

# Public Document Pack



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

You are hereby summoned to attend a meeting of the Planning Committee to be held on Tuesday, 5 September 2017 at 7.00 pm in the Council Chamber - Civic Offices.

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](http://www.woking.gov.uk)). The images and sound recording will also be used for training purposes within the Council. Generally the public seating areas are not filmed. However by entering the meeting room and using the public seating area, 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 25 July 2017 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

6. Tree Application - 2017/8220 5 Barrons Close, Woking (Pages 1 - 6)

7. Planning Applications

**Section A - Applications for Public Speaking**

7a. 2017/0155 Cherrytrees, 15-17 Claremont Avenue, Woking (Pages 7 - 22)

7b. 2017/0293 17 Alterton Close, Woking (Pages 23 - 36)

7c. 2017/0709 3 The Broadway, Woking (Pages 37 - 50)

7d. 2017/0515 Holywell House, Hook Hill Lane, Mayford, Woking (Pages 51 - 66)

**Section B - Application reports to be introduced by officers**

7e. 2017/0570 St Andrews School, Wilson Way, Horsell, Woking (Pages 67 - 76)

7f. 2013/0574 26 and 28 Monument Road, Woking (Pages 77 - 100)

7g. 2017/0723 5 Morton Close, Horsell, Woking (Pages 101 - 110)

7h. 2017/0582 Albion House, Chertsey Road, Woking (Pages 111 - 126)

7i. 2017/0341 103 Princess Road, Maybury, Woking (Pages 127 - 136)

7j. 2016/0008 Brook House, Carthouse Lane, Horsell (Pages 137 - 152)

7k. 2017/0695 9 Regency Drive, West Byfleet (Pages 153 - 166)

7l. 2017/0579 4 Leegate Close, Woking (Pages 167 - 180)

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

7m. 2016/1375 Milestones, Pyrford Road, Woking (Pages 181 - 190)

7n. 2017/0496 Lorna Doone, Chobham Road, Woking (Pages 191 - 212)

7o. 2017/0316 Catlin, Chobham Road, Knaphill, Woking (Pages 213 - 222)

AGENDA ENDS

Date Published - 28 August 2017

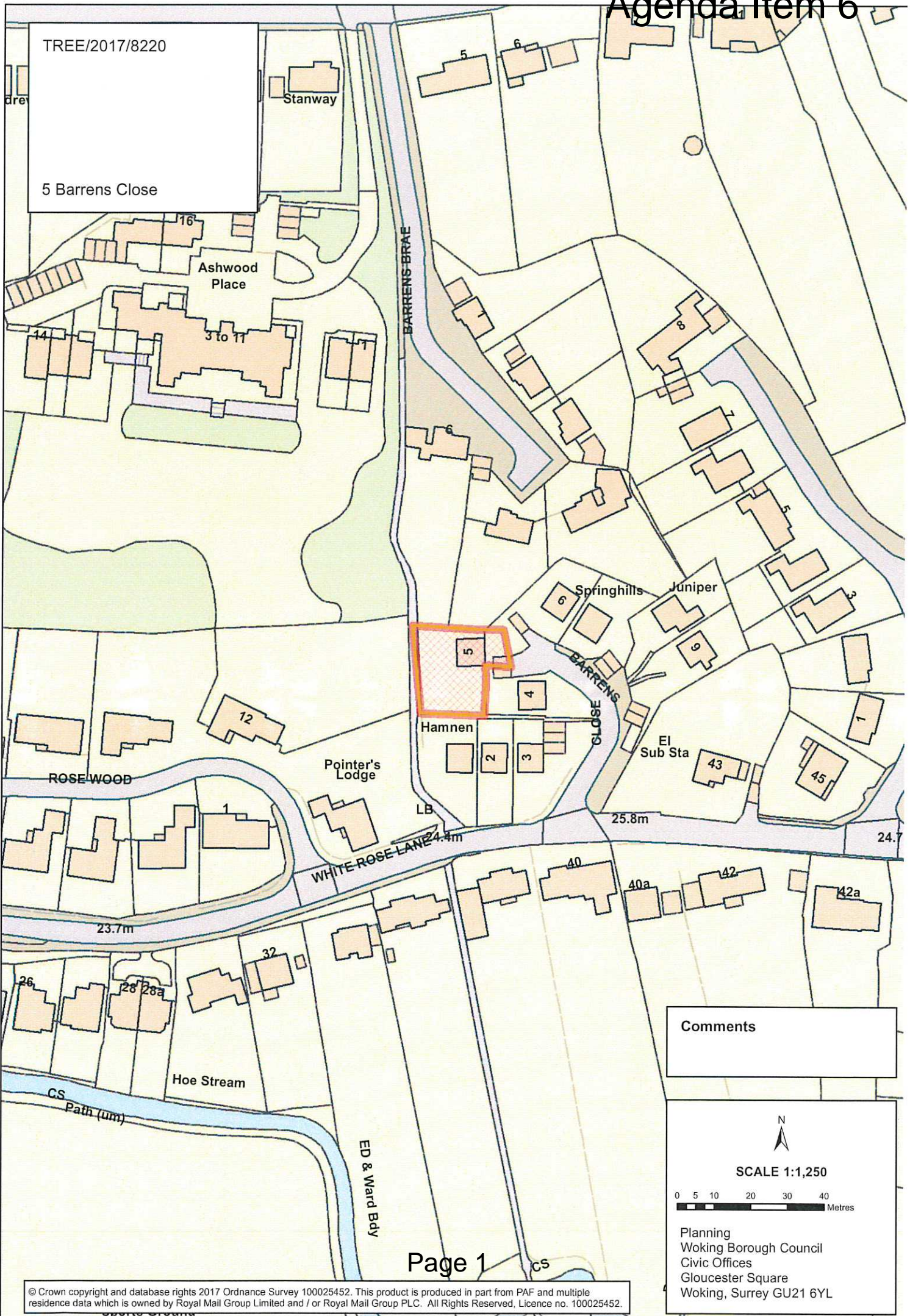
For further information regarding this agenda and arrangements for the meeting, please contact Becky Capon on 01483 743011 or email [becky.capon@woking.gov.uk](mailto:becky.capon@woking.gov.uk)



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 Gloucester Square  
 Woking, Surrey GU21 6YL



**5 September 2017 PLANNING COMMITTEE**

**17/8220**    **Reg'd: 03.07.17**                      **Expires: 28.08.17**    **Ward: MH**  
**BVPI**    **Number of**    **On**  
**Target**    **Weeks on**    **Target?**  
**Cttee' Day:**

**LOCATION: 5 Barrens Close, Woking, Surrey GU22 7JZ**

**PROPOSAL: Fell One Sycamore and Two conifer species**

**TYPE: Application to fell tree protected by Tree Preservation Order**

**APPLICANT Mr Raja Khan**

**OFFICER: Dave Frye**

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**REASON FOR REFERRAL TO PLANNING COMMITTEE**

The applicant is related to a Council Member.

**SUMMARY OF PROPOSAL**

An application has been submitted to remove 1 Sycamore and 2 Conifers at 5 Barrens Close, Woking, Surrey by Mr Raja Khan. The trees are essentially healthy but of low public amenity value. The removal of the trees is seen as reasonable and good arboricultural practice

**PLANNING STATUS**

- Tree Preservation Order TPO 626/0075/1966

**RECOMMENDATION**

Permit consent for the removal of 1 Sycamore and 2 Conifer Species.

**SITE DESCRIPTION**

The application site is in the front and rear garden of a residential dwelling and the trees are on the rear and front boundaries.

**RELEVANT PLANNING HISTORY**

No relevant planning history

**PROPOSAL**

The proposal is to Fell One Sycamore and Two conifer species at 5 Barrens Close, Woking, Surrey, GU22 7JZ

**REPRESENTATIONS**

NONE

**APPLICANT'S POINTS**

1. Concern about the safety of the Sycamore.
2. The look of the two conifers tree and their balance in relation to their canopy.
3. Damage to property from the two conifer trees.

**RELEVANT PLANNING POLICIES**

Woking Core Strategy Policy CS21.

**OTHER RELEVANT GUIDANCE**

Tree Preservation Orders – a Guide to the Law and Good Practice (March 2000)  
DETR Government Guidance.

**PLANNING ISSUES**

The Council is obliged to determine tree-works applications under the Town & Country Planning Act 1990 within a period of eight weeks. The options available are to grant consent (subject to conditions) or refuse consent. If consent is refused, the applicant has a right of appeal to the Secretary of State.

The two conifers are between 16 and 18m tall with offset crowns away from the property. They are located at the front of the property on the front boundary. They have low public amenity value and the loss of the trees would not be of detriment to the sylvan character of the area.

The Sycamore is approx 15m in height with an even crown spread ratio of 4m. The tree has low public amenity value and therefore its loss would not be of detriment to the sylvan character of the area.

The Sycamore grows besides a small footpath to the rear of the property. The tree has a confined rooting system as a result of a concrete wall dividing the boundary of the property with the footpath. There is also extensive basal decay which is approx 1m long and 30cm wide.

The two conifer species have been heavily pruned in the past which has caused the trees to become multi-stemmed and have offset crowns. As they have not been pruned in a long time these stems are now beginning to fail due to excessive loading. Within the garage below the trees, there is extensive damage to the walls and joints. This damage is caused by the invasion of the roots from the trees above.

**CONCLUSION**

Sufficient evidence has been submitted which supports the removal of the trees. They are of low public amenity value and their loss would not be of detriment to the surrounding area. Replanting would not be required due to the dense canopies of surrounding trees.

**BACKGROUND PAPERS**

1. Completed application form by Mr Raja Khan

**RECOMMENDATION**

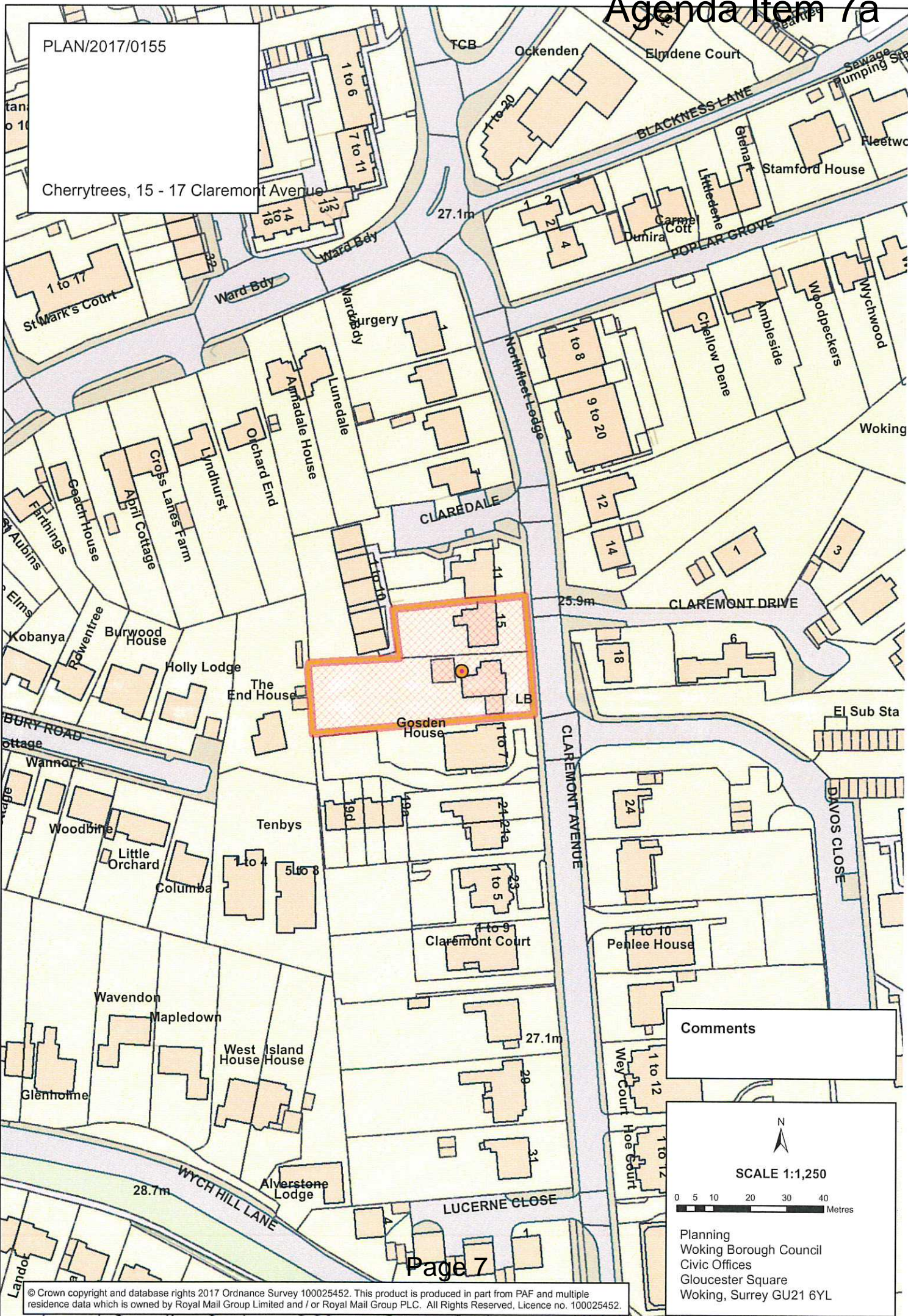
It is recommended that consent be PERMITTED for the following reasons:

It has been identified that the Sycamore poses a risk to both persons and property due to the limited rooting area and significant basal decay.

The two conifer species are of low public amenity value and the roots are causing damage to property.







PLAN/2017/0155

Cherrytrees, 15 - 17 Claremont Avenue

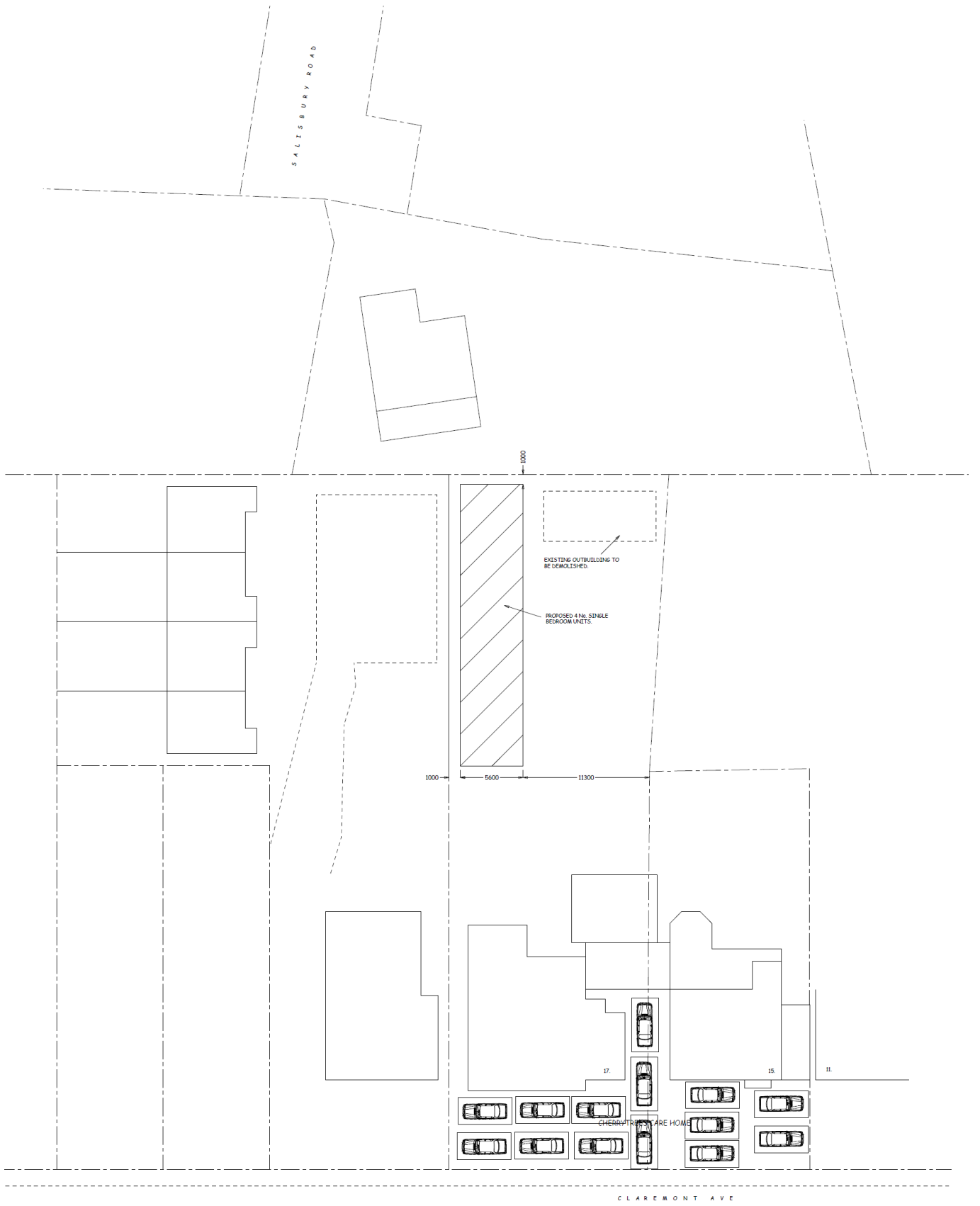
Comments

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Woking, Surrey GU21 6YL







## 5 September 2017 PLANNING COMMITTEE

6a	17/0155	Reg'd:	01.03.2017	Expires:	26.04.17	Ward:	HV
Nei. Con. Exp:	28.03.17	BVPI Target	13 (Dwellings)	Number of Weeks on Cttee' Day:	21/8	On Target?	No

**LOCATION:** Cherrytrees, 15 - 17 Claremont Avenue, Woking, Surrey, GU22 7SF

**PROPOSAL:** Erection of a two storey building containing 4 x 1 bedroom self-contained flats (Class C2 Use).

**TYPE:** Full Application

**APPLICANT:** Mr S Gengasamy

**OFFICER:** Brooke  
Bougnague

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### **REASON FOR REFERRAL TO COMMITTEE**

The application is for erection of a detached building containing 4 x 1 bedroom self-contained flats (Class C2 Use) which is a proposal that falls outside the scope of delegated powers as set out by the Management Arrangements and Scheme of Delegations.

### **SUMMARY OF PROPOSED DEVELOPMENT**

Erection of a two storey building containing 4 x 1 bedroom self-contained flats (Class C2 Use).

### **PLANNING STATUS**

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

### **RECOMMENDATION**

Grant planning permission subject to conditions and SAMM contribution secured by way of Unilateral Undertaking.

### **SITE DESCRIPTION**

No.15-17 Claremont Avenue consists of two Victorian Villas which have been connected by a covered walkway. The application site is located on the east side of Claremont Avenue within the Urban Area. This is a large area of amenity space to the rear of the site. The site is currently in in C2 use and occupied by males with mental health issues. The site is accessed from Claremont Avenue.

### **RELEVANT PLANNING HISTORY**

PLAN/2016/0889 - Proposed single storey side extension. Insert two white PVC double glazed windows and entrance oak door to the front of the existing computer room. Permitted 20.10.2016

PLAN/2015/0901 - Removal of existing supporting dividing wall between office and corridor leading into the rear garden. Fixed glass panel to be fitted into the existing semi circle

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openings x 3 of the outside wall. Install a double glazed door into the existing exit into the rear garden. Renew roof insulation as per plan. Replace existing roof tiles with interlocking tiles. Permitted 07.10.2015

PLAN/2015/0546 - Certificate of Existing Lawful Development for Residential Care/Supported Living use for people recovering from mental health problems. Permitted 16.07.2015

PLAN/2009/0198 - Erection of a two storey side extension to form an annexe to comprise 2.no, two bedroom self contained flats as ancillary accommodation to the residential institution (Class C2) at 15 - 17 Claremont Avenue. Permitted 13.05.2009

PLAN/2004/0793 - Widening of covered walkway to provide access to rear stable block, enlarge kitchen and alter roof over covered walkway. Permitted 12.08.2004

PLAN/2003/0636 - Erection of a single storey rear extension to No. 15, two storey side extension to No. 17 and covered walkway between No's 15 and 17. Permitted 17.07.2003

### **PROPOSED DEVELOPMENT**

Erection of a two storey building containing 4 x 1 bedroom self-contained flats (Class C2 Use).

The lawful use of the existing site Class C2 Use. The site currently provides accommodation and care for 16 male residents with mental health issues. There are staff on site providing 24/7 support and care.

The proposed 4 x 1 bedroom flats would be ancillary to the main care facility and fall under Class C2 Use. The proposed flats would be occupied by males with mental health issues to enable the users to get used to undertaking everyday activities independently and living in isolation before they leave the care facility. The residents would have access to support from the main facility.

### **CONSULTATIONS**

**The County Highway Authority:** No objection

**Natural England:** Requested additional information on demographic of potential residents and appropriate information and justification regarding the level of avoidance and mitigation measures in relation to the potential numbers of occupants who could theoretically be able to recreate on the Thames Basin Heaths SPA. (Officer Note: the applicant has agreed to pay the SAMM contribution, no further information is required)

**Scientific Officer:** No objection subject to condition 9

### **REPRESENTATIONS**

11 letters raising the following points:

- Using access from Salisbury Road is inappropriate and would set and undesirable precedent (Officer note: the proposed access is from Claremont Avenue and not Salisbury Road)
- Increase in traffic volume along Salisbury Road (Officer note: the proposed access is from Claremont Avenue and not Salisbury Road)
- Overspill of parking in Salisbury Road (Officer note: the proposed access is from Claremont Avenue and not Salisbury Road)

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- The development would be better served by having access from Claremont Avenue.
- Scale and location of building has not been rationalised
- No information on landscaping
- The application totally fails to appraise the context of the development.
- Out of character
- Inappropriate sub-division of the existing curtilage to a size substantially below that prevailing in the area
- The access and parking are therefore inappropriate (Officer note: the proposed access is from Claremont Avenue and not Salisbury Road)
- Increase in noise
- Garden size is not large enough
- Cramped development
- Alter character of Salisbury Road (Officer note: the proposed access is from Claremont Avenue and not Salisbury Road)
- Insufficient neighbour consultation (Officer note: all properties adjoining and opposite the site have been consulted in accordance with national and local requirements)
- Loss of green space
- Access from Salisbury Road would endanger children and families (Officer note: the proposed access is from Claremont Avenue and not Salisbury Road)
- Change the character of Salisbury Road being changed from a cul de sac and linked to Claremont Road for public access. The peaceful nature of the road would be changed irreversibly for the residents.

### **RELEVANT PLANNING POLICIES**

#### National Planning Policy Framework 2012 (NPPF)

Section 4 - Promoting sustainable transport

Section 6 - Delivering a wide choice of high quality homes

Section 7 - Requiring good design

Section 11 - Conserving and enhancing the natural environment

#### Woking Core Strategy 2012

CS1 - A spatial strategy for Woking Borough

CS8 - Thames Basin Heaths Special Protection Area

CS10 - Housing provision and distribution

CS11 - Housing mix

CS12 - Affordable housing

CS13 - Older people and vulnerable groups

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 DPD (2016)

DM5 – Environmental Pollution

DM8 – Land contamination and hazards

DM10 - Development on Garden Land

#### Supplementary Planning Documents

Outlook, Amenity, Privacy and Daylight (2008)

Design (2015)

Parking Standards (2006)

**PLANNING ISSUES**

1. The main issues to consider in determining this application are design and impact upon the character of the area, impact upon residential amenity, impact upon trees, highways and parking implications, contamination, the Thames Basin Heaths Special Protection Area (SPA) and sustainability, having regard to the relevant policies of the Development Plan, other relevant material planning considerations and national planning policy and guidance.

Principle of development

2. The NPPF (2012) and Policy CS25 of the Core Strategy (2012) promote a presumption in favour of sustainable development. The site lies within the designated Urban Area and within the 400m-5km (Zone B) Thames Basin Heaths Special Protection Area (SPA) buffer zone. The development of previous garden 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 infill residential development is considered acceptable subject to further material planning considerations, specific development plan policies and national planning policy and guidance as discussed below.
3. Policy CS13 relating to the provision of specialist accommodation states that this type of development will be supported in suitable locations. It also states that new specialist accommodation should be of high quality design, include generous space standards and generous amenity space. These detailed matters will be assessed as part of this report.
4. The site is located within the urban area where future residents and employees can benefit from the facilities provided within the urban area and in terms of Policy CS13, the site is considered to be suitable for the proposed C2 use, subject to other detailed considerations.
5. Policy CS13 also states that 50% of new specialist accommodation schemes should have two bedrooms. The proposal is for four one bedroom flats to be used by males with mental health needs. The applicants have advised these units are for use of male residents who are preparing for discharge. Independent accommodation is required to enable the users to get used to undertaking everyday activities independently and living in isolation before they leave the care facility. Accommodation within the existing building includes shared accommodation in two bed flats and single occupancy rooms with shared facilities. Given the nature of the proposed facility it is not considered reasonable or necessary to require a specific number of rooms to be for double occupancy. In this regard the proposal is therefore considered to comply with Policy CS13 of the Core Strategy (2012).

Design and impact upon the character of the area

6. One of the core principles of the NPPF is to seek to secure high quality design, furthermore Policy CS21 of the Core Strategy (2012) states that buildings 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.
7. Policy DM10 (Development on Garden Land) of the Development Management Policies DPD states that housing development on garden land and/or that to the rear or side of an existing property will be supported provided that it meets the other relevant Development Plan policies and that:



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- it does not involve the inappropriate sub-division of existing curtilages to a size below that prevailing in the area, taking account of the need to retain and enhance mature landscapes;
  - it presents a frontage in keeping with the existing street scene or the prevailing layout of streets in the area, including frontage width, building orientation, visual separation between buildings and distance from the road;
  - the means of access is appropriate in size and design to accommodate vehicles and pedestrians safely and prevent harm to the amenities of adjoining residents and is in keeping with the character of the area; and
  - suitable soft landscape is provided for the amenity of each dwelling appropriate in size to both the type of accommodation and the characteristic of the locality.
8. The proposed building would be sited to the rear of No.15-17 Claremont Avenue. Due to the use of the flats ancillary to the existing building at No.15-17 Claremont Avenue no plot subdivision is proposed and amenity space would be shared between No.15-17 Claremont Avenue and the proposed units.
9. The proposed building would be approximately 5.6m deep and 25m wide with a ridge height of approximately 6.6m. The proposed building would be sited to the rear of No.15-No.17 Claremont Avenue and would be screened by the buildings fronting Claremont Avenue. The proposal would retain the frontage buildings and would therefore preserve the character of Claremont Avenue. A 1m separation distance would be retained to the south and west boundaries and 11m separation to the north boundary. An approximate 10.4m separation would be maintained to No.15-17 Claremont Avenue. It is considered the proposed building would maintain an acceptable visual separation.
10. The proposal would continue the pattern of a secondary tier of development within Claremont Avenue. A secondary tier of development has already been introduced to the rear of No.23-25 Claremont Avenue and No.19, 21 and 21A Claremont Avenue. It is considered that the proposed would be inkeeping with the now established grain and pattern of development in the area.
11. In terms of design, the proposed building would maintain an appearance and use of external materials consistent with the neighbouring properties. The proposal includes a barn hipped roof and partial dormers to reduce the ridge height.
12. Overall it is considered that the proposal would respect and make a positive contribution to the street scene and the character of the area in accordance with Policies CS21 and CS24 of the Woking Core Strategy (2012), Policy DM10 of the DM Policies DPD (2016), Supplementary Planning Guidance 'Plot Subdivision - Infilling and Backland Development, Supplementary Planning Document 'Woking Design' and the NPPF.

### Impact upon neighbouring amenity

13. 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.
14. The proposed building would be sited approximately 11.2m from the boundary with No.1 and No.2 Claredale Road, approximately 13.4m from Gosden House, 19 Claremont Avenue, approximately 18m from No.19A-D Claremont Avenue and approximately 10.4m from No.15-17 Claremont Avenue. The proposed separation distances are considered acceptable and would not have an overbearing or loss of privacy impact to

## 5 September 2017 PLANNING COMMITTEE

these properties. A condition (condition 8) will restrict the insertion of first floor windows in the east and west elevations to retain the privacy of neighbouring properties.

15. The proposal would be sited approximately 1m from the south boundary and approximately 4.8m from The End House, Salisbury Road. There are two ground floor windows (serving bedroom and kitchen) in the east elevation of The End House, Salisbury Road. Due to the relationship with the application site there would not have a significant loss of daylight to the bedroom. The 25 degree test has been applied and failed to the kitchen; the kitchen is served by secondary glazed doors in the north elevation. It is considered there would not be a significant loss of daylight to the kitchen. At first floor there are two windows serving bedrooms in the east elevation orientated towards the application site, the 25 degree test has been applied and passed. There would not be a significant loss of daylight to the bedrooms in the east elevation.
16. For the avoidance of doubt, no vehicular access is proposed via Salisbury Road and therefore no additional impact will occur in terms of vehicle movements.
17. Overall, the impact upon neighbouring amenity is considered to be acceptable in accordance with Policy CS21 of the Woking Core Strategy 2012, Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight (2008)' and the core principles of the National Planning Policy Framework 2012 (NPPF).

### Amenities of future occupiers

18. In terms of the proposed dwelling it is considered that a reasonable degree of outlook, daylight and sunlight would be achieved to the main habitable areas within the property. The proposed building and No.15-17 Claremont Avenue would share the area of private amenity space. The proposed private amenity space to serve the new dwellings and No.15-17 Claremont Avenue (approximately 175sq m) would exceed the footprint of the proposed dwellings and No.15-17 Claremont Avenue (approximately 131sq m) and as such is considered to be acceptable having regard to the size of the proposed dwelling and the prevailing grain and pattern of development within the surrounding area.
19. There is sufficient space on site for the storage of additional refuse/recycling bins, condition 13 is recommended to secure details.

### Highways and parking implications

20. The Parking Standards Supplementary Planning Document (2006) does not have a parking standard for this type of use. The proposed units would be accessed from the existing vehicular access from Claremont Avenue. The proposal would create an additional 4 x 1 bedroom units. The information submitted with the application has advised that the additional units would not result in an increase in staff numbers and that services users do not have access to cars. The existing on site parking will not be affected by the proposal.
21. Overall therefore the proposal is considered to result in an acceptable impact upon highway safety and car parking provision and accords with policy CS9 and CS18 of the Woking Core Strategy 2012, Supplementary Planning Document 'Parking Standards' (2008) and the National Planning Policy Framework (2012).

### Trees and Landscaping:

22. There are no significant trees on the site which would require protection during construction; however a landscaping scheme can be secured by condition (Condition 4).

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### Contamination

23. Paragraphs 120 and 121 of the NPPF relate to contamination and advise that the effects of pollution should be taken into account and that the responsibility for securing a safe development rests with the developer and/or landowner. Policy DM5 of the DM Policies DPD relates to environmental pollution and Policy DM8 relates to land contamination and seeks to remediate or minimise the risks from contamination.
24. The Council's Scientific Officer has been consulted on the application and has advised the application is site is located adjacent to a potentially contaminated site due to fuel oil loss and as such it is considered that a contamination condition is required to remediate the land if necessary (condition 9).

### Thames Basin Heaths Special Protection Area (TBH SPA)

25. The Thames Basin Heaths Special Protection Area are internationally important and designated for their interest as habitats for ground nesting birds. Policy CS8 of the Woking Core Strategy requires all new residential development within the 400m-5km zone to make a financial contribution towards the provision of Suitable Alternative Natural Greenspace (SANG) and the Strategic Access Management and Monitoring (SAMM) to avoid adverse effects. The SANG contribution is now encompassed within the Community Infrastructure Levy (CIL) but the SAMM element of the contribution is required to be secured outside of CIL.
26. The application is for 4 No. 1 bed flats within C2 use and will be occupied by males with mental health issues. The demographics of the future occupiers means they are likely to recreate on the TBHSPA. The applicant has agreed to make a SAMM contribution of £1948.00 in line with the Thames Basin Heaths Special Protection Area Avoidance Strategy as a result of the uplift of 4 No. 1 bedroom dwelling that would arise from the proposal.
27. In view of the above, the Local Planning Authority is able to determine that the development would have no significant effect upon the SPA and therefore accords with Policy CS8 of the Woking Core Strategy 2012 and the 'Thames Basin Heaths Special Protection Area Avoidance Strategy'.

### Affordable Housing

28. Following the recent Court of Appeal judgement of R (West Berkshire District Council and Reading Borough Council) v. Secretary of State for Communities and Local Government [2016] EWCA Civ 441, the policies within the Written Ministerial Statement of 28 November 2014 as to the specific circumstances where contributions towards affordable housing and tariff-style planning obligations should not be sought from small scale and self build development is a material consideration. In line with this statement, as the proposed development involves the creation of four residential flats it is excluded from the affordable housing levy and as such no contribution is sought.

### Sustainable construction

29. Planning policies relating to sustainability have been updated with the withdrawal of the Code for Sustainable Homes. Therefore in applying Policy CS22 of the Core Strategy, all new residential development shall be constructed to achieve a water consumption standard of using no more than 105 litres per person per day indoor water consumption and not less than a 19% CO2 improvement over the 2013 Building Regulations TER Baseline (Domestic). A condition has been recommended to secure this (Condition 6).

## **LOCAL FINANCE CONSIDERATIONS**

## 5 September 2017 PLANNING COMMITTEE

30. The Council implemented the Community Infrastructure Levy (CIL) on 1st April 2015. The proposed building is for a Class C2 (residential institution) use and therefore the relevant CIL rate is nil.

### **CONCLUSION**

31. Overall it is considered that the proposal would respect and make a positive contribution to the street scene and the character of the area in accordance with Policies CS21 and CS24 of the Woking Core Strategy 2012, Policy DM10 of the DM Policies DPD, Supplementary Planning Guidance 'Plot Subdivision - Infilling and Backland Development; Supplementary Planning Document 'Woking Design' and the NPPF.
32. The proposal is also considered to result in an acceptable impact upon neighbouring amenity, to provide a good standard of amenity to future occupiers and to result in acceptable highways and car parking implications having regard to the relevant policies of the Development Plan, other relevant material planning considerations and national planning policy and guidance. Thames Basin Heaths Special Protection Area (SPA) mitigation will be addressed by way of Legal Agreement.
33. The proposal is therefore considered to be an acceptable form of development that complies with Policies CS1, CS8, CS10, CS11, CS12, CS13, CS18, CS21, CS22, CS24 and CS25 of the Woking Core Strategy 2012, Policy DM10 of the DM Policies DPD (2016), Supplementary Planning Documents 'Outlook, Amenity, Privacy and Daylight (2008)', 'Design (2015)' and 'Parking Standards (2006)', Supplementary Planning Guidance 'Plot subdivision: Infilling and backland development (2000)' and the 'Thames Basin Heaths Special Protection Area Avoidance Strategy 2010-2015', National Planning Practice Guidance and the National Planning Policy Framework 2012. It is therefore recommended that planning permission is granted subject to conditions as set out below.

### **BACKGROUND PAPERS**

1. Site visit photographs
2. Consultation response from County Highway Authority
3. Consultation response from Natural England
4. Consultation response from Scientific Officer

### **PLANNING OBLIGATIONS**

	<b>Obligation</b>	<b>Reason for Agreeing Obligation</b>
1.	<b>£1948.00</b> SAMM (SPA) contribution.	To accord with the Habitat Regulations, policy CS8 of the Woking Core Strategy 2012 and The Thames Basin Heaths Special Protection Area (SPA) Avoidance Strategy.

### **RECOMMENDATION**

**Grant** planning permission subject to the following conditions and SAMM (SPA) contribution secured by way of Legal Agreement:

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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 following approved plans:

Unnumbered plan showing a location plan undated and received by the Local Planning Authority 22.02.2017

141116/1 Rev A dated November 2016 and received by the Local Planning Authority on 06.07.2017

141116/2 dated November 2016 and received by the Local Planning Authority on 27.02.2017

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

3. The development hereby permitted shall not commence until samples and a written specification of the materials to be used in the external elevations of the building hereby approved and hard surfaced areas 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 in accordance with Policies CS20 and CS21 of the Woking Core Strategy 2012 and the policies of the NPPF.

4. The development hereby permitted shall not commence until a detailed landscaping scheme has been submitted to and approved in writing by the Local Planning Authority which specifies, all existing trees and landscape features to be retained and the 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 completion of the development 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 in accordance with Policies CS7, CS17, CS21 and CS24 of the Woking Core Strategy 2012 and the policies in the NPPF.

5. The first floor window (serving landing) and rooflight (serving shower rooms and kitchenette) in the south elevation hereby permitted shall 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 floor of the room in which the window is installed. Once installed the windows shall be permanently retained in that condition unless otherwise agreed in writing by the Local Planning Authority.

## 5 September 2017 PLANNING COMMITTEE

Reason: To safeguard the amenities of the adjoining properties in accordance with Policy CS21 of the Woking Core Strategy 2012.

6. ++ Prior to the commencement of any works to construct the building hereby permitted (including foundations) details shall be submitted for the written approval of the Local Planning Authority demonstrating that the development will be constructed to achieve a water consumption standard of not more than 105 litres per person per day maximum indoor water consumption and not less than a 19% CO2 improvement over the 2013 Building Regulations TER Baseline (Domestic). Such details as may be approved shall be installed prior to the first occupation of the building and maintained and operated in perpetuity, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of sustainable construction in accordance with Policy CS22 of the Woking Core Strategy 2012 and Supplementary Planning Document 'Climate Change (2013)'.

7. Notwithstanding the provisions of Article 3, Schedule 2, Part 2 and Class A of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any orders amending or re-enacting that Order with or without modification) no fences, gates or walls or other means of enclosure shall be erected forward of the front (north) building line of the building hereby permitted without planning permission being first obtained from the Local Planning Authority.

Reason: To preserve the open plan appearance of the surrounding area and to avoid a proliferation of various means of enclosure in accordance with Policy CS21 of the Woking Core Strategy 2012.

8. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no window, dormer window, rooflight, door or other additional openings shall be formed (at first floor level or above within either the east or west (side) elevation(s) of the resulting building (including the roof)) without planning permission being first obtained from the Local Planning Authority.

Reason: To protect the amenity and privacy of the occupiers of adjoining properties in accordance with Policy CS21 of the Woking Core Strategy 2012.

9. If during development, contamination not previously identified is found present at the site then no further development (unless otherwise agreed in writing by the Local Planning Authority) shall be carried out until the a remediation strategy has been submitted to and approved in writing by the Local Planning Authority detailing how this unsuspected contamination shall be dealt with.. The remediation strategy shall be implemented in accordance with the approved details.

Reason: To comply with the National Planning Policy Framework (NPPF) which requires development to contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from or being adversely affected by unacceptable levels of water pollution (paragraph 109) and to ensure that adequate site investigation information, prepared by a competent person, is presented (paragraph 12).

10. ++ The development hereby permitted (including any clearance works and demolition) shall not commence until a Construction Method Statement has been submitted to

## 5 September 2017 PLANNING COMMITTEE

and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- i) the parking of vehicles of site operatives and visitors
- ii) loading and unloading of plant and materials
- iii) storage of plant and materials used in constructing the development
- iv) measures to control the emission of dust and dirt during construction
- v) a scheme for recycling/disposing of waste resulting from demolition and construction works

Deliveries of construction materials, plant and machinery and any removal of spoil from the site shall only take place between the hours of 0730 and 1800 Monday to Friday and 0800 and 1300 on Saturdays. No deliveries shall take place on Sundays or public holidays.

Measures will be implemented in accordance with the approved Method of Construction Statement and shall be retained for the duration of the construction period. Only the approved details shall be implemented during (each associated phase of) the construction works unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the development does not prejudice highway safety nor cause inconvenience to other highway users and in the interests of public safety and amenity in accordance with Policies CS18 and CS21 of the Woking Core Strategy 2012.

11. The development hereby approved shall be occupied only as residential accommodation ancillary to the use of the residential care facility currently known as Cherrytrees Care (15-17 Claremont Avenue) and shall not be used as independent residential units.

Reason:

To ensure that the care facility remains ancillary to the care facility and does not form a separate residential unit.

12. Notwithstanding the provisions of Article 3, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) and the Town and Country Planning (Use Classes) Order 1987 (or any Order revoking and re-enacting that Order with or without modification) the building hereby approved shall only be used as a Residential Care home for people with mental health issues and for no other purposes whatsoever either within or outside Class C2 (Residential Institution) without the prior written permission of the Local Planning Authority.

Reason: To restrict the use of the development in accordance with the nature of the facilities proposed.

13. ++ Prior to the commencement of the development hereby permitted details of the means of enclosure of refuse/recycling/food waste bin/cycle storage areas shall be submitted to and approved in writing by the Local Planning Authority. The bin stores and facilities shall be provided in accordance with the approved details prior to the first occupation of the development and permanently retained thereafter for use by future occupiers at all times.

## 5 September 2017 PLANNING COMMITTEE

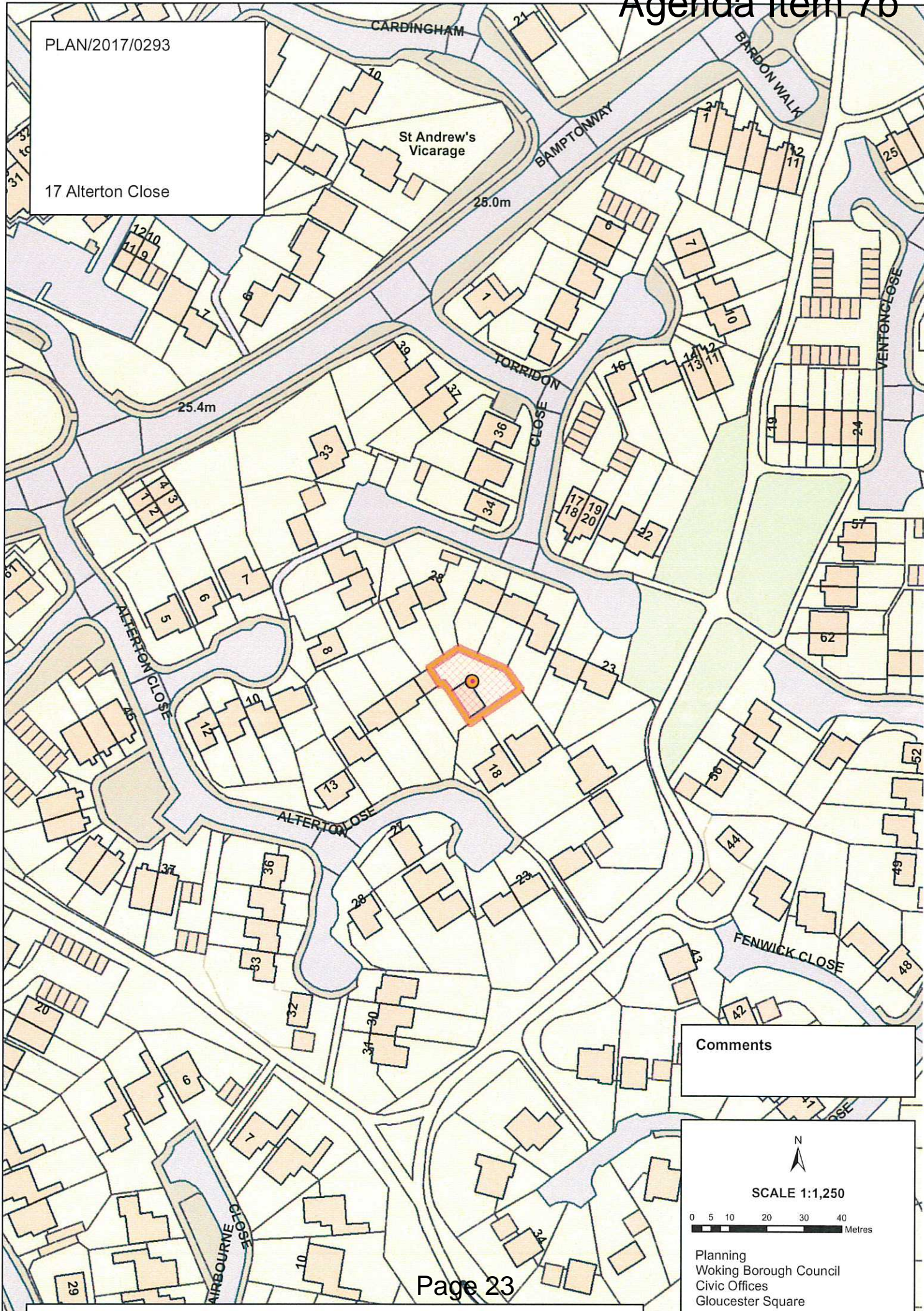
Reason: In the interests of amenity and to ensure the provision of satisfactory facilities for the storage and recycling of refuse and cycles in accordance with Policy CS21 of the Woking Core Strategy (2012).

### **Informatives**

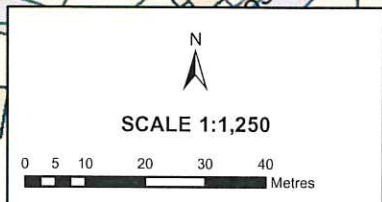
1. The Council confirms that in assessing this planning application it has worked with the applicant in a positive and proactive way, in line with the requirements of paragraph 186-187 of the National Planning Policy Framework 2012.
2. The applicants attention is specifically drawn to the conditions 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.
3. 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.
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.



PLAN/2017/0293  
17 Alterton Close



Comments



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







## 05 September 2017 PLANNING COMMITTEE

6b 17/0293 Reg'd: 17.03.17 Expires: 12.05.17 Ward: GP  
Nei. 18.04.17 BVPI Minor Number 20/8 On No  
Con. Target of Weeks Target?  
Exp: on Cttee'  
Day:

**LOCATION:** 17 Alterton Close, Woking, Surrey, GU21 3DD

**PROPOSAL:** Erection of a part two-storey/part single-storey side extension and conversion of an existing garage to facilitate the creation of an annexe. Erection of a rear conservatory (amended description).

**TYPE:** Householder.

**APPLICANT:** Mr M Ali

**OFFICER:** Tanveer  
Rahman

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### **REASON FOR REFERRAL TO COMMITTEE**

This applicant is a Woking Borough Councillor and the application cannot therefore be determined under delegated powers.

### **PLANNING STATUS**

- Urban Area
- Tree Preservation Order
- Thames Basin Heaths SPA Zone B (400m-5km)

### **RECOMMENDATION**

Grant planning permission subject to conditions.

### **SITE DESCRIPTION**

17 Alterton Close is a two-storey, pitched roof detached house which is situated in the north east corner of the cul-de-sac. The property has a shared driveway to its front and a double garage in the northwest corner of the site. The property's garden wraps around the side (north west) and rear elevations.

### **PLANNING HISTORY**

PLAN//2016/1037: Proposed attached annexe including part two storey, part single storey side extension and conversion of one existing garage into habitable room and proposed rear conservatory - refused on 10.01.2017 for the following reasons:

*"01. By reason of its scale, internal accommodation and the size of the accommodation in relation to the main dwelling, it has not been designed in such a way which would render it incapable of being occupied separately from the main dwelling and the proposed annexe has not been demonstrated to be genuinely ancillary to the occupation of the main dwelling. The proposal is therefore contrary to Policy DM9 of the Development Management Policies DPD 2015.*

02. *In the absence of arboricultural information in line with BS 5837:2012, it has not been demonstrated that the proposed extensions would not result in adverse impacts upon the health of trees within close proximity which contribute to the visual amenity of the area. The proposal is therefore contrary to policies CS21 and CS24 of the Woking Core Strategy 2012, Policy DM2 of the Development Management Policies DPD and the core principles of the National Planning Policy Framework 2012.*
03. *In the absence of a Legal Agreement or other appropriate mechanism to secure contributions towards mitigation measures, it cannot be determined that the additional dwelling would not have a significant adverse impact on the Thames Basin Heaths Special Protection Area, contrary to Policy CS8 of the Woking Core Strategy (2012), the Thames Basin Heaths Avoidance Strategy (2010 - 2015) and saved Policy NRM6 of the South East Plan (2009) and the Conservation of Habitats and Species Regulations 2010 (SI No. 490 - the "Habitats Regulations")*
04. *The annexe could be used as an independent dwelling and would increase the number of cars and pressure upon car parking. It is considered the proposal would remain inconsistent with the existing car parking approach within Alterton Close, where all the properties have a garage and driveway. This issue is exacerbated by the loss of one garage into a habitable room and given that it is a shared access driveway and could potentially block access to No.16 Alterton Close garage and parking area. Given these factors it is considered that parking provision would not be capable of being provided on the shared access driveway without impacting on the neighbouring property No. 16 Alterton access to their garage and parking and would increase street parking in the Close. The impact upon car parking provision is therefore unacceptable and contrary to CS18 Transport and accessibility of the Core Strategy (2012), Supplementary Planning Document 'Parking Standards' (2008) and the National Planning Policy Framework (2012)."*

PLAN/2016/0600 - Proposed attached annexe, part two storey side and rear extension, part single storey rear and side extension and conversion of one existing garage into a habitable room - withdrawn 12.08.2016.

### **PROPOSED DEVELOPMENT**

The proposal is for a two-storey side extension which would have a pitched roof that would be a continuation of the existing main roof of the house. A ground floor window and a first floor window are proposed in its front elevation. A set of bi-fold doors and a first floor window are proposed in its rear elevation. A single-storey, hipped roof extension is proposed to infill the area between the proposed two-storey extension and the property's double garage. A window is proposed in its rear elevation. Part of the garage is proposed to be converted to a habitable room. In order to serve this new room an existing garage door is proposed to be partially blocked up and a window is proposed in the remaining opening. A second set of internal stairs are proposed to provide access to the first floor level of the extension. The application also proposes a conservatory on the existing rear elevation of the house.

The changes to this application compared to PLAN//2016/1037 are:

- A second kitchen is no longer proposed.
- An internal wall separating a proposed bedroom from the kitchen/living room has been removed.
- A ground floor bedroom has been changed to an office.

A drawing has also been submitted demonstrating there would still be space to park one car in the existing garage and a further three cars on the existing driveway.

## **CONSULTATIONS**

LPA Senior Arboricultural Officer:

*“There are minor implications for trees as is demonstrated by the Arboricultural information provided by Green Earth Arboricultural and Environmental Consultancy dated 27/02/2017, however the trees could be affected during the construction phase therefore tree protection details will be required prior to commencement of any works on site this should be produced in line with BS5837 and be prepared by a suitably qualified and experienced Arboricultural Consultant.”*

The County Highway Authority (SCC) had no objections or requirements to PLAN//2016/1037. Given the similarity of that application with this current one it is considered that these comments are still applicable.

## **REPRESENTATIONS**

15 letters of objection from 10 separate objectors were received which made the following statements:

- Given the similarity of the drawings to the previous two applications at the application site the intention of this application is clearly to create another dwelling to sell or rent out.
- An objector questioned why another set of stairs was required for a single family home.
- The density created by the proposal would be out of keeping with the area and could set a precedent.
- It could increase demand for on street parking which is already limited.
- The submitted drawings show the boundary line between the objector's property drawn incorrectly (*Case officer's note: drawings are taken at face value and land ownership/boundary disputes are a civil matter which fall outside of planning control*).
- Proposed guttering would overhang the boundary into neighbour's property (*Case officer's note: planning permission does not convey the right to enter or build on land that is not within their ownership*).
- The proposed plans show that a wood burner would be closer to an objector's property and they currently have issues with the smell from an existing wood burner at the application site furthermore this could create a fire hazard.
- The proposed extension is much larger than others in the cul-de-sac and would mean that no.16 would no longer be a semi-detached property.
- The existing garages on site are narrow and cannot accommodate large cars.
- The proposed parking arrangements are unrealistic and would involve no.16 having to drive over their lawn to access their garage.
- An objector questioned why some properties were not notified of the application and wanted to know why the standard consultation period was not extended to take into account the Easter school holidays (*Case officer's note: the consultation was carried out in accordance with the Council's procedures*).
- The proposal would raise drainage and other infrastructural issues (*Case officer's note: these would not normally be planning issues*).
- The proposal would create a 'terracing effect'.
- The proposal is contrary to local planning policies in design terms.
- The proposal would create an unacceptable overbearing towards an objector's property.

**RELEVANT PLANNING POLICIES**

National Planning Policy Framework (2012):

Section 7 - Requiring good design

Section 11 - Conserving and enhancing the natural environment

Woking Core Strategy (2012):

CS8 - Thames Basin Heaths Special Protection Areas

CS18 - Transport and accessibility

CS21 - Design

Development Management Policies Development Plan Document (2016):

DM2: Trees and Landscaping

DM9: Flats Above Shops and Ancillary Accommodation

Supplementary Planning Documents:

*Woking Design SPD* (2015)

*Outlook, Amenity, Privacy and Daylight* (2008)

*Parking Standards* (2006)

**PLANNING ISSUES**

Impact on the character of the area

1. The external appearance of this proposal is the same as what was proposed as part of PLAN/2016/1037. That application was considered to have acceptable impact on the character of the area.
2. The proposal is therefore considered to result in a visually acceptable dwelling which would have an acceptable impact on the character of the surrounding area and accord with section 7 of the *National Planning Policy Framework* (2012), policy CS21 of the *Woking Core Strategy* (2012), policy DM9 of the *Development Management Policies Development Management Document* (2016) and *Woking Design SPD* (2015).

Impact on neighbours:

3. The neighbours potentially most affected by this application would be the properties on Torridon Close which adjoin the application site, 16 Alterton Close, 18 Alterton Close and 19 Alterton Close. Given the proposed scale, form, design and location of the PLAN/2016/1037 it was considered that it would not create unacceptable overlooking issues, it would not unacceptably impact sunlight/daylight levels and that it would not appear unacceptably overbearing towards any of these properties. The external scale, form and design of this proposal is no different to what was proposed as part of PLAN2016/1037. It is therefore considered that this application would also have acceptable impact on neighbouring amenity.
4. The proposal is considered to have an acceptable impact on neighbouring amenity which would accord with policy CS21 of the *Woking Core Strategy* (2012), *Woking Design SPD* (2015), *Outlook, Amenity, Privacy and Daylight* (2008) and section 7 of the *National Planning Policy Framework* (2012).

Impact private amenity space



## 05 September 2017 PLANNING COMMITTEE

5. The Council's SPD *Outlook, Amenity, Privacy and Daylight* (2008) identifies recommended minimum garden amenity areas. As a family dwelling house with two bedrooms or more, and measuring over 65sqm in gross floorspace the SPD sets out a minimum provision of "a suitable area of private garden amenity in scale with the building but always greater than the building footprint". It also states that "in established residential areas, where the existing pattern of development has a well defined character, the size, shape and position of the garden will need to reflect the existing context and be in proportion to the size of the dwelling". The footprint of the resulting dwelling would measure approximately 126sqm. The resulting area of private amenity space would be 128sqm which would be more than the footprint and consequently complies with the above policy. Furthermore, when assessed as a single dwelling PLAN/2016/1037 was considered to have had an acceptable impact on private amenity space.
6. The proposal is therefore considered to have an acceptable impact on private amenity space which would accords with policy CS21 of the *Woking Core Strategy* (2012), *Woking Design SPD* (2015), *Outlook, Amenity, Privacy and Daylight* (2008) and section 7 of the *National Planning Policy Framework* (2012).

### Annexe use

7. Policy DM9 of the *Development Management Policies Development Plan Document* (2016) states that: "Ancillary residential extensions, including 'granny annexes' and staff accommodation, designed in accordance with Core Strategy policy CS21 and the Council's Design SPD, will be permitted provided they share a common access with the main dwelling and are physically incorporated within it, and are designed in such a way that renders them incapable of being occupied separately from the main dwelling. Freestanding units that can demonstrate they are genuinely ancillary to the occupation of the main house will be considered in light of the character and amenities of the area and may be subject to conditions restricting their occupancy. Separate, freestanding, independent accommodation will be treated in the same way as a proposal for a new dwelling"
8. The reasoned justification for the policy states that: "The Council is mindful that housing development needs to respond flexibly to the changing needs of families by accommodating additional relatives or staff. The policy on ancillary accommodation aims to meet such needs whilst recognising that separate buildings within the curtilage of larger dwellings can have a negative impact on the character of the area and may not have suitable amenity space or access arrangements to be used as an independent house – for example, if an annex was sold off as a separate dwelling this could adversely affect the demand for access and parking on the site".
9. One of the reasons for the refusal of PLAN/2016/1037 was that it could be used as a separate dwelling to the existing house. It is noted that the scale and form of this application is the same as PLAN/2016/1037 however the internal layout has been altered so that it would no longer have separate kitchen facilities to the main house. Furthermore, according to the proposed plans it does not appear as though the entrance hall could be easily reconfigured to separate the existing dwelling from the annexe. It is therefore considered that this scheme has been redesigned in a way that makes it incapable of being occupied separately from the main dwelling.
10. The proposal is therefore considered to be acceptable in terms of its internal layout which accords with policy DM9 of the *Development Management Policies Development Management Document* (2016). However, it is acknowledged that future internal alterations to the approved layout would not need planning permission. In

## 05 September 2017 PLANNING COMMITTEE

order to ensure that the dwelling is not split into separate units over time, it is considered that it is necessary to attach a condition to any permission preventing the use of the dwelling as two or more separate units (condition 4).

### Impact on trees

11. One of the reasons for the refusal of PLAN/2016/1037 was that aboricultural information in line with BS 5837:2012 had not been submitted to demonstrate that the proposal *would not result in adverse impacts upon the health of trees within close proximity which contribute to the visual amenity of the area.*
12. As mentioned above the same aboricultural information has been submitted as part of this application however the LPA's Senior Aboricultural Officer has requested further information by way of condition.
13. Subject to the imposition of a condition the proposal is therefore considered to have an acceptable impact on trees which would accord with policy CS21 of the *Woking Core Strategy (2012)*, policy DM2 *Development Management Policies Development Management Document (2016)*, *Woking Design SPD (2015)* and section 7 of the *National Planning Policy Framework (2012)*.

### Impact on car parking provision & highway safety

14. One of the reasons for the refusal of PLAN/2016/1037 stated that "*The annexe could be used as an independent dwelling and would increase the number of cars and pressure upon car parking. It is considered the proposal would remain inconsistent with the existing car parking approach within Alterton Close, where all the properties have a garage and driveway.*" It went on to state that "*given that it is a shared access driveway and could potentially block access to No.16 Alterton Close*".
15. As noted previously it is considered that the amended scheme has been designed in a way that makes it incapable of being occupied separately from the main dwelling. Furthermore, a plan showing that four cars could be parked on site without impeding access to no.16's garage has been submitted.
16. The proposal is therefore considered acceptable in terms of its impact on car parking and highway safety which accords with *Parking Standards (2006)*.

### Local Finance Considerations:

17. Reason 3 for the refusal of PLAN/2016/1037 was an absence of a legal agreement or other appropriate mechanism to secure a Strategic Access Management and Monitoring (SAMM) contribution for the mitigation against adverse impacts on Thames Basin Heaths Special Protection Area. Given that the proposal is no longer considered to result in a additional dwelling this contribution would no longer be required and this reason for refusal is considered to have been overcome.

## **CONCLUSION**

Overall, the proposal is considered to have an acceptable impact on the character of the area, neighbouring amenity, private amenity space, annexe use, trees, car parking provision & highway safety and local finance considerations. It is considered that it addresses all

reasons for the refusal of PLAN/2016/1037. The proposal therefore accords with policies CS8, CS18 and CS21 of the *Woking Core Strategy* (2012), policies DM2 and DM9 of the *Development Management Policies Development Management Document* (2016), *Woking Design SPD* (2015), *Outlook, Amenity, Privacy and Daylight* (2008), *Parking Standards* (2006) and sections 7 and 11 of the *National Planning Policy Framework* (2012) and is recommended for approval.

### **BACKGROUND PAPERS**

Site visit photographs (27.04.2017)

Tree survey (received by the LPA on 16.03.2017)

### **RECOMMENDATION**

It is recommended that planning permission be GRANTED subject to the following conditions:

1. The development hereby permitted shall 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).

2. The development hereby permitted shall be carried out in accordance with the approved drawings listed below:

- 1:500 block plan Drwg no.B.11 (received by the LPA on 16.03.2017)
- 1:200 proposed block plan Drwg no.P.11 (received by the LPA on 16.03.2017)
- 1:100 proposed ground floor plan (received by the LPA on 16.03.2017)
- 1:100 proposed ground floor plan showing parking layout (received by the LPA on 16.03.2017)
- 1:100 proposed first floor plan Drwg no.P.18 (received by the LPA on 16.03.2017)
- 1:100 proposed roof plan Drwg no.P.19 (received by the LPA on 16.03.2017)
- 1:100 proposed front and side (south east) elevation Drwg no.P.20 (received by the LPA on 16.03.2017)
- 1:100 proposed rear and side (north west) elevation Drwg no.P.21 (received by the LPA on 16.03.2017)

Reason:

For the avoidance of doubt and to ensure that the development is completed in accordance with the approved drawings.

3. The external finishes of the development hereby permitted shall match those used in the existing building in material, colour, style, bonding and texture.

Reason:

## 05 September 2017 PLANNING COMMITTEE

In the interests of the character and appearance of the building and the visual amenities of the area and in accordance with policy CS21 of the *Woking Core Strategy* (2012).

4. The development hereby permitted shall be occupied only as residential accommodation ancillary to the use of the dwelling currently known as '17 Alterton Close' and shall not be used as an independent residential unit.

Reason:

To ensure the dwelling remains in single family occupation and the use of the premises is compatible with the surrounding area.

5. The remaining garage at 17 Alterton Close shown on the plans hereby approved shall only be used for the parking of vehicles ancillary to the residential use of the site and shall be retained thereafter solely for that purpose and made available to the occupiers of the property at all times for parking purposes unless otherwise first agreed in writing by the Local Planning Authority.

Reason:

In the interests of amenity and to ensure a satisfactory form of development in accordance with Policies CS18 and CS21 of the *Woking Core Strategy* 2012.

6. ++ No development related works shall be undertaken on site (including clearance and demolition) until tree protection details, to include the protection of hedges and shrubs, have been submitted to and approved in writing by the Local Planning Authority. These details shall adhere to the principles embodied in BS 5837 2012 and shall include a Tree Survey, Arboricultural Impact Assessment and Arboricultural Method Statement. The details shall make provision for the convening of a pre-commencement meeting and Arboricultural supervision by a suitably qualified and experienced Arboricultural Consultant for works within the RPAs of retained trees. Full details shall be provided to indicate exactly how and when the retained trees will be protected during the site works. The development shall be carried out strictly in accordance with the agreed details.

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).

### **Informatives**

1. Your 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 COMMENCEMENT OF ANY DEVELOPMENT ON THE SITE or, require works to be carried out PRIOR TO THE COMMENCEMENT OF THE USE. 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.

## 05 September 2017 PLANNING COMMITTEE

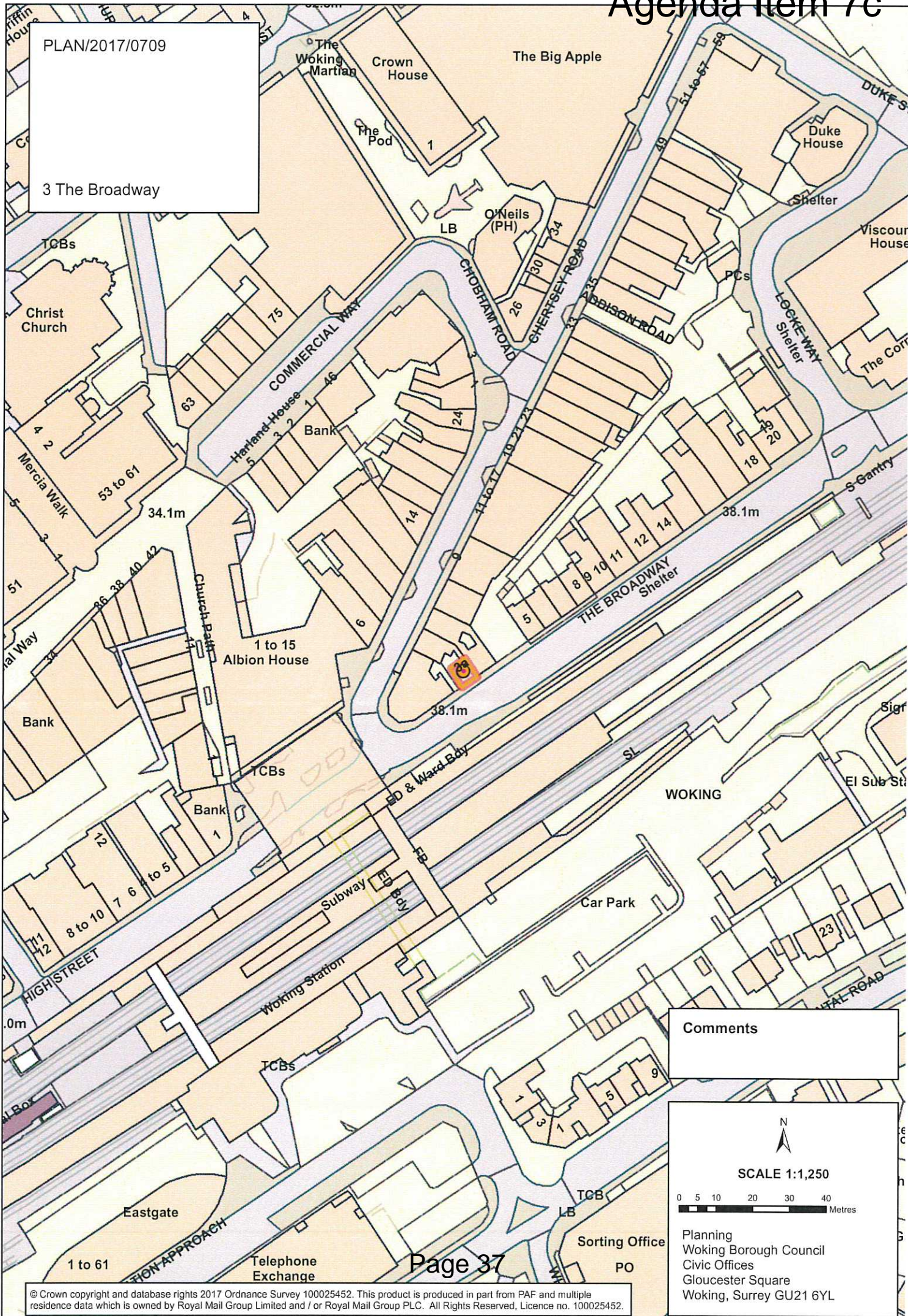
You are advised that sufficient time needs to be given when submitting details in response to conditions, to allow the Authority to consider the details and discharge the condition. A period of between five and eight weeks should be allowed for.

2. 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 paragraph 186-187 of the *National Planning Policy Framework* (2012).
3. It is noted that a set of bi-fold doors are shown on the proposed side (north west) elevation but not on the ground floor plan. However given the presence of boundary fencing in front of this elevation it is considered that this inconsistency raises no material planning issues.
4. The applicant is reminded that planning permission does not convey the right to enter or build on land that is not within their ownership.



PLAN/2017/0709

3 The Broadway



Comments

N

SCALE 1:1,250

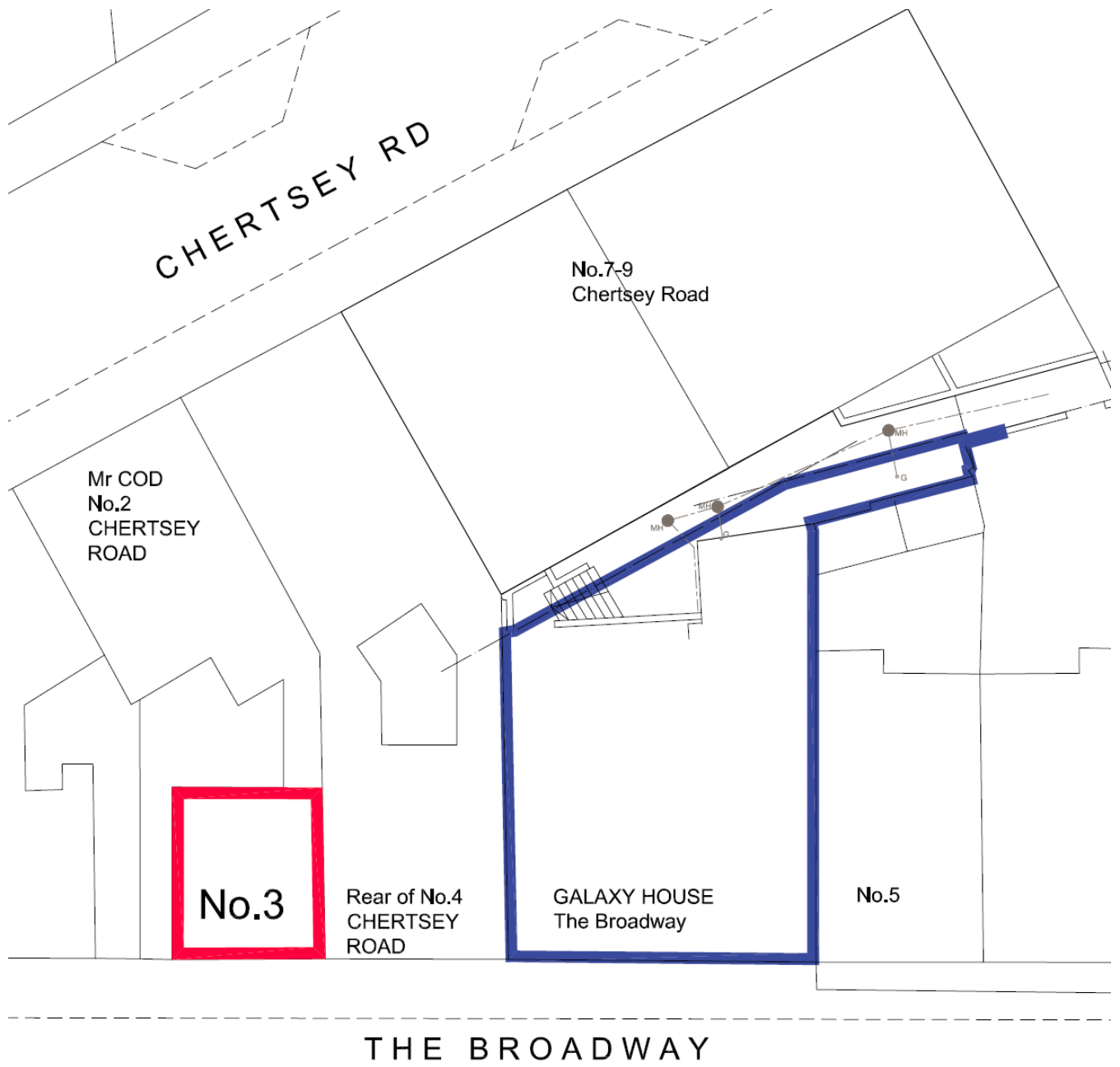
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Planning  
Woking Borough Council  
Civic Offices  
Gloucester Square  
Woking, Surrey GU21 6YL

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## 5 SEPTEMBER 2017 PLANNING COMMITTEE

6c 17/0709 Reg'd: 21.06.17 Expires: 16.08.17 Ward: C  
Nei. 31.07.17 BVPI Change of Number 11/8 On No  
Con. Target use (20) of Weeks Target?  
Exp: on Cttee'  
Day:

**LOCATION:** 3 The Broadway, Woking, GU21 5AP

**PROPOSAL:** Change of use from Hot food takeaway (Use Class A5) to Taxi hire offices (Sui Generis use) including alterations to existing shopfront and first-floor front oriel window and first floor fire escape door with rear dormer roof extension (amended plans received 16.08.2017 omitting front canopy).

**TYPE:** Full Application

**APPLICANT:** Captiv8 Global Ltd

**OFFICER:** Benjamin Bailey

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### **REASON FOR REFERRAL TO COMMITTEE**

The application has been referred to Planning Committee for determination by the Development Manager due to the high number of third party representations received.

### **SUMMARY OF PROPOSED DEVELOPMENT**

Change of use from Hot food takeaway (Use Class A5) to Taxi hire offices (Sui Generis use) including alterations to existing shopfront and first-floor front oriel window and first floor fire escape door with rear dormer roof extension (amended plans received 16.08.2017 omitting front canopy).

Site Area: 0.003 ha (30 sq.m)

### **PLANNING STATUS**

- Urban Area
- Woking Town Centre
- Conservation Area (Woking Town Centre)
- Primary Shopping Area
- Secondary Shopping Frontage
- High Accessibility Zone
- Thames Basin Heaths Special Protection Area (TBH SPA) Zone B (400m-5km)

### **RECOMMENDATION**

**Grant** planning permission subject to recommended conditions.

### **SITE DESCRIPTION**

No.3 The Broadway is situated within the Urban Area of Woking Town Centre and within the Woking Town Centre Conservation Area. No.3 itself is not Locally Listed although adjacent No.1 and No.3 Chertsey Road are Locally Listed. No.3 demonstrates a shopfront to The

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Broadway with an oriel window above. The rear roof slope pitches down to a first floor level decked area to the rear which is accessed via a gate and steps to the side which also provide access to the flat to the rear within No.2 Chertsey Road.

### **RELEVANT PLANNING HISTORY**

PLAN/1997/0483 - Display of an externally illuminated fascia sign and externally illuminated projecting sign (amended plans and amended description).  
Permitted subject to conditions (17.07.1997)

PLAN/1997/0482 - New shop front and extraction ducting to the rear of the unit (amended plans).  
Permitted subject to conditions (17.07.1997)

PLAN/1996/0845 - Display of an externally illuminated fascia sign and externally illuminated projecting sign (retrospective application) (amended description and amended plans).  
Permitted subject to conditions (05.06.1997)

### **CONSULTATIONS**

#### **County Highway Authority (SCC):**

I note that the Applicant intends to incorporate a canopy over the footway on The Broadway; in order for this to be acceptable the Applicant would need to apply for an Over sailing Licence from the CHA and certain criteria would need to be fulfilled. It is noted that these are not the case as the application currently stands.

I'm also aware that The Broadway is one of the busier streets in central Woking, and experiences significant traffic volumes in terms of vehicles and pedestrians. The width of the footway is 2 metres at this point so any protrusions that could result in pedestrians and vehicular traffic mixing should ideally be avoided, likewise any overhang that could be struck by large vehicles should also be minimised.

As such I ask that the Applicant revise the application to remove the canopy/awning.

#### **Heritage & Conservation Consultant:**

This appears to be a Locally Listed building in the Woking Town Centre Conservation Area. Again I would have thought a Heritage Statement was mandatory. The new shop front seems to be symmetrical in form and to use the same materials as now present, they also intend to retain the first floor timber bay and repaint it. I do not consider this will negatively affect the character of the Conservation Area. The proposed elevation seems to show what may be an awning protruding in front of the window. Without a

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Heritage Statement it is not possible to be certain of their intentions here. As it stands, and assuming there is no awning, I have no adverse comments.

*(Officer Note: The initially proposed front canopy/awning has been omitted from the current application by way of amended plans received on 16.08.2017)*

### **REPRESENTATIONS**

**x83 letters** of objection have been received raising the following main points:

- Due to the fact that The Broadway is now a one way street it has more general public road users on a day to day basis and is becoming a main and busier road which will subsequently create issues with vehicular access down the stretch of Broadway and Chertsey Road, with the number of Private Hire Vehicles required for this Taxi Hire Office currently located at No.5A The Broadway.
- The company has over 100 Private Hire Vehicles belonging to taxi drivers working for them, which already causes extra pressure and strain on The Broadway
- The pickup and drop off point which is being proposed by Woking Borough Council will end up having only Private Hire Vehicles using the space allocated and this will not allow the general public to drop off or pick up on The Broadway
- The number of people waiting outside will have an effect on vehicles pulling into the drop off / pick up point.
- Our concern with safety and well-being of loading and unloading disabled customers only grows larger as our voiced concerns continue to be dismissed or ignored by Woking Borough Council
- The front entrance canopy is obviously being requested for customers of the business to wait outside before being picked up; this is absurd as this will block the public use of the pavement, particularly wheelchair or pram users
- (Officer Note: The initially proposed front canopy/awning has been omitted from the current application by way of amended plans received on 16.08.2017)
- Cars and Buses will have to stop due to Private Hire Vehicles using the proposed drop off / pick up point and it will cause traffic congestion as well as issues for commuters
- Due to Hackney Carriage drivers being allocated space so near to both No.3 and No.5A The Broadway, as the proposed rank, this will cause havoc between the two rivals (Hackney Carriage and Private Hire taxis) which already causes heated arguments between the two trades and mass confusion for members of the public
- The traffic flow issues will become more pronounced with the huge number of Private Hire Vehicles accessing The Broadway, as the Private Hire Company in question is known as an office pickup company; this certainly does not lend itself favourably to a good image for Woking where millions of pounds have been invested for the betterment of the town centre and its image

### **RELEVANT PLANNING POLICIES**

National Planning Policy Framework (2012) (NPPF)

Section 7 - Requiring good design

Section 12 - Conserving and enhancing the historic environment

Woking Core Strategy (2012)

CS2 - Woking Town Centre

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CS20 - Heritage and conservation  
CS21 - Design  
CS25 - Presumption in favour of sustainable development

### Development Management Policies DPD (2016)

DM20 - Heritage Assets and their Settings

### Supplementary Planning Documents (SPDs)

Outlook, Amenity, Privacy and Daylight (2008)

Design (2015)

### Supplementary Planning Guidance (SPGs)

Heritage of Woking (2000)

### Other Material Considerations

National Planning Practice Guidance (NPPG)

### **COMMENTARY**

Amended plans were requested, and accepted, during consideration of the application to address concerns identified with the application as initially submitted. Amended plans made the following changes:

- Removal of proposed front canopy

Due to the consideration that amended plans removed part of the initial proposal, upon which public consultation was undertaken, it was not considered necessary to undertake further public consultation on amended plans.

### **PLANNING ISSUES**

1. The main planning issues to consider in determining this application are:
  - Principle of the change of use
  - Design and impact upon the Woking Town Centre Conservation Area and adjacent Locally Listed Buildings
  - Impact upon neighbouring amenity
  - Highways considerationshaving regard to the relevant policies of the Development Plan, other relevant material planning considerations and national planning policy and guidance.

#### Principle of the change of use

2. The application site falls within the Primary Shopping Area and a Secondary Shopping Frontage within Woking Town Centre. The existing lawful use of No.3 The Broadway, including at ground floor level, is Class A5 (Hot food takeaway) and therefore no conflict with Policy CS2 of the Woking Core Strategy (2012) arises in terms of the principle of the change of use to Taxi hire offices (Sui Generis use) as no A1 retail use exists on the application site.

#### Design and impact upon the Woking Town Centre Conservation Area and adjacent Locally Listed Buildings

3. The site falls within the Woking Town Centre Conservation Area which comprises the Victorian core of Woking Town Centre. Adjacent No.1 Chertsey Road (Former Barclays Bank), and No.3 Chertsey Road to the rear, are both Locally Listed. No.1 as a building of Townscape Merit and No.3 as a building of Architectural Significance.

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4. This area is historically important as it largely comprises the original commercial developments of Woking Town Centre following the development of the railway station. The High Street, Broadway and Chertsey Road were originally the principal shopping and business streets in the Town Centre. Consequently the character of the area is predominantly that of late Victorian and Edwardian purpose-built shopping parades, mostly of three storey construction, interspersed with individually designed period buildings. With more recent Town Centre development since the 1970s the focus of the shopping centre has gradually moved away from this area with alternative town centre uses (such as A2, A3 and A5) subsequently occurring at ground floor level.
5. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that, in considering applications within Conservation Areas, Local Planning Authorities shall pay "*special attention...to the desirability of preserving or enhancing the character or appearance of that area*". This is reflected in Policy CS20 of the Woking Core Strategy (2012), Policy DM20 of the Development Management Policies DPD (2016) and Section 12 of the National Planning Policy Framework (2012) (NPPF). Policy CS20 (Heritage and Conservation) advises that new development must respect and enhance the character and appearance of the area in which it is proposed. New development should also make a positive contribution to the character, distinctiveness and significance of the historic environment, including heritage assets at risk through neglect, decay or other threats. The heritage assets of the Borough will be protected and enhanced in accordance with relevant legislation and national guidance as set out in the National Planning Policy Framework 2012 (NPPF).
6. The proposal would replace what appears to be a non-original shopfront with a single mullion. The replacement shopfront would retain vertical divisions through utilising two mullions. The existing stallriser, pilasters and corbels would be retained and therefore no existing architectural detail would be obscured. Generous clear windows would be retained. A white aluminium frame would be utilised. Although a timber frame would be preferable, taking the above considerations into account, the white aluminium material is considered to be acceptable.
7. The profile of the proposed rear dormer is relatively modest in comparison to the existing building profile. The rear dormer, and fire escape stair, would be set 2 metres in from the side (south-west) elevation and would therefore not appear readily appreciable from the street scene of The Broadway through the gap between the host building and adjacent No.1 Chertsey Road. The greater height of adjacent No.5A The Broadway (to the north-east) would prevent the proposed rear dormer and fire escape stair from appearing within the street scene of The Broadway to the north-east.
8. The existing three-sided first floor oriel window would be replaced although the height of glazing would be increased which would, in turn, reduce the height of the existing supporting bracket. However the existing depth and angles of the window frame would be retained and the saddle bars and stanchion bars would remain in the same positions. Although the reduction in height of the oriel supporting bracket would alter the appearance of the oriel window its intrinsic character and appearance would nevertheless be maintained to an extent which would preserve the character and appearance of the host building and wider Conservation Area.
9. In terms of the adjacent Locally Listed buildings of No.1 and No.3 Chertsey Road paragraph 135 of the NPPF states that "*the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of*

## 5 SEPTEMBER 2017 PLANNING COMMITTEE

*any harm or loss and the significance of the heritage asset*". Given the nature, siting and extent of the proposed works it is not considered that the proposal would lead to any harm or loss to the settings of these adjacent Locally Listed buildings.

10. Overall the proposal is considered to retain the principal contribution of No.3 The Broadway to the street scene and therefore to preserve the character and appearance of the Woking Town Centre Conservation Area in accordance with policies CS20 and CS21 of the Woking Core Strategy (2012), Policy DM20 of the Development Management Policies DPD (2016) and Section 12 of the National Planning Policy Framework (2012) (NPPF).

### Impact upon neighbouring amenity

11. Policy CS21 (Design) 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. Further guidance is provided within SPD 'Outlook, Amenity, Privacy and Daylight (2008)'.

### Flat at No.2 Chertsey Road:

12. There is a first floor level flat, at No.2 Chertsey Road, to the rear of the application property. This flat demonstrates a top-hung clear-glazed window facing towards the existing rear roof slope of No.3 and a fully glazed floor to ceiling door within the side elevation of the projection. In terms of the top-hung window SPD 'Outlook, Amenity, Privacy and Daylight (2008)' states that "*suitable daylight to a dwelling is achieved where an unobstructed vertical angle of 25° can be drawn from a point taken 2 metres above floor level of the fenestrated elevation*". The proposed rear dormer extension causes no breach of a 25° angle and therefore suitable daylight would be maintained to this top-hung window. In terms of the fully glazed floor to ceiling door within the side elevation of the projection 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 to floor to ceiling windows) lies within a zone measured at 45° in both plan and elevation*". Again the proposed rear dormer extension causes no breach of a 45° angle and therefore suitable daylight would be maintained to this floor to ceiling door.
13. The proposed rear dormer would be located approximately 5.4m from that part of the elevation of the flat at No.2 Chertsey Road which contains a window. Given the form and scale of the rear dormer extension, in conjunction with this separation, and having regard to the existing relationship between the application property and the flat at No.2 Chertsey Road in a Woking Town Centre location, no significantly harmful overbearing effect, by reason of bulk, proximity or outlook, is considered to occur. The rear dormer extension would provide a fire escape and would therefore only be used occasionally in order to egress the application property. Whilst a window is proposed within the doorway of the rear dormer extension the applicant has agreed to the obscure-glazing of this window, to be secured by way of recommended condition 4, to ensure that no harmful loss of privacy arises to the flat within No.2 Chertsey Road. Overall the impact upon the flat at No.2 Chertsey Road is considered to be acceptable.
14. Having regard to the similar scale and form of the proposed oriel window in comparison to the existing oriel window, and the nature of changes to the existing shopfront, these elements of the proposal are not considered to give rise to material neighbouring amenity impacts.



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15. In terms of activity associated with the proposed use the application property is located within Woking Town Centre within close proximity to a number of licensed premises, and a 24 hour opening McDonalds restaurant, situated on Chertsey Road, The Broadway and High Street. In terms of potential noise and disturbance the proposed Taxi hire office (Sui Generis use) is not considered to result in a material change in comings and goings, and potential noise and disturbance associated with such, in comparison the existing lawful Hot food takeaway (Use Class A5) use.
16. Overall the impact upon neighbouring amenity is considered to be acceptable.

### Highways considerations

17. The proposal would provide no on-site car parking. The Broadway is currently undergoing roadworks as part of the wider Woking Integrated Transport Project. Following completion of these roadworks The Broadway will become one-way (west-bound) between the junctions of Duke Street and Chertsey Road alongside a cycle lane. The existing blue badge (disabled parking) bays located in Chapel Street will be moved to The Broadway and will be located outside of the application property. Potential parking outside the application property would be controlled through existing on-street parking enforcement. There are also public car parks within close proximity. Overall, subject to the normal enforcement of on-street parking controls, it is not considered that the proposal would give rise to highway safety implications.

### LOCAL FINANCE CONSIDERATIONS

18. The proposal is not Community Infrastructure Levy (CIL) liable.

### CONCLUSION

19. Overall the principle of the change of use is considered to be acceptable. The proposal is considered to preserve the character and appearance of the Woking Town Centre Conservation Area and not to harm the setting of the adjacent Locally Listed Buildings of No.1 and No.3 Chertsey Road. The impacts upon neighbouring amenity, and in terms of highways considerations, are considered to be acceptable.
20. The proposal is therefore considered to be in accordance with Policies CS2, CS20, CS21 and CS25 of the Woking Core Strategy (2012), Policy DM20 of the Development Management Policies DPD (2016), Sections 7 and 12 of the National Planning Policy Framework (2012), Supplementary Planning Documents 'Outlook, Amenity, Privacy and Daylight (2008)' and 'Design (2015)', Supplementary Planning Guidance 'Heritage of Woking (2000)' and the National Planning Practice Guidance (NPPG) 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

1. Site visit photographs
2. Site Notice (Development affecting a Conservation Area - dated 05.07.2017)
3. Consultation response from Heritage and Conservation Consultant
4. Consultation response from County Highway Authority (SCC)

**RECOMMENDATION**

**Grant** planning permission subject to the following conditions:

01. The development hereby permitted shall 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 shall be carried out in accordance with the following approved plans numbered/titled:

16012.1 [OS] 01 (Site Location and Block Plan), dated June 2017 and received by the Local Planning Authority on 19.06.2017.

16012.1 [OS] 02 (Block Plan), dated June 2017 and received by the Local Planning Authority on 19.06.2017.

16012/1 [S] 01 (Floor Plans As Existing), dated 15.06.2017 and received by the Local Planning Authority on 19.06.2017.

16012/1 [S] 02 (Front Elevation As Existing), dated 15.06.2017 and received by the Local Planning Authority on 19.06.2017.

16012/1 [S] 3 (Side, Rear Elevation and Section As Existing), dated 15.06.2017 and received by the Local Planning Authority on 19.06.2017.

16012/1 [PI] 01 Rev A (Floor Plans As Proposed), dated 15.08.2017 and received by the Local Planning Authority on 16.08.2017.

16012/1 [PI] 02 Rev A (Front Elevation As Proposed), dated 15.08.2017 and received by the Local Planning Authority on 16.08.2017.

16012/1 [PI] 03 Rev A (Rear & Side Elevations Section As Proposed), dated 15.08.2017 and received by the Local Planning Authority on 16.08.2017.

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

03. Notwithstanding any indication given otherwise within Section 9 (Materials) of the submitted application form the development hereby permitted shall be constructed in the external materials as annotated on the approved plans listed within this notice unless otherwise first agreed in writing by the Local Planning Authority. For the avoidance of doubt this shall include the provision of a white aluminium facade to the replacement shop front.

Reason: To protect the character and appearance of the building and the visual amenities of the Woking Town Centre Conservation Area in accordance with Policies CS20 and CS21 of the Woking Core Strategy (2012), Policy DM20 of the Development Management Policies DPD (2016) and Sections 7 and 12 of the National Planning Policy Framework (2012).

## 5 SEPTEMBER 2017 PLANNING COMMITTEE

04. As annotated on the approved plan numbered/titled '16012/1 [PI] 03 Rev A (Rear & Side Elevations Section As Proposed)' the window(s) within the door of the rear dormer hereby permitted shall be glazed entirely with obscure glass and shall be non-opening. Once installed the window(s) shall be permanently retained in that condition unless otherwise first agreed in writing by the Local Planning Authority.

Reason: To safeguard the privacy and residential amenity of the existing first floor level flat at No.2 Chertsey Road accordance with Policy CS21 of the Woking Core Strategy (2012), the core principles of the National Planning Policy Framework (2012) and Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight (2008)'.

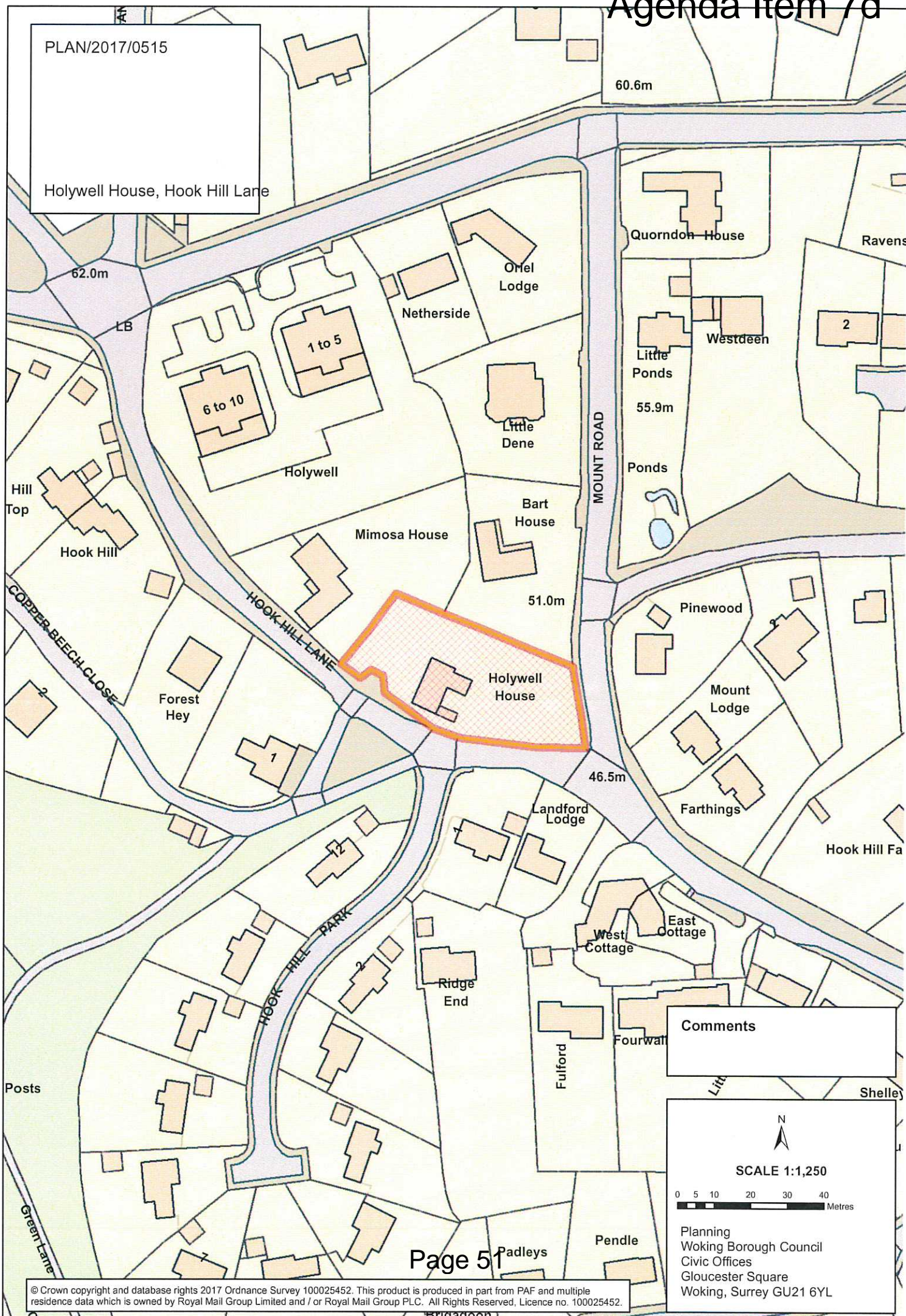
### **Informatives**

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 paragraph 186-187 of the National Planning Policy Framework (2012). Amended plans were requested, and accepted, during consideration of the application to overcome concerns identified with the application as initially submitted. Following the submission of amended plans the application was considered to be acceptable.
02. The applicant is reminded that the planning permission hereby granted is granted solely on the basis of the amended plans referred to within condition 02 which were submitted during consideration of the application and which omitted the initially proposed front canopy. The applicant is advised that the provision of a front canopy, without the prior further grant of planning permission from the Local Planning Authority, would constitute a breach of the terms of the planning permission hereby granted.
03. 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.



PLAN/2017/0515

Holywell House, Hook Hill Lane



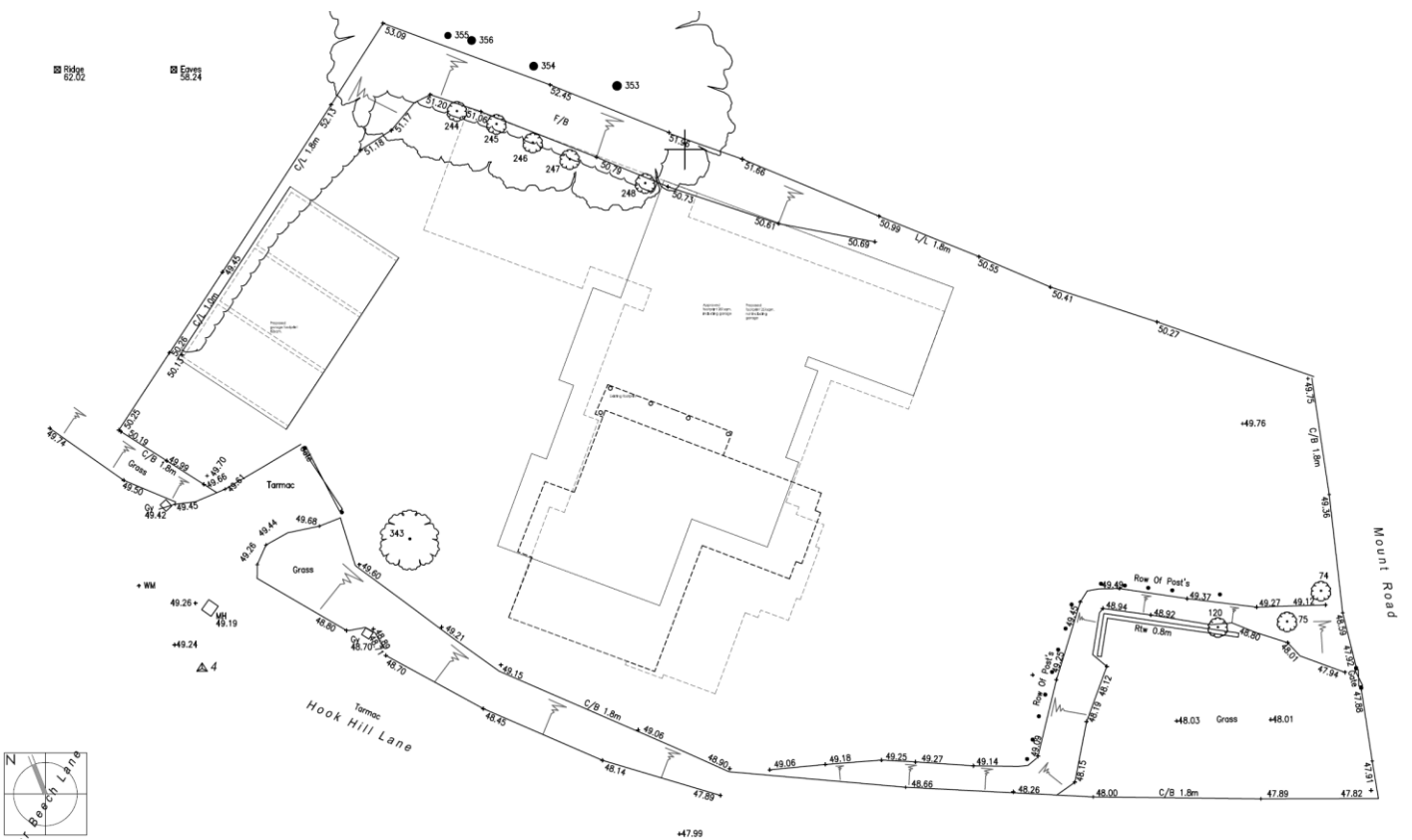
Comments

SCALE 1:1,250

0 5 10 20 30 40 Metres

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









## 05 SEPTEMBER 2017 PLANNING COMMITTEE

6d 17/0515 Reg'd: 25.05.17 Expires: 20.07.17 Ward: HE  
Nei. 22.06.17 BVPI Minor Number 15/8 On No  
Con. Target dwellings -13 of Weeks Target?  
Exp: on Cttee'  
Day:

**LOCATION:** Holywell House, Hook Hill Lane, Mayford, Woking, GU22 0QB

**PROPOSAL:** Erection of a two storey replacement dwelling (7x bed) with accommodation in the roof space and a basement level following demolition of existing dwelling and erection of a detached triple garage with first floor accommodation and external staircase

**TYPE:** Full Planning Application

**APPLICANT:** Mr Matthew Johnson

**OFFICER:** David Raper

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### **REASON FOR REFERRAL TO COMMITTEE:**

The proposal is for the erection of a replacement dwelling which falls outside the scope of delegated powers as set out by the Management Arrangements and Scheme of Delegation.

### **PLANNING STATUS**

- Urban Area
- Hook Heath Neighbourhood Area
- Thames Basin Heaths SPA ZoneB (400m-5km)

### **RECOMMENDATION**

GRANT planning permission subject to conditions.

### **SITE DESCRIPTION**

The proposal relates to a two storey detached dwelling dating from the Victorian/Edwardian era. The dwelling is orientated at a 90° angle relative to Hook Hill Lane which borders the site to the south and features a detached outbuilding and parking area to the front and amenity space to the rear. The site forms a corner plot with Mount Road and the surrounding area is generally characterised by large individually designed dwellings set in large plots with mature trees and landscaping to the boundaries which gives a low density and verdant character to the area. There is a change in ground levels from north to south across the site of around 3m with neighbours to the north and west positioned on higher ground relative to the proposal site. The proposal site forms part of the designated Urban Area.

### **PLANNING HISTORY**

- PLAN/2005/0304 - Revision to planning permission 2004/0050 to include two dormer windows on the front elevation and two dormer windows on the rear elevation of the new replacement dwelling originally permitted under planning permission 2003/0860 – Refused but allowed at appeal – Permitted (Not implemented and now lapsed)

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- PLAN/2004/0050 - Amendment to Planning Application PLAN/2003/0860 - namely - demolish existing garage/workshop. Erection of double garage with games room over and storage and single storey garden room to side – Refused but allowed at appeal (Not implemented and now lapsed)
- PLAN/2003/0860 - Demolition of existing detached dwelling. Erection of new detached dwelling and single garage. Brick piers with timber entrance gates – Permitted (Not implemented and now lapsed)

### **PROPOSED DEVELOPMENT**

The proposal is for the erection of a two storey detached replacement dwelling (7x bed) with accommodation in the roof space and in a basement level following the demolition of the existing detached dwelling. The proposal also includes the erection of a detached triple garage with accommodation at first floor level to the frontage of the dwelling in place of an existing timber outbuilding.

### **CONSULTATIONS**

**County Highway Authority (CHA):** No objection subject to conditions.

**Arboricultural Officer:** No objection subject to conditions.

**Hook Heath Neighbourhood Forum (HHNF):** Object to the wording in the submitted Design and Access Statement suggesting that the HHNF had no objection. The HHNF stated that it had no in-principle objection to a replacement dwelling providing that neighbours were consulted and had no objection and subject to the detailed design of the proposal.

### **REPRESENTATIONS**

11x representations received, including one from the Hook Heath Residents' Association, objecting to the proposal raising the following concerns:

- Proposal would be out of character with the area
- Proposed dwelling is out of scale with the area and is too large
- Proposal would cause overlooking, loss of privacy and loss of light
- Boundary vegetation is not evergreen and does not provide adequate screening
- The volume and footprint of the proposal is significantly larger than the existing
- Retaining walls and landscaping should be provided
- The construction phase would cause noise disturbance and disruption
- No justification has been given for the size and scale of the proposal
- Proposed external staircase could cause loss of privacy to neighbours
- It is not clear how the green roof would be feasible due to the roof pitch
- Proposal would impact on existing trees and landscaping
- The occupants of the garage accommodation would increase noise and disturbance from the site
- The accommodation above the garage should be restricted to being ancillary
- Proposal would increase traffic in the area
- Hook Hill Lane is narrow and unsuitable for HGVs
- The proposed basement would have implications for the water table
- The area is liable to flooding
- The past permissions have now lapsed

**RELEVANT PLANNING POLICIES**

National Planning Policy Framework (NPPF) (2012):

Section 4 - Promoting sustainable transport

Section 6 - Delivering a wide choice of high quality homes

Section 7 - Requiring good design

Section 10 - Meeting the challenge of climate change, flooding and coastal change

Section 11 - Conserving and enhancing the natural environment

Development Management Policies DPD (2016):

DM2 - Trees and Landscaping

DM9 - Flats above shops and ancillary accommodation

Woking Core Strategy (2012):

CS1 - A Spatial strategy for Woking Borough

CS18 - Transport and accessibility

CS21 - Design

CS24 - Woking's landscape and townscape

CS25 - Presumption in favour of sustainable development

Hook Heath Neighbourhood Plan (2015):

BE1 - Design of New Developments

BE2 - Off-road Parking

Supplementary Planning Documents (SPDs):

Woking Design (2015)

Outlook, Amenity, Privacy and Daylight (2008)

Parking Standards (2006)

**BACKGROUND**

Planning permission has been granted in the past for a two storey replacement dwelling with accommodation in the roof space and integral double garage with accommodation above. This permission was not implemented and has now lapsed. The current proposal is for the erection of a replacement dwelling and detached garage and the key planning issues are set out below and is assessed in accordance with the current Development Plan policies listed above.

**PLANNING ISSUES**

Impact on Character:

1. The proposal is for the erection of a two storey replacement dwelling with accommodation in the roof space and a basement level following demolition of the existing dwelling. The proposal also includes the erection of a detached garage to the frontage following the demolition of an existing detached building.
2. The existing dwelling dates from the Victorian/Edwardian era in an Arts and Crafts style and is considered to have architectural merit. Nonetheless the host building is not locally listed nor in a Conservation Area and the demolition of the existing dwelling was considered acceptable in principle under previous applications (see Planning History). The demolition of the existing dwelling is considered acceptable in principle subject to the design quality of the proposed replacement dwelling and its impact on the character of the area.

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3. The proposed dwelling adopts a double-fronted design with twin projecting gables to the front and three gables to the rear elevation and adopts a generally traditional design approach which is consistent with the surrounding area and the previous permission. A two storey side-projecting element is included on the northern flank elevation with a distinctly contemporary appearance with a striking mono-pitch roof, large areas of glazing and contrasting materials to the main body of the dwelling. This is considered to give the appearance of a contemporary extension to the main dwelling and is considered to break-up the bulk and massing of the dwelling. This element of the dwelling is positioned to the north and so is not prominent in views from Hook Hill Lane. The main body of the proposed dwelling would be finished in brick however an exact specification of all external materials can be secured by condition (Condition 2).
4. The proposed dwelling would be orientated 90° relative to Hook Hill Lane in a similar way to the existing dwelling and the previously approved dwelling but would have fenestration on the south-facing elevation thereby maintaining visual interest on the prominent flank elevation. The proposed dwelling would be positioned 5.2m from the boundary with Hook Hill Lane at its nearest point which is 3.2m further from the boundary than the position of the previously approved dwelling and also 3.2m from the position of the existing dwelling on the site.
5. The proposed dwelling would have a maximum height of 9.1m which would be 0.5m lower in height than the previously approved dwelling and has a greater separation distance to the boundary with Hook Hill Lane. The main dwelling (excluding the detached garage) has a footprint which is approximately 27% smaller than the previously consented dwelling; if the detached garage is included then the overall footprint is approximately 7% smaller. Overall the dwelling is considered to adopt a less grandiose appearance than the previously approved replacement dwelling and is considered to represent a visually acceptable form of development. Although a large dwelling, the plot of Holywell House is relatively large and the proposed building is considered to be proportionate to its plot and the surrounding area which is generally characterised by large individually designed dwellings in large plots.
6. A detached garage with accommodation at first floor level is also proposed to the frontage of the proposed dwelling with two garage bays and an open storage/parking bay. The orientation of the existing and proposed dwelling means that the detached garage would not breach any strongly defined building lines. Detached garages are not unusual in the surrounding area the scale of the proposed garage is considered consistent with the size of the plot and the proposed replacement dwelling. The garage would have a dual-pitched roof and front dormer windows and is considered a visually acceptable building with a traditional form and character.
7. Apart from a lightwell on the southern flank elevation, the basement level of the proposed dwelling would not be prominent on the building. The inclusion of a basement level is not therefore considered easily appreciable from the surrounding area and is not considered out of character with the area. The accommodation at second floor level would be confined to the roof space and served primarily by rooflights. There is existing hedging on the southern boundary with Hook Hill Lane and a landscaping scheme can be required by condition (Condition 4) showing details of new soft and hard landscaping and details of boundary treatments and any retaining walls in order to ensure that the development integrates with the surrounding area.
8. Overall the proposed replacement dwelling is considered a visually acceptable form of development and is considered to respect the character and appearance of the

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surrounding area. The proposal therefore accords with Core Strategy (2012) policies CS21, CS24 and CS25, Woking DPD (2016) policies DM2 and DM9, Hook Heath Neighbourhood Plan (2015) policy BE1, Supplementary Planning Document 'Woking Design' (2015) and the National Planning Policy Framework (2012).

### Impact on Neighbours:

9. Bart House is located approximately 12m from the boundary with the proposal site to the north. This neighbour is positioned on land higher relative to the proposal site with the garden of Bart House at least 3m above the ground level of Holywell House. Bart House itself is positioned on high ground relative to its rear garden with a raised terrace area. The flank elevation of the two storey side projecting element would face this neighbour and would be positioned 2m from the boundary and the maximum height of the roof would be 8.2m. The roof of the side projecting element would be a mono-pitched green roof with no side-facing windows and the roof would slope away from the boundary. The roof of the main dwelling does feature side-facing rooflights however these would largely be obscured by the roof of the side-projecting element. The proposal is not therefore considered to result in undue overlooking to Bart House.
10. The flank elevation and roof slope facing Bart House is relatively large however considering the change on levels between the two properties, the slope of the roof away from this neighbour and the separation distance involved, the proposal is not considered to result in an unacceptable loss of light or overbearing impact. It is also borne in mind that Bart House benefits from boundary vegetation which serves as visual screening between this neighbour and the proposal site.
11. Mimosa House to the north-west has its flank elevation facing the proposal site and is positioned on land higher than the proposal site. Mimosa House is positioned 9.5m from the boundary with Holywell House and features side-facing windows; ground floor windows are understood to serve non-habitable rooms or as secondary windows and there are first floor side-facing bedroom windows. The proposed dwelling would be orientated towards this neighbour and positioned a minimum of 16.2m from the side boundary with this neighbour and approximately 26m from the neighbour itself. These separation distances exceed the recommended minimum distances set out in the Council's 'Outlook Amenity, Privacy and Daylight' SPD (2008) for three storey development (15m for front-to-boundary/flank relationships) and the proposal is not considered to result in undue overlooking or loss of privacy to this neighbour. It is also borne in mind that Mimosa House is positioned on higher ground relative to Holywell House which limits the potential for an overbearing effect or undue overlooking and this neighbour also features boundary vegetation.
12. The proposed detached garage would have a maximum height of 6.2m and would be positioned 0.2m from the side boundary with Mimosa House. The garage would not however border the main area of rear amenity space of this neighbour which is positioned further to the north and the garage would pass the '25° test' with side-facing windows as outlined in the Council's 'Outlook Amenity, Privacy and Daylight' SPD (2008). The proposed garage is not therefore considered to cause an undue loss of light or overbearing impact on this neighbour. The proposal includes an external staircase leading to the first floor accommodation above the garage however a 1.8m privacy screen is identified at the top of the stairs to avoid undue overlooking. No windows are proposed in the garage facing this neighbour and the insertion of future openings can be restricted by condition (Condition 7).
13. The rear elevation of the proposed replacement dwelling would be positioned a minimum of 30m from the boundary with Squirrels Leap to the west and 30m from the

## 05 SEPTEMBER 2017 PLANNING COMMITTEE

front elevation of No.1 Hook Hill Park and to the boundary with No.12 Hook Hill Park to the south and is not therefore considered to cause undue overlooking to these neighbours.

14. Overall the proposal is therefore considered to have an acceptable impact on the amenities of neighbours and accords with Core Strategy (2012) policy CS21, Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight' (2008) and the National Planning Policy Framework (2012).

### Impact on Trees:

15. There are no mature or protected trees on the proposal site itself however there are protected trees to the north of the site within the boundary of Mimosa House. A full Arboricultural Report detailing how neighbouring trees would be protected during construction can be secured by condition (Condition 3); the Council's Arboricultural Officer raises no objection subject to this condition. Details of additional landscaping and can also be secured by condition (Condition 4).

### Transportation Impact:

16. The proposed dwelling would have sufficient off-street parking space to accommodate at least three vehicles in accordance with policy BE2 of the Hook Heath Neighbourhood Plan (2015). It is acknowledged that Hook Hill Lane is relatively narrow and a Construction Method Statement can therefore be required by condition (Condition 8) including details such as parking for site operatives, loading and unloading and the storage of materials. The County Highway Authority has reviewed the proposal and raises no objection subject to this condition.
17. Overall the proposal is therefore considered to have an acceptable transportation impact.

### Standard of Accommodation and Amenity Space:

18. The proposed dwelling would have a total internal floor area of 648m<sup>2</sup>. The proposed development would retain a private rear amenity space of 728m<sup>2</sup> in area with a minimum depth of 19m. Overall the proposed replacement dwelling is considered to achieve a good standard of accommodation with an appropriately sized area of amenity space in accordance with the guidance in the Council's 'Outlook Amenity, Privacy and Daylight' SPD (2008).

### Sustainability:

19. 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. This is expected to happen alongside the introduction of Zero Carbon Homes policy in late 2016. 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.
20. 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

## 05 SEPTEMBER 2017 PLANNING COMMITTEE

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 (Condition 9).

### Community Infrastructure Levy (CIL):

21. The proposal would be liable to make a CIL contribution of £62,030.77 based on a net increase in floor area of 448m<sup>2</sup>. 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**

22. Overall, the proposed replacement dwelling is considered to constitute an acceptable form of development which would have an acceptable impact on the character of the surrounding area and on the amenities of neighbours. The proposal therefore accords with Core Strategy (2012) policies CS21, CS24 and CS25, Woking DPD (2016) policies DM2 and DM9, Hook Heath Neighbourhood Plan (2015) policies BE1 and BE2 Supplementary Planning Documents 'Outlook, Amenity, Privacy and Daylight' (2008) and 'Woking Design' (2015) and the National Planning Policy Framework (2012) and is recommended for approval subject to conditions.

### **BACKGROUND PAPERS**

1. Site visit photographs
2. Consultation responses
3. Representations

### **RECOMMENDATION**

PERMIT subject to the following conditions:

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

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

2. ++Prior to the commencement any above ground works in connection with the development hereby permitted, a written specification of all external materials to be used in the construction of the dwelling hereby approved shall be 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 first agreed in writing by the Local Planning Authority.

Reason: In the interests of the visual amenities of the area and in accordance with Policy CS21 of the Woking Core Strategy 2012.

## 05 SEPTEMBER 2017 PLANNING COMMITTEE

3. ++ Prior to the commencement of the development hereby approved (including clearance and demolition) tree protection details, to include the protection of retained hedges and shrubs, shall be submitted to and approved in writing by the Local Planning Authority. These details shall adhere to the principles embodied in BS 5837 2012 and shall include a Tree Survey, Arboricultural Impact Assessment and Arboricultural Method Statement. The details shall make provision for the convening of a pre-commencement meeting and Arboricultural supervision by a suitably qualified and experienced Arboricultural Consultant for works within the RPAs of retained trees. Full details shall be provided to indicate exactly how and when the retained trees will be protected during the site works. The development shall thereafter be carried out strictly in accordance with the agreed details.

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.

4. Prior to the first occupation of the development hereby approved, a hard and soft landscaping scheme showing details of shrubs, trees and hedges to be planted, details of materials for areas of hardstanding and details of boundary treatments and retaining walls, shall be 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 first agreed in writing by the Local Planning Authority. 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: To preserve and enhance the character and appearance of the locality in accordance with Policies CS21 and CS24 of the Woking Core Strategy 2012.

5. Notwithstanding the provisions of Article 3 and Schedule 2, Part 1, Classes A and B of The Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any orders amending or re-enacting that Order with or without modification) no extension or enlargement of the dwelling hereby approved shall 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 amenities of nearby properties and the character of the area and for this reason would wish to control any future development in accordance with Policy CS21 of the Woking Core Strategy 2012.

6. Notwithstanding any indication otherwise given by this permission, the first floor accommodation in the detached garage hereby approved shall be used only for purposes ancillary and incidental to the use of the main dwelling known as 'Holywell House' as a single dwellinghouse and shall at no time be occupied as a separate residential unit.



## 05 SEPTEMBER 2017 PLANNING COMMITTEE

Reason: To ensure the dwelling remains in single family occupation and the use of the premises is compatible with the surrounding area in accordance with Woking DPD (2016) policy DM9

7. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no window, dormer window, rooflight, door or other additional openings, other than those expressly authorised by this permission, shall be formed in the north-west facing flank elevation or roof slope of the detached garage hereby approved or in the north-east facing flank elevation or roof slope of the replacement dwelling hereby approved at first floor level or above, without planning permission being first obtained from the Local Planning Authority.

Reason: To protect the amenity and privacy of the occupiers of adjoining properties in accordance with Policy CS21 of the Woking Core Strategy 2012.

8. ++Prior to the commencement of the development hereby permitted a Construction Transport Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
  - the parking of vehicles of site operatives and visitors;
  - loading and unloading of plant and materials;
  - storage of plant and materials used in constructing the development;
  - measures to prevent the deposit of materials onto the highway;

Measures will be implemented in accordance with the approved Method of Construction Statement and shall be retained for the duration of the construction period. Only the approved details shall be implemented during the construction works unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the development does not prejudice highway safety nor cause inconvenience to other highway users and in the interests of public safety and amenity in accordance with Policies CS18 and CS21 of the Woking Core Strategy 2012.

9. ++ The development hereby permitted shall not commence until details have been submitted to and approved in writing by the Local Planning Authority demonstrating that the development will be constructed to achieve a water consumption standard of not more than 105 litres per person per day maximum indoor water consumption and not less than a 19% CO2 improvement over the 2013 Building Regulations TER Baseline (Domestic). Such details as may be approved shall be installed prior to the first occupation of the development and maintained and operated in perpetuity, unless otherwise 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 and to comply with Policies CS21 and CS22 of the Woking Core Strategy 2012.

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

01 Rev.A (Location Plan) received by the LPA on 04/05/2017  
02 Rev.A (Existing Site Plan) received by the LPA on 23/05/2017  
03 Rev.A (Existing Plans) received by the LPA on 25/05/2017  
05 (Existing Elevations) received by the LPA on 23/05/2017

## 05 SEPTEMBER 2017 PLANNING COMMITTEE

09 Rev.A (Proposed Parking Plan) received by the LPA on 04/05/2017  
11 Rev.E (Proposed Site Plan) received by the LPA on 26/07/2017  
12 Rev.D (Proposed Basement Floor Plan) received by the LPA on 04/05/2017  
13 Rev.J (Proposed Ground Floor Plan) received by the LPA on 04/05/2017  
14 Rev.J (Proposed First Floor Plan) received by the LPA on 04/05/2017  
15 Rev.E (Proposed Second Floor Plan) received by the LPA on 04/05/2017  
16 Rev.F (Proposed Roof Plan) received by the LPA on 04/05/2017  
17 Rev.J (Proposed Front Elevation) received by the LPA on 04/05/2017  
18 Rev.H (Proposed Rear Elevation) received by the LPA on 04/05/2017  
19 Rev.H (Proposed Side Elevation - West) received by the LPA on 04/05/2017  
20 Rev.G (Proposed Side Elevation - East) received by the LPA on 04/05/2017  
21 Rev.B (Proposed Garage Outbuilding) received by the LPA on 26/07/2017  
22 Rev.B (Proposed Garage Outbuilding) received by the LPA on 26/07/2017

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

### **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 paragraph 186-187 of the National Planning Policy Framework 2012.
2. The permission hereby granted shall not be construed as authority to carry out works on the highway. The applicant is advised that a licence must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway.
3. Your 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 COMMENCEMENT OF ANY DEVELOPMENT ON THE SITE or, require works to be carried out PRIOR TO THE COMMENCEMENT OF THE USE. 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 provisions of The Party Wall 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. An explanatory booklet setting out your obligations can be obtained from the Communities and Local Government website [www.communities.gov.uk](http://www.communities.gov.uk)
5. The proposed development is Community Infrastructure Levy (CIL) liable although the applicant has submitted a Self-Build Exemption Form. Notwithstanding this, a self-build exemption must be granted prior to the commencement of the development. Additionally the applicant must complete and submit a Commencement (of development) Notice to the Local Planning Authority, which the Local Planning Authority must receive prior to commencement of the development, in order to benefit from relief from the levy.

**05 SEPTEMBER 2017 PLANNING COMMITTEE**

6. The applicant is advised that under the Control of Pollution Act 1974, works which will be audible at the site boundary will be restricted to the following hours:-

8.00 a.m. - 6.00 p.m. Monday to Friday

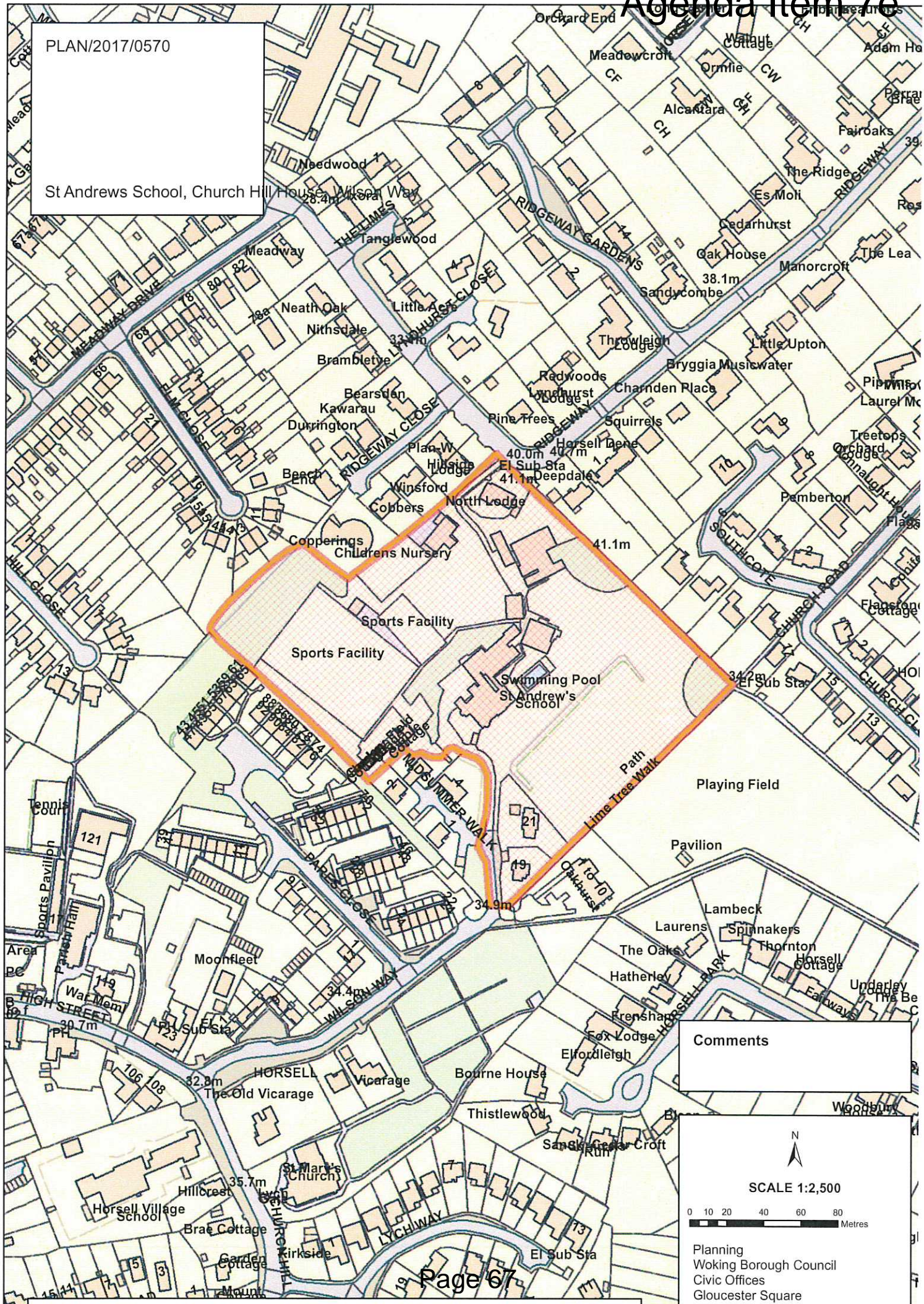
8.00 a.m. - 1.00 p.m. Saturday

and not at all on Sundays and Bank Holidays.

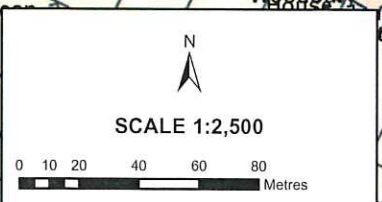


PLAN/2017/0570

St Andrews School, Church Hill House, Wilson Way

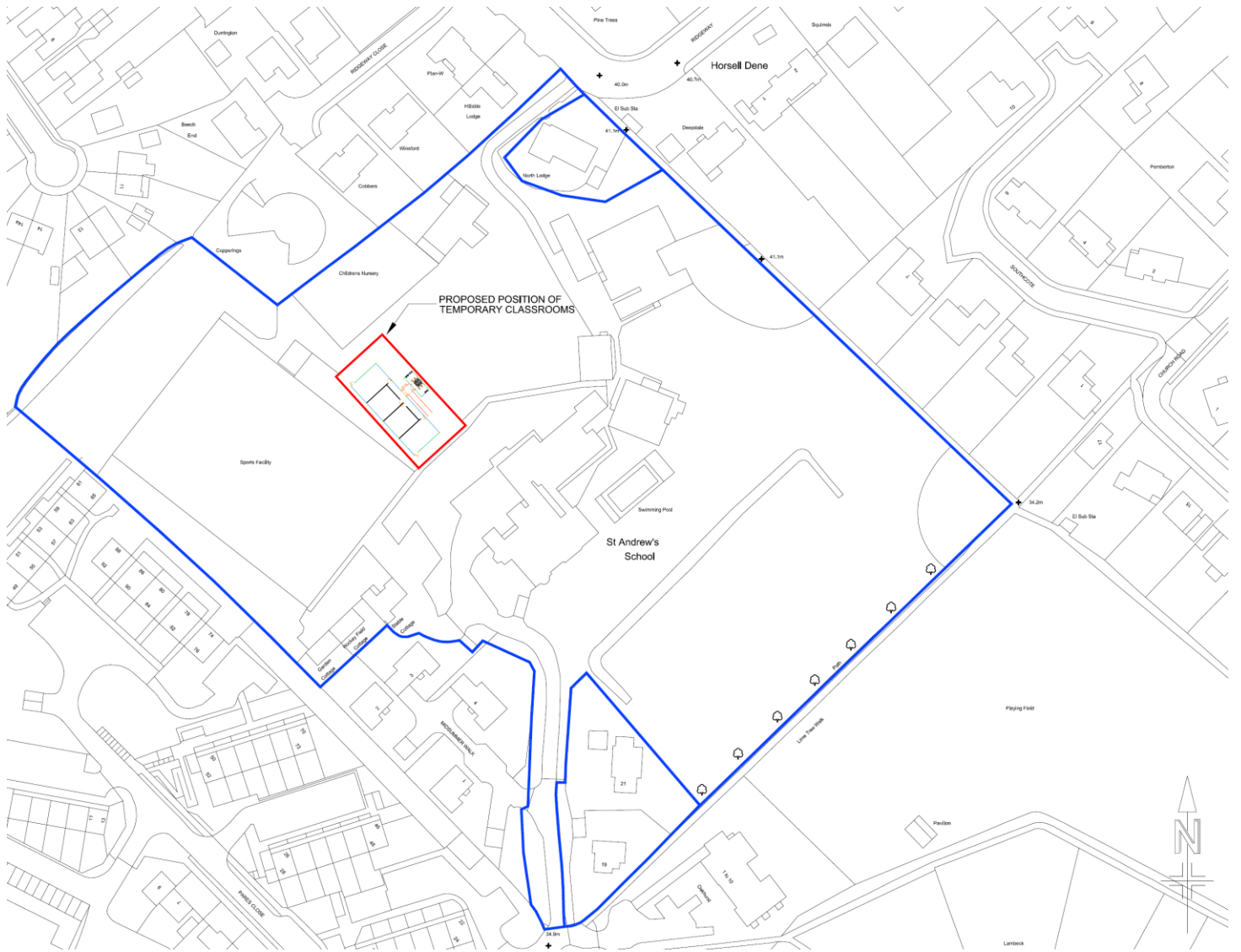


Comments



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









## 5 SEPTEMBER 2017 PLANNING COMMITTEE

6e 17/0570 Reg'd: 06.06.2016 Expires: 01.08.2017 Ward: HO  
Nei. 28.06.2016 BVPI Minor Number of 13/8 On No  
Con. Target Weeks on Target?  
Exp: Cttee' Day:

**LOCATION:** St Andrews School, Wilson Way, Horsell, GU21 4QW

**PROPOSAL:** Erection of a temporary single storey building containing four classrooms with associated WC facilities for the period July 2017 to June 2019.

**TYPE:** Minor

**APPLICANT:** St Andrew's (Woking) School Trust **OFFICER:** Doug Wright

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### **REASON FOR REFERRAL TO COMMITTEE**

The application will result in the creation of an additional building and therefore falls outside of the Scheme of Delegation.

### **SUMMARY OF PROPOSED DEVELOPMENT**

The application seeks permission for the erection of a temporary single storey building containing four classrooms with associated WC facilities for the period July 2017 to June 2019.

### **PLANNING STATUS**

- Locally Listed Building
- Tree Preservation Order
- Thames Basin Heaths SPA Zone B (400m-5km)

### **RECOMMENDATION**

Grant planning permission subject to conditions.

### **SITE DESCRIPTION**

St Andrews School occupies a large sloping site in the middle of Horsell and is surrounded by residential properties to all boundaries. The main access to the site is from Wilson Way on the southern side of the site, with a secondary access to the site from the Ridgeway on the northern side of the site. The main school buildings are located to the centre of the site with playing fields situated either side. The main school building, Church Hill House is on the Council's Local List and forms an important setting to the site. The site contains a number of mature trees.

## 5 SEPTEMBER 2017 PLANNING COMMITTEE

### PLANNING HISTORY

PLAN/2013/0428 Proposed erection of a single storey extension to existing school building to form a changing room facility. Permitted 06.06.2013

PLAN/2011/1118 Construction of an artificial turf pitch together with fencing, storage facilities & spectator facilities, footpaths and parking improvements. Improvements to natural turf areas including regarding & levelling of the land around the tennis courts. Permitted 21.03.2012

PLAN/2009/1122 Phased redevelopment of the existing school for the erection of a new changing/teaching block, new dining/ kitchen and classroom block, alterations to the existing house, new sports hall and all weather pitch together with associated external work (Renewal of PLAN/2006/0675). Permitted 29.04.2010

PLAN/2009/0797 Erection of a timber play structure adjacent to the eastern boundary. Permitted 29.10.2009

PLAN/2009/0555 Erection of a PVC canopy roof to side of pre-prep building and siting of storage container in playing fields. Permitted 06.10.2009

- 06/0675- Erection of a new changing/ teaching block, new dining/ kitchen and classroom block, alterations to the existing house, new sports hall and all weather pitch together with associated external work. Granted 08/09/06
- 04/1332 - Demolition of existing single storey bungalow and construction of a single storey building to be used as a nursery, including a remodelled external play ground. Erection of a single storey lean – to extension to existing Jubilee building to form enlarged art and technology teaching/learning area. Granted 06/01/05
- 01/1274 - Renewal of temporary application 1999/1158 for the retention of a temporary building. Granted 17/01/02
- 01/0697 - New footpath from the southern entrance. Granted 26/07/01
- 01/0556 - Erection of single storey additions to school building and sports hall and erection of a machinery shed in school grounds. Granted 05/09/01
- 00/0575 - Erection of addition to changing rooms. Granted 01/08/00
- 99/1158 - Retention of temporary building originally approved under 88/0072 and renewed under 93/0339 and 96/0933 for a further 3 years. Granted 07/12/99
- 98/1211 - Conversion of existing staff bungalow to nursery classrooms. Construction of new classroom and covered way. Conversion and extension of existing classroom accommodation. Demolition of temporary classrooms. Construction of new road, playground and parking areas. Withdrawn 23/05/06
- 96/0933 - Renewal of temporary planning permission for a pre-fabricated class room. Granted 02/01/97
- 96/0663 - Erection of 2 no. hard tennis courts on site of existing playing field. Granted 19/09/96

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- 93/0339 - Renewal of planning permission 88/0671 for the siting of a temporary classroom. Granted 17/06/93
- 92/0413 - Erection of a pitched roof over existing flat roof two storey building to the south of the main school building. Granted 07/0792
- 89/0929 - Erection of cupola/clock turret on new class room block. Granted 12/10/89
- 88/0671 - Erection of a temporary classroom to replace lost classroom during course of major development. Granted 13/09/88
- 88/0598 - Erection of equipment store at side of assembly hall building. Granted 13/09/88
- 88/0229 - Erection of a two storey extension to existing two storey classroom. Granted 13/09/88

### **PROPOSED DEVELOPMENT**

The application seeks permission for the erection of a temporary single storey building containing four classrooms with associated WC facilities for the period July 2017 to June 2019.

The proposed temporary building would be located on the existing tennis courts.

### **CONSULTATIONS**

None

### **REPRESENTATIONS**

6 letters of representations have been received. They all object to the proposal on the following grounds:

- Increase in traffic
- Increase in student numbers
- Unnecessary requirement of temporary building

### **RELEVANT PLANNING POLICIES**

The relevant policies are:

#### National Planning Policy Framework 2012

Section 1 - Building a strong, competitive economy

Section 6 - Delivering a wide choice of high quality homes

#### Woking Core Strategy Publication Document 2012

CS8 – Thames Basin Heaths Special Protection Areas

CS21 - Design

CS22 – Sustainable construction

CS25 – Presumption in favour of sustainable development

#### Supplementary Planning Documents

Parking Standards

Design

Thames Basin Heaths Special Protection Area

**PLANNING ISSUES**

1. The main issues in determining this application are considered to be the principle of the development; the potential impact upon the character of the surrounding area and upon the neighbouring properties. Also the impact upon the trees within the site, which are protected by a TPO.

*The Principle of the development:*

2. The proposal is for a temporary building to provide additional classrooms on the existing tennis courts. The proposed buildings are required as part of the future development of the school building, which will require the demolition of existing classrooms and therefore additional classrooms will be required whilst the works are being undertaken.
3. Although permission has not been granted for the proposed development of the school, a previous application was approved in 2009 for similar works and it is understood an application will shortly be submitted.
4. Given the temporary nature of the proposal, the principle of the development is acceptable, subject to other relevant policies.

*Impact upon the character of the area*

5. One of the core principles of the NPPF is to seek to secure high quality design. Paragraph 64 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. Furthermore, Policy CS21 of the Core Strategy states that buildings 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.
6. The proposed temporary building is of a simple modular design, constructed by 'Portakabin', which will form 4 classrooms with an entrance hall and separate toilets. The proposed main building would be 26.6m in length with a depth of 9.8m to flat roof height of 3.5m. The proposed toilet block would be 3.2m in depth with a width of 7.3m.
7. The proposed building would be located fairly centrally within the school grounds, which is well screened from the wider area. It is therefore considered that due to simple construction and temporary nature of the building, the proposal would not have a detrimental impact upon the character of the surrounding area, thereby would accord with Policy CS21 and the NPPF.

*Impact upon the Local Listed building*

8. The main building within the St Andrews School has been designated by Woking Borough Council as a Locally Listed Building. Locally listed buildings are not statutory listed, but are of local architectural or historic interest. They contribute to the character of the area as often they are local landmarks of historic merit or have architectural features of local significance. Approximately 330 buildings are locally listed in Woking Borough. They form an important part of the heritage of the area and will be preserved and enhanced.
9. Paragraph 135 of the NPPF states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the

## 5 SEPTEMBER 2017 PLANNING COMMITTEE

application. In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

10. The proposed temporary building would be site approx. 30m to north west of the main school building and would be located in within the area currently occupied by the tennis courts adjacent to the artificial playing surface. Therefore, given temporary nature of the building and being single storey in height, the proposed temporary classroom, would not be considered to have a detrimental impact upon setting of the locally listed building of the main school building. Therefore would be in accordance within Policy CS20 of the Core Strategy and the NPPF.

### Impact on Residential Amenity

11. One of the core principles of the NPPF is to secure a good standard of amenity for existing and future occupiers of land and buildings. Policy CS21 of the Core Strategy states that 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 impact due to bulk, proximity or outlook.
12. The proposed building would be a single storey building of a temporary construction and only intended to be in it current location for a period up to June 2019.
13. The building would be located within the school grounds adjacent to existing school buildings. The proposal does not intend to increase the number of students attending the school, it is merely to enable the future development of the site and allow the existing students to continue their education without too much disruption. As such the proposal would not increase the use of the site and thereby creating additional noise and disturbance to neighbouring residents.

### Highway safety and Parking

14. As previously stated, the proposal is not intended to enable more students to attend the school and therefore the proposal would not increase the level of traffic to the school or require further parking.
15. Therefore the proposal would not be considered to have an impact upon highway safety within the area or parking.

### Third party objections

16. A number of objections have been received raising concerns about the level of traffic generated from the school and increase in student numbers. Whilst conditions may have formed part of previous consents in respect of traffic and parking in the local. These are however are not relevant to the current application. It would be unreasonable and unenforceable to restrict the number of students within the school.
17. The school have stated the existing classrooms are not fit for purpose and the previous applications aimed to improve the facilities, however this was not implemented. The current application is part of an ongoing development project and the school wish to have in place these classrooms prior to the demolition of existing buildings to minimise disruption to the students. Any future applications therefore may require a more specific assessment on student numbers and traffic & parking plans to put in place.

### Other Matters

## 5 SEPTEMBER 2017 PLANNING COMMITTEE

18. The proposal would not be liable for a financial contribution under Community Infrastructure Levy.
19. The existing tennis court are for the private use of the school and therefore the use of the courts for the temporary classrooms, would not result in the loss of a community leisure facility.

### **CONCLUSION**

20. The application proposes a temporary building for a period up to June 2019 to provide additional classrooms, as part of the future development of the site. The building is of a simple form, which would be unobtrusive to the surrounding area and would be functional to allow the continued operation of the school for the existing students.

### **RECOMMENDATION**

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

1) Temporary Use

The building hereby permitted shall be removed and the land restored to its condition immediately prior to the development commencing on or before 31 June 2019 in accordance with a scheme of work submitted to and approved in writing by the Local Planning Authority.

Reason: The building hereby permitted is not considered suitable as a permanent form of development and to safeguard the visual amenities of the area.

- 2) The development hereby permitted shall be carried out in accordance with the approved drawings and plans listed in this notice.

Drawings No. 1928.17P001A received 16 May 2017

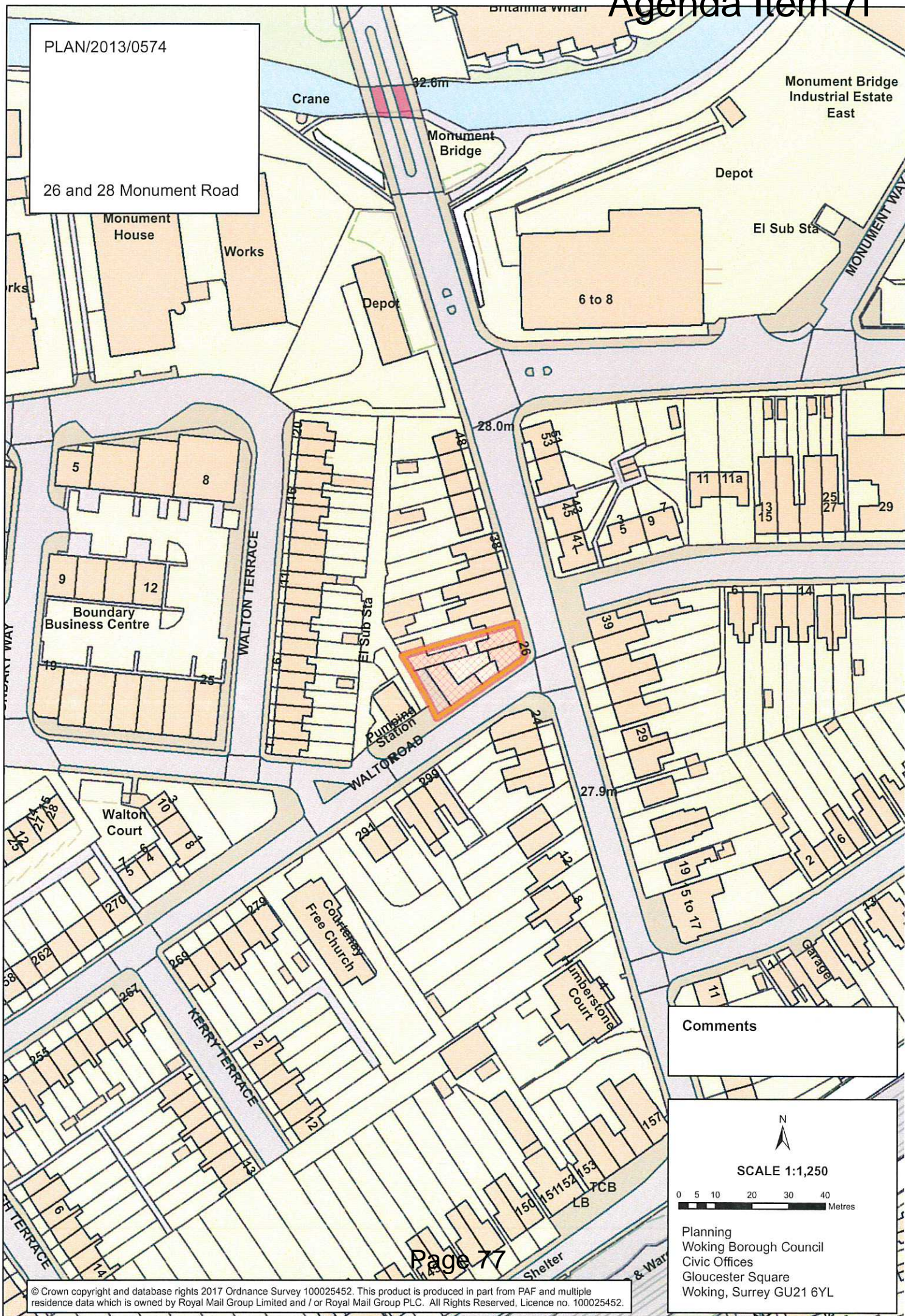
Drawings No. 1928.17P002A received 16 May 2017

Drawings No. 1928.17P003 received 7 June 2017

Reason: For the avoidance of doubt and to ensure that the development is completed in accordance with the approved plans.

### **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 paragraph 186-187 of the National Planning Policy Framework 2012.
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.











## 5 SEPTEMBER 2017 PLANNING COMMITTEE

6f 13/0574 Reg'd: 19.06.13 Expires: 30.09.17 Ward: MAS  
Nei. 04.04.14 BVPI Minor (13-18) Number 220/224 On Y  
Con. Target of Weeks Target?  
Exp: on Cttee'  
Day:

**LOCATION:** 26 & 28 Monument Road, Woking, Surrey, GU21 5LT.

**PROPOSAL:** Demolition of existing properties and erection of a 3 storey mixed use scheme comprising ground floor commercial (Class A1 or A2) and parking with 2 floors of residential above (3 x 2 beds and 5 x 1 beds flats)

**TYPE:** FULL

**APPLICANT:** Mr T Karim

**OFFICER:** Joanne Hollingdale

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### **BACKGROUND**

This application was considered by the Planning Committee on 22 April 2014 where it was resolved to grant planning permission for the above development subject to the applicant entering into a S106 legal agreement to secure the financial contribution in relation to the TBHSPA and also a commuted sum towards the provision of affordable housing. Since this time the applicant has not progressed the legal agreement and the application has remained outstanding.

The applicant has subsequently requested that the application is not 'disposed of' by the Local Planning Authority and wishes for the application to be progressed. However in order to progress the application and given the significant amount of time which has lapsed since the resolution was made in 2014 it is considered necessary that the application be re-considered by the Planning Committee to take account of any changes to local and national planning policies which have been made in the interim and also any changes in site circumstances.

At the time of making the resolution to grant planning permission the Planning Committee raised concern regarding the proposed Class A3 (restaurant and café) use at ground floor level which was included in the application. The Planning Committee resolved to exclude the proposed Class A3 use from the application and accordingly the description of development was changed when issuing the draft decision. The description of development for the purpose of this report reflects the previous resolution of the Planning Committee.

The updated report therefore follows below:

### **REASON FOR REFERRAL TO COMMITTEE**

The application is for the creation of a ground floor commercial unit with the erection of eight units of residential accommodation above and is recommended for approval.

### **SUMMARY OF PROPOSED DEVELOPMENT**

This is a full planning application for the demolition of the existing properties and the erection of a 3 storey mixed use scheme comprising ground floor commercial (Class A1 or A2) and parking with 2 floors of residential above (3no. x 2 beds and 5no. x 1 beds flats)

### **PLANNING STATUS**

- Urban area
- TBH Special Protection Area Zone B (400m-5km)
- Priority Place (Maybury and Sheerwater)
- High Density Residential Area

### **RECOMMENDATION**

**GRANT** planning permission subject to the prior completion of a legal agreement to secure the SAMM (SPA) contribution and the recommended conditions.

### **SITE DESCRIPTION**

The application site relates to 26-28 Monument Road which sits at the end of Walton Road where it joins with Monument Road. The site is currently occupied by two terraced properties which have commercial uses on the ground floor fronting Monument Road and Walton Road with further commercial and residential above in the form of 5 bedsits. The surrounding area is marked by properties of varying ages with traditional properties, interwar development and more recent flatted development.

### **PLANNING HISTORY**

Most recent:

PLAN/2014/0762 - Demolition of existing properties and erection of a 3 storey mixed use scheme comprising ground floor commercial (A1, A2 or A3) and parking with 2 floors of residential above (3 x 2 beds and 5 x 1 beds flats) (amendment to PLAN/2013/0574 to allow the ground floor to be used for A3 use). Granted 28.04.15

PLAN/2010/0198 - Demolition of existing properties and erection of a mixed use scheme comprising ground floor commercial and parking with residential above. Withdrawn 29.09.10

PLAN/2003/1456 - Conversion of existing storage area to a self contained flat and erection of a first floor side extension. Refused 12.02.04

PLAN/2003/0771 – Proposed change of use from storage to 4 No. bedsits and first floor side extension. Withdrawn 20.08.03

PLAN/2001/0869 – Rebuilding of existing storage area. Permitted 04.10.01

### **PROPOSED DEVELOPMENT**

This is a full planning application for the demolition of the existing properties and the erection of a mixed use scheme comprising ground floor commercial (Class A1 or A2) and parking with 3no. x 2 bed and 5no. x 1 bed flats above.

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The proposed building would have a contemporary appearance set over 2/3 floors. The commercial unit is proposed on the ground floor with the residential units set above. Seven of the flats would have a balcony with a communal roof terrace accessed from the second floor. The plans include 6 parking spaces for the residential development to be accessed off Walton Road.

### **SUMMARY INFORMATION**

#### **For Commercial:**

Site Area	0.04 ha
Previous land use(s) and floorspace(s)	unknown (retail/sui generis)
Proposed floorspace of each use(s)	180 sqm (A1 or A2)
Change in floorspace (+/-)	not known
Number of jobs created/lost	Not specified
Existing parking spaces	Not specified
Proposed parking spaces	0 parking spaces

#### **For Residential:**

Site Area	0.04 ha
Existing units	5 bedsits at first floor
Proposed units	8 flats
Number of bedrooms per unit	5 x 1 bed, 3 x 2 bed
Proposed density - dwellings/hectare	200dph
Proposed density- habitable rooms/hectare	550
Existing density – dwellings/hectare	125dph
Existing density of area – dwellings/hectare	
Humberstone Court, Monument Road	122dph
36 and 38 Monument Road	66dph
1-6 Walton Terrace	100dph
Number of affordable units proposed	contribution proposed
Previous land use	commercial/residential
Existing parking spaces	2 parking spaces
Proposed parking spaces	6 parking spaces

### **CONSULTATIONS**

**County Highway Authority:** No objections subject to conditions (conditions 7, 8 and 9).

**WBC Environmental Health Officer:** No objections subject to conditions (conditions 10, 11, 12, 13, 14 and 15).

**WBC Scientific Officer:** No objections.

**WBC Housing Officer:** Following consideration of viability appraisal they are offering half of the required contribution however can take an overage agreement [*Officer note: Please see paragraphs 34-37*]

**WBC Drainage and Flood Risk Engineer:** Recommend conditions be included in any permission granted to ensure the proposal complies with Policy CS9 and the NPPF as the proposed development is in an area that was affected by surface water flood events in May 2016 and September 2016 (conditions 21 and 22).

**Thames Water:** Public sewers cross or are close to the development. Approval will be required from Thames Water. Surface water drainage is the responsibility of the developer

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to make proper provision for drainage to ground, water courses or a suitable sewer (informatives 1 and 2).

### **REPRESENTATIONS**

1 x letter of objection received raising the following issues:

- Generation of noise.
- Overdevelopment of site.
- Parking concerns.
- Out of character with surrounding area.
- Overlooking.

### **RELEVANT PLANNING POLICIES**

National Planning Policy Framework 2012

South East Plan 2009

Saved Policy NRM6 – Thames Basin Heaths Special Protection Area

Woking Core Strategy 2012

CS1 - A spatial strategy for Woking Borough

CS5 - Priority Places

CS8 - Thames Basin Heaths Special Protection Areas

CS9 – Flooding and Water Management

CS10 - Housing Provision and Distribution

CS11 - Housing mix

CS12 - Affordable Housing

CS16 – Infrastructure Delivery

CS18 - Transport and Accessibility

CS21 - Design

CS22 - Sustainable Construction

CS24 - Woking's landscape and townscape

CS25 - Presumption in favour of sustainable development

Development Management (DM) Policies DPD 2016

DM16 – Servicing Development

DM19 – Shopfronts

Supplementary Planning Documents (SPD)

Parking Standards July 2006

Outlook, Amenity, Privacy and Daylight 2008

Thames Basin Heaths Special Protection Area Avoidance Strategy 2010-2015

Climate Change December 2013

Affordable Housing Delivery 2014

Design February 2015

Waste and recycling provisions for new residential developments

Other Material Considerations

National Planning Practice Guidance (NPPG)

### **PLANNING ISSUES**

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1. The main issues to consider with this application are the principle of the development, design and layout of the development, impact on neighbour amenity, standard of accommodation, affordable housing, highways and parking implications, sustainable construction, surface water drainage and flood risk, impact on the Thames Basin Heaths Special Protection Areas, conditions and local finance considerations. Since the previous resolution to grant planning permission was made in April 2014 the DM Policies DPD was adopted in October 2016. The policies in this plan relate to detailed development considerations and where necessary these aspects will be highlighted below.

### Principle of the development

2. The application proposes the demolition of the existing buildings on the site which contain a mixture of retail and commercial uses at the ground floor level and residential (C3) at the first floor. It is noted that planning permission has already been granted for residential development and Class A1, A2 and A3 uses at the site under PLAN/2014/0762 and this application is almost identical to that previous permission.
3. Policy CS1 and Policy CS10 of the Woking Core Strategy 2012 identify that the Council will make provision for 4,964 net additional dwellings in the Borough between 2010 and 2027. The reasoned justification for Policy CS10 states that new residential development within the Urban Area will be provided through redevelopment, change of use, conversion and refurbishment of existing properties or through infilling. Housing provision is integral to the creation of sustainable communities and Policy CS10 seeks to ensure that sufficient homes are built in sustainable locations. The site constitutes previously developed land and is located within the urban area of Maybury where the principle of providing additional residential development is acceptable subject to detailed considerations.
4. The application site falls within a High Density Residential Area where the reasoned justification for Policy CS10 advises that development proposals in these areas will be permitted at densities generally in excess of 70dph in order to make the most efficient use of land. The proposal would result in 8 new flats replacing two residential units divided into 5 bedsits. The proposed development equates to 200dph which is considered appropriate to a site within a High Density Residential Area and considering the character of the application site and the surrounding local area.
5. Policy CS11 seeks to secure a mix of dwelling types and sizes across the Borough. It is also acknowledged that not every development site will deliver the complete mix. In this case 5no. 1 bed flats and 3no. 2 beds would be provided and given the position of the site this mix of units is considered appropriate. It is also noted that this same mix of dwellings was granted planning permission on the same site under PLAN/2014/0762 in April 2015, which remains extant.
6. The site also falls within the Maybury and Sheerwater Priority Place where Policy CS5 advises that the Council will enable the provision of around an additional 250 new homes in Maybury and Sheerwater between 2010 and 2017. The policy advises that in Maybury these homes will primarily be provided through the redevelopment of poor quality housing stock and outmoded and outdated employment floorspace. The policy further advises that the loss of existing retail units will be resisted in both Maybury and Sheerwater.
7. The site is currently occupied by a bed shop, beauty salon and vacant unit boarded up at the ground floor level with a further commercial use at the first floor. On 22 April 2014 the Planning Committee resolved to grant planning permission for the

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application subject to the exclusion of the proposed Class A3 (food and drink) use at ground floor level. The proposed unit below the residential use would now therefore be a flexible Class A1 (retail) or A2 (financial and professional services) use which is considered to maintain a commercial mix of uses at the ground floor level. The proposed commercial use of the ground floor level will add vitality and viability to this area of Maybury which along with the proposed residential development above would assist in meeting the objectives of Policy CS5 to support the regeneration of the area.

8. The proposed development would create 8no. new flats with a Class A1 or A2 use below. In principle subject to the detailed considerations below, the application is considered acceptable and would accord with Policies CS1, CS5, CS10 and CS11 of the Core Strategy and the policies in the NPPF.

### Design and layout of the development

9. There has been no change to the proposed built structure since the application was considered by the Planning Committee on 22 April 2014. In addition there have been no changes in physical site circumstances since this time. The paragraphs below from the previous officer report therefore remain relevant to the consideration of this matter:
10. *The surrounding area is characterised by a variety of building styles, with traditional terraces of housing and more recent flatted developments all built in traditional brick materials. The terraced properties are generally two storeys in scale with some of the newer buildings displaying heights of three storeys. Commercial units are located in some of the ground floor units.*
11. *The application site sits on the corner of Walton Road where it joins with Monument Road. The site currently comprises part of a terrace of white-rendered two-storey Victorian buildings oriented to front onto Monument Road. The buildings cover the majority of the site.*
12. *The proposed development would comprise a two to three storey building with a ground floor commercial use and two floors of residential accommodation above. The building has a contemporary appearance which has been architecturally designed to address the corner of the site providing active frontages to both Monument Road and Walton Road at the ground floor level.*
13. *The line of the building follows the existing building line of Monument Road turning the corner with Walton Road following the position of the existing building. The ground floor is recessed with a colonnade providing a walkway under the building with the first floor receiving recessed balconies and the second floor created within a glazed element and set in from the edge of the building. Where the building attaches to No.30 Monument Road it respects the height of the existing terrace with a glass spine where the building turns the corner. The elevations of the building are formed by simple vertical planes of render which are punctuated by the window openings and glass balconies. The colour of the render is proposed to be controlled by condition 3. The second floor/roof is constructed of glass with glazing used in the building to reduce its overall visual impact.*
14. *Seven of the flats have balconies which punctuate the elevations at the first floor level or are provided within the margin of the roof at the second floor level. A roof terrace is proposed to the area of flat roof fronting Walton Road which has the potential for greenery/landscaping.*



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15. *Indicative 3D visualisations have been provided to show how the proposed development would appear within the context of the street scene. The overall height and appearance of the proposed building positively responds to the development along Monument Road and Walton Road but has a distinct contemporary appearance. The building would create an active street and commercial frontage at ground level with full height glazing proposed, creating visual interest.*
16. *The proposed parking area has been located under the building with access from an existing track to the side of the building thereby reducing its impact on the street scene.*
17. *For the above reasons, the design of the proposed contemporary building is considered to have a positive impact on the character of the area. It will provide a building that would address the corner of the site regenerating a run down and tired section of Maybury and Sheerwater offering an attractive modern solution to the street scene. The proposal complies with Policies CS21 and CS24 of the Core Strategy 2012 and the policies in the NPPF.*
18. It should also be noted that planning permission was granted under PLAN/2014/0762 for an almost identical building.
19. Since the proposal was last considered by the Planning Committee, the site has been subject to a surface water flood event in May 2016 and September 2016. As a result the Council's Drainage and Flood Risk Engineer has recommended condition 22 which requires the finished floor level of the building to be raised by 150mm to mitigate the potential surface water flooding risk. The applicant's agent has advised that this requirement can be accommodated without the need to raise the overall height of the building and has provided a revised section plan which is included as an approved plan (condition 2).
20. Since the previous resolution was made, the DM Policies DPD has been adopted and this plan includes a policy relating to shopfronts. It is noted that a shopfront is proposed for the ground floor unit. The glazed elements of the shopfronts would be fully integrated into the overall structure of the building and although the glazing elements would extend to the floor, the design rationale for the building is a contemporary approach. In addition the shopfronts remain as approved under PLAN/2014/0762. Therefore it is considered that the shopfronts would form an acceptable modern approach to reflect the overall appearance of the building and would therefore comply with Policy DM19 of the DM Policies DPD.
21. Overall it is considered that the proposed development would still result in a building which would have an acceptable impact on the visual amenity of the area and would comply with Policies CS21 and CS24 of the Core Strategy 2012, Policy DM19 of the DM Policies DPD and the policies in the NPPF.

### Impact on neighbour amenity

22. There has been no change to the built structure proposed since the application was considered by the Planning Committee on 22 April 2014. In addition there have been no changes in site circumstances since this time. The paragraphs below from the previous officer report therefore remain relevant to the consideration of this matter:
23. *In relation to the potential impact on the neighbouring dwellings; the proposed building would result in a three storey fenestrated façade with balconies facing towards Monument Road and Walton Road. A separation distance of 15m is achieved to the*

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*properties on the opposite side of Monument Road and 10m to the side of the Monument Road properties fronting Walton Road. The SPD 'Outlook, Amenity, Privacy and Daylight' advises that a 15m separation distance front to front would prevent a significant level of overlooking at three storeys. This distance has been met in relation to the front of Monument Road however to the side of Walton Road a distance of 10m is achieved. This is not considered to result in a significant level of overlooking in view of the fact that the windows and balconies would look to a largely blank façade in the closest property 24 Monument Road. The amenity areas of 18-24 (even) Monument Road are already overlooked.*

24. *In relation to the rear of the properties along Monument Road, the ground floors are generally in commercial uses with residential at the first floor. The proposed building would extend past the rear of the closest property 30 Monument Road with the rear of the building set 11-15m from the rear of a first floor window in this property. The building has been set off the boundary by 1m at the ground floor and by 2 - 4.5m at the first and second floors. Whilst it is acknowledged that the first floor rear habitable window at no. 30 may receive some loss of light, the existing relationship of buildings is already causing a loss of light to this window. The glazed second floor and windows at the first floor facing the rear of the properties in Monument Road, which serve walkways, can be conditioned (condition 16) to be obscure glazed to prevent a significant level of overlooking. A significant overbearing impact is not considered to occur in view of the existing situation on the site.*
25. *A roof terrace is proposed facing the rear amenity areas of properties in Monument Road and Walton Road/Walton Terrace. However, a screen is proposed to be conditioned around the edge of the roof terrace to prevent a significant level of overlooking to surrounding properties (condition 6).*
26. *The proposed building would be separated some 30m from the properties within Walton Terrace to the rear of the site thereby not resulting in a material impact on their amenity.*
27. *A condition can be attached to any permission restricting the opening hours and the delivery hours of the commercial ground floor unit so as not to cause undue noise and disturbance to the neighbouring residential properties (condition 15).*
28. *The proposed development will not result in a significant impact on the amenities of the neighbouring dwellings such as to warrant refusal. The application complies with Policy CS21 of the Core Strategy 2012, SPD Outlook, Amenity, Privacy and Daylight and the policies in the NPPF.*
29. *Given the need to increase the finished floor level of the building by 150mm and that this can be accommodated within the overall height of the proposed building, it is not considered that this requirement would alter the assessment of the application in terms of neighbour impact. The proposal is therefore still considered to comply with Policy CS21 of the Woking Core Strategy, SPD Outlook, Amenity, Privacy and Daylight and the policies in the NPPF.*

### Standard of Accommodation

30. *Each of the proposed flats is provided with good sized living accommodation and would be afforded reasonable levels of light and outlook. All of the 1 bed flats exceed the minimum space standard in the Housing Technical Standards for 1 bed units. For the 2 bed units, two of the flats exceed the minimum space standard and the other 2 bed flat is 3sqm lower than the standard. This is considered acceptable as it would*

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only be marginally below the standard, given the previous resolution and also the extant permission under PLAN/2014/0762. At first floor level four of five flats would have a balcony recessed within the building providing a small sitting out area. At the second floor level, the three flats would have a balcony providing a small sitting out area. The balconies measure between 3sq.m and 14sq.m in size. At the second floor level a roof terrace is proposed for all the residents to use.

31. Conditions are proposed in relation to noise breakout, noise insulation, hours of use/deliveries to protect the amenity for future occupiers from the ground floor commercial unit and traffic noise (conditions 10, 11, 12, 13, 14 and 15). Previously an odour control planning condition was also recommended but as the proposed Class A3 use was excluded from the application by the previous Planning Committee resolution, the odour control condition is not longer included in the recommendation.
32. Located within the ground floor of the proposed new building are separate refuse stores for the commercial premises and for the upper floor flats, as well as a secure cycle store. Condition 17 is recommended that the development is built in accordance with these approved details and that the refuse/recycling stores are retained in perpetuity.
33. It is therefore considered that a satisfactory residential environment will be provided for the occupiers of the development in accordance with Policy CS21 of the Core Strategy 2012 and the policies in the NPPF.

### Affordable Housing

34. Policy CS12 of the Woking Core Strategy requires 20% of new dwellings to be affordable on sites that would yield between 5 and 9 dwellings. Previously an affordable housing commuted sum contribution was agreed and this was to be secured by obligation in the S106 legal agreement, along with an overage clause.
35. However, following the Court of Appeal's judgment of 11th May 2016 (Secretary of State for Communities and Local Government v West Berkshire District Council and Reading Borough Council [2016] EWCA Civ 441), wherein the Secretary of State for Communities and Local Government successfully appealed against the judgment of the High Court of 31st July 2015 (West Berkshire District Council and Reading Borough Council v Department for Communities and Local Government [2015] EWHC 2222 (Admin)), it is acknowledged that the policies within the Written Ministerial Statement of 28th November 2014, as to the specific circumstances where contributions for affordable housing and tariff-style planning obligations should not be sought from small scale and self build development, must once again be treated as a material consideration in development management decisions.
36. Additionally the Planning Practice Guidance (Paragraph 031 - Revision date: 19.05.2016) sets out that there are specific circumstances where contributions for affordable housing planning obligations should not be sought from small scale and self-build development. This follows the order of the Court of Appeal judgment dated 13th May 2016, which again gives legal effect to the policy set out in the Written Ministerial Statement of 28th November 2014 and should be taken into account. These circumstances include that contributions should not be sought from developments of 10-units or less, and which have a maximum combined gross floorspace of no more than 1000sqm.
37. Whilst it is considered that weight should still be afforded to Policy CS12 it is considered that greater weight should be afforded to the policies within the Written

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Ministerial Statement of 28th November 2014 and the Planning Practice Guidance (Paragraph 031 - Revision date: 19.05.2016). As the proposal represents a development of 10-units or less and has a maximum combined gross floorspace of no more than 1000sqm, it is considered that no affordable housing financial contribution should now be sought from the application scheme.

### Highway and parking implications

38. The application proposes 6no. parking spaces and a secure cycle store to provide 8no. cycle parking spaces for the residential element of the development. The car parking area will be accessed off Walton Road in a similar access arrangement to the existing site. The site is located outside of the High Accessibility Zone as defined in the Parking Standards SPD. The applicant has tracked all of the six parking spaces and they can be accessed with the vehicle being able to leave the site in forward gear.
39. The site falls within a sustainable location within the High Density Residential Area. Woking train station is located 1.3km away and the site is within easy walking distance of the Lion retail park. As such the site is considered to be in a sustainable location. The proposed car parking provision is 2 spaces below the maximum parking standard as stated in the SPD, but as the standard is a maximum standard, a resolution has been previously made for this proposal and a similar scheme under PLAN/2014/0762 remains extant, this provision is considered acceptable (condition 7). Secure cycle parking is to be provided within the site in accordance with the SPD standard which can be conditioned (condition 9).
40. As is the existing case at the site, no parking is proposed for the ground floor Class A1 or A2 use. The existing units at the site do not have any parking for the commercial uses and in view that this is the existing situation objection could not be raised. The servicing of the site is currently carried out from the street and this is proposed under the current application. Mindful of these factors it is considered that the proposed servicing arrangements are acceptable and would comply with Policy DM16 of the DM Policies DPD. Conditions are proposed to restrict the opening hours/deliveries to the ground floor unit (condition 15).
41. For the reasons given above it is considered that the proposal would not result in any highway safety issues and the County Highway Authority has no raised any objections to the application subject to conditions (conditions 7, 8 and 9). The proposal complies with Policy CS18 of the Core Strategy, Policy DM16 of the DM Policies DPD and the policies in the NPPF.

### Sustainable construction

42. Since the application was last considered by the Planning Committee on 22 April 2014, a Written Ministerial Statement dated 25<sup>th</sup> March 2015 delivered to Parliament effectively repealed the Code for Sustainable Homes. However the Local Planning Authority is still able to require that new development achieves a commensurate level of sustainable construction to that of Code Level 4 with regard to water, energy and carbon dioxide emissions.
43. Subject to conditions (18 and 19) it is considered the development could reasonably achieve the required sustainability measures in accordance with Policy CS22 of the Core Strategy and the policies in the NPPF.

### Surface Water Drainage and Flood Risk

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44. The site is located within Flood Zone 1 (low risk) and no issues relating to fluvial flood risk are raised. In respect of surface water drainage, this site is located in an area which flooded as a result of surface water in May and September 2016. The Council's Drainage and Flood Risk Engineer has been consulted on the application and recommends that conditions 21 and 22 be imposed on any permission granted. Condition 22 requires the finished floor level of the building to be set no lower than 150mm above the floor level of the surrounding finished ground level. In this regard the applicant's agent has advised that this requirement can be accommodated within the building without increasing the overall height of the proposed building. Subject to conditions the proposal is considered to comply with Policy CS9 of the Core Strategy and the policies in the NPPF.
45. Thames Water was consulted on the original application and raised no objection to the application. It is however noted that they recommend informatives on any permission granted and these are included in informatives 1 and 2. However given the lapse in time since the consideration of the previous application and the surface water flooding in 2016, Thames Water has been re-consulted on the application and has advised that their original comments are still relevant.

### Thames Basin Heaths Special Protection Area

46. The Thames Basin Heaths Special Protection Area are internationally important and designated for their interest as habitats for ground nesting birds. Policy CS8 of the Woking Core Strategy requires all new residential development within the 400m-5km zone to make a financial contribution towards the provision of Suitable Alternative Natural Greenspace (SANG) and the Strategic Access Management and Monitoring (SAMM) to avoid adverse effects.
47. Since the application was last considered by the Planning Committee the Council has adopted a CIL Charging Schedule. The SANG contribution is now encompassed within the Community Infrastructure Levy (CIL) but the SAMM element of the contribution is required to be secured outside of CIL. The applicant has agreed to make a SAMM contribution of **£4,415.00** in accordance with the adopted Avoidance Strategy 2010-2015 for the provision of 5no. 1-bed flats and 3no. 2-bed flats. This contribution will be secured by S106 legal agreement.
48. In view of the above, the proposed development is not therefore considered to have an adverse effect on the integrity of the SPA and the proposal therefore accords with saved Policy NRM6 of the South East Plan 2009, Policy CS8 of the Woking Core Strategy 2012 and the Thames Basin Heaths Special Protection Area Avoidance Strategy 2010-2015. The SAMM contribution is index linked based on the RPI annual inflation in the relevant year.

### Conditions

49. Since the consideration of the application by the Planning Committee in April 2014, the recommended planning conditions have been updated to reflect current requirements e.g. the conditions relating to sustainable construction have been updated and any condition relating to the previously proposed A3 use has been removed from the recommendation in accordance with the previous Planning Committee resolution. A condition was also previously included relating to level threshold access to the building but this has now been deleted as such matters are controlled under the Building Regulations. However new conditions have been added as recommended by the Council's Drainage and Flood Risk Engineer.

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### Local Finance Considerations

50. The application proposes additional retail and residential accommodation and would therefore be liable for a Community Infrastructure Levy contribution. Based on the submitted information, the GIFA increase for the proposed retail use would be 45.5sqm and the GIFA increase in residential floorspace would be 378.5sqm. This would result in a total CIL tariff payable for this development of approximately £35,224.61, although the CIL tariff is index linked.

### CONCLUSION

51. The proposed development is considered to make effective and efficient use of this previously developed site in Maybury which will contribute towards the sustainable economic growth of Maybury and Sheerwater. It will have a positive impact on the visual amenities of the area and would not impact significantly on the amenities of the neighbouring dwellings. It will provide an improved level of accommodation compared to the existing accommodation, will not result in any adverse highway and parking implications, embraces principles of sustainable design and construction and will not adversely affect the Thames Basin Heaths Special Protection Area. Having regard to the relevant policies of the Development Plan, other relevant material planning considerations and national planning policy and guidance the proposal is considered to be an acceptable form of development that complies with Policy NRM6 of the South East Plan 2009, Policies CS5, CS8, CS9, CS12, CS16, CS18, CS21, CS22, CS24 and CS25 of the Woking Core Strategy 2012, Policies DM16 and DM19 of the DM Policies DPD 2016, the guidance in the relevant SPDs and the policies within the NPPF. It is therefore recommended that planning permission is granted subject to the prior completion of a legal agreement and the conditions as set out below.

### BACKGROUND PAPERS

Planning file PLAN/2013/0574

### PLANNING OBLIGATIONS

	<b>Obligation</b>	<b>Reason for Agreeing Obligation</b>
1.	Provision of <b>£5,039.00</b> SAMM contribution (index linked) in accordance with the adopted avoidance strategy.	To accord with the Habitat Regulations, Core Strategy (2012) Policy CS8 and the Council's Adopted Avoidance Strategy.

### RECOMMENDATION

It is recommended that planning permission be **GRANTED** subject to the prior completion of a S106 legal agreement to secure the above stated obligations and the following conditions:

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

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

2. The development hereby permitted shall be carried out in accordance the following approved plans:

Site Location Plan rec 18.06.13

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Existing ground floor plan (PL02) rec 18.06.13  
Existing first floor plan (PL03a) rec 18.06.13  
Existing elevations (PL04a) rec 18.06.13  
Existing sections (PL05a) rec 18.06.13  
Proposed ground floor plan (PL12d) rec 26.02.14  
Proposed first floor plan (PL13c) rec 31.01.14  
Proposed second floor plan (PL14d) rec 31.01.14  
Proposed roof plan (PL15c) 31.01.14  
Proposed elevations (PL17b) rec 11.03.14  
Proposed elevations (PL18b) rec 25.02.14  
Proposed Section rec 09.08.17 (the scale bar on this plan is incorrect – the scale of the plan is 1:50 to accord with the stated dimensions on the plan)

Reason: For the avoidance of doubt and to ensure that the development is completed in accordance with the approved plans.

3. ++Prior to the commencement of the development hereby approved, samples of the materials to be used for the external elevations and external surfaces shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and maintained permanently as such.

Reason: To protect the visual amenities of the area in accordance with Policy CS21 of the Woking Core Strategy 2012 and the policies of the NPPF.

4. ++Prior to the commencement of development, details of boundary treatments shall be submitted to and approved in writing by the Local Planning Authority and shall be in place prior to the first occupation of the dwellings hereby approved and permanently maintained thereafter in accordance with the approved details.

Reason: To ensure adequate security and a satisfactory appearance of the completed development, in accordance with the Policy CS21 of the Woking Core Strategy 2012 and the policies in the NPPF.

5. ++Details of hard and soft landscaping to the second floor roof terrace (including a schedule of materials to be used; samples and species/planting schedule) shall be submitted to and improved in writing by the Local Planning Authority. The landscaping scheme shall be implemented in accordance with the approved details prior to the first occupation of the development, unless otherwise agreed in writing with the Local Planning Authority. 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 in accordance with Policies CS7, CS21 and CS24 of the Woking Core Strategy 2012 and the policies in the NPPF.

6. ++Prior to the commencement of the development hereby approved full details of the screening around the edges of the roof terrace and details of the screening to protect the privacy of flat 1 shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be fully implemented in the proposals prior to the occupation of the building and permanently retained as such.

## 5 SEPTEMBER 2017 PLANNING COMMITTEE

Reason: To ensure that the roof terrace does not result in a significant level of overlooking and to protect the amenity of flat 1 in accordance with the Policy CS21 of the Woking Core Strategy 2012 and the policies in the NPPF.

7. No new development shall be occupied until space has been laid out within the site in accordance with the approved plans for cars to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. The parking/turning area shall be used and retained exclusively for its designated purpose.

Reason: To ensure the development does not prejudice highway safety, nor cause inconvenience to other highway users, and to accord with Policy CS18 of the Woking Core Strategy and the policies in the NPPF.

8. No development shall start until a Method of Construction Statement, 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) programme of works (including measures for traffic and pedestrian management)
  - (e) provision of boundary hoarding behind any visibility zones

has been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented during the construction period.

Reason: To ensure the development does not prejudice highway safety, nor cause inconvenience to other highway users, and to accord with Policy CS18 of the Woking Core Strategy and the policies in the NPPF.

9. No new development shall be occupied until space has been laid out within the site in accordance with the approved plans to provide secure and covered cycle parking which shall thereafter be permanently maintained.

Reason: In order that the development should reduce reliance upon the private car and to accord with Policy CS18 of the Woking Core Strategy 2012 and policies in the NPPF.

10. ++Before any works take place, details of measures to be taken to upgrade the acoustic performance of the party ceilings/floors and walls shall be submitted to and approved by the Local Planning Authority in writing. Development shall be carried out in accordance with the approved details.

Reason: To safeguard the amenities of the occupiers of adjoining properties in accordance with Policy CS21 of the Woking Core Strategy 2012 and the policies in the NPPF.

11. ++Prior to the commencement of the development hereby approved details of the measures to be undertaken to acoustically insulate and ventilate the building for the containment of internally generated noise shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details and maintained as such.

Reason: To safeguard the amenities of the occupiers of adjoining properties in accordance with Policy CS21 of the Woking Core Strategy 2012 and the policies in the NPPF.



## 5 SEPTEMBER 2017 PLANNING COMMITTEE

12. ++Prior to the installation of any fixed plant and equipment associated with air moving equipment, compressors, generators or plant or similar equipment to be installed in connection with the development hereby approved details, including acoustic specifications shall be submitted to and approved in writing by the Local Planning Authority. The plant and equipment shall not be installed otherwise than in accordance with the approved details and be maintained as approved.

Reason: To safeguard the amenities of the occupiers of adjoining properties in accordance with Policy CS21 of the Woking Core Strategy 2012 and the policies in the NPPF.

13. ++No sound reproduction equipment which conveys messages, music or other sound by voice or otherwise which is audible outside the premises shall be installed on the site without the prior written consent of the Local Planning Authority.

Reason: To safeguard the amenities of the occupiers of adjoining properties in accordance with Policy CS21 of the Woking Core Strategy 2012 and the policies in the NPPF.

14. ++No development shall take place until a fully detailed scheme for protecting the proposed development (including where appropriate any garden) from traffic noise from Monument Road/Walton Road and the railway has been submitted to and approved in writing by the Local Planning Authority. The scheme shall comprise acoustic double glazing with ventilation and any other means to protect the building from noise. The approved scheme shall be carried out concurrently with the development of the site and shall then be implemented in full as agreed in writing by the Local Planning Authority before each dwelling is occupied and shall be retained thereafter.

Reason: To protect the occupants of the new development from noise disturbance in accordance with Policy CS21 of the Woking Core Strategy 2012 and the policies in the NPPF.

15. The ground floor premises hereby approved shall not be open to customers and have no deliveries between the hours of 8pm - 8am Mondays to Saturdays inclusive, shall only be open to customers between the hours of 10am - 4pm Sundays and have no deliveries on Sundays unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard the amenities of the adjoining properties in accordance with Policy CS21 of the Woking Core Strategy 2012 and the policies in the NPPF.

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

Reason: To safeguard the amenities of the adjoining properties in accordance with Policy CS21 of the Woking Core Strategy 2012 and the policies in the NPPF.

17. Prior to the first occupation of the ground floor unit and the first occupation of the residential development, the refuse/recycling bin stores as shown on the plans hereby approved shall be made available for their designated use at all times and shall thereafter be retained in perpetuity and available for use for their stated purpose.

## 5 SEPTEMBER 2017 PLANNING COMMITTEE

Reason: In the interests of amenity and to ensure the provision of satisfactory facilities for the storage and recycling of refuse in accordance with Policy CS21 of the Woking Core Strategy 2012 and policies in the NPPF.

18. ++Prior to the commencement of the development hereby approved, written evidence shall 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 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 Local Planning Authority.

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 and the policies in the NPPF.

19. 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 Local Planning Authority.

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 and the policies in the NPPF.

20. The ground floor unit hereby approved shall not be subdivided into separate units without the prior written approval of the Local Planning Authority.

Reason: To avoid the over-intensive use of the site and to comply with Policies CS18, CS21 and CS24 of the Woking Core Strategy 2012.

21. No development shall commence until a surface water drainage scheme for the site based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development has been submitted to and approved in writing by the Local Planning Authority. The drainage scheme should demonstrate the

## 5 SEPTEMBER 2017 PLANNING COMMITTEE

surface water run-off generated up to and including the 1 in 100 plus climate change critical storm will not exceed the run-off from the existing site following the corresponding rainfall event.

The drainage scheme details to be submitted for approval shall also include:

- I. Calculations demonstrating no increase in surface water runoff rates and volumes discharged from the site compared to the existing scenario up to the 1 in 100 plus climate change storm event.
- II. Calculations demonstrating no on site flooding up to the 1 in 30 storm event and any flooding between the 1 in 30 and 1 in 100 plus climate change storm event will be safely stored on site ensuring no overland flow routes.
- III. Detail drainage plans showing where surface water will be accommodated on site,
- IV. A management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

The surface water drainage scheme shall be implemented in accordance with the approved details prior to the first occupation of the development hereby permitted and thereafter it shall be managed and maintained in accordance with the approved details in perpetuity.

Reason: To prevent the increased risk of flooding, to improve and protect water quality and to ensure the future maintenance of these in accordance with Policies CS9 and CS16 of the Woking Core Strategy 2012 and the policies in the NPPF.

22. The Finished Floor Levels (FFL) of the proposed development shall be set no lower than 150mm above the surrounding finished ground level.

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

### **Informatives**

1. **Thames Water** - There are public sewers crossing or close to your development. In order to protect public sewers and to ensure that Thames Water can gain access to those sewers for future repair and maintenance approval should be sought from Thames Water where the erection of a building or an extension to a building or underpinning works should be over the line of, or would come within 3 metres of a public sewer. Thames Water will usually refuse such approval in respect of the construction of new buildings but approval may be granted in some cases for the extensions to existing buildings. The applicant is advised to contact Thames Water Developer Services on 0845 850 2777 to discuss the options available at this site.
2. **Thames Water** - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777.

## 5 SEPTEMBER 2017 PLANNING COMMITTEE

3. 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 paragraph 186-187 of the National Planning Policy Framework 2012.
4. Your 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 COMMENCEMENT OF ANY DEVELOPMENT ON THE SITE or, require works to be carried out PRIOR TO THE COMMENCEMENT OF THE USE. 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.
5. Details of the highway requirements necessary for inclusion in any application seeking approval of reserved matters may be obtained from the Transport Development Planning Team of Surrey County Council.
6. The permission hereby granted shall not be construed as authority to obstruct the public highway by the erection of scaffolding, hoarding or any other device or apparatus for which a licence must be sought from the Highway Authority Local Highway Service Group.
6. The permission hereby granted shall not be construed as authority to carry out works on the highway or any works that may affect a drainage channel/culvert or water course. The applicant is advised that a licence must be obtained from the Highway Authority Local Highway Service Group before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. The applicant is also advised that Consent may be required under Section 23 of the Land Drainage Act 1991. Please see [www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/flooding-advice](http://www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/flooding-advice).
7. The applicant is advised that as part of the detailed design of the highway works required by the above condition(s), the County Highway Authority may require necessary accommodation works to street lights, road signs, road markings, highway drainage, surface covers, street trees, highway verges, highway surfaces, surface edge restraints and any other street furniture/equipment.
8. The applicant is advised that Part 2, Class E of the General Permitted Development Order effectively enforces that, notwithstanding the flexible use hereby granted for the ground floor commercial unit, the use in place 10 years after the grant of this permission will become the lawful use. (Note: this would not prejudice any changes of use which would be permitted by the Permitted Development Order or other such regulations in force at the time).
9. The development hereby permitted would be CIL liable. The charge becomes due when development commences. A commencement notice, which is available from the Planning Portal website (Form 6: Commencement Notice: [http://www.planningportal.gov.uk/uploads/1app/forms/form\\_6\\_commencement\\_notice.pdf](http://www.planningportal.gov.uk/uploads/1app/forms/form_6_commencement_notice.pdf)) must be issued to the Local Planning Authority and all owners of the relevant land to notify them of the intended commencement date of the development. The Local Planning Authority will then send a Demand Notice to the person or persons who have assumed liability.

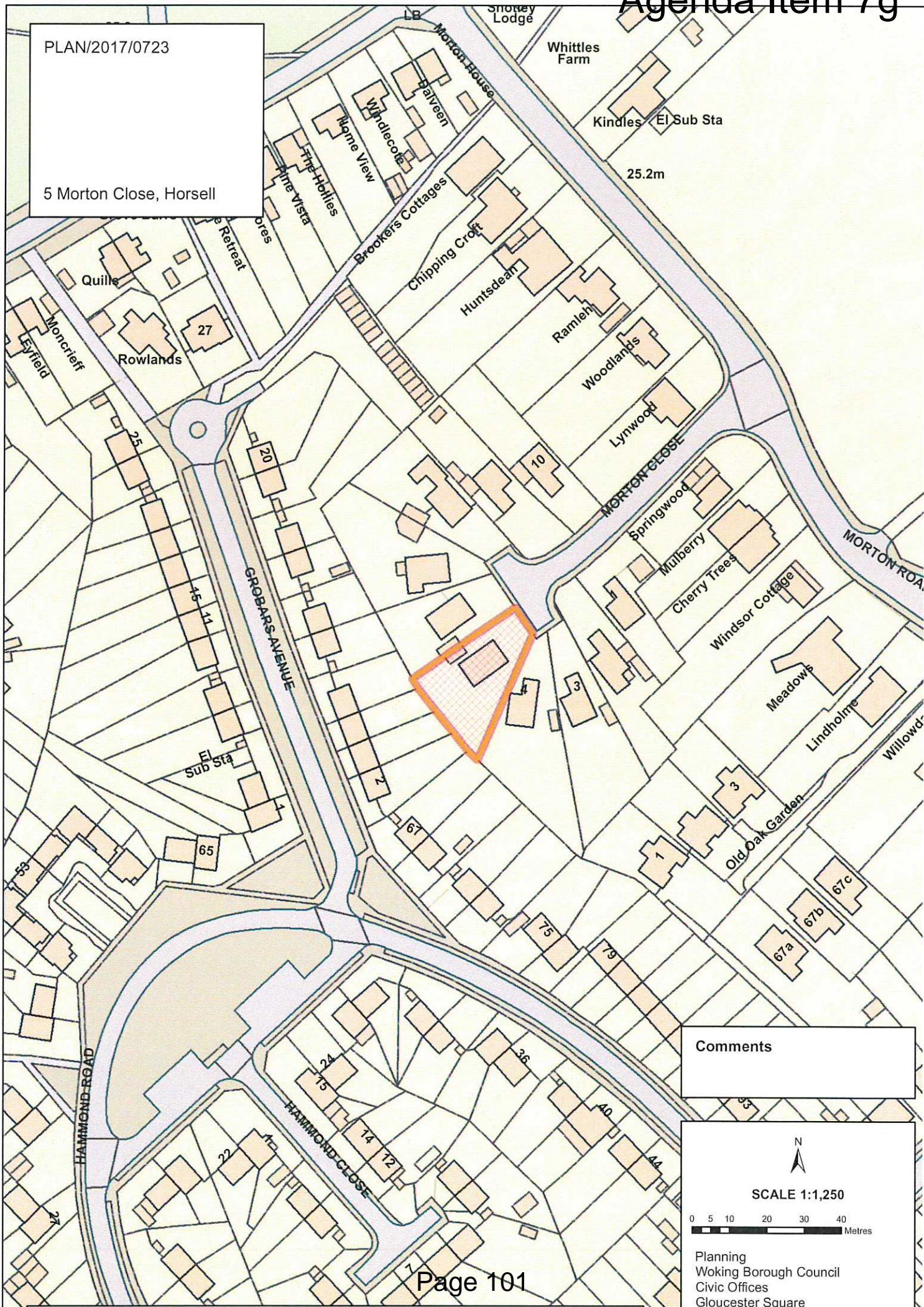
**5 SEPTEMBER 2017 PLANNING COMMITTEE**

10. This decision notice should be read in conjunction with the related Legal Agreement.

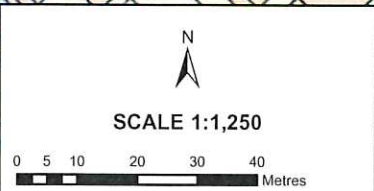


PLAN/2017/0723

5 Morton Close, Horsell



Comments



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









## 5 SEPTEMBER 2017 PLANNING COMMITTEE

6g 17/0723 Reg'd: 15.06.2017 Expires: 10.08.17 Ward: HO  
Nei. N/A BVPI Number 12/8 On No  
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Exp: on Cttee'  
Day:

**LOCATION:** 5 Morton Close, Horsell, Woking, Surrey, GU21 4TW

**PROPOSAL:** Certificate of Proposed Lawful Development for a single storey side extension

**TYPE:** Certificate of Lawfulness- Proposed

**APPLICANT:** Ms Gillian Laing

**OFFICER:** Claire Simpson

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### **REASON FOR REFERRAL TO COMMITTEE**

The applicant is a Council employee.

### **SITE DESCRIPTION**

The application site is a detached bungalow situated at the end of Morton Close, a cul-de-sac of similar properties.

### **PROPOSED DEVELOPMENT**

The application is for a Certificate of Lawfulness (proposed) for the erection of a single storey side extension including a new soil and vent pipe.

### **PLANNING STATUS**

- Surface Water Flooding
- Thames Basin Heaths SPA Zone B (400m-5km)

### **RECOMMENDATION**

PERMIT the Certificate of Lawfulness for proposed use.

### **PLANNING HISTORY**

None relevant

### **CONSULTATIONS**

Not applicable

### **REPRESENTATIONS**

Not applicable

### **PLANNING ISSUES**

Planning Policies are not relevant in this context as the purpose of this Lawful Development Certificate is to establish whether the proposed development constitutes Permitted Development as per the Town and Country Planning (General Permitted Development) Order 2015 (as amended).

The application dwelling has full Permitted Development Rights, is not on article 2(3) land and is not a Listed Building.

The proposed extension falls to be considered against Part 1, Class A and Class G of the Town and Country Planning (General Permitted Development) Order 2015 (as amended). This report will consider the proposed development against the criterion as set out by this Order.

### **Class A – The enlargements, improvements or other alteration of a dwellinghouse**

#### **A.1 Development is not permitted by Class A if-**

- (a) Permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class M, N, P, PA or Q of Part 3 of this Schedule (changes of use);  
**Proposal complies.**
- (b) As a result of the works, the total area of ground covered by buildings within the curtilage of the dwellinghouse (other than the original dwellinghouse) would exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse);  
**Proposal complies.**
- (c) The height of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the highest part of the roof of the existing dwellinghouse;  
**Proposal complies.**
- (d) The height of the eaves of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the eaves of the existing dwellinghouse;  
**Proposal complies.**
- (e) The enlarged part of the dwellinghouse would extend beyond a wall which-
  - (i) Forms the principal elevation of the original dwellinghouse; or
  - (ii) Fronts a highway and forms a side elevation of the original dwellinghouse;**Proposal complies.**
- (f) Subject to paragraph (g), the enlarged part of the dwellinghouse would have a single storey and-
  - (i) extend beyond the rear wall of the original dwellinghouse by more than 4 metres in the case of a detached dwellinghouse, or 3 metres in the case of any other dwellinghouse, or
  - (ii) exceed 4 metres in height;**Proposal complies.**

## 5 SEPTEMBER 2017 PLANNING COMMITTEE

(g) Until 30 May 2019, for a dwellinghouse not on article 2(3) land nor on a site of special scientific interest, the enlarged part of the dwellinghouse would have a single storey and-

(i) Extend beyond the rear wall of the original dwellinghouse by more than 8 metres in the case of a detached dwellinghouse, or 6 metres in the case of any other dwellinghouse, or

(j) Exceed 4 metres in height;

**Proposal complies.**

(h) The enlarged part of the dwellinghouse would have more than a single storey and-

(i) extend beyond the rear wall of the original dwellinghouse by more than 3 metres, or

(ii) be within 7 metres of any boundary of the curtilage of the dwellinghouse being enlarged which is opposite the rear wall of that dwellinghouse;

**The enlarged part of the dwellinghouse would not have more than a single storey; therefore (h) is not relevant.**

(i) The enlarged part of the dwellinghouse would be within 2 metres of the boundary of the curtilage of the dwellinghouse, and the height of the eaves of the enlarged part would exceed 3 metres;

**Proposal complies.**

(j) The enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse, and would-

(i) Exceed 4 metres in height;

(ii) Have more than a single storey, or

(iii) Have a width greater than half the width of the original dwellinghouse; or

**Proposal complies.**

(ja) any total enlargement (being the enlarged part together with any existing enlargement of the original dwellinghouse to which it will be joined) exceeds or would exceed the limits set out in sub-paragraphs (e) to (j);

**Proposal complies.**

(k) It would consist of or include-

(i) The construction or provision of a veranda, balcony or raised platform,

(ii) The installation, alteration or replacement of a microwave antenna,

(iii) The installation, alteration or replacement of a chimney, flue or soil and vent pipe, or

(iv) An alteration to any part of the roof of the dwellinghouse.

**Proposal does not comply but see Class G.**

**A.2.** The dwellinghouse is not on article 2(3) land. Therefore paragraph A.2. does not apply.

**A.3.** Development is permitted by Class A subject to the following conditions:

(a) the materials used in any exterior work (other than materials used in the construction of a conservatory) must be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse; the plans are annotated accordingly.

**Class G – The installation, alteration or replacement of a chimney, flue or soil and vent pipe on a dwellinghouse**

## 5 SEPTEMBER 2017 PLANNING COMMITTEE

### A.1 Development is not permitted by Class G if-

- (a) Permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class M, N, P, PA or Q of Part 3 of this Schedule (changes of use);  
**Proposal complies.**
- (b) The height of the chimney, flue or soil and vent pipe would exceed the highest part of the roof by 1 metre or more; or  
**Proposal complies.**
- (c) In the case of a dwellinghouse on article 2(3) land, the chimney, flue or soil and vent pipe would be installed on a wall or roof slope which –
  - (i) Fronts a highway, and
  - (ii) Forms either the principal elevation or a side elevation of the dwellinghouse**The dwellinghouse is not on article 2(3) land therefore (c) is not relevant.**

### Conclusion:

The proposed single storey side extension including soil and vent pipe falls within the meaning of Classes A and G of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). The development complies with the development tolerances set out within these regulations. The operation would therefore be granted planning permission by Article 3 of the Order in the said Classes A and G.

### **RECOMMENDATION**

It is recommended that the Certificate of Lawfulness for proposed use be **permitted** for the following reason:

- 01. The operation would consist of development within the curtilage of '5 Morton Close' within the criteria of Classes A and G of Part 1, Schedule 2 of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) and would comply with the development tolerances set out within Class A. The operation would therefore have been granted planning permission by Article 3 of the Order.

### **Informatives**

- 01. The plans relating to the Certificate of Lawfulness hereby approved are listed below:

Location Plan received 14 June 2017  
Proposed Ground Floor Plan received 14 June 2017  
Existing and Proposed Front Elevations received 14 June 2017  
Existing and Proposed Rear Elevations received 14 June 2017  
Existing and Proposed Side Elevations received 14 June 2017

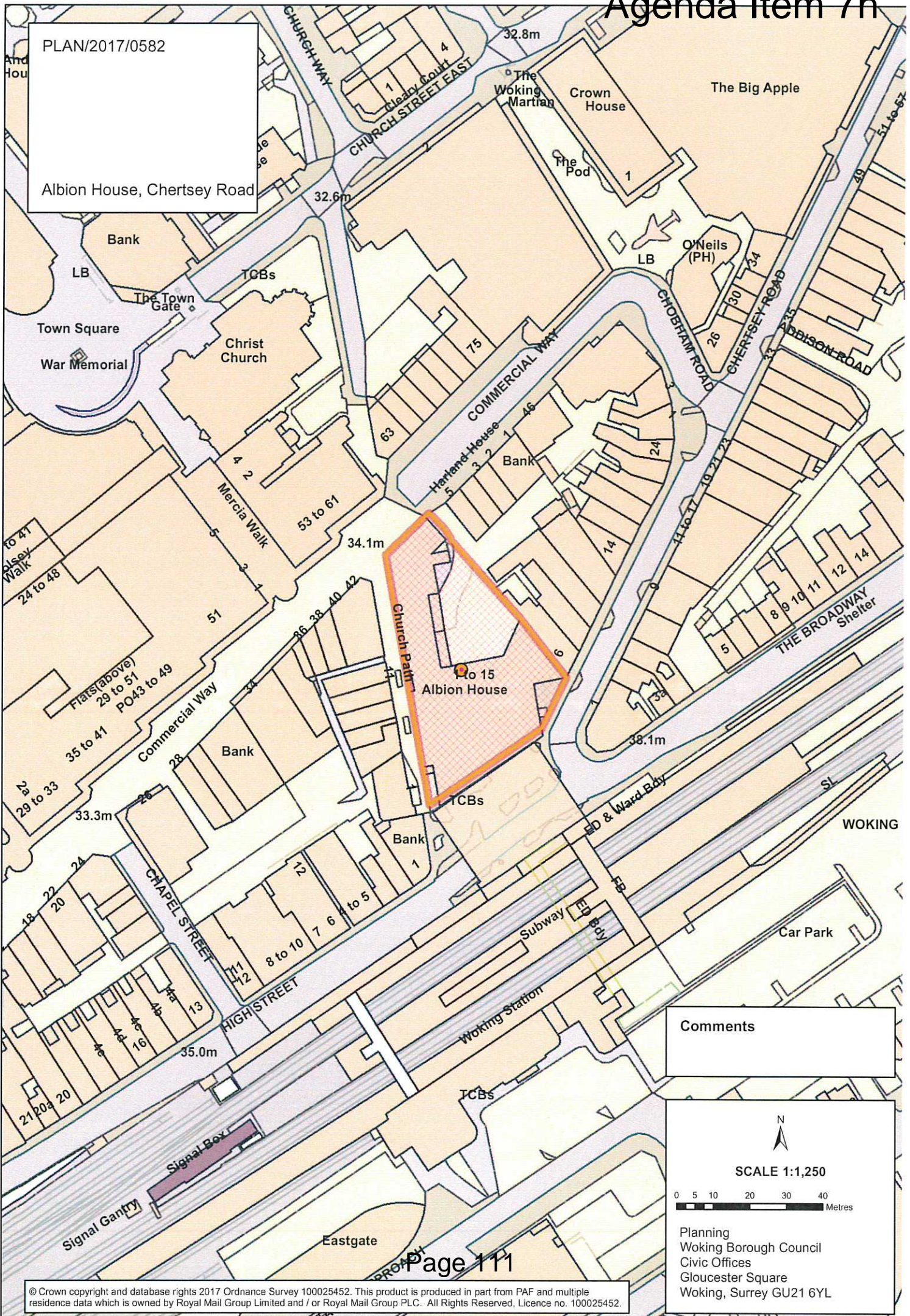
- 02. The applicant is advised that development is permitted by Class A subject to the following conditions:
  - (a) the materials used in any exterior work (other than materials used in the construction of a conservatory) must be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse;

## 5 SEPTEMBER 2017 PLANNING COMMITTEE

- (b) any upper-floor window located in a wall or roof slope forming a side elevation of the dwellinghouse must be:
- (i) obscure-glazed, and
  - (ii) non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed; and
  - (c) where the enlarged part of the dwellinghouse has more than a single storey, the roof pitch of the enlarged part must, so far as practicable, be the same as the roof pitch of the original dwellinghouse.



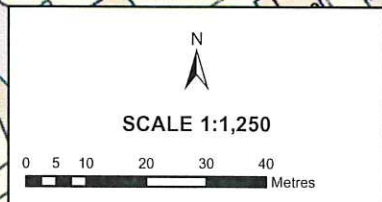




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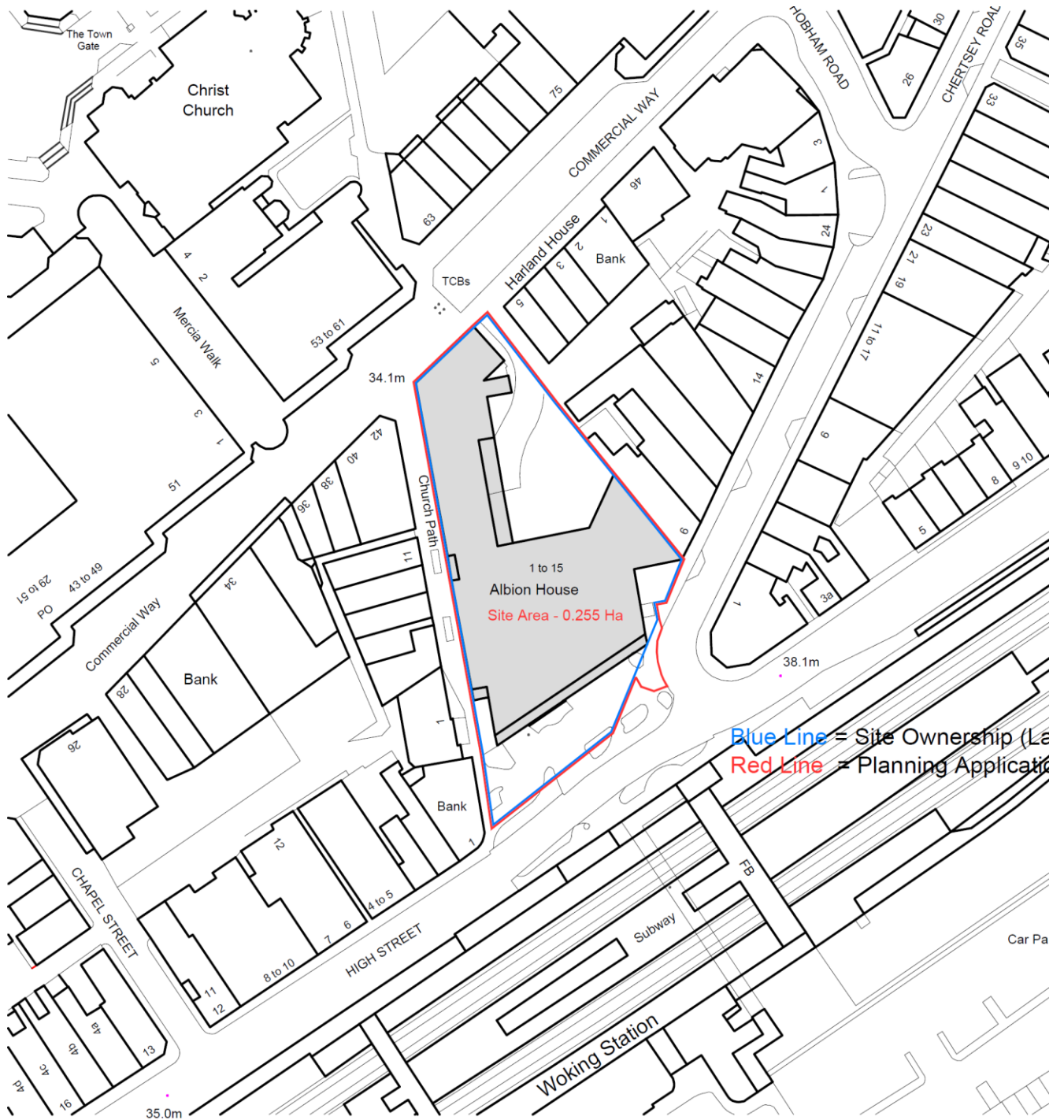
Albion House, Chertsey Road

Comments



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







## 5 September 2017 PLANNING COMMITTEE

6h 17/0582 Reg'd: 18.05.17 Expires: 14.07.17 Ward: C  
Nei. 28.06.17 BVPI 20 Change of Number 16/8 On No  
Con. Target use of Weeks of Target?  
Exp: on Cttee'  
Day:

**LOCATION:** Albion House, Chertsey Road, Woking, Surrey, GU21 6BE

**PROPOSAL:** Change of use and amalgamation of lower ground floor and ground floor of Unit 1 in use as a nightclub (sui generis) and part of unit 10-13 (A1/A2/A3) use to Drinking Establishments (A4) with associated external seating area; change of use of retail storage space (A1) to form 3x flats (1x one bed, 1x two bed and 1x three bed) (C3); change of use of ancillary nightclub space (sui generis) at first floor level associated with Unit 1 to office (B1); change of use of flat (1 x 3 bed) ancillary to nightclub space (sui generis) at first floor level associated with Unit 1 to form 1x 3 bed flat (C3); and associated external alterations.

**TYPE:** FULL

**APPLICANT:** PCDF III (Woking) LLP

**OFFICER:** Brooke Bounague

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### **REASON FOR REFERRAL TO COMMITTEE**

The application is for the creation of residential units which is a proposal that falls outside the scope of delegated powers as set out by the Management Arrangements and Scheme of Delegations.

### **SUMMARY OF PROPOSED DEVELOPMENT**

Change of use and amalgamation of lower ground floor and ground floor of Unit 1 in use as a nightclub (sui generis) and part of unit 10-13 (A1/A2/A3) use to Drinking Establishments (A4) with associated external seating area; change of use of retail storage space (A1) to form 3x flats (1x one bed, 1x two bed and 1x three bed) (C3); change of use of ancillary nightclub space (sui generis) at first floor level associated with Unit 1 to office (B1); change of use of flat (1 x 3 bed) ancillary to nightclub space (sui generis) at first floor level associated with Unit 1 to form 1x 3 bed flat (C3); and associated external alterations.

Site area: 0.26ha (2,600sqm)  
Existing units: 3 (including the 1x3 bed flat ancillary to the nightclub)  
Proposed units: 6  
Existing density: 11.5 dph (dwelling per hectare)  
Proposed density: 23.1 dph

### **PLANNING STATUS**

- Airport Safety Zone – Fair Oaks
- Urban Area
- Adjacent to Woking Town Centre Conservation Area (abutting Church Path frontage)
- Opposite Locally Listed Building (opposite Church Path)
- Frontage to Commercial Way - Primary Shopping Frontage
- Units and Frontage to Church Path and High Street – Secondary Shopping Frontage

## 5 September 2017 PLANNING COMMITTEE

- Thames Basin Heaths SPA Zone B (400m-5km)
- Woking Town Centre
- Locally Listed buildings (40-42 Commercial Way opposite Church Path – Building of Townscape Merit)

### **RECOMMENDATION**

Grant planning permission subject to conditions and SAMM contribution secured by way of Unilateral Undertaking.

### **SITE DESCRIPTION**

Albion House is a 1960s building within the town centre opposite the train station. The building contains a mixture of uses comprising 13 retail units (4 units currently being converted to a restaurant) with ancillary storage space, an independent storage room, a nightclub, three residential flats and self contained office space on the first to eighth floors. The application site fronts on to Church Path, Commercial Way and High Street. The service yard is located to the rear and vehicular access is off Commercial Way.

### **PLANNING HISTORY**

The most recent planning history for the site is as follows:

PLAN/2016/1322 - Change of use of Unit 4 from Class A1 (shops) to Class A3 (restaurant and cafes) and amalgamation of Unit 4, Unit 5, Unit 6 and Unit 7 at Lower Ground Floor to create 1no. restaurant, associated new shopfronts including awnings, outdoor seating, plant, extraction and ventilation equipment (including external flue and condensers). Permitted 25.01.2017

PLAN/2016/0791 - Change of use of land to outdoor seating area at the front of Albion House for restaurant/cafe use (A3). Permitted 02.09.2016

PLAN/2016/0388 - Removal of existing glazed canopy, public realm improvement works including resurfacing and reconfiguration of spaces, provision of outdoor seating area in front of Albion House, provision of cycle stands and other street furniture and highways works including realignment of the High Street, creation of a pedestrian shared surface with a non signalised crossing at Albion Square. Permitted 30.06.2016

PLAN/2015/0809 - Change of use of retail units at the front of the building from Class A1/A2 to create a combined unit or multiple units for Class A1/A2/A3; change of use of retail units at the rear of the building from Class A1/A2 to create a combined retail unit or multiple units for Class A1/A2/A3; extension of ground floor retail units; minor internal alterations; enclosure of a balcony on the first floor; erection of a substation; alterations to external appearance of building; insertion of new plant and machinery and an acoustic enclosure. Permitted 21.09.2015

### **PROPOSED DEVELOPMENT**

Albion House is currently being refurbished and upgraded. This planning application forms part of the upgrading of the building.

The application seeks full planning permission for the following:

- Change of use and amalgamation of lower ground floor and ground floor of Unit 1 currently in use as a nightclub (sui generis) and part of unit 10-13 which is currently vacant with planning permission for flexible A1/A2/A3 use to Drinking Establishments

## 5 September 2017 PLANNING COMMITTEE

(A4) with associated external seating area which is currently used as a smoking area by the nightclub.

- Change of use of retail storage space (A1) above units 4-7 to form 3x flats (1x one bed, 1x two bed and 1x three bed) (C3). The ground floor of units 4-7 are currently being converted to a restaurant (A3) as part of the redevelopment of Albion House.
- Change of use of a 1x3 bed flat ancillary to nightclub space (sui generis) at first floor level associated with Unit 1 to form an independent 1x 3 bed flat (C3).
- Change of use of ancillary nightclub space (sui generis) at first floor level associated with Unit 1 currently used as a corridor linking the nightclub to the 1x3 bed flat ancillary to the nightclub to office (B1) adjoining an existing office space.
- Associated external alterations to fenestration to accommodate the change of use to residential accommodation.

### **CONSULTATIONS**

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

**Environmental Health:** No objection subject to conditions.

**Consultant Conservation Officer:** No objection.

**Waste Services:** No objection.

### **REPRESENTATIONS**

Two letters (from the same objector) raising the following points:

- The staff accommodation ancillary to the nightclub is the only accommodation in the building
- Creation of residential units within the development are inappropriate as the development has always been primarily office and shop/restaurant/nightclub use
- The proposed flat will be at risk in the event of fire as the only means of escape will be a staircase at the north end of the building which may be compromised.

### **RELEVANT PLANNING POLICIES**

#### National Planning Policy Framework 2012

Section 1 - Building a strong, competitive economy

Section 4 - Promoting sustainable transport

Section 6 - Delivering a wide choice of high quality homes

Section 7 - Requiring good design

Section 10 - Meeting the challenge of climate change, flooding and coastal change

Section 11 - Conserving and enhancing the natural environment

Section 12 - Conserving and enhancing the historic environment

#### Woking Core Strategy 2012

CS1 - Spatial Strategy for Woking Borough

CS2 - Woking Town Centre

CS8 - Thames Basin Heaths SPA

CS10 - Housing Provision and Distribution

CS11 - Housing Mix

CS16 - Infrastructure Delivery

CS18 - Transport and Accessibility

CS20 - Heritage and Conservation

CS21 - Design

CS22 - Sustainable Construction

Development Management Policies DPD (2016)

DM9: Flats above Shops & Ancillary Accommodation

DM20: Heritage Assets and their Settings

Supplementary Planning Documents

Outlook, Amenity, Privacy and Daylight (2008)

Woking Design (2015)

Parking Standards (2006)

## **PLANNING ISSUES**

1. The main issues to consider with this application are the principle of the development, the impact on the character and appearance of the area including the adjoining Conservation Area, the potential impact on the amenity of neighbouring properties, affordable housing and parking and highways considerations.

### Principle of development

2. Policy CS2 of the Core Strategy (2012) recognises the town centre as the primary centre for economic development and that new development should deliver high quality and well designed public spaces and buildings which can be achieved through the refurbishment of outmoded sites.
3. Planning applications PLAN/2016/1322 and PLAN/2015/0809 have granted planning permission for the change of use of Unit 4 to A3 and Units 5-7 and 10-13 to a flexible use for Class A1/A2/A3 use. The change of use of these Units is currently being implemented. This planning application seeks to change the use of part of Unit 10-13 at ground floor which is currently vacant (consent for A1/A2/A3 use) and Unit 1 nightclub (sui generis) at lower ground floor and ground floor and amalgamate these units to create a Drinking Establishment (A4). Policy CS2 states that the Council will consider favourably change of use proposals to other A Class uses within the secondary frontages if it can be determined that they would not have a significant harmful effects on the frontage, crime and consider and vitality and viability of the town centre. Changing part of Unit 10-13 and Unit 1 to a Drinking Establishment (A4) would retain a town centre use and active frontage from High Street and Church Path. The use of Unit 1 as A4 (Drinking Establishment) would increase the vitality and surveillance of this part of the town centre in the day in comparison to the nightclub (sui generis) use which is shut during the day and only open during the evening.
4. The amalgamation of part of Unit 10-13 and Unit 1 and change of use to Drinking Establishment (A4) is considered to comply with Policy CS2 of the Woking Core Strategy (2012) and the policies in the NPPF which seek to promote the vitality of the main urban areas.
5. The proposal would result in the change of use of the first floor of Units 4-7 (consent for flexible A1/A2/A3 use) within the town centre to residential use (1x one bed, 1x two bed and 1x three bed). Policy CS2 of the Woking Core Strategy (2012) seeks to protect A1 uses in Primary Frontages and other 'A' uses in Secondary Frontages. The application site includes both designated primary and secondary frontages. A flexible A1/A2/A3 use and shopfronts would be retained at ground floor; the loss of an A use would only be at first floor. The application site is located within the town centre and there are a variety of A1, A2 and A3 units in the immediate area which are considered to adequately serve the day-to-day needs of the local community. The proposal is not considered to unduly harm the vitality and viability of the town centre.



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6. Policy DM9 of the DM DPD (2016) states *'the change of use of vacant or underused 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 standards;*
  - (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.'*
7. The proposed flats would comply with the minimum gross internal floor areas specified in the 'Technical housing standards – nationally described space standard' (2015) and would therefore meet the relevant space standards. An A use and shopfront would be maintained at ground floor and there are other A uses within the centre to adequately serve the day-to-day needs of the local community. It is considered the proposal would not undermine the economic vitality of the immediate area. The proposed units can be satisfactorily occupied as self contained units. No amenity space is proposed. However, given the position of the building within the Town Centre it is not considered that individual or communal private amenity space for the flats is capable of being provided on site. The site is located within walking distance of a number of public open spaces including Horsell Moor and Wheatsheaf Common. There would be a safe access and egress route during flood events. It is considered the proposal would comply with Policy DM9 of the DM DPD (2016).
8. The National Planning Policy Framework (NPPF) (2012) and policy CS25 of the Core Strategy (2012) promote a presumption in favour of sustainable development and the site is within the Town Centre and designated Urban Area. Policy CS10 of the Core Strategy (2012) seeks to ensure that sufficient homes are built in sustainable locations where existing infrastructure is in place. The principle of residential development is therefore considered acceptable subject to further material planning considerations discussed below.
9. It is proposed to change the use of ancillary nightclub space (sui generis) at first floor level associated with Unit 1 to office (B1). The area of ancillary nightclub space currently links the nightclub with the existing flat used ancillary to the nightclub and would adjoin an existing office space (B1). It is considered the proposed change of use would not have an impact on the vitality and viability of Woking Town Centre.

### Design and impact on character and appearance

10. The Woking Town Centre Conservation Area abuts the Church Path frontage of the building. Policy CS21 of the Core Strategy states that new development should create buildings and places that are attractive with their own distinct identity; they should make a positive contribution to the street scene and the character of the area in which they are situated. Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in respect of Conservation Areas, *'that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.'* The Heritage of Woking SPG comments, in relation to the Woking Town Centre Conservation Area that *'there have been a number of modern infill redevelopments, such as Albion House terrace which have detracted from the coherent character of the area and contributed to the resulting decline in the quality of the visual environment.'*
11. The whole building is currently being refurbished and upgraded in association with PLAN/2015/0809 including full height curtain wall glazing and metal cladding. The only alterations are to replace three sets of high level windows with floor to ceiling windows

## 5 September 2017 PLANNING COMMITTEE

at first floor in the west elevation and alter the glazing proportions of the first floor in the north elevation. Condition 3 will require the proposed materials to be agreed prior to commencement.

12. It is considered these alterations would preserve the character and appearance of the host building and of the adjacent Conservation Area.
13. It is considered that the proposed development complies with policies CS20 and CS21 of the Woking Core Strategy (2012), Supplementary Planning Guidance Outlook, Amenity, Privacy and Daylight (2008) and 'Woking Design' (2015) and Section 7 'Requiring good design' of the National Planning Policy Framework (2012).

### Amenities of future occupiers

14. The proposed residential units are considered to provide an acceptable level of daylight and outlook to future occupiers. The internal layout of the flats is considered to be appropriate.
15. The proposed flat would be sited in the Town Centre with a flexible A1/A2/A3 at ground floor and further restaurants sited to the north, east and west of the site. It is proposed to change the use of the existing nightclub to a drinking establishment. There is potential for noise disturbance from these uses. The applicant has submitted some acoustic information, which concludes that acceptable internal noise levels in the flats can be achieved subject to compliance with mitigation measures listed in the acoustic information submitted with the planning application. The Environmental Health Officer considers these measures to be acceptable and a condition has been recommended to secure these (Condition 6).
16. The introduction of a Class A4 use can give rise to increased disturbance and odours. Conditions 7 and 9 are recommended to secure and agree details of plant and equipment and details to mitigate odour prior to commencement of development.
17. No amenity space is proposed. Given the position of the building within the Town Centre it is not considered that an area of amenity private amenity space for the flats is incapable of being provided on site and that it would not be reasonable to refuse planning permission on this basis. The site is located within walking distance of a number of public open spaces including Horsell Moor and Wheatsheaf Common.
18. Overall the proposal is considered to provide an acceptable level of residential amenity to future occupiers.

### Impact on neighbouring amenity

19. No.40-42 Commercial Way and No.s 3, 5, 7, 9 and 11 Church Path are sited to the west of the application site. Due to the approximate 10m separation distance and town centre location it is considered the proposed change of use and external alterations would not have a detrimental impact on the amenities of these properties.
20. Overall the proposal is considered to result in an acceptable impact upon neighbouring properties and to accord with policy CS21 of the Woking Core Strategy 2012 and Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight' (2008).

### Impact on Parking and Highway Safety

21. Policy CS18 states *'the Council is committed to developing a well integrated community connected by a sustainable transport system'* this can be achieved by *'implementing maximum car parking standards for all types of non-residential development, including consideration of zero parking in Woking Town Centre, providing it does not create new*

*or exacerbate existing on-street car parking problems. Minimum standards will be set for residential development. However in applying these standards, the Council will seek to ensure that this will not undermine the overall sustainability objectives of the Core Strategy...'. In addition Supplementary Planning Document Parking Standards (2006) sets maximum standards, with the objective of promoting sustainable non-car travel.*

22. Supplementary Planning Document 'Parking Standards' (2006) states a maximum parking standard of 1 off street parking space to be provided for a one and two bedroom units and 1.5 off street parking spaces to be provided for three or more bedroom units within the High Accessibility Zone. To comply with maximum parking standards the proposal would be required to provide 3.5 off street parking spaces.
23. As is currently the situation, the proposal would have zero parking. However, the site is located within Woking Town Centre and within walking distance of a range of amenities and public transport connections, including bus routes and mainline railway station, providing a high frequency service to a range of destinations, including London Waterloo which would reduce reliance on the use of the private car. The surrounding roads are within the Controlled Parking Zone. In light of the above and the level of shortfall it is considered that the risk of overspill parking onto surrounding roads would be minimised.

#### Affordable Housing

24. Following the recent Court of Appeal judgement of R (West Berkshire District Council and Reading Borough Council) v. Secretary of State for Communities and Local Government [2016] EWCA Civ 441, the policies within the Written Ministerial Statement of 28 November 2014 as to the specific circumstances where contributions towards affordable housing and tariff-style planning obligations should not be sought from small scale and self build development is a material consideration. In line with this statement, as the proposed development involves the creation of three residential flats it is excluded from the affordable housing levy and as such no contribution is sought.

#### Impact on the Thames Basin Heaths Special Protection Area

25. The SPAs in this area are internationally-important and designated for their interest as habitats for ground-nesting and other birds. Policy CS8 of the Woking Core Strategy (2012) requires new residential development beyond a 400m threshold, but within 5 kilometres, of the SPA boundary to make an appropriate contribution towards the provisions of Suitable Alternative Natural Greenspace (SANG) and the Strategic Access Management and Monitoring (SAMM).
26. The Suitable Alternative Natural Greenspace (SANG) and Landowner Payment elements of the SPA tariff are encompassed within the Community Infrastructure Levy (CIL) however the Strategic Access Management and Monitoring (SAMM) element of the SPA tariff is required to be addressed outside of CIL. The applicant has agreed to make a SAMM contribution of £2,015.00 in line with the Thames Basin Heaths Special Protection Area Avoidance Strategy 2010-2015 as a result of the uplift of 1x one bed, 1x two bed and 1x three bed units that would arise from the proposal. The applicant is preparing a S106 Legal Agreement to secure this financial contribution.
27. In view of the above, the Local Planning Authority is able to determine that the development would have no significant effect upon the SPA and therefore accords with Policy CS8 of the Woking Core Strategy 2012 and the 'Thames Basin Heaths Special Protection Area Avoidance Strategy 2010-2015'.

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### Local Finance Considerations

28. The proposal is liable for CIL, however as no increase in floorspace is proposed, no CIL contribution would be required.

### CONCLUSION

29. Overall the principle of development is considered to be acceptable and the proposal is considered to enhance the appearance of the adjacent Conservation Area and make a positive contribution to the street scene, to result in an acceptable impact upon neighbouring amenity, to provide an acceptable level of amenity for future occupiers and to result in acceptable highways and parking implications having regard to the relevant policies of the Development Plan, other relevant material planning considerations and national planning policy and guidance. The proposal would have no significant impact upon the Thames Basin Heaths SPA.

30. The proposal is therefore considered to be an acceptable form of development that complies with Policies CS1, CS4, CS7, CS8, CS9, CS10, CS11, CS12, CS16, CS17, CS18, CS19, CS20, CS21 and CS22 of the Woking Core Strategy 2012, policy DM20 of Development Management Policies DPD, Supplementary Planning Documents 'Outlook, Amenity, Privacy and Daylight (2008)', 'Design (2015)', 'Parking Standards (2006)' and 'Affordable Housing Delivery (2015)', Supplementary Planning Guidance 'Heritage of Woking' and the 'Thames Basin Heaths Special Protection Area Avoidance Strategy 2010-2015', National Planning Practice Guidance and the National Planning Policy Framework 2012. It is therefore recommended that planning permission is granted subject to the legal obligations and conditions as set out below.

### BACKGROUND PAPERS

1. Site visit photographs
2. Consultation Responses

### PLANNING OBLIGATIONS

	<b>Obligation</b>	<b>Reason for Agreeing Obligation</b>
1.	SAMM contribution of <b>£2,015.00</b>	TO accord with the Habitat Regulations, Policy CS8 of the Woking Core Strategy 2012 and the Thames Basin Heaths Special Protection Area Avoidance Strategy 2010-2015.

### RECOMMENDATION

GRANT subject to conditions and completion of a legal agreement to secure SAMM

#### Conditions

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

Reason:

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

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2. The development hereby permitted shall be carried out in accordance with the following approved plans unless otherwise agreed in writing with the Local Planning Authority:

PLA-900 Rev 00 and received by the Local Planning Authority 18.05.2017  
PLA-400 Rev 01 and received by the Local Planning Authority 18.05.2017  
PLA-401 Rev 01 and received by the Local Planning Authority 18.05.2017  
PLA-402 Rev 01 and received by the Local Planning Authority 18.05.2017  
PLA-403 Rev 01 and received by the Local Planning Authority 18.05.2017  
PLA-404 Rev 01 and received by the Local Planning Authority 18.05.2017

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

3. ++ Prior to the commencement of the development hereby approved samples of the materials to be used in the external elevations shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason:

In the interests of the visual amenities of the area and in accordance with Policy CS21 of the Woking Core Strategy 2012.

4. 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 in accordance with Policy CS21 of the Woking Core Strategy 2012

5. 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 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 in accordance with the principles set out in paragraph 17 of the National Planning Policy Framework 2012 and Policy CS18 of the Woking Core Strategy 2012.

6. Prior to the first occupation of the approved flats, the recommendations and specifications listed on pages 3 and 4 of the Technical Note by MLM Acoustics ref 001-Rev2 dated 15.05.2017 and received by the Local Planning Authority on 18.05.2017 shall be installed. Once installed the recommendations and specifications shall be permanently retained in that condition unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the environment and amenities of the occupants of the property in accordance with Policy CS21 of the Woking Core Strategy 2012.

7. ++ Prior to the commencement of the development hereby permitted, a scheme for the installation of equipment to control emissions from the premises shall be submitted to, and approved in writing by, the Local Planning Authority. These measures shall be implemented fully in accordance with the approved scheme prior to the occupation of the development (or commencement of the use hereby approved). The outlet from the

## 5 September 2017 PLANNING COMMITTEE

ventilation / extraction flue must finish at least one metre from openings such as doors and windows and be at least one metre above eaves level, to ensure the dispersal of fumes and odours away from neighbouring properties. The flue ductwork must be supported using mountings fixed to the external structure of the building in such a way that any vibration or noise associated with mechanical ventilation / extraction is reduced to a level which doesn't cause a nuisance to neighbours. All equipment installed as part of the scheme shall thereafter be operated and maintained in accordance with the approved details and retained as such thereafter.

Reason: To protect the environment and amenities of the occupants of neighbouring properties and prevent nuisance arising from noise, fumes, smell, smoke, ash, grit or other emissions in accordance with Policy CS21 of the Woking Core Strategy 2012.

8. ++ The development hereby permitted shall not commence until details of the measures to be undertaken to upgrade the acoustic performance of the party ceilings/floors and walls have been submitted to and approved in writing by the Local Planning Authority. The works shall be completed in accordance with the approved details prior to the first occupation of the development.

Reason: To protect the environment and amenities of the occupants of neighbouring properties in accordance with Policy CS21 of the Woking Core Strategy 2012.

9. ++ No fixed plant and equipment associated with air moving equipment, compressors, generators or plant or similar equipment shall be installed until details, including acoustic specifications have been submitted to and approved in writing by the Local Planning Authority.

Reason: To protect the environment and amenities of the occupants of neighbouring properties in accordance with Policy CS21 of the Woking Core Strategy 2012.

10. Prior to the installation of any external lighting including floodlighting, details (demonstrating compliance with the recommendations of the Institute of Lighting Engineers 'Guidance Notes for Reduction of Light Pollution' and the provisions of BS 5489 Part 9) shall be submitted to and approved in writing by the Local Planning Authority. The approved lighting scheme shall be installed and maintained in accordance with the approved details thereafter.

Reason: To protect the appearance of the surrounding area and the residential amenities of the neighbouring properties in accordance with Policies CS18 and CS21 of the Woking Core Strategy 2012 and 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 paragraph 186-187 of the National Planning Policy Framework 2012.
2. 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.

## 5 September 2017 PLANNING COMMITTEE

3. 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.
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:-  
08.0 – 18.00 Monday to Friday  
08.00 – 13.00 Saturday  
and not at all on Sundays and Bank/Public Holidays.
5. This decision notice should be read in conjunction with the related legal agreement.





PLAN/2017/0341

103 Princess Road, Maybury

New Monument School

Nursery

Drain

Pond

Drain

Pond

85

97

PRINCESS ROAD

94

51

68

96

109

FF

ED Bdy

106

TCB

LB

119

Surgery

54

LOSE

74

11

108

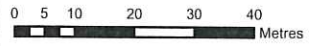
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Comments

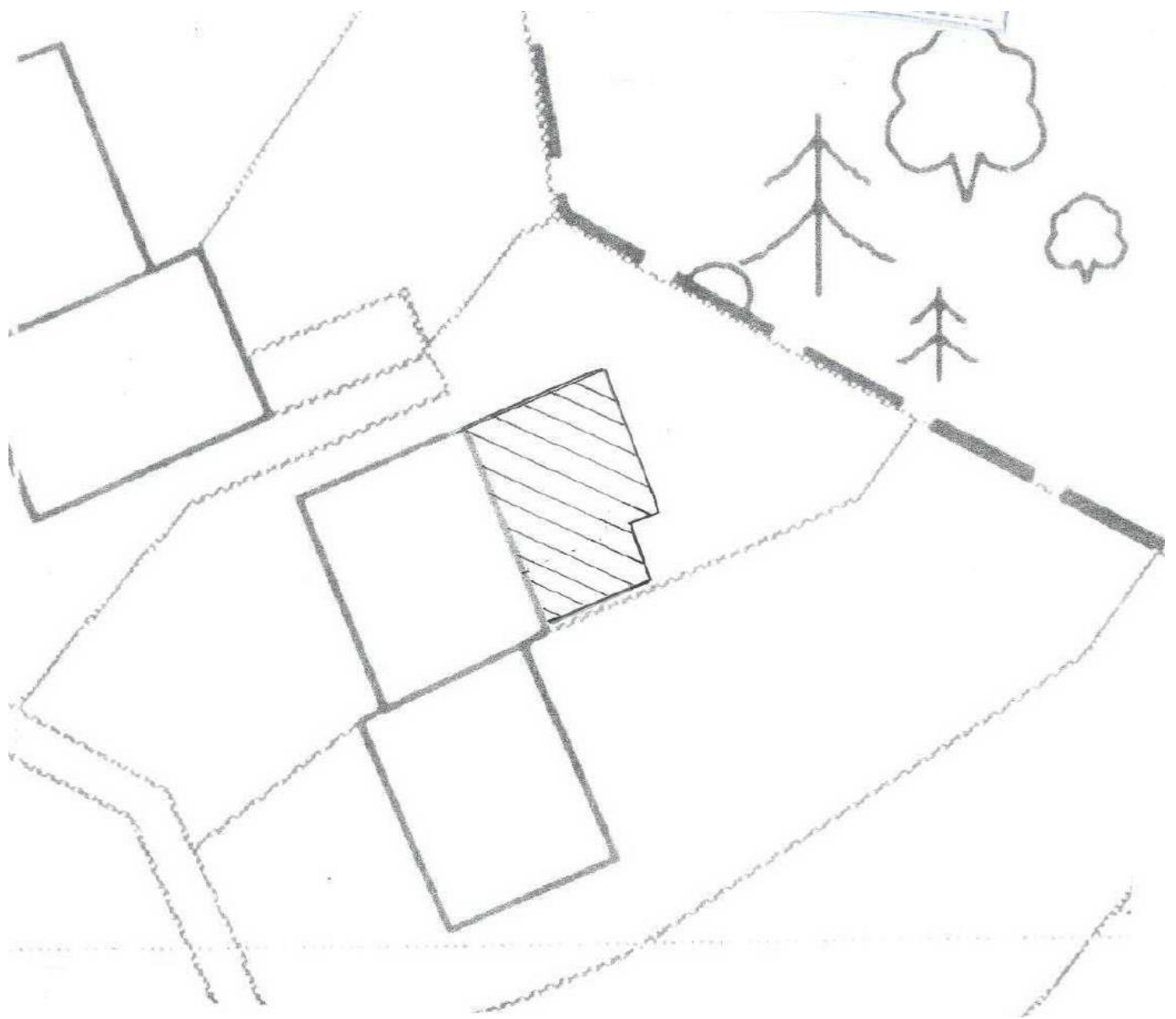


SCALE 1:1,250



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







## 5<sup>th</sup> September 2017 PLANNING COMMITTEE

6i	17/0341	Reg'd:	05.04.17	Expires:	08.09.17	Ward:	PY
Nei. Con. Exp:	25.04.17	BVPI Target	Household	Number of Weeks on Cttee' Day:	22/22	On Target?	Yes

**LOCATION:** 103 Princess Road, Maybury, Woking, Surrey, GU22 8ER

**PROPOSAL:** Proposed part two storey part single storey rear extension.

**TYPE:** HOUSEHOLDER

**APPLICANT:** Mrs S Nazir

**OFFICER:** Barry Curran

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### **REASON FOR REFERRAL TO COMMITTEE**

Application made on behalf of a member of staff of Woking Borough Council.

### **SUMMARY OF PROPOSED DEVELOPMENT**

The application seeks permission to erect a part two storey part single storey rear extension.

### **PLANNING STATUS**

- Urban Area
- Thames Basin Heaths SPA Zone (400M – 5KM)

### **RECOMMENDATION**

GRANT planning permission subject to conditions.

### **SITE DESCRIPTION**

The application site is located on the north-eastern side of Princess Road in a residentially defined area with a heavily treed golf course bounding it at its rear. The two storey application dwelling is a semi-detached property set amongst an irregular grain of similar properties. Towards the north-western side and rear a linked-detached brick built structure and timber fencing form along the boundaries. Similar 1.8 metre high close timber board fencing separates the adjoining semi-detached property to the south-east.

### **PLANNING HISTORY**

No recent relevant planning history for the application property but the adjoining No.105 Princess Road:

PLAN/2004/1084 - Erection of a two storey extension to the side and rear. Demolition of existing side outbuildings – Permitted 25.11.2004

## **PROPOSED DEVELOPMENT**

The development proposes to erect a part two storey part single storey extension on the rear elevation measuring 7.4 metres in width emulating the width of the host dwelling, projecting a total of 5 metres back and standing at an overall height of 7.8 metres.

## **CONSULTATIONS**

Arboricultural Officer: No objection subject to condition (19.07.17)

## **REPRESENTATIONS**

None received

## **RELEVANT PLANNING POLICIES**

National Planning Policy Framework 2012  
Section 7 - Requiring good design

Core Strategy Publication Document 2012  
CS21 – Design

Development Management Documents DPD 2016  
DM2 – Trees and Landscaping

Supplementary Planning Guidance  
Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight' 2008  
Supplementary Planning Document 'Design' 2015

Woking Borough Council - Community Infrastructure Levy Charging Schedule

## **PLANNING ISSUES**

1. The main planning issues that need to be addressed in the determination of this application are; whether the proposed rear extension will be of detriment to the character of the host dwelling or character of the surrounding area, whether the proposal will cause material harm to the amenities enjoyed by surrounding neighbours and impact on trees.

### **Impact on Existing Dwelling/Character of Area**

2. The National Planning Policy Framework attaches great importance to the design of the built environment throughout Paragraphs 56 and 57 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 it is expected that development proposals will have regard to the general character and quality of the surrounding area.
3. It is proposed to erect a part two storey part single storey rear extension. The addition will project a depth of 5 metres back from the rear elevation at a width matching the host dwelling at 7.4 metres. With the extension projecting back along the north-western side elevation, this will increase the bulk and mass of this flank. The two storey element, however, will only project 3

metres with a dual pitched roof set down 0.9 metres from the existing ridge line and set in from the shared south-eastern boundary by approximately 2.5 metres. Adoption of the dual pitched roof ties in with the host dwelling contributing to an adequately subservient and subordinate element with a lowered ridge line. The single storey addition will stem off the two storey extension for a further 2 metres with a lean-to roof creating a seamless marriage between the two elements. Towards the south-eastern boundary a further lean-to single storey addition will sit in close proximity to the boundary measuring a width of approximately 2.1 metres, projecting a depth of 3.8 metres and standing at 4 metres in height reducing to an eaves level of 2.8 metres. The extension has been designed in a subordinate manner with a harmonising scale and form while taking architectural cues from the host dwelling and matching the prevailing fenestration layout. The roof form appears consistent with the host dwelling with adoption of dual pitch and soft lean-tos contributing to an addition which ties in with the building seamlessly.

4. 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*”. Princess Road is a residential area defined by two storey semi-detached and terraced properties, many of which have benefitted from both two storey and single storey rear additions. The application site is set amongst a group of 3 No pairs of two storey semi-detached properties set back between 10-20 metres from the Highway along a varied building line. The dwelling to the north-west, No.101, is set approximately 9 metres forward of the application property’s front building line thereby acting as a physical screen to the application dwelling as you approach from the West. The proposed addition will stem back along the north-west flank elevation increasing its depth by 3 metres at two storey level and a further 2 metres at single storey level. Set along this side building line, the addition will retain the spacing of approximately 3 metres between the shared boundary on this side and therefore mitigate potential cramped development.
5. The Council’s Supplementary Planning Document ‘Outlook, Amenity, Privacy and Daylight’ 2008 states that the private amenity space “*should always be as large as the building footprint of the dwelling house*”. Taking this into account, along with the subservient design and subordinate scale, the rear addition relates adequately to the host dwelling retaining an appropriate amount of amenity space in excess of 100 sq.m compared to the proposed dwelling footprint of approximately 75 sq.m. Further to this, considering the relationship between the application property and the neighbouring No.101 Princess Road and the other neighbouring dwellings, views of the rear addition are primarily obscured from the public domain and therefore would have little impact on the wider street-scene. Given the range of two storey and single storey rear additions evident throughout Princess Road, it is not considered that the proposal will materially harm the established character of the area.
6. From the points set out above, the proposed rear extension is considered a typical residential addition which is proportionate to the host dwelling and does not form a dominant feature within the street-scene. Considering this, the proposed addition is seen to be in accordance with Section 7 of the

National Planning Policy Framework, Policy CS21 of the Woking Core Strategy 2012 and Supplementary Planning Document 'Design' 2015.

Impact on Neighbouring Amenity

7. The application dwelling is bound to the south-east by the adjoining semi-detached dwelling and to the north-west by No.101 Princess which is positioned some 9 metres forward of the application dwelling.
8. To the north-west, No.101 is in a 'T' shaped layout with the principal elevation south-east facing and adjoining dwelling attached on its rear elevation. The proposed extension would increase the extent of the north-western flank elevation by 3 metres at two storey level and a further 2 metres at single storey level. Although this will increase the size of the flank gable, the relationship between No.101 and the application dwelling would not cause a detrimental impact, in terms of overbearing given the positioning of this neighbouring property. The separation distance between the proposed addition and habitable room window on the side elevation of No.101 would be approximately 9 metres. The 45° test as per the Council's Supplementary Planning Document has been applied to the nearest habitable room window which passes in elevation form indicating that there would not be a detrimental loss of daylight to these windows. Further to this, there are no first floor north-western side windows proposed as part of the development mitigating loss of privacy or overlooking as a concern.
9. While not included on the submitted plans, the adjoining No.105 has benefitted from a two storey side and rear extension approved under PLAN/2004/1084, which projects approximately 4 metres back from the rear building line. The existing relationship between the application dwelling and No.105 results in the application dwelling set approximately 1 metre back from part of the rear elevation of No.105. A rear elevation bedroom window on No.105 would be positioned between the extension on this dwelling and the proposed extension. The 45° test has been applied to this window which would, as existing fail both in plan and elevation form. Nevertheless, given the step in of the two storey element of 2.5 metres from the shared boundary, this element is not considered to contribute any further loss of light to this window. At ground floor level a window serving the living room on No.105 would experience an increased level of mass down along the shared boundary. This room is, however, served by a front elevation window and while the level of bulk will increase along the shared boundary, it will stand at single storey in height with an existing situation which creates a courtyard affect. Considering this and while development undertaken by the neighbours at No.105 primarily contributes to this 'courtyard' effect, the proposed addition is not considered to carry a level of detriment above or beyond what could be carried out under Permitted Development, with regards to potential development along the shared boundary. As such, it is not considered that a recommendation for refusal could be substantiated on the impact on this neighbouring property.
10. On balance, the proposed development is considered to adhere to guidance outlined in 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 Trees

11. The area is mildly sylvan in character and with a number of substantial trees running along the rear of the site. These trees surround the site and contribute to the overall character with a number of substantial trees in close proximity within neighbouring properties.
12. The trees within and surrounding the site have been surveyed and it is not proposed to remove any of them as part of this application. An Arboricultural Report carried out by ACD ref: PRI21312aia-ams has been submitted and the Council's Arboricultural Officer considers the information to be acceptable stating that it should be complied with in full which includes a pre-commencement meeting with the project manager, project Arboricultural and LA Tree Officer with details of drainage and service runs required to be submitted (Condition. 4).

### Conclusion

13. Considering the points discussed above, the proposed extension is considered acceptable with regards to its impact on the character of the dwelling and character of the surrounding area. The impact of the development on the amenities enjoyed by surrounding neighbours has been assessed and found to result in an acceptable impact, in terms of loss of privacy and overlooking given the existing relationships between surrounding properties. The impact on trees was also found to be acceptable subject to condition. Overall, the development is considered to accord with provisions outlined in the National Planning Policy Framework, Policy CS21 of the Woking Core Strategy 2012, Policy DM2 of the Development Management Documents DPD 2016 and Supplementary Planning Document 'Outlook, Amenity Privacy and Daylight' 2008 and 'Design' 2015 and is accordingly recommended for approval subject to the attached conditions.

### **BACKGROUND PAPERS**

- Site visit photographs.
- Response from Arboricultural Officer (19.07.17)

### **RECOMMENDATION**

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

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

Reason:

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

## 5<sup>th</sup> September 2017 PLANNING COMMITTEE

2. The materials to be used in the construction of the external surfaces of the development hereby approved shall match those used in the existing building.

Reason:

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

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

Block Plan (Received 22.03.17)

Drawing No. KL 17/2

Drawing No. KL 17/1

Drawing No. KL 17/3

Reason:

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

4. Protective measures shall be carried out in strict accordance with the arboricultural Information provided by ACD ref: PRI21312aia-ams received on 17.07.17 including the convening of a pre-commencement meeting and arboricultural supervision as indicated. No works or demolition shall take place until the tree protective measures have been implemented. Details of drainage and service runs and any deviation from the works prescribed or methods agreed and should be submitted to and approved prior by the Local Planning Authority prior to any works on site.

Reason:

To ensure reasonable measures are taken to safeguard trees in the interest of local amenity and the enhancement of the development itself to comply with Policy CS21 of the Woking Core Strategy 2012.

### **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 paragraph 186-187 of the National Planning Policy Framework 2012.
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.

PLAN/2016/0008

Brook House, Carthouse Lane, Horsell



Comments

N

SCALE 1:1,250

0 5 10 20 30 40 Metres

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







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6j 16/0008 Reg'd: 11.01.16 Expires: 07.03.16 Ward: HO  
Nei. 03.03.16 BVPI Minor Number > 8 wks On No  
Con. Target dwellings (13) of Weeks Target?  
Exp: on Cttee'  
Day:

**LOCATION:** Brook House, Carthouse Lane, Horsell, Woking, GU21 4XS

**PROPOSAL:** Minor design alterations to the previously approved scheme (PLAN/2014/0334) incorporating conversion of the garage into habitable accommodation, construction of a balcony to the rear of the plot and also minor design alterations.

**TYPE:** Full Application

**APPLICANT:** Kirkby Homes

**OFFICER:** Benjamin Bailey

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### **REASON FOR REFERRAL TO COMMITTEE**

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

### **SUMMARY OF PROPOSED DEVELOPMENT**

The application seeks full planning permission for alterations to the previously approved scheme (Ref: PLAN/2014/0334) incorporating conversion of the garage into habitable accommodation, construction of a balcony to the rear and minor design alterations.

Site Area: 0.3014 ha (3,014 sq.m)  
Extant units: 1  
Proposed units: 1  
Extant density: 3 dph (dwellings per hectare)  
Proposed density: 3 dph

### **PLANNING STATUS**

- Green Belt
- Flood Zone 2
- Thames Basin Heaths Special Protection Area (SPA) Zone A (Partial)
- Thames Basin Heaths Special Protection Area (SPA) Zone B (Partial)

### **RECOMMENDATION**

**Grant** planning permission subject to recommended conditions.

### **SITE DESCRIPTION**

Brook House was a detached two storey dwellinghouse located within the Green Belt within the Horsell area of the Borough. Under PLAN/2009/0184 the Agricultural occupancy condition was removed and the dwelling consequently became a conventional residential dwelling with no Agricultural occupancy restriction. To the north of the site is Carthouse Lane. To the west and south is woodland and open countryside. To the east of the site is hedging and vegetative screening, beyond which a residential dwelling has recently been

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constructed (by virtue of planning permissions reference PLAN/2013/0047, PLAN/2014/0565 and PLAN/2015/0275).

### **RELEVANT PLANNING HISTORY**

PLAN/2014/0334 - Erection of a four bedroom detached dwelling with integral garage following the demolition of the existing property (part retrospective for new access only) (amended location plan and description).  
Permitted subject to conditions (29.07.2015)

### **CONSULTATIONS**

#### **County Highway Authority (SCC):**

The County Highway Authority has undertaken an assessment in terms of the likely net additional traffic generation, access arrangements and parking provision and are satisfied that the application would not have a material impact on the safety and operation of the adjoining public highway. The County Highway Authority therefore has no highway requirements.

#### **Arboricultural Officer:**

Given that there are no changes to the drive and footprint of the previously approved it is not considered that there will be any impact on trees therefore no objections are raised from an arboricultural perspective.

#### **Drainage and Flood Risk Engineer:**

No objection following the revised works in relation to the ditches and drainage scheme and following receipt from SCC, as LLFA, that the final arrangement of works would likely have been given consent had it been applied for prior to construction and would not now be deemed in contravention of section 23 of the Land Drainage Act 1991 (as amended).

### **REPRESENTATIONS**

None received

### **RELEVANT PLANNING POLICIES**

#### National Planning Policy Framework (2012) (NPPF)

Section 4 - Promoting sustainable transport

Section 6 - Delivering a wide choice of high quality homes

Section 7 - Requiring good design

Section 9 - Protecting Green Belt land

Section 10 - Meeting the challenge of climate change, flooding and coastal change

Section 11 - Conserving and enhancing the natural environment

#### Woking Core Strategy (2012)

CS1 - A Spatial Strategy for Woking Borough

CS6 - Green Belt



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CS8 - Thames Basin Heaths Special Protection Areas  
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 DPD (2016)

DM2 - Trees and Landscaping  
DM13 - Buildings in and Adjacent to the Green Belt

### Supplementary Planning Documents (SPDs)

Outlook, Amenity, Privacy and Daylight (2008)  
Design (2015)  
Parking Standards (2006)  
Climate Change (2013)

### Other Material Considerations

National Planning Practice Guidance (NPPG)  
South East Plan (2009) (Saved policy) NRM6 - Thames Basin Heaths Special Protection Area  
Thames Basin Heaths Special Protection Area Avoidance Strategy

## **APPLICATION BACKGROUND**

1. The current application was submitted to the Local Planning Authority a period of time after the applicant had commenced construction of the permitted replacement dwelling following approval of PLAN/2014/0334. However at that time the applicant had not submitted details pursuant to any of the pre-commencement planning conditions attached to PLAN/2014/0334. Upon submission of the current application the applicant was therefore immediately advised by the planning case officer that details pursuant to all the planning conditions attached to PLAN/2014/0334 would be required to be submitted in support of the current application before the current application could potentially be positively determined by the Local Planning Authority due to the fact that the unauthorised site works would need to be regularised in this manner.
2. Conditions 6, 7 and 8 of PLAN/2014/0334 related to removal of the unauthorised culvert (which spanned to ditch fronting Carthouse Lane and had been constructed to achieve vehicular access to the site), the construction of a replacement culvert, with associated evidence to demonstrate that the risk of flooding would not be increased to the surrounding area, and a scheme for disposing of surface water drainage by means of a sustainable drainage system. That site works commenced to construct the dwelling, prior to submission of details pursuant to any planning conditions, complicated consideration of the current application and the applicant also had to seek separate Ordinary Watercourse Consent from Surrey County Council, as Lead Local Flood Authority (LLFA), in accordance with the Floods and Water Management Act 2010 and the Land Drainage Act 1991 (as amended).
3. The planning case officer, the Council's Drainage and Flood Risk Engineer, and a Senior Planning Enforcement Officer, have been working proactively with the applicant and their agents, and Surrey County Council as LLFA, to resolve the culvert and surface water drainage matters over a prolonged period of time. The works undertaken to resolve these matters have included the construction of new culverts over the ditch along Carthouse Lane to facilitate the new vehicular crossover, the regrading of bed levels of the watercourse adjacent to Carthouse Lane to allow

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hydraulic flow through the system, the regrading of ditches to the east and west to compensate for lost storage volumes in the culverts and the widening and levelling of connection between storage ditches and watercourses to the front of the site.

4. Therefore the culvert and surface water drainage issues have now been resolved to the satisfaction of both the Council's Drainage and Flood Risk Engineer and Surrey County Council whom, as Lead Local Flood Authority (LLFA), confirmed on 28<sup>th</sup> July 2017 that the final arrangement of works would likely have been given consent had it been applied for prior to construction and would not now be deemed in contravention of section 23 of the Land Drainage Act 1991 (as amended). The current application can therefore now be recommended for determination.
5. The key changes in comparison to previously permitted PLAN/2014/0334 are:
  - Increase in both ridge and eaves heights of 6.5m deep front projection by 1.0m (ridge from approx. 7.2m to 8.2m and eaves from approx. 4.3m to 5.3m)
  - Addition of first floor rear balcony to serve Bedroom 1
  - Provision of Hall and Family Room in place of integral Garage with associated fenestration changes and provision of canopy
  - 'Squaring off' of rear of living room footprint (approx. 1.4 sq.m)
  - Alterations to window openings in front (north-east) and side (north-west and south-east) elevations
6. Details pursuant to all conditions attached to PLAN/2014/0334 have been submitted during consideration of the current application and have been taken into consideration.

### **PLANNING ISSUES**

7. The main planning issues to consider in determining this application are:
  - Green Belt policy
  - Design and impact upon the character of the area
  - Impact upon neighbouring amenity
  - Impact upon trees
  - Impact upon drainage and flood risk
  - Highways and parking implications
  - Thames Basin Heaths Special Protection Area (TBH SPA)
  - Sustainable constructionhaving regard to the relevant policies of the Development Plan, other relevant material planning considerations and national planning policy and guidance.

#### Green Belt policy

8. The replacement dwelling previously permitted by the Local Planning Authority (Ref: PLAN/2014/0334) was considered to the replacement of a building which would remain in the same use and would not be materially larger than the building it would replace and therefore was deemed to constitute appropriate development within the Green Belt.
9. The building footprint of the dwelling sought under the current application (which effectively constitutes minor material amendments) remains as permitted under reference PLAN/2014/0334 with the exception of the addition of 1.4 sq.m. to the rear of the living room. Likewise the gross internal area (GIA) remains as permitted under reference PLAN/2014/0334 (again with the exception of an additional 1.4 sq.m. to the rear of the living room). The subservient front projection approved under

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PLAN/2014/0334 would not be subservient under the current application and would result in this element increasing in height by approximately 1.0m (ridge and eaves) over and above permitted PLAN/2014/0334 for its 6.5m projection. Whilst this would result in an increased volume over and above PLAN/2014/0334 this level of volume increase is not considered to occur to an extent to which the dwelling would be materially larger than the demolished dwelling; the proposal would therefore remain appropriate development within the Green Belt. The increased height of this element is not considered to harm the openness of the Green Belt.

10. The dwelling would remain in the same position on the site as permitted under PLAN/2014/0334. The design alterations to the dwelling, over and above PLAN/2014/0334, would not give rise to harm to the openness of the Green Belt given that they would be largely confined to fenestration changes. Whilst a first floor rear external balcony would be provided this element would utilise glazed sides and be suspended on timber piers; this element would therefore appear 'lightweight' and would be viewed against the massing of the main dwelling and result in limited harm to the openness of the Green Belt.
11. Whilst the Council has adopted the Development Management Policies DPD (2016), which contains policy DM13 (Buildings in and Adjacent to the Green Belt), in the intervening period since determination of PLAN/2014/0334 the previous grant of planning permission remains a very significant material consideration. Afforded the previous grant of planning permission significant weight Policy DM13 is nonetheless not considered to alter the conclusion that the proposal constitutes the replacement of a building which would remain in the same use and would not be materially larger than the building it replaced and therefore constitutes appropriate development within the Green Belt.

### Design and impact upon the character of the area

12. One of the core principles of planning as identified in the National Planning Policy Framework (NPPF) 2012 is securing high quality design. Policy CS21 (Design) of the Woking Core Strategy 2012 states that new development should respect and make a positive contribution to the street scene and the character of the area within which it is situated paying due regard to the scale, height, proportions, building lines, layout and other characteristics of adjoining buildings and land.
13. The dwelling would remain in the same position on the site as permitted under PLAN/2014/0334, as would the position and extent of the vehicular crossover, driveway and parking area. Whilst fenestration alterations, and an approximate 1.0m increase in height of the forward projection, would occur the dwelling would nevertheless utilise traditional steep roof pitches, timber framed banks of glazing, timber weather boarding, chimney stacks and partial dormer windows. Whilst a timber framed bank of glazing would also occur within the front elevation it is nevertheless considered that the proposed vernacular and the overall design and scale of the property would integrate acceptably into the site and would reflect the prevailing rural character of the surrounding area and street scene of Carthouse Lane. The omission of an integral garage door and use of traditional window and door, with monopitched porch canopy, is considered to integrate acceptably into the design of the property overall.
14. Whilst a first floor rear external balcony would be provided this element would utilise glazed sides and be suspended on timber piers; this element would therefore appear 'lightweight' and would be viewed against the massing of the main dwelling and is considered to integrate acceptably into the form and scale of the dwelling.

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### Impact upon neighbouring amenity

15. Policy CS21 (Design) 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, light, or an overbearing effect due to bulk, proximity or outlook. Further guidance is provided within Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight (2008)'.
16. The dwelling would remain in the same position on the site as permitted under PLAN/2014/0334, with the nearest residential property (that permitted by virtue of permission references PLAN/2013/0047, PLAN/2014/0565 and PLAN/2015/0275) located approximately 25.0 metres to the east beyond a common boundary demarcated by vegetative screening. The dwelling would be sited approximately 11.0 metres inset of the common boundary at its closet point. Consequently it is not considered that the proposal would form an overbearing relationship with, or cause a loss of light or overshadowing to, the recently constructed dwelling to the east.
17. Two first floor level windows would face towards the common eastern boundary, serving Bedroom 2 within the front projection; these openings would occur approximately 17.0 metres inset of the common boundary, demarcated by vegetative screening, and are consequently not considered to cause an unacceptable loss of privacy or overlooking to the dwelling situated to the east.
18. Whilst a first floor external rear balcony would be provided to serve Bedroom 1 a separation distance measuring approximately 17.0m to the common boundary with the dwelling to the east would be maintained, with the common boundary with this dwelling marked by vegetative screening. No properties are situated to the south-west (rear), or to the north-west (side). Given these factors, and levels of separation, it is not considered that the external rear balcony would give rise to a significantly harmful impact in terms of loss of privacy or overbearing effect.
19. The dwelling would be sited at a separation distance measuring approximately 42.0 metres from the properties sited on the opposing, north-eastern side of Carthouse Lane. Consequently it is considered that the proposal would result in an acceptable impact upon the residential amenity of the properties situated on the north-eastern side of Carthouse Lane. No properties are situated to the south-west (rear), or to the north-west (side).
20. Overall the proposal is considered to result in an acceptable impact upon the residential amenity currently enjoyed by the occupiers of nearby residential properties.

### Impact upon trees

21. Policy DM2 of the Development Management Policies DPD (2016) states that development proposals should allow for the retention of the best tree specimens, should not result in the loss of trees or groups of trees of significant amenity value and that trees to be retained will be required to be adequately protected to avoid damage during construction. Policy CS21 of the Woking Core Strategy (2012) also requires the retention of any trees of amenity value.
22. There are mature trees on, and adjacent to, the site. The Council's Arboricultural Officer has been consulted upon the application and comments that "*given that there are no changes to the drive and foot print of the previously approved it is not considered that there will be any impact on trees. Therefore no objections are raised*

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*from a Arboricultural perspective*". Consequently the impact of the proposal upon trees is considered to be acceptable.

### Impact upon drainage and flood risk

23. The application site is located within Flood Zone 2. Conditions 6, 7 and 8 of previously permitted PLAN/2014/0334 related to removal of the unauthorised culvert (which spanned to ditch fronting Carthouse Lane and had been constructed to achieve vehicular access to the site), the construction of a replacement culvert, with associated evidence to demonstrate that the risk of flooding would not be increased to the surrounding area, and a scheme for disposing of surface water drainage by means of a sustainable drainage system. That site works commenced to construct the dwelling, prior to submission of details pursuant to any planning conditions, complicated consideration of the current application and the applicant also had to seek separate Ordinary Watercourse Consent from Surrey County Council, as Lead Local Flood Authority (LLFA), in accordance with the Floods and Water Management Act 2010 and the Land Drainage Act 1991 (as amended).
24. The planning case officer, the Council's Drainage and Flood Risk Engineer, and a Senior Planning Enforcement Officer, have been working proactively with the applicant and their agents, and Surrey County Council as LLFA, to resolve the culvert and surface water drainage matters over a prolonged period of time. The works undertaken to resolve these matters have included the construction of new culverts over the ditch along Carthouse Lane to facilitate the new vehicular crossover, the regrading of bed levels of the watercourse adjacent to Carthouse Lane to allow hydraulic flow through the system, the regrading of ditches to the east and west to compensate for lost storage volumes in the culverts and the widening and levelling of connection between storage ditches and watercourses to the front of the site.
25. Therefore the culvert and surface water drainage issues have now been resolved to the satisfaction of both the Council's Drainage and Flood Risk Engineer and Surrey County Council whom, as Lead Local Flood Authority (LLFA), confirmed on 28th July 2017 that the final arrangement of works would likely have been given consent had it been applied for prior to construction and would not now be deemed in contravention of section 23 of the Land Drainage Act 1991 (as amended). The impact on drainage and flood risk is therefore considered to acceptable subject to recommended conditions.

### Highways and parking implications

26. The dwelling would provide 4no. bedrooms. SPD 'Parking Standards (2006)' identifies a car parking standard for dwellings providing 3 or more bedrooms, situated outside of the High Accessibility Zone, of 2 car parking spaces. Although the area of the integral garage previously permitted under PLAN/2014/0334 would become habitable space (Hall and Family Room) the previously approved area of hardstanding to the frontage is capable of accommodating the off-street parking, and on-site turning, of at least 2 cars in line with the relevant parking standard set by the SPD. The impact upon car parking provision is therefore considered to be acceptable.
27. The County Highway Authority (SCC) has undertaken an assessment in terms of the likely net additional traffic generation, access arrangements and parking provision and are satisfied that the application would not have a material impact on the safety and operation of the adjoining public highway. The County Highway Authority therefore has no highway requirements.

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### Thames Basin Heaths Special Protection Area (TBH SPA)

28. The application site is partially located within Zone A (within 400m), and partially within Zone B (400m-5km) of the Thames Basin Heaths Special Protection Area (TBH SPA). Natural England regards residential development within 400m-5km of the TBH SPA as potentially damaging to the integrity of the TBH SPA and financial contributions are necessary to contribute towards Suitable Alternative Natural Green Space (SANG) to mitigate against these impacts. Within 400m of the TBH SPA Natural England considers it not possible to mitigate against these impacts.
29. Although the previous dwelling known as Brook House has been demolished, the proposal (as a single residential unit) would not result in any increase in residential units over and above those that existed on the site (the previous dwelling known as Brook House) on the date of the designation of the Thames Basin Heaths SPA (9<sup>th</sup> March 2005). Consequently it is not considered that the proposal would result in additional pressure, or any consequent significant effect, upon the Thames Basin Heaths SPA over and above that exerted by the lawful use of the site, as a single residential dwelling, as of 9<sup>th</sup> March 2005 (when the TBH SPA was designated).
30. Overall therefore the proposal is considered to accord with Policy CS8 of the Woking Core Strategy (2012), saved policy NRM6 of the South East Plan (2009), Section 11 of the National Planning Policy Framework (2012) and the Thames Basin Heaths Special Protection Area Avoidance Strategy.

### Sustainable construction

31. The applicant has submitted details demonstrating that the dwelling would achieve a water consumption standard of not more than 105 litres per person per day maximum indoor water consumption and not less than a 19% CO<sub>2</sub> improvement over the 2013 Building Regulations TER Baseline (Domestic). A planning condition (xx refers) is recommended to secure compliance with this submitted information.

### LOCAL FINANCE CONSIDERATIONS

32. A demolition notice, in relation to the previous dwelling on the site, was served upon the Council's Building Control department on 23.01.2014 (Ref: 14/00001/DEMOL) with demolition work stated within this notice as being scheduled to start on 27.01.2014. The previous (demolished) dwelling was therefore not 'in use' for a continuous period of at least 6 months within the period of 36 months ending on the day planning permission first permits the development sought under the current application. Whilst PLAN/2014/0334 was permitted on 29.07.2015 the applicant has not implemented that planning permission as the dwelling has been constructed as shown in the current application and none of the pre-commencement conditions attached to PLAN/2014/0334 were discharged prior to commencement.
33. Having regard to the above the current proposal is therefore Community Infrastructure Levy (CIL) liable to the sum of **£33,508** (including the April 2017 indexation).

### CONCLUSION

34. Overall the proposal is considered to constitute the replacement of a building which would remain in the same use and would not be materially larger than the building it replaced and therefore constitutes appropriate development within the Green Belt. The proposal is considered to result in acceptable impact upon the character and appearance of the area, upon neighbouring amenity, upon trees, upon drainage and

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flood risk and in terms of highways and parking implications. The proposal would not result in additional pressure, or any consequent significant effect, upon the TBH SPA over and above that exerted by the lawful use of the site, as a single residential dwelling, as of 9<sup>th</sup> March 2005 (when the TBH SPA was designated).

35. Having regard to the relevant policies of the Development Plan, other relevant material planning considerations and national planning policy and guidance the proposal is therefore considered to be an acceptable form of development that complies with Sections 4, 6, 7, 9, 10 and 11 of the National Planning Policy Framework (2012), Policies CS1, CS6, CS8, CS18, CS21, CS22, CS24 and CS25 of the Woking Core Strategy (2012), Policies DM2 and DM13 of the Development Management Policies DPD (2016), Supplementary Planning Documents 'Outlook, Amenity, Privacy and Daylight (2008)', 'Design (2015)', 'Parking Standards (2006)', the National Planning Practice Guidance (NPPG), South East Plan (2009) (Saved policy) NRM6 and the Thames Basin Heaths Special Protection Area Avoidance Strategy. It is therefore recommended that planning permission is granted subject to conditions as set out below.

### **BACKGROUND PAPERS**

1. Consultation response from County Highway Authority (SCC)
2. Consultation responses from Drainage and Flood Risk Engineer (x2)
3. Consultation response from Arboricultural Officer
4. Site Notice (General Site Notice - dated 10.02.2016)

### **RECOMMENDATION**

**Grant** planning permission subject to the following conditions:

1. The development hereby permitted shall be carried out in accordance with the following approved plans:  
  
P14/11/400 (Location Plan), dated 07.01.16 and received by the Local Planning Authority on 08.01.2016.  
  
P14/11/401 (Site Layout), dated 07.01.16 and received by the Local Planning Authority on 08.01.2016.  
  
P14/11/S/410 (Proposed Plans & Elevations), dated 07.01.2016 and received by the Local Planning Authority on 08.01.2016.  
  
3779-1100 Rev P3 (External Works General Arrangement), dated 31.10.16 and received by the Local Planning Authority on 16.11.2016.  
  
3779-1500 Rev P1 (Ditch Volume Analysis), dated 31.10.16 and received by the Local Planning Authority on 16.11.2016.  
  
3779-1200 Rev P3 (Drainage General Arrangement Sheet 1), dated 31.10.16 and received by the Local Planning Authority on 16.11.2016.  
  
3380-1300 Rev P2 (Section 184 Works), dated 31.10.16 and received by the Local Planning Authority on 16.11.2016.  
  
Surface Water Drainage Strategy (Report Ref: 3779-DR001 Rev A), dated 31.10.16 and received by the Local Planning Authority on 16.11.2016.

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

2. The development shall be carried out and thereafter retained in accordance with the external materials as set out below unless otherwise first agreed in writing by the Local Planning Authority.

Facing brickwork - Hoskins 'Cottage Mixture'  
Feature brickwork - Terca 'Dorchester Red'  
Roofing tile - Sandtoft Goxhill 'Autumn Range'  
Weatherboarding - 'French grey'  
Window Frames - Aluminium 'dark grey'  
Patios and pathways - Indian Sandstone paving  
Boundary fencing - Rustic style timber post and rail fencing

Reason: In the interests of the visual amenities of the area and in accordance with Policy CS21 of the Woking Core Strategy (2012).

3. Soft and hard landscaping shall be undertaken in accordance with the unnumbered plan titled 'Landscaping', dated 15.04.2016. Patios and pathways shall consist of Indian Sandstone paving and boundary fencing shall be formed of rustic style timber post and rail fencing unless otherwise first agreed in writing by the Local Planning Authority. The soft landscaping shall be carried out in the first planting season (November-March) after completion of the development unless otherwise first agreed in writing by the Local Planning Authority. 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 first agreed in writing by the Local Planning Authority.

Reason: In the interests of amenity and to preserve and enhance the character and appearance of the locality in accordance with Policy CS21 of the Woking Core Strategy (2012).

4. The development hereby permitted shall be undertaken in accordance with the Water Efficiency as Designed Calculation Report by BEAT Solutions Ltd dated 8th April 2016 and the SAP2012 Calculation Report as Designed Report by BEAT Solutions Ltd Rev A dated 8th April 2016 (Ref: SAP-0717 (AD SAP2012) The Barn, Carhouse Lane (08-04-16)). The measures outlined within these two reports shall be installed prior to the first occupation of the development and thereafter permanently maintained and operated 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 Policies CS21 and CS22 of the Woking Core Strategy (2012).

5. The development hereby permitted shall be constructed in accordance with the submitted Flood Risk Assessment (FRA) dated April 2015 (Ref: G21130). Finished floor levels shall be set no lower than 23.22m AOD.

Reason: To prevent increased risk of flooding to the property and surrounding area in accordance with Policy CS9 of the Woking Core Strategy (2012).

6. No ground shall be raised or material stored within 8.0m from the top of bank of any watercourse unless otherwise first agreed in writing by the Local Planning Authority.



## 5 SEPTEMBER 2017 PLANNING COMMITTEE

Reason: To prevent the increased risk of flooding and reduction in water quality in accordance with Policy CS9 of the Woking Core Strategy (2012).

7. The Arboricultural information provided by Ian Keen Ltd (Ref: AP/8685/WDC) shall be complied with in full.

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

8. Prior to first occupation of the development hereby permitted the modified access to Carhouse Lane shall be constructed in accordance with the approved plans listed within this notice.

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) and the National Planning Policy Framework (2012).

9. Prior to first occupation of the development hereby permitted space shall be laid out within the site in accordance with approved plans listed within this notice for cars to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. The parking and turning area shall thereafter be permanently retained for its designated purpose.

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) and the National Planning Policy Framework (2012).

10. 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 orders amending or re-enacting that Order with or without modification) no extension or enlargement of the dwelling house hereby permitted shall be carried out without planning permission being first obtained from the Local Planning Authority.

Reason: To ensure that the development remains appropriate within the Green Belt in accordance with Policy CS6 of the Woking Core Strategy (2012) and Section 9 of the National Planning Policy Framework (2012).

11. The residential curtilage of the replacement dwelling hereby permitted is defined by the dashed red line annotated as such on the plan numbered P14/11/401 dated 07.01.16 (Site Layout) and shall not encroach beyond this line.

Reason: To highlight the residential curtilage of the replacement dwelling and protect against any potential residential encroachment into the Green Belt in accordance with Policy CS6 of the Woking Core Strategy (2012) and Section 9 of the National Planning Policy Framework (2012).

### **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 paragraph 186-187 of the National Planning Policy Framework 2012. Additional information was

## 5 SEPTEMBER 2017 PLANNING COMMITTEE

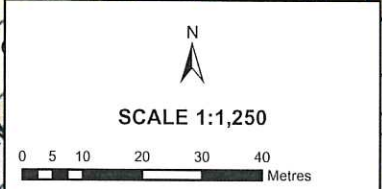
requested, and accepted, during the application process in an attempt to overcome concerns identified with the application as initially submitted. Following the submission of additional information the application was considered to be acceptable.

2. 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.

PLAN/2017/0695  
9 Regency Drive



Comments



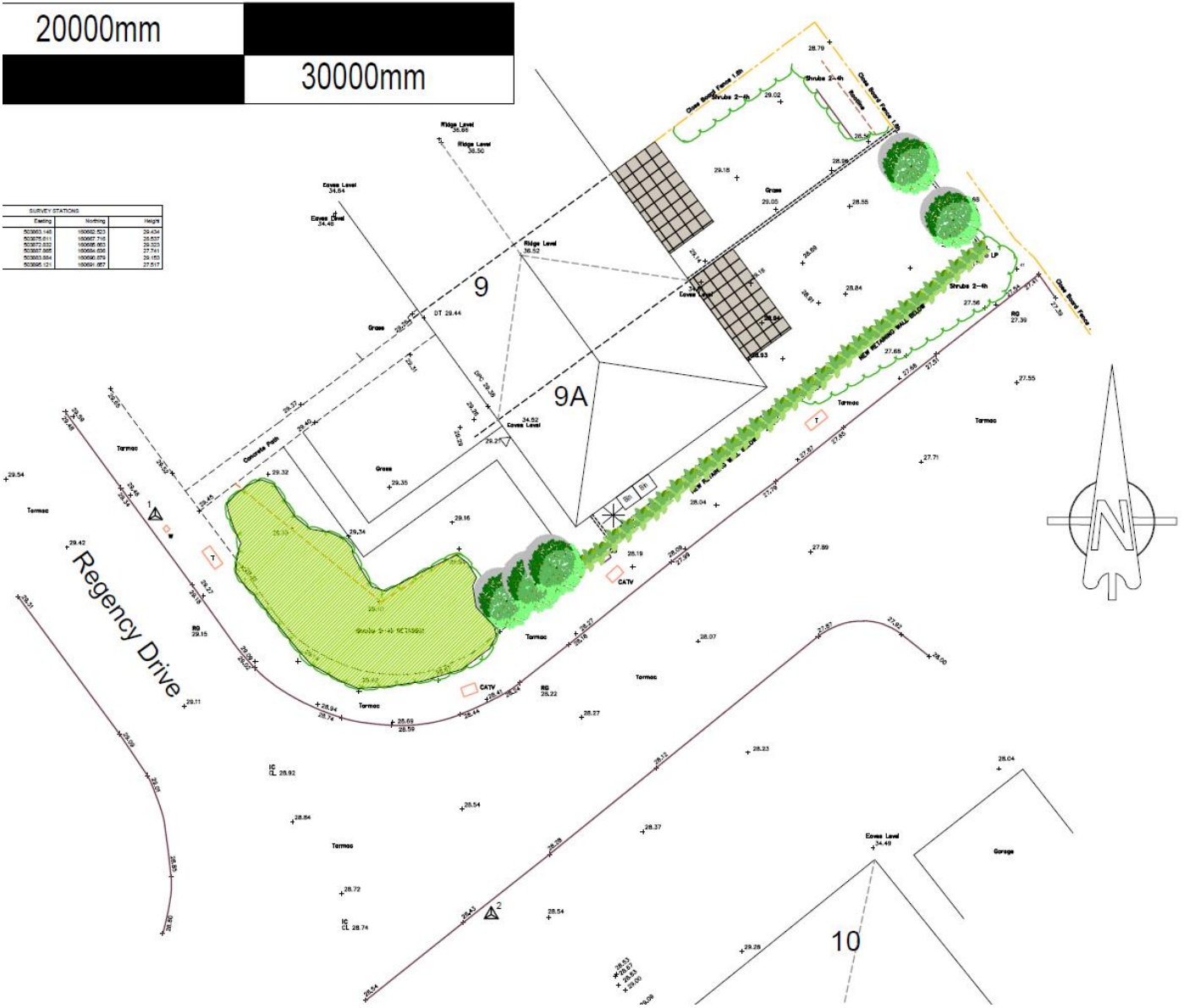
Planning  
Woking Borough Council  
Civic Offices  
Gloucester Square  
Woking, Surrey GU21 6YL



20000mm

30000mm

SUBJECT STATIONS		
Ending	Starting	Height
503803.148	180662.523	28.424
503818.811	180661.712	28.407
503872.832	180662.863	28.323
503887.587	180664.052	28.741
503883.884	180662.079	28.185
503886.121	180661.887	27.817





## 05 SEPTEMBER 2017 PLANNING COMMITTEE

6k 17/0695 Reg'd: 23.06.2017 Expires: 18.08.17 Ward: PY  
Nei. 06.07.17 BVPI Number 10/8 On No  
Con. Target of Weeks On Target?  
Exp: on Cttee'  
Day:

**LOCATION:** 9 Regency Drive, West Byfleet, Surrey, KT14 6EN

**PROPOSAL:** Erection of a new three bedroom attached dwelling.

**TYPE:** Full

**APPLICANT:** Mr Chin

**OFFICER:** Tanveer  
Rahman

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### **REASON FOR REFERRAL TO COMMITTEE**

The proposal involves the erection of a single dwelling which falls outside of the scheme of delegated powers.

### **RECOMMENDATION**

GRANT planning permission subject to Conditions.

### **PLANNING STATUS**

- Urban Area
- West Byfleet Neighbourhood Area (currently out for consultation)
- Tree Preservation Order
- Thames Basin Heaths SPA Zone B (400m-5km)

### **SITE DESCRIPTION**

The application site relates to the curtilage of 9 Regency Drive which is a two-storey, hipped roof end of terrace house. The front of the house is set back from the street by a deep front garden. The property also has a side and rear garden which is bounded from the adjoining property's rear garden, an alleyway to the rear and the street to the side (south east) by close board timber fencing and vegetation. The south east of the application site slopes down to the street and has a retaining wall

The submitted location plan indicates that the property has two garages in a block of garages to the south east of the site.

### **RELEVANT PLANNING HISTORY**

78/1461: ALTERATION - permitted 01.12.1978.

75/1284: RESITING FENCE - permitted 01.11.1975.

75/0228: RESITING GARDEN FENCE - permitted 01.04.1975.

## 05 SEPTEMBER 2017 PLANNING COMMITTEE

0030673: ERECTION 48 TERRACE HOUSES BRICK & TILE SAMPLES - permitted 31.01.1973.

0029887: ERECTION 48 TERRACED HOUSES AND 60 GARAGES ERECTION - permitted 30.08.1972.

### **PROPOSED DEVELOPMENT**

The application is for the erection of a two-storey house attached to the side elevation of 9 Regency Drive following demolition of existing boundary fencing and vegetation. The existing hipped roof of no.9 is proposed to extend to cover the new dwelling. The new dwelling is proposed to have a width of 5.15 m, a length of 8.80m, an eaves height of 5.2m and a ridge height of 7.3m. A door, a ground floor window, a curved ground floor bay window and two first floor windows are proposed in its front elevation. A set of doors, a ground floor window and two first floor windows are proposed in its rear elevation. Fencing is proposed to be erected off the rear elevation along the party wall line of no.9 and the proposed dwelling to give them both an area of private amenity space. A gate is proposed in the rear fencing of no.9 to enable it to have access to the alleyway to the rear for refuse collection. A new retaining wall with planting in front of it is proposed on the south west of the application site. The existing property is proposed to keep one of the garage and the other is proposed to be given to the new house.

### **SUMMARY INFORMATION**

Site area	<b>0.0312ha</b>
Existing units	<b>1 unit</b>
Proposed units	<b>2 units</b>
Bedrooms/unit	<b>3 bedrooms</b>
Existing site density	<b>32 dwellings/hectare</b>
Proposed site density	<b>64 dwellings/hectare</b>

### **CONSULTATIONS**

County Highway Authority (SCC):

*“The Applicant intends to split the existing dwelling's parking provision (two spaces) to allow one off street parking space for number 9 and one for number 9a. There is existing on street parking within Regency Drive and surrounding residential roads therefore any overspill parking could be accommodated.*

*It is also noted that the site is located in close proximity to West Byfleet neighbourhood centre with good public transport, walking and cycling links to local services - employment, educational, healthcare, retail and leisure. Therefore the location is considered relatively sustainable and as such car ownership is not necessarily a necessity for future occupiers.*

*Taking into account the above, the CHA offers no objections to the proposal on the grounds of highway safety or capacity.”*

### **NEIGHBOUR REPRESENTATIONS**

No representations were received.

### **RELEVANT PLANNING POLICIES**

National Planning Policy Framework (2012):



Section 6 - Delivering a wide choice of high quality homes  
Section 7 - Requiring good design

Woking Core Strategy (2012):

CS1 - A Spatial Strategy for Woking  
CS8 - Thames Basin Heaths Special Protection Area  
CS10 - Housing provision and distribution  
CS16 - Infrastructure Delivery  
CS18 - Transport and accessibility  
CS21 - Design  
CS22 - Sustainable Design and Construction  
CS24 - Woking's Landscape and Townscape  
CS25 - Presumption in Favour of Sustainable Development

Development Management Policies DPD (2016):

DM2 - Trees and landscaping

Supplementary Planning Documents:

*Parking Standards (2006)*  
*Outlook, Amenity, Privacy and Daylight (2008)*  
*Plot Sub-Division 'Infilling' and 'Backland' Development (2000)*  
*Woking Design SPD (2015)*  
*Thames Basin Heaths Special Protection Area Avoidance Strategy 2010-2015*

West Byfleet Neighbourhood Plan 2017-2027 DRAFT

*(the plan has not yet been adopted but does contain limited weight)*

BE1 - Development Character  
BE2 - New Housing Quality  
OS4 - Trees and Hedges  
S&C6 - CIL Projects

**PLANNING ISSUES**

The main issues to consider in determining this application are the principle of development, impact on character, impact on trees, impact on neighbours, quality of accommodation, impact on car parking provision and highway safety, impact on sustainability and the impact on the Thames Basin Heaths Special Protection Area having regard to the relevant policies of the Development Plan.

Principle of Development

1. The *National Planning Policy Framework (2012)* and Policy CS25 of the *Woking Core Strategy (2012)* promotes a presumption in favour of sustainable development. The application site is located within an established residential area with a number of services in close proximity. It also has good road links, is fronted by a bus stop and is close to West Byfleet station. For these reasons the site location is considered to be suitably sustainable in the defined urban area of Woking.

## 05 SEPTEMBER 2017 PLANNING COMMITTEE

2. The proposed development will result in one additional dwelling on land that currently serves as garden land for 9 Regency Drive. Given this, the site constitutes previously undeveloped land or greenfield land as it previously served as garden land to this property. The development of previous garden land for additional dwellings can be acceptable provided that the proposal respects the overall grain and character of development in the area. The application site is currently an end of terrace house and the proposal would extend this row of terraces.

It is therefore considered that the proposed dwelling would be in keeping with the urban grain of the street.

3. In accordance with the Development Plan new residential development should seek to maximise the efficient use of land by concentrating most new developments in areas of high density. Housing provision is also integral to the creation of sustainable communities and Policy CS10 of the *Woking Core Strategy (2012)* seeks to ensure that sufficient homes are built in sustainable locations where existing infrastructure is in place. The proposal is considered to make efficient use of urban land, achieving a greater density which maintains the grain of its character.
4. The principle of erecting one residential dwelling on the site is considered acceptable subject to the further material considerations as set out in this report.

### Impact on character

5. Paragraph 59 of the *National Planning Policy Framework (2012)* points out that the overall scale, density, layout and materials of a proposed development should be guided by neighbouring buildings and the local area and *Woking Design SPD (2015)* seeks echoes this guidance. It is noted that Regency Drive is characterised by terraced properties with deep frontages and there are also large areas of open amenity land which give the street an open character. The proposed house would be on an area of private garden land and not open amenity land. It is also considered that the scale, form and character of the new dwelling as a whole would be in keeping with the character of the existing terraced houses and the wider street scene.
6. The proposed development is considered to be of an acceptable design and would maintain the open character and appearance of the wider surrounding area as well as tying in with the characteristics of the immediate neighbours.

### Impact on trees

7. Although the application site is an area TPO there are no trees within or near the application site.
8. The proposed development is therefore considered to have an acceptable impact on trees.

### Impact on neighbours

9. The neighbours potentially most affected by the proposal are the existing property at 9 Regency Drive and 10 Regency Drive to the south east of the site.
10. The proposed dwelling would pass the '25° test' as set out in *Outlook, Amenity, Privacy and Daylight (2008)* towards facing windows in the front elevation of no.10.

## 05 SEPTEMBER 2017 PLANNING COMMITTEE

11. The proposed dwelling would not project past the rear elevation of no.9 and it is therefore considered that it would not create unacceptable overbearing issues towards it.
12. The proposed development is considered to be acceptable in terms of its relationship with neighbouring properties and will safeguard the outlook, amenity, privacy and daylight of existing and future occupiers of existing dwellings.

### Quality of accommodation and private amenity space

13. The proposed dwelling is considered to achieve an acceptable size and standard of accommodation with good quality outlooks to habitable rooms.
14. recommends that houses should have private amenity space that is at least equal in area to the footprint of the house and also in scale with the house. According to the submitted drawings no.9 has a footprint of 45sqm and the proposal would leave it with a 45sqm rear garden. According to the submitted drawings the proposed dwelling would have a footprint of 45sqm and a 55sqm rear garden. It is also considered that the proposed garden would be in scale with the houses as well as the urban grain of Regency Drive.
15. The proposed development is therefore considered to have an acceptable impact on quality of accommodation and private amenity space

### Impact on car parking provision & highway safety

16. *Parking Standards* (2006) recommends that a house with three bedrooms should have parking provision for two cars. The proposal would leave the property with one parking space each which is below these guidelines. It is noted however that the County Highway Authority (SCC) has raised no objection to the application
17. It is therefore considered that the proposal would have an acceptable impact on car parking provision and highway safety subject to condition.

### Sustainability

18. Planning policies relating to sustainable construction have been updated following the Government's withdrawal of the Code for Sustainable Homes. Therefore in applying Policy CS22 of the *Woking Core Strategy* (2012), the approach has been amended and at present all new residential development shall be constructed to achieve a water consumption standard of no more than 105 litres per person per day indoor water consumption and not less than a 19% CO2 improvement over the 2013 Building Regulations TER Baseline (Domestic). A planning condition has been recommended to secure this.

### Affordable Housing

19. Policy CS12 of the *Woking Core Strategy* (2012) states that all new residential development will be expected to contribute towards the provision of affordable housing and that, on sites providing fewer than five new dwellings, the Council will require a financial contribution equivalent to the cost to the developer of providing 10% of the number of dwellings to be affordable on site.

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20. However, following the Court of Appeal's judgment of 11th May 2016 (Secretary of State for Communities and Local Government v West Berkshire District Council and Reading Borough Council [2016] EWCA Civ 441), wherein the Secretary of State for Communities and Local Government successfully appealed against the judgment of the High Court of 31st July 2015 (West Berkshire district Council and Reading Borough Council v Department for Communities and Local Government [2015] EWHC 2222 (Admin)), it is acknowledged that the policies within the Written Ministerial Statement of 28th November 2014, as to the specific circumstances where contributions for affordable housing and tariff-style planning obligations should not be sought from small scale and self build development, must once again be treated as a material consideration in development management decisions.
21. Additionally the Planning Practice Guidance (Paragraph 031 - Revision date: 19.05.2016) sets out that there are specific circumstances where contributions for affordable housing planning obligations should not be sought from small scale and self-build development. This follows the order of the Court of Appeal judgment dated 13th May 2016, which again gives legal effect to the policy set out in the Written Ministerial Statement of 28th November 2014 and should be taken into account. These circumstances include that contributions should not be sought from developments of 10-units or less, and which have a maximum combined gross floor space of no more than 1000sqm.
22. Whilst it is considered that weight should still be afforded to Policy CS12 (Affordable housing) of the Woking Core Strategy 2012 it is considered that greater weight should be afforded to the policies within the Written Ministerial Statement of 28th November 2014 and the Planning Practice Guidance (Paragraph 031 - Revision date: 19.05.2016). As the proposal represents a development of 10-units or less, and has a maximum combined gross floorspace of no more than 1000sqm, no affordable housing financial contribution is therefore sought from the application scheme.

### Local finance consideration

23. The proposed development would lead to a net gain of 80sqm of residential floor space outside of the designated town centre. It therefore be liable to a contribution to the Community Infrastructure Levy (CIL) of **£11,076.92** according to the current financial year's price index

### Impact on the Thames Basin Heaths Special Protection Area

24. The SPAs in this area are internationally-important and designated for their interest as habitats for ground-nesting and other birds. Policy CS8 of the *Woking Core Strategy* (2012) requires new residential development beyond a 400m threshold but within 5 kilometers of the SPA boundary to make an appropriate contribution towards the provisions of Suitable Alternative Natural Greenspace (SANG) and the Strategic Access Management and Monitoring (SAMM).
25. Suitable Alternative Natural Greenspace (SANG) and Landowner Payment elements of the SPA tariff are encompassed within the Community Infrastructure Levy (CIL) however the Strategic Access Management and Monitoring (SAMM) element of the SPA tariff is required to be addressed outside of CIL. A SAMM contribution of **£868** in line with the *Thames Basin Heaths Special Protection Area Avoidance Strategy 2010-2015* (April 2015 update) as a result of the uplift of one four-bedroom dwelling that would arise from the proposal would be required.

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26. A signed Unilateral Undertaking will be used to secure this financial contribution.

### **CONCLUSION**

Overall the principle of development is considered to be acceptable and it is considered that it would have an acceptable impact on character, trees, neighbours, quality of accommodation and private amenity space, car parking provision and highway safety, sustainability on the Thames Basin Heaths Special Protection Area having regard to the relevant policies of the Development Plan. The proposal therefore accords with policies CS1, CS5, CS8, CS10, CS16, CS18, CS21, CS22, CS24 and CS25 of the *Woking Core Strategy* (2012), policy DM2 the *Draft Development Management Policies DPD* (2015), *Parking Standards* (2006), *Outlook, Amenity, Privacy and Daylight* (2008), *Plot Sub-Division 'Infilling' and 'Backland' Development* (2000), *Woking Design SPD* (2015), *Thames Basin Heaths Special Protection Area Avoidance Strategy 2010-2015*, sections 6 and 7 of the *National Planning Policy Framework* (2012) and policies BE1, BE2, OS4 and S&C6 of the draft *West Byfleet Neighbourhood Plan 2017-2027*.

### **BACKGROUND PAPERS**

Site visit photographs (09.08.2017)

### **RECOMMENDATION**

It is recommended that planning permission be GRANTED subject to the following conditions:

1. The development hereby permitted shall 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).

2. The development hereby permitted shall be carried out in accordance with the approved drawings listed below:
  - 1:1250 location plan and 1:200 proposed block plan Drwg no.CDA-244-007 Rev.A (received by the LPA on 10.04.2017)
  - 1:100 proposed plans Drwg no.CDA-244-005 (received by the LPA on 14.06.2017)
  - 1:100 proposed front and side elevation Drwg no.CDA-244-005 (received by the LPA on 14.06.2017)
  - 1:100 proposed rear elevation Drwg no.CDA-244-006 (received by the LPA on 14.06.2017)

Reason:

For the avoidance of doubt and to ensure that the development is completed in accordance with the approved drawings.

3. The development hereby permitted shall not 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

## 05 SEPTEMBER 2017 PLANNING COMMITTEE

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 in accordance with the principles set out in paragraph 17 of the *National Planning Policy Framework* (2012) and policy CS21 of the *Woking Core Strategy* (2012).

4. The development hereby permitted shall not commence until details have been submitted for the written approval of the Local Planning Authority demonstrating that the development will be constructed to achieve a water consumption standard of not more than 105 litres per person per day maximum indoor water consumption and not less than a 19% CO<sub>2</sub> improvement over the 2013 Building Regulations TER Baseline (Domestic). Such details as may be approved shall be installed prior to the first occupation of the development and maintained and operated in perpetuity, unless otherwise 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 and to comply with Policies CS21 and CS22 of the *Woking Core Strategy* (2012).

5. The development hereby permitted shall not 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 in accordance with Policies CS7, CS17, CS21 and CS24 of the *Woking Core Strategy* (2012).

6. Notwithstanding the provisions of Article 3 of *Town and Country Planning (General Permitted Development) Order 2015 (as amended)* (or any order revoking and re-enacting that Order with or without modification) no building, structure or other alteration permitted by Class A, B, C, D, E or F of Part 1 of Schedule 2 of that Order shall be erected on the application site without the prior written approval of the Local Planning Authority of an application made for that purpose.

Reason:

To protect the character of the area and the amenity of the host dwelling and neighbouring properties in accordance with policy CS21 of the *Woking Core Strategy* (2012).

**Informatives**

01. Site Inspections:

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.

02. The application will not be formally approved until the applicant has entered into a legal agreement with the council to secure a provision of **£868** to provide avoidance measures against the impact of the site on the TBH SPA in accordance with the formula in the Avoidance Strategy and the **£11,076.92** CIL contribution.

03. The applicant is advised that this planning permission does not convey the right to enter onto or build on land not within his ownership.





PLAN/2017/0579

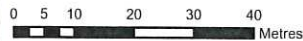
4 Leegate Close



Comments

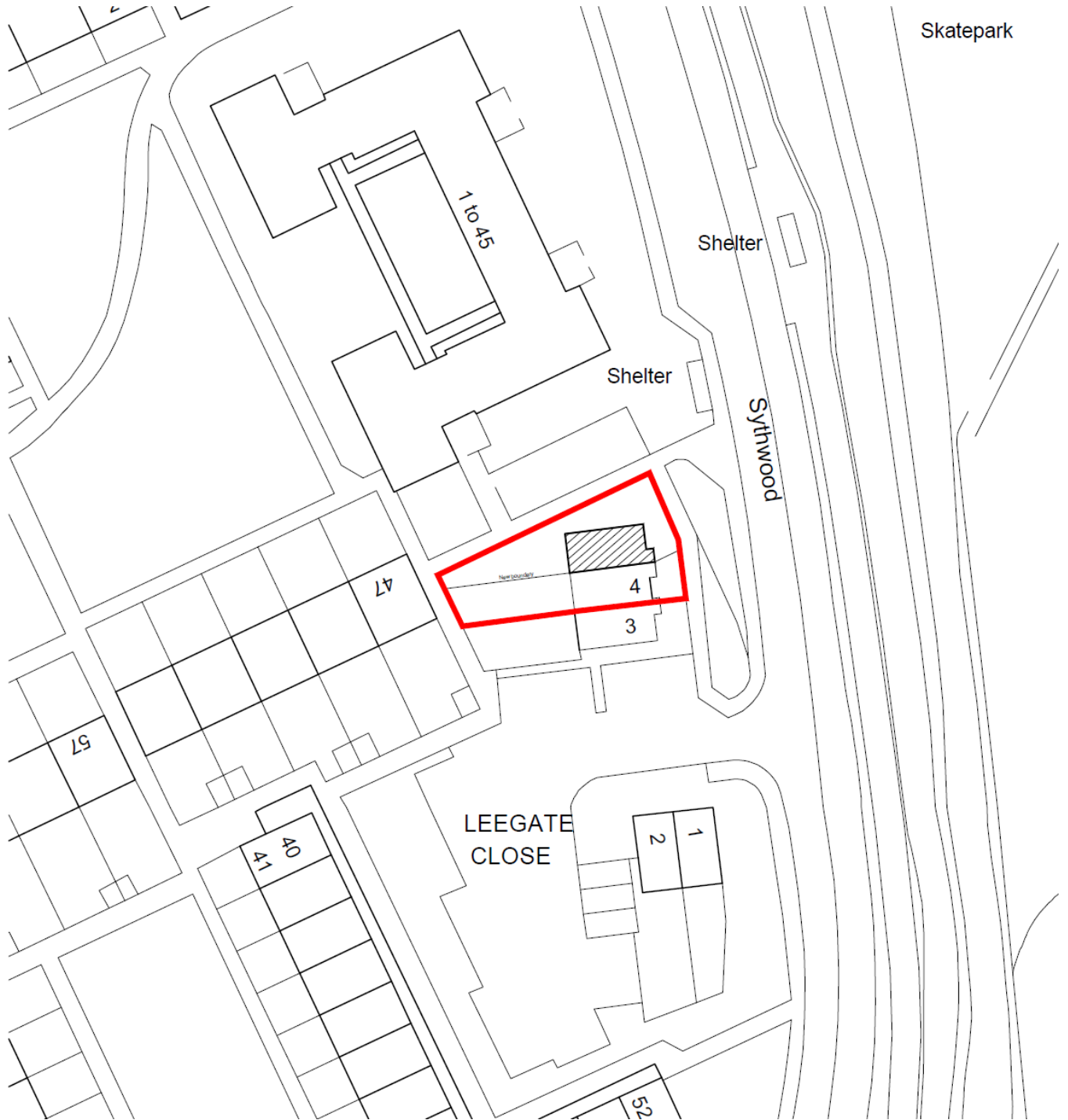


SCALE 1:1,250



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







## 05 SEPTEMBER 2017 PLANNING COMMITTEE

6I 17/0579 Reg'd: 18.05.2017 Expires: 13.08.17 Ward: GP  
Nei. 10.07.17 BVPI Number 15/8 On No  
Con. Target of Weeks Target?  
Exp: on Cttee'  
Day:

**LOCATION:** 4 Leegate Close, Woking, Surrey, GU21 3TA

**PROPOSAL:** Erection of a new two bedroom attached dwelling following removal of front boundary fencing.

**TYPE:** Full

**APPLICANT:** Mr Ibrahim Mohsen

**OFFICER:** Tanveer  
Rahman

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### **REASON FOR REFERRAL TO COMMITTEE**

The proposal involves the erection of a single dwelling which falls outside of the scheme of delegated powers.

### **RECOMMENDATION**

GRANT planning permission subject to Conditions.

### **PLANNING STATUS**

- Urban Area
- Priority Places
- Surface Water Flooding (1 in 100 year surface water event)
- Thames Basin Heaths SPA Zone B (400m-5km)

### **SITE DESCRIPTION**

The application site relates to the curtilage of 4 Leegate Close which is a two-storey, pitched roof semi-detached house. The house faces towards Sythwood and is set back from it by a front garden area. The property also has a side and rear garden which is bounded from the adjoining property, an alleyway to the rear and alleyway to the side by close board timber fencing. There are three trees in its rear garden on the side boundary with no.3. The site is in a 1 in 100 year surface water event (high risk) area.

### **RELEVANT PLANNING HISTORY**

PLAN/1990/0980: Erection of 17 two bedroom houses with associated garages and car parking, relocation of existing parking spaces, environmental improvements and provision of bin stores and porches to the ground floor. - permitted 15.11.1990.

PLAN/1990/0764: Erection of 9 2 storey dwellings and 16 assigned spaces, reprovision of 28 parking spaces, and 10 garages, construction of new porches and bin stores to ground floor maisonettes of blocks 1 - 31 and 33 -. - permitted 14.09.1990.

## 05 SEPTEMBER 2017 PLANNING COMMITTEE

PLAN/1989/0545: Erection of a total of 26 dwellings, 41 car parking and 76 replacement garages throughout the estate. - permitted 30.10.1989.

### **PROPOSED DEVELOPMENT**

*(Case officer's note: following discussions with the agent the original scheme was amended. These changes were:*

- *To reduce the width of the proposed house.*
- *Alter its front fenestration.*
- *Change the refuse layout so that 4 Leegate Close and the proposed house have separate areas to keep their bins.*
- *To remove trees in the garden of 4 Leegate Close.*

*It is this amended scheme which will be described below and assessed in this report.)*

The application is for the erection of a two-storey house attached to the side elevation of 4 Leegate Close following demolition of boundary fencing to the side of no.4. The existing pitched roof of no.4 is proposed to extend to cover the new dwelling. The new dwelling is proposed to have a width of 3.98m, a length of 8.04m, an eaves height of 4.9m and a ridge height of 7.8m. A ground floor window, a door with a mono-pitched canopy above it, a first window and a first floor window with pitched roof canopy above it are proposed in its front elevation. A first floor window is proposed in its side elevation. A set of doors, a ground floor window and a first floor window are proposed in its rear elevation.

1.8m high close boarded fencing is proposed to project off the rear elevation along the party wall line of no.4 and the proposed dwelling to give them both an area of private amenity space. There are three trees on the boundary with no.3 which are proposed to be removed. The proposed dwelling's area of private amenity space is proposed to wrap around its rear and side elevations and a fence with a gate is proposed at the north east corner of the house to fence it off from the front garden.

A refuse enclosure is proposed in the front garden of no.4 and a refuse enclosure is proposed in the front garden of the proposed house.

### **SUMMARY INFORMATION**

Site area	<b>0.0226ha</b>
Existing units	<b>1 unit</b>
Proposed units	<b>2 units</b>
Bedrooms/unit	<b>2 bedrooms</b>
Existing site density	<b>44 dwellings/hectare</b>
Proposed site density	<b>88 dwellings/hectare</b>

### **CONSULTATIONS**

LPA waste & recycling team senior contracts officer - no objections.

LPA senior aboricultural officer:

*"I would agree that the removal of the three trees shown in the rear garden is the best way forward."*

County Highway Authority (SCC):

## 05 SEPTEMBER 2017 PLANNING COMMITTEE

*“The proposed new two bedroom dwelling is not envisaged to be provided with any off street parking, however it is noted by the CHA that there are residential areas with on street, unrestricted parking in the vicinity of the site, therefore there are opportunities should future occupiers own vehicles.*

*In addition, while not a town centre location, Sythwood is served by buses, and there are good quality cycle links to Woking town centre and neighbouring services. As such the location is considered relatively sustainable.*

*Finally, the addition of one dwelling to such a location is not considered likely to generate a significant or severe impact in terms of highway safety or capacity, therefore the CHA raises no objections to the proposal.”*

LPA Flood Risk & Drainage Engineer - no objections subject to condition.

### **NEIGHBOUR REPRESENTATIONS**

One letter of objection was received which made the following main statements:

- The site is small and bounded by public footpaths.
- Building work could create safety issues.
- No parking provision has been proposed and this could exacerbate parking in Leegate Close which is always full.

*(Case officer’s note: neighbours were not re-notified of the amended scheme as it was considered to have less of a material impact however the material planning considerations raised above will still be considered below.)*

### **RELEVANT PLANNING POLICIES**

National Planning Policy Framework (2012):

Section 6 - Delivering a wide choice of high quality homes  
Section 7 - Requiring good design

Woking Core Strategy (2012):

CS1 - A Spatial Strategy for Woking  
CS5 - Priority Places  
CS8 - Thames Basin Heaths Special Protection Area  
CS9 - Flooding and water management  
CS10 - Housing provisions and distribution  
CS16 - Infrastructure Delivery  
CS18 - Transport and accessibility  
CS21 - Design  
CS22 - Sustainable Design and Construction  
CS24 - Woking’s Landscape and Townscape  
CS25 - Presumption in Favour of Sustainable Development

Development Management Policies DPD (2016):

DM2 - Trees and landscaping

Supplementary Planning Documents:

*Parking Standards (2006)*  
*Outlook, Amenity, Privacy and Daylight (2008)*  
*Plot Sub-Division 'Infilling' and 'Backland' Development (2000)*  
*Woking Design SPD (2015)*  
*Thames Basin Heaths Special Protection Area Avoidance Strategy 2010-2015*

### **PLANNING ISSUES**

The main issues to consider in determining this application are the principle of development, impact on character, impact on trees, impact on neighbours, quality of accommodation, impact on flood risk, impact on car parking provision and highway safety, impact on sustainability and the impact on the Thames Basin Heaths Special Protection Area having regard to the relevant policies of the Development Plan.

#### Principle of Development

1. The *National Planning Policy Framework (2012)* and Policy CS25 of the *Woking Core Strategy (2012)* promotes a presumption in favour of sustainable development. The application site is located within an established residential area with a number of services in close proximity. It also has good road links, is fronted by a bus stop and is less than a mile from West Byfleet station. For these reasons the site location is considered to be suitably sustainable in the defined urban area of Woking.
2. The proposed development will result in one additional dwelling on land that currently serves as garden land for 4 Leegate Close. Given this, the site constitutes previously undeveloped land or greenfield land as it previously served as garden land to this property. The development of previous garden land for additional dwellings can be acceptable provided that the proposal respects the overall grain and character of development in the area. The application site is currently a semi-detached property and it is recognised that it would lead to the creation of a row of three terraces from an existing pair of semi-detached properties. It is noted however that apart from another pair of semi-detached properties to the south the majority of the properties in the area are flats. It is also noted that further up Sythwood there is a row of three terraced houses on Tracious Close. It is therefore considered that the proposed dwelling would be in keeping with the urban grain of the street.
3. In accordance with the Development Plan new residential development should seek to maximise the efficient use of land by concentrating most new developments in areas of high density. Housing provision is also integral to the creation of sustainable communities and Policy CS10 of the *Woking Core Strategy (2012)* seeks to ensure that sufficient homes are built in sustainable locations where existing infrastructure is in place. The proposal is considered to make efficient use of urban land, achieving a greater density which maintains the grain of its character.
4. The principle of erecting one residential dwelling on the site is considered acceptable subject to the further material considerations as set out in this report.

#### Impact on character

5. Paragraph 59 of the *National Planning Policy Framework (2012)* points out that the overall scale, density, layout and materials of a proposed development should be guided by neighbouring buildings and the local area and *Woking Design SPD (2015)* echoes this guidance. It is considered that the scale, form and character of the new



## 05 SEPTEMBER 2017 PLANNING COMMITTEE

dwelling as a whole would be in keeping with the character of the existing pair of semi-detached houses and the wider street scene.

6. The proposed development is considered to be of an acceptable design and would maintain the character and appearance of the wider surrounding area as well as tying in with the characteristics of the immediate neighbours.

### Impact on trees

7. The proposal would lead to the loss of three trees. These trees are not protected and are not considered to be of any public amenity either. Furthermore, the LPA's senior arboricultural officer has raised no objections or conditions.
8. The proposed development is therefore considered to have an acceptable impact on trees.

### Impact on neighbours

9. The neighbours potentially most affected by the proposal are 3 Leegate Close, the existing property at 4 Leegate Close, 47 Hartshill Walk to the west and the flats to the north of the site
10. It is considered that the proposed first floor side window would not create unacceptable overlooking issues towards the amenity space of the flats to the north given that it would serve a staircase. The proposed first floor rear window would face the blank side elevation of 47 Hartshill Walk. It is therefore considered that it would not create unacceptable overlooking issues towards this property. Given the orientation and design of the proposal it is considered that it would not create unacceptable overlooking issues towards 3 and 4 Leegate Close either.
11. The proposed dwelling would pass the '25° test' as set out in *Outlook, Amenity, Privacy and Daylight* (2008) towards the windows in the south elevation of the flats to the north. It is therefore considered that it would have an acceptable impact on the daylight levels received by these properties.
12. The proposed dwelling would have a separation distance from the amenity area of the flats to the north ranging from 3.35m to 6.2m. It is considered that this would be sufficient not to create unacceptable overbearing issues.
13. The proposed development is considered to be acceptable in terms of its relationship with neighbouring properties and will safeguard the outlook, amenity, privacy and daylight of existing and future occupiers of existing dwellings.

### Quality of accommodation and private amenity space

14. The proposed dwelling is considered to achieve an acceptable size and standard of accommodation with good quality outlooks to habitable rooms.
15. It is noted that the proposed dwelling would lead to the loss of the existing first floor window in the side elevation of 4 Leegate Close. It is noted however that this window serves a landing which is not a habitable room. The loss of this window is not

## 05 SEPTEMBER 2017 PLANNING COMMITTEE

therefore considered to have an unacceptable impact on no.4's quality of accommodation.

16. The proposal would leave the existing and proposed dwelling with areas of private amenity space which exceed the footprints of the individual dwellings. This accords with guidelines in *Outlook, Amenity, Privacy and Daylight* (2008). Furthermore, it is noted that no.4 currently uses its garden space to the side of the house however removal of the trees on its side boundary with no.3 will enable its new reduced garden space to receive adequate daylight.
17. The proposed development is therefore considered to have an acceptable impact on quality of accommodation and private amenity space.

### Impact on flood risk

18. As noted above the LPA's Flood Risk & Drainage Engineer has raised no objections subject to condition.
19. The proposed development is therefore considered to have an acceptable impact on flood risk subject to condition.

### Impact on car parking provision & highway safety

20. *Parking Standards* (2006) recommends that a house with two bedrooms should have parking provision for 1.5 cars. The proposal does not include any parking and therefore falls below these recommended guidelines. It is noted however that the County Highway Authority (SCC) has raised no objection to the application
21. It is therefore considered that the proposal would have an acceptable impact on car parking provision and highway safety.

### Sustainability

22. Planning policies relating to sustainable construction have been updated following the Government's withdrawal of the Code for Sustainable Homes. Therefore in applying Policy CS22 of the *Woking Core Strategy* (2012), the approach has been amended and at present all new residential development shall be constructed to achieve a water consumption standard of no more than 105 litres per person per day indoor water consumption and not less than a 19% CO2 improvement over the 2013 Building Regulations TER Baseline (Domestic). A planning condition has been recommended to secure this.

### Affordable Housing

23. Policy CS12 of the *Woking Core Strategy* (2012) states that all new residential development will be expected to contribute towards the provision of affordable housing and that, on sites providing fewer than five new dwellings, the Council will require a financial contribution equivalent to the cost to the developer of providing 10% of the number of dwellings to be affordable on site.
24. However, following the Court of Appeal's judgment of 11th May 2016 (*Secretary of State for Communities and Local Government v West Berkshire District Council and Reading Borough Council* [2016] EWCA Civ 441), wherein the Secretary of State for Communities and Local Government successfully appealed against the judgment of the High Court of 31st July 2015 (*West Berkshire district Council and Reading*

## 05 SEPTEMBER 2017 PLANNING COMMITTEE

Borough Council v Department for Communities and Local Government [2015] EWHC 2222 (Admin)), it is acknowledged that the policies within the Written Ministerial Statement of 28th November 2014, as to the specific circumstances where contributions for affordable housing and tariff-style planning obligations should not be sought from small scale and self build development, must once again be treated as a material consideration in development management decisions.

25. Additionally the Planning Practice Guidance (Paragraph 031 - Revision date: 19.05.2016) sets out that there are specific circumstances where contributions for affordable housing planning obligations should not be sought from small scale and self-build development. This follows the order of the Court of Appeal judgment dated 13th May 2016, which again gives legal effect to the policy set out in the Written Ministerial Statement of 28th November 2014 and should be taken into account. These circumstances include that contributions should not be sought from developments of 10-units or less, and which have a maximum combined gross floor space of no more than 1000sqm.
26. Whilst it is considered that weight should still be afforded to Policy CS12 (Affordable housing) of the Woking Core Strategy 2012 it is considered that greater weight should be afforded to the policies within the Written Ministerial Statement of 28th November 2014 and the Planning Practice Guidance (Paragraph 031 - Revision date: 19.05.2016). As the proposal represents a development of 10-units or less, and has a maximum combined gross floorspace of no more than 1000sqm, no affordable housing financial contribution is therefore sought from the application scheme.

### Local finance consideration

27. The proposed development would lead to a net gain of 67.2sqm of residential floor space outside of the designated town centre. It therefore be liable to a contribution to the Community Infrastructure Levy (CIL) of **£9,304.61** according to the current financial year's price index

### Impact on the Thames Basin Heaths Special Protection Area

28. The SPAs in this area are internationally-important and designated for their interest as habitats for ground-nesting and other birds. Policy CS8 of the *Woking Core Strategy* (2012) requires new residential development beyond a 400m threshold but within 5 kilometers of the SPA boundary to make an appropriate contribution towards the provisions of Suitable Alternative Natural Greenspace (SANG) and the Strategic Access Management and Monitoring (SAMM).
29. Suitable Alternative Natural Greenspace (SANG) and Landowner Payment elements of the SPA tariff are encompassed within the Community Infrastructure Levy (CIL) however the Strategic Access Management and Monitoring (SAMM) element of the SPA tariff is required to be addressed outside of CIL. A SAMM contribution of **£660** in line with the *Thames Basin Heaths Special Protection Area Avoidance Strategy 2010-2015* (April 2015 update) as a result of the uplift of one four-bedroom dwelling that would arise from the proposal would be required.
30. A signed Unilateral Undertaking will be used to secure this financial contribution.

### CONCLUSION

## 05 SEPTEMBER 2017 PLANNING COMMITTEE

Overall the principle of development is considered to be acceptable and it is considered that it would have an acceptable impact on character, trees, neighbours, quality of accommodation and private amenity space, car parking provision and highway safety, sustainability on the Thames Basin Heaths Special Protection Area having regard to the relevant policies of the Development Plan. The proposal therefore accords with policies CS1, CS5, CS8, CS10, CS16, CS18, CS21, CS22, CS24 and CS25 of the *Woking Core Strategy* (2012), policy DM2 the *Draft Development Management Policies DPD* (2015), *Parking Standards* (2006), *Outlook, Amenity, Privacy and Daylight* (2008), *Plot Sub-Division 'Infilling' and 'Backland' Development* (2000), *Woking Design SPD* (2015), *Thames Basin Heaths Special Protection Area Avoidance Strategy 2010-2015* and section 6 and 7 of the *National Planning Policy Framework* (2012).

### **BACKGROUND PAPERS**

Site visit photographs (04.07.2017)

### **RECOMMENDATION**

It is recommended that planning permission be GRANTED subject to the following conditions:

1. The development hereby permitted shall 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).

2. The development hereby permitted shall be carried out in accordance with the approved drawings listed below:
  - 1:1250 location plan Drwg no.L.01 (received by the LPA on 17.05.2017)
  - 1:100 proposed block plan Drwg no.P.01B (received by the LPA on 14.07.2017)
  - 1:100 proposed plans and elevations Drwg no.P.03B (received by the LPA on 14.07.2017)

Reason:

For the avoidance of doubt and to ensure that the development is completed in accordance with the approved drawings.

3. The development hereby permitted shall not 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 in accordance with the principles set out in paragraph 17 of the *National Planning Policy Framework* (2012) and policy CS21 of the *Woking Core Strategy* (2012).

## 05 SEPTEMBER 2017 PLANNING COMMITTEE

4. The development hereby permitted shall not commence until details have been submitted for the written approval of the Local Planning Authority demonstrating that the development will be constructed to achieve a water consumption standard of not more than 105 litres per person per day maximum indoor water consumption and not less than a 19% CO<sub>2</sub> improvement over the 2013 Building Regulations TER Baseline (Domestic). Such details as may be approved shall be installed prior to the first occupation of the development and maintained and operated in perpetuity, unless otherwise 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 and to comply with Policies CS21 and CS22 of the *Woking Core Strategy* (2012).

5. The development hereby permitted shall not 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 in accordance with Policies CS7, CS17, CS21 and CS24 of the *Woking Core Strategy* (2012).

6. No development shall commence until a surface water drainage scheme for the site based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development has been submitted to and approved in writing by the Local Planning Authority. The drainage scheme should demonstrate the surface water run-off generated up to and including the 1 in 100 plus climate change critical storm will not exceed the run-off from the existing site following the corresponding rainfall event.

The drainage scheme details to be submitted for approval shall also include:

- I. Calculations demonstrating no increase in surface water runoff rates and volumes discharged from the site compared to the existing scenario up to the 1 in 100 plus climate change storm event.
- II. Calculations demonstrating no on site flooding up to the 1 in 30 storm event and any flooding between the 1 in 30 and 1 in 100 plus climate change storm event will be safely stored on site ensuring no overland flow routes.
- III. Detail drainage plans showing where surface water will be accommodated on site,

IV. A management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

The surface water drainage scheme shall be implemented in accordance with the approved details prior to the first occupation of the development hereby permitted and thereafter it shall be managed and maintained in accordance with the approved details in perpetuity.

Reason:

To prevent the increased risk of flooding, to improve and protect water quality and to ensure the future maintenance of these in accordance with policies CS9 and CS16 of the *Woking Core Strategy* (2012) and the policies in the NPPF.

9. Notwithstanding the provisions of Article 3 of *Town and Country Planning (General Permitted Development) Order 2015 (as amended)* (or any order revoking and re-enacting that Order with or without modification) no building, structure or other alteration permitted by Class A, B, C, D, E or F of Part 1 of Schedule 2 of that Order shall be erected on the application site without the prior written approval of the Local Planning Authority of an application made for that purpose.

Reason:

To protect the character of the area and the amenity of the host dwelling and neighbouring properties in accordance with policy CS21 of the *Woking Core Strategy* (2012).

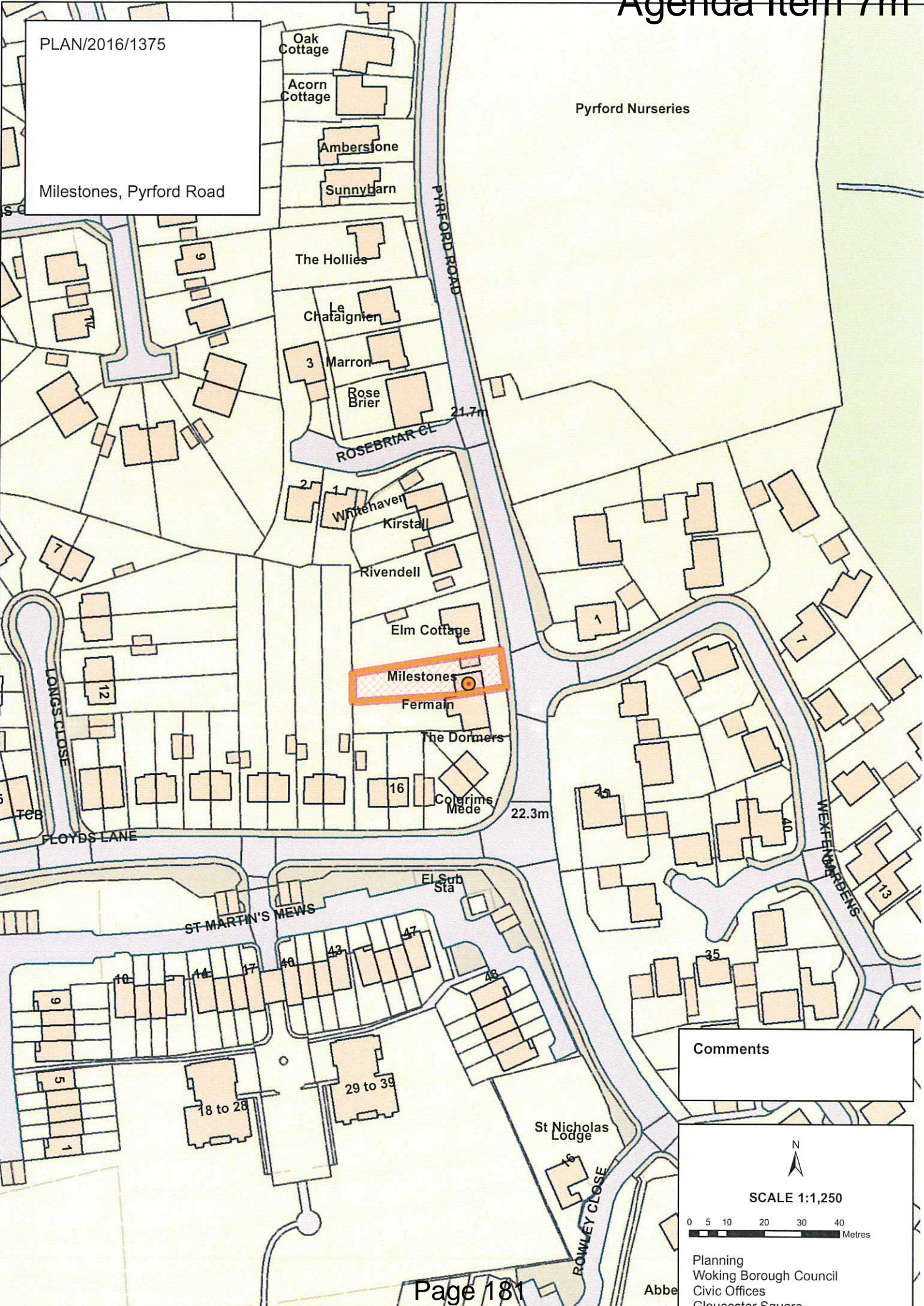
### **Informatives**

01. Site Inspections:

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.

02. The application will not be formally approved until the applicant has entered into a legal agreement with the council to secure a provision of **£660** to provide avoidance measures against the impact of the site on the TBH SPA in accordance with the formula in the Avoidance Strategy and the **£9,304.61** CIL contribution.

03. The applicant is advised that this planning permission does not convey the right to enter onto or build on land not within his ownership.



Comments

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

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









## 05 September 2017 PLANNING COMMITTEE

6m 16/1375 Reg'd: 10.01.17 Expires: 07.03.17 Ward: PY  
Nei. 30.01.17 BVPI Minor Number 34/8 On No  
Con. Target of Weeks Target?  
Exp: on Cttee'  
Day:

**LOCATION:** Milestones, Pyrford Road, Woking, Surrey, GU22 8UP

**PROPOSAL:** Erection of single-storey side and rear extensions following demolition of an existing detached garage.

**TYPE:** Householder

**APPLICANT:** Mr Kiran Parmar

**OFFICER:** Tanveer  
Rahman

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### **REASON FOR REFERRAL TO COMMITTEE**

The proposal is for the erection of a householder extension which is recommended for approval and could therefore ordinarily be dealt with under delegated powers. However it has been called in to planning committee by Cllr Chrystie.

### **PLANNING STATUS**

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

### **RECOMMENDATION**

Grant planning permission subject to conditions.

### **SITE DESCRIPTION**

The application site is occupied by a two-storey, pitched roof semi-detached house with a single-storey rear extension and a detached garage to the side of the house. The house is set back from the street by a paved driveway and its rear garden is bounded from neighbouring properties by timber fencing.

### **RELEVANT PLANNING HISTORY**

PLAN/2014/0879: Subdivision of existing house into 2 no. 3 bedroom flats following the erection of a two storey side and rear extension and associated landscaping and parking. (Amended Description) - refused 28.11.2014.

PLAN/2013/0890: Demolition of existing garage, erection of new end terrace house to the north and erection of first floor rear extension to milestones over existing rear ground floor extension - refused 13.11.2013.

PLAN/2008/0023: Erection of a two storey side extension - permitted 13.02.2008

## **PROPOSED DEVELOPMENT**

*(Case officer's note: following discussions with the agent the original scheme was amended. These changes were to:*

- *Reduce the width and depth of the side extension.*
- *Reduce the width of the rear extension.*
- *Alter its front fenestration.*

*It is this amended scheme which will be described below and assessed in this report.)*

The proposal is for the erection of single-storey side and rear extensions following demolition of an existing detached garage. The side extension is proposed to have a small mono-pitched roof element on its front elevation and the rest of the extension is proposed to have a flat roof. A window is proposed in its front elevation, two windows are proposed in its side elevation and a window is proposed in its rear elevation. The rear extension is proposed to have a flat roof and to project off the existing single-storey rear extension. A door and a window are proposed in its rear elevation.

## **CONSULTATIONS**

None

## **REPRESENTATIONS**

Nine letters of objection from eight different objectors were received following submission of the original scheme which made the following statements:

- The proposal would be built over a shared drain and would impact the objector's property and other neighbouring properties (*Case officer's note: this falls outside of planning control*).
- The boundary line with an objector is drawn incorrectly and the extension would therefore go over the boundary line into the neighbour's property (*Case officer's note: this issue was discussed with the agent and was subsequently amended*).
- Extending the existing rear extension further would be out of proportion with the host dwelling.
- The proposal would reduce the property's garden space.
- Given the planning history of the site an objector wanted to know what restriction the Council could impose to prevent the property being converted to an HMO (*Case officer's note: a house can be converted to an HMO for up to 6 people under permitted development rights and would require planning permission for more than 6 people*).
- The bulk and scale of the proposal would be out of keeping with the character of the area.
- The proposal would have an unacceptable impact on demand for parking and would create highway safety issues.
- The proposal would have an unacceptable overbearing impact on the rear gardens of neighbouring properties.
- Building work could cause disruption to the area.
- An objector wanted the 'stance' of neighbour's objection changed on the Council's website from neutral to an objection.

*(Case officer's note: neighbours were not re-notified of the amended scheme as it was considered to have less of a material impact however the material planning considerations raised above will still be considered below.)*

## **RELEVANT PLANNING POLICIES**

National Planning Policy Framework (2012):

Section 7 - Requiring Good Design

Woking Core Strategy (2012):

CS21 - Design

Supplementary Planning Documents:

*Outlook, Amenity, Privacy and Daylight* (2008)

*Parking Standards* (2006)

*Woking Design SPD* (2015)

Pyrford Neighbourhood Plan 2016 -2027 (2016):

BE1 - Maintaining the Character of the Village

BE2 - Parking Provision

## **PLANNING ISSUES**

The proposal is for the erection of an extension to a dwelling following demolition of a detached garage within the Urban Area which is acceptable in broad policy terms, but subject to the following considerations:

Impact on character:

1. The side extension would have a 3.0m width, 10.8m depth. It would be set back 0.5m from the front elevation of the house and 1.5m from the side boundary with Elm Cottage. Its mono-pitch roof would have a ridge height of 3.3m and the flat roof would have a height of 2.75m. The rear extension would have a 4.65m width and a 2m depth.
2. While it is noted that the side extension would have a relatively large depth it is considered that overall its scale, form and character would be subservient and in keeping with the host dwelling. It is considered that the scale, form and character of the rear extension would also be in keeping with the host dwelling.
3. It is noted that there are a number of properties to the north of the application site that have had single-storey and even two-storey side extensions. It is therefore considered that the proposal would also have an acceptable impact on the character of the area.
4. Overall the proposal is considered to result in visually acceptable extensions which would have an acceptable impact on the character of the surrounding area and accords with section 7 of the *National Planning Policy Framework* (2012), policy CS21 of the *Woking Core Strategy* (2012), policy DM12 of the *Development Management Policies Development Management Document* (2016), *Woking Design SPD* (2015) and policy BE1 of the *Pyrford Neighbourhood Plan 2016 -2027* (2016)

Impact on neighbours:

5. The neighbours potentially most affected by the proposal are Fermain to the south and Elm Cottage to the north.
6. It is considered that the proposal would not create unacceptable overlooking issues towards either of these properties.

7. The rear extension would fail the '25° test' as set out in *Outlook, Amenity, Privacy and Daylight* (2008) towards the high-level windows in the side (north) elevation of the single-storey rear extension at Fermain. However this extension is served by windows in its rear elevation and the proposed rear extension would pass the '45° test' as set out in *Outlook, Amenity, Privacy and Daylight* (2008) towards these windows. It is therefore considered that the proposal would have an acceptable impact on daylight levels received by Fermain. The proposal would pass the '45° test' test towards the windows in the rear elevation of Elm Cottage.
8. The proposed rear extension would be 2m deep, 2.75m high and would be on the boundary with Fermain. It is considered that the combination of these factors would not create an unacceptable overbearing impact towards Fermain. A 6.15m depth of the side extension would be in line with the rear garden of Elm Cottage. This element would have a height of 2.8m and would be 1.5m away from the boundary with Elm Cottage. It is considered that the combination of these factors would not create an unacceptable overbearing impact towards Elm Cottage either.
9. Overall the proposal is considered to have an acceptable impact on neighbours in terms of loss of light, overlooking and overbearing impact. It is therefore considered to accord with section 7 of the *National Planning Policy Framework* (2012), policy CS21 of the *Woking Core Strategy* (2012), policy DM12 of the *Development Management Policies Development Management Document* (2016), *Woking Design SPD* (2015) and policy BE1 of the *Hook Heath Neighbourhood Plan 2015-2027* (2015).

Quality of accommodation & private amenity space

10. The proposed rooms are considered to achieve an acceptable size and standard of accommodation with good quality outlooks to habitable rooms.
11. Woking Borough Council's SPD *Outlook, Amenity, Privacy and Daylight* (2008) recommends that houses should have private amenity space that is at least equal in area to the footprint of the house and also in scale with the house. According to the submitted drawings the proposal would give the dwelling a footprint of approximately 100sqm and leave it with an approximately 120sqm rear garden. It is also considered that it would be in scale with the house.
12. The proposed development is therefore considered to have an acceptable impact on quality of accommodation and private amenity space

Impact on car parking provision & highway safety

13. *Parking Standards* (2006) recommends that a house with three or more bedrooms should have parking provision for two cars. While it is noted that demolition of the garage would lead to the loss of one parking space it is considered that there would still be space to park two cars on the front driveway.
14. The proposal is therefore considered acceptable in terms of its impact on car parking and highway safety.

Local Finance Considerations:

15. The proposed development would not lead to a net gain in the gross internal area of more than 100sqm and would not therefore be liable to a contribution to the Community Infrastructure Levy (CIL).

**CONCLUSION**

Overall, the proposed development is considered to have an acceptable impact on character, neighbouring amenity, quality of accommodation & private amenity space and car parking provision & highway safety. The proposal therefore accords with section 7 of the *National Planning Policy Framework* (2012), policy CS21 of the *Woking Core Strategy* (2012), *Outlook, Amenity, Privacy and Daylight* (2008), *Parking Standards* (2006), *Woking Design SPD* (2015) and policies BE1 and BE2 of the *Pyrford Neighbourhood Plan 2016 - 2027* (2016) and is recommended for approval.

**BACKGROUND PAPERS**

Site visit photographs (02.02.2017)

**RECOMMENDATION**

It is recommended that planning permission be GRANTED subject to the following conditions:

1. The development hereby permitted shall 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).

2. The development hereby permitted shall be carried out in accordance with the approved drawings listed below:
  - 1:250 proposed block plan Drwg no.101 (received by the LPA on 14.08.2017)
  - 1:50 proposed plans Drwg no.104 (received by the LPA on 14.08.2017)
  - 1:50 proposed elevations Drwg no.105 (received by the LPA on 14.08.2017)

Reason:

For the avoidance of doubt and to ensure that the development is completed in accordance with the approved drawings.

3. The external finishes of the development hereby permitted shall match those used in the existing building in material, colour, style, bonding and texture.

Reason:

In the interests of the character and appearance of the building and the visual amenities of the area and in accordance with policy CS21 of the *Woking Core Strategy* (2012).

4. The development hereby permitted shall not 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 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 in accordance with policy CS21 of the *Woking Core Strategy* (2012)

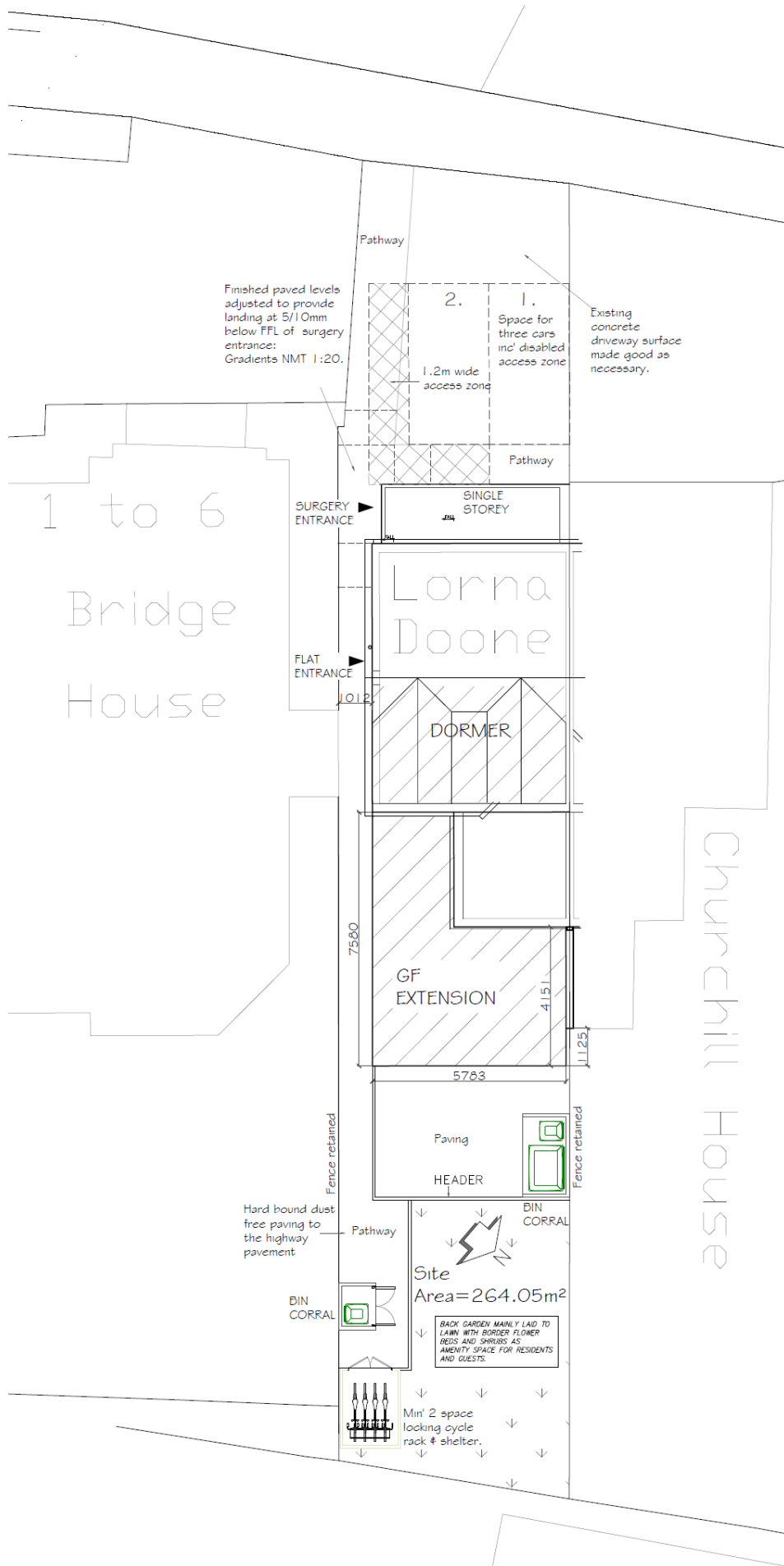
**Informatives**

1. The applicant is advised that this permission does not convey the right to enter on or build on land that is not within their ownership.
2. 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 paragraph 186-187 of the *National Planning Policy Framework* (2012).











## 5 SEPTEMBER 2017 PLANNING COMMITTEE

6n 17/0496 Reg'd: 03.05.17 Expires: 08.09.17 Ward: C  
Nei. 17.08.17 BVPI Minor other Number 18/18 On Ext.  
Con. Target (18) of Weeks Target? of  
Exp: on Cttee' time  
Day:

**LOCATION:** Lorna Doone, Chobham Road, Woking, GU21 4AA

**PROPOSAL:** Change of use and conversion of the first floor and roof space (including erection of rear dormer) from dental surgery (Use Class D1) to 1no. 2 bedroom residential flat (Use Class C3). Erection of a single storey rear extension for existing dental surgery use together with associated alterations to elevations, insertion of 3no. front rooflights, removal of chimneys and provision of refuse and cycle store (amended plans received 21.07.2017).

**TYPE:** Full Application

**APPLICANT:** Mr & Mrs Jullien

**OFFICER:** Benjamin Bailey

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### **REASON FOR REFERRAL TO COMMITTEE**

The application has been referred to Planning Committee for determination by Cllr Kingsbury due to concerns regarding parking provision and associated vehicular movements, the impact upon the Wheatsheaf Conservation Area and overlooking to the neighbouring Churchill House garden.

### **SUMMARY OF PROPOSED DEVELOPMENT**

Change of use and conversion of the first floor and roof space (including erection of rear dormer) from dental surgery (Use Class D1) to 1no. 2 bedroom residential flat (Use Class C3). Erection of a single storey rear extension for existing dental surgery use together with associated alterations to elevations, insertion of 3no. front rooflights, removal of chimneys and provision of refuse and cycle store (amended plans received 21.07.2017).

Site Area: 0.0264 ha (264 sq.m)  
Existing units: 0  
Proposed units: 1  
Existing density: 0 dph (dwellings per hectare)  
Proposed density: 38 dph

### **PLANNING STATUS**

- Urban Area
- Conservation Area (Wheatsheaf)
- High Accessibility Zone
- Adjacent to Woking Town Centre
- Close proximity to Basingstoke Canal Conservation Area
- Thames Basin Heaths Special Protection Area (TBH SPA) Zone B (400m-5km)

### **RECOMMENDATION**

**Grant** planning permission subject to recommended conditions and SAMM (TBH SPA) contribution secured by Legal Agreement.

### **SITE DESCRIPTION**

Lorna Doone is a two storey semi-detached property with a dual pitched main form and two storey rear 'outrigger' element, as is typical of Victorian era properties. A monopitched single storey element projects from the rear 'outrigger' element. A single storey flat roofed projection occurs to the front. The frontage of the site is laid to tarmac and provides car parking accessed from Chobham Road. The area to the rear is largely laid to lawn/scrub although contains limited hardstanding and an outbuilding adjacent to the rear boundary. The existing property contains a dental surgery (Use Class D1) across both the ground and first floor levels.

### **RELEVANT PLANNING HISTORY**

15721 - The execution of site works, the carrying out of alterations and the erection of additions and the conversion of the existing house into accommodation for a dentist's surgery.

Permitted subject to conditions (06.08.1962)

15267 - The carrying out of alterations and the erection of additions and the conversion of existing house into accommodation for a dentist's surgery.

Permitted subject to conditions (26.04.1962)

14789 - Alterations and additions and the conversion of the existing house into accommodation for a dentist's surgery.

Permitted subject to conditions (07.12.1961)

### **CONSULTATIONS**

**County Highway Authority (SCC):** No objection subject to condition 5.

**Heritage and Conservation Consultant:** No objection.

**National Grid Asset Protection:** No comments received.

### **REPRESENTATIONS**

**x4 letters** of objection have been received (commenting on the application as initially submitted) raising the following main points:

- Already inadequate parking by the dental practice whose customers often need to park on the adjacent Woking Constituency Conservative Association (WCCA) forecourt.  
*(Officer Note: This may constitute trespass if not first agreed between the relevant parties)*
- Proposed 2 bedroom apartment could mean a permanent parking requirement by occupants
- Understand that no car parking is planned for the benefit of the proposed 2 bedroom apartment but do not see how such a restriction can be enforced  
*(Officer Note: The applicant states that the proposed 2 bedroom apartment would not be provided with a parking space on the building forecourt and the application*

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*has been assessed on this basis. It would be for the applicant to enforce/restrict parking by future residential occupiers through the terms of purchase or rent of the proposed residential unit as the LPA would be unable to distinguish between parking associated with the dental practice and residential occupier parking)*

- Premises is very close to the roundabout between Brewery Road and Chobham Road with difficult access much of the time  
*(Officer Note: No alteration to the existing vehicular access is proposed. The CHA raise no objection)*
- Cannot see how a vehicle could park at right angles to the property as currently proposed without needing to cross the parking forecourt of Churchill House  
*(Officer Note: Parking space no.3 as initially proposed has been omitted by way of amended plans received on 21.07.2017)*
- Woking Conservatives currently have a flexible arrangement with the Dentist that if there is space on the Churchill House forecourt a client of theirs can use our parking spaces. However this may become untenable when there are residents ensconced in the upper floor of the surgery who may choose to park a vehicle permanently on the front of the site. This could result in dental patients feeling obliged to park on the frontage of Churchill House restricting use by us of our own parking area.  
*(Officer Note: The potential/continued use of the Churchill House forecourt for parking by the dental surgery is a civil matter between the relevant parties. The application has been assessed on the basis of the red-lined application site which does not include the Churchill House forecourt)*
- Proposed development raises the height of the building significantly above the building line of all houses to the right and would block the light in the garden of No.1a The Grove  
*(Officer Note: A rear dormer is proposed although the existing eaves and maximum height of the building would not increase)*
- Overlooking from windows within the proposed rear dormer towards house and garden of No.1a The Grove and neighbours' gardens on the south of The Grove
- Overbearing effect upon No.1a The Grove due to extension far too close to the boundary lines and also upwards
- Extension would leave very little green space in the existing garden
- Impact upon trees and hedges on the boundary between No.1a The Grove and Lorna Doone  
*(Officer Note: No semi-mature or mature trees were observed during the site visit on, or within close proximity to, the common boundary with No.1a The Grove. Whilst some hedging and shrub planting is apparent the potential removal of hedging and shrub planting (on land within the applicants' ownership) would not fall within planning control. Furthermore the proposed rear extension would remain approximately 11.5m from the common boundary with a rear amenity area retained to the rear of this)*
- Adding a viewpoint over all gardens on the south side of The Grove would have a detrimental effect on the special character of the area, which is typified by green space and trees. Square rooflines are not in keeping with other properties in the same place, and are out of keeping with the Wheatsheaf Conservation Area guidelines. Adding a large ground floor extension, which extends far too close to the boundary line, is also not in keeping with all other properties which have large gardens.
- Extending this commercial property so close to boundary of No.1a The Grove will have a detrimental effect on peace and quiet. The use of drills and other machinery in the ordinary course of business would have a significant impact on the quiet enjoyment of my property. In addition, the conversion of a commercial

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property to residential space risks disturbance on a 24/7 basis, rather than just during business hours.

*(Officer Note: The existing dental practice use is established and lawful. The proposed rear extension would remain approximately 11.5m from the common boundary with No.1a The Grove. Condition 9 is recommended to restrict opening hours of the dental surgery to avoid the most sensitive residential hours. The provision of acoustic separation between the dental surgery use at ground floor level and the proposed residential use at first floor level and above would be controlled under the Building Regulations – Approved Document Part E, Paragraph 0.8)*

- As Bridge House has already got a small window directly overlooking No.1a The Grove, adding another residential development next door would have a cumulative effect of removing all privacy from the garden of No.1a The Grove and the kitchen diner at No.1a The Grove which has planning permission
- The design relies on density of space to create a residential property, by overly extending into green space for the commercial property. This development would lead to an unsightly square box being placed on top of a currently attractive roofline, which is consistent with the other semi-detached property next door. The development of Bridge House uses pitched roofs and one small window is more in keeping with other buildings (e.g. 1&1b The Grove). It is not appropriate to extend a commercial property in a Conservation Area, especially as the properties impacted are residential.
- The main reception room and lounge has its main aspect overlooking into the garden of No.1b The Grove  
*(Officer Note: The first floor level windows within the rear elevation of Lorna Doone are existing)*
- Additional bedroom comprising a dormer extension will overlook the garden of No.1b The Grove as well as No.1, No.1a, No.3 and No.5 The Grove.
- It should be guaranteed that this development will not be allowed to rely on gaining access for parking permits for The Grove or Ferndale Road  
*(Officer Note: In the 11<sup>th</sup> May 2017 judgment in R (Khodari) v Royal Borough of Kensington & Chelsea [2017] EWCA Civ 333 the Court of Appeal held that obligations preventing occupiers of additional residential units from qualifying for resident's parking permits could not be secured by way of Section 106)*

**x2 further letters** of objection have been received (during further consultation on the amended plans) raising the following main points:

- The main reception room and lounge has its main aspect overlooking into the garden of No.1b The Grove  
*(Officer Note: The first floor level windows within the rear elevation of Lorna Doone are existing)*
- Additional bedroom comprising a dormer extension will overlook the garden of No.1b The Grove as well as No.1, No.1a, No.3 and No.5 The Grove
- The property has limited parking and is often full on most weekdays serving the dental surgery use; there is insufficient parking to support both a 2 bedroom apartment and commercial business
- Development isn't in keeping or adding to the improvement of the Conservation Area
- It should be guaranteed that this development will not be allowed to rely on gaining access for parking permits for The Grove or Ferndale Road  
*(Officer Note: In the 11<sup>th</sup> May 2017 judgment in R (Khodari) v Royal Borough of Kensington & Chelsea [2017] EWCA Civ 333 the Court of Appeal held that obligations preventing occupiers of additional residential units from qualifying for resident's parking permits could not be secured by way of Section 106)*



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- Remain concerned that this amended application will still exacerbate an already seriously inadequate parking provision for the dental practice in that there will inevitably be patients, visitors, deliveries, and service providers to the site where access is already dangerous by road, bearing in mind the proximity of the mini roundabout and the traffic lights.
- The bulk and mass of the proposed building still has a detrimental impact on the surrounding Conservation Area
- The proposed rear extension will significantly overlook the neighbouring Churchill House garden

*(Officer Note: Both Cllr Whitehand and Cllr Kingsbury have submitted objections to the application)*

### **RELEVANT PLANNING POLICIES**

#### National Planning Policy Framework (2012) (NPPF)

Section 4 - Promoting sustainable transport

Section 6 - Delivering a wide choice of high quality homes

Section 7 - Requiring good design

Section 11 - Conserving and enhancing the natural environment

Section 12 - Conserving and enhancing the historic environment

#### Woking Core Strategy (2012)

CS1 - A spatial strategy for Woking Borough

CS8 - Thames Basin Heaths Special Protection Areas

CS10 - Housing provision and distribution

CS11 - Housing mix

CS12 - Affordable housing

CS18 - Transport and accessibility

CS19 - Social and community infrastructure

CS20 - Heritage and conservation

CS21 - Design

CS25 - Presumption in favour of sustainable development

#### Development Management Policies DPD (2016)

DM4 - Development in the Vicinity of the Basingstoke Canal

DM20 - Heritage Assets and their Settings

#### Supplementary Planning Documents (SPDs)

Outlook, Amenity, Privacy and Daylight (2008)

Design (2015)

Parking Standards (2006)

Affordable Housing Delivery (2014)

#### Supplementary Planning Guidance (SPGs)

Heritage of Woking (2000)

#### Other Material Considerations

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

Thames Basin Heaths Special Protection Area Avoidance Strategy

National Planning Practice Guidance (NPPG)

Waste and recycling provisions for new residential developments

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

**COMMENTARY**

Amended plans were requested, and accepted, during consideration of the application to address concerns identified with the application as initially submitted. Amended plans made the following changes:

- Alteration to form and scale of proposed rear dormer
- Omission of third parking space to site frontage
- Correction of initial minor drawing errors regarding front elevation and rooflight within rear 'outrigger' element

A further period of 21 days public consultation was undertaken on amended plans which expired on 17.08.2017.

**PLANNING ISSUES**

1. The main planning issues to consider in determining this application are:

- Principle of development
- Design and impact upon the character and appearance of the Wheatsheaf Conservation Area
- Impact upon neighbouring amenity
- Amenities of future occupiers
- Highway safety and parking implications
- Thames Basin Heaths Special Protection Area (TBH SPA)
- Affordable housing

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

Principle of development

2. The application site is situated within the designated Urban Area immediately adjacent to the Woking Town Centre boundary, outside of the 400m (Zone A buffer) of the Thames Basin Heaths Special Protection Area (TBH SPA) and outside of identified fluvial and surface water flood risk zones.
3. In terms of the residential accommodation proposed Policy CS10 of the Woking Core Strategy (2012) identifies that the Council will make provision for 4,964 net additional dwellings in the Borough between 2010 and 2027. The justification text for Policy CS10 states that new residential development within the Urban Area will be provided through redevelopment, change of use, conversion and refurbishment of existing properties or through infilling.
4. The residential density of the proposed development would be approximately 38 dwellings per hectare. Policy CS10 of the Woking Core Strategy (2012) sets an indicative density range for infill development within the rest of the Urban Area (ie. those areas outside of Woking Town Centre, West Byfleet District Centre and Local Centres), as in this instance, of 30 – 40 dph. At 38 dph the proposal would fall within this indicative density range in accordance with Policy CS10.
5. The existing dental surgery (Use Class D1) constitutes a social and community facility for the purposes of Policy CS19 of the Woking Core Strategy (2012), which states that *“the loss of existing social and community facilities will be resisted unless the Council is satisfied that...there is no identified need for the facility for its original purpose and that it is not viable for any other social or community use, or adequate alternative facilities will be provided in a location with equal (or greater) accessibility for the community it is intended to serve [or] there is no requirement from any other public*

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*service provider for an alternative social or community facility that could be met through change of use or redevelopment”.*

6. The existing dental surgery provides 3no. surgery rooms, a reception/waiting room, office, staff room and toilet across both ground and first floor levels. The gross internal area of the existing dental surgery measures approximately 119 sq.m. The proposal would retain the dental surgery use solely at ground floor level. No uplift in existing surgery rooms (3no.) would occur with the resulting ground floor space also providing a reception/waiting room, disabled w/c, decontamination room and staff room. The gross internal area of the resulting dental surgery would measure approximately 89 sq.m.
7. Whilst the proposal would represent a reduction of 30 sq.m in gross internal floorspace in terms of the existing dental surgery use it is a material consideration that the existing dental surgery floorplan provides a large toilet, large staff room and includes the staircase/landing, which would not sit within the resulting solely ground floor dental surgery. It is also a material consideration that the existing dental surgery floorplan provides a toilet only at first floor level, and is therefore not accessible to disabled/elderly patients, and that a separate decontamination room would be provided within the resulting dental surgery. These factors are considered to represent an enhancement of the existing social and community facility. Taking these factors into account, combined with the retention of 3no. dental surgery rooms, it is not considered that the proposal would result in an adverse impact upon the existing social and community facility and therefore that no conflict with Policy CS19 would arise.
8. Overall therefore the principle of development is considered to be acceptable subject to other material planning considerations as further set out within this report.

### Design and impact upon the character and appearance of the Wheatsheaf Conservation Area

9. The application property forms part of a two storey semi-detached pair fronting Chobham Road close to the Chobham Road Bridge, which spans the Basingstoke Canal. The site falls within the Wheatsheaf Conservation Area, which comprises of Broomhall Road together with part of Chobham Road and the full extent of The Grove and Ferndale Road and abuts the Basingstoke Canal Conservation Area. Properties date from the mid-Victorian to late Victorian period and were developed in association with the growth of Woking as a railway town. Although the architectural quality of buildings in the Conservation Area is mixed, it has a strong character, particularly in its relationship with the Wheatsheaf Recreation Ground, and forms a focal point of entrance into Woking Town Centre from the north. Several buildings, including the Wheatsheaf Public House, are Locally Listed.
10. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that, in considering applications within Conservation Areas, Local Planning Authorities shall pay “*special attention...to the desirability of preserving or enhancing the character or appearance of that area*”. This is reflected within Policy CS20 of the Woking Core Strategy (2012), Policy DM20 of the Development Management Policies DPD (2016) and Section 12 of the National Planning Policy Framework (2012). Policy CS20 advises that new development must respect and enhance the character and appearance of the area in which it is proposed.
11. In terms of character and heritage the principal significance of the host building is derived from its frontage and contribution to the wider street scene of Chobham Road.

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The application property appears to have originally formed part of a semi-detached pair of dwellinghouses although received planning permission during the 1960s for use as a dental surgery. Adjacent Churchill House is also in non-residential use. Bridge House, containing 6no. flats, has been constructed to the south within recent years.

12. The proposal would remove the existing single storey monopitched rear projection and construct a full width flat roofed single storey rear extension which would project approximately 7.5m from the two storey rear elevation. This element would project approximately 4.1m beyond the existing two storey rear 'outrigger' and approximately 1.0m beyond the footprint of the existing single storey monopitched rear projection to be demolished. Whilst this element would increase the building footprint it would measure approximately 3.3m in height and therefore remain clearly subordinate to the host building. The form and scale of the host building would remain readily discernible whilst the siting of this element to the rear, and its modest 3.3m height, would result in minimal visual impact from public vantage points and the street scene of Chobham Road.
13. The initially submitted flat roofed rear dormer has been amended (by way of amended plans) to incorporate twin gabled elements. Whilst the amended rear dormer would still represent a relatively significant addition to the rear roofscape the cumulative considerations of its twin gabled form, set-back from the eaves height termination and pitched roof margin to the side of the roof, would nonetheless ensure it would appear as a traditional dormer window which would remain in character with the Victorian era host building and wider Wheatsheaf Conservation Area. It is also a material consideration that the rear dormer would not be readily apparent from public vantage points, or from the street scene of Chobham Road. The rear dormer would also be screened from views achievable from the towpath on the southern side of the Basingstoke Canal by the form and massing of adjacent Bridge House. Whilst part of the single storey rear extension would be apparent above the close-boarded common boundary fence with adjacent Bridge House, when viewed from the Basingstoke Canal towpath to the south, this would be at distance and would not appear unduly prominent or harm the character and appearance of the Basingstoke Canal Conservation Area.
14. The dental surgery entrance would be relocated to the side of the existing single storey front projection with the existing front door removed and replaced with matching glazing and the existing stallriser continued with the existing shopfront mullions and fascia retained. Minor alterations are proposed to fenestration within the side (south) elevation to accommodate the provision of a separate access to the flat; these would not appear prominently within the Chobham Road street scene and are not considered harmful to the character and appearance of the host building. 3no. rooflights would be inserted into the front roof slope; although two different sizes would be utilised these would be flush-fitting with the roof slope and would appear as minor alterations to the host building which would not materially affect its character and appearance subject to being flush fitting with the roof slope (condition 4 refers).
15. The existing chimney stack to the main roof, and that to the rear 'outrigger', would be removed as part of the proposal in order to facilitate the proposed floor layouts. Whilst the removal of these chimney stacks is somewhat undesirable the chimney stack to the rear 'outrigger' is not readily discernible from public vantage points and therefore is not considered to make a significant contribution to the character and appearance of the Wheatsheaf Conservation Area or the host building. The chimney stack to the main roof is readily apparent within the Chobham Road street scene although is limited in height above the ridge of the building and is not ornate in detailing. It is also

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noted that no chimney stack appears to the main roof at adjoining Churchill House which has also previously been extended to the front elevation at two storey level. The Council's Heritage and Conservation Consultant raises no objection to the proposal. Taking account of these cumulative factors the proposed removal of 2no. chimney stacks is not considered to materially alter the contribution of the host building to the character and appearance of the Conservation Area and are therefore considered to preserve the character and appearance of the Conservation Area.

16. Overall the proposal is considered to preserve the character and appearance of the host building and the Wheatsheaf Conservation Area. The proposal is also considered to preserve the character and appearance of the adjacent Basingstoke Canal Conservation Area. The application is considered to accord with policies CS20 and CS21 of the Woking Core Strategy (2012), policies DM4 and DM20 of the Development Management Policies DPD (2016) and Section 12 of the National Planning Policy Framework (2012) (NPPF).

### Impact upon neighbouring amenity

17. Policy CS21 (Design) 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, light, or an overbearing effect due to bulk, proximity or outlook. Further guidance is provided within Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight (2008)'.

### Bridge House

18. Adjacent Bridge House contains 6no. apartments. The proposed single storey rear extension would be sited 1.0m from the common boundary and would measure approximately 3.3m in flat roofed height. The ground floor of Bridge House contains bathrooms/en-suites within the north-western (side) elevation facing towards Lorna Doone. However the ground floor of Bridge House does also contain full height doors within its angled north-eastern elevation which serves a bedroom. Whilst the proposed single storey rear extension would project approximately 1.8m beyond the centre of these full height doors it would be sited approximately 3.0m away from these full height doors at its closest point and passes the 45° angle test set out by the SPD. Given these factors it is not considered that the proposed single storey rear extension would give rise to significantly harmful impact, by reason of potential loss of light or overbearing effect, to Bridge House.
19. Whilst ground floor windows within the south-eastern (elevation) of the single storey rear extension would face towards the common boundary with Bridge House these windows would be situated 1.0m from the common boundary and would be largely screened by existing common boundary treatment. Taking account of its siting and form within the rear roof slope the proposed rear dormer is not considered to give rise to significantly amenity impacts to Bridge House. Overall the proposal is considered to achieve a satisfactory relationship with Bridge House.

### No.1a The Grove

20. No.1a The Grove is situated to the rear (north-east) and is a two storey dwelling. The proposed single storey rear extension would be situated in excess of 11.5m from the common boundary with No.1a at its closest point. Taking account of this separation, combined with the approximate 3.3m height of this element, no significantly harmful impact, by reason of potential loss of privacy, loss of light, or overbearing effect is

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considered to occur to No.1a The Grove.

21. Taking account of its location against the existing rear roof profile, its scale, form and the approximate 20.0m separation to the common boundary with No.1a The Grove it is not considered that the proposed rear dormer would give rise to significantly harmful impact, by reason of potential loss of light or overbearing effect, to No.1a The Grove.
22. With regard to the proposed rear dormer SPD 'Outlook, Amenity, Privacy and Daylight (2008)' recommends a minimum separation distance for achieving privacy, in three storey back to boundary relationships, such as that which would exist between Lorna Doone and No.1a The Grove, of 15.0m. The windows within the proposed rear dormer would be situated approximately 19.8m from the common boundary with No.1a The Grove at their closest point and would therefore exceed the minimum requirements of the SPD. The location of the application site, immediately adjacent to the Woking Town Centre boundary, being an area where more 'urban' forms of development are to be expected, should also be taken into account in this regard. It is also noted that adjacent Bridge House demonstrates an existing second floor rear dormer window facing towards the common boundary with No.1a The Grove which is shown to serve as single aspect to a bedroom within the approved plans for Bridge House. This existing rear dormer window is positioned approximately 12.7m from the common boundary with No.1a The Grove, in comparison to the proposed rear dormer at Lorna Doone which would be positioned approximately 19.8m from the common boundary.
23. Overall, whilst the two windows within the proposed rear dormer would face directly towards the rear amenity space of No.1a The Grove, it is considered that these would be at sufficient distance to ensure no significantly harmful overlooking or loss of privacy contrary to Policy CS21. Overall the proposal is considered to achieve a satisfactory relationship with No.1a The Grove.

### Churchill House

24. Churchill House is in non-residential use and is therefore less sensitive to change than surrounding residential uses. There is a lawned area to the rear. Churchill House demonstrates a monopitched single storey element projecting from the rear 'outrigger' element, reflective of the form of the application building. There is a window within the rear elevation of the single storey rear projection at Churchill House which is obscure-glazed. The proposed rear extension would project for a modest depth measuring approximately 1.1m beyond this neighbouring monopitched element at a flat roofed height measuring 3.3m. Given these factors no significantly harmful impact, in terms of potential loss of light or overbearing effect due to bulk, proximity or outlook, is considered to occur to either the building of Churchill House or to its rear lawned area. No windows would directly face the common boundary with Churchill House and therefore no harmful loss of privacy is considered to arise. Taking account of its siting and form within the rear roof slope the proposed rear dormer is not considered to give rise to significantly amenity impacts to Churchill House. Overall the proposal is considered to achieve a satisfactory relationship with Churchill House.

### Amenities of future occupiers

25. The single proposed 2no. bedroom flat would be accessed from a separate access within the side (south-east) elevation. The proposed flat would measure approximately 79 sq.m. in Gross Internal Area (GIA), which complies with the relevant Technical housing standard - nationally described space standard (March 2015) and is therefore considered to provide a good standard of residential amenity to future occupiers. It is considered that a good standard of outlook and daylight would be achieved to

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habitable rooms.

26. SPD 'Outlook, Amenity, Privacy and Daylight (2008)' recommends a minimum garden amenity area for flats (over 65 sq.m and therefore suitable for family accommodation, as in this instance), as a suitable area of private garden as a first priority to a recommended minimum of 30 sq.m for each dwelling. An area directly to the rear of the proposed rear extension would be retained for the use of dental surgery staff at lunchtimes and breaktimes with a boundary treatment separating this area from an area of private amenity space to the rear of the site for use by occupiers of the proposed residential unit. This area of private garden amenity to serve the proposed residential unit would measure approximately 44 sq.m, thereby exceeding the SPD recommended minimum of 30 sq.m. This is considered to be acceptable and condition 7 is recommended to secure details of the separating boundary treatment and hard and soft landscaping to this area.
27. The hours of opening of the existing dental practice are currently uncontrolled. It is acknowledged that the introduction of the proposed residential unit at upper floors has the potential to introduce conflict between the proposed residential use and the retained dental surgery use, in terms of potential noise and disturbance, particularly in terms of patient movements to and from the surgery. The applicant has agreed to the attachment of a planning condition restricting the hours of opening to patients of the dental surgery to those below following first occupation of the proposed residential unit or completion of the rear extension, whichever is the sooner:
  - 0800 – 1800 Mondays-Fridays (inclusive)
  - 0900 – 1700 Saturdays
  - Not at all on Sundays and Bank/Public Holidays
28. The restriction of the dental surgery opening hours to these times would avoid potential noise and disturbance to the proposed residential unit at upper floors, and to adjacent Bridge House and No.1a The Grove, at the most sensitive times of residential occupancy.
29. Overall, subject to recommended conditions, the proposal is considered to provide a good standard of residential amenity to future occupiers.

### Highway safety and parking implications

30. SPD 'Parking Standards (2006)' sets maximum parking standards, with the objective of promoting sustainable non-car travel. It advises that where car parking provision falls below the stated maximum standard the scheme needs to be examined to ensure it does not have an adverse impact upon highway safety, the free flow of traffic or parking provision in the locality. More recently, Policy CS18 of the Woking Core Strategy (2012) highlights the Council's commitment to sustainable transport modes. With this in mind new development is steered to urban locations, such as the application site (which is immediately adjacent to the Woking Town Centre boundary) that are served by a range of sustainable transport options.
31. Whilst Policy CS21 states that the Council will move towards minimum parking standards for residential development, SPD 'Parking Standards (2006)' remains in place and the NPPF states that in setting local parking standards local planning authorities should take into account the accessibility of the development; the type and mix of the development; the availability and opportunities for public transport; local car ownership levels; and the need to reduce the use of high emission vehicles.

Residential car parking

32. In terms of residential accommodation the proposal would provide a single 2 bedroom flat. SPD 'Parking Standards (2006)' identifies a car parking standard, within the High Accessibility Zone, of 1 car parking space per 1 and 2 bedroom unit although does state that "*for car parking the standards define the maximum acceptable provision for the most common forms of development. Provision above this level will not normally be permitted. A minimum requirement will not normally be imposed unless under provision would result in road safety implications*". The NPPF advises that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe (Paragraph 32).
33. The proposal would provide no on site car parking to serve the single flat with the 2no. spaces to the frontage serving the ground floor dental surgery as per the existing situation. Whilst the maximum residential car parking provision, in line with the SPD, would be 1 space in this instance it is a significant material consideration that the application site is located within a highly accessible and sustainable location immediately adjacent to Woking Town Centre within easy walking distance of Woking railway station and within immediate proximity to the wide range of retail, business, leisure, arts, culture and community facilities and other public transport connections, such as bus, cycle and pedestrian facilities, available within Woking Town Centre. Furthermore Woking Town Centre and its wider area are covered by a number of Controlled Parking Zones (CPZs), making them subject to waiting restriction and parking charges
34. For these reasons the proposed flat would likely be attractive to non-car owners and thus consistent with the planning objective to reduce greenhouse gas emissions. The absence of residential on site car parking would likely be unattractive to persons who own or rely upon private vehicles for transport. The availability of on street parking and car parks in the locality would readily meet the needs of visitors to the flats. Residents of the flats could equally apply for permits enabling them to park vehicles within the Woking Town Centre public car parks.
35. In light of the above, and taking into account the locational characteristics of the site immediately adjacent to Woking Town Centre, including its proximity to key services and public transport accessibility, it is not considered that the absence of on-site car parking to serve the proposed single 2 bedroom flat would result in undue pressure upon the availability of off-site parking in the locality or have a materially adverse impact upon the free flow of traffic and highway safety.

Dental surgery car parking

36. As discussed earlier within the report in the section sub-headed 'Principle of development' the existing dental surgery provides 3no. surgery rooms, a reception/waiting room, office, staff room and toilet across ground and first floor levels with a gross internal area measuring approximately 119 sq.m. The proposal would retain the dental surgery use at ground floor level. No uplift in existing surgery rooms (3no.) would occur with the resulting ground floor space also providing a reception/waiting room, disabled w/c, decontamination room and staff room with a gross internal area measuring approximately 89 sq.m. The proposal would therefore not represent an intensification or enlargement of the existing dental surgery use and would not facilitate material uplift in existing patient provision (ie. patient numbers) in comparison to the existing, established dental surgery use.



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37. In terms of dental surgery and similar uses within highly accessible locations such as this it is common for patients to travel to attend the surgery via modes of transport other than the private car. It is also a significant material consideration that the application site is within very close proximity, and easy walking distance, to numerous Woking Town Centre public car parks, including Brewery Road WWF (153 spaces), Victoria Way (922 spaces), Blue multi-storey (918 spaces), Red multi-storey (879 spaces) and Yellow multi-storey (541 spaces). The existing 2no. car parking spaces would be retained to the frontage and no alteration is proposed to the existing vehicular crossover onto Chobham Road.
38. Furthermore the application has been considered by the County Highway Authority (SCC) who, having considered any local representations and having assessed the application on safety, capacity and policy grounds, raises no objection subject to recommended condition 5. The County Highway Authority further states that *“the proposed development is located in a highly accessible location, with bus stops in the vicinity of the site and Woking rail station within walking distance. The proposal seeks to provide cycle parking which offers further alternative sustainable modes of travel to the car. There are no plans to alter the vehicular access with Chobham Road or alter parking provision on site. The recommended condition is required to ensure the safe free-flow of traffic along Chobham Road (A3046) during the duration of construction works. Subject to this condition the County Highway Authority has no further requirements”*.
39. Overall therefore, subject to recommended condition 6 to secure details of secure covered cycle parking, the proposal is considered to comply with the National Planning Policy Framework (2012), Policy CS18 of the Woking Core Strategy (2012) and SPD ‘Parking Standards (2006)’.

### Thames Basin Heaths Special Protection Area (TBH SPA)

40. The application site falls within the 400m - 5km (Zone B) buffer of the Thames Basin Heaths Special Protection Area (TBH SPA). The TBH SPA is a European designated site afforded protection under the Conservation of Habitats and Species Regulations 2010 (as amended).
41. Policy CS8 of the 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 (SANG) and Strategic Access Management and Monitoring (SAMM).
42. The Suitable Alternative Natural Greenspace (SANG) element of the TBH SPA avoidance tariff is encompassed within the Community Infrastructure Levy (CIL) however the Strategic Access Management and Monitoring (SAMM) element of the TBH SPA avoidance tariff is required to be addressed outside of CIL. The applicant has agreed to make a SAMM contribution of **£660** in line with the Thames Basin Heaths Special Protection Area Avoidance Strategy as a result of the uplift of 1no. 2 bedroom flat which would arise from the proposal. The applicant is preparing a Legal Agreement to secure this financial contribution.
43. In view of the above, the Local Planning Authority is able to determine that the development would have no significant effect upon the TBH SPA and therefore accords with Policy CS8 of the Woking Core Strategy (2012) and the ‘Thames Basin Heaths Special Protection Area Avoidance Strategy’.

### Affordable housing

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44. Policy CS12 of the Woking Core Strategy (2012) states that all new residential development will be expected to contribute towards the provision of affordable housing. However, following a Court of Appeal judgment in May 2016, the Planning Practice Guidance (Paragraph 031 - Revision date: 19.05.2016) sets out that there are specific circumstances where contributions for affordable housing planning obligations should not be sought from small scale and self-build development. These circumstances include that contributions should not be sought from developments of 10-units or less, and which have a maximum combined gross floorspace of no more than 1000 sq.m.
45. Whilst it is considered that weight should still be afforded to Policy CS12 of the Woking Core Strategy (2012) it is considered that greater weight should be afforded to the policies within the Written Ministerial Statement of 28<sup>th</sup> November 2014 and the Planning Practice Guidance (Paragraph 031 - Revision date: 19.05.2016). As the proposal represents a development of 10-units or less, and has a maximum combined gross floorspace of no more than 1000 sq.m, no affordable housing financial contribution is therefore sought from the application scheme.

### **LOCAL FINANCE CONSIDERATIONS**

46. The proposal would be Community Infrastructure Levy (CIL) liable to the sum of **£3,877** (including the April 2017 Indexation).

### **CONCLUSION**

47. Overall the principle of development is considered to be acceptable and the proposal is considered to preserve the character and appearance of the host building and the Wightsheaf Conservation Area. Subject to recommended conditions the proposal is considered to result in an acceptable impact upon neighbouring amenity, to provide a good standard of amenity to future residential occupiers and to result in acceptable highway safety and parking implications. Thames Basin Heaths impacts can be mitigated by way of the adopted Avoidance Strategy.
48. Having regard to the relevant policies of the Development Plan, other relevant material planning considerations and national planning policy and guidance the proposal is therefore considered to be an acceptable form of development that complies with Policies CS1, CS8, CS10, CS11, CS12, CS18, CS19, CS20, CS21 and CS25 of the Woking Core Strategy (2012), Policies DM4 and DM20 of the Development Management Policies DPD (2016), Supplementary Planning Documents 'Outlook, Amenity, Privacy and Daylight (2008)', 'Design (2015)', 'Parking Standards (2006)' and Affordable Housing Delivery (2014), Supplementary Planning Guidance 'Heritage of Woking (2000)', Sections 4, 6, 7, 11 and 12 of the National Planning Policy Framework (2012) (NPPF), Saved Policy NRM6 of the South East Plan (2009), the Thames Basin Heaths Special Protection Area Avoidance Strategy and the National Planning Practice Guidance (NPPG). It is therefore recommended that planning permission is granted subject to conditions and planning obligations as set out below.

### **BACKGROUND PAPERS**

1. Site visit photographs
2. Consultation response from County Highway Authority (SCC)
3. Consultation response from Heritage and Conservation Consultant
4. Letters of representation

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5. Site Notices (Development Affecting a Conservation Area) x2

### **PLANNING OBLIGATIONS**

	<b>Obligation</b>	<b>Reason for Agreeing Obligation</b>
<b>1.</b>	<b>£660</b> SMM (TBH SPA) contribution.	To accord with the Habitat Regulations, Policy CS8 of the Woking Core Strategy (2012) and The Thames Basin Heaths Special Protection Area (SPA) Avoidance Strategy.

### **RECOMMENDATION**

**Grant** planning permission subject to the following conditions and SMM (TBH SPA) contribution secured by way of Legal Agreement:

1. The development hereby permitted shall 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).

2. The development hereby permitted shall be carried out in accordance with the following approved plans numbered/titled:

1416 / 277 / 01 (Location, Site & Block Plans. Existing Plans and Elevations), dated Apr 2017 and received by the Local Planning Authority on 28.04.2017.

1416 / 277 / 02 Rev A (Site Plan. Proposed Plans and Elevations), dated Jun 2017 and received by the Local Planning Authority on 21.07.2017.

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

3. The development hereby permitted shall be constructed in the external materials as annotated on the approved plan numbered/titled '1416 / 277 / 02 Rev A (Site Plan. Proposed Plans and Elevations)'. This shall include the external finishes of the development hereby permitted matching those used in the existing building in material, colour, style, bonding and texture where applicable (including the alterations to the existing glazed frontage and continuation of the existing stallriser).

Reason: To preserve the character and appearance of the host building and the visual amenities of the Wexham Conservation Area in accordance with Policies CS20 and CS21 of the Woking Core Strategy (2012), Policy DM20 of the Development Management Policies DPD (2016) and Sections 7 and 12 of the National Planning Policy Framework (2012).

4. All 4no. rooflights hereby permitted (for the avoidance of doubt this includes the 1no. rooflight within the rear 'outrigger' element of the host building and the 3no. rooflights within the front roof slope) shall be 'conservation style' rooflights and shall be installed so that their frames are flush fitting with the roof covering.

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Reason: To preserve the character and appearance of the host building and the visual amenities of the Wheatsheaf Conservation Area in accordance with Policies CS20 and CS21 of the Woking Core Strategy (2012), Policy DM20 of the Development Management Policies DPD (2016) and Sections 7 and 12 of the National Planning Policy Framework (2012).

5. ++ No development shall commence until a Construction Transport Management Plan (CTMP), 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

has 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: To ensure the safe free-flow of traffic along Chobham Road (A3046) during the duration of construction works in order that the development does not prejudice highway safety nor inconvenience other highway users in accordance with Policy CS18 of the Woking Core Strategy (2012) and the provisions of the National Planning Policy Framework (2012).

6. ++ Notwithstanding any details otherwise shown on the approved plans numbered/titled '1416 / 277 / 02 Rev A (Site Plan. Proposed Plans and Elevations)' no development shall commence until details of the proposed 2no. bin corrals and 1no. cycle shelter within the rear amenity area have been submitted to and approved in writing by the Local Planning Authority. Such details shall include plans and elevations of both the 2no. proposed bin corrals and 1no. cycle shelter at 1:100 or 1:50 scale and details of the external finishes of the proposed 2no. bin corrals and 1no. cycle shelter. Thereafter the bin corrals and cycle shelter shall be permanently retained and maintained in accordance with the approved details.

Reason: To ensure the provision of satisfactory facilities for the storage of recycling and refuse, to further alternative sustainable modes of travel to the car (cycle storage) and to preserve the character and appearance of the Wheatsheaf Conservation Area in accordance with Policies CS18, CS20 and CS21 of the Woking Core Strategy (2012), Policy DM20 of the Development Management Policies DPD (2016) and Sections 7 and 12 of the National Planning Policy Framework (2012).

7. ++ Notwithstanding any details otherwise shown on the approved plans numbered/titled '1416 / 277 / 02 Rev A (Site Plan. Proposed Plans and Elevations)' no development shall commence until details of means of enclosure (including heights above ground level and external finishes) and details of soft and hard landscaping (including species, planting sizes, spaces and numbers of trees/shrubs and hedges to be planted and hard surfacing materials) within the rear amenity area have been submitted to and approved in writing by the Local Planning Authority. The means of enclosure and hard and soft landscaping shall be implemented fully in accordance with the approved details prior to the first occupation of the residential unit hereby permitted and thereafter maintained to the height and position as approved unless otherwise first agreed in writing by the Local Planning Authority. Any planting which dies or becomes 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 first gives written consent to any variation.

## 5 SEPTEMBER 2017 PLANNING COMMITTEE

Reason: To ensure the provision of an appropriate area of private garden amenity for occupiers of the residential unit hereby permitted and to preserve the character and appearance of the Wheatsheaf Conservation Area in accordance with Policies CS20 and CS21 of the Woking Core Strategy (2012), Policy DM20 of the Development Management Policies DPD (2016) and Sections 7 and 12 of the National Planning Policy Framework (2012).

8. As annotated on the approved plan numbered/titled '1416 / 277 / 02 Rev A (Site Plan. Proposed Plans and Elevations)' the side-facing second floor window(s) within the host building (serving the en-suite to bedroom 2) shall 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. Once installed the window(s) shall be permanently retained in that condition unless otherwise first agreed in writing by the Local Planning Authority.

Reason: To safeguard the residential amenities of adjacent Bridge House in accordance with Policy CS21 of the Woking Core Strategy (2012).

9. Following either the first occupation of the residential unit hereby permitted or the completion of the single storey rear extension hereby permitted (whichever is the sooner) the dental surgery shall only open to patients during the following times:
  - 0800 – 1800 Mondays-Fridays (inclusive)
  - 0900 – 1700 Saturdays
  - Not at all on Sundays and Bank/Public Holidays

Reason: To safeguard the residential amenities of occupiers of the first and second floor level residential unit hereby permitted and those of No.1a The Grove from noise and disturbance during sensitive residential hours in accordance with Policy CS21 of the Woking Core Strategy (2012) and the provisions of the National Planning Policy Framework (2012).

10. ++ No fixed plant and equipment (external to the resulting building envelope) associated with air moving equipment, compressors, generators or plant or similar equipment shall be installed until details, including acoustic specifications, have been submitted to and approved in writing by the Local Planning Authority.

Reason: To safeguard the residential amenities of occupiers of the first and second floor level residential unit hereby permitted and those of No.1a The Grove from noise and disturbance and to preserve the character and appearance of the host building and the visual amenities of the Wheatsheaf Conservation Area in accordance with Policies CS20 and CS21 of the Woking Core Strategy (2012), Policy DM20 of the Development Management Policies DPD (2016) and Sections 7 and 12 of the National Planning Policy Framework (2012).

### **Informatives**

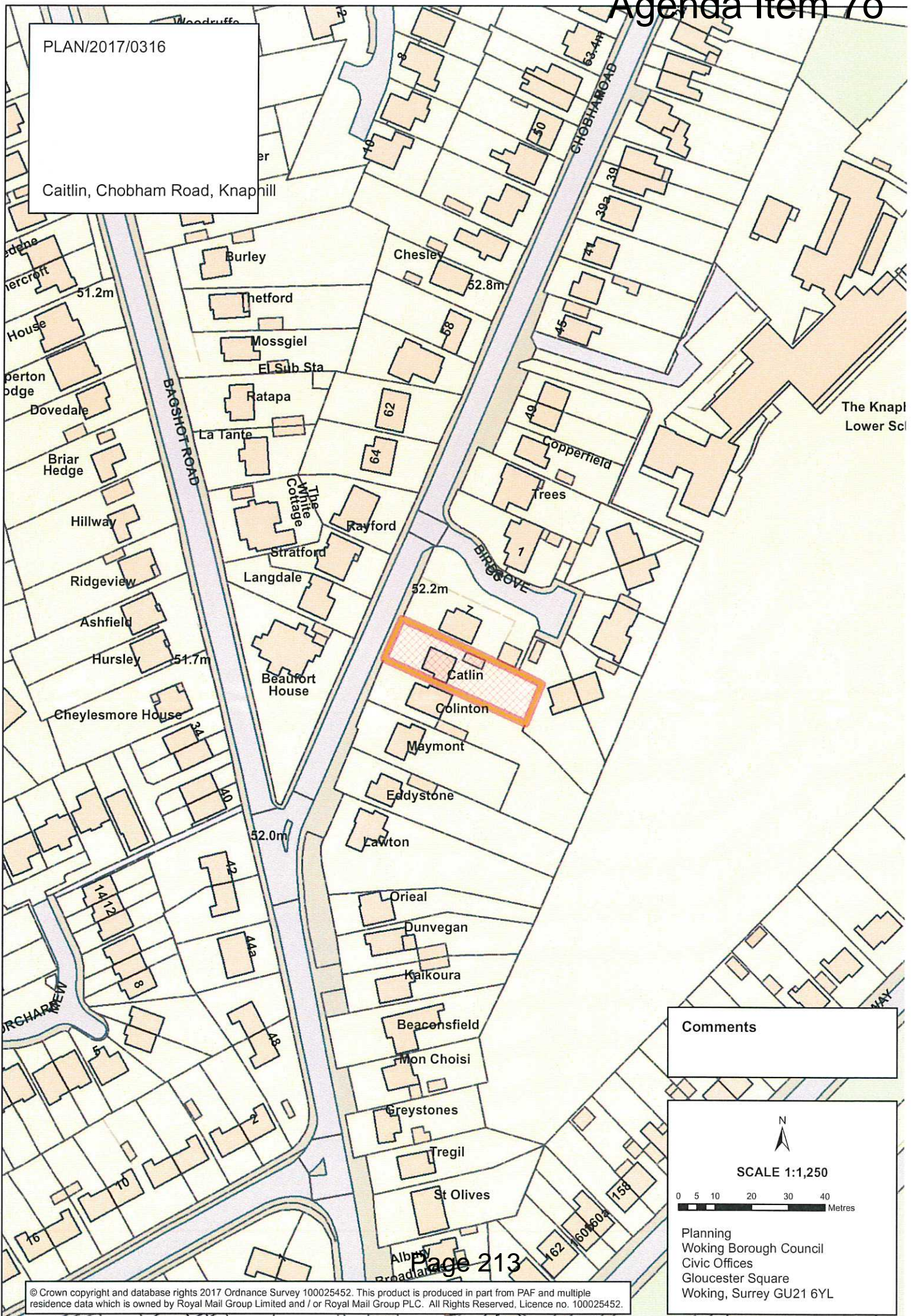
1. The Council confirms that in assessing this planning application it has worked with the applicant in a positive and proactive way, in line with the requirements of paragraph 186-187 of the National Planning Policy Framework (2012). Amended plans were requested, and accepted, during consideration of the application. Following the submission of amended plans the application was considered to be acceptable.

## 5 SEPTEMBER 2017 PLANNING COMMITTEE

2. 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. Please see:  
<https://www.woking.gov.uk/planning/makeplanningapplication/conditionsapproval>
3. 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:-  
0800 - 1800 Monday to Friday  
0800 - 1300 Saturday  
and not at all on Sundays and Bank/Public Holidays.
4. This decision notice should be read alongside the related legal agreement.
5. The development hereby permitted is subject to the Community Infrastructure Levy (CIL). The charge becomes due when development commences. A Commencement Notice, which is available from the Planning Portal website (Form 6: Commencement Notice:  
[https://ecab.planningportal.co.uk/uploads/1app/forms/form\\_6\\_commencement\\_notice.pdf](https://ecab.planningportal.co.uk/uploads/1app/forms/form_6_commencement_notice.pdf)) must be issued to the Local Planning Authority and all owners of the relevant land to notify them of the intended commencement date of the development.
6. The applicant is advised that the term 'fixed' or 'non-opening window refers to a window where the glazing is fitted directly into a permanent fixed frame which contains no opening or openable casement or other device or mechanism to permit opening. Fixing an openable casement with screws or bolts into the frame is not acceptable.
7. The applicant is advised that where windows are required to be fitted with obscure glazing the glass should have a sufficient degree of obscuration so that a person looking through the glass cannot clearly see the objects on the other side. 'Patterned' glass or obscured plastic adhesive are not acceptable.
8. The applicant is advised that developers are expected to contribute all the costs of waste and recycling infrastructure where the need for those facilities arises directly from the development. This includes the cost of providing all refuse and recycling receptacles. Receptacles and appropriate signage to promote the items which can be recycled are required to be in-situ prior to the first residential occupation.

PLAN/2017/0316

Caitlin, Chobham Road, Knaphill

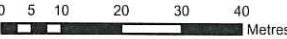


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Comments



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









## 05 SEPTEMBER 2017 PLANNING COMMITTEE

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**LOCATION:** Catlin, Chobham Road, Knaphill, GU21 2TD

**PROPOSAL:** Erection of a two storey rear extension, first floor side extension and single storey front extension and insertion of first floor side-facing window

**TYPE:** Householder Planning Application

**APPLICANT:** Mr Paul McKenzie

**OFFICER:** David Raper

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### **REASON FOR REFERRAL TO COMMITTEE:**

The application has been referred to Planning Committee by Ward Councillor Saj Hussain due to concerns about the potential neighbour impact of the proposal.

### **PLANNING STATUS**

- Urban Area
- Thames Basin Heaths SPA ZoneB (400m-5km)

### **RECOMMENDATION**

GRANT planning permission subject to conditions.

### **SITE DESCRIPTION**

Catlin is a two storey detached dwelling built in a traditional style. Chobham Road is a residential road characterised by detached dwellings of varying ages. The proposal site forms part of the designated Urban Area.

### **PLANNING HISTORY**

78/0908 – Demolition of extension and erection of garages – Permitted

### **PROPOSED DEVELOPMENT**

The proposal is a householder application for the erection of a two storey rear extension, first floor side extension and single storey front extension and insertion of a first floor side-facing window.

### **CONSULTATIONS**

None.

## **REPRESENTATIONS**

Two representations have been received objecting to the proposal raising the following concerns:

- Proposal would cause loss of light and overshadowing
- Proposed windows would cause overlooking and loss of privacy and light disturbance
- The plans do not accurately plot the position of neighbours
- Proposed increase in bedrooms would place pressure on parking
- Request that the 45° lines on the applicant's drawings are independently checked
- Proposed extension would result in removal of boundary hedge

Amended plans were received on 05/06/2017 which clarified the separation distances to side boundaries and altered the roof form of the rear extension.

Neighbours were re-consulted for 21x days on the amended plans. One additional representation was received objecting to the proposal reiterating concerns summarised above.

## **RELEVANT PLANNING POLICIES**

National Planning Policy Framework (NPPF) (2012):  
Section 7 – Requiring Good Design

Woking Borough Core Strategy (2012):  
CS21 – Design

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

## **PLANNING ISSUES**

Impact on Character:

1. The proposal is for a two storey rear and first floor side extension. The first floor side extension would be positioned above an existing side extension and would be flush with the existing principal front elevation. The dwelling features an existing front projecting gable element which would remain the dominant feature of the dwelling and the proposed extension is considered subservient to this element. The extension is considered a proportionate and visually acceptable addition to the dwelling and the use of matching materials can be secured by condition (Condition 3). The extension projects forwards slightly at ground floor level by 0.5m with a porch canopy above however this is not considered to appear as an unduly dominant or incongruous feature. The extension would retain a separation distance of 1m to the side boundary and is considered to result in acceptable visual separation between dwellings at first floor level.
2. The rear extension would project a maximum of 4m from the rear elevation and would feature twin hipped roofs. The rear extension would not be easily visible from the highway however this element of the proposal is considered a proportionate and visually acceptable addition to the host dwelling.

## 05 SEPTEMBER 2017 PLANNING COMMITTEE

3. Considering the points discussed above, overall the proposed extensions are considered to respect the character of the host dwelling and is considered to have an acceptable impact on the character of the surrounding area.

### Impact on Neighbours:

#### *Impact on Colinton:*

4. The neighbour to the south at Colinton is a detached two storey dwelling positioned approximately 1m from the side boundary with the proposal site. Part of the host dwelling is positioned 0.3m from the side boundary with Colinton at its nearest point; the neighbour is therefore positioned in relatively close proximity to the host dwelling. This neighbour has achieved a part two storey, part single storey rear extension in the past.
5. The proposed two storey rear extension would extend a maximum of 4m from the existing rear elevation of the host dwelling and from the existing two storey rear elevation of Colinton. Colinton's rear extension means the proposed extension would extend 1.5m beyond the ground floor rear elevation of this neighbour. The principles of the '45° test' are set out in the Council's 'Outlook, Amenity, Privacy and Daylight' SPD (2008); if a proposal passes the 45° test in either plan or elevation form then a significant loss of light is not considered to occur. With regards to the first floor rear-facing window of Colinton nearest the proposal site, the proposal would breach the 45° test in plan form but would pass in elevation form. With regards to the ground floor window nearest the proposal site, the proposal would breach the test in elevation form but would pass in plan form. The proposal would therefore comply with the relevant tests set out in the 'Outlook, Amenity, Privacy and Daylight' SPD (2008) and the proposal is not considered to result in an undue loss of light or overbearing impact on this neighbour. It should also be borne in mind that this neighbour is positioned to the south of the proposal site and the hipped roof form limits the bulk and scale of the extension.
6. This neighbour does feature ground floor side-facing windows facing towards the proposal site. These windows are however obscurely glazed windows serving a dual aspect living room; this room is served by windows on the front and rear elevation and so the side-facing windows can be regarded as secondary windows. The proposal is not therefore considered to impact unduly on these side-facing windows. Concerns have been raised about potential light glare and nuisance from the proposed ground floor side-facing windows. However the light from two windows of a domestic property is not considered to be so great as to warrant refusal of the application and the proposal is not considered an unusual relationship for a residential area.
7. The proposal includes a first floor side-facing window facing Colinton however as this serves a bathroom, this can be required to be obscurely glazed with restricted opening by condition (Condition 4) to avoid undue overlooking. Ground floor-side facing windows are also shown on the plans and given the close proximity to the boundary it is considered appropriate to apply the same restriction to these windows. The insertion of any further windows on this flank elevation can also be restricted by condition (Condition 5).

#### *Impact on No.7 Birds Grove:*

8. This neighbour is a detached two storey dwelling to the north of the proposal site and positioned 1.5m from the boundary. The proposed first floor side extension would be positioned 1m from the side boundary and No.7 does feature side-facing windows at ground and first floor level facing the proposal site. These however serve a bathroom and as secondary windows; the ground floor side-facing window is a high-level

## 05 SEPTEMBER 2017 PLANNING COMMITTEE

obscurely glazed window serving as a secondary window to a habitable room. Considering the nature of these windows, the proposal is not considered to impact unduly on these side-facing windows. The proposed rear extension would be positioned 2.5m from this neighbour and the proposed two storey rear extension would extend 3m beyond the rear elevation of this neighbour. The proposal would pass the 45° test in plan and elevation form with this neighbour and the proposal is not considered to result in an undue overbearing or loss of light impact.

9. The proposal includes a first floor side-facing window facing No.7 Birds Grove however as this serves a bathroom, this can be required to be obscurely glazed with restricted opening by condition (Condition 4) to avoid undue overlooking.
10. Other neighbours are considered too distant to be affected and overall the proposal is therefore considered to form an acceptable relationship with surrounding properties and is not considered to impact unacceptably on neighbours in terms of loss of light, overbearing or overlooking impacts.

### Impact on Parking Provision:

11. The proposed extension would increase the number of bedrooms at the property from three to five; however this would not alter the maximum parking standard (2x spaces) as set out in the Council's Parking Standards (2006). In any case, off-street parking is provided to the front of the property.

### **CONCLUSION**

12. Overall, the proposed extensions are considered to have an acceptable impact on the character of the host dwelling and surrounding area and on the amenities of neighbours. The proposal therefore accords with Core Strategy (2012) policy CS21 'Design', Supplementary Planning Documents 'Outlook, Amenity, Privacy and Daylight' (2008) and 'Working Design' (2015) and the National Planning Policy Framework (2012) and is recommended for approval subject to conditions.

### **BACKGROUND PAPERS**

1. Site visit photographs
2. Representations

### **RECOMMENDATION**

PERMIT subject to the following conditions:

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

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

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

1611-CCR-001 Rev.B received by the Local Planning Authority on 05/06/2017

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1611-CCR-002 Rev.B received by the Local Planning Authority on 05/06/2017  
1611-CCR-003 Rev.C received by the Local Planning Authority on 05/06/2017

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

3. The external finishes of the development hereby permitted shall match those used in the existing dwelling in material, colour, style, bonding and texture.

Reason: In the interests of the character and appearance of the building and the visual amenities of the area and in accordance with Policy CS21 of the Woking Core Strategy 2012.

4. The windows in the first floor north and south-facing side elevations and the ground floor windows in the south-facing side elevation hereby permitted shall be glazed entirely with obscure glass and non-opening unless the parts of the windows which can be opened are more than 1.7 metres above the floor levels of the rooms in which the windows are installed. Once installed the windows shall be permanently retained in that condition unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard the amenities of the adjoining properties in accordance with Policy CS21 of the Woking Core Strategy 2012.

5. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no window, dormer window, rooflight, door or other additional openings, other than those expressly authorised by this permission, shall be formed in the south-facing side elevation of the development hereby approved without planning permission being first obtained from the Local Planning Authority.

Reason: To protect the amenity and privacy of the occupiers of adjoining properties in accordance with Policy CS21 of the Woking Core Strategy 2012.

### **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 paragraph 186-187 of the National Planning Policy Framework 2012.
2. The provisions of The Party Wall 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. An explanatory booklet setting out your obligations can be obtained from the Communities and Local Government website [www.communities.gov.uk](http://www.communities.gov.uk)

