

12 DECEMBER 2017 PLANNING COMMITTEE

5e	16/0530	Reg'd:	01.06.16	Expires:	27.07.16	Ward:	HV
Nei. Con. Exp:	22.06.16	BVPI Target	13 (Dwellings)	Number of Weeks on Cttee' Day:	79/8	On Target?	No

LOCATION: Dormer Cottage, Bonsey Lane, Woking, GU22 9PP

PROPOSAL: Erection of two four bedroom detached houses following demolition of an existing bungalow.

TYPE: Full Application

APPLICANT: Messrs Nathwani and Khiroya

OFFICER: Tanveer
Rahman

REASON FOR REFERRAL TO COMMITTEE

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

A resolution to grant planning permission for this application, subject to the completion of a S106 agreement was made at the 13th December 2016 planning committee meeting. The legal agreement has yet to be signed and therefore a full decision has yet to be issued. Since the issuing of the draft decision the existing bungalow on the site has been Grade II listed by Historic England. This application is being brought back to committee due to this material change in circumstances.

SITE DESCRIPTION

Dormer Cottage is an Arts & Craft style detached bungalow. It has a high pitched roof with two front dormers and a rear dormer. It is set back from the street by a front garden and gravel driveway.

The property sits within a long and relatively wide plot, similar to the properties directly adjoining it on Bonsey Lane. There is a detached garage to the east of the bungalow and a tall hedge forms the front boundary of the site. St Mark's Church and Westfield Common are across the road from the site to the south.

PROPOSED DEVELOPMENT

This is a full planning application for the demolition of the newly listed existing dwelling and the erection of two four bedroom detached houses with associated landscaping and boundary treatments.

PLANNING STATUS

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

RECOMMENDATION

REFUSE planning permission.

PLANNING HISTORY

17/00003/II: Listing of Dormer Cottage - listed 03.02.2017.

0003332: ERECTION OF A BRICK-BUILT PRIVATE GARAGE - permitted 01.02.1949.

CONSULTATIONS

Arboricultural Officer:

No objection subject to condition.

Surrey Wildlife Trust (SWT):

"The Bat Survey has identified active bat roosts and should the Local Authority be minded to grant planning permission the applicant will be required to obtain a European Protected Species (EPS) licence from Natural England and should undertake all actions detailed within the method statement.

Recommend condition requiring the submission of a Sensitive Lighting Management Plan.

The site should be assessed for its potential to support great crested newts.

Recommend that removal of dense shrubbery is undertaken outside the main bird nesting season and if not possible the site should be assessed prior to commencement.

This development is likely to offer some opportunities to restore or enhance biodiversity."

County Highway Authority (SCC):

No objection subject to conditions.

Historic England was consulted on 02.10.2017 and provided the following comments in their response which was received on 07.11.2017:

"We consider that the application does not meet the requirements of the NPPF, in particular paragraph numbers 132 & 133. In determining this application, you should also bear in mind the statutory duty of section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess. The proposal would result in the total loss of an irreplaceable historic building and should therefore be refused."

REPRESENTATIONS

Six letters of objection (from five residences) were received which made the following main statements:

- There are incorrect statements in the Design and Access Statement, relating to the age of the property which was built in the 1920s, bottom of garden features, its original WWII Anderson shelter, local environment protected wildlife.
- The existing bungalow should be retained and an application for Dormer Cottage to be listed has been submitted to Historic England;

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- The proposed frontage is not clear; the frontage line is not consistent with the property lines to the west, the frontage width shown is some 2m in excess of that available to the site according to the original boundaries of the site (*Case officer's note The applicant has advised that the site boundary is based on the fence line which runs through the hedge and is not shown on the site survey plan as this was inaccessible hence the reason for the difference between the site survey plan and proposed site plan. The previous case officer checked the proposed site plan against the Ordnance Survey plan of the site and the frontage width would correlate. It is therefore not considered that there is a discrepancy in the plans. An amended site plan has been submitted to correctly show the depth of the site relative to the road edge.*)
- There are existing covenants to maintain boundaries (*Officer officer's note: This is not a material planning consideration*).
- The proposal would create unacceptable overlooking issues, would have an unacceptable impact on daylight/sunlight levels and would appear unacceptably overbearing towards neighbouring properties.
- The proposed houses are not cottages, with roof eaves and dormer windows like neighbouring properties. This incongruous design is exacerbated by the roof line being unacceptably higher.
- The proposal is an overdevelopment of the site.
- The addition of dormer in the future could create another storey.
- Concerns were raised over access to a common sewage pipe (*Case officer's note: this covered by Building Regulations*).
- There are Bats roosting in the property.
- There is a lack of information on boundary treatments;
- T8 is one of five poplars within the boundary of Gorse Cottage and not within the hedge and boundary lines of Dormer Cottage (*Previous Case officer's note: It is noted that T8 is not within the boundary of Dormer Cottage. In any case it is far enough away to not be affected by the proposed development*).
- Neighbouring properties are not correctly shown on site maps, the tree survey and proposed ground plans including the garage to Gorse Cottage and outbuildings within Little Acorns (*Previous Case officer's note: The positioning of the garage/ outbuildings on adjoining properties have been noted during the officer site visit and were not shown on the proposed plans. In any case these buildings have been taken into account in the formulation of this recommendation. Updated plans have been requested.*)
- Drawings show the staircase running into loft area. There should be clear guidelines so the loft area cannot be further developed for residential accommodation, with further implications for overlooking to surrounding properties.

RELEVANT PLANNING POLICIES

National Planning Policy Framework (2012):

Section 4 - Promoting sustainable transport

Section 6 - Delivering a wide choice of high quality homes

Section 7 - Requiring good design

Section 11 - Conserving and enhancing the natural environment

Section 12 - Conserving and enhancing the historic environment

Planning (Listed Buildings and Conservation Areas) Act 1990:

Section 66 - General duty as respects listed buildings in exercise of planning functions

Woking Core Strategy (2012):

CS1 - A spatial strategy for Woking Borough

CS8 - Thames Basin Heaths Special Protection Area

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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

Development Management Policies Development Plan Document (2016)

DM20 - Heritage Assets and their settings

Supplementary Planning Documents

The Heritage of Woking (2000)

Woking Design SPD (2015)

Outlook, Amenity, Privacy and Daylight (2008)

Parking Standards (2006)

Climate Change (2013)

Affordable Housing Deliver (2014)

PLANNING ISSUES

When this application was discussed at the 13.12.2016 planning committee it was considered that the proposal would respect and make a positive contribution to the street scene and the character of the area, it would result in an acceptable impact upon neighbouring amenity, it would provide a good standard of amenity to future occupiers, it would have an acceptable impact upon trees and protected species, it would result in acceptable highways and car parking implications and would provide acceptable mitigation for the Thames Basin Heaths Special Protection Area (SPA) mitigation subject to a Legal Agreement.

Therefore the only new issue to assess in determining this application is:

Impact on the special architectural and historical interest of the Statutory Listed Building and its setting

1. Section 66 of the *Planning (Listed Buildings and Conservation Areas) Act 1990* states that “*in considering whether to grant planning permission for development which affects a listed building or its setting, the Local Planning Authority...shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses*”.
2. As previously noted Historic England's response considers the total loss of an irreplaceable historic building to be unacceptable.
3. The proposal is therefore considered to have an unacceptable impact on the special architectural and historical interest of the Statutory Listed Building and its setting which is contrary to section 12 of the *National Planning Policy Framework* (2012), section 66 of the *Planning (Listed Buildings and Conservation Areas) Act 1990*, policy CS20 of the *Woking Core Strategy* (2012), policy DM20 of the *Development Management Policies Development Plan Document* (2016) and *The Heritage of Woking* (2000).

CONCLUSION

4. The proposed loss of Grade II listed Dormer Cottage would have an unacceptable impact on the special architectural and historical interest of the Statutory Listed Building and its setting which is contrary to section 12 of the *National Planning Policy Framework* (2012), section 66 of the *Planning (Listed Buildings and Conservation Areas) Act 1990*, policy CS20 of the *Woking Core Strategy* (2012), policy DM20 of the *Development Management Policies Development Plan Document* (2016) and *The Heritage of Woking* (2000).

BACKGROUND PAPERS

Site visit photographs

RECOMMENDATION

It is recommended that planning permission be **refused** for the following reason:

01. The proposed loss of Grade II listed Dormer Cottage would have an unacceptable impact on the special architectural and historical interest of the Statutory Listed Building and its setting which is contrary to section 12 of the *National Planning Policy Framework* (2012), section 66 of the *Planning (Listed Buildings and Conservation Areas) Act 1990*, policy CS20 of the *Woking Core Strategy* (2012), policy DM20 of the *Development Management Policies Development Plan Document* (2016) and *The Heritage of Woking* (2000).

Informatives

01. The drawings relating to this decision are:
 - 1422 FE02d (Proposed Site Plan), received by the Local Planning Authority on 22.11.2016.
 - 1422 FE03b (Proposed Ground Floor Plan), received by the Local Planning Authority on 06.05.2016.
 - 1422 FE04b (Proposed First Floor Plan), received by the Local Planning Authority on 06.05.2016.
 - 1422 FE05b (Proposed South Elevation H1), received by the Local Planning Authority on 06.05.2016.
 - 1422 FE06b (Proposed East Elevation H2), received by the Local Planning Authority on 06.05.2016.
 - 1422 FE07b (Proposed North Elevation), received by the Local Planning Authority on 06.05.2016.
 - 1422 FE08b (Proposed South Elevation), received by the Local Planning Authority on 06.05.2016.
 - 1422 FE09b (Proposed West Elevation H1), received by the Local Planning Authority on 06.05.2016.
 - 1422 FE10b (Proposed West Elevation H2), received by the Local Planning Authority on 06.05.2016.
 - 1422 FE11b (Proposed Section 1), received by the Local Planning Authority on 06.05.2016.
 - 1422 FE12b (Proposed Section 1), received by the Local Planning Authority on 06.05.2016.