

### 3<sup>rd</sup> JUNE 2020 PLANNING COMMITTEE

6d PLAN/2020/0135 WARD: HE

**LOCATION:** Belfairs, Pond Road, Woking, Surrey, GU22 0JT

**PROPOSAL:** Erection of a pair of semi-detached dwellings and a detached garage together with alterations to vehicular access and parking arrangements following demolition of an existing bungalow and garage. (Resubmission of PLAN/2019/0292)

**TYPE:** Full

**APPLICANT:** Hawksview Developments Ltd **CASE OFFICER:** Tanveer Rahman

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

The proposal involves the creation of an additional dwelling as well as a replacement dwelling. It therefore falls outside of the scheme of delegated powers.

#### **RECOMMENDATION**

GRANT planning permission subject to conditions and S106 legal agreement.

#### **PLANNING STATUS**

- Urban Area
- Tree Preservation Order
- Hook Heath Neighbourhood Plan Area
- Thames Basin Heaths SPA Zone B (400m-5km)

#### **SITE DESCRIPTION**

The application site is occupied by a bungalow with a garage which is attached to the house by the main roof. It is set back from the street by a paved driveway and front garden area which is bounded from the street by hedging. The property has a large rear garden which contains an outdoor swimming pool to the rear. The rear garden is bounded from neighbouring properties by trees and other vegetation. The site is covered by an area TPO.

#### **PLANNING HISTORY**

**APP/A3655/W/19/3234540:** Erection of a pair of four-bedroom semi-detached dwellings and a detached garage together with alterations to vehicular access and parking arrangements following demolition of an existing bungalow and garage (PLAN/2019/0292) - Appeal Dismissed 13.01.2020 solely on the grounds that the Planning Inspector was not convinced that harm to the integrity of the Thames Basin Heaths Special protection Area could be mitigated.

**PLAN/2019/0292:** Erection of a pair of four-bedroom semi-detached dwellings and a detached garage together with alterations to vehicular access and parking arrangements following demolition of an existing bungalow and garage - Refused 26.06.2019 for the following reasons:

### 3<sup>rd</sup> JUNE 2020 PLANNING COMMITTEE

*“01. The proposal, by way of its design, siting and plot subdivision would result in an unduly prominent, cramped and incongruous form of development and uncharacteristically small plot sizes which would fail to reflect the prevailing grain, pattern and character of development in the surrounding area. This incongruous nature and overdevelopment would be exacerbated by the entrance to 'Plot 1' in the front elevation and the entrance to 'Plot 2' in the side elevation which would be visible from Pond Road making the cramped subdivision immediately apparent within the street scene. Furthermore, approving this subdivision would make it difficult to resist plot divisions to similar sizes at neighbouring properties which would completely erode the Arcadian character of the area. The proposal would therefore cause unacceptable harm to the character of the area. This is contrary to Policies CS21 and CS24 of the Woking Core Strategy (2012), Policy DM10 of the Development Management Policies Development Plan Document (2016), Policy BE1 of the Hook Heath Neighbourhood Plan 2015-2027 (2015), Section 12 of the National Planning Policy Framework (2019) and Woking Design SPD (2015).*

*02. In the absence of a Legal Agreement or other appropriate mechanism to secure contributions towards mitigation measures, it cannot be determined that the proposed net additional dwelling would not have a significant impact on the Thames Basin Heaths Special Protection Area, contrary to Policy CS9 of the Woking Core Strategy (2012), the Thames Basin Heaths Avoidance Strategy (2010 - 2015), and saved policy NRM6 of the South East Plan (2009) and the Conservation of Habitats and Species Regulations 2010 (SI No. 490 - the "Habitats Regulations").”*

**PLAN/2016/1244:** Erection of a two-storey, five bedroom, replacement dwelling and detached garage following demolition of an existing bungalow (amended plans) - Permitted 18.05.2017.

**PLAN/2016/0730:** Proposed erection of 2x detached two storey dwellings (4x bed) and associated parking and landscaping following demolition of existing dwelling - Refused 24.08.2016 for the following reasons:

*“01. The proposal, by reason of its design, siting and plot subdivision, would result in an unduly prominent, cramped and incongruous form of development and uncharacteristically small plot sizes which would fail to reflect the prevailing grain, pattern and character of development in the surrounding area. The proposal would therefore cause unacceptable harm to the character of the surrounding area and would therefore be contrary to Core Strategy (2012) policies CS21 'Design' and CS24 'Woking's landscape and townscape', saved Local Plan (1999) policy HSG22 'Plot Subdivision, Infilling and Backland Development', Supplementary Planning Documents 'Woking Design' (2015) and 'Plot Sub-Division: Infilling' and Backland Development' (2000), policy BE1 of the Hook Heath Neighbourhood Plan (2015), draft Woking DPD (2015) policy DM10 'Development on Garden Land' and Section 7 the National Planning Policy Framework (2012).*

*02. The proposed development would be in close proximity to mature trees of significant public amenity value and it has not been demonstrated that the proposed development can be accommodated on the site whilst retaining and adequately protecting these trees. The proposal would therefore be contrary to saved Local Plan (1999) policy NE9 'Trees within Development Proposals', Core Strategy (2012) policies CS21 'Design' and CS24 'Woking's landscape and townscape' and draft Woking DPD (2015) policy DM2 'Trees and Landscaping'.*

*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*

### 3<sup>rd</sup> JUNE 2020 PLANNING COMMITTEE

*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', 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 National Planning Policy Framework (2012)."*

**84/0408:** Single-storey rear extension - Permitted 01.05.1984.

**81/0009:** Alteration to double garage - Permitted 01.03.1981.

**31012:** Erection of bungalow garage - Refused 01.04.1973.

**29126:** Detached building - Permitted 01.05.1972.

**28219:** Double garage outline - Permitted 01.11.1971.

**19509:** Double garage outline - Permitted 01.06.1965.

**10908:** Detached bungalow shelter - Permitted 01.05.1958.

**10824:** Parking of caravan - Permitted 01.05.1958.

**10755:** Detached bungalow garage outline - Permitted 01.04.1958.

**9019:** Erection of 2 houses - Permitted 01.03.1956.

**8821:** 2 additional houses - Permitted 01.01.1956.

#### **PROPOSED DEVELOPMENT**

The planning application seeks permission for the erection of a pair of semi-detached dwellings following demolition of the existing bungalow and garage. The proposed dwellings would be within a two-storey hipped roof building. The building would have a front gable with a bay window in its front elevation as well as a single-storey rear element on its rear elevation. 'Plot 1' would be a four-bedroom dwelling with its main entrance being in the front (north east) elevation. 'Plot 2' would also be a four-bedroom dwelling with its main entrance being in the side (north west) elevation.

The existing rear garden is proposed to be divided in two and the swimming pool filled in so that each of the proposed dwellings would have their own individual rear gardens. Each of these gardens are proposed to have a cycle store as well as an area for refuse and recycling.

The application proposes to erect a pyramid roofed detached double garage at the front of the site with each dwelling proposed to have one parking space within it. The application also proposes alter the existing driveway and front garden area so that there would be a new shared access from Pond Road and two parking bays for 'Plot 1' and a further two bays for 'Plot 2'.

(Case Officer's note: the proposed design is exactly the same as what was proposed as part of PLAN/2019/0292.)

## 3<sup>rd</sup> JUNE 2020 PLANNING COMMITTEE

### **SUMMARY INFORMATION**

Site area	0.158ha
Existing units	1 unit
Proposed units	2 units
Existing site density	6.3 dwellings/hectare
Proposed site density	12.6 dwellings/hectare

### **CONSULTATIONS**

**Hook Heath Neighbourhood Forum:** Objection - the main points being that:

In the assessment of the appeal at the site the Planning Inspector did not correctly apply Policy BE1 Hook Heath Neighbourhood Plan with regards to plot density. Therefore the proposal would result in an overdevelopment of the site which would harm the character of the street scene.

In the assessment of APP/A3655/W/19/3234540 the Planning Inspector took the view that the Council's policy on mitigating the impact on the TBH SPA is unacceptable. Therefore, the applicant's proposal to negotiate mitigation measures is not acceptable.

**Council Senior Arboricultural Officer:** The Officer was consulted as part of PLAN/2019/0292 and raised no objection subject to condition. Given that the proposed design is the same it considered that these comments still stand.

**County Highway Authority (SCC):** The County Highway Authority was consulted as part of PLAN/2019/0292 and raised no objection subject to condition. Given that the proposed design is the same it considered that these comments still stand.

### **NEIGHBOUR REPRESENTATIONS**

8 letters of objection (including 5 from the same objectors) which made the following main statements:

- There is a covenant on the site preventing additional dwellings. (*Case Officer's note: this is a legal issue which falls outside of planning control.*)
- The proposal would create overlooking issues.
- The resultant plot density would not be in keeping with the local area and would be contrary to the Hook Heath Neighbourhood Plan.
- The Inspector for the appeal decision at the application site has incorrectly interpreted the Hook Heath Neighbourhood Plan and the impact the proposal would have on the character of the area.
- There could be an increase in vehicle.
- Pond Road is too narrow to accommodate on street parking.

### **RELEVANT PLANNING POLICIES**

**National Planning Policy Framework (2019):**

- 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 15 - Conserving and enhancing the natural environment

## 3<sup>rd</sup> JUNE 2020 PLANNING COMMITTEE

### Woking Core Strategy (2012):

CS1 - A Spatial Strategy for Woking  
CS8 - Thames Basin Heaths Special Protection  
CS10 - Housing provision and distribution  
CS12 - Affordable housing  
CS11 - Housing mix  
CS18 - Transport and accessibility  
CS21 - Design  
CS22 - Sustainable Design and Construction  
CS24 - Woking's Landscape and Townscape  
CS25 - Presumption in Favour of Sustainable Development

### Development Management Policies DPD (2016):

DM2 - Trees and landscaping  
DM10 - Development on garden land

### Hook Heath Neighbourhood Plan 2015-2027 (2015):

BE1 - Maintaining the Character of the Village  
BE2 - Parking Provision  
OS1: Amenity Value

### Supplementary Planning Documents:

*Woking Design SPD (2015)*  
*Outlook, Amenity, Privacy and Daylight (2008)*  
*Parking Standards (2018)*  
*Climate Change (2013)*

## **PLANNING ISSUES**

The main issues to consider in determining this application are principle of development, impact on character, impact on trees, impact on neighbouring amenity, quality of accommodation, impact on private amenity space, impact on recycling & refuse, impact on car parking provision & highway safety, impact on sustainability and impact on the Thames Basin Heath Special Protection Area, Affordable Housing having regard to the relevant policies of the Development Plan.

### Principle of Development

1. The NPPF (2019) and Policy CS25 of the *Woking Core Strategy (2012)* promote a presumption in favour of sustainable development. The application site is located within an established residential area with good links and is considered to be suitably sustainable in the defined urban area of Woking. As such, the principle of an uplift of a residential unit is considered acceptable subject to further material considerations as set out in this report.
2. The principle of development is considered acceptable subject to further material considerations as set out in this report.

### 3<sup>rd</sup> JUNE 2020 PLANNING COMMITTEE

#### Impact on character

3. Policy CS21 of the *Woking Core Strategy* (2012) states that new development should create buildings “with their own distinct identity, they should respect and make a positive contribution to the street scene and character of the area in which they are situated, paying regard to the scale, height, proportions, building lines, layout, materials and other characteristics of adjoining buildings and land”. Policy DM10 of the *Development Management Policies Development Plan Document* (2016) states that development on garden land will be supported subject to four criteria. The first criteria states that it should “not involve the inappropriate sub-division of existing curtilages to a size substantially below that prevailing in the area” and the second criteria states that development should present “a frontage in keeping with the existing street scene or the prevailing layout of streets”.
4. Policy BE1 of the *Hook Heath Neighbourhood Plan 2015-2027* (2015) states that “Where possible, plot sizes should be similar to those adjacent and in other cases within the mid-range for Arcadian Developments (5-10 dph)” and that development should “ensure that the specific context of the site and the wider character of the street scene are fully taken into account in relation to scale, appearance and materials”.
5. Hook Heath is characterised by large dwellings set within spacious plots and a verdant setting which gives the area its Arcadian character. While it is noted that plots shapes do vary along Pond Road they do tend to be relatively large and relatively wide. The following table showing the existing bungalow together with adjacent and opposite neighbouring properties illustrates this:

Property	Plot size	Plot density	Plot width facing Pond Road
Belfairs (existing)	0.158ha	6.3 dwellings/ha	19.2m - 29.0m
Heatherside	0.131ha	7.6 dwellings/ha	20.0m
1 Penwood End (formerly Hollands)	0.197ha	5.1 dwellings/ha	38.7m - 49.3m
St Blazey Gate	0.126ha	7.9 dwellings/ha	16.3m - 37.1m
Cranford	0.118ha	8.4 dwellings/ha	35.5m - 52.1m

6. The table above shows that the prevailing urban grain around the site consists of plots sizes within the range of 0.118ha - 0.197ha, plot densities within the range of 5.1 dwellings/ha - 8.4 dwellings/ha and plot widths facing Pond Road ranging from 19.2m - 52.1m. At a plot size of 0.158ha, a plot density of 6.3 dwellings/ha and a plot width facing Pond Road ranging from of 19.2m - 29.0m Belfairs is fairly central within these ranges and is therefore considered to be in keeping with the prevailing urban grain and therefore the wider character of Pond Road’s Street scene.
7. By continuing the party wall line between the two proposed dwellings to the front boundary of the site to split the proposed front driveway into two parts (with the garage as part of ‘Plot 2’) the proposed development would create the following conditions:

Property	Plot size	Plot density	Plot width facing Pond Road
Plot 1 (proposed)	0.083ha	12.0 dwellings/ha	9.2m - 13.1m
Plot 2 (proposed)	0.074ha	13.5 dwellings/ha	10.0m - 15.2m

### 3<sup>rd</sup> JUNE 2020 PLANNING COMMITTEE

8. The proposed dwellings' plot sizes range from 0.074 ha - 0.083ha, plot density range of 12.0 dwellings/ha - 13.5 dwellings/ha and plot widths facing Pond Road ranging from 9.2m - 15.2m would be well below the range of neighbouring properties on Pond Road; as well as the indicative 5 -10 dwellings/ha density requirement set out in Policy BE1 of the *Hook Heath Neighbourhood Plan 2015-2027* (2015).
9. Therefore, in the assessment of PLAN/2019/0292 it was considered that proposal, by way of its design, siting and plot subdivision would result in an unduly prominent, cramped and incongruous form of development and uncharacteristically small plot sizes which would fail to reflect the prevailing grain, pattern and character of development in the surrounding area. It was also considered that this incongruous nature and overdevelopment would be exacerbated by the entrance to 'Plot 1' in the front elevation and the entrance to 'Plot 2' in the side elevation which would be visible from Pond Road making the cramped subdivision immediately apparent within the street scene. Furthermore, it was considered that approving this subdivision would make it difficult to resist plot divisions to similar sizes at neighbouring properties which would completely erode the Arcadian character of the area. It was therefore considered that the proposal would cause unacceptable harm to the character of the area which was Refusal Reason 1 of PLAN/2019/0292.
10. However, PLAN/2019/0292 was appealed (APP/A3655/W/19/3234540) and the Inspector's report disagreed with this Refusal reason. In justifying this position the Inspector's report made the following statements:

*"The divided rear gardens would be narrower, and the proposed plot sizes smaller, than many nearby properties. Nonetheless, the rear of the site would be largely screened by the mature vegetation to the side and rear boundaries of the site.*

*"Properties in Pond Road are generally detached. However, there are examples of buildings being attached or in close proximity to each other in the wider area."*

*"The appeal proposal would be seen in the context of several other large properties nearby, it would not dominate the streetscene. As there are already outbuildings forward of the main building line of the dwellings in the street, the position of the proposed garage would not be out of keeping"*

*"The entrance for one of the proposed dwellings would be on the side elevation. However, even if this were to be apparent from the street, along with the open shared parking and turning area and single access point it would help the site retain the appearance of being a single property"*

*"Policy BE1 of the Hook Heath Neighbourhood Plan (neighbourhood plan) states that where possible plot sizes should be similar to those adjacent and in other cases within 5-10dph. To my mind the use of the words 'where possible' implies that it will not be achievable in all cases and that there will be occasions where differing from this will occur. Therefore, while at a higher density than the examples put to me, the curtilages would not be substantially below others in the area. Along with the single dwelling appearance of the site frontage landscaping, the scheme would retain the Arcadian and sylvan streetscene"*

*"...the proposed development would not be harmful to the character and appearance of the area"*

11. Given that this current application has the same design and the recentness of the appeal decision it is considered that the Inspector's report has to be given significant

### 3<sup>rd</sup> JUNE 2020 PLANNING COMMITTEE

weight. For this reason it is considered that Refusal Reason 1 of PLAN/2019/0292 has been overcome and that the proposal would have an acceptable impact on the character of the area.

#### Impact on trees

12. It is that the proposal would have an acceptable impact on trees subject to condition.

#### Impact on neighbouring amenity

13. There would be three ground floor windows and a set of bi-fold doors in the side (north west) elevation serving 'Plot 2' which would face towards 1 Penwood End (formerly Hollands). However they would look directly onto a boundary treatment and are not therefore considered to create unacceptable overlooking issues. The two first floor windows proposed in the north west elevation would be above the boundary treatment however as they would not serve habitable rooms they could be conditioned to be obscurely glazed and non-opening below a height of 1.7m from the floor levels of the rooms they would serve in order to prevent overlooking. There would be two ground floor windows and a set of bi-fold doors in the side (south east) elevation serving 'Plot 1' which would face towards 1 Penwood End (formerly Hollands). However they would look directly onto a boundary treatment and are not therefore considered to create unacceptable overlooking issues. The first floor window proposed in the south east elevation would be above the boundary treatment however as it would not serve a habitable room it could also be conditioned. In order to prevent overlooking issues *Outlook, Amenity, Privacy and Daylight* (2008) recommends a minimum 15m separation distance between first floor front elevation windows and a flank boundary. It also recommends a minimum 30m separation distance between first floor rear window and a rear boundary. The proposed first floor windows in the front elevation would be more than 30m from the boundary with Cranford. The proposed first floor rear windows would be more than 30m from the property's rear boundary with Tall Trees. The proposal exceeds Council's guidelines and it is therefore considered that the proposal would not create unacceptable overlooking issues towards Cranford or Tall Trees.
14. The proposal would pass the '25° test' as set out in *Outlook, Amenity, Privacy and Daylight* (2008) towards the windows in the side (north west) elevation of Heatherside and it is considered that the proposal would be too far from the rear windows of Hollands to impact their daylight levels. It is therefore considered that the proposal would have an acceptable impact on the daylight levels received by neighbouring properties.
15. The proposed two-storey element would have a 12.1m depth, a 4.9m eaves height and a 5.9m separation distance from Heatherside. Furthermore, it would not be in line with what is considered to be Heatherside's main area of private amenity space. For these reasons it is considered that it would not appear unacceptably overbearing towards Heatherside. The proposed two-storey element would have a 13.0m depth of, a 4.9m eaves height and a 4.2m - 6.1m separation distance from 1 Penwood End and would only be in line with the rear of its garden. For these reasons it is considered that it would not appear overbearing towards 1 Penwood End. Given the scale, form, massing and location of the proposed garage it is considered that it would not appear unacceptably overbearing towards 1 Penwood End either.

#### Quality of accommodation and private amenity space

16. The proposed dwellings are considered to achieve an acceptable size and standard of accommodation with good quality outlooks to habitable rooms.



### 3<sup>rd</sup> JUNE 2020 PLANNING COMMITTEE

17. Woking Borough Council's SPD *Outlook, Amenity, Privacy and Daylight* (2008) recommends that family dwellings with two or more bedrooms should have private amenity space that is at least equal in area to the footprint of the house and is also in scale with the house.
18. The two proposed dwellings would have rear gardens with areas greater than their footprints. It is therefore considered that they comply with guidelines in the SPD and would have an acceptable impact on private amenity space.

#### Impact on parking provision & highway safety

19. Woking Borough Council's SPD *Parking Standards* (2018) recommends that houses with 4 bedrooms should have parking provision for a minimum of three cars.
20. Each of the 2 proposed dwellings would have 3 parking spaces and it is also noted that the County Highway Authority (SCC) has raised no objection.
21. For these reasons it is considered that the proposal would have an acceptable impact on car parking provision and highway safety.

#### Impact on waste and recycling

22. It is considered that the proposed layout would enable the provision of acceptable waste and recycling storage and collection.

#### Sustainability

23. Planning policies relating to sustainable construction have been updated following the Government's withdrawal of the Code for Sustainable Homes. Therefore, in applying Policy CS22 of the *Woking Core Strategy* (2012), the approach has been amended and at present all new residential development shall be constructed to achieve a water consumption standard of no more than 105 litres per person per day indoor water consumption and not less than a 19% CO2 improvement over the 2013 Building Regulations TER Baseline (Domestic).
24. It is considered that details of compliance with these requirements can be secured via condition.

#### Impact on the Thames Basin Heaths Special Protection Area

25. The SPAs in this area are internationally-important and designated for their interest as habitats for ground-nesting and other birds. Policy CS8 of the *Woking Core Strategy* (2012) requires new residential development beyond a 400m threshold but within 5 kilometres of the SPA boundary to make an appropriate contribution towards the provisions of Suitable Alternative Natural Greenspace (SANG) and the Strategic Access Management and Monitoring (SAMM).
26. Suitable Alternative Natural Greenspace (SANG) and Landowner Payment elements of the SPA tariff are encompassed within the Community Infrastructure Levy (CIL) however the Strategic Access Management and Monitoring (SAMM) element of the SPA tariff is required to be addressed outside of CIL. A SAMM contribution of **£1,094** in line with the *Thames Basin Heaths Special Protection Area Avoidance Strategy 2010-2015* (April 2020 update) as a result of an additional 4-bedroom dwelling.

### 3<sup>rd</sup> JUNE 2020 PLANNING COMMITTEE

27. Policy CS8 of the Core Strategy 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 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.
28. Policy CS8 of the Core Strategy 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 SAMM contribution of **£1,094** in line with the Thames Basin Heaths SPA Avoidance Strategy would need to be secured through a S106 Legal Agreement. For the avoidance of doubt, sufficient SANG at **Heather Farm** has been identified to mitigate the impacts of the development proposal.
29. The Inspector dismissed the last appeal solely on the grounds that he had concerns the submitted legal agreement did not secure the appropriate mitigation to SPA. The legal agreement that will be signed in connection with the current application will ensure there is the correct wording within it to ensure the proposal mitigates against the harm to the SPA.

#### Local finance consideration

30. The proposal would lead to a total gross internal area of 338sqm outside of the designated town centre. As the 243.8sqm dwelling is proposed to be demolished the development will be required to make a financial contribution to the Community Infrastructure Levy (CIL) for the net additional 94.02sqm of gross internal area. It will therefore be liable to a contribution to the Community Infrastructure Levy (CIL) of **£15,097.44** according to the current CIL year's price index.

#### **CONCLUSION**

Overall, proposal would overcome Refusal reasons 1 and 2 of PLAN/2019/0292 and have an acceptable impact on character, trees, neighbouring amenity, quality of accommodation and private amenity space, car parking provision and highway safety, refuse and recycling and sustainability having regard to the relevant policies of the Development Plan. The proposal therefore accords with Sections 5, 9, 11, 12 and 15 of the *National Planning Policy Framework* (2019), Policies CS1, CS8 CS10, CS11, CS18, CS21, CS22, CS24 and CS25 of the *Woking Core Strategy* (2012), Policies DM2 and DM10 of the *Development Management Policies DPD* (2016), Policies BE1, BE2 and OS1 of the *Hook Heath Neighbourhood Plan 2015-2027* (2015), *Woking Design SPD* (2015), *Outlook, Amenity, Privacy and Daylight* (2008), *Parking Standards* (2018) and *Climate Change* (2013).

#### **BACKGROUND PAPERS**

Site visit photographs (19.03.2020)

## 3<sup>rd</sup> JUNE 2020 PLANNING COMMITTEE

### PLANNING OBLIGATIONS

	Obligation	Reason for Agreeing Obligation
1.	Provision of <b>£1,094</b> contribution to provide SAMM.	To accord with the Habitat Regulations and associated Development Plan policies and the Council's Adopted Avoidance Strategy.

### RECOMMENDATION

It is recommended that planning permission be GRANTED subject to the above legal agreement and the following conditions:

1. The development hereby permitted must 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 must be carried out in accordance with the approved drawings listed below:
  - 1:1250 location plan Drwg no.P01 (received by the LPA on 11.02.2020)
  - 1:500 proposed block plan Drwg no.P02 (received by the LPA on 11.02.2020)
  - 1:250 proposed block plan Drwg no.P03 (received by the LPA on 11.02.2020)
  - 1:100 proposed house plans and elevations Drwg no.P04 (received by the LPA on 11.02.2020)
  - 1:100 proposed garage and cycle enclosure plans and elevations Drwg no.P06 (received by the LPA on 11.02.2020)

Reason:

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

3. Above ground development associated with the development hereby permitted must not commence until details of the materials to be used in the external elevations have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason:

To protect the visual amenities of the area in accordance with the principles set out in the NPPF (2019) and Policy CS21 of the *Woking Core Strategy* (2012).

4. The first floor windows in the north west and south east elevations hereby permitted shall be glazed entirely with obscure glass and non-opening unless the parts of the window/s which can be opened are more than 1.7 metres above the floor of the rooms in which they are installed. Once installed the windows shall be permanently retained in that condition unless otherwise agreed in writing by the Local Planning Authority.

### 3<sup>rd</sup> JUNE 2020 PLANNING COMMITTEE

Reason: To safeguard the amenities of the adjoining properties.

5. No development-related works shall be undertaken on site (including clearance and demolition) until tree protection details have been submitted to and approved in writing by the Local Planning Authority. These details shall adhere to the principles embodied in BS 5837 (2012) and shall include a Tree Survey, Arboricultural Impact Assessment and Arboricultural Method Statement. The details shall make provision for the convening of a pre-commencement meeting and Arboricultural supervision by a suitably qualified and experienced Arboricultural Consultant for works within the RPAs of retained trees. Full details shall be provided to indicate exactly how and when the retained trees will be protected during the site works. The development shall be carried out strictly in accordance with the agreed details.

Reason:

To ensure the retention and protection of trees on and adjacent to the site in the interests of the visual amenities of the locality and the appearance of the development. 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.

6. No above ground development associated with the development hereby permitted shall commence until a detailed landscaping scheme has been submitted to and approved in writing by the Local Planning Authority which specifies species, planting sizes, spaces and numbers of trees/ shrubs and hedges to be planted. 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:

In the interests of amenity and biodiversity and to preserve and enhance the character and appearance of the locality.

7. Above ground works must not commence until full details of the materials to be used for the hard landscape works have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details and completed before the first occupation of the development.

Reason:

In the interests of amenity and to preserve and enhance the character and appearance of the locality in accordance with Policies CS21 and CS24 of the *Woking Core Strategy* (2012).

8. Above ground development associated with the development hereby permitted must not commence until details have been submitted for the written approval of the Local Planning Authority demonstrating that the development will be constructed to achieve, as a minimum, the optional requirement set through the Building Regulations 2010 (as amended) for water efficiency that requires indoor wholesome water consumption of

### 3<sup>rd</sup> JUNE 2020 PLANNING COMMITTEE

no more than 105 litres per person per day; and not less than a 19% improvement in the dwelling emission rate over the 2013 Building Regulations TER Baseline (Domestic). Such details as may be approved shall be installed prior to the first occupation of the development and maintained and operated in perpetuity, unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To ensure that the development achieves a high standard of sustainability and makes efficient use of resources.

9. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modification) no building, structure or other alteration permitted by Class A, B, C and D of Part 1 of Schedule 2 of that Order shall be erected on the application site (the existing and proposed dwellings) without the prior written approval of the Local Planning Authority of an application made for that purpose.

Reason:

To protect the amenity and privacy of the occupants of neighbouring properties.

#### **Informatives**

1. Proactive Working:

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 NPPF (2019). The application was considered acceptable upon receipt.

2. You are 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 this permission does not convey the right to harm protected species or their habitat.