

3 JUNE 2020 PLANNING COMMITTEE

6c PLAN/2018/1169

WARD: Canalside

LOCATION: 29 Eve Road, Woking, GU21 5JS

PROPOSAL: Proposed change of use and subdivision of existing building (A1, A2 and ancillary office use) to form 8x self-contained flats (7x one bed and 1x studio) and erection of a second floor roof extension, two storey rear extension and first floor rear extension following demolition of parts of existing building and formation of roof terrace, balconies and new window and door openings, alterations to external finishes and associated bin storage, landscaping and cycle storage.

APPLICANT: Mr Mazhar

OFFICER: David Raper

REASON FOR REFERRAL TO COMMITTEE:

The application has been referred to Planning Committee by Councillor Aziz. Councillor Aziz considers that the previous reasons for refusal have been overcome.

SUMMARY OF PROPOSED DEVELOPMENT

The proposal is for the change of use and subdivision of the existing building (A1, A2 and ancillary office use) to form 8x self-contained flats (7x one bed and 1x studio) and erection of a second floor roof extension, two storey rear extension and first floor rear extension following demolition of parts of existing building. The proposal includes the formation of a roof terrace, balconies and new window and door openings, alterations to external finishes and associated bin storage, landscaping and cycle storage.

PLANNING STATUS

- Urban Area
- Priority Places
- Surface Water Flood Risk Area
- Thames Basin Heaths SPA ZoneB (400m-5km)

RECOMMENDATION

REFUSE planning permission.

SITE DESCRIPTION

No.29 Eve Road is characterised by a mixed use building with a car repair/servicing business located to the rear accessed from Albert Drive and A1 and A2 uses fronting onto Eve Road with ancillary office and storage space at first floor level; the proposal relates to this part of the property. The surrounding area is predominately characterised by semi-detached and terraced dwellings dating from the Victorian/Edwardian era. The proposal site is within the urban area and forms part of a 'Priority Place' as designated by Core Strategy (2012) CS5 'Priority Places'.

RELEVANT PLANNING HISTORY

Extensive planning history with the below being most relevant:

3 JUNE 2020 PLANNING COMMITTEE

- PLAN/2016/0743 - Proposed change of use and subdivision of existing building (A1, A2 and ancillary office use) to form 8x self-contained one bedroom flats and erection of two storey rear extension, first floor rear roof extension, formation of new window and door openings, alterations to external finishes and associated bin storage, landscaping and cycle storage – **Refused** 28/09/2016 for the following reasons:
 01. *The proposed development, by reason of the unduly cramped and small size of residential units, placement of habitable room windows and the proposed parking and waste storage arrangements, is considered to create an unacceptably cramped and contrived overdevelopment of the site, to the detriment of the amenities of future occupants of the development, the amenities of neighbours and the character of the surrounding area. The proposal is therefore contrary to Core Strategy (2012) policy CS21 'Design', Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight' SPD (2008) and the NPPF (2012).*
 02. *The proposed development, by reason of the height, scale, bulk and siting of the proposed two storey extension and the inclusion of first floor side-facing windows, is considered to create an unacceptable overbearing and overlooking impact on the adjoining neighbours at No.25 and No.27 Eve Road, to the detriment of the amenities of these neighbours. The proposal is therefore contrary to Core Strategy (2012) policy CS21 'Design', Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight' SPD (2008) and the NPPF (2012).*
 03. *In the absence of a Legal Agreement or other appropriate mechanism to secure contributions towards mitigation measures, it cannot be determined that the additional dwelling would not have a significant impact on the Thames Basin Heaths Special Protection Area, contrary to Core Strategy (2012) policy CS8 'Thames Basin Heaths Special Protection Areas' and the 'Thames Basin Heaths Special Protection Area Avoidance Strategy 2010-2015', the Conservation of Habitats and Species Regulations 2010 (SI Ni. 490 - the "Habitats Regulations"), saved policy NRM6 of the South East Plan (2009) and Section 11 of the NPPF (2012).*
 04. *The proposal is in a surface water flood risk area, and in the absence of a Flood Risk Assessment, it has not been demonstrated that future occupiers of the proposed development would not be unduly impacted upon by surface water flooding or that the development would not exacerbate the existing risk from surface water flooding, contrary to Core Strategy (2012) policy CS9 'Flooding and water management' and the NPPF (2012).*
 05. *The proposed development comprises exclusively one bedroom units unsuitable for family occupation which would not reflect the identified local housing need and the proposal would lead to the loss of retail (A1 use) floor space in an area identified as a 'Priority Place', to the detriment of retail choice in the local area. The proposal is therefore contrary to contrary Core Strategy (2012) policies CS5 'Priority Places' and CS11 'Housing Mix'.*
- PLAN/2013/0595 - Erection of single storey side and double storey rear extension to create 1 additional commercial unit – Permitted 27/08/2014

CONSULTATIONS

- **Flood Risk and Drainage Engineer:** **OBJECT** for the following summarised reasons:

3 JUNE 2020 PLANNING COMMITTEE

- The proposal would result in self-contained flats at ground floor level in an area at high risk from surface water flooding and would increase the vulnerability classification of the site from less vulnerable to more vulnerable.
 - The Submitted FRA fails to adequately assess this flood risk to the site and does not demonstrate that the development would be safe for the lifetime of the development
- **County Highway Authority:** No objection subject to conditions.
 - **Scientific Officer:** No objection subject to conditions.
 - **Waste Services:** No objection subject to compliance with LPA's Waste Practice Guidance.
 - **Environmental Health:** No comments received.

REPRESENTATIONS

Five objections have been received raising the following summarised concerns:

- The Planning Committee previously refused a very similar development and there has been little change to the plans
- Proposal would be out of character with the area and would be taller than other buildings on Eve Road
- Parking is already an issue in the area and the proposal would exacerbate this
- The existing businesses to the rear of the site would continue to use Eve Road for parking
- Proposal would result in overlooking and loss of light

Two letters of support have been received raising the following points:

- The proposed uses would occupy fewer parking spaces than the existing uses
- Proposal would fit-in with the area and would provide much needed housing
- The proposal site is a bad location for commercial uses

RELEVANT PLANNING POLICIES

National Planning Policy Framework (NPPF) (2019):

Section 4 - Decision-making

Section 5 - Delivering a sufficient supply of homes

Section 6 - Building a strong, competitive economy

Section 8 - Promoting healthy and safe communities

Section 9 - Promoting sustainable transport

Section 10 - Supporting high quality communications

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

Woking Core Strategy (2012):

Spatial Vision

CS1 - Spatial strategy for Woking Borough

CS5 - Priority Places

CS8 - Thames Basin Heaths Special Protection Areas

CS9 - Flooding and Water Management

CS10 - Housing provision and distribution

3 JUNE 2020 PLANNING COMMITTEE

CS11 - Housing mix
CS15 - Sustainable economic development
CS18 - Transport and accessibility
CS21 - Design
CS24 - Woking's landscape and townscape
CS25 - Presumption in favour of sustainable development

Woking Development Management Policies DPD (2016):

DM2 - Trees and Landscaping
DM7 - Noise and Light Pollution
DM8 - Land Contamination and Hazards

Supplementary Planning Documents:

Parking Standards (2018)
Woking Design (2015)
Outlook, Amenity, Privacy and Daylight (2008)

Other Material Considerations:

National Planning Practice Guidance (NPPG)
Saved South East Plan Policy (2009) NRM6 - Thames Basin Heaths SPA
Thames Basin Heaths Special Protection Area Avoidance Strategy 2010-2015
Community Infrastructure Levy (CIL) Charging Schedule (2015)
Waste and recycling provisions for new residential developments

PLANNING ISSUES

Background:

1. A previous proposal (PLAN/2016/0743) for the extension and change of use of the building to form 8x one bedroom dwellings was refused for five reasons (see Planning History section). Whilst the current proposal differs from the previous proposals in some ways, the proposal is still for 8x one bedroom flats. The proposal has been assessed based on its own merits below however the proposal must have overcome all the previous reasons for refusal in order to be considered acceptable.

Principle of Development and Loss of Existing Uses:

2. The ground floor of the existing building comprises four commercial units which the applicant identifies as being vacant. Records suggest that the commercial units have been in use for uses falling within Use Classes A1 and A2, including a hairdresser, money transfer shop and an accident claims business. Ancillary office space is identified to the rear and at first floor level. The rear portion of the building is in use as a car repair/servicing business and is accessed separately from Albert Drive.
3. All of these commercial units would be lost as part of the proposal and the applicant has not provided any evidence of how long the units have been vacant or whether they have been marketed. Although not within a designated Local Centre, the proposal site is within a 'Priority Place' as identified by Core Strategy (2012) policy CS5, in which planning decisions are expected to seek to redress identified local issues, including retail provision and employment. Policy CS5 establishes a presumption against the loss of retail units in Maybury and Sheerwater due to the limited retail choice in these areas. The proposal would result in the loss of four commercial units including retail (A1) space which is considered contrary to the aims of policy CS5 and to the detriment of retail choice in the area and no evidence has been submitted relating to how long the units have been vacant or whether they have

3 JUNE 2020 PLANNING COMMITTEE

been marketed. This formed a reason for refusal under the previously refused application and this refusal reason is not therefore considered to have been overcome.

4. The proposal would lead to the loss of retail (A1 use) floor space in an area identified as a 'Priority Place', to the detriment of retail choice in the local area. The proposal is therefore contrary to Woking Core Strategy (2012) policy CS5 'Priority Places'.

Impact on Character:

5. The host building is two storeys and is of a simple flat-roofed design and is finished in painted render. Eve Road is predominately characterised by two storey terraced and semi-detached dwellings dating from the Victorian and Edwardian era. The proposal includes extensions and alterations to the existing building. Woking Core Strategy (2012) Policy CS21 'Design' requires development proposals to "*respect and make a positive contribution to the street scene and the character of the area in which they are situated, paying due regard to the scale, height, proportions, building lines, layout, materials and other characteristics of adjoining buildings and land*". Section 12 of the NPPF (2019) states that "*Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions*" and requires development proposals to "*add to the overall quality of the area...*", to be "*visually attractive as a result of good architecture...*" and "*sympathetic to local character and history, including the surrounding built environment...*".
6. The proposed external alterations include replacing the external render finish with brickwork and insertion of new windows and doors and landscaping. These are considered visually acceptable alterations. The proposed extensions include a roof extension to create an additional storey of accommodation. Whilst the extension would be set-back from the front elevation by 1.2m, the extension would still be clearly visible in the street scene and effectively result in a three storey building. Eve Road is consistently characterised by two storey development with conventional pitched roofs. The existing building is already a relatively incongruous feature in the street scene and the additional storey and the associated bulk and massing would result in the building appearing more incongruous in the street scene. The proposal would result in a three storey building in an area consistently characterised by two storey development and would consequently be at-odds with the prevailing character and form of development in the area. Whilst the overall maximum height of the building would be only 0.3m taller than that of No.31 Eve Road, the extension would project beyond the front roof slope of this neighbour and other neighbours on Eve Road. The result is considered to be an incongruous and unduly prominent and dominating addition to the street scene which fails to respect the form and character of development in the surrounding area.

Flood Risk:

7. The proposal site is identified as being at high risk from surface water flooding. The site and surrounding area have been known to flood, the latest event being within 2016 where a 1 in 30 (3.33%) annual probability rainfall event affected the area causing flooding of properties and surrounding roads within 15 minutes of the storm occurring. The National Planning Practice Guidance defines the vulnerability of different uses in terms of flood risk. The proposed development would result in existing ground floor commercial uses which are defined as being 'less vulnerable' being converted to self-contained ground floor flats which are 'more vulnerable' to flooding.

3 JUNE 2020 PLANNING COMMITTEE

8. Paragraph 163 of the National Planning Policy Framework (NPPF) (2019) states that *'When determining any planning application, local planning authorities should ensure that flood risk is not increased elsewhere...'*. Paragraph 002 of the Planning Practice Guidance for Flood Risk and Coastal Change states that *'For the purposes of applying the National Planning Policy Framework, "flood risk" is a combination of the probability and the potential consequences of flooding from all sources – including from rivers and the sea, directly from rainfall on the ground surface and rising groundwater, overwhelmed sewers and drainage systems, and from reservoirs, canals and lakes and other artificial sources'*.
9. Woking Core Strategy (2012) policy CS9 'Flooding and Water Management' states that *'The council will require all significant forms of development to incorporate appropriate sustainable drainage systems (SuDS) as part of any development proposal. If this is not feasible, the Council will require evidence illustrating this'* and that *'...to reduce the risk from surface water flooding, all new development should work towards mimicking greenfield run-off situations'*.
10. The proposal would result in 8x residential flats on the site as well as operational development. The absence of an adequate Flood Risk Assessment (FRA) formed a reason for refusal under the previously refused application (PLAN/2016/0743). The current application is accompanied by drainage information and an FRA which has been reviewed by the Council's Drainage and Flood Risk Engineer who has confirmed that the submitted information is insufficient.
11. The Drainage and Flood Risk Engineer has confirmed that the submitted FRA fails to adequately assess this flood risk to the site. Furthermore, the FRA proposes property level protection measures however these measures are designed to protect against flood depths of 600mm whereas flood depths in the area could be up to 900mm based on available data. In any case, property level protection measures can be unreliable and are normally a last resort to retrofit existing properties at risk from flooding. The submitted information does not therefore demonstrate the development would be safe for the lifetime of the development. The Drainage and Flood Risk Engineer draws attention to the fact that in the last flood event, internal property flooding occurred within 15 minutes of the storm and without any warning. The proposed ground floor bedrooms could be flooded to significant depths within a very short time period, without warning and potentially in the middle of the night.
12. The proposal would result in self-contained flats at ground floor level in an area at high risk from surface water flooding and would increase the vulnerability classification of the site from less vulnerable to more vulnerable. The Submitted FRA fails to adequately assess this flood risk to the site and does not demonstrate that the development would be safe for the lifetime of the development; for these reasons the Council's Drainage and Flood Risk Engineer objects to the proposed development.
13. In the absence of an adequate Flood Risk Assessment, it has not been demonstrated that future occupiers of the proposed development would not be unduly impacted upon by surface water flooding or that the development would not exacerbate the existing risk from surface water flooding, contrary to Woking Core Strategy (2012) policy CS9 'Flooding and water management' and the NPPF (2019).

Standard of Accommodation:

14. Section 12 of the NPPF (2019) states that planning decisions should ensure that a 'high standard of amenity' is achieved for existing and future residents and the

3 JUNE 2020 PLANNING COMMITTEE

Council's 'Outlook, Amenity, Privacy and Daylight' SPD (2008) seeks to ensure satisfactory levels of outlook for all residential development.

15. Whilst the proposed flats are considered of an appropriate size, the bedrooms of proposed Flats 6 and 8 at first and second floor level would be served by high-level, small and obscurely glazed windows. These windows would be positioned directly on the boundary with No.31 Eve Road which means the windows would not be openable. These bedrooms would also be served by rooflights however these are not considered to offer any outlook to these rooms. This arrangement is considered to result in a very poor quality of outlook to these bedrooms, to the detriment of the residential amenities of future occupiers. Flats 6 and 7 are both served by small balconies however these are identified as being enclosed on all sides which significantly limits the amenity value of the balconies. The fact that habitable rooms in the proposed development are reliant on obscurely glazed fixed windows and fully enclosed balconies is considered indicative of a contrived overdevelopment of the site.
16. The proposed development, by reason of the absence of conventional windows serving proposed bedrooms would fail to deliver a satisfactory standard of accommodation for future residents, to the detriment of their residential amenity. The proposal is therefore contrary to Woking Core Strategy (2012) policy CS21 'Design', Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight' SPD (2008) and the NPPF (2019).
17. The previously refused application was refused partly due to bedrooms being served by only obscurely glazed non-openable windows which was considered to result in a poor standard of accommodation for future residents. The proposal has clearly not therefore overcome this reason for refusal.

Impact on Neighbours:

No.31 Eve Road:

18. This neighbour is a two storey dwelling positioned to the east of the proposal site. The proposed includes extensions to the rear and to the roof which would create a three storey building. The resulting proposed building would be three storeys in height and positioned directly on the boundary this neighbour. The building would extend 5.4m from the principal rear elevation of this neighbour with a height of up to 8.4m. This neighbour would be presented with a 5.4m deep flank elevation of two to three storeys in height measuring between 5.8m and 8.4m in height positioned directly on the boundary; this is considered to result in a significant and unacceptable overbearing impact on this neighbour and their rear garden area. The flank elevation facing this neighbour also features several side-facing windows at ground, first and second floor level positioned on the boundary. Whilst these would be obscurely glazed, they are considered to form an unneighbourly relationship with this neighbour and add to the sense of overbearing when viewed from this neighbour. The proposal would fail the '45° test' in both plan and elevation form with this neighbour and so would also result in an unacceptable loss of light impact on this neighbour.

No.25 and No.27:

19. These neighbours are purpose-built ground and first floor flats to the west of the proposal site. These flats feature several side-facing windows which serve single aspect bedrooms and living areas. The rear extension portion of the proposed development would be positioned directly opposite these windows. This element would be positioned 12.8m from the windows of these neighbours and the proposal

3 JUNE 2020 PLANNING COMMITTEE

would just pass the '25° test' with the ground floor windows. The proposal is not considered to result in an undue overbearing or loss of light impact on these neighbours compared to the existing situation.

20. In terms of overlooking, the rear portion of the building includes balconies at first and second floor level facing towards these neighbours however these are enclosed on all side with privacy screening which would limit the potential for overlooking. There would also be a first floor side-facing window however this would largely be obscured by the remainder of the existing building at No.29 Eve Road. The proposal also includes a roof terrace at second floor level on the front portion of the building. This has the potential to result in overlooking and loss of privacy to side-facing windows of No.25 and No.27 however the use of privacy screens could be secured if the proposal were considered otherwise acceptable.

Other neighbours:

21. Other neighbours are positioned opposite the proposal site on Eve Road. The new second floor front-facing windows would be positioned a minimum of 18m from neighbours opposite which accords with the recommended minimum separation distance of 15m set out in the Council's 'Outlook, Amenity, Privacy and Daylight' SPD (2008).
22. Considering the points discussed above, the proposed development, by reason of its height, bulk, massing and close proximity to the neighbour at No.31 Eve Road and their rear amenity space, would result in a significant and unacceptable overbearing and loss of light impact on this neighbour, to the detriment of their residential amenity. The proposal is therefore contrary to Woking Core Strategy (2012) policy CS21 'Design', Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight' (2008) and the NPPF (2019).

Housing Mix:

23. Woking Core Strategy (2012) policy CS11 states that residential proposals are expected to provide a mix of dwelling types and sizes to address the nature of local needs as evidenced in the Strategic Housing Market Assessment (SHMA). There is an identified need for family accommodation; in particular three bed units followed by two bedroom units. Furthermore the proposal site is within a 'Priority Place' as identified by Core Strategy (2012) policy CS5, in which planning decisions are expected to seek to redress identified issues, including housing, in the Maybury and Sheerwater areas. This policy seeks to redress the tenure imbalance in the area by providing more family accommodation (two bed and above).
24. By contrast the proposal would deliver 7x one bedroom flats and 1x studio which would be unsuitable for family accommodation. The proposed housing mix is not therefore considered to reflect the identified local housing need, contrary to Core Strategy (2012) policies CS5 and CS11. The previously refused application (PLAN/2016/0743) also proposed 8x one bedroom dwellings and this formed one of the reasons for refusal; the proposal has clearly not therefore overcome this reason for refusal.

Impact on the Thames Basin Heaths Special Protection Area (SPA):

25. 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 Core Strategy states that any proposal with potential significant impacts (alone or in combination with other relevant

3 JUNE 2020 PLANNING COMMITTEE

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.

26. Policy CS8 of 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 proposed development would require a SAMM financial contribution of £4,120 based on a net gain of 8x one bedroom dwellings which would arise from the proposal. The Appropriate Assessment concludes that there would be no adverse impact on the integrity of the TBH SPA providing the SAMM financial contribution is secured through a S106 Legal Agreement. CIL would be payable in the event of planning permission being granted. Nonetheless no Legal Agreement has been submitted to secure the SAMM financial contribution given the other objections to the proposal.
27. In view of the above, and in the absence of a Legal Agreement to secure contributions towards mitigation measures, the Local Planning Authority is unable to determine that the additional dwellings would not have an adverse effect on the integrity of the Thames Basin Heaths Special Protection Area, either alone or in combination with other plans and projects in relation to urbanisation and recreational pressure effects, contrary to the Conservation of Habitats and Species Regulations 2017 (SI No. 490 - the "Habitats Regulations"), saved Policy NRM6 of the South East Plan (2009), Policy CS8 of the Woking Core Strategy (2012) and the Thames Basin Heaths Avoidance Strategy 2010-2015.

Transportation Impact:

28. Eve Road is a no-through road characterised by pairs of semi-detached and terraced dwellings with frontages of dwellings not being deep enough to accommodate vehicles and very few properties have the ability to park off-street. Consequently the majority of residents park on-street and there are no parking controls on the road. As a result the road is heavily parked and there is clearly parking pressure in the area, with the majority of on-street spaces typically occupied during weekday daytime hours.
29. When the previously refused application was determined, the Council's Parking Standards (2006) were minimum standards. The current Parking Standards SPD (April 2018) sets minimum standards for residential development and maximum standards for commercial development. For retail development, the SPD sets maximum standards of one space per 30m². The total existing commercial floor area is 361m² which would equate to a maximum parking standard of 12x spaces. The minimum parking standard for the proposed 8x flats would be 4x spaces.
30. Whilst the proposal would not deliver any off-street parking and so would fail to meet the minimum standards set out in the SPD, this should be balanced against the loss of

3 JUNE 2020 PLANNING COMMITTEE

the existing commercial uses and their associated parking and servicing requirements. It is also borne in mind that the frontage of the host building is used for parking and most of the road frontage of the site is marked by a solid white line and dropped kerb. The proposed plans would replace the hardstanding to the frontage with landscaping which would remove the possibility of off-street parking and would create opportunities for on-street parking to the frontage of the proposal site. The frontage of the proposal site is approximately 18m in width which is equivalent to three parallel on-street parking bays.

31. Overall, when balancing the loss of the parking and servicing demands of the existing commercial uses and the increased opportunity for on-street parking to the frontage which would arise from the proposal, on balance the proposal is considered to have an acceptable parking impact compared to the existing situation.
32. In terms of waste management arrangements, it is considered that there is sufficient space within the site for waste and recycling to be stored and collected in accordance with the Council's Waste Practice Guide. There is also scope for cycle storage to be provided. The County Highway Authority has been consulted and raises no objection subject to conditions, which could be applied if the proposal were considered otherwise acceptable. Overall the proposal is considered acceptable in transportation terms.

Contamination:

33. The site has historically been used for industrial uses, including as a glue factory, and records suggest evidence of an underground petroleum tank. The Council's Scientific Officer has reviewed the proposal and has stated that if planning permission is granted then investigation and remediation of potential contamination should be secured by condition. This would be secured if the proposal were considered otherwise acceptable.

CONCLUSION

34. The proposed development, by reason of the nature and placement of bedroom window openings, would fail to deliver a satisfactory standard of accommodation for future residents, to the detriment of their residential amenity.
35. The proposed development, by reason of its height, bulk, massing and close proximity to the neighbour at No.31 Eve Road and their rear amenity space, would result in a significant and unacceptable overbearing and loss of light impact on this neighbour, to the detriment of their residential amenity.
36. The proposed roof extension, by reason of its bulk, massing and position would result in an unduly prominent, dominating and incongruous addition which results in a visually harmful impact on the street scene.
37. In the absence of an adequate Flood Risk Assessment, it has not been demonstrated that future occupiers of the proposed development would not be unduly impacted upon by surface water flooding or that the development would not exacerbate the existing risk from surface water flooding.
38. The proposed development comprises exclusively one bedroom units unsuitable for family occupation which would not reflect the identified local housing need and the proposal would lead to the loss of retail (A1 use) floor space in an area identified as a 'Priority Place', to the detriment of retail choice in the local area.

3 JUNE 2020 PLANNING COMMITTEE

39. Furthermore, in the absence of a Legal Agreement or other appropriate mechanism to secure contributions towards mitigation measures, it cannot be determined that the net additional dwellings arising from the proposed development would not have a significant impact on the Thames Basin Heaths Special Protection Area.
40. The proposal is therefore contrary to the Development Plan and is recommended for refusal.

BACKGROUND PAPERS

1. Site visit photographs
2. Consultation responses
3. Representations

RECOMMENDATION

REFUSE for the following reasons:

1. The proposed development, by reason of the nature and placement of bedroom window openings, would fail to deliver a satisfactory standard of accommodation for future residents, to the detriment of their residential amenity. The proposal is therefore contrary to Woking Core Strategy (2012) policy CS21 'Design', Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight' SPD (2008) and the NPPF (2019).
2. The proposed development, by reason of its height, bulk, massing and close proximity to the neighbour at No.31 Eve Road and their rear amenity space, would result in a significant and unacceptable overbearing and loss of light impact on this neighbour, to the detriment of their residential amenity. The proposal is therefore contrary to Woking Core Strategy (2012) policy CS21 'Design', Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight' (2008) and the NPPF (2019).
3. The proposed roof extension, by reason of its bulk, massing and position would result in an unduly prominent, dominating and incongruous addition which results in a visually harmful impact on the street scene. The proposed development would therefore be contrary to Woking Core Strategy (2012) policies CS21 'Design' and CS24 'Woking's Landscape and Townscape', Supplementary Planning Document 'Woking Design' (2015) and the NPPF (2019).
4. In the absence of an adequate Flood Risk Assessment, it has not been demonstrated that future occupiers of the proposed development would not be unduly impacted upon by surface water flooding or that the development would not exacerbate the existing risk from surface water flooding, contrary to Woking Core Strategy (2012) policy CS9 'Flooding and water management' and the NPPF (2019).
5. The proposed development comprises exclusively one bedroom units unsuitable for family occupation which would not reflect the identified local housing need and the proposal would lead to the loss of retail (A1 use) floor space in an area identified as a 'Priority Place', to the detriment of retail choice in the local area. The proposal is therefore contrary to Woking Core Strategy (2012) policies CS5 'Priority Places' and CS11 'Housing Mix'.
6. In the absence of a Legal Agreement or other appropriate mechanism to secure contributions towards mitigation measures, it cannot be determined that the net additional dwellings arising from the proposed development would not have a

3 JUNE 2020 PLANNING COMMITTEE

significant impact on the Thames Basin Heaths Special Protection Area, contrary to Woking Core Strategy (2012) policy CS8 'Thames Basin Heaths Special Protection Areas', the Thames Basin Heaths Avoidance Strategy (2010 - 2015), saved policy NRM6 of the South East Plan (2009) and the Conservation of Habitats and Species Regulations 2017 (SI No. 490 - the "Habitats Regulations").

Informatives

1. The plans relating to the development hereby refused are listed below:

1549 FE00 (Existing Location Plan) received by the LPA on 30/10/2018
05 (Existing Elevations and Sections) received by the LPA on 29/11/2018
E-01 (Existing Elevations and Floor Plans) received by the LPA on 29/11/2018
1549 FE01a (Existing Block Plan) received by the LPA on 30/10/2018
1549 FE02 (Existing Site Survey) received by the LPA on 30/10/2018
1549 FE04 (Existing Ground Floor Plan Survey) received by the LPA on 30/10/2018
1549 FE05 (Existing First Floor Plan Survey) received by the LPA on 30/10/2018
1549 FE06 (Existing Roof Plan Survey) received by the LPA on 30/10/2018
1549 FE10 (Existing Ground Floor Plan) received by the LPA on 29/11/2018
1549 FE11 (Existing First Floor Plan) received by the LPA on 29/11/2018
1549 FE12 (Existing Roof Plan) received by the LPA on 30/10/2018
1549 FE13a (Existing Sections) received by the LPA on 30/10/2018

1549 FE16b (Proposed Block Plan) received by the LPA on 03/06/2019
1549 FE20d (Proposed Ground Floor Plan) received by the LPA on 03/06/2019
1549 FE21c (Proposed First Floor Plan) received by the LPA on 03/06/2019
1549 FE22c (Proposed Second Floor Plan) received by the LPA on 03/06/2019
1549 FE30a (Existing and Proposed Street Scenes) received by the LPA on 30/10/2018
1549 FE31a (Proposed South Elevation) received by the LPA on 30/10/2018
1549 FE32b (Proposed West Elevation) received by the LPA on 03/06/2019
1549 FE33a (Proposed North Elevation Section) received by the LPA on 30/10/2018
1549 FE34a (Proposed North Elevation) received by the LPA on 30/10/2018
1549 FE35b (Proposed East Elevation) received by the LPA on 03/06/2019
FE40 (Existing and Proposed Street Scenes) received by the LPA on 30/10/2018
FE45a (Proposed East Elevation as viewed from No.31) received by the LPA on 03/06/2019