

## 14 JANUARY 2020 PLANNING COMMITTEE

6F PLAN/2019/0894

WARD: Horsell

LOCATION: Tyree, Horsell Vale, Horsell, Woking, GU21 4QU

PROPOSAL: Demolition of existing bungalow and garage and erection of two storey dwelling, adjoining garage and boundary wall.

APPLICANT: Mr Aziz

OFFICER: James Kidger

---

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

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

### **PROPOSED DEVELOPMENT**

Planning permission is sought to demolish the existing bungalow and garage and to erect a two storey dwelling, adjoining garage and front boundary wall.

### **PLANNING STATUS**

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

### **RECOMMENDATION**

GRANT planning permission subject to conditions.

### **SITE DESCRIPTION**

The existing property is a detached single storey dwelling fronting the southerly end of Horsell Vale. The road is residential and composed of large detached two storey dwellings on substantial plots, with the existing dwelling being the only single storey property in the street.

### **PLANNING HISTORY**

None relevant.

### **CONSULTATIONS**

None.

### **REPRESENTATIONS**

None received.

### **RELEVANT PLANNING POLICY**

National Planning Policy Framework (NPPF) (2019):  
Section 2 – Achieving sustainable development

## 14 JANUARY 2020 PLANNING COMMITTEE

Section 9 – Promoting sustainable transport  
Section 11 – Making effective use of land  
Section 12 – Achieving well-designed places

### Woking Core Strategy (2012):

CS8 – Thames Basin Heaths Special Protection Areas  
CS18 – Transport and accessibility  
CS21 – Design  
CS22 – Sustainable construction  
CS24 – Woking's landscape and townscape  
CS25 – Presumption in favour of sustainable development

### 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 standard of accommodation to be provided, the impact on the character of the area and the impact on the amenity of neighbouring properties.

### Principle of development

2. The proposed development would replace the existing dwelling and there would be no net increase in the housing supply. Whilst there are no specific policy objections to a replacement dwelling in an established urban area such as this, the acceptability or otherwise of the scheme is subject to the character of the area and a satisfactory design. These issues are discussed below.

### Standard of accommodation

3. The proposed dwelling would have six bedrooms and a potential occupancy of twelve persons. Each of the bedrooms would be well sized – the smallest would be 13 square metres – with good outlook and natural lighting. The total floor area would be in excess of 400 square metres – ample for a dwelling of this scale – and the large open plan ground floor living area would ensure plentiful circulation space.
4. The remaining outdoor amenity space at the rear of the plot would be over 350 square metres. While this would not be in accordance with the level recommended within the Outlook, Amenity, Privacy and Daylight SPD (which for large family houses calls for an area of amenity space greater than the floor area of the dwelling), the remaining space would be substantial and useable and is not considered harmful to the amenity of future occupiers.

### Character of the area

5. The proposed dwelling would be two storey and would incorporate design features similar to other properties in the streetscape, notably the catslide roof on the south side and differing first floor front projections. As such the design is considered more in keeping with the character of the street than the existing property.
6. The whole of the dwelling would be rendered in white while the roof would be grey tiled. A more contemporary appearance is not considered harmful in this location given

## 14 JANUARY 2020 PLANNING COMMITTEE

the variety of other properties in the street scene, some of which have been remodelled and some of which remain of a more traditional appearance.

### Impact on neighbouring amenity

7. The bulk of the proposed north-west elevation would be concentrated against the mass of The Maples adjacent. At the rear it would only marginally exceed the depth of The Maples and there would be little impact, whilst at the front it would be over 2.5m deeper. However, even the ground floor front window of The Maples nearest the proposed dwelling would pass the 45 degree test (contained within the Outlook, Amenity, Privacy and Daylight SPD) on both the horizontal and vertical planes, which is indicative of an acceptable impact.
8. The proposed first floor rear windows would offer an additional angle of view toward Milverton to the south-west. However, the case officer observed when visiting the site that clear views into the flank windows of Milverton are already possible given the closeness of that property to the boundary. In addition, the views available from the proposed windows would be little different to the corresponding views already available from the first floor windows of Milverton toward the existing property.
9. In these circumstances the minor harm identified does not warrant refusal, and it is further noted that rear dormers could be erected on the existing property without the need for planning permission.
10. All proposed first floor side windows would be obscure glazed and this will be secured by condition.

### Parking

11. The proposed driveway would accommodate four off-road parking spaces. This would be in excess of the minimum standard for a six bedroom dwelling (three spaces) as set out within the Parking Standards SPD.

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

12. The site is within 5km of the Thames Basin Heaths Special Protection Area. However, there would be no net increase in the housing supply and therefore no Strategic Access Management and Monitoring (SAMM) contribution is required.

### Sustainability

13. 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 was 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.
14. 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

## 14 JANUARY 2020 PLANNING COMMITTEE

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. Subject to such conditions, the proposal is considered acceptable in terms of sustainability.

### Local Finance Considerations

15. The proposed development includes a replacement dwelling and is thus liable for a financial contribution under the Community Infrastructure Levy (CIL).

- The gross floor space would amount to 416.01m<sup>2</sup>.
- The existing floor space amounts to 147.88m<sup>2</sup>.
- The net additional floor space would therefore be 268.13m<sup>2</sup>.

CIL would therefore be payable on the net increase of 268.13m<sup>2</sup>.

### CONCLUSION

The proposed development would provide a larger unit of accommodation in the borough and would generate some economic activity during construction work. The standard of accommodation and amenity space to be provided is considered acceptable and there would be no harm to the character of the area, whilst the minor harm to neighbouring amenity does not warrant refusal. The application is therefore recommended for approval subject to conditions.

### BACKGROUND PAPERS

Site Photographs dated 13<sup>th</sup> November 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).

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

S1492-P100A – Proposed Block Plan – received 11<sup>th</sup> September 2019  
S1492-P101A – Proposed Ground Floor – received 11<sup>th</sup> September 2019  
S1492-P102B – Proposed First Floor – received 2<sup>nd</sup> October 2019  
S1492-P103A – Proposed Roof Plan – received 11<sup>th</sup> September 2019  
S1492-P111A – Proposed Elevations – received 11<sup>th</sup> September 2019  
S1492-P112A – Proposed Elevations – received 11<sup>th</sup> September 2019

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

## 14 JANUARY 2020 PLANNING COMMITTEE

3. ++ No above ground development associated with the development hereby permitted shall commence until details and samples 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.

4. The 4no. first floor windows in the side elevations of the dwelling 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 rooms in which the windows are installed. Once installed the windows shall be permanently retained in that condition unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard the amenities of the neighbouring properties.

5. ++ Prior to the commencement any above ground works in connection with the development hereby permitted, written evidence shall be submitted to and approved in writing by the Local Planning Authority (LPA) demonstrating that the development will:

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

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

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

### **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.

## 14 JANUARY 2020 PLANNING COMMITTEE

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>

<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).

5. Your attention is specifically drawn to the condition(s) above marked ++. These condition(s) require the submission of details, information, drawings, etc. to the Local Planning Authority PRIOR TO THE COMMENCEMENT OF ANY DEVELOPMENT ON THE SITE or, require works to be carried out PRIOR TO THE COMMENCEMENT OF THE USE. Failure to observe these requirements will result in a contravention of the terms of the permission and the Local Planning Authority may serve Breach of Condition Notices to secure compliance.