

12 MAY 2020 PLANNING COMMITTEE

6D

PLAN/2020/0036

WARD: SJS

LOCATION: 164 Goldsworth Road, Woking, Surrey, GU21 6NE

PROPOSAL: First floor extension and two storey rear extension to facilitate change of use from residential bungalow into 4No flats (1x 2-bedroom and 3x 1-bedroom) together with the proposed widening and repositioning of the existing vehicular crossover.

APPLICANT: Mr Essa

OFFICER: Claire Bater

REASON FOR REFERRAL TO COMMITTEE

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

PLANNING STATUS

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

RECOMMENDATION

GRANT planning permission subject to conditions and S.106 Legal Agreement

SITE DESCRIPTION

The application site is a detached bungalow situated on the southern side of Goldsworth Road, Woking within the urban area. The street scene is comprised mainly of two storey buildings.

PLANNING HISTORY

PLAN/2018/1345 - First floor extension and two storey rear extension - Permitted 17.05.2019

PLAN/2019/0671 - First floor extension and two storey rear extension to facilitate change of use from residential bungalow into 4No 1 bedroom flats together with the proposed widening and repositioning of the existing vehicular crossover - Refused 10.10.2019 for the following reasons:

1. *The proposal would result in the loss of a family dwelling, for which there is an identified local need, and replacement with four smaller units which are unsuitable for family accommodation, contrary to policy CS11 of the Woking Core Strategy (2012) and policy DM11 of the Development Management Policies Development Plan Document (2016).*
2. *The proposed development, by reason of the subdivision to flats, is considered to comprise an overdevelopment of the site as evidenced by the contrived amenity space, bin store location and poor outlook for the ground floor flats to the detriment of the amenities of future occupants of the development and to the detriment of the character of the area. The proposal is therefore contrary to policy CS21 of the Woking Core Strategy (2012), policy DM11 of the Development Management Policies Development*

12 MAY 2020 PLANNING COMMITTEE

Plan Document (2016), Supplementary Planning Document Outlook, Amenity, Privacy and Daylight (2008) and the National Planning Policy Framework (2019).

PROPOSED DEVELOPMENT

This is a full planning application for the addition of a first floor extension and a further two storey rear extension (as previously approved under PLAN/2018/1345) and to convert the whole building into four flats (1x 2-bedrooms and 3x 1-bedroom)

CONSULTATIONS

County Highway Authority:	No objection subject to condition.
Environmental Health:	No objection subject to condition.
Drainage & Flood Risk Team:	Recommend approval subject to condition.
Waste Services:	No objection
Natural England:	No comments as long as the relevant avoidance and mitigation measures specified in the Appropriate Assessment are secured.

REPRESENTATIONS

One letter of objection has been received raising the following concerns:

- Generation of noise level
- High-over density of development
- Highway reasons - parking
- Impact of development
- Loss of privacy
- Overlooking
- Traffic volume

RELEVANT PLANNING POLICIES

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

Woking Core Strategy (2012)

CS1 - A spatial strategy for Woking Borough

CS8 - Thames Basin Heaths Special Protection Areas

CS9 - Flooding and water management

CS10 - Housing provision and distribution

CS11 - Housing mix

CS18 – Transport and accessibility

CS21 – Design

CS24 – Woking's landscape and townscape

CS25 – Presumption in favour of sustainable development

12 MAY 2020 PLANNING COMMITTEE

Development Management Policies Development Plan Document (DMP DPD) (2016)
DM11 - Sub-divisions, Specialist Housing, Conversions and Loss of Housing

Supplementary Planning Documents (SPD's)
Outlook, Amenity, Privacy and Daylight (2008)
Design (2015)
Parking Standards (2018)

PLANNING ISSUES

Principle of Development:

1. The proposal is for extensions to the existing bungalow and the subsequent subdivision of the resulting four bedroom property into 3x one bedroom flats and 1x two bedroom flat. Policy DM11 of the *Woking Development Management Policies Development Plan Document* (2016) states that “...the sub-division of dwellings of an appropriate size to two or more dwellings will only be permitted where:
 - (i) the proposal would not result in an overall loss of a family home; and
 - (ii) each proposed dwelling has access to a suitable area of private amenity space”.
2. Policy CS11 of the *Woking Core Strategy* (2012) seeks to avoid the loss of family homes and requires proposals to address local needs as evidenced in the Strategic Housing Market Assessment (SHMA); the overall need set out in the policy is 19% one bed, 28% two bed, 39% three bed and 14% four+ bed. There is therefore an identified need for family accommodation; in particular three bed units followed by two bedroom units.
3. The existing dwelling is a three bedroom bungalow of approx. 119.4sqm in area with a large rear garden and is considered good quality accommodation appropriate for families. The proposal would replace this with one 2-bed flat (of a size which is considered suitable for a family dwelling) and three 1-bed flats. It is therefore considered that the first reason for refusal of PLAN/2019/0671 has been overcome and the proposal now complies with policy CS11 of the *Woking Core Strategy* (2012) and policy DM11 of the *Woking Development Management Policies Development Plan Document* (2016).

Standard of Accommodation:

4. Section 12 of the *National Planning Policy Framework* (2019) states that planning decisions should ensure that a ‘high standard of amenity is achieved for existing and future residents and the Council’s Supplementary Planning Document *Outlook, Amenity, Privacy and Daylight* (2008) seeks to ensure satisfactory levels of outlook for all residential development. Furthermore policy DM11 of the *Development Management Policies Development Plan Document* (2016) states that the subdivision of existing dwellings to flats should only be considered acceptable where, among other criteria, “a good quality of accommodation is provided by meeting any relevant housing standards” and where “...each proposed dwelling has access to a suitable area of private amenity space”.
5. Whilst the Council has no minimum dwelling size policy requirement, the national *Technical Housing Standards - nationally described space standard* (2015) provide a useful guide to reasonable minimum internal floor areas for different types of accommodation; for example a minimum of 50sqm for one bedroom flats housing two people and 70-79sqm for two bedroom units housing four people. The proposed two bedroom flat would have an area of 86.7sqm whilst the proposed one bedroom flats would have an area of 50.3/52sqm, thereby meeting this requirement.

12 MAY 2020 PLANNING COMMITTEE

6. An internal bin store is proposed instead of being sited to the rear as in PLAN/2019/0671. Concern was raised in neighbour representations as to the suitability of this location. The applicant has advised that a mechanical ventilator and extraction system would be fitted and the store area cleaned bi-monthly by professional cleaners. Waste Services and Environmental Health were consulted on the proposal and have raised no objections.
7. With regards to private amenity space, Supplementary Planning Document *Outlook, Amenity, Privacy and Daylight* (2008) recommends that one bedroom flats not suitable for family accommodation should have an area of shared garden amenity of 30sqm for each dwelling up to two storeys. Flats suitable for family accommodation are recommended to *"have a suitable area of private garden amenity as a first priority, however a shared amenity space may be acceptable if it has equal provision for family amenity"*. The proposed development would have suitable shared garden amenity space to meet this requirement.

Transportation Impact:

8. The proposal site benefits from an area of hardstanding to the front of the site which is sufficient for 3 vehicles to park off-road. The property is situated within the Controlled Parking Zone and on-street parking is limited during the day Monday-Saturday due to the presence of double/single yellow lines and limited parking bays including a bus stop immediately in front of the application site.
9. Woking Borough Council's SPD *Parking Standards* (2018) sets minimum parking standards and policy DM11 of the *Development Management Policies Development Plan Document* (2016) states that dwelling subdivisions will only be considered acceptable where the traffic impact is acceptable and where adequate parking is provided in accordance with the Council's Parking Standards. The SPD recommends that one bedroom flats should have at least 0.5 car parking space per unit and two bedroom flats should have at least 1 parking space per unit. The proposed development would provide 3 parking spaces therefore exceeding this requirement. Whilst the 3 additional households on the proposal site are considered to result in additional parking demand compared to the existing situation, it is not considered that this would be a reason for refusal.
10. Concern has been raised in neighbour representations with regards to the proposed widening/re-positioning of the vehicular access. The County Highway Authority has assessed the application on safety, capacity and policy grounds and has raised no objections subject to the access being constructed and maintained in accordance with the submitted plans.

Impact on Character of the Area:

11. The *Woking Design* (2015) SPD states that *"two storey side extensions which leave little, or no space, between adjoining dwellings will not be permitted if they create a terracing effect"* and *"to prevent this type of effect altering the character of the street it is important to retain visual separation between properties. A minimum of one metre gap should be retained between all two storey extensions and a side boundary"*. Although the proposal would not be extending the property to the side, it is noted that one side elevation is on the boundary with No.166 Goldsworth Road and would therefore not meet this requirement. It is acknowledged, however, that there are examples of other two storey dwellings in the road with this separation gap or closer and, given the proximity to the side boundary, it would not be possible for No.166 Goldsworth Road to be extended to the side at two storeys. It is therefore considered, on balance, that the proposed extension would be acceptable in this regards.

12 MAY 2020 PLANNING COMMITTEE

12. The SPD further states that *“the additional mass should respect the existing building proportion, symmetry and balance”*. The proposal would remove the existing front bay window and would maintain the proportions of the existing front gable at first floor level. The roofline would retain the same pitch and would finish at an overall height of approx. 8.6m from ground level (approx. 0.85m higher than the neighbouring property at No.166 Goldsworth Road). A front porch would also be added.
13. It is also proposed to add a two storey rear extension. This would be staggered at differing depths; 3m adjacent to No.166 Goldsworth Road and 4.5m adjacent to the alleyway and Nos.162 and 162A Goldsworth Road. Each section would have a pitched roof with a rear gable end and a lower ridge height than the main roof which would also have a rear gable end. Although located to the rear of the host dwellinghouse, this element would be visible within the street scene due to the position of Nos.162/162A further back within the plot.
14. Notwithstanding the different heights of the rear elements of the proposed development, it is noted that the street scene is comprised mainly of two storey buildings of differing styles. The proposed extension would not be a subservient addition however it is considered that, on balance, it would be in keeping with the character of the host dwelling and the street scene.

Impact on Neighbouring Amenity:

15. Policy CS21 of the *Woking Core Strategy* (2012) advises that proposals for new development should achieve a satisfactory relationship to adjoining properties avoiding significant harmful impact in terms of loss of privacy, daylight or sunlight, or an overbearing effect due to bulk, proximity or outlook.
16. Woking Council's *SPD Outlook, Amenity, Privacy and Daylight* (2008) contains a 45° test to determine whether a rear extension would have an acceptable impact on the sunlight/daylight levels received by the rear windows of adjoining and adjacent properties, in this instance Nos.162, 162A and 166 Goldsworth Road. The proposed extension passes this towards both adjacent properties. The SPD also contains a 25° test to determine whether an extension would have an acceptable impact on the sunlight/daylight levels received by the side windows of adjoining and adjacent properties. The proposed extension would fail this test in respect of both neighbouring properties; however those in No.166 Goldsworth Road are secondary kitchen windows at ground floor and serve a bathroom and ensuite at first floor (according to drawings submitted under PLAN/2015/0477) and those in Nos.162/162A are secondary windows in the lounge. It is therefore considered that the proposed development would have an acceptable impact on sunlight/daylight levels.
17. It is considered that the proposal would not appear unacceptably overbearing towards neighbouring properties. This is due to its location in relation to the main private amenity space of its neighbouring properties.
18. Windows are proposed in the side elevations at first floor level. These are indicated to serve a bedroom, bathroom and kitchen in one flat and a bathroom in the other. The bedroom window would be a secondary window in this room and it is accordingly considered appropriate to impose a condition requiring these windows to be obscure-glazed and non-openable under 1.7m from finished floor level in order to prevent overlooking. For this reason it is considered that the proposal would not create unacceptable overlooking issues towards neighbouring properties.

12 MAY 2020 PLANNING COMMITTEE

Flood Risk:

21. The application site is in an area with a very high risk of surface water flooding. The LPA's Flood Risk and Drainage Team was consulted and has raised no objections subject to a condition requiring the submission of details of a scheme for disposing of surface water by means of a sustainable drainage system prior to commencement.

Thames Basin Heaths SPA:

22. The Thames Basin Heaths Special Protection Area (TBH SPA) has been identified as an internationally important site of nature conservation and has been given the highest degree of protection. Policy CS8 of the *Woking Core Strategy* (2012) states that any proposal with potential significant impacts (alone or in combination with other relevant developments) on the TBH SPA will be subject to Habitats Regulations Assessment to determine the need for Appropriate Assessment. Following recent European Court of Justice rulings, a full and precise analysis of the measures capable of avoiding or reducing any significant effects on European sites must be carried out at an 'Appropriate Assessment' stage rather than taken into consideration at screening stage, for the purposes of the Habitats Directive (as interpreted into English law by the *Conservation of Habitats and Species Regulations* (2017) (the "Habitat Regulations 2017")). An Appropriate Assessment has therefore been undertaken for the site as it falls within 5 kilometres of the TBH SPA boundary.
23. Policy CS8 of the *Woking Core Strategy* (2012) requires new residential development beyond a 400m threshold, but within 5 kilometres of the TBH SPA boundary to make an appropriate contribution towards the provision of Suitable Alternative Natural Greenspace (SANG) and Strategic Access Management and Monitoring (SAMM), to avoid impacts of such development on the SPA. 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 £2,243 in line with the Thames Basin Heaths SPA Avoidance Strategy. This would need to be secured through a S106 Legal Agreement. For the avoidance of doubt, sufficient SANG at Horsell Common has been identified to mitigate the impacts of the development proposal.
24. Subject to securing the provision of the SAMM tariff and an appropriate CIL contribution, and in line with the conclusions of the Appropriate Assessment (as supported by Natural England), the Local Planning Authority is able to determine that the development will not affect the integrity of the TBH SPA either alone or in combination with other plans and projects in relation to urbanisation and recreational pressure effects. The development therefore accords with Policy CS8 of the *Woking Core Strategy* (2012), the measures set out in the Thames Basin Heaths SPA Avoidance Strategy, and the requirements of the Habitats Regulations 2017.

Community Infrastructure Levy:

25. The proposed development would create three additional residential units and results in an additional 172.07 square metres residential floor space thus would be liable for a financial contribution under the Community Infrastructure Levy (CIL). CIL is to be charged on the 'gross internal floor space' of proposed development over 100 square metres and given the location, scale and nature of development, this proposal would be liable at a rate of £125 per square metre (plus indexation) on 172.07 square metres.

12 MAY 2020 PLANNING COMMITTEE

CONCLUSION

26. For the reasons set out above, it is considered that the proposed extensions and conversion of the building to provide four flats would be acceptable in terms of character and design, impact on the amenities of neighbouring properties and impact on the public highway. The proposal therefore accords with policies CS1, CS8, CS9, CS10, CS11, CS18, CS21, CS22, CS24 and CS25 of the *Woking Core Strategy* (2012), policy DM11 of the *Development Management Policies Development Plan Document* (2016), Supplementary Planning Documents *Woking Design* (2015), *Outlook, Amenity, Privacy and Daylight* (2008), *Parking Standards* (2018) and the National Planning Policy Framework (2019). The application is therefore recommended for approval.

BACKGROUND PAPERS

Site visit photographs (taken 30.01.2019)
Design & Access Statement dated December 2018
Consultation responses

PLANNING OBLIGATIONS

	Obligation	Reason for Agreeing Obligation
1.	£2,243 SAMM (TBH SPA) contribution.	To accord with the Habitat Regulations, Policy CS8 of the Woking Core Strategy 2012 and The Thames Basin Heaths Special Protection Area (TBH SPA) Avoidance Strategy.

RECOMMENDATION

It is recommended that planning permission be Granted subject to the following Conditions and SAMM (TBH SPA) contribution secured by way of S106 Legal Agreement:

1. The development hereby permitted shall be commenced not later than three years from the date of this permission.

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

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

Drawing Nos: 164G.20.01, 164G.20.02 and 164G.20.03 received 13.01.2020

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

3. ++ No development shall commence until details of a scheme for disposing of surface water by means of a sustainable drainage system have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in full in accordance with the approved details prior to the first occupation of the development.

12 MAY 2020 PLANNING COMMITTEE

Reason: To ensure that the development achieves a high standard of sustainability. This condition is required to be addressed prior to commencement in order that the ability to discharge its requirement is not prejudiced by the carrying out of building works or other operations on the site.

4. The proposed modified vehicular access to Goldsworth Road shall be constructed in accordance with the approved plans and thereafter shall be kept permanently maintained.

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

5. The development hereby approved shall not be first occupied unless and until the following facilities have been provided in accordance with the approved plans for:
(a) the secure parking of bicycles within the development site, and thereafter the said approved facilities shall be provided, retained and maintained to the satisfaction of the Local Planning Authority.

Reason: In recognition of Section 9 "Promoting Sustainable Transport" in the National Planning Policy Framework 2019.

6. The development hereby approved shall not be occupied unless and until at least 1 of the available parking spaces are provided with a fast charge socket (current minimum requirement: 7kw Mode 3 with Type 2 connector - 230 v AC 32 amp single phase dedicated supply) in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.

Reason: In recognition of Section 9 "Promoting Sustainable Transport" in the National Planning Policy Framework 2019.

7. ++ Prior to the first occupation of the dwelling hereby approved, a hard and soft landscaping scheme showing details of hard and soft landscaping to the frontage, details of materials for areas of hardstanding (including any drainage arrangements) and boundary treatments, 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.

8. ++ Prior to the occupation of the development hereby approved, the windows in the first floor side elevations(s) and above of the dwelling hereby permitted shall be glazed entirely with obscure glass and be 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 adjoining properties.

Informatives

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

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

2. The applicant is advised that the development hereby permitted is subject to a Community Infrastructure Levy (CIL) liability of £27,630.47. 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 exemptions), **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

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).

3. The Council confirms that in assessing this planning application it has worked with the applicant in a positive and proactive way, in line with the requirements of paragraph 186-187 of the National Planning Policy Framework 2012.

12 MAY 2020 PLANNING COMMITTEE

4. The permission hereby granted shall not be construed as authority to carry out any works on the highway. The applicant is advised that prior approval must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, or verge to form a vehicle crossover to install dropped kerbs. Please see: www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/vehicle-crossovers-or-dropped-kerbs.
5. In the event that the access works require the felling of a highway tree not being subject to a Tree Preservation Order, and its removal has been permitted through planning permission, or as permitted development, the developer will pay to the County Council as part of its licence application fee compensation for its loss based upon 20% of the tree's CAVAT valuation to compensate for the loss of highway amenity.
6. The developer is advised that as part of the detailed design of the highway works required by the above conditions, the County Highway Authority may require necessary accommodation works to street lights, road signs, road markings, highway drainage, surface covers, street trees, highway verges, highway surfaces, surface edge restraints and any other street furniture/equipment.
7. It is the responsibility of the developer to ensure that the electricity supply is sufficient to meet future demands and that any power balancing technology is in place if required. Please refer to: <http://www.beama.org.uk/resourceLibrary/beama-guide-to-electric-vehicle-infrastructure.html> for guidance and further information on charging modes and connector types.
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. 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:

8.00am – 6.00pm Monday to Friday
8.00am – 1.00pm Saturday
and not at all on Sundays and Bank Holidays.