

## 14 JANUARY 2020 PLANNING COMMITTEE

6D PLAN/2019/0064

WARD: Hoe Valley

LOCATION: Baywood, Kingfield Road, Kingfield, Woking, GU22 9EG

PROPOSAL: Subdivision of land at Baywood, retention, extension and subdivision of existing dwelling to create a new and attached dwelling (additional rear extension to each dwelling as approved under PLAN/2017/0452).

APPLICANT: Ms Wendy Powell

OFFICER: James Kidger

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

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

### **PROPOSED DEVELOPMENT**

Planning permission is sought to subdivide the plot and to erect a two storey dwelling adjoining the existing dwelling, along with associated works including the provision of a dormer window and rooflight to the existing dwelling. The scheme is essentially the same as that previously approved under application reference PLAN/2017/0452, but provides for an additional single storey element to each dwelling at the rear.

The scheme has been amended since submission to reduce the size of the single storey element at the rear and its consequent impact on the adjoining property.

### **PLANNING STATUS**

- Surface Water Flooding 20m buffer
- Thames Basin Heaths Special Protection Area (TBH SPA) Zone B (400m-5km)

### **RECOMMENDATION**

GRANT planning permission subject to conditions.

### **SITE DESCRIPTION**

The property is a semi-detached two storey dwelling on the west side of Kingfield Road. The area is primarily residential with semi-detached and terraced dwellings fronting the street on both sides.

### **PLANNING HISTORY**

- PLAN/2017/0452 – subdivision of plot and erection of new semi-detached dwelling – approved 25<sup>th</sup> June 2018.

### **CONSULTATIONS**

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Drainage & Flood Risk – No objection subject to recommended condition.

Highway Authority – No objection subject to recommended conditions.

### **REPRESENTATIONS**

Two representations have been received objecting to the proposed development for the following reasons:

- Overlooking of neighbouring properties and consequent loss of privacy;
- Noise; and
- Impact to parking and traffic.

### **RELEVANT PLANNING POLICY**

#### National Planning Policy Framework (NPPF) (2019):

Section 2 – Achieving sustainable development

Section 5 – Delivering a sufficient supply of homes

Section 9 – Promoting sustainable transport

Section 11 – Making effective use of land

Section 12 – Achieving well-designed places

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

Section 15 – Conserving and enhancing the natural environment

#### Development Management Policies DPD (2016):

DM10 – Development on garden land

DM11 – Sub-divisions, specialist housing, conversions and loss of housing

#### Woking Core Strategy (2012):

CS8 – Thames Basin Heaths Special Protection Areas

CS9 – Flooding and water management

CS10 – Housing provision and distribution

CS11 – Housing mix

CS12 – Affordable housing

CS18 – Transport and accessibility

CS21 – Design

CS22 – Sustainable construction

CS24 – Woking's landscape and townscape

CS25 – Presumption in favour of sustainable development

#### Supplementary Planning Documents (SPDs):

Parking Standards (2018)

Woking Design (2015)

Outlook, Amenity, Privacy and Daylight (2008)

### **PLANNING ISSUES**

1. The main planning considerations material to this application are the principle of development on the site, the design and appearance of the additional single storey element and the impact on the amenity of neighbouring properties.

#### Principle of development

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2. The principle of an additional dwelling at the site was established by the previously approved scheme, to which this application differs only in the addition of a single storey element to the rear. The additional dwelling was fully considered under application PLAN/2017/0452 and it is unnecessary to repeat this; suffice to say that the erection of the dwelling, sans rear projection, is a credible fallback position for the applicant should this scheme be refused.
3. The remainder of this report will therefore consider the additional impact of the single storey element only.

### Design and appearance

4. The appearance of the proposed single storey element would be in keeping with the design of the remainder of the scheme. The hipped roof form, glazing and rendered walls would match that of the main building, whilst the modest height and depth would make it clearly subservient. It is not considered detrimental to the aesthetics of the previously approved scheme.

### Impact on neighbouring amenity

5. The limited depth, sub-3m eaves height and heavily pitched roof form of the proposed single storey element would ensure there would be little overbearing impact to the adjoining property 'Ashington', and it is noted that the nearest ground floor window at that property would pass the 45 degree test contained within the Outlook, Amenity, Privacy and Daylight SPD on both horizontal and vertical axis. In addition, there would be little further impact to 1 Kingfield Villas on the south side due to the gap between the properties.

### Private amenity space

6. Notwithstanding the additional floor space proposed, the private amenity space to be provided for each dwelling would remain commensurate with their size and would comprise an area approximately equal to the footprint. Though the Outlook, Amenity, Privacy and Daylight SPD calls for an area greater than the footprint, the difference in this case would be negligible and would not harm the amenity of future occupiers.

### Flood risk

7. The property is located within 20m of an area at very high (1 in 30 year) risk of surface water flooding. A drainage scheme has been submitted as part of the application and its provisions will be secured by condition.

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

8. The site is within 5km of the TBH SPA and the proposed development would result in additional residential units. Natural England have demonstrated that additional residential development within such proximity can have a significant effect upon the rare bird population of the SPA.
9. Policy CS8 of the Woking Core Strategy requires an appropriate contribution toward Suitable Alternative Natural Greenspace (SANG) and the Strategic Access Management and Monitoring (SAMM) in order to mitigate these effects. This contribution has already been made following the approval of PLAN/2017/0452 and does not need to be secured again.

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### Affordable housing

10. Policy CS12 of the Core Strategy states that all new residential development on greenfield land (garden land is classified as such) will be expected to provide 50% affordable housing, or a financial contribution toward the provision of affordable housing off-site.
11. However, paragraph 63 of the National Planning Policy Framework (NPPF) (2019) states that provision of affordable housing should not be sought for residential developments that are not major developments, other than in designated rural areas. The site is not within a designated rural area and does not constitute major development (development where 10 or more dwellings will be provided or, if the number of dwellings is not known, the site has an area of 0.5 hectares or more).
12. Whilst weight should still be afforded to policy CS12 it is considered that greater weight should be afforded to the policies within the NPPF. As such, given that the proposed development would not be major development no affordable housing financial contribution is sought.

### Local Finance Considerations

13. The proposed development includes new residential units and is thus liable for a financial contribution under the Community Infrastructure Levy (CIL).
  - The gross floor space would amount to 208.5m<sup>2</sup>.
  - The existing floor space amounts to 76.28m<sup>2</sup>.
  - The net additional floor space would therefore be 132.22m<sup>2</sup>.

CIL would therefore be payable on the net increase of 132.22m<sup>2</sup>.

### **CONCLUSION**

The additional dwelling was fully considered under PLAN/2017/0452. Planning policy has not significantly changed since and the development remains acceptable. The addition of a further single storey element at the rear is considered acceptable in design terms and would not be significantly harmful to neighbouring amenity. The application is therefore recommended for approval subject to conditions.

### **BACKGROUND PAPERS**

Site Photographs dated 8<sup>th</sup> March 2019.

### **RECOMMENDATION**

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

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

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

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

BA/03A – Proposed Ground Floor Plan – received 28<sup>th</sup> March 2019  
BA/04A – Proposed First Floor Plan – received 28<sup>th</sup> March 2019  
BA/05A – Proposed Second Floor Plan – received 2<sup>nd</sup> December 2019  
BA/06A – Proposed Elevations – received 28<sup>th</sup> March 2019  
BA/08A – Proposed Site Plan – received 28<sup>th</sup> March 2019  
BA/09A – Site Drainage Layout – received 27<sup>th</sup> November 2019

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

3. The materials used in the external elevations of the development hereby permitted shall be those approved in writing by the Local Planning Authority under COND/2019/0031. The development shall be carried out and thereafter retained in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the visual amenities of the area.

4. The development hereby approved shall not be first occupied unless and until the proposed modified vehicular access to Kingfield Road has been constructed in accordance with the approved plans and thereafter shall be kept permanently maintained.

Reason: To ensure the development does not prejudice highway safety nor cause inconvenience to other highway users.

5. The development hereby approved shall not be first occupied unless and until space has been laid out within the site in accordance with the approved plans for vehicles to be parked. Thereafter the parking area shall be retained and maintained for their designated purpose.

Reason: To ensure the development does not prejudice highway safety nor cause inconvenience to other highway users.

6. The development hereby approved shall be carried out in strict accordance with the Construction Transport Management Plan approved in writing by the Local Planning Authority under COND/2019/0031.

Reason: To ensure the development does not prejudice highway safety nor cause inconvenience to other highway users.

7. 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 extension, addition or alteration permitted by Classes A, B, C and D of Part 1 of Schedule 2 of that Order shall be made to the dwellings hereby approved without the prior written approval by the Local Planning Authority of an application made for that purpose.

Reason: To protect the amenity and privacy of the occupants of neighbouring properties.

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8. All development shall be constructed in accordance with the submitted and approved Site Drainage Layout (received 27<sup>th</sup> November 2019) unless otherwise first approved in writing by the Local Planning Authority.

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

### **Informatives:**

1. The Council confirms that in assessing this planning application it has worked with the applicant in a positive and proactive way, in line with the requirements of the National Planning Policy Framework 2019.
2. The 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.
3. The applicant is advised that under the Control of Pollution Act 1974, works which will be audible at the site boundary will be restricted to the following hours: 8.00 a.m. - 6.00 p.m. Monday to Friday; 8.00 a.m. - 1.00 p.m. Saturday; and not at all on Sundays and Bank Holidays.
4. The applicant is advised that the development hereby permitted is subject to a Community Infrastructure Levy (CIL) liability. The Local Planning Authority will issue a Liability Notice as soon as practical after the granting of this permission.

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

[http://www.planningportal.gov.uk/uploads/1app/forms/form\\_6\\_commencement\\_notice.pdf](http://www.planningportal.gov.uk/uploads/1app/forms/form_6_commencement_notice.pdf)

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

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

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

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

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

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

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