

# 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, 17 October 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 26 September 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 (Pages 1 - 2)

6. Planning Applications

**Section A - Applications for Public Speaking**

6a. 2017/0378 Kenwood, Bracken Close, Woking (Pages 7 - 22)

6b. 2017/0726 Patches of Horsell, 80 High Street, Horsell (Pages 23 - 34)

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

6c. 2017/1017 Westfield Common Land, Westfield Common, Westfield (Pages 37 - 50)

6d. 2017/0821 5 Staveley Way, Knaphill (Pages 51 - 62)

6e. 2017/0877 Buckingham, Albert House, Albert Drive, Sheerwater (Pages 63 - 74)

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

6f. 2017/0857 82 Devonshire Avenue, Sheerwater (Pages 77 - 86)

6g. 2017/0164 66 Beaufort Road, Maybury (Pages 87 - 100)

AGENDA ENDS

Date Published - 9 October 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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PLANNING COMMITTEE - 17 OCTOBER 2017

## PLANNING AND ENFORCEMENT APPEALS

### Recommendation

The Committee is requested to:

#### RESOLVE:

That the report be noted.

**The Committee has authority to determine the above recommendation.**

### Background Papers:

Planning Inspectorate Reports

### Reporting Person:

Peter Bryant, Head of Legal and Democratic Services

### Date Published:

9 October 2017

### APPEALS LODGED

#### 2017/0294

Application two storey rear extension and single storey rear extension. Addition of Velux roof windows to front roof plane at 64 Broadway, Knaphill.

Refused by Delegated Powers  
1 June 2017  
Appeal Lodged  
21 September 2017.

### APPEAL DECISIONS

#### 17/0179

Application for Conversion of ground floor storage area into 1no. 1 bedroom flat and relocation of refuse bin store with associated external alterations at Olympic Court, Marlborough Road, Woking.

Refused by Delegated Powers  
28 April 2017  
Appeal Lodged  
22 June 2017  
Appeal dismissed  
25 September 2017.

#### 16/1291

Outline application for the erection of a detached single storey dwelling (3x bed) on land to the rear of No.55 Hawthorn Road following demolition of existing outbuilding (with matters of appearance and landscaping reserved) at 55 Hawthorn Road, Barnsbury, Woking.

Refused by Delegated Powers  
18 January 2017  
Appeal Lodged  
21 June 2017  
Appeal dismissed  
25 September 2017.

REPORT ENDS



**PLANNING COMMITTEE AGENDA**  
**PLANNING APPLICATIONS AS AT 17<sup>TH</sup> OCTOBER 2017**

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

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

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

Key to Ward Codes:

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

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



**SECTION A**

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

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





PLAN/2016/0586  
The Vicarage, 5 Dartnell Avenue



Comments

N

SCALE 1:1,250

0 4.75 9.5 19 28.5 38 Metres

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

04/11/2016









## 17 October 2017 PLANNING COMMITTEE

5a 17/0378 Reg'd: 03.04.2017 Expires: 29.05.17 Ward: MH  
Nei. 30.05.17 BVPI Minor Number 28/8 On No  
Con. Target dwellings - 13 of Weeks Target?  
Exp: on Cttee'  
Day:

**LOCATION:** Kenwood, Bracken Close, Woking, Surrey, GU22 7HD

**PROPOSAL:** Erection of a two storey four bedroom detached dwelling with new access on land at Kenwood, Bracken Close

**TYPE:** Full Planning Application

**APPLICANT:** Ms K Samuel

**OFFICER:** Brooke Bournague

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

The proposal includes the creation of a new dwelling which falls outside the scope of delegated powers as set out by the Management Arrangements and Scheme of Delegation.

### **PROPOSED DEVELOPMENT**

Erection of a two storey four bedroom detached dwelling with new access on land at Kenwood, Bracken Close.

Site Area: 0.08 ha (800 sq.m)  
Existing units: 1  
Proposed units: 2  
Existing density: 12.5 dph (dwellings per hectare)  
Proposed density: 25 dph

### **PLANNING STATUS**

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

### **RECOMMENDATION**

Grant planning permission subject to conditions and Section 106 Agreement.

### **SITE DESCRIPTION**

The proposal relates to Kenwood, Bracken Close which is a detached two storey dwelling situated on a substantial plot. The application site is located on a corner plot bounded by Heathside Road and Bracken Close. Vehicular access to the site is via Bracken Close. The Ashwood Road/Heathside Road Conversation Area is sited to the south of the application site.

## **PLANNING HISTORY**

PLAN/2014/0514 - Erection of a two storey 5 bedroom detached house with new access and driveway with associated parking. Withdrawn

## **BACKGROUND**

Amended plans have been received over the course of the application incorporating the following:

- Reduction in footprint of the proposed dwelling, resulting in increased separation to the east and south boundaries
- Reduction in ridge height
- Slight lines included at the new entrance and Bracken Close/Heathside junction
- Alterations to materials and fenestration and dormer design

## **CONSULTATIONS**

County Highway Authority: No objection subject to condition 13

Arboricultural Officer: No objection subject to conditions 6 and 7

## **REPRESENTATIONS**

A total of 12x objections were received including one from Cllr Pengelly in response to the original proposal raising the following concerns:

- Breach the existing building line fronting Heathside Road
- There is a 'ghost' footpath to the north side of Heathside Road
- The proposed plot sizes would be small compared to surrounding plots in Bracken Close and Heathside Road
- Reduced amenity space for Kenwood
- Reduced outlook for Kenwood
- Out of keeping with the area
- Overbearing to Heathside Road
- The proposed driveway is extremely close to the Bracken Close/Heathside Road junction
- Loss of trees
- Over development
- Loss of privacy
- Highways safety
- Potential loss of wildlife
- Highway safety
- Set a precedent
- Breach consent that has been put in place
- Increase in density
- The proposed dwelling will be clearly visible
- Overshadowing
- Overlooking

Neighbours were re-consulted on the amended plans on 24.07.2017 and a further 11x objections including one from Cllr Pengelly were received objecting to the proposal raising points already summarised above and the additional points below:

- The building line shown on the plans is misleading
- Removal of the boundary treatment would destroy the character of the area

**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

Woking Core Strategy (2012):

CS1 - A Spatial strategy for Woking Borough

CS7 - Biodiversity and nature conservation

CS8 - Thames Basin Heaths Special Protection Areas

CS10 - Housing provision and distribution

CS11 - Housing Mix

CS12 - Affordable housing

CS18 - Transport and accessibility

CS20 - Heritage and Conservation

CS21 - Design

CS22 - Sustainable construction

CS24 - Woking's landscape and townscape

CS25 - Presumption in favour of sustainable development

Woking Development Management Policies DPD (2016):

DM2 - Trees and Landscaping

DM10 - Development on Garden Land

DM20 - Heritage Assets and their settings

Supplementary Planning Documents (SPDs):

Woking Design (2015)

Affordable Housing Delivery (2014)

Climate Change (2013)

Outlook, Amenity, Privacy and Daylight (2008)

Parking Standards (2006)

Supplementary Planning Guidance (SPG):

Plot Sub-Division: 'Infilling' and 'Backland' Development (2000)

**PLANNING ISSUES**

Principle of Development:

1. The NPPF (2012) and Core Strategy (2012) policy CS25 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.

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### Impact on Character:

2. Policy DM10 of the DM Policies DPD (2016) states 'Development on Garden Land' permits the sub-division of plots providing the proposed development "...does not involve the inappropriate sub-division of existing curtilages to a size significantly below that prevailing in the area", "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".
3. The surrounding area is characterised by detached properties on generous sized plots. The existing plot of Kenwood is approximately 52m in width which is one of the largest in the immediate area. Plot widths along Bracken Close vary from 24m to 52m. Compton sited to the west is approximately 49m and Dunsley sited to the north is approximately 24m. White Walls, Bracken Close sited further to the north is approximately 51m in width. Planning application PLAN/2014/1274 granted planning permission on 17.08.2016 for a detached bungalow within the curtilage of White Walls, Bracken Close. Planning application PLAN/2014/1274 resulted in two plots of approximately 18m and 33m in width. The proposed subdivision would result in two plot widths of approximately 20m and 32m. It is considered the proposed plot widths and sizes which are generally consistent with the grain and pattern of development in the surrounding area. The principle of the proposed plot sub-division is therefore considered acceptable.
4. Bracken Close is characterised by a mixture of single storey and two storey dwellings. The properties immediately adjacent to the site are two storeys. The proposed dwelling adopts a single storey design with accommodation provided in the roof facilitated by dormer windows. The proposed dwelling would have a maximum ridge height of approximately 7.4m. There is a mix of building heights along Bracken Close. Kenwood has a ridge height of approximately 7m, June Orchard has a ridge height of approximately 7.5m, Dunsley has a ridge height of approximately 7.2m and White Walls has a ridge height of approximately 5.6m. In terms of building heights, the proposed difference in ridge heights in the street scene is not considered to result in an unacceptably detrimental impact on the character of the area. The roof form of the proposed dwelling has been designed to reduce the overall bulk and scale of the dwelling in the streetscene.
5. The proposed dwelling would be sited approximately 1m from the boundary with Kenwood and approximately 8m from the boundary with Southbank Cottage, Heathside Road. An approximate 13.4m separation would be maintained to the boundary with Bracken Close and approximate 9.4m separation to Heathside Road. Letters of representation have raised concerns the proposal would breach the building line fronting Heathside Road however there is not an existing strong uniform building line fronting Heathside Road.
6. The proposed dwelling would have a traditional design with a hipped roof and projecting gable end. The traditional form and design of the dwelling is considered reflective of the character of the surrounding area and would preserve the setting of the Ashwood Road/Heathside Road Conversation Area which is sited to the south of the application site. Details of external materials can be secured by condition **(Condition 3)**.
7. Due to highways safety (see paragraph 16) it is proposed to reduce the height of the hedge either side of the proposed new access from Bracken Close to 1.05m and reduce the height of the boundary wall and hedge at the Bracken Close/Heathside



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Road junction to 1.05m. It is considered the reduction in the height of boundary treatment fronting Bracken Close and Heathside Road would not have a detrimental impact on the character of the streetscene. Condition 4 is recommended to secure details of a landscaping plan to ensure that sufficient landscaping is provided further into the site.

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 surrounding area. The proposal therefore accords with Core Strategy (2012) policies CS20, 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. The proposed dwelling would be sited approximately 1m from the north boundary and retain a 13m separation to Kenwood, Bracken Close. These separation distances comply with the recommended minimum distances set out in the Council's 'Outlook Amenity, Privacy and Daylight' SPD (2008) for two storey development (1m for side to boundary relationships). Due to the separation distance it is considered the proposed dwelling would not have an overbearing or loss of daylight impact on Kenwood, Bracken Close. Two dormer windows serving an ensuite and bedroom are proposed in the north elevation orientated towards Kenwood, Bracken Close. Conditions 8 and 9 are recommended to restrict the insertion of additional windows in the north elevation and require the dormer windows in the north elevation to be obscure glazed and top opening only to retain the privacy of Kenwood, Bracken Close.
10. An approximate 8m separation distance would be maintained to the east boundary and approximate 12.8m to Southbank Cottage, Heathside Road. This separation distance complies with the recommended minimum distances set out in the Council's 'Outlook Amenity, Privacy and Daylight' SPD (2008) for two storey development (10m for front or back to boundary/flank relationships). There is an existing high mature hedge sited on the boundary. Due to the separation distance it is considered there would not be a detrimental loss of daylight or overbearing impact to Southbank Cottage, Heathside Road. Two first floor windows serving bedrooms are proposed in the east elevation orientated towards Southbank Cottage, Heathside Road. The proposal would result in some oblique views towards the rear garden of Southbank Cottage, Heathside Road, it is considered this would not result in a significant loss of privacy or overlooking to Southbank Cottage, Heathside Road.
11. The proposed dwelling would maintain an approximate 35m separation distance to Compton, Bracken Close sited to the west of the site and an approximate 25m separation distance to No.19 and No.21 Heathside Road sited to the south of the site. This separation distance complies with the recommended minimum distances set out in the Council's 'Outlook Amenity, Privacy and Daylight' SPD (2008) for two storey development. Due to the separation distance it is considered there would not be a detrimental impact on the amenities of Compton, Bracken Close or No.19 and No.21 Heathside Road in terms of loss of privacy or daylight or overbearing impact.
12. Overall the proposed development is considered to have an acceptable impact on neighbours in terms of loss of light, overlooking and overbearing impacts.

### Standard of Accommodation:

13. The proposed dwelling is considered to achieve an acceptable size and standard of accommodation with good quality outlooks to habitable rooms and private amenity space. The private amenity space of the proposed dwelling would be approximately

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293m<sup>2</sup> in area and the private amenity space of the existing dwelling would have a private amenity space of approximately 490m<sup>2</sup>. These areas are greater than the footprint of both dwellings (existing dwelling footprint is approximately 292sqm and the proposed dwelling footprint is approximately 187sqm) and predominately soft landscaped. Overall the private amenity spaces are considered to offer an acceptable level of amenity for family dwellings.

### Impact on Trees:

14. There is a mature protected oak tree on the west boundary of the application site. Policy DM2 of DM Policies DPD (2016) states the Council will *'require any trees which are to be retained to be adequately protected to avoid damage during construction'* and Core Strategy (2012) policy CS21 requires new development to include the retention of trees and landscape features of amenity value. The applicant has submitted an Arboricultural Report which details how trees would be protected during construction and the Council's Arboricultural Officer considers the information acceptable in principle but requires further detailed information relating to details of how service runs would connect to the development. Subject to conditions (**condition 6 and 7**) to ensure the submission of additional information and compliance with the submitted information, the proposal is considered to have an acceptable impact on trees within the application site.

### Flood Risk:

15. The proposal site is not within a Flood Zone or a surface water flood risk area.

### Transportation Impacts:

16. The existing dwelling would be accessed via the existing vehicular access onto Bracken Close. The proposed dwelling would be accessed from a new access onto Bracken Close. It is noted that concerns have been raised from local residents over the creation of a new access onto Bracken Close. The proposed plans include the reduction in the height of the boundary hedge and wall providing adequate visibility at both the new vehicular access and adjacent Bracken Close/Heathside Road junction. The County Highway Authority have been consulted and raised no objections to the proposal on highway safety or capacity grounds subject to **condition 13**.
17. A construction transport management plan condition is recommended (**condition 14**) to minimise disruption to local residents during the build period should planning permission be granted. It should also be noted that the proposal is for 1No. dwelling and would therefore be unlikely to result in long-term disruption during any build period. There is also potential storage space for materials on site during any build period.
18. The site is located within the High Accessibility Zone. Supplementary Planning Document 'Parking Standards' (2006) requires dwellings with 3 or more bedrooms to provide 1.5 off street parking spaces. Each dwelling would be served by a driveway to provide sufficient of street parking. There is sufficient space within the curtilages of both properties for bin and cycle storage.
19. Overall therefore the proposal is considered to result in an acceptable impact upon highway safety and car parking provision and accords with policy CS18 of the Woking Core Strategy 2012, Supplementary Planning Document 'Parking Standards' (2008) and the National Planning Policy Framework (2012).

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### Affordable Housing:

20. 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 one residential unit it is excluded from the affordable housing levy and as such no contribution is sought.

### Sustainability

21. 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.
22. Until the amendment is commenced, Local Planning Authorities are expected to take this statement of the Government's intention into account in applying existing policies and setting planning conditions. The Council has therefore amended its approach and an alternative condition will now be applied to all new residential permissions which seeks the equivalent water and energy improvements of the former Code Level 4 (Conditions 11 and 12).

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

23. The SPAs in this area are internationally-important and designated for their interest as habitats for ground-nesting and other birds. Core Strategy (2012) policy CS8 requires new residential development beyond a 400m threshold, but within 5km 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).
24. The SANG and Landowner Payment elements of the SPA tariff are encompassed within the Community Infrastructure Levy (CIL) however the SAMM element of the SPA tariff is required to be addressed outside of CIL. The applicant has agreed to make a SAMM contribution of £1,008 in line with the Thames Basin Heaths Special Protection Area Avoidance Strategy 2010-2015 as a result of the uplift of 1x four bedroom dwelling that would arise from the proposal.
25. 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 Core Strategy (2012) policy CS8 and the 'Thames Basin Heaths Special Protection Area Avoidance Strategy 2010-2015'.

### Community Infrastructure Levy (CIL):

26. The proposal would be liable for Community Infrastructure Levy (CIL) to the sum of £28,500.

**CONCLUSION**

27. Considering the points discussed above, the proposal is considered an acceptable form of development which would have an acceptable impact on the amenities of neighbours, on the character of the surrounding area and on protected trees. The proposal therefore accords with Core Strategy (2012) policies CS1, CS7, CS8, CS10, CS11, CS18, CS20, CS21, CS24 and CS25, Supplementary Planning Documents ‘Parking Standards’ (2006), ‘Outlook, Amenity, Privacy and Daylight’ (2008), ‘Woking Design’ (2015) and ‘Plot Sub-Division: Infilling and Backland Development’ (2000), DPD (2016) policies DM2 and DM10 and the NPPF (2012) and is recommended for approval subject to conditions and subject to Section 106 Agreement.

	<b>Obligation</b>	<b>Reason for Agreeing Obligation</b>
1.	SAMM (SPA) contribution of <b>£1,008</b>	To accord with the Habitat Regulations, policy CS8 of the Woking Core Strategy 2012 and The Thames Basin Heaths SPA Avoidance Strategy 2010-2015.

**BACKGROUND PAPERS**

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

**RECOMMENDATION**

It is recommended that planning permission be granted subject to the following conditions and a Section 106 Agreement to secure the requisite SAMM contribution of £1008.00.

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

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

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

16037 [P] O1 Rev B dated February 2017 and received by the Local Planning Authority on 29.06.2017

16037 [P] O2 Rev A dated February 2017 and received by the Local Planning Authority on 29.06.2017

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

3. ++Prior to the commencement of the development hereby permitted a written specification of all external materials to be used in the construction of the development 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

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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.

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 and details of materials for areas of hardstanding, 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. 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 any 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, ensure adequate screening and to preserve and enhance the character and appearance of the locality in accordance with Policy CS21 of the Woking Core Strategy 2012.

6. ++ Prior to the commencement of the development hereby approved, full details of the foul water connections and service runs on the site shall be submitted to and approved in writing by the Local Planning Authority. The method shall adhere to the principles embodied in BS 5837:2012 and the involvement of an arboricultural consultant and engineer will be necessary. 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.

7. The development hereby approved shall take place in strict accordance with the Method Statement and plans BLC170116 and BLC170121 from Bourne Landscape consultants dated March 2017, including the convening of a pre-commencement

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meeting and arboricultural supervision as indicated. No works or demolition shall take place until the tree protection measures have been implemented. Any deviation from the works prescribed or methods agreed in the report will require prior written approval from the Local Planning Authority.

Reason: To ensure 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

8. The first floor windows (serving ensuite and bedroom) in the north facing side elevation of the new dwelling hereby approved shall be glazed entirely with obscure glass and non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor levels of the rooms 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.

9. 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 new 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.

10. Notwithstanding the provisions of Article 3 of the 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 window, rooflight, door or other additional openings at first floor level or above, other than those expressly authorised by this permission, shall be formed in the north facing side elevation of the new dwelling 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.

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

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

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

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

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

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.

13. The development hereby permitted shall not be occupied until the section of boundary wall and hedge shown to be reduced to a height of 1.05m on plan 16037 [P] O1 Rev B dated February 2017 and received by the Local Planning Authority on 29.06.2017 have been reduced to the specified height. The wall and hedge shall be permanently retained in that condition unless otherwise agreed in writing by the Local Planning Authority.

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

14. ++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.

## 17 October 2017 PLANNING COMMITTEE

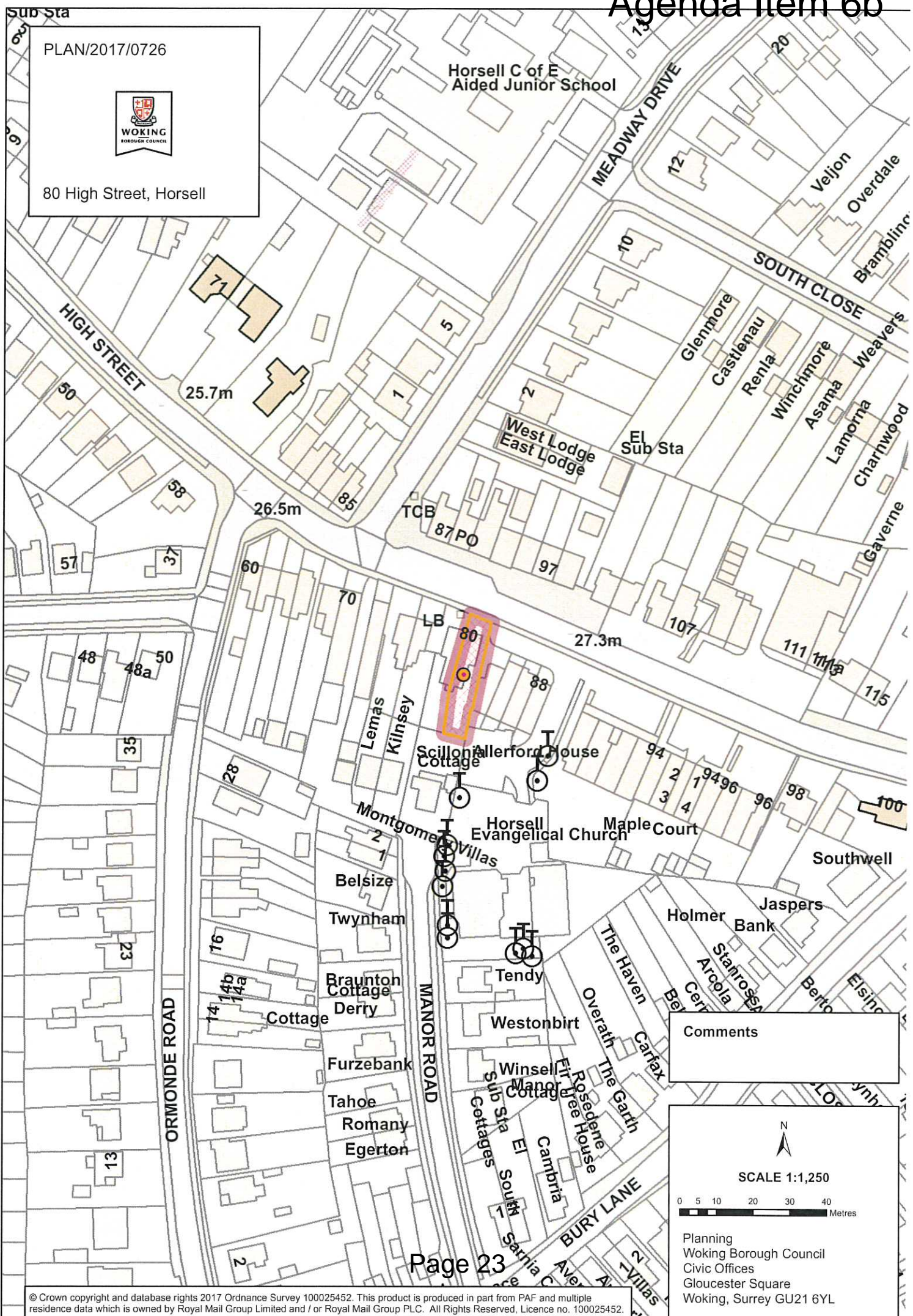
15. Prior to the first occupation of the development hereby approved, space shall be laid out within the site in accordance with the approved plans for vehicles to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the parking and turning areas shall be retained and maintained for their designated purposes.

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


### 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.
5. 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.
6. The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders. (Highways Act 1980 Sections 131, 148, 149).
7. This decision notice should be read in conjunction with the related legal agreement.
8. The applicant is advised that this application is liable to make a CIL contribution of £28,500.00. 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.



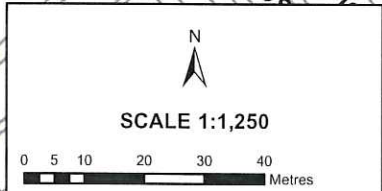


PLAN/2017/0726



80 High Street, Horsell

Comments



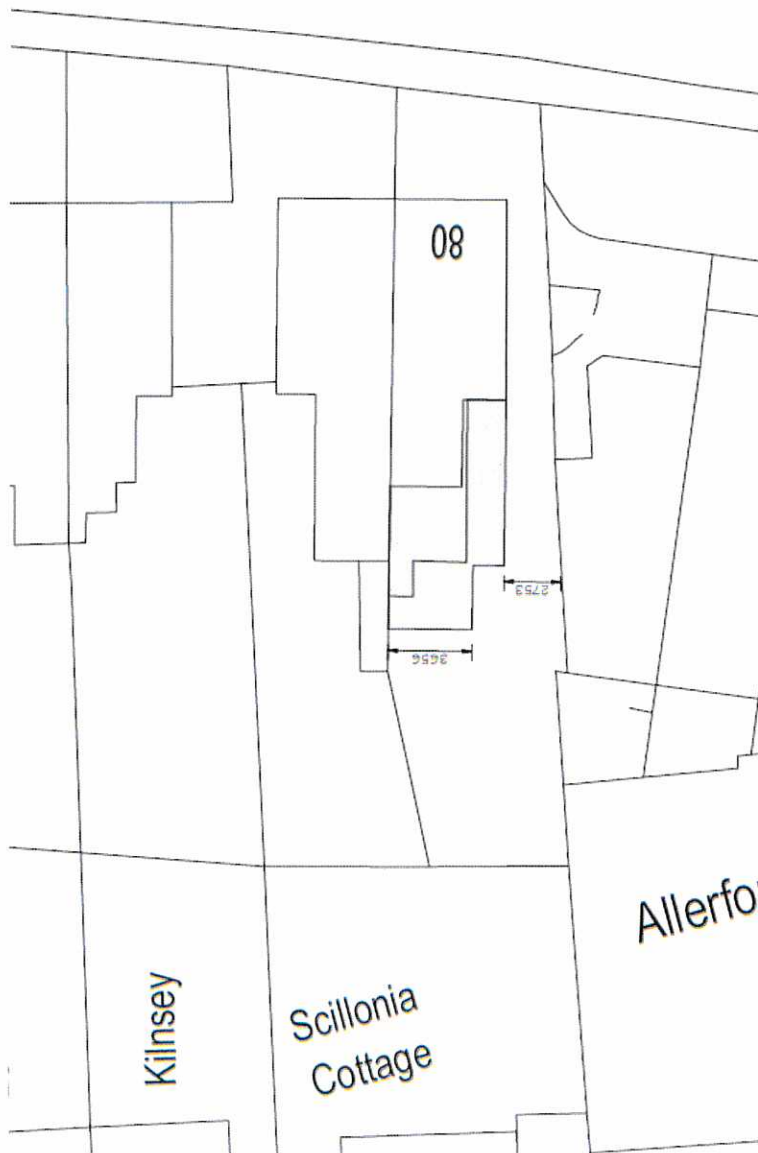
Planning  
Woking Borough Council  
Civic Offices  
Gloucester Square  
Woking, Surrey GU21 6YL



# Patches of Horsell, 80 High Street

PLAN/2017/0726

Proposed variation of Condition 5 (restriction on outdoor seating) and Condition 4 (opening hours) of permission PLAN/2015/1384 for the erection of two storey side and rear extension and change of use from Class A1 (retail) to Class A3 (restaurant/café).







## 17 OCTOBER 2017 PLANNING COMMITTEE

5b 17/0726 Reg'd: 23.06.17 Expires: 18.08.17 Ward: HO  
Nei. 11.08.17 BVPI Change of Number 17/8 On No  
Con. Target Use - 20 of Weeks Target?  
Exp: on Cttee'  
Day:

**LOCATION:** Patches of Horsell, 80 High Street, Horsell, Woking, GU21 4SZ

**PROPOSAL:** Proposed variation of Condition 5 (restriction on outdoor seating) and Condition 4 (opening hours) of permission ref: PLAN/2015/1384 for the erection of two storey side and rear extension and change of use from Class A1 (retail) to Class A3 (restaurant/café) (Amended Proposal)

**TYPE:** Section 73 Application – Variation of Conditions

**APPLICANT:** Ms Sarah King

**OFFICER:** David Raper

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

The Development Manager has referred this application to Planning Committee.

### **PLANNING STATUS**

- Urban Area
- Horsell Local Centre
- Thames Basin Heaths SPA ZoneB (400m-5km)

### **RECOMMENDATION**

GRANT consent for the variation of Conditions 4 and 5.

### **SITE DESCRIPTION**

The proposal relates to a two storey semi-detached Victorian property on High Street in Horsell. The property is in use as a café with seating areas both upstairs and downstairs. Outside seating areas exist to the front and rear. The site forms part of the designated Horsell Local Centre which is characterised by two storey buildings of varying ages and styles with various A1, A2 and A3 uses at ground floor level. The proposal site does not benefit from any off-street parking or vehicular access. The nearest residential neighbours are at first floor level in Allerford House adjacent to the site and Scillonia Cottage on Manor Road backs onto the site to the rear and is positioned approximately 11m from the rear boundary of the proposal site.

### **PLANNING HISTORY**

- PLAN/2015/1384 - Proposed two storey side and rear extension and change of use from Class A1 (retail) to Class A3 (restaurant/café) – Permitted
- PLAN/1993/0985 - Change of use of first floor from flat to ancillary storage in connection with ground floor shop – Permitted

## 17 OCTOBER 2017 PLANNING COMMITTEE

- 82/0299 - Change of use to shop - Permitted

### **PROPOSED DEVELOPMENT**

Proposed variation of Condition 5 (restriction on outdoor seating) and Condition 4 (opening hours) of permission ref: PLAN/2015/1384 for the erection of two storey side and rear extension and change of use from Class A1 (retail) to Class A3 (restaurant/café). The conditions currently read as follows:

Condition 4:

*The premises hereby approved shall not be open to customers outside of the following hours:*

*Monday to Friday 7:30am to 18:00pm*

*Saturday 8:00am to 17:30pm*

*Sunday 9:00am to 16:00pm*

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

Condition 5:

*Notwithstanding any indication otherwise given by the approved plans, the external courtyard area to the rear of the building shall not be used at any time as customer seating or for the consumption of food or drink from the premises.*

*Reason: To protect the amenities of neighbouring occupiers in accordance with Policy CS21 of the Woking Core Strategy 2012.*

### **CONSULTATIONS**

- **Environmental Health:** No objection to revised opening hours or variation of condition restricting use of outdoor seating area.

### **REPRESENTATIONS**

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

- Use of the seating area and extended opening hours would lead to an unacceptable neighbour amenity impact from noise disturbance
- The applicant has ignored Condition 5 by using the rear courtyard as a seating area
- The consumption of alcohol on the premises and in the external seating areas would cause noise disturbance in the evening hours
- The rear seating area is out of character with the area
- The proposal would worsen the parking situation in the area
- The premises is described as a 'Café/Wine Bar' which could be an A4 use rather than an A3 use

*(Officer note: the approved use of the premises is A3 (restaurant/café); a change of use to a drinking establishment or a mixed use would require planning permission. Whilst Officers are satisfied that the premises is within A3 use, the applicant can be reminded of the above by informative)*

**RELEVANT PLANNING POLICIES**

National Planning Policy Framework (NPPF) (2012):  
Section 2 – Ensuring the Vitality of Town Centres

Woking Borough Core Strategy (2012):  
CS1 – A Spatial Strategy for Woking Borough  
CS4 – Local and Neighbourhood Centres and shopping parades  
CS21 – Design

Development Management Policies DPD (2016):  
DM7 – Noise and Light Pollution

**BACKGROUND:**

The original proposal included the removal of Condition 5 (restriction on outdoor seating area) altogether and the variation of Condition 4 (restriction on opening hours) as follows:

Monday to Friday 07.30 am to 23.30 pm  
Saturday 08.00 am to 00:30 am  
Sunday 9.00 am to 16.00 pm

Following discussions with the applicant it was considered appropriate to amend the proposal to vary the opening hours as follows:

Monday to Friday 07.30 am to 23.00 pm  
Saturday 08.00 am to 23:30 pm  
Sunday 9.00 am to 16.00 pm

The revised proposal also retains Condition 5 but seeks to vary the condition to limit the hours of use of the seating area to the following:

Monday to Friday 7:30am to 18:00pm  
Saturday 8:00am to 17:30pm  
Sunday 9:00am to 16:00pm

The proposal has been assessed on this basis.

**PLANNING ISSUES**

1. Planning permission was granted on 11/02/2016 under application ref: PLAN/2015/1384 for the change of use of a retail unit (A1 use) to a restaurant/café (A3 use). The permission was granted subject to conditions. Condition 4 restricted the opening hours and reads as follows:

*The premises hereby approved shall not be open to customers outside of the following hours:*

*Monday to Friday 7:30am to 18:00pm  
Saturday 8:00am to 17:30pm  
Sunday 9:00am to 16:00pm*

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

## 17 OCTOBER 2017 PLANNING COMMITTEE

2. The application was resolved to be granted at the 09/02/2016 Planning Committee however the Committee also added the following Condition (Condition 5) due to concerns about the potential impact on adjoining occupiers from outdoor seating areas to the rear:

*Notwithstanding any indication otherwise given by the approved plans, the external courtyard area to the rear of the building shall not be used at any time as customer seating or for the consumption of food or drink from the premises.*

*Reason: To protect the amenities of neighbouring occupiers in accordance with Policy CS21 of the Woking Core Strategy 2012.*

3. The current proposal seeks to vary the approved opening hours and Condition 5 to allow the use of the outdoor seating area within certain times. The rear courtyard area has been landscaped and tables and chairs have been placed to the side and rear of the premises and it is understood that the seating area has been used since May 2017. The courtyard is therefore being used in breach of Condition 5. It is also noted that condition 9 (cycle parking) was never formally discharged; it is considered that this can be remedied by re-wording this condition to require submission of details within 3 months (Condition 3). Condition 8 (external plant) was also not discharged however the Council's Environmental Health team are satisfied that this condition is no-longer required.
4. The potential impacts on the amenities of neighbours as a result of the proposed variation of these conditions is therefore the key consideration under this application as set out below:

### Condition 4 - Opening Hours:

5. The approved opening hours of the existing café is as follows:

Monday to Friday 7:30am to 18:00pm  
Saturday 8:00am to 17:30pm  
Sunday 9:00am to 16:00pm

6. The condition was applied in order to protect the amenities of neighbouring occupiers and was in accordance with the opening hours requested by the applicant at the time. The applicant is now proposing to vary the opening hours as follows:

Monday to Friday 07.30 am to 23.00 pm  
Saturday 08.00 am to 23:30 pm  
Sunday 9.00 am to 16.00 pm

7. The proposed opening hours would therefore result in the premises closing five hours later Monday-Friday and six hours later on Saturdays compared to the approved hours. Sunday opening hours would remain unchanged. The applicant has indicated that they wish to utilise the later opening hours on a limited number of days per year and wish to have the flexibility in the condition to allow for later opening hours. Nonetheless it is necessary to assess the proposal as a permanent change to the opening hours of the premises. There are various A3 (restaurant/café) and A5 (Take Away) uses on Horsell High Street which have closing hours which are consistent with the proposed hours such as the Beijing restaurant at No.95-99 High Street opposite the site (23:00pm), Balaka at No.105 High Street (23:00pm Sun-Thurs & 23:30pm Fri & Sat), Squisito (23:00pm Mon-Sat & 22:00pm Sun) and China Chef at No.94 High



## 17 OCTOBER 2017 PLANNING COMMITTEE

Street (23:30pm Mon-Fri and 22:00 Sun). The proposed opening hours would be consistent with the opening hours of other similar premises in the surrounding area and are considered acceptable opening hours for the context of the proposal site. The Council's Environmental Health Department raises no objection to the proposed opening hours. The proposed opening hours are therefore considered to have an acceptable impact on the amenities of adjoining neighbours and it is considered acceptable to vary the opening hours condition accordingly. The proposal therefore accords with Core Strategy (2012) policy CS21 which seeks to avoid a 'significant harmful effect' on neighbouring properties.

### Condition 5 - Outdoor Seating Area:

8. The applicant originally applied to remove Condition 5 which prevents the use of the area to the rear of the building as outdoor seating for customers. The area to the rear of the building has been landscaped with hard and soft landscaping and there are around 8x tables placed to the side and rear of the premises. The Council's Environmental Health Department raises no objection to the use of the seating area from a statutory noise nuisance perspective however the general amenity impact of the development is also a consideration.
9. There are residential neighbours at first floor level in Allerford House adjacent to the site and Scillonia Cottage backs onto the site to the rear and is positioned approximately 11m from the rear boundary of the proposal site. Other neighbours on Manor Road also back onto the site. The rear courtyard area has been enclosed with replacement fencing approximately 1.8m in height and soft landscaping planted. It is acknowledged that outdoor seating areas used in connection with A3 uses can generate undue noise disturbance. It is however considered reasonable in a high street location to have an element of outdoor seating and the nature of an A3 use is not considered to generate significantly harmful sources of noise and disturbance. It is acknowledged however that use of the seating area for the hours proposed as the business opening hours could generate noise disturbance in the more sensitive evening hours (18:00-23:00pm). It is considered that if the hours of use of the seating area are restricted then this would adequately control the use of the seating area and avoid an unacceptable impact on neighbour amenity. It is however considered appropriate to limit this arrangement to a trial period of 12 months. This would allow the LPA to review the situation in a year's time at which point it would be determined whether it is necessary to retain the original restrictive condition. It is therefore recommended that Condition 5 is varied to restrict the use of the seating area to the existing permitted opening hours of the premises for a period of 12 months as follows:

*For a period of 12 months commencing from the date of this permission, the external seating area to the side and rear of the premises shall not be used as customer seating or for the consumption of food or drink from the premises outside of the following hours:*

*Monday to Friday 7:30am to 18:00pm*

*Saturday 8:00am to 17:30pm*

*Sunday 9:00am to 16:00pm*

*On the expiry of a period of 12 months from the date of this permission, the external courtyard area to the side and rear of the building shall not be used at any time as customer seating or for the consumption of food or drink from the premises unless otherwise agreed in writing by the Local Planning Authority.*

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*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. Subject to the above condition, the use of the side and rear of the premises for outdoor seating is not considered to result in an unacceptable impact on neighbouring amenity and the temporary nature of the condition would allow the LPA to review the situation in a year's time.

### **CONCLUSION**

11. Considering the points discussed above, the proposed variation of Condition 4 to allow later closing times and the variation of Condition 5 to allow the use of the outdoor seating area within restricted hours for a temporary period of one year, is considered to result in an acceptable impact on the amenities of surrounding neighbours. The proposal therefore accords with the Development Plan and is recommended for approval.
12. As this is a Section 73 application, it is necessary to re-apply or re-word the conditions attached to the original permission (PLAN/2015/1384) where they are still relevant.

### **BACKGROUND PAPERS**

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

### **RECOMMENDATION**

PERMIT subject to the following conditions:

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

P-1 Rev.A received 16/12/2016  
P-2 Rev.A received 16/12/2016  
S-6 received 16/12/2016

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

2. The first floor windows in the east-facing side elevation of the development 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 finished floor level of the room 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.

3. ++ Within 3 months of the date of this decision, details of secure cycle parking for a minimum of two bicycles shall be submitted to and approved in writing by the Local Planning Authority. These facilities shall be fully implemented and made available for

## 17 OCTOBER 2017 PLANNING COMMITTEE

use within 6 months of the date of this decision and shall thereafter be retained for use 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.

4. The premises hereby approved shall not be open to customers outside of the following hours:

Monday to Friday 07.30 am to 23.00 pm  
Saturday 08.00 am to 23:30 pm  
Sunday 9.00 am to 16.00 pm

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

5. For a period of 12 months commencing from the date of this permission, the external seating area to the side and rear of the premises shall not be used as customer seating or for the consumption of food or drink from the premises outside of the following hours:

Monday to Friday 7:30am to 18:00pm  
Saturday 8:00am to 17:30pm  
Sunday 9:00am to 16:00pm

On the expiry of a period of 12 months from the date of this permission, the external courtyard area to the side and rear of the building shall not be used at any time as customer seating or for the consumption of food or drink from the premises unless otherwise agreed 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.

6. ++ 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. Any plant shall thereafter be installed and maintained in accordance with the agreed details.

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

7. ++ 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 protect the environment and amenities of the occupants of neighbouring 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 applicant is reminded that the approved Use Class of the property is A3 (Restaurant/Café). Any change of use to other uses such as a drinking establishment (A4 Use) would require planning permission.

**SECTION B**

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

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

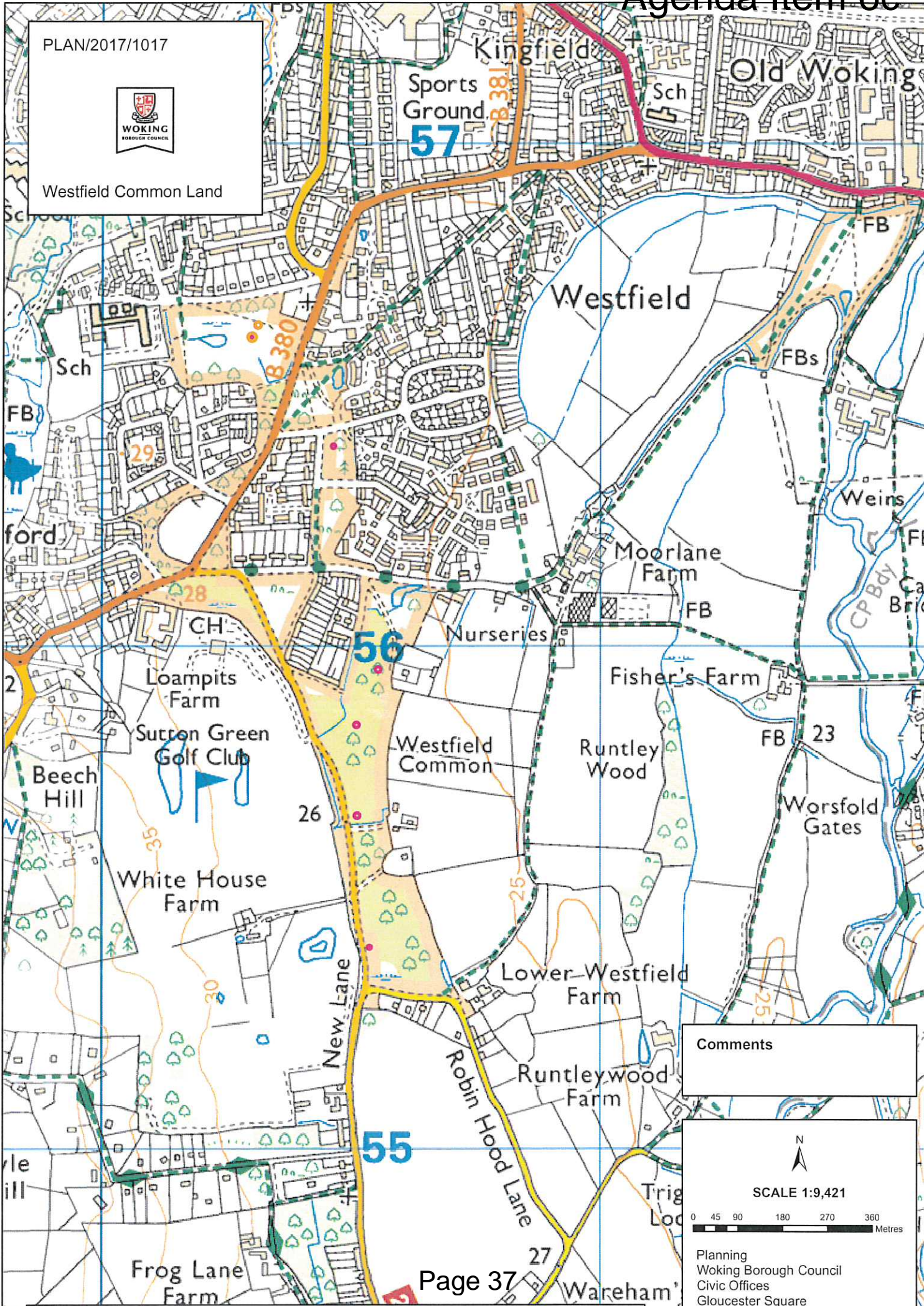




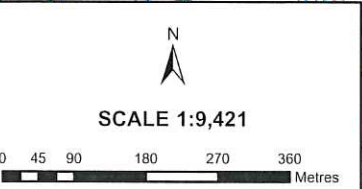
PLAN/2017/1017



Westfield Common Land



Comments



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





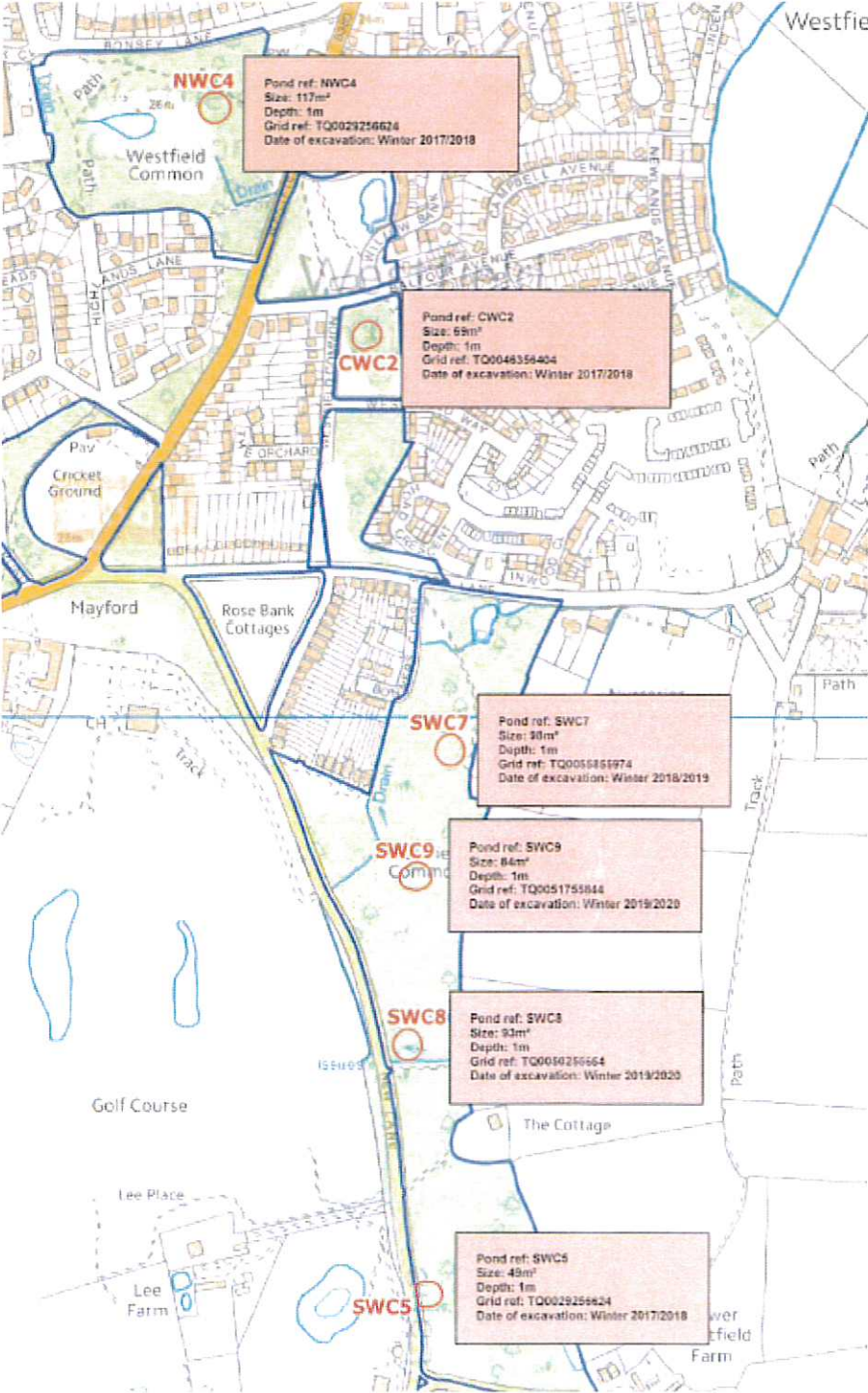


# Westfield Common Land,

# Westfield Common

PLAN/2017/1017

Creation of five ponds and extension of an existing pond (habitat improvement for Great Crested Newts).





## 17 OCTOBER 2017 PLANNING COMMITTEE

5c	17/1017	Reg'd:	04.09.17	Expires:	30.10.17	Ward:	HV & HE Y
Nei. Con. Exp:	28.09.17	BVPI Target	Minor	Number of Weeks on Cttee' Day:	8/8	On Target?	

**LOCATION:** Westfield Common Land, Westfield Common, Westfield, Woking, Surrey

**PROPOSAL:** Creation of five ponds and extension of an existing pond (habitat improvement for Great Crested Newts).

**TYPE:** Full

**APPLICANT:** Woking Borough Council

**OFFICER:** Joanne Hollingdale

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

The applicant is Woking Borough Council and as such the application falls outside the Scheme of Delegation.

### **SUMMARY OF PROPOSED DEVELOPMENT**

This application seeks full planning permission for the creation of five ponds and extension of an existing pond (habitat improvement for Great Crested Newts).

### **PLANNING STATUS**

- Part Urban Area
- Part Green Belt
- Common land
- Part Urban Open Space
- Site of Nature Conservation Importance
- Thames Basin Heaths SPA Zone B (400m-5km)

### **RECOMMENDATION**

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

### **SITE DESCRIPTION**

Westfield Common is located to the south of Woking Town Centre, between Mayford and Sutton Green. The site is Common Land comprising a mix of grassland and woodland. The site is also designated as a Site for Nature Conservation Importance.

The site stretches from north-south with the northern sections being within the urban area and the southern sections being within the Green Belt.

### **RELEVANT PLANNING HISTORY**

None relevant

**PROPOSED DEVELOPMENT**

This application seeks full planning permission for the creation of five ponds and extension of an existing pond for the benefit of Great Crested Newts as below:

<b>Pond reference</b>	<b>Size of pond (m<sup>2</sup>)</b>	<b>Buffer area (m<sup>2</sup>)</b>	<b>Approximate position of pond</b>
NWC4	117	817	South of Bonsey Lane, urban area
CWC2	69	699	South of Balfour Avenue, urban area
SWC7	98	770	South-East of Bonners Close, Green Belt
SWC9	84	762	South of Bonners Close, Green Belt
SWC8	94	752	East of New Lane, Green Belt
SWC5 (widen existing pond)	49	598	East of New Lane (north of Robin Hood Lane), Green Belt

The applicant has stated that the ponds will be a mix of those which will be more permanent (holding water all year round) and seasonal water features. Hydrological observations of the ponds over time will show if any are required to be lined in future. Dead wood and brash material will be stacked in key locations to discourage but not preclude access to the new and expanded ponds. Signage will also be produced detailing the works for display to local residents during the works.

**CONSULTATIONS**

**Natural England:** No objection as the proposal is unlikely to affect any statutorily protected sites or landscapes. The proposal is partially sited on land that is registered common land (Westfield Common) and the applicant will be required to apply to the Secretary of State for consent for the works on common land for which Natural England will be a consultee (informative 1) [*Officer note: Although informative 1 is included in the recommendation the applicant has advised that “common land consent is not required for the proposed works as Westfield Common is subject to a scheme which allows improvement works without any requirement for additional consent” with further details of this being provided in the application documentation*]. The consultation documents indicate that the development includes areas of priority habitat, namely two areas of deciduous woodland to the north-west and south-east. As stated in the NPPF, local planning authorities should aim to conserve and enhance biodiversity when determining planning applications.

**Surrey Wildlife Trust:** No comments received

**WBC Drainage and Flood Risk Engineer:** No objection subject to condition.

**WBC Arboricultural Officer:** No objection to the proposal in principle but some arboricultural information will be required as part of a condition of any permission.

**WBC Scientific Officer:** The discovery strategy condition should be imposed on any permission granted (condition 4).

**REPRESENTATIONS**

## 17 OCTOBER 2017 PLANNING COMMITTEE

2 letters of representation have been received in respect of the application. A summary of the comments made is given below:

- “At a meeting of the Westfield (Hoe Valley) Residents Association.... it was agreed that this application was in accord with previous consultations and plans for the Westfield Common area and its environmental development, and has the approval of those who attended and who represent all local residents in the area within the scope of this association.”
- Pond SWC8 – will any of the adjacent mature oak trees be adversely affected? [*Officer note: the only trees to be felled to accommodate this pond are 5no. birch trees*]
- A seasonal pond would encourage mosquitoes which would be a nuisance to users of the common and nearby residents.

### **RELEVANT PLANNING POLICIES**

National Planning Policy Framework 2012

Woking Core Strategy 2012

CS6 – Green Belt

CS7 – Biodiversity and Nature Conservation

CS9 – Flooding and Water Management

CS17 – Open space, green infrastructure, sport and recreation

CS21 – Design

CS24 - Woking’s landscape and townscape

CS25 - Presumption in favour of sustainable development

Development Management (DM) Policies DPD 2016

DM2 – Trees and Landscaping

DM5 – Environmental Pollution

DM6 – Air and Water Quality

DM8 – Land contamination and hazards

Supplementary Planning Documents

n/a

Other Material Considerations

National Planning Practice Guidance (NPPG)

### **PLANNING ISSUES**

Background

1. The works proposed by this application are to facilitate the delivery of the Great Crested Newt (GCN) pilot project. This is a joint Natural England and Woking Borough Council project trialling district licensing for GCN. The pilot takes a proactive approach which focusses conservation where it will bring maximum benefits to GCN. The approach replaces site by site licensing with a new system of plan level licensing with surveys and habitat compensation undertaken proactively at the district level by Natural England and the Local Authority. Developers can then buy into the strategic mitigation locally rather than having to undertake individual site surveys, provide on-site mitigation and seek an individual site licence from Natural England, with the knowledge that works to help local GCN populations succeed are already in place.

## 17 OCTOBER 2017 PLANNING COMMITTEE

2. The main issues to be considered in the determination of this application are the principle of the proposed works, visual amenity, neighbouring amenity, flood risk and drainage impact, ecology, trees and contamination.

### Principle of development

3. Two of the proposed ponds are located within the urban area within the area designated as urban open space. The proposed two pond areas are located within the woodland areas of the site and Policy CS17 of the Core Strategy encourages the improvement in the quality of the Green Infrastructure Network in the Borough. The definition of open space in the NPPF includes "*all open space of public value including not just land, but also areas of water... which offer important opportunities for sport and recreation and can act as a visual amenity*". In addition Policy CS7 also requires development proposals to contribute to the enhancement of existing biodiversity and to explore opportunities to create and manage new ones where appropriate. Therefore there is no objection in principle to the creation of new ponds within the urban open space area which would contribute to the diversity of the urban open space and the enhancement of biodiversity.
4. Three of the ponds to be created and the pond to be extended are located within the Green Belt area of Westfield Common. The requirements of Policy CS7 still apply in the Green Belt area which this aspect of the proposal would meet. In terms of Green Belt policy the creation and extensions of ponds comprises an engineering operation and Paragraph 90 of the NPPF states that engineering operations are not inappropriate development in the Green Belt providing they preserve openness and do not conflict with the purposes of the Green Belt.
5. The creation and extension of the proposed ponds only involves the excavation of land to create a depression to form the pond and by its nature a pond is not considered to impact on the openness of the Green Belt as there is no interruption to the openness of the site. In addition, the creation of a pond is not considered to conflict with any of the five purposes of the Green Belt. On this basis it is considered that the creation and extension of the ponds is not inappropriate development within the Green Belt and would comply with Policy CS6 of the Woking Core Strategy and the policies in the NPPF.

### Visual impact on the area

6. With regard to visual amenity, the ponds would all have a natural shape with shallow banks to part of the side of the ponds (as required for GCN to access/egress the pond). The areas immediately around the pond would be formed by trees, woodland floor vegetation and undergrowth. The ponds would appear as naturally formed features rather than man-made, given their irregular and varied shapes and they are not considered to be at odds with the rural character of the surrounding land. It is not uncommon to find ponds within woodland areas either within an urban or rural environment. The proposed creation and extension of the ponds as proposed is not considered to have any adverse impact on the character and appearance of Westfield Common either individually or cumulatively. The proposal is considered to comply with Policies CS21 and CS24 of the Woking Core Strategy and the policies in the NPPF.

### Impact upon neighbouring amenity

7. Policy CS21 of the Core Strategy advises that proposals for new development should achieve a satisfactory relationship to adjoining properties avoiding significant harmful

## 17 OCTOBER 2017 PLANNING COMMITTEE

impacts. The buffer zone to pond SWC7 would be the closest pond to any nearby neighbouring residential dwelling and this buffer zone would be around 11 metres from the rear garden boundary of the nearest dwelling with the pond being around 20 metres from the rear garden boundary. By their very nature ponds would not result in any structures above ground level and as they are proposed for conservation purposes would not result in any adverse impact to the amenities of any nearby neighbouring residential occupiers. The proposal is therefore considered to comply with Policy CS21 of the Core Strategy and the policies in the NPPF.

### Impact upon flood risk and drainage

8. All of the ponds would be located in Flood Zone 1 (low risk). Medium, High and Very High areas of surface water flood risk are scattered across Westfield Common. The proposed development is not considered to result in any increase in flood risk to people or property and the creation of the ponds would expand the water storage properties of the site. The cross sections of the ponds show that they would have a stepped profile and that each pond will allow a 300mm freeboard (extra water volume capacity) above the normal level of the pond. The Council's Drainage and Flood Risk Engineer has raised no objection to the application subject to condition 2. The proposal is therefore considered to comply with Policy CS9 of the Core Strategy and the policies in the NPPF.

### Impact on ecology

9. The NPPF states that the planning system should contribute to and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible. Circular 06/05 – Biodiversity Geological Conservation also requires the impact of a development on protected species to be established before planning permission is granted. This approach is reflected in Policy CS7 of the Core Strategy.
10. The applicant has advised that the proposed works on this SNCI site are designed solely to benefit the ecology of the site. The applicant has advised that, whilst primarily to support GCN, the creation of the new ponds would also enhance the site for many other native species as part of the 5 year plan for improving the site's habitat. The GCN improvement plan also considers the wider benefits to the botanical interest, breeding birds and bats. The applicant has submitted the Westfield Common Ecological Management Plan (2014) as part of the application along with a Review of the Ecological Management Plan (2017). To support the provision of these documents, the applicant has advised that evidence relating to other species was gathered to feed into the preparation of the management plan documents. The Management Plans have been prepared by Surrey Wildlife Trust and the applicant has advised that no protected species would be adversely impacted by the development.
11. The applicant has also advised that the positions of the ponds have been determined as being the most appropriate locations for the GCN project and response to feedback received through consultation on the project with local residents. It is advised that the position of most of the ponds follows identified areas of naturally occurring depressions in the ground where it is evident that water collects seasonally.
12. 33no. trees are to be removed to facilitate the provision of the ponds within the site. The trees are required to be removed to facilitate the provision of the ponds and to also reduce the shading of the proposed ponds which would reduce their conservation

## 17 OCTOBER 2017 PLANNING COMMITTEE

benefits if retained. Natural England has advised that the deciduous woodland on the site comprises priority habitat. However the removal of the small number of trees, in comparison to the site as a whole is not considered to undermine the conservation benefits of the priority habitat. In addition the provision of the ponds to support the GCN protected species is also considered to result in an overall enhancement of biodiversity on the site and improve its ecological diversity. Condition 5 will require any vegetation removal to be outside the bird nesting season unless first surveyed by an ecologist. Informative 2 will also remind the applicant that bats are also protected species and prior to any tree felling any trees should be checked for roosts by an ecologist.

13. The proposal is considered to be acceptable in terms of ecological impact and would comply with Policy CS7 of the Core Strategy and the policies in the NPPF relating to ecology and biodiversity and the guidance in Circular 06/05.

### Impact on trees

14. As noted above 33no. trees would be required to be removed to facilitate the creation of the proposed ponds. Westfield Common as a whole is covered with dense woodland and the loss of this number of trees is not considered to adversely affect the visual amenity of Westfield Common either in the areas immediately around the proposed ponds or Westfield Common as a whole. The Council's Arboricultural Officer has advised that he has no objection in principle to the proposal but recommends that a condition is imposed to secure the provision of some arboricultural information prior to the commencement of excavation of each pond (condition 3). In this regard the proposal is considered to comply with Policy CS21 of the Core Strategy and Policy DM2 of the DM Policies DPD and the policies in the NPPF.

### Other matters

15. Policy DM7 of the DM Policies DPD relates to contamination and it is noted that the applicant has stated that in light of the historic use of parts of the site for the disposal of waste there is the potential for contamination. However there are no historical records that would specifically pinpoint deposits. The applicant has advised that during a walkover of the site with the Council's Scientific Officer there was considered to be a low risk of contaminants being found and has advised that a precautionary approach to contamination will be adopted. The Council's Scientific Officer has advised that a discovery strategy condition should be imposed on any permission granted relating to the discovery of unexpected contaminants during the works (condition 4). The proposal is therefore considered to comply with Policy DM5 and DM8 of the DM Policies DPD and the policies in the NPPF.

### **LOCAL FINANCE CONSIDERATIONS**

16. The Council implemented the Community Infrastructure Levy (CIL) on 1<sup>st</sup> April 2015. As the proposal does not result in any additional floorspace the proposal is not CIL chargeable development.

### **CONCLUSION**

17. Overall the proposals are considered to be acceptable and would result in the enhancement of biodiversity in Westfield Common without harmful impacts to visual amenity, neighbouring amenity, trees and drainage and flood risk matters. The proposals are considered to comply with Policies CS6, CS7, CS9, CS17, CS21, CS24



## 17 OCTOBER 2017 PLANNING COMMITTEE

and CS25 of the Woking Core Strategy, Policies DM2, DM6 and DM7 of the DM Policies DPD and also the policies in the NPPF. It is therefore recommended that planning permission is granted subject to the recommended conditions as set out below.

### **BACKGROUND PAPERS**

Planning file PLAN/2017/1017

### **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 following approved drawings all received with the application dated 04.09.17:

Westfield Common Pond Construction Application site areas (red line and blue line plan)

Westfield Common Pond Construction (ponds overlaid on aerial photograph)

Site Plan NWC4 (Map 1 of 5)

Site Plan CWC2 (Map 2 of 5)

Site Plan SWC7 & SWC9 (Map 3 of 5)

Site Plan SWC8 (Map 4 of 5)

Site Plan SWC5 (Map 5 of 5)

Cross Sectional Planting Plan for Ponds

NWC4 Pond Design

CWC2 Pond Design

SWC7 Pond Design

SWC9 Pond Design

SWC8 Pond Design

SWC5 Pond Design

Reason: To ensure that the development is completed in accordance with the approved plans and in the interests of ecology, flooding and water management and visual amenity and to accord with Policies CS7, CS9 and CS21 of the Woking Core Strategy 2012.

3. Prior to the commencement of any development for each individual pond or the extension of pond identified as SWC5, arboricultural information comprising a method statement outlining how the retained trees will be protected during the works for each pond 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. The development of each pond shall be carried out strictly in accordance with the approved details for that pond.

## 17 OCTOBER 2017 PLANNING COMMITTEE

Reason: To ensure the protection of trees adjacent to the ponds 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. 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 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 and to ensure that adequate site investigation information, prepared by a competent person, is presented and to comply with Policies DM5 and DM8 of the DM Policies DPD.

5. Any scrub, hedgerow and tree clearance must be undertaken outside the bird breeding season (1st March to 30th August inclusive) unless the applicant has first carried out a survey of such vegetation (undertaken by an ecologist) which shows that there are no nesting species within relevant parts of the application site and any such survey results have been submitted to and approved in writing by the Local Planning Authority.

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

### Informatives

1. For the avoidance of doubt, condition 3 enables the required arboricultural information to be submitted for each individual pond prior to the commencement of development of each individual pond at different times as it is noted that the ponds may be constructed at different times.
2. The applicant is advised that bats are a protected species and therefore any tree to be felled should be checked for bat roost prior to any works being undertaken and the appropriate ecological advice and/or licences sought, if required.
3. The applicant's attention is drawn to the consultation response of Natural England with regard to the advice under the title Registered Common Land where it is advised that *"this proposal is partially sited on an area of land that is registered common land, namely CL 121 / 55121 Westfield Common. This is covered by the Commons Act 2006 and will have rights of access by the public. If planning permission is granted, the applicant will be required to apply to the Secretary of State for consent under section 16 or section 38 of the Commons Act 2006. Guidance on common land is available at <https://www.gov.uk/guidance/carrying-out-works-on-common-land>. Natural England is a specified consultee under the Commons Act 2006 and will respond to any consultations in line with the above guidance."*
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

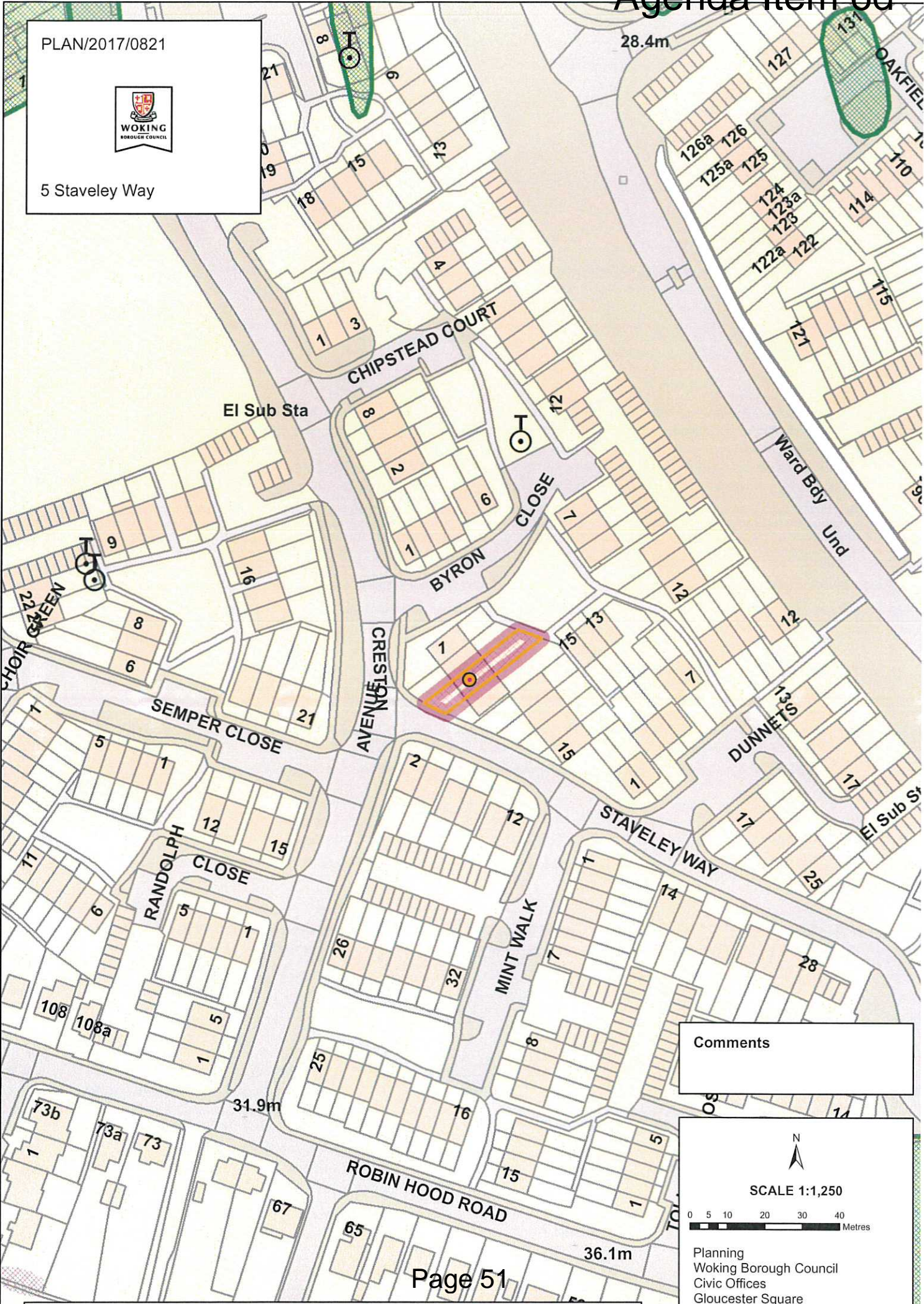
## 17 OCTOBER 2017 PLANNING COMMITTEE

08.00 – 13.00 Saturday  
and not at all on Sundays and Bank/Public Holidays.


5. 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.
6. 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/2017/0821

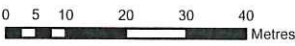


5 Staveley Way

Comments



SCALE 1:1,250



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

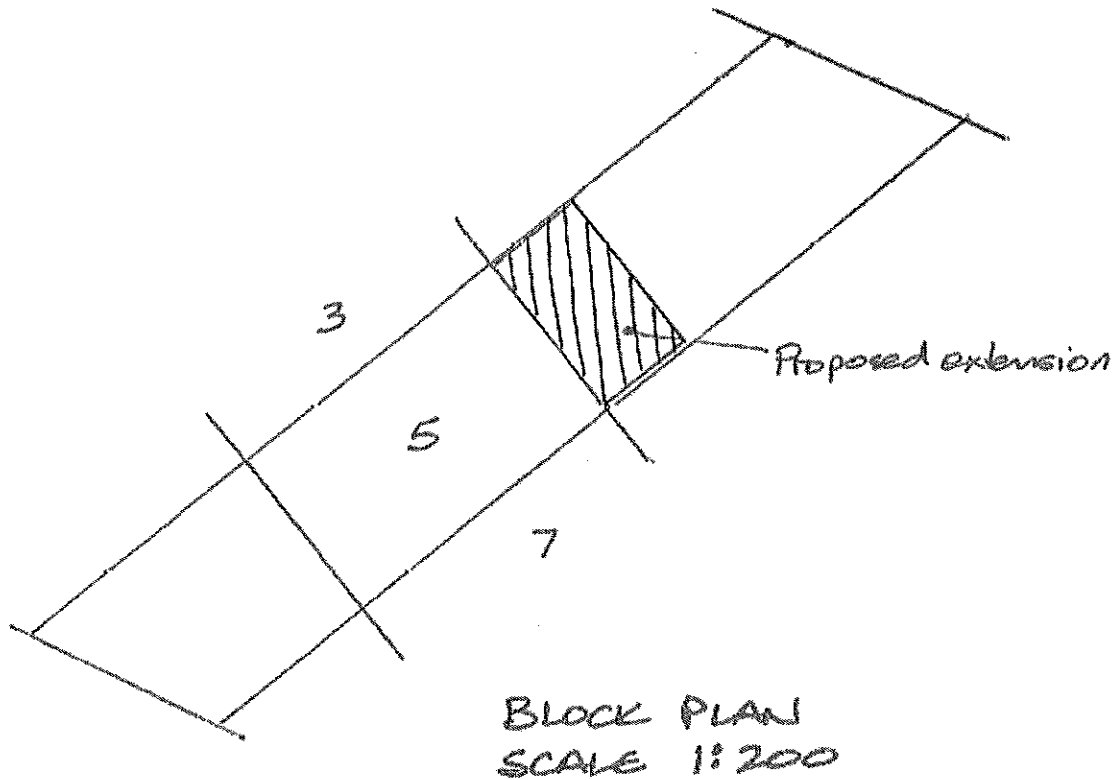




# 5 Staveley Way, Knaphill

PLAN/2017/0821

Erection of single storey rear extension following removal of existing conservatory and insertion of 1No rear rooflight.







## 17 OCTOBER 2017 PLANNING COMMITTEE

5d	17/0821	Reg'd:	25.07.17	Expires:	20.10.17	Ward:	KNA
Nei. Con. Exp:	08.09.17	BVPI Target	Householder	Number of Weeks on Cttee' Day:	12/12	On Target?	Ext. of time

**LOCATION:** 5 Staveley Way, Knaphill, Woking, GU21 2NS

**PROPOSAL:** Erection of single storey rear extension following removal of existing conservatory and insertion of 1no. rear rooflight (amended plans received 20.09.2017)

**TYPE:** Householder

**APPLICANT:** Mr M Sahi

**OFFICER:** Benjamin  
Bailey

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

The applicant is related to an elected member (Cllr Saj Hussain).

### **SUMMARY OF PROPOSED DEVELOPMENT**

This is a householder planning application which seeks planning permission for the erection of a single storey rear extension following removal of the existing conservatory and insertion of 1no. rear rooflight.

*(Officer Note: Planning permission is required because the host dwellinghouse formed part of the Goldsworth Park development, in which 'permitted development' rights were removed via planning condition at original construction. Furthermore, the host dwellinghouse forms part of a terrace and the extension beyond the rear wall of the original dwellinghouse would exceed 3 metres and therefore fail to comply with the relevant limitations of Schedule 2, Part 1, Class A of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) even if 'permitted development' rights remained intact).*

### **PLANNING STATUS**

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

### **RECOMMENDATION**

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

### **SITE DESCRIPTION**

5 Staveley Way is a mid-terraced single storey dwelling located within the Goldsworth Park area of the Borough. A small rear conservatory exists which is proposed to be removed. The frontage of the property is predominantly laid to hardstanding. The rear amenity space is predominantly laid to lawn with a limited area of hardstanding. Both side boundaries of the rear amenity space are enclosed by 1.8m high close-boarded fencing. A low-level brick wall

bounds the rear boundary of the rear amenity space and backs onto a footway and open space laid to lawn.

### **RELEVANT PLANNING HISTORY**

None relevant

### **CONSULTATIONS**

None undertaken

### **REPRESENTATIONS**

x1 letter of representation has been received raising the following main points:

- Depth of the extensions seems very large and is a big increase on the original footprint of the building, which makes it out of context with surrounding buildings at the rear  
*(Officer Note: The initially proposed depth of 4.0m has been reduced to 3.3m by way of amended plans)*
- The width of the extension means the outer walls are virtually on the fence line, and combined with its height, will create overshadowing and light problems to bedroom window of No.3 and existing conservatory of No.3, which we use as a dining room, and is only two-thirds of the proposed depth of the extension.  
*(Officer Note: The initially proposed depth of 4.0m has been reduced to 3.3m by way of amended plans)*
- The existing rear guttering of these four terraced bungalows was never very efficient and if the current plan is implemented a review of the downpipe situation would be required  
*(Officer Note: This matter would be addressed at Building Regulations stage)*

### **RELEVANT PLANNING POLICIES**

National Planning Policy Framework (NPPF) (2012)

Section 4 - Promoting sustainable transport

Section 7 - Requiring good design

Woking Core Strategy (2012)

CS18 - Transport and accessibility

CS21 - Design

Development Management Policies DPD (2016)

No relevant policies

Supplementary Planning Documents (SPD's)

Design (2015)

Outlook, Amenity, Privacy and Daylight (2008)

Parking Standards (2006)

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 change:

- External depth of proposed extension reduced from initially proposed 4.0m to 3.3m

Due to the consideration that amended plans reduced the depth 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 considerations in the determination of this application are:
  - Design and impact upon the character of the area
  - Impact upon neighbouring amenity
  - Impact upon private amenity space
  - Impact upon car parking provision

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

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

2. One of the core principles of planning as identified in the National Planning Policy Framework (NPPF) (2012) is securing high quality design. Policy CS21 of the Woking Core Strategy (2012) states that “*proposals for new development should...respect and make a positive contribution to the street scene and character of the area in which they are situated, paying due regard to the scale, height, proportions, building lines, layout, materials and other characteristics of adjoining buildings and land*”.
3. The residential extensions section of SPD ‘Design (2015)’ states that “*single storey rear extensions will usually be granted planning permission as they are unlikely to affect the public view of the building or affect the amenity of a neighbour*”.
4. The application property is within the Goldsworth Park area of the Borough, which is a large area of Post-War housing with a sinuous road layout. Goldsworth Park was deliberately laid out as closes, clusters and small groups of houses to break up the scale of the development and create individual areas accessed from distributor roads. The application property is a mid-terraced single storey dwelling. The proposed rear extension, as amended, projects 3.3m in depth from the rear dwelling building line and spans the width of the rear elevation with the exception of 150mm to each common side boundary with both No.3 and No.7 Staveley Way.
5. The proposed extension would utilise a flat roof with a maximum height measuring approximately 2.6m. Taking into account the shallow pitch of the dwelling roof, the relatively modest 2.6m height of the proposed extension, and the requirement to avoid giving rise to a significantly harmful loss of daylight, sunlight or overbearing effect to adjacent No.3 and No.7 Staveley Way, the flat roofed form of the proposed extension is considered to be acceptable. As amended, the 3.3m depth of the proposed extension is considered to appear proportionate to the scale of the host dwelling. Although spanning the majority of the rear elevation such width is commonplace for single storey rear extensions and is not considered to appear harmful. External materials are proposed to match existing and this can be secured via recommended condition 3.

## 17 OCTOBER 2017 PLANNING COMMITTEE

6. Although the existing low level brick wall to the rear boundary of the rear garden results in the rear elevation of the existing dwelling being apparent from the footway and lawned area to the rear it is noted that the existing rear garden boundaries of adjacent No.3 and No.7 Staveley Way are demarcated by approximately 1.8m high close-boarded fencing. It is also noted that adjacent No.3 and No.7 Staveley Way both demonstrate existing rear conservatories, the roofs of which are apparent above the boundary fencing. Overall the proposed extension would not appear unduly prominent in public views and would, notwithstanding potential public visibility, appear as a typical, subordinate and proportionate extension to the host dwelling.
7. A single rooflight is proposed within the existing rear roof slope of the host dwelling to achieve daylight to the resulting dining room. This rooflight would be modest in scale and, having regard to this factor and its proposed siting, is not considered to result in material impact upon the character and appearance of the host dwelling and surrounding area.
8. Overall the proposed extension is considered to accord with Policy CS21 of the Woking Core Strategy (2012), Section 7 of the National Planning Policy Framework (NPPF) (2012) and Supplementary Planning Document 'Design (2015)'.

### Impact upon neighbouring amenity

9. Policy CS21 of the Woking Core Strategy (2012) states that proposals for new development should achieve a satisfactory relationship to adjoining properties avoiding significant harmful impact in terms of loss of privacy, daylight or sunlight, or an overbearing effect due to bulk, proximity or outlook. More detailed guidance in terms of assessing neighbouring amenity impacts is provided by SPD 'Outlook, Amenity, Privacy and Daylight (2008)'.
10. As amended the proposed extension would project for 3.3m beyond the rear elevation of both adjacent No.3 and No.7 Staveley Way, with an approximate 150mm separation gap to both common boundaries. The existing common boundaries with both No.3 and No.7 are demarcated by close-boarded fencing, measuring approximately 1.8m in height. Taking account of the approximate 2.6m height of the proposed extension a projection of approximately 800mm would be apparent above the existing common boundary treatments. This factor, combined with the 3.3m depth of the proposed extension (as amended) is not considered to give rise to a significantly harmful impact, in terms of potential overbearing effect, due to bulk, proximity or loss of outlook, to either the dwellings or rear garden areas of adjacent No.3 and No.7 Staveley Way contrary to Policy CS21.
11. In terms of potential loss of daylight SPD 'Outlook, Amenity, Privacy and Daylight (2008)' states that "*significant loss of daylight will occur if the centre of the affected window (or a point 2m in height above the ground for floor to ceiling windows) lies within a zone measured at 45° in both plan and elevation*". The proposed extension passes this 45° test with regard to the closest rear-facing windows within both adjacent No.3 and No.7 Staveley Way and therefore no significant loss of daylight is considered to occur contrary to Policy CS21. It is noted that both adjacent No.3 and No.7 benefit from existing rear conservatories, both of which are set away from the common boundary with the application property. Taking account of the extent of glazing apparent within both of these conservatories, combined with the relatively modest (approx. 2.6m) height and flat roofed form of the proposed extension, no significantly harmful loss of sunlight is considered to occur to No.3 and No.7 Staveley Way. No openings within the proposed extension would face towards the common

## 17 OCTOBER 2017 PLANNING COMMITTEE

(side) boundaries with adjacent properties and therefore no harmful loss of privacy would occur.

12. A single rooflight is proposed within the existing rear roof slope of the host dwelling to achieve daylight to the resulting dining room. This rooflight would be at high-level (ie. sill above 1.7m from FFL) serving ground floor level accommodation and would therefore not permit outlook towards neighbouring properties.
13. Overall the proposed extension, as amended, is considered to achieve a satisfactory relationship to both adjacent No.3 and No.7 Staveley Way, avoiding any significantly harmful impact due to potential loss of privacy, daylight or sunlight, or overbearing effect, and therefore accords with Policy CS21 of the Woking Core Strategy (2012), Supplementary Planning Documents 'Design (2015)' and 'Outlook, Amenity, Privacy and Daylight (2008)' and the provisions of the National Planning Policy Framework (NPPF) (2012).

### Impact upon private amenity space

14. SPD 'Outlook, Amenity, Privacy and Daylight (2008)' sets out recommended minimum garden amenity areas and states that, for family dwellings (below 150 sq.m gross floorspace) with two bedrooms or more and over 65 sq.m gross floorspace, a suitable area of private garden amenity in scale with the building, but greater than the building footprint, should be provided. The resulting building footprint of the dwelling would measure approximately 84 sq.m and the resulting gross floorspace approximately 78 sq.m. The resulting area of private garden amenity to the rear of the dwelling would measure approximately 55 sq.m. Whilst this is the case the character of the local context is dwellings with relatively modest areas of private garden amenity. Furthermore the proposed extension would encompass a relatively modest footprint measuring approximately 20 sq.m and would occur on part of the 8 sq.m footprint of an existing conservatory to be demolished. Therefore the overall loss of existing garden amenity would be 12 sq.m.
15. Whilst the resulting area of private garden amenity (approx. 55 sq.m) would not approximate with the resulting building footprint (approx. 84 sq.m) the resulting area of private garden amenity is nonetheless considered to remain commensurate with the character of the local context and to provide a suitable sunlit area of predominantly soft landscaped private amenity space, appropriate in size and shape for the outdoor domestic and recreational needs of occupiers the extended dwelling is intended to support. Overall, taking into account the character of the local context, the impact of the proposed extension upon private garden amenity is considered to be acceptable.

### Impact upon car parking provision

16. The resulting dwelling would provide 2 bedrooms, and would therefore represent no uplift in existing bedroom provision. Taking account of this factor no material impact upon car parking provision is considered to arise as a result of the proposed single storey rear extension.

### LOCAL FINANCE CONSIDERATIONS

17. The proposed uplift in residential floor area would not exceed 100 sq.m and therefore the proposed single storey rear extension would not be Community Infrastructure Levy (CIL) liable.

**CONCLUSION**

18. Overall the proposal is considered to be acceptable in terms of design and impact upon the character of the area, upon neighbouring amenity, upon private amenity space and upon car parking provision. The proposal is therefore considered to accord with Policies CS18 and CS21 of the Woking Core Strategy (2012), Sections 4 and 7 of the National Planning Policy Framework (NPPF) (2012), Supplementary Planning Documents 'Design (2015)', 'Outlook, Amenity, Privacy and Daylight (2008)' and 'Parking Standards (2006)' 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. x1 Letter of representation

**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:

2017/M/01 Rev A (Existing Ground Floor Plan), undated and received by the Local Planning Authority on 24.07.2017.

2017/M/02 Rev B (Proposed Ground Floor Plan), undated and received by the Local Planning Authority on 20.09.2017.

2017/M/03 Rev B (Existing and Proposed Elevations), undated and received by the Local Planning Authority on 20.09.2017.

2017/M/04 Rev B (Location Plan and Block Plan), undated and received by the Local Planning Authority on 20.09.2017.

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

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

Reason: To preserve the character and appearance of the host building and the visual amenities of the area in accordance with Policy CS21 of the Woking Core Strategy



## 17 OCTOBER 2017 PLANNING COMMITTEE

(2012), SPD 'Design (2016)' and Section 7 of the National Planning Policy Framework (2012).

### **Informatives**

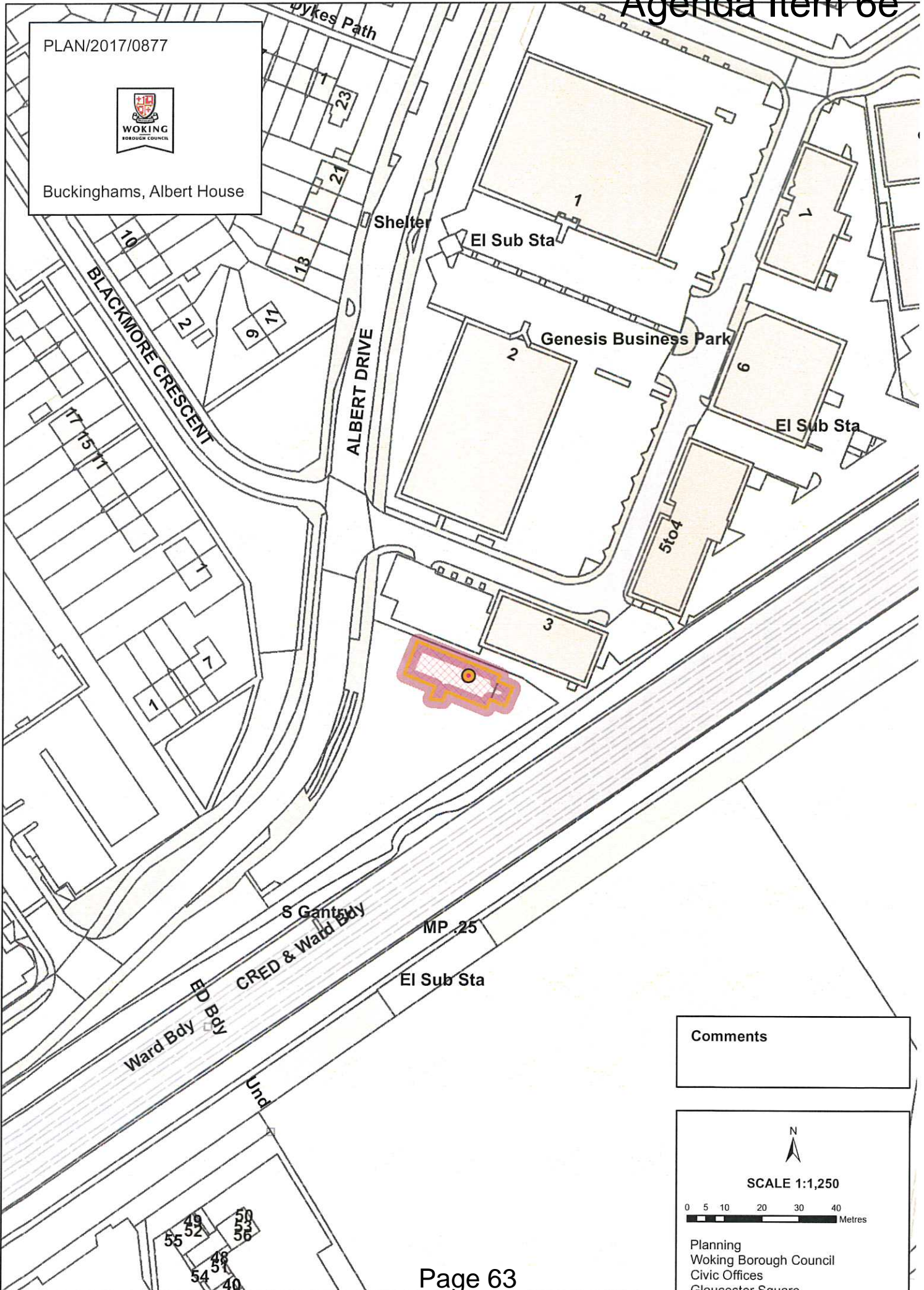
01. The Council confirms that in assessing this planning application it has worked with the applicant in a positive and proactive way, in line with the requirements of paragraph 186-187 of the National Planning Policy Framework 2012. Amended plans were requested, and accepted, during consideration of the application in order 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 submitted during consideration of the application and as listed within condition 02 above.
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.
04. The proposed uplift in residential floor area does not exceed 100 sq.m and consequently the proposal is not Community Infrastructure Levy (CIL) liable.



PLAN/2017/0877



Buckingham, Albert House



Comments

N

SCALE 1:1,250

0 5 10 20 30 40 Metres

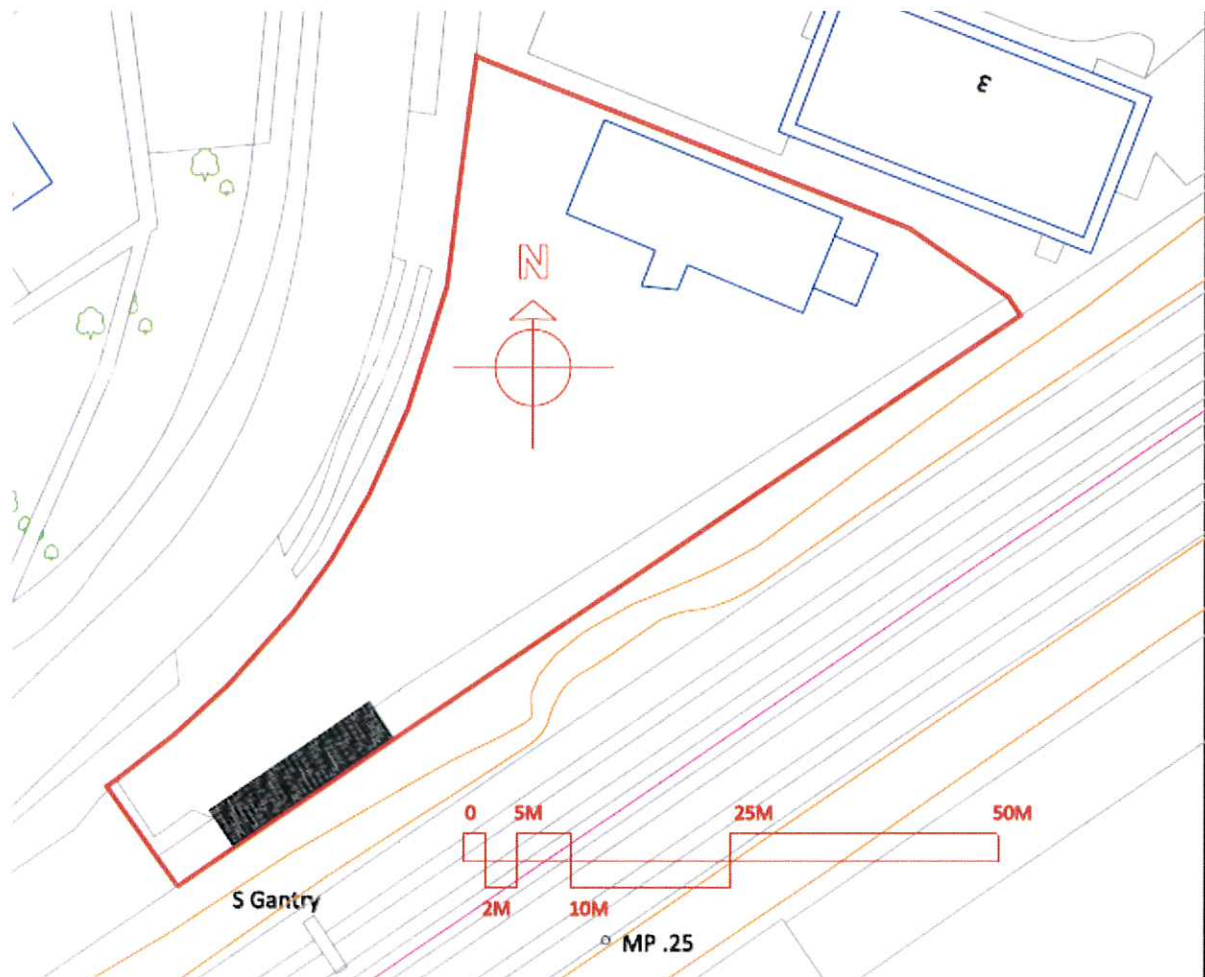
Planning  
Woking Borough Council  
Civic Offices  
Gloucester Square  
Woking, Surrey GU21 6YL



# Buckinghamshire, Albert House, Albert Drive, Sheerwater

PLAN/2017/0877

Single storey detached workshop for the refurbishment of Alloy Wheels.







## 17th OCTOBER 2017 PLANNING COMMITTEE

**5e** 17/0877 **Reg'd:** 08.03.2016 **Expires:** 26.09.17 **Ward:** c  
**Nei.** 01.09.17 **BVPI** **Number** 11/8 **On** Yes  
**Con.** **Target** **of Weeks**  
**Exp:** **on Cttee'** **Target?**  
**Day:**

**LOCATION:** Buckingham, Albert House, Albert Drive, Sheerwater, Woking, Surrey, GU21 5JZ

**PROPOSAL:** Erection of an outbuilding to used as workshop for the refurbishment of alloy wheels (B2 use class).

**TYPE:** Full

**APPLICANT:** Mr B Gallon

**OFFICER:** Tanveer  
Rahman

---

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

The proposal is for a non-residential outbuilding which falls outside the scope of delegated powers as set out by the Management Arrangements and Scheme of Delegation.

### **PLANNING STATUS**

- Urban Area
- Priority Place
- Gas or Oil Pipeline Consultation Zone
- High Pressure Gas Main
- Thames Basin Heaths SPA Zone B (400m-5km)

### **RECOMMENDATION**

Grant planning permission subject to conditions.

### **SITE DESCRIPTION**

The irregular-shaped site is bounded by an office building and its carpark to the north east, Albert Drive to the north west and a railway track to the south east.

A car showroom and MOT testing centre are located at the northern end of the site. To the south of the showroom is a forecourt and to the south of the MOT testing centre is an area of parking which is raised above the forecourt level. Access to this raised area is via a ramp to the south and another ramp to the north. The raised area is bounded from the railway track by metal fencing and the site has a number of trees along this fencing.

### **PLANNING HISTORY**

PLAN/2011/1102: Replacement internally and externally illuminated totem and fascia signs and erection of free standing sign - permitted 24.01.2012.



## 17th OCTOBER 2017 PLANNING COMMITTEE

PLAN/2002/0915: Retrospective application for the erection of 4.5m high lighting columns finished in powder grey (Amended description) - permitted 05.09.2002.

PLAN/2001/0684: Removal of petrol forecourt, extend showroom and workshop for M.O.T. facility and build single valet/ wash bay - 13.09.2001.

PLAN/1997/1074: Installation of a one metre diameter satellite dish on flat roof to the side of the building - permitted 21.01.1998.

PLAN/1997/0713: Renewal of consent 96/0665 for the installation of a video display unit - permitted 06.10.1997.

PLAN/1997/0335: Erection of an extension to the front of the existing showroom and an extension to the rear of the workshop and provision of extra car storage - permitted 26.06.1997.

PLAN/1996/0665: Installation of video screen display unit. (Retrospective) - permitted 24.09.1996.

PLAN/1995/0782: Erection of a single storey extension to front existing show room and construction of retaining wall to provide additional car parking - permitted 02.11.1995.

PLAN/1992/0605: Provision of car parking and associated landscaping for 30 cars on land adjoining garage.(AMENDED PLANS) - permitted 04.09.1992.

PLAN/1991/0639: Demolition of existing garage and erection of a single storey building to rear of the workshop - permitted 15.08.1991.

PLAN/1990/0829: Erection of single storey rear extension for the valeting and repair of cars - refused.

PLAN/1989/0008: Display of one illuminated petrol filling station pole sign - permitted 14.03.1989.

PLAN/1988/1111: Display of 9 internally illuminated signs and 2 non-illuminated fascia signs at existing garage premises - permitted 17.02.1989.

PLAN/1988/1095: Erection of an extension to existing showroom, provision of new mezzanine floor to provide ancillary office accommodation and erection of a single storey extension to rear of existing premises – permitted 21.01.1989.

PLAN/1988/0315: Redevelopment of forecourt and shop to self-service filling station - permitted 30.07.1988.

### **PROPOSED DEVELOPMENT**

The planning application seeks permission to erect a mono-pitched roof, pre-fabricated, grey steel outbuilding at the southern end of the raised parking area. It is proposed to be 18m long and 6m wide. The roof is proposed to slope down from north west to south east and from a height of 3.1m to 2.6m. A large roller shutter door is proposed in its south west elevation and a smaller roller shutter door is proposed in its north east elevation.

### **CONSULTATIONS**

County Highway Authority (SCC)

No objection or requirements.

LPA Senior Arboricultural Officer

No objection subject to condition.

LPA Senior Environmental Health Officer

No objection or requirements.

LPA Contaminated Land Officer

No objection subject to condition.

Network Rail

No response received.

**REPRESENTATIONS**

No representations received.

**RELEVANT PLANNING POLICIES**

*National Planning Policy Framework (2012):*

Section 1 - Building a strong, competitive economy

Section 7 - Requiring Good Design

Section 11 - Conserving and enhancing the natural environment

*Woking Core Strategy (2012):*

CS5 - Priority Places

CS15 - Sustainable economic development

CS21 - Design

CS25 - Presumption in favour of sustainable development

*Development Management Policies DPD (2016):*

DM2: Trees and landscaping

DM5: Environmental pollution

DM8: Land Contamination & Hazards

Supplementary Planning Documents:

*Woking Design SPD (2015)*

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

*Parking Standards (2006)*

**PLANNING ISSUES**

## 17th OCTOBER 2017 PLANNING COMMITTEE

The proposal is for the erection of a non-residential outbuilding within the Urban Area which is acceptable in broad policy terms, but subject to the following considerations:

### Impact on the character and appearance of the surrounding area

1. It is noted that the proposed outbuilding would have a relatively large 18m depth and 3.1m height facing Albert Drive and would be further elevated above the street level by virtue of its location on the raised parking area. It is considered however that the combination of its scale, form, character and location would have an acceptable impact on the character and appearance of the surrounding area subject to a condition requiring details of proposed external materials to be submitted prior to commencement.

### Impact on Trees

2. As previously noted the LPA's Senior Arboricultural Officer has raised no objection subject to condition. It is therefore considered that the proposal would have an acceptable impact on trees subject to condition.

### Impact on neighbouring amenity

3. The closest residential property to the proposal would be approximately 50m away to the north west. Given this separation distance and the proposed size and location of the outbuilding it is considered that it would not create unacceptable overlooking issues, would not have an unacceptable impact on sunlight/daylight levels and would not appear unacceptably overbearing towards neighbouring properties.
4. As previously noted the LPA's Senior Environmental Health Officer raised no objection or requirements to the application. It is therefore considered that the proposal would not create unacceptable noise or light pollution towards neighbouring properties.

### Impact from contamination

5. According to Council records the site could potentially be contaminated due to its proximity to a former garage. However as previously noted the LPA's Contaminated Land Officer has raised no objection subject to condition. It is therefore considered that the proposal would have an acceptable impact from contamination subject to condition.

### Impact on car parking provision & highway safety

6. As previously noted the County Highway Authority (SCC) raised no objection or requirements to the application. It is therefore considered that the proposal would have an acceptable impact on car parking provision & highway safety.

### Local finance consideration

7. The Council introduced the Community Infrastructure Levy (CIL) on 1<sup>st</sup> April 2015. In Woking CIL charges are only liable on residential and retail development. As the outbuilding does not fall under either of these categories of development it is not liable for CIL contribution.

## **CONCLUSION**

## 17th OCTOBER 2017 PLANNING COMMITTEE

Overall, it is considered that the proposed outbuilding would have an acceptable impact on the character and appearance of the surrounding area, trees, neighbouring amenity, from contamination and on car parking provision and highway safety. The proposal therefore accords with sections 1, 7 and 11 of the *National Planning Policy Framework* (2012) policies CS5, CS15, CS21, CS22 and CS25 of the *Woking Core Strategy* (2012), policies DM2, DM5 and DM8 of the *Development Management Policies DPD* (2016), *Woking Design SPD* (2015), *Outlook, Amenity, Privacy and Daylight* (2008), *Parking Standards* (2006) and is recommended for approval.

### **BACKGROUND PAPERS**

Site visit photographs (20.09.2017)

### **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, 1:200 proposed block plan, 1:100 proposed plan and 1:100 proposed elevations Drwg no. Sheet 1. Rev A (received by the LPA on 23.08.2017)

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 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).

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4. The proposed outbuilding hereby approved shall only be used for the use stated in the submitted application form and shall not be used for any other use without the prior written consent of the Local Planning Authority.

Reason:

To avoid an intensification of use of the site and to comply with policies CS21 and CS25 of the *Woking Core Strategy* (2012).

5. Protective measures shall be carried out in strict accordance with the arboricultural Information provided by SMW (Tree) Consultancy (by the LPA on 26.09.2017) 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. Any deviation from the works prescribed or methods agreed in the report will require prior written approval from the Local Planning Authority.

Reason:

To ensure 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).

6. (i) Development shall not begin until a scheme to deal with contamination of the site has been submitted to and approved in writing by the Local Planning Authority.  
(ii) The above scheme shall include :-

- (a) a contaminated land desk study and suggested site assessment methodology;
- (b) a site investigation report based upon (a);
- (c) a remediation action plan based upon (a) and (b);
- (d) a "discovery strategy" dealing with unforeseen contamination discovered during construction;
- and (e) a "validation strategy" identifying measures to validate the works undertaken as a result of (c) and (d)
- (f) a verification report appended with substantiating evidence demonstrating the agreed remediation has been carried out

(iii) Unless otherwise agreed in writing by the Local Planning Authority, the development shall be carried out and completed wholly in accordance with such details as may be agreed

Reason:

To ensure that a satisfactory strategy is put in place for addressing contaminated land, making the land suitable for the development hereby approved without resulting in risk to construction workers, future users of the land, occupiers of nearby land and the environment generally in accordance with policy CS21 of the *Woking Core Strategy* (2012).

7. The premises hereby approved shall not be used or open to customers outside of the opening hours currently permitted for the MOT testing centre on site.

Reason:

## 17th OCTOBER 2017 PLANNING COMMITTEE

To protect the environment and amenities of the occupants of neighbouring properties in accordance with policy CS21 of the *Woking Core Strategy* (2012).

8. The premises hereby approved shall not be open to customers outside the hours of 07.00 and 18.00 Mondays to Fridays inclusive; 08.00 and 13.00 on Saturdays and shall not be open at all on Sundays, Bank or Public Holidays.

Reason:

To protect the environment and amenities of the occupants of neighbouring properties in accordance with policy CS21 of the *Woking Core Strategy* (2012).

### Informatives

1. 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.

2. The applicant is advised that any external signage on the outbuilding hereby approved would require advertisement consent.

3. For the avoidance of doubt, the following definitions apply to the above condition 6 relating to contaminated land:

Desk study- This will include: -

(i) a detailed assessment of the history of the site and its uses based upon all available information including the historic Ordnance Survey and any ownership records associated with the deeds.

(ii) a detailed methodology for assessing and investigating the site for the existence of any form of contamination which is considered likely to be present on or under the land based upon the desk study.

Site Investigation Report: This will include: -

(i) a relevant site investigation including the results of all sub-surface soil, gas and groundwater sampling taken at such points and to such depth as the Local Planning Authority may stipulate.

(ii) a risk assessment based upon any contamination discovered and any receptors.

Remediation action plan: This plan shall include details of: -

(i) all contamination on the site which might impact upon construction workers, future occupiers and the surrounding environment;

(ii) appropriate works to neutralise and make harmless any risk from contamination identified in (i)

Discovery strategy: Care should be taken during excavation or working of the site to investigate any soils which appear by eye or odour to be contaminated or of different character to those analysed. The strategy shall include details of: -

(i) supervision and documentation of the remediation and construction works to ensure that they are carried out in accordance with the agreed details;

(ii) a procedure for identifying, assessing and neutralising any unforeseen contamination discovered during the course of construction

## 17th OCTOBER 2017 PLANNING COMMITTEE

(iii) a procedure for reporting to the Local Planning Authority any unforeseen contamination discovered during the course of construction

Validation strategy: This shall include : -

- (i) documentary evidence that all investigation, sampling and remediation has been carried out to a standard suitable for the purpose; and
- (ii) confirmation that the works have been executed to a standard to satisfy the planning condition (closure report).

All of the above documents, investigations and operations should be carried out by a qualified, accredited consultant/contractor in accordance with a quality assured sampling, analysis and recording methodology. In addition to this it is expected that best practice guidance from authorities such as the EA, British Standards, CIRIA and NHBC would be followed where applicable.

**SECTION C**

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

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

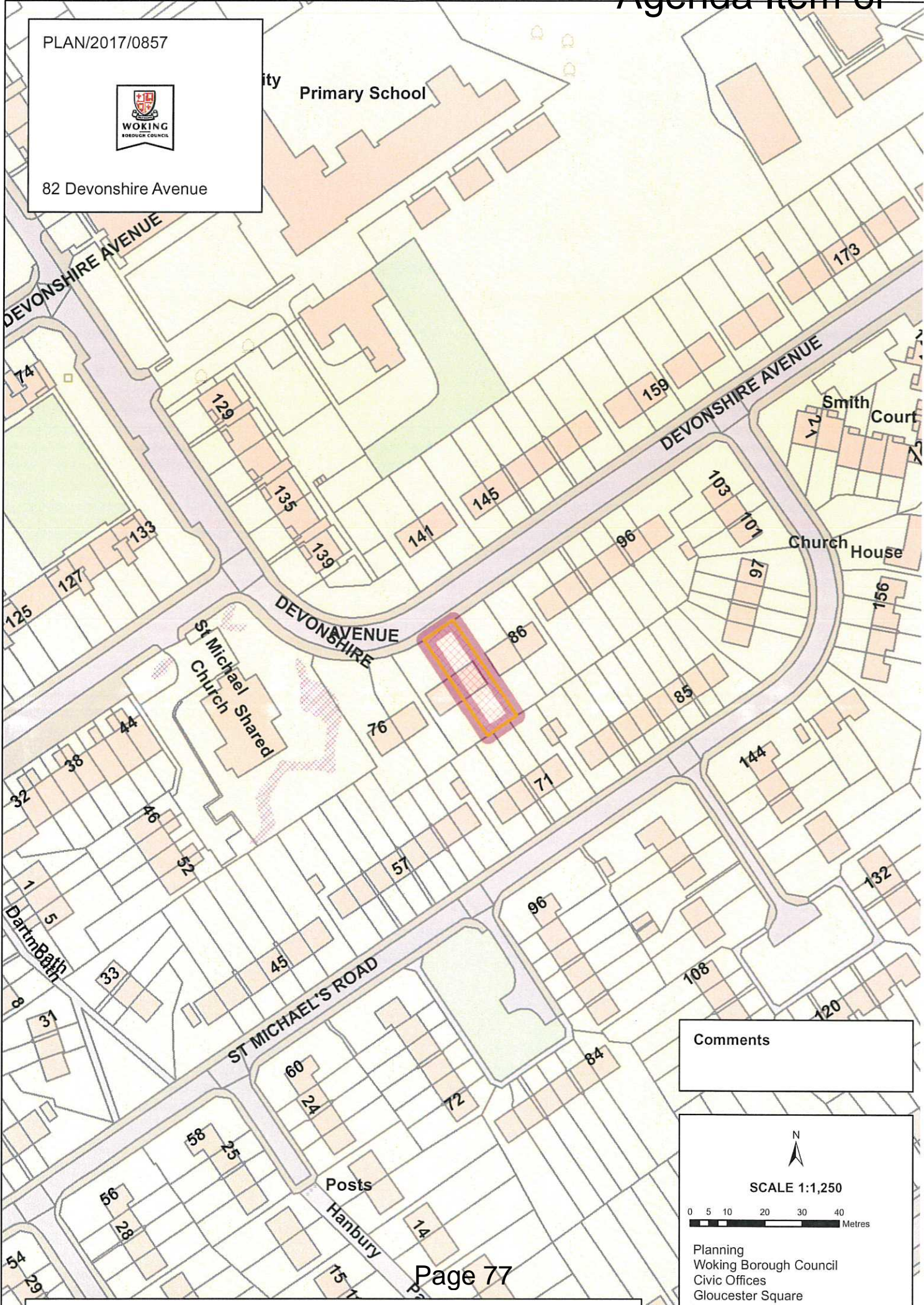




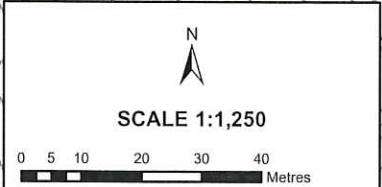
PLAN/2017/0857



82 Devonshire Avenue



Comments



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

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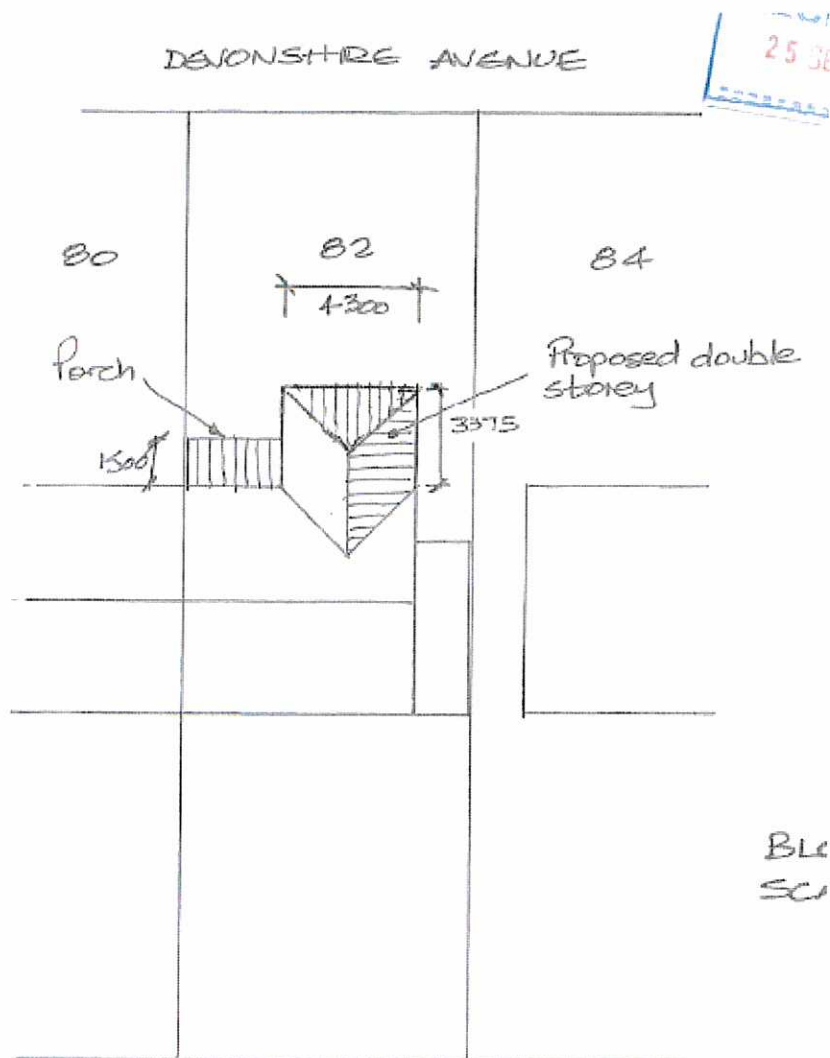




# 82 Devonshire Avenue, Sheerwater

PLAN/2017/0857

Erection of a two storey front extension and front porch extension.





## 17<sup>th</sup> October 2017 PLANNING COMMITTEE

5f	17/0857	Reg'd:	11.07.17	Expires:	19.10.17	Ward:	C
Nei. Con. Exp:	17.08.17	BVPI Target	Household	Number of Weeks on Cttee' Day:	19/19	On Target?	Yes
LOCATION:	82 Devonshire Avenue, Sheerwater, Woking, Surrey, GU21 5QB						
PROPOSAL:	Erection of a two storey front extension and front porch extension						
TYPE:	HOUSEHOLD						
APPLICANT:	Mr Sajad Khawaja				OFFICER:	Barry Curran	

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

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

### **SUMMARY OF PROPOSED DEVELOPMENT**

The application seeks permission to erect a two storey front extension and a front porch addition.

### **PLANNING STATUS**

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

### **RECOMMENDATION**

That planning permission be REFUSED.

### **SITE DESCRIPTION**

The application site is located on the south-eastern side of Devonshire Avenue and forms a two storey semi-detached property along a row of 6no similar dwellings with a two storey terraced row located further to the north-east. The row of 6no semi-detached properties include deep frontages of soft landscaping with driveways to accommodate 2 parked cars.

### **PLANNING HISTORY**

No recent relevant planning history for application dwelling but a number of relevant histories on neighbouring properties including;

No.76

PLAN/1988/0222 - Two storey addition to front of property – Permitted 30.04.1988;

No.78

PLAN/2010/0128 - Erection of a single storey side extension and the erection of a two storey front extension – Permitted 07.04.2010

### **PROPOSED DEVELOPMENT**

Planning consent is sought for the erection of a two storey front extension to project 3.4 metres forward with a width of 4.3 metres adjoined by a single storey porch addition projecting 1.5 metres with an overhanging canopy projecting a further 0.6 metres and measuring 3.2 metres in width covering the entirety of the front elevation.

### **CONSULTATIONS**

None

### **REPRESENTATIONS**

There has been 1no third party letter of objection received in relation to the proposed development. The issues raised in this letter draw concern over;

- Development out of character with the dwelling
- Loss of light

There has also been 1no third party letter of support received in relation to the proposed development.

### **RELEVANT PLANNING POLICIES**

National Planning Policy Framework 2012  
Section 7 - Requiring good design

Core Strategy Publication Document 2012  
CS21 – Design

Supplementary Planning Guidance  
Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight' 2008  
Supplementary Planning Document 'Design' 2015  
Supplementary Planning Document 'Parking Standards' 2006

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 proposal will be of detriment to the character of the host dwelling or character of the surrounding area, whether the proposed front additions will cause material harm to the amenities enjoyed by surrounding neighbours and impact on parking.

#### 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 consistent with this in so far as it expects development proposals to have regard to the general character and quality of the surrounding area.

3. Devonshire Avenue is a residential area primarily comprising of two storey semi-detached and terraced dwellings orientated to address the highway in typical fashion. Numerous dwellings throughout the area include modest front additions of single storey extensions and porches. There are, however, two anomalies in the street-scene on Nos. 76 and 78 which conclude the linear row of properties along this grain which is terminated by way of the bend in the highway. The dwelling at No.76 includes a two storey front extension which was assessed and permitted in 1988 and a similar two storey front addition mirrors this on the adjoining No.78 which was permitted in 2010.
4. It is now proposed to erect a two storey front extension with single storey adjoining porch on the application property No.82. It should be noted that this development is similar to those permitted in 1988 and 2010. While these permissions are a material consideration to be taken into account as part of this application, it is important to note that the initial consent on No.76 was granted 29 years ago. In 2010 permission was granted for a similar two storey front addition on the adjoining property which projected an emulating 3.4 metres forward of the front building line where the Planning Officer at the time found that *“considering the adjoining neighbouring dwelling was granted planning permission for a two storey front extension of similar size and proportion. The proposal would therefore balance the appearance of the adjoined pair of semi-detached properties.”* Further to this, the Planning Officer explicitly states in the delegated report that while there was a precedent set in 1988 along with the set-back position of the dwelling in relation to the road *“...it does not however set a precedent for further two storey front extensions within the wider local area.”*
5. It is, therefore, clear that the rationale behind allowing the addition on No.78 was to balance the pair of dwellings and given its positioning at the end of the road, and its set back nature, was not considered as prominent in the street scene as other properties in the area. While there are examples of such additions, it is apparent that these do not form a characteristic of the area and appear alien in their context and serve as examples of additions which detract from both the character of the dwelling and indeed street-scene. Furthermore, in the interim period a number of policies have been superseded and new policies and guidance with regards to design and appearance of extensions, in particular front additions, are now in place.
6. Section 7 of National Planning Policy Framework requires proposals to *‘respond to local character and history, and reflect the identity of local surroundings and materials...’* and states that *‘Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions’*. The proposed two storey front extension will project 3.4 metres forward of the predominant front elevation and span a width of 4.3 metres creating a two storey hipped gable element with single storey porch addition projecting 1.5 metres forward with an overhanging canopy projecting a further 0.6 metres and measuring 3.2 metres in width with both features together effectively spanning the width of the dwelling.



7. Supplementary Planning Document on 'Design' 2015 notes that *'the front elevation of a dwelling is of primary importance to the character and appearance of the street scene'* and *'significant extensions will usually be resisted where there is a well established building line'*. While there are examples of two storey front additions evident along Devonshire Avenue, these were carried out in 1988 and 2010 respectively where rational was given behind their consent in paragraphs 4 and 5 of the report. Furthermore, up-to-date policies and design guidance have been adopted in the interim period which this application is subject to that clearly resists the erection of significant front additions where there is a clear building line demonstrated. 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'*. The two storey front extension would project beyond the predominant front building line and would form a substantial two storey front addition on a dwelling which holds a prominent position within the street-scene and set along a linear grain of development comprising of 4no semi- detached properties with a terraced row positioned along a similar linear form. The development pays no regard to the building lines or existing character of the area and would fail to meet the criteria set out in the Core Strategy. Its introduction would alter the appearance of the semi-detached dwelling, and would therefore, in turn, be detrimental to the balanced appearance within the street scene.
8. Moreover, as previously noted there are similar styled properties along linear grains of development in the vicinity. Allowing the erection of a significant two storey front extension, would be clearly contrary to Policy CS21 and guidance outlined in the Council's SPD 'Design' 2015. In the event that this application were to be approved, it would allow all the properties to apply for similar proposals which would be difficult to equitably resist and would have an unacceptable impact on the open character of the area and street scene undermining the adopted policies and guidance on design.
9. While there are examples of two storey front extensions along Devonshire Avenue, these serve as examples which detract from both the character of the dwellings and street-scene. Considering the proposed scale, form, design and positioning of the two storey front extension and in turn the single storey porch addition, the development would result in an incongruous and bulky feature on the principal elevation of a dwelling in a prominent location in the street-scene. Erection of the front extension does not respect or make a positive contribution to the established character of the area, street-scene or indeed dwelling. On this basis, it is evident that the proposed development is contrary to provisions outlined in the National Planning Policy Framework, Policy CS21 of the Woking Core Strategy 2012 and Supplementary Planning Document 'Design' 2015.

#### Impact on Neighbouring Amenity

10. The application property is a semi-detached dwelling adjoined on its south-western side and bound to the north-east by a similar two storey semi-detached dwelling along a similar front building line. The two storey element will project 3.4 metres forward along the side building line at a height of 6.3 metres. The 45° test as per the Council's Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight' 2008 has been applied to both the

ground floor and first floor windows at No.84 Devonshire Avenue nearest the application site with both passing in plan form indicating an acceptable level of light achievable to these rooms. This coupled with the separation distance of approximately 4 metres to No.84 Devonshire Avenue points towards an acceptable proposed relationship between both dwellings.

11. To the south-west, the application dwelling is adjoined by No.80. The single storey element of the front addition will be set along the shared boundary with this property projecting 1.5 metres with an overhanging canopy projecting a further 0.6 metres. While the addition would project a total of 2.1 metres forward of the front building line, it would be located next to the entrance point of No.80 which is thought to lead into a hallway which would not be considered a habitable room. As such, while it is acknowledged that the single storey addition would result in additional bulk and mass along the shared boundary, it would not carry a level of detrimental weight, in terms of overbearing impact, by which a recommendation for refusal could be substantiated.
12. The proposed front additions are not deemed to result in a level of detrimental harm considering the relationships between neighbouring properties and the modest projection of the single storey addition. Nevertheless, while the development may be acceptable, in terms of its impact on neighbour amenities, this does not outweigh the detrimental harm the development would cause to the character of the dwelling and street-scene.

#### Impact on Highway Safety

13. The 'Parking Standards' SPD 2006 identifies that the parking standard for dwelling houses with '3 or more bedrooms' is 2 car parking spaces. Towards the front of the dwelling is an area of hardstanding with adequate space to accommodate 2 parked cars. The proposed front extension will project 3.4 metres forward therefore reducing the on-site provision to just 1 parked car. While this fails to meet the recommended standards outlined in the Council's SPD, it should be noted that these are maximum standards. Further to this, Devonshire Avenue does not contain restrictions to on-street parking where overspill from the application site can park vehicles. As such, while not strictly in accordance with the 'Parking Standards' SPD 2006, the proposed parking provisions are considered acceptable. Although the development may be acceptable, in terms of parking and highway safety, this does not outweigh the detrimental harm the development would cause to the character of the dwelling and street-scene.

#### Local Finance Considerations

14. CIL is a mechanism adopted by Woking Borough Council which came into force on 1st April 2015, as a primary means of securing developer contributions towards infrastructure provisions in the Borough. Given that the proposal is less than 100m<sup>2</sup>, it is not CIL liable.

#### Conclusion

15. Considering the points discussed above, the development is considered an unduly prominent addition to the host dwelling which fails to integrate satisfactorily into the street-scene. The proposed scale, form, design and

positioning of the two storey front extension and in turn the single storey porch addition would result in an incongruous and bulky feature on the principal elevation of a dwelling in a prominent location in the street-scene. It is, therefore, found that erection of the front extension does not respect or make a positive contribution to the established character of the area, street-scene or indeed dwelling. Furthermore, in the event that this application were to be approved, it would allow similar properties along linear grains of development to apply for similar proposals which would be difficult to equitably resist and would have an unacceptable impact on the open character of areas and street scenes undermining the adopted policies and guidance on design.

16. The development is therefore contrary to provisions set out in Section 7 of the National Planning Policy Framework, Policy CS21 of the Woking Core Strategy 2012, Supplementary Planning Documents 'Outlook, Amenity, Privacy and Daylight' 2008 and 'Design' 2015 and is accordingly recommended for refusal.

### **BACKGROUND PAPERS**

1. Site visit photographs.
2. 2no third party letters of representation

### **RECOMMENDATION**

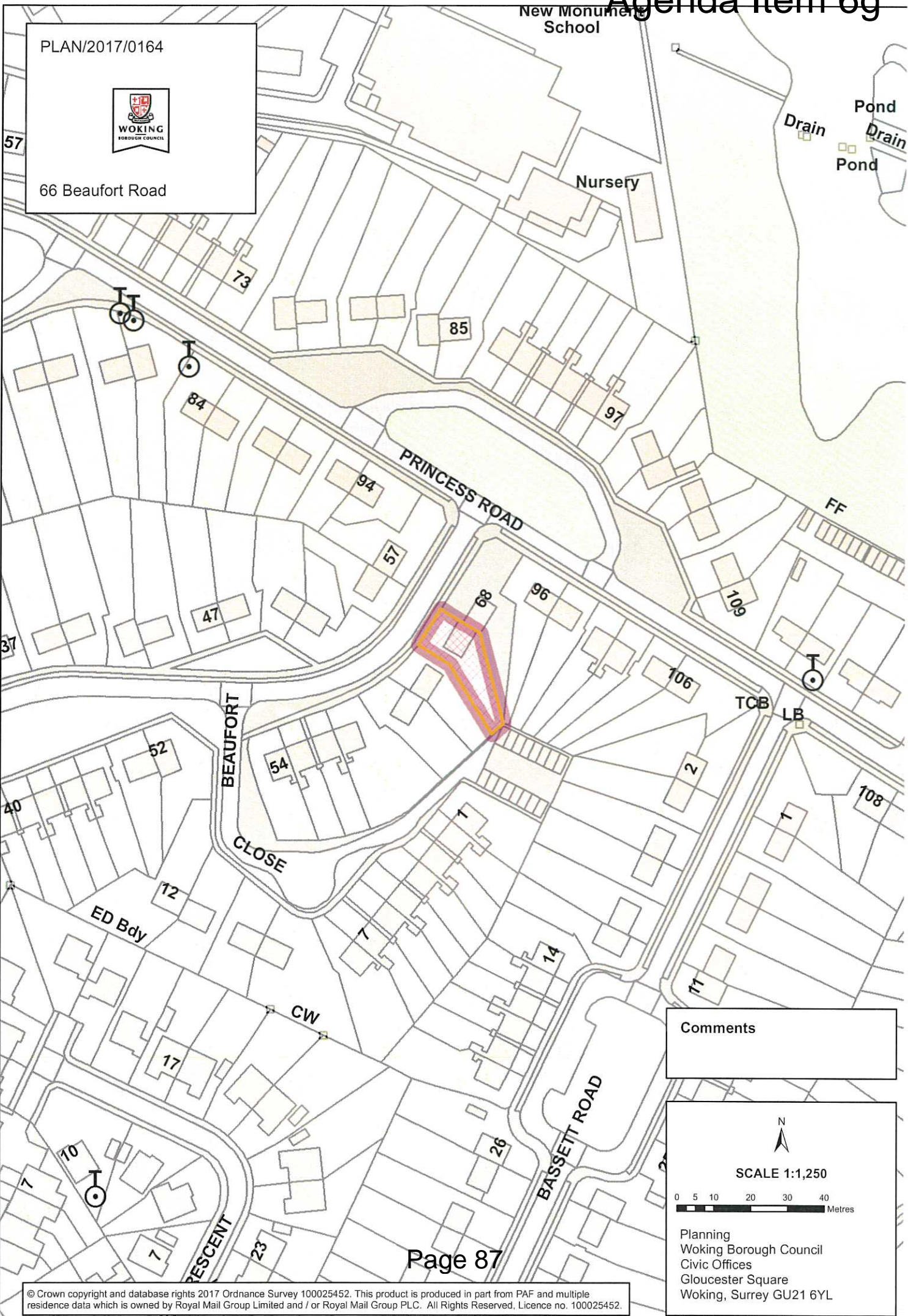
It is recommended that planning permission be refused for the following reasons:-

1. The proposed extension, by reason of its forward projection, form, design and massing, would result in a contrived feature which would be at odds with the street-scene of Devonshire Avenue and would fail to relate well to the existing property. The proposal would adversely affect the character of the street-scene by introducing a substantial front addition to a dwelling in a prominent location. The development is, therefore, contrary to provisions outlined in the National Planning Policy Framework, Policy CS21 of the Woking Core Strategy 2012 and guidance outlined in the Council's Supplementary Planning Document 'Design' 2015.


### **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 plan(s) relating to the development hereby refused are numbered / titled:

Drawing No. 2017/SAJ/06 Rev C (Amended Plan)(Received 25.09.17)  
Drawing No. 2017/SAJ/05 Rev A (Amended Plan)(Received 11.08.17)  
Drawing No. 2017/SAJ/03 Rev B (Amended Plan)(Received 11.08.17)  
Drawing No. 2017/SAJ/04 Rev B (Amended Plan)(Received 11.08.17)



PLAN/2017/0164

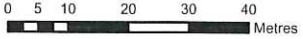


66 Beaufort Road

Comments

N

SCALE 1:1,250



0 5 10 20 30 40 Metres

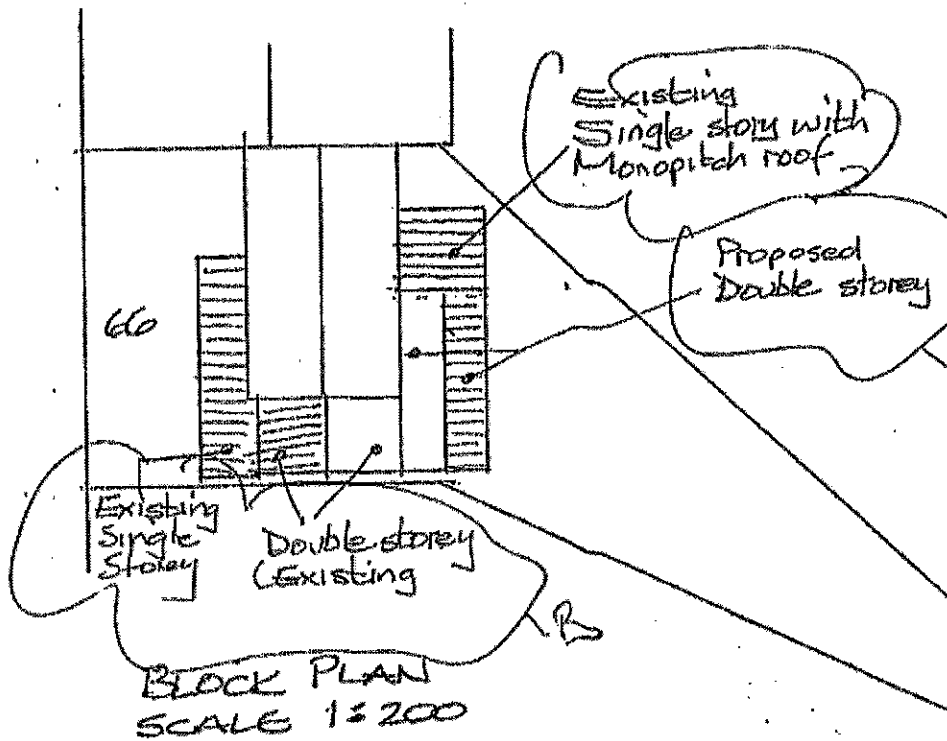
Planning  
Woking Borough Council  
Civic Offices  
Gloucester Square  
Woking, Surrey GU21 6YL



# 66 Beaufort Road, Maybury

PLAN/2017/0164

Retention of part two storey, part single storey side and rear extension  
(retrospective) (as built plans received 14.08.2017).







## 17 OCTOBER 2017 PLANNING COMMITTEE

5g 17/0164 Reg'd: 03.05.17 Expires: 28.06.17 Ward: PY  
Nei. 21.09.17 BVPI 21 Number > 8 On No  
Con. Target Householder of Weeks Target?  
Exp: on Cttee'  
Day:

**LOCATION:** 66 Beaufort Road, Maybury, Woking, GU22 8BZ

**PROPOSAL:** Retention of part two storey, part single storey side and rear extension (retrospective) (as built plans received 14.08.2017).

**TYPE:** Householder

**APPLICANT:** Mr N Shah

**OFFICER:** Benjamin  
Bailey

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

The decision on whether to issue an Enforcement Notice falls outside the Management Arrangements and Scheme of Delegations.

### **SUMMARY OF PROPOSED DEVELOPMENT**

This is a householder planning application which seeks the retention of a part two storey, part single storey side and rear extension.

### **PLANNING STATUS**

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

### **RECOMMENDATION**

**Refuse** planning permission and authorise formal enforcement proceedings.

### **SITE DESCRIPTION**

No.66 Beaufort Road is a two storey semi-detached dwelling situated within the Urban Area within the Maybury Estate area of the Borough. The property is set on higher ground than the carriageway of Beaufort Road and its amenity space continues to rise in level to the rear. The property is externally finished in facing brick below a tiled roof.

### **RELEVANT PLANNING HISTORY**

PLAN/2011/1175 - Erection of a single storey front extension, two-storey side and rear extension and a single storey rear extension.  
Permitted subject to conditions (23.02.2012)

PLAN/2011/0608 - Erection of a two storey side and front extension, single storey front extension and single storey rear extension.  
Refused (08.09.2011) for the following reasons:

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01. *The proposed extension due to its design, bulk and position will result in an over prominent addition to the existing dwelling that is detrimental to its appearance and will unbalance the pair of semi-detached properties and also harm the visual amenities of the area and the street scene contrary to policies BE1, HSG18, HSG21 and HSG23 of the Woking Borough Local Plan 1999 and the Council's Supplementary Planning Guidance 'House Extensions' 2001 and Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight' 2008.*
02. *The proposed extension due to its bulk and position results in an over prominent addition that would be overbearing to the visual amenities enjoyed by the occupiers of 64 Beaufort Road contrary to policies BE1, HSG21 and HSG23 of the Woking Borough Local Plan 1999 and the Council's adopted Supplementary Planning Guidance 'House Extensions' 2001 and Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight' 2008.*

### **CONSULTATIONS**

None undertaken

### **REPRESENTATIONS**

None received

### **RELEVANT PLANNING POLICIES**

National Planning Policy Framework (NPPF) (2012)  
Section 7 - Requiring good design

Woking Core Strategy (2012)  
CS18 - Transport and accessibility  
CS21 - Design

Supplementary Planning Documents (SPDs)  
Design (2015)  
Outlook, Amenity, Privacy and Daylight (2008)  
Parking Standards (2006)

Other Material Considerations  
National Planning Practice Guidance (NPPG)

### **BACKGROUND**

1. Planning permission reference PLAN/2011/1175, for the “*erection of a single storey front extension, two-storey side and rear extension and a single storey rear extension*”, was permitted subject to conditions on 23.02.2012. This permission was subject to the standard three year time limit for commencement of development, with the permission subsequently time expiring on 23.02.2015. The Council's Building Control records (Ref: 13/04573/DEXBN) indicate that excavations commenced on 29.04.2015 with the inspection notes stating “*excavations commenced, agreed depth and bearing strata, to be notified when fully excavated*”. This date of commencement (29.04.2015) occurred two months after the expiration of planning permission reference PLAN/2011/1175 on 23.02.2015.

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2. The inspection notes for a further Building Control inspection, relating to the roof joists/beams, on 17.10.2016 states *“discussed revised roof timber arrangement, advised owner & builders that as this is not as per the planning drawings approval should be sought from the planning dept. for the proposed changes”*.
3. The current planning application was registered as valid on 03.05.2017. During the planning case officer site visit undertaken on 23.06.2017 it was noted that the initially submitted plans and elevations did not reflect what had been built on site. ‘As built’ plans were therefore requested to reflect what had been built on site. These ‘as built’ plans were received by the Local Planning Authority on 14.08.2017 and a further period of 21 days public consultation was subsequently undertaken on the ‘as built’ plans.
4. The works undertaken on site commenced after the expiry date of planning permission reference PLAN/2011/1175, and are not in accordance with that grant of planning permission regardless. The development undertaken on site is therefore unauthorised and represents a breach of planning control.

### **PLANNING ISSUES**

5. The main planning considerations in the determination of this application are:
  - Design and impact upon the character of the area
  - Impact upon neighbouring amenity
  - Impact upon car parking provision
  - Impact upon private amenity spacehaving regard to the relevant policies of the Development Plan, other relevant material planning considerations and national planning policy and guidance.

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

6. One of the core principles of planning as identified in the National Planning Policy Framework (NPPF) (2012) is securing high quality design. Paragraph 57 of the NPPF refers to the need to plan positively for the achievement of high quality design for all development. Policy CS21 (Design) of the Woking Core Strategy (2012) states that *“proposals for new development should...respect and make a positive contribution to the street scene and character of the area in which they are situated, paying due regard to the scale, height, proportions, building lines, layout, materials and other characteristics of adjoining buildings and land”*.
7. The residential extensions chapter of SPD ‘Design (2015)’ sets out that, in terms of building form, *“the additional mass should respect the existing building proportion, symmetry and balance”*. In terms of roof form SPD ‘Design (2015)’ states that *“the roof of an extension is a prominent component of the building form and should normally be of a similar format to that of the existing dwelling”*, that *“extensions to the roof using hipped or gabled forms should have the same angle pitch as the existing dwelling”* and that *“roof forms that are contrary to the existing roof form will generally be resisted”*.
8. In terms of streetscape SPD ‘Design (2015)’ states that *“the architectural form of the extension is of particular importance if visible from the street”*, and, in terms of side extensions, that *“side extensions are often the most convenient way to extend a dwelling. However, they can also have a significant impact on the character and appearance of a property and that of the street scene...two storey extensions which leave little or no space between adjoining dwellings will not be permitted if they create*

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*a 'terracing effect'... (and) it is important to retain a minimum 1m gap between all two storey extensions and a side boundary”.*

9. Beaufort Road is situated within the Maybury Estate area of the Borough. This part of Woking is a large Post War residential area and was one of the last large council estates to be built within the Borough. Roads are generally, informal, sinuous and surfaced with tarmac with footpaths and intermittent grass verges. There is an element of on street parking, however many of the moderate front gardens have been converted to accommodate at least one vehicle. The area has a relatively open feeling and generally low front walls with planting strips behind to define the boundary. The majority of properties are semi-detached or terraced, two storeys in height and constructed in facing brick. Throughout the Maybury Estate, unity is created by the similar typology of buildings.
10. No.66 Beaufort Road is a two storey semi-detached dwelling. The grant of planning permission reference PLAN/2011/1175 involved the erection of a two storey extension to the side, the first floor element of which was set-back from the front building line by approximately 350mm. A separation gap, at first floor level, measuring 1.0m was retained to the common boundary with No.64 Beaufort Road and the first floor element measured approximately 2.3m in width. This element of the extension reflected the eaves height of the host dwelling, was set down from the maximum height of the host dwelling and resulted in a side gable against the profile of the previously existing side gable. The previous planning permission also resulted in a projecting two storey gable element to the rear. Again this element reflected the eaves height of the host dwelling and appeared subordinate in maximum height to the host dwelling with a maximum width measuring approximately 3.7m. A monopitched single storey element to the rear, measuring approximately 3.9m in width and 3.0m in depth also formed part of the grant of planning permission reference PLAN/2011/1175 as did the erection of a monopitched single storey front extension measuring approximately 1.6m in depth and 2.4m in width with an open canopy measuring approximately 5.9m in width and 1.6m in depth.
11. The two storey side extension as constructed is also set back from the front building line, at first floor level, by approximately 350mm however measures approximately 2.8m (+ 0.5m over and above PLAN/2011/1175) in width and therefore retains only approximately 0.5m separation to the common boundary with No.64 Beaufort Road instead of 1.0m. This element also demonstrates an entirely different roof arrangement to that permitted under PLAN/2011/1175. The front of the two storey extension to the side demonstrates a 'false pitched' element which is set higher than the eaves height termination of the host dwelling. This 'false pitched' element includes a very small element of pitch with an element of flat roof beyond, which is readily appreciable from public vantage points within Beaufort Road. The roof then continues into a pair of gabled elements, the more rearward of which steps out towards the common boundary with No.64. This roof arrangement, at two storey level to the side, is very contrived and incongruous and fails to relate in any way to the form and character of the host dwelling and further amplifies the width and proximity to the common boundary with No.64.
12. The two storey projection to the rear measures approximately 7.0m in width (in comparison to the approximate 3.7m width permitted under PLAN/2011/1175). Instead of a subordinate rear gable projection at two storey level a dual-pitched element occurs which appears similar in form to the host dwelling. This element demonstrates an awkward and incongruous relationship with the host dwelling and is integrally linked to the side extension which has been discussed earlier within the report. A

single storey monopitched extension occurs to the rear which appears subordinate to the host dwelling, by reason of its single storey scale, and is considered to appear proportionate to the host dwelling in terms depth, height and width, with a simple monopitched form which integrates into the appearance of the host dwelling to an acceptable degree.

13. Overall the part two storey, part single storey side and rear extension, by reason of its scale, form, siting and design, represents a contrived and incongruous addition which fails to respect and make a positive contribution to the street scene of Beaufort Road and the wider character of the Maybury Estate and which furthermore overwhelms and fails to integrate into the form and appearance of the host dwelling and the wider semi-detached pair of dwellings contrary to Policy CS21 of the Woking Core Strategy (2012), Supplementary Planning Document 'Design (2015)' and Section 7 of the National Planning Policy Framework (NPPF) (2012).

Impact upon neighbouring amenity

14. 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. More detailed guidance with regard to neighbouring amenity impacts is provided by SPD 'Outlook, Amenity, Privacy and Daylight (2008)'.  
  
15. The key neighbouring amenity impacts to consider are those of adjacent No.64 Beaufort Road and No.68 Beaufort Road.

No.64 Beaufort Road:

16. No.64 Beaufort Road is situated to the south-west and is set at a slightly higher level than the host dwelling. Due to the curvature of this section of Beaufort Road the rear elevation of No.64 is set forwards of the rear elevation of No.66. No.64 was granted planning permission on 11.05.2000 (Ref: PLAN/2000/0318) for a "*single storey rear extension and addition of pitched roof to existing side elevation*" however this permission does not appear to have been implemented although the existing plans and elevations submitted as part of application reference PLAN/2000/0318 have aided assessment of the impact of the development upon No.64.  
  
17. The existing flat roofed single storey projection to the north-east side of No.64 appears to accommodate non-habitable space (store rooms and w/c) with the only openings within this projection being a doorway within the front and rear and a window within the front serving the w/c. The two storey form of No.64 is set approximately 3.0m away from the common boundary, and it is within this two storey form that habitable room openings occur within the rear (south-east) elevation of No.64. The north-east (side) elevation of No.64 contains only a first floor level window which appears to serve a bathroom (non-habitable) which also appears to be dual-aspect, further served by a window within the front elevation.  
  
18. Given these factors, combined with the resulting relationship between the extension and the main dwelling of No.64 (the two storey element), including the rise in ground level which occurs towards No.64, it is not considered that significantly harmful impact, in terms of loss of daylight or sunlight, or overbearing effect due to bulk, proximity or loss outlook occurs to No.64 contrary to Policy CS21. The extension demonstrates a first floor level side-facing (south-west) window, facing directly

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towards the common boundary with No.64, however this window serves a bathroom (non-habitable) and, in the event of the retrospective application being considered otherwise acceptable, could be secured, via planning condition, to be obscure-glazed and non-opening below 1.7m from finished floor level to maintain the privacy of No.64. Overall the impact upon No.64 Beaufort Road is considered to be acceptable.

### No.68 Beaufort Road:

19. No.68 Beaufort Road is situated to the north-east and forms the adjoining semi-detached dwelling. Due to the staggered nature of the semi-detached pair the two storey form of No.68 projects beyond that of No.66 to the rear by approximately 1.0m. No.68 is also set slightly lower than No.66. The rear amenity space of No.68 occurs at an angled nature to the south-east.
20. The two storey projection of the extension to the rear remains commensurate with that considered to be acceptable by the Local Planning Authority in granting planning permission reference PLAN/2011/1175 although this two storey element does occur approximately 2.2m closer to No.68 to the north-east. However, taking into account the combined factors of the staggered relationship between No.66 and No.68, the angled common boundary line, the level of separation which has been retained between the north-east (side) elevation of the two storey extension to the rear and the dwelling of No.68, it is not considered that significantly harmful impact, in terms of loss of daylight or sunlight, or overbearing effect due to bulk, proximity or loss outlook occurs to No.68 contrary to Policy CS21. Whilst the monopitched single storey element of the extension to the rear occurs within relatively close proximity to the common boundary with No.68 taking into account the combined factors outlined above, this element is not considered to result in significantly harmful impact, in terms of loss of daylight or sunlight, or overbearing effect due to bulk, proximity or loss outlook to No.68 contrary to Policy CS21.
21. Whilst clear-glazed and openable first floor level windows face towards the common boundary with No.68, with occurs at an angled nature to the south-east, this windows remain at a distance from the common boundary commensurate with that considered to be acceptable by the Local Planning Authority in granting planning permission reference PLAN/2011/1175. Furthermore these first floor level windows are not considered to compromise the privacy of the area of rear amenity space closely related to the dwelling of No.68 Beaufort Road (eg. that area directly to the rear of the dwelling) but rather face across the rear amenity space of the host dwelling with the angled section of the rear amenity space of No.68 beyond. There is also some vegetative screening within the curtilage of No.68 which provides some mitigating screening.
22. Overall, taking account of the considerations discussed above, combined with the material consideration of the grant of planning permission reference PLAN/2011/1175, it is not considered that the extension results in significantly harmful impact, by reason of a loss of privacy to either the dwelling or rear amenity area of No.68 contrary to Policy CS21. Overall the impact upon No.68 Beaufort Road is considered to be acceptable.

### Impact upon car parking provision

23. 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

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it does not have an adverse impact upon highway safety, the free flow of traffic or parking provision in the locality. Whilst Policy CS18 states that the Council will move towards minimum parking standards for residential development, SPD 'Parking Standards (2006)' remains in place.

24. The resulting dwelling provides 4 bedrooms. SPD 'Parking Standards (2006)' identifies a maximum parking standard for dwellings providing 3 or more bedrooms, situated outside of the High Accessibility Zone, of 2 car parking spaces. The application property provides no off-street parking nor does opportunity exist for off-street parking provision without relatively significant engineering works being undertaken due to the rise in ground level which occurs between the carriageway of Beaufort Road towards the host dwelling. Whilst this is the case the grant of planning permission reference PLAN/2011/1175 is a significant material consideration in the determination of the current application. PLAN/2011/1175 also resulted in the provision of a 4 bedroom dwelling on the site and no objection was raised by the Local Planning Authority, in terms of car parking provision, in granting planning permission. It must be noted that SPD 'Parking Standards (2006)' was in place at the grant of PLAN/2011/1175 and remains in place at the current time. Due to these considerations the impact upon car parking provision is considered to be acceptable.

### Impact upon private amenity space

25. SPD 'Outlook, Amenity, Privacy and Daylight (2008)' states that "*where appropriate, the area of private garden should approximate with gross floorspace of the dwelling (subject to the character of the local context) but it is advised that it should always be as large as the building footprint of the dwelling house*". The gross floorspace of the dwelling as extended measures approximately 162 sq.m and the resulting building footprint measures approximately 95 sq.m. The resulting area of private amenity space to the rear measures approximately 139 sq.m and therefore exceeds the resulting building footprint.
26. Whilst the retained area of private amenity space (approx. 139 sq.m) does not approximate with the gross floorspace of the dwelling as extended (approx. 162 sq.m) the resulting area of private amenity space does significantly exceed the building footprint as extended (approx. 95 sq.m), and is therefore considered to remain commensurate with the character of the local context and to provide a suitable sunlit area of predominantly soft landscaped private amenity space, appropriate in size and shape for the outdoor domestic and recreational needs of occupiers the extended dwelling is intended to support.
27. It is also a material consideration in this instance that the previous grant of planning permission (Ref: PLAN/2011/1175) resulted in a gross extended dwelling floorspace measuring approximately 149 sq.m, and a resulting building footprint measuring approximately 98 sq.m, with a retained area of private amenity space under that application measuring approximately 136 sq.m. The difference between the retained private amenity space and the gross floorspace of the dwelling as extended is currently 23 sq.m. The difference between these two areas under permitted PLAN/2011/1175 was 13 sq.m. Therefore the material consideration of the previous grant of planning permission (Ref: PLAN/2011/1175) is considered to add further weight to the acceptability of the impact upon private amenity space provision under the current application.
28. Overall, taking into account the character of the local context, the impact of the proposed extension upon private amenity space is considered to be acceptable.



**LOCAL FINANCE CONSIDERATIONS**

29. The uplift in as built residential floor area does not exceed 100 sq.m and the development is therefore not Community Infrastructure Levy (CIL) liable.

**CONCLUSION**

30. Overall the part two storey, part single storey side and rear extension, by reason of its scale, form, siting and design, represents a contrived and incongruous addition which fails to respect and make a positive contribution to the street scene of Beaufort Road and the wider character of the Maybury Estate and which furthermore overwhelms and fails to integrate into the form and appearance of the host dwelling and the wider semi-detached pair of dwellings contrary to Policy CS21 of the Woking Core Strategy (2012), Supplementary Planning Document 'Design (2015)' and Section 7 of the National Planning Policy Framework (NPPF) (2012).

**BACKGROUND PAPERS**

1. Site visit photographs
2. PLAN/2011/1175 Approved Plans and Decision Notice

**RECOMMENDATION**

**Refuse** planning permission for the following reason:

01. The part two storey, part single storey side and rear extension, by reason of its scale, form, siting and design, represents a contrived and incongruous addition which fails to respect and make a positive contribution to the street scene of Beaufort Road and the wider character of the Maybury Estate and which furthermore overwhelms and fails to integrate into the form and appearance of the host dwelling and the wider semi-detached pair of dwellings contrary to Policy CS21 of the Woking Core Strategy (2012), Supplementary Planning Document 'Design (2015)' and Section 7 of the National Planning Policy Framework (NPPF) (2012).

It is further recommended that:

- a) That the Head of Legal Services be instructed to issue an Enforcement Notice under Section 172 of The Town & Country Planning Act 1990 (as amended) in respect of the above land requiring the remedy of the breach of planning control to be achieved through the removal of the part two storey, part single storey side and rear extension and all resulting materials and spoil from the site arising from such within twelve (12) months of the Enforcement Notice taking effect.

**Informatives**

1. The plans relating to the retrospective planning application hereby refused are numbered/titled:

2011/NED/006 Rev B (Location Plan, Block Plan and Roof Plan), undated and received by the Local Planning Authority on 02.05.2017.

2017/NED/04 (Proposed Ground Floor Plan), undated and received by the Local Planning Authority on 14.08.2017.

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2017/N/01 Rev A (Proposed First Floor Plan), undated and received by the Local Planning Authority on 14.08.2017.

2017/N5/Rev (Proposed Elevations), undated and received by the Local Planning Authority on 14.08.2017.

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. The application is retrospective in nature, seeking to remedy a breach of planning control which is considered to constitute unacceptable development. It is not considered that the development, which is externally complete, can be amended to result in an acceptable form of development without extensive demolition.
3. The applicant is advised that the plans listed within informative 1 above are not considered to entirely accurately reflect the development as built. The retrospective application has been assessed on the basis on what is present, as built, on the site, with the assistance of the submitted plans as listed within informative 1.

