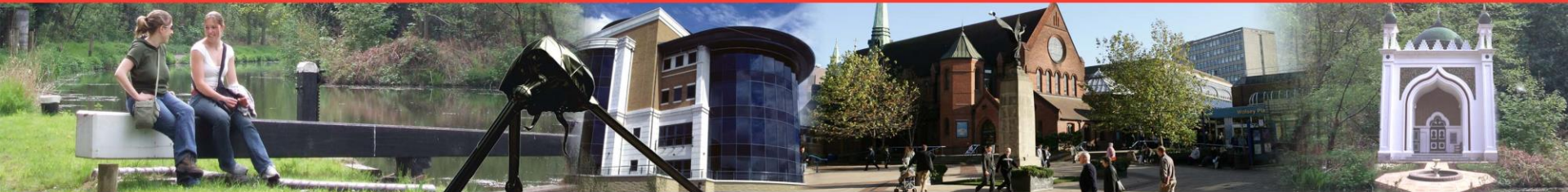
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Please note this informative provides general advice and is without prejudice to the Local Planning Authority's role as Consenting, Charging and Collecting Authority under the Community Infrastructure Levy Regulations 2010 (as amended).

05. The applicant is advised that adequate control precautions should be taken in order to control noise emissions from any fixed plant, including generators, on site during demolition / construction activities. This may require the use of quiet plant or ensuring that the plant is sited appropriately and / or adequately attenuated. Exhaust emissions from such plant should be vented to atmosphere such that fumes do not ingress into any property. Due to the proximity of residential accommodation there should be no burning of waste material on site. During demolition or construction phases, adequate control precautions should be taken in order to control the spread of dust on the site, so as to prevent a nuisance to residents within the locality. This may involve the use of dust screens and/ or utilising water supply to wet areas of the site to inhibit dust.
06. The provisions of the Party Wall etc. Act 1996 may be applicable and relates to work on an existing wall shared with another property; building on the boundary with a neighbouring property; or excavating near a neighbouring building. Please refer to the following address for further information: <https://www.gov.uk/party-walls-building-works>
07. The applicant is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the public highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing public highway surfaces and prosecutes persistent offenders. (Highways Act 1980 Sections 131, 148, 149).
08. The applicant is advised that under the Control of Pollution Act 1974, demolition and building works - audible at the site boundaries - are restricted to the following hours:
 - 0800 - 1800 hrs Monday to Friday (inclusive)
 - 0800 - 1300 hrs Saturdays
 - and not at all on Sundays and Bank/Public Holidays.
09. All species of Bat and their roost sites are protected under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) and Schedule 2 of the Conservation of Habitats and Species Regulations 2017. All Bats are therefore European Protected species. Offences under this legislation include any activities that may kill, injure or disturb an individual or damage or destroy a breeding site or resting place of that individual. Destruction of a Bat roost is therefore an offence, even if the bat is not present at the time of roost removal. An EPS Mitigation Licence will be required from Natural England before any actions which may affect bats are undertaken.
10. The applicant is advised that clearance of any vegetation or piles of logs, brash, compost, rocks or other similar debris should be undertaken carefully and by hand. Any excavations left open overnight should include a ramped means of escape for any animals that may fall in and open pipework capped overnight to avoid species becoming trapped. Should any evidence of mammal

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digging be identified during works then works should cease and advice sought from a suitably qualified ecologist. The applicant is also strongly encouraged to provide suitable gaps in any new boundary fencing to allow species such as hedgehogs to move through the site post-development.



ITEM 6e – PLAN/2020/0779

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Barn End, Bracken Close, Woking, GU22 7HD

Demolition of existing part two storey, part single storey detached dwelling. Erection of a replacement part two storey (with roof accommodation), part single storey (including garage) detached dwelling and associated landscaping, including erection of front pillars.

Site Location Plan – PLAN/2020/0779



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Block Plan – PLAN/2020/0779



Site Photographs – PLAN/2020/0779



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14 Oct 2020 at 10:16:51

Site Photographs – PLAN/2020/0779



Site Photographs – PLAN/2020/0779



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14 Oct 2020 at 09:36:10



14 Oct 2020 at 09:36:10

Site Photographs – PLAN/2020/0779



14 Oct 2020



14 Oct 2020 at 09:40:50

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Site Photographs – PLAN/2020/0779



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14.Oct.2020 at 10:03:30

Site Photographs – PLAN/2020/0779



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Site Photographs – PLAN/2020/0779



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Site Photographs – PLAN/2020/0779



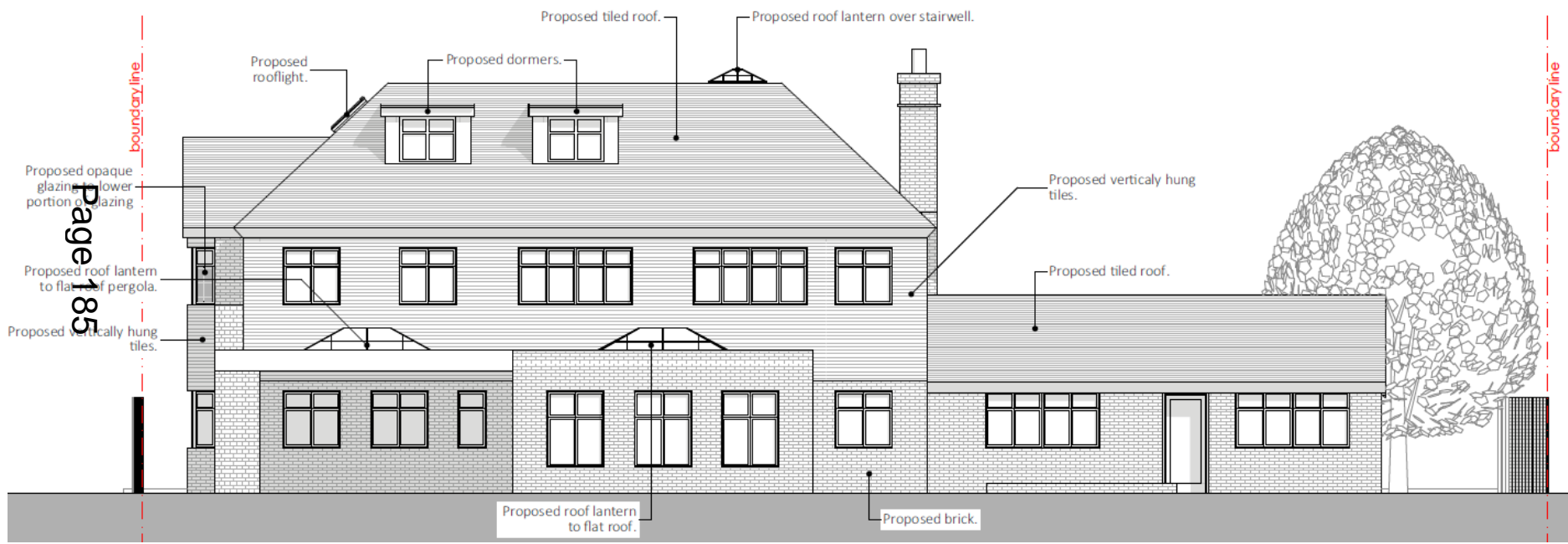
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Proposed East Elevation – PLAN/2020/0779



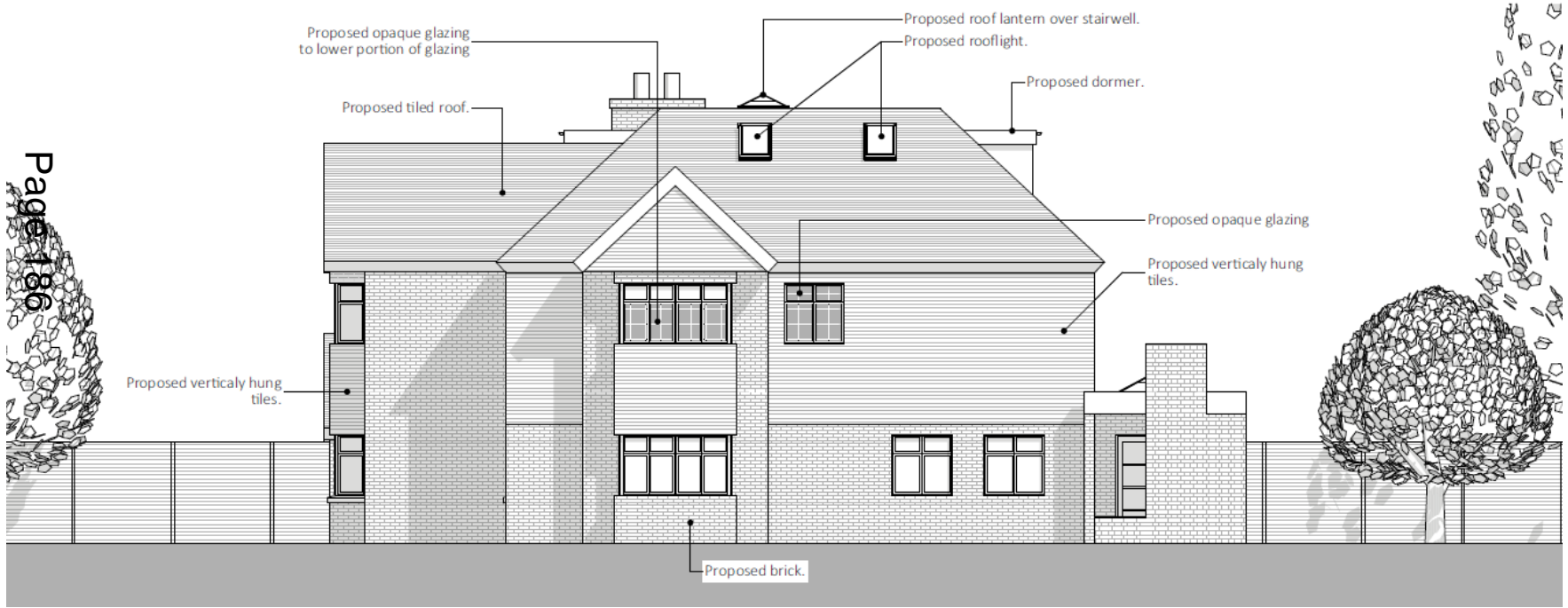
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Proposed West Elevation – PLAN/2020/0779



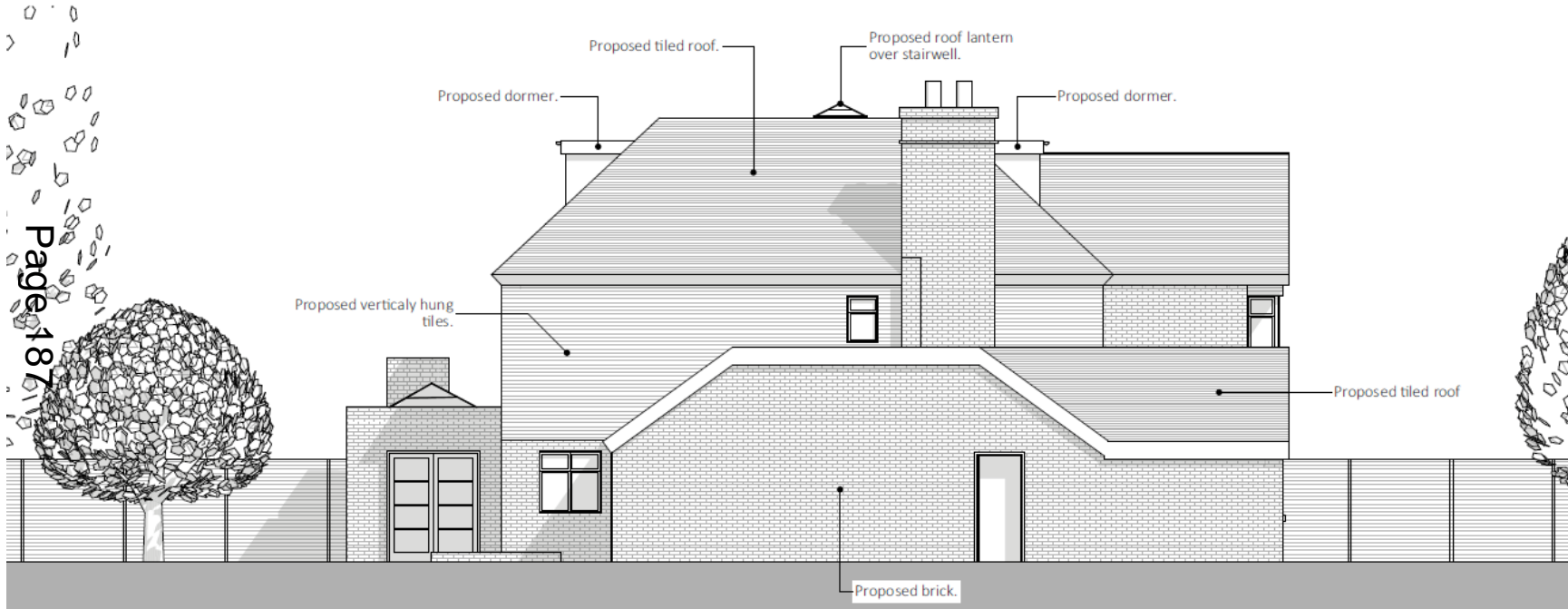
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Proposed North Elevation – PLAN/2020/0779



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Proposed South Elevation – PLAN/2020/0779



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Street Scenes – PLAN/2020/0779

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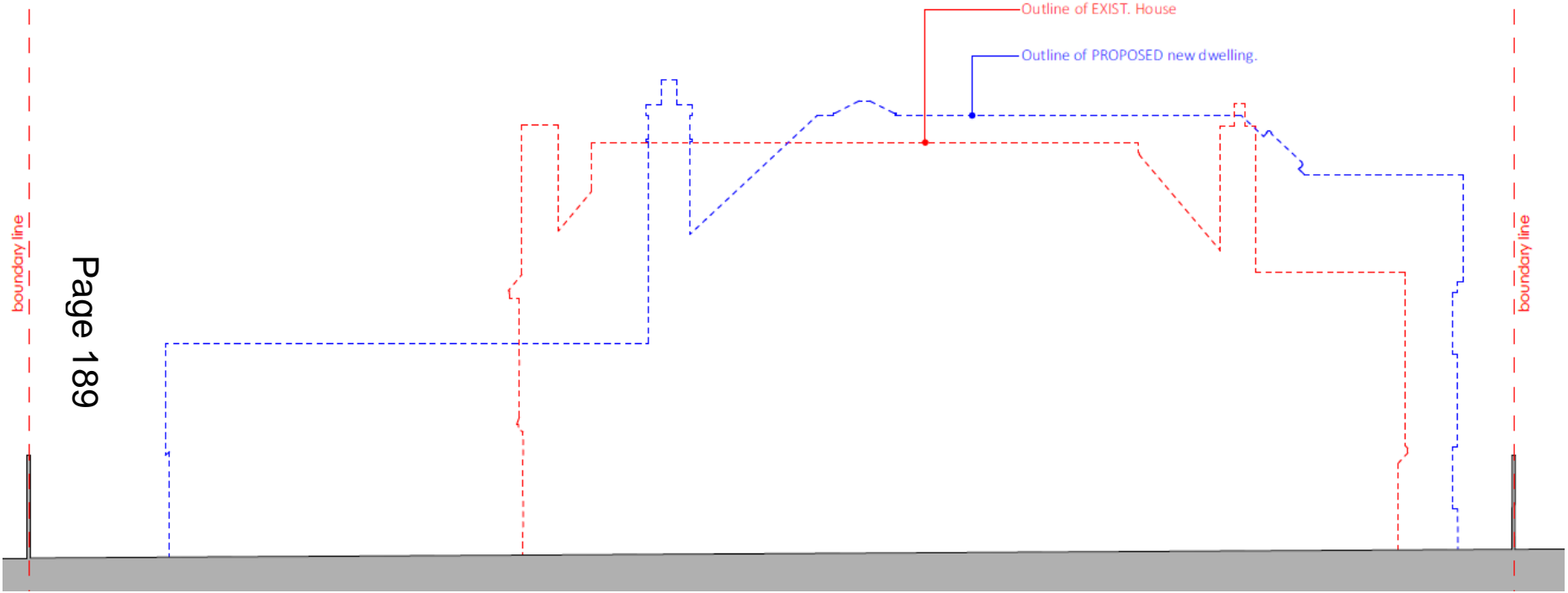


Existing Street Elevation



Proposed Street Elevation

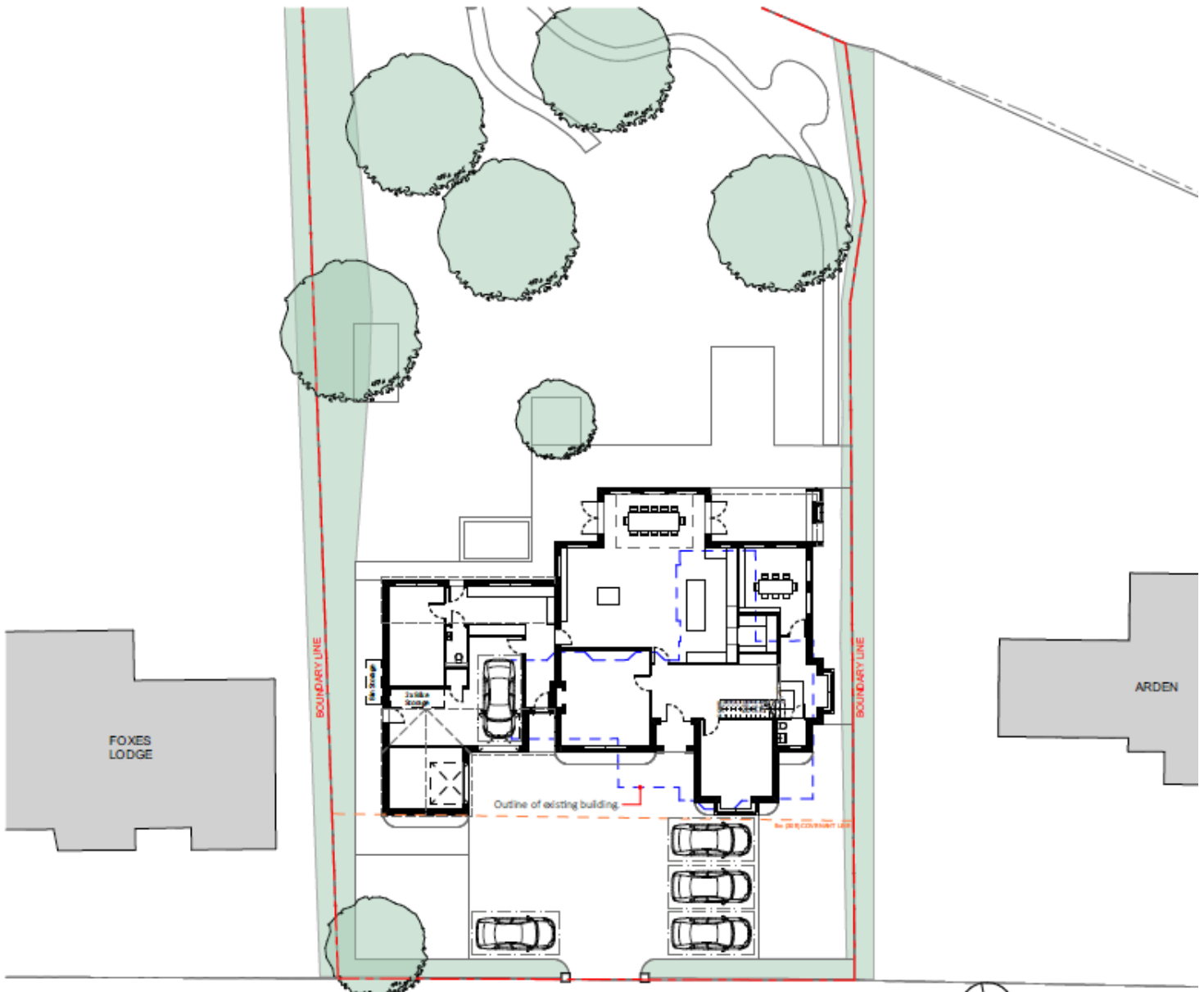
Comparative East Elevation – PLAN/2020/0779



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Proposed Site Plan – PLAN/2020/0779

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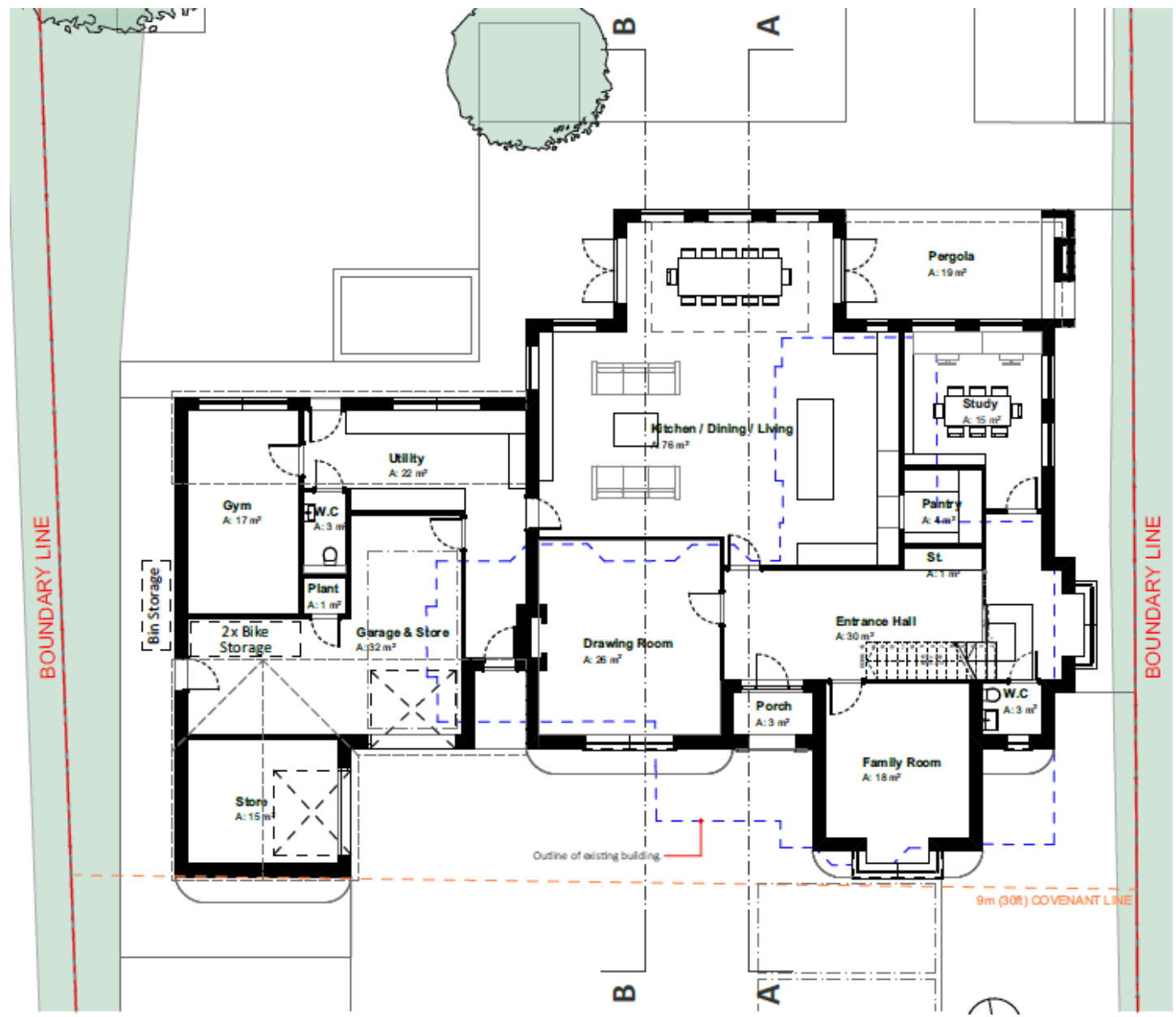


Landscaping Proposal – PLAN/2020/0779



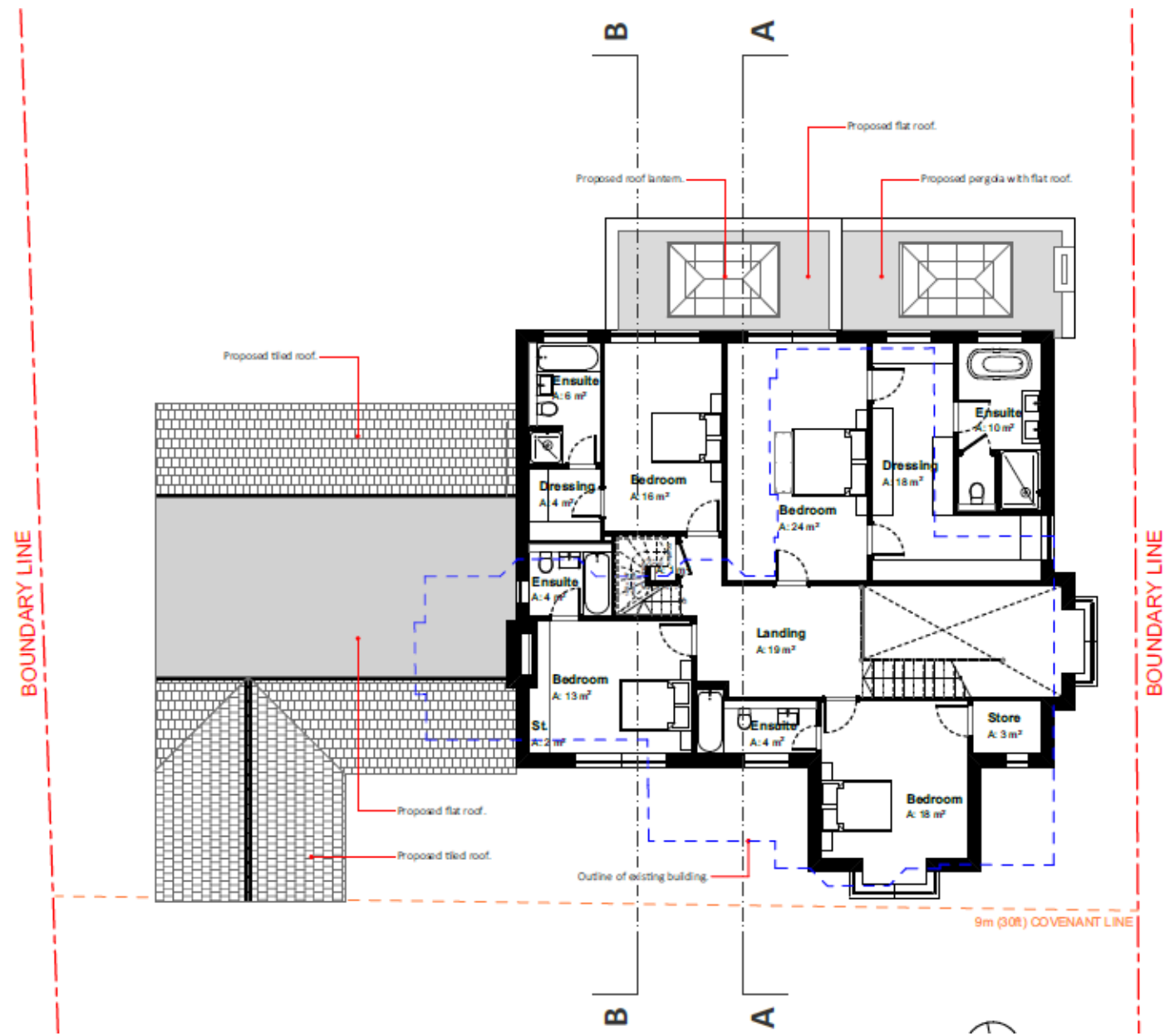
Proposed Ground Floor Plan – PLAN/2020/0779

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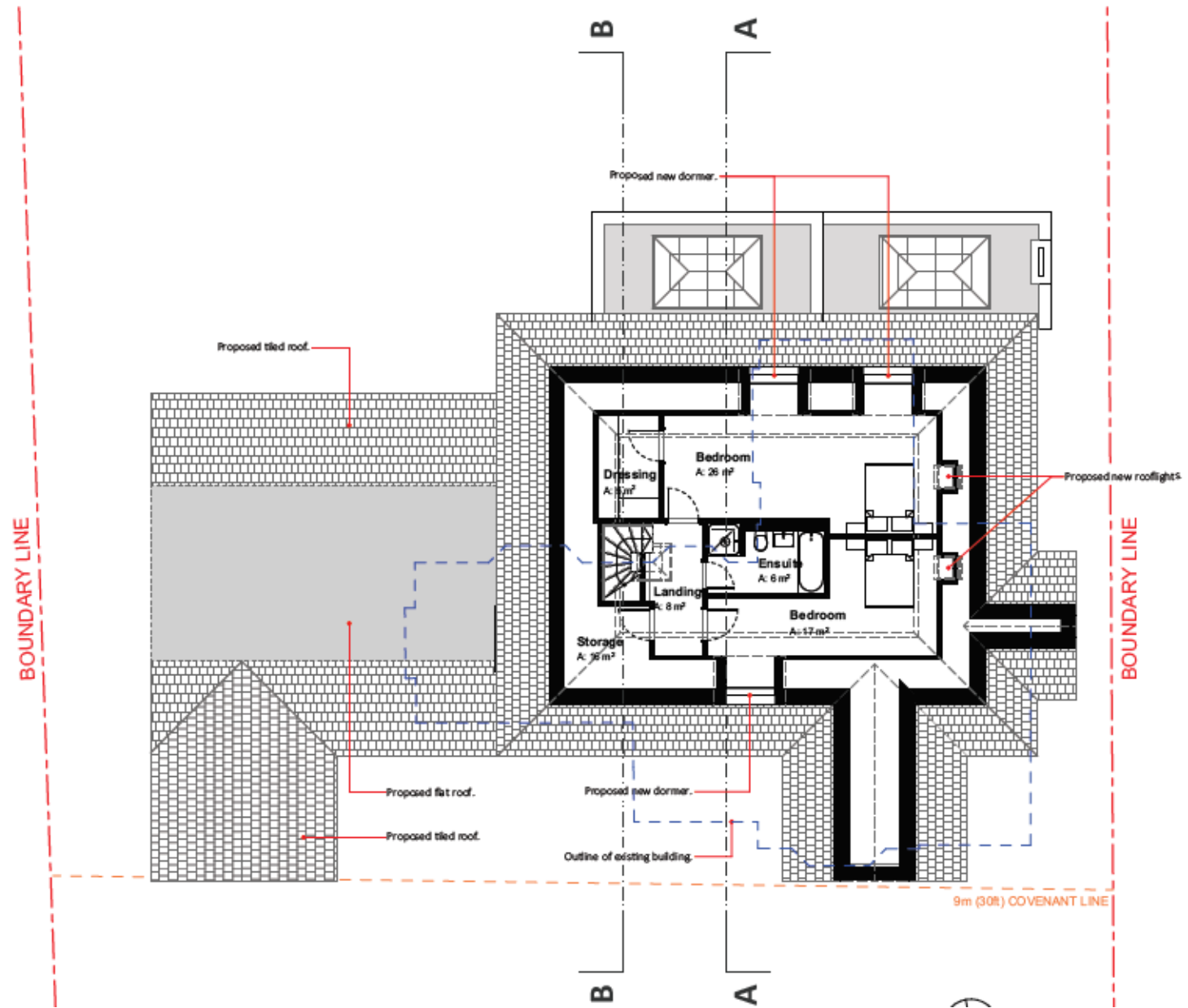
Proposed First Floor Plan – PLAN/2020/0779

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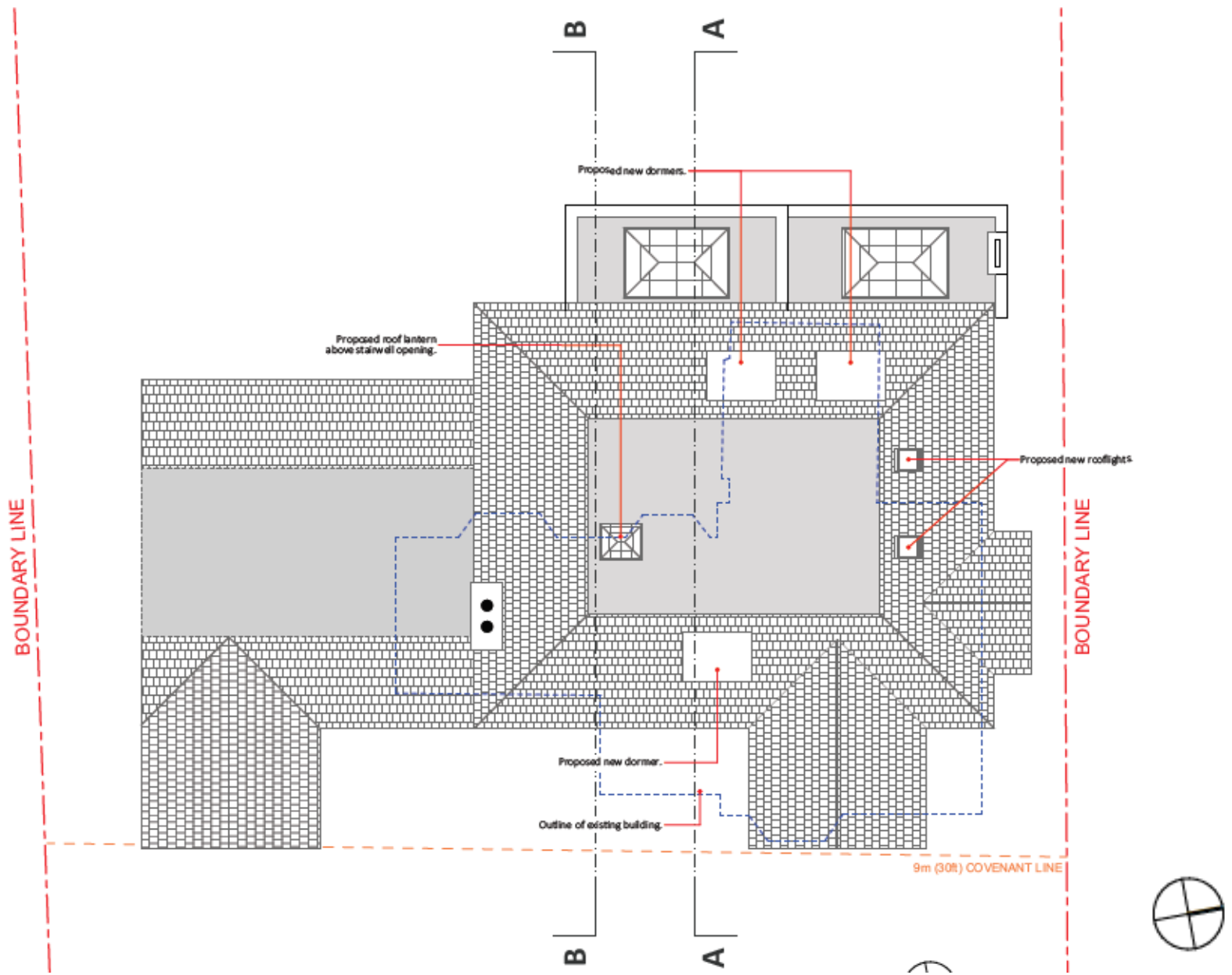
Proposed Second Floor Plan – PLAN/2020/0779

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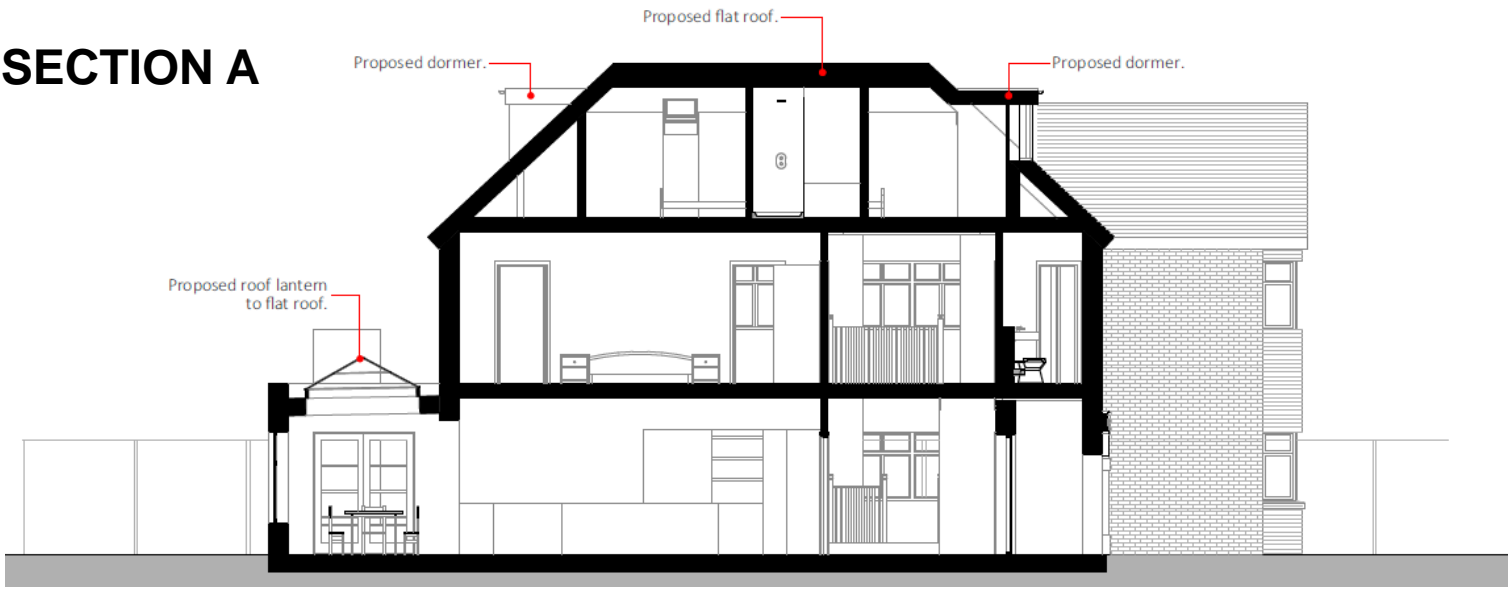
Proposed Roof Plan – PLAN/2020/0779

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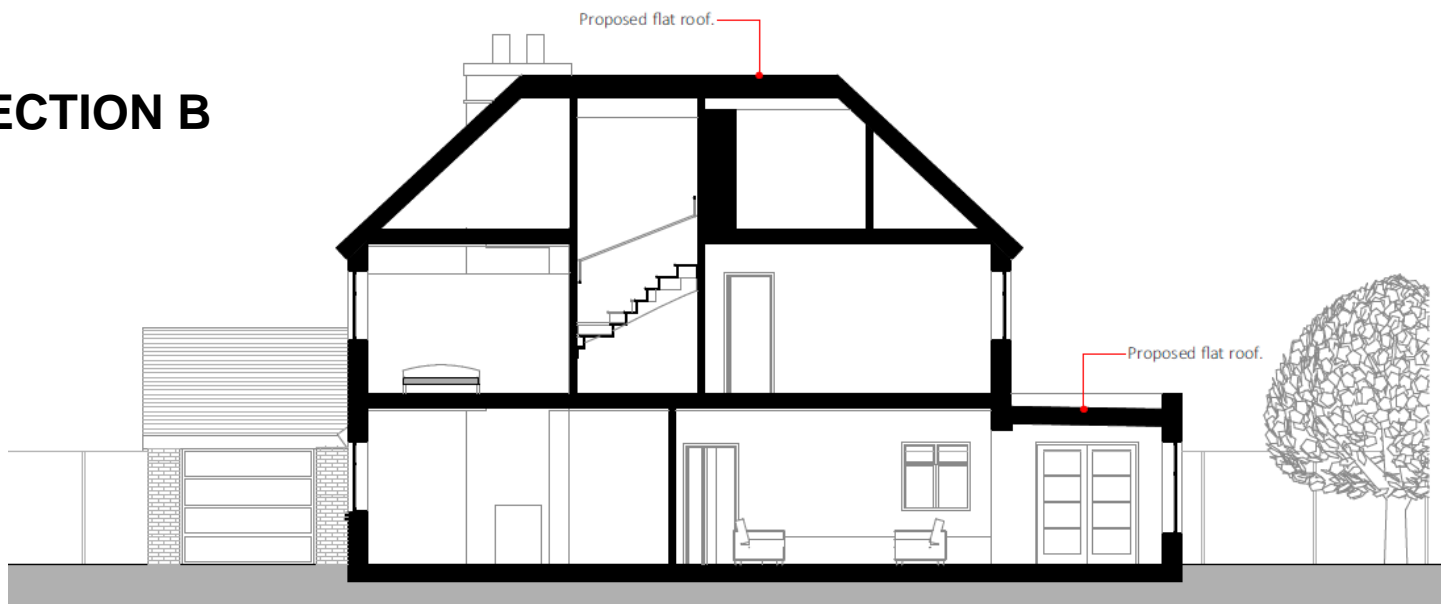
Proposed Sections – PLAN/2020/0779

SECTION A



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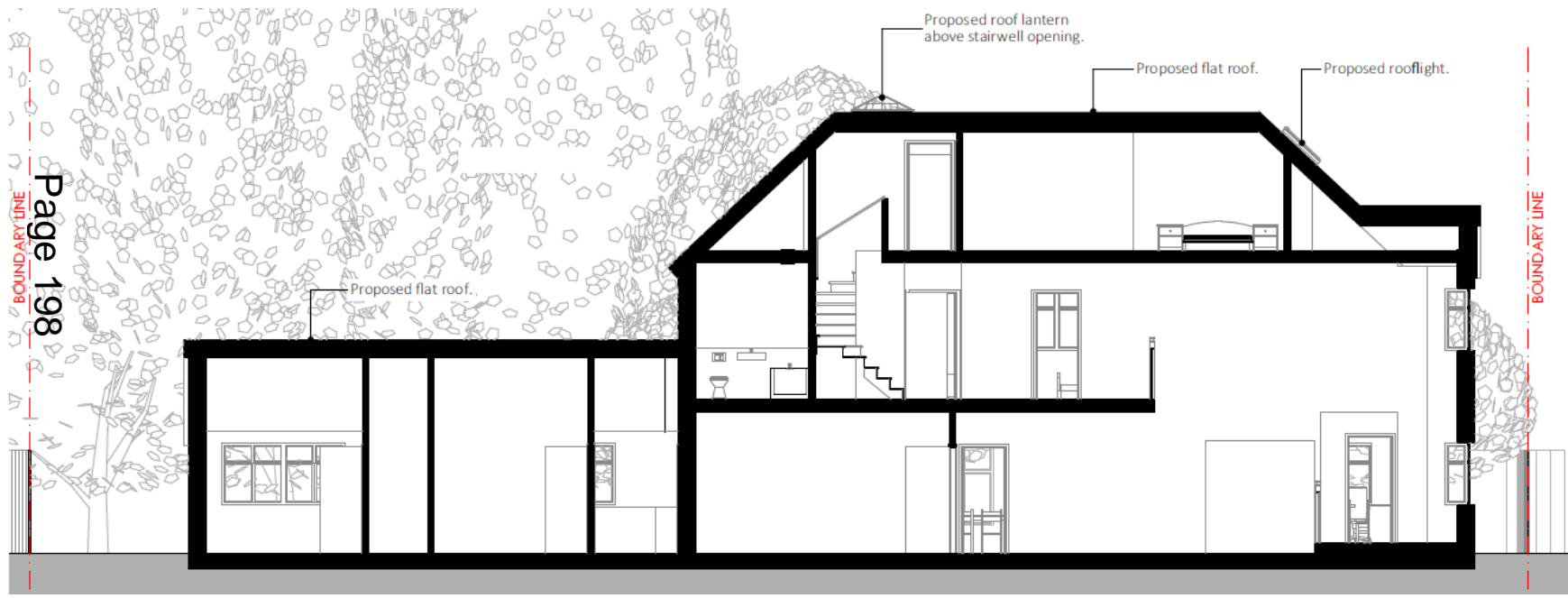
SECTION B



Proposed Section C – PLAN/2020/0779



Proposed Section D – PLAN/2020/0779



Tree Protection Plan – PLAN/2020/0779

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