

12 MAY 2020 PLANNING COMMITTEE

6c PLAN/2019/1252

WARD: Heathlands

LOCATION: Crooksbury, Guildford Lane, Woking, GU22 0AS

PROPOSAL: Demolition of existing bungalow and garage and erection of two storey dwelling with adjoining garage and associated landscaping.

APPLICANT: Mr Salvatore De Piano

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 with adjoining garage and associated landscaping.

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 Guildford Lane and Egley Road beyond. The area is residential and the urban grain is primarily large detached two storey dwellings on substantial plots, with the exception of the existing dwelling and a semi-detached pair a ways to the west.

PLANNING HISTORY

PLAN/2001/0014 – Conservatory – approved 22nd February 2001.

CONSULTATIONS

None.

REPRESENTATIONS

Two (2) representations have been received objecting to the proposed development for the following reasons:

- Overshadowing and loss of light to Ashton Cottage;

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- Overlooking of Ashton Cottage;
- Loss of privacy to Mulberry Cottage; and
- Loss of view from Mulberry Cottage.

Officer note: the loss of a view is not a material planning consideration.

RELEVANT PLANNING POLICY

National Planning Policy Framework (NPPF) (2019):

Section 2 – Achieving sustainable development

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 five bedrooms and a potential occupancy of nine persons. Each of the bedrooms would be well sized with good outlook and natural lighting. The total floor area would be in excess of 300 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. This would 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.

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Character of the area

5. The proposed dwelling would be two storey and would not be of radically differing appearance than that of other properties in the streetscape. As such the design is considered more in keeping with the character of the street than the existing property, which is the only single storey dwelling on Guildford Lane.
6. The dwelling would be part rendered and part brick and its appearance is not considered harmful to the street scene.

Impact on neighbouring amenity

7. The proposed dwelling would be well contained within the plot. At the west side the two storey element would be at least 2.7m from the boundary, and at the east 3.8m, while the single storey element at the rear would be 3m from each side. Only the garage would be sited close to the boundary, but this would be on the footprint of the existing structure and the height would be little different.
8. All neighbouring windows, where affected by the proposed development, would pass the 45 degree test (as set out within the Outlook, Amenity, Privacy and Daylight SPD) on the vertical axis, and the first floor rear window at the easterly side of Ashton Cottage would also pass the BRE 25 degree test, which indicates that a good standard of light would be retained.
9. Given the above, there would be no significantly harmful overbearing impact or loss of light to the neighbouring properties.
10. The proposed first floor rear windows would introduce an element of overlooking toward the neighbouring gardens at either side. However, a degree of overlooking between two storey dwellings in close proximity is not unusual, especially toward the rear, and that facilitated here would be no more than that already possible from the neighbouring properties toward Crooksbury itself. On this basis the overlooking facilitated is not considered significantly harmful to the amenity of the neighbouring properties.
11. Mulberry Cottage to the rear is more than 50m away from the proposed development. This is considerably in excess of the recommended 20m separation distance between the rear elevations of two storey dwellings as set out within the aforementioned SPD, and the amenity of the occupiers would remain intact.
12. The proposed first floor side window would be obscure glazed. This will be secured by condition to prevent overlooking of the side of Windward to the east. The large clear glazed first floor window on the side elevation of Windward is noted, but there is no reason to perpetuate the harm in this instance.

Parking

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

Thames Basin Heaths Special Protection Area (TBH SPA)

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14. 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

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

Local Finance Considerations

17. 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 301m².
 - The existing floor space amounts to 121m².
 - The net additional floor space would therefore be 180m².

CIL would therefore be payable on the net increase of 180m².

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 and no significant harm to neighbouring amenity. The application is therefore recommended for approval subject to conditions.

BACKGROUND PAPERS

Site Photographs dated 9th March 2020.

RECOMMENDATION

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

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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:

ADS/236/PL/01 Rev A – Proposed Site Plan – received 17th February 2020
ADS/236/PL/06 Rev A – Proposed Ground Floor Plan – received 17th February 2020
ADS/236/PL/07 Rev A – Proposed First Floor Plan – received 17th February 2020
ADS/236/PL/08 Rev A – Proposed Roof Plan – received 17th February 2020
ADS/236/PL/09 Rev A – Proposed Elevations – received 17th February 2020
ADS/236/PL/10 Rev A – Proposed Elevations – received 17th February 2020

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

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 first floor side window in the east elevation of the dwelling hereby permitted 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 finished floor level of the room 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 neighbouring properties.

5. Notwithstanding the provisions of Article 3 and Schedule 2, Part 1 and Classes A, B and C 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), the flat roof area of the dwelling hereby approved shall not be used as a balcony, roof terrace, sitting out area or similar amenity area nor shall any railings or other means of enclosure be erected on top of or attached to the side of the dwelling without the grant of further specific planning permission by the Local Planning Authority.

Reason: In order to protect adjoining properties from overlooking and noise.

6. ++ Prior to the commencement any above ground works in connection with the development hereby permitted, written evidence shall be submitted to and

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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.
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

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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).

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.