

3 JUNE 2020 PLANNING COMMITTEE

6g PLAN/2020/0180

WARD: HO

LOCATION: KRB Home Improvements Ltd, 109 High Street, Horsell, Woking, Surrey, GU21 4SY

PROPOSAL: Erection of an ancillary storage unit to the A1 unit following the demolition of 4 garages.

APPLICANT: Miss Park

OFFICER: Barry Curran

REASON FOR REFERRAL TO COMMITTEE

The application seeks planning permission for the erection of a new detached non-residential building which falls outside of the scope of delegated powers as set out by the Management Arrangements and Scheme of Delegation.

SUMMARY OF PROPOSED DEVELOPMENT

This is an application for the erection of a single storey ancillary storage unit to the rear of 109 High Street following demolition of an existing block of 4 garages.

PLANNING STATUS

- Urban Area
- Local Centre
- Thames Basin Heaths SPA Zone B (400m-5km)

RECOMMENDATION

GRANT planning permission subject to conditions.

SITE DESCRIPTION

The application site comprises land to the rear of No.109 and No.109A Horsell High Street. The site is within the Urban Area and the Local Centre of Horsell and lies to the rear of Class A ground floor uses fronting Horsell High Street, with residential flats (Class C3) located at first floor level. Both pedestrian and vehicular access is obtained via a gap between the flank sides of No.109 and No.111 High Street and this access also serves a service area beyond the site and to the east, associated with Class A and Class C3 uses at No.111 High Street.

The application site is occupied in part by a block of four lock-up garages located adjacent to the western side boundary beyond which is the curtilage of the adjacent Class A uses and residential flats above No.111 High Street. To the north are the rear gardens of the dwellings fronting South Close. Access to the residential flats above No.109 is gained from the rear elevation via the access road between No.109 and No.111 and via a rear external staircase abutting the application site.

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PLANNING HISTORY

PLAN/2019/0933 - Proposed erection of a single storey ancillary storage (Class B8) unit building following demolition of 4No garages – Refused 25.11.2019

Reason: The proposal would introduce an additional 'tandem' tier of development at the rear of Horsell High Street and would, therefore, fail to reflect the prevailing grain, pattern and character of existing development within the locality and would be poorly related to its surroundings in townscape terms. The proposed development would, therefore, be contrary to Section 12 of the National Planning Policy Framework, Policy CS21 of the Woking Core Strategy 2012 and Supplementary Planning Document 'Design' 2015.

PLAN/2016/1406 - Erection of one and a half storey building containing 2No. (1 Bed) apartments with associated hard and soft landscaping, following the demolition of 4No. existing garages – Refused 02.03.2017

PLAN/2009/1028 - Erection of a two-storey B1 (office) on land to rear of 109 and 109A High Street - Refused 29.01.2010 & Appeal Dismissed 27.09.2010

PLAN/2009/0540 - Erection of a two-storey B1 (office) use building on land to rear of 109 and 109A High Street - Refused 11.08.2009

PROPOSED DEVELOPMENT

The application seeks permission to erect a single storey ancillary storage unit to the rear of 109 High Street, Horsell to allow for expansion of the business at this unit and for availability of more products on the shop floor. The ancillary storage building would replace an existing block of 4 garages and would measure 15.8 metres in length, 6.9 metres in width, stand at a maximum height of 3.2 metres adopting a typical rectangular built form.

CONSULTATIONS

County Highway Authority: No objection raised (30.03.20)

Environmental Health Team: No objection (19.03.20)

Drainage Officer: No objection subject to condition (26.03.20)

REPRESENTATIONS

There has been 2no third party letters of objection received in relation to the proposed development. The issues raised in these letters are summarised as follows:

- Development is out of character with the area and an over-development of the application site
- Detrimental impact on the amenities of surrounding residential properties in terms of noise and disturbance
- The application site is incapable of accommodating deliveries from large vehicles and HGVs
- Loss of parking on site
- Impact on trees

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RELEVANT PLANNING POLICIES

National Planning Policy Framework 2019

Section 6 – Building a strong, competitive economy

Section 7 – Ensuring the vitality of town centres

Section 9 – Promoting sustainable transport

Section 11 – Achieving well designed places

Section 14 – Meeting the challenges of climate change, flooding and coastal change

Core Strategy Publication Document 2012

CS4 – Local and Neighbourhood Centres and shopping parades

CS9 – Flooding and water management

CS15 – Sustainable economic development

CS18 – Transport and accessibility

CS21 - Design

Supplementary Planning Guidance

Supplementary Planning Document 'Design' 2015

Supplementary Planning Document 'Parking Standards' 2018

Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight' 2008

PLANNING ISSUES

1. The planning issues to consider in determining this application are; background to the site's planning history, principle of development, design considerations and the impact of the proposal on the character of the area, impact on residential amenities, impact on parking and impact on drainage.

Background

2. It is a material consideration that the site was the subject of a planning appeal decision dated 27.09.10 (Ref: APP/A3655/A/10/212397) for a two storey office building and more recently refusals for a two storey residential building PLAN/2016/1406 dated 02.03.17 and a single storey storage unit refused under PLAN/2019/0933 dated 25.11.29. Whilst it is acknowledged that the current planning application stands to be assessed on its own merits under the provisions of the current Development Plan (including the provisions of the NPPF which has been adopted since this decision in 2010), and that the current proposal is for a single storey ancillary storage building as opposed to either a residential use (PLAN/2016/1406) or office use (PLAN/2009/1028 & APP/A3655/A/10/212397). The current proposal remains for the erection of a new building to the rear of No.109 and No.109A High Street, and therefore the previous refusals and appeal decision remain a material consideration in the determination of the current application.
3. In the appeal decision (Ref: APP/A3655/A/10/212397), the inspector drew upon the concern of introducing an additional tier of development which was unrelated to the frontage buildings and, as a consequence, the appeal was dismissed with this forming part of the one of the reasons for dismissal. The most recent refusal (PLAN/2019/0933), whilst applying for a similar form of ancillary development to that of the current proposal, did not include the unit at 109 High Street within the red line nor was this unit blue lined. This application was refused for the reason set out in the 'Planning History' Section of this report in that an additional tier of development unrelated to the

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frontage development was being introduced. This was contrary to the reason for refusal on a related appeal decision on the site and therefore the overarching concern was not addressed and the application was, therefore, refused.

Principle of Development

4. The application site falls within Horsell Local Centre. Policy CS1 states that *“development located in the District, Local and Neighbourhood Centres to provide housing, jobs and convenient access to everyday shops, services and local community facilities will also be encouraged”*. Policies CS4 of the Woking Core Strategy 2012 explains that Local and Neighbourhood Centres *“will retain town centre uses wherever viable, in order to meet the day-to-day needs of the local community”*. Town centre uses are defined in the Glossary of the Core Strategy 2012 as retail units, offices, restaurants, amongst others such as leisure facilities and bars. Storage units, however, do not strictly fall within the definition of town centre uses. Section 4.24 of the Core Strategy 2012 outlines that *“any application should be determined on its own individual merits taking into account how the proposals relates to the role and function of the centre in the wider hierarchy”*.
5. It is proposed to erect a storage unit ancillary to 109 High Street, Horsell, a window and doors showroom (which has been in situ for over 15 years). A Supporting Statement dated February 2020 has been submitted in support of this application demonstrating that the business at 109 High Street wishes to expand their business and sell more products on the shop floor and therefore require additional storage for the purposes and role of 109 High Street. There is no presumption in Policy CS4 of the Woking Core Strategy 2012 against the creation of such units provided they serve a useful purpose in the context of the local micro economy.
6. The National Planning Policy Framework at Section 7 states that planning should enable the sustainable growth of all types of businesses within town centres. This includes conversions and the erection of new well-designed buildings. This application will support a local company in its urban environment, ensuring the vitality of the high street through the expansion of the operation at 109 High Street. Policy CS5 of the Woking Borough Core Strategy is largely consistent with Section 7 of the NPPF which identifies the redevelopment of previously developed sites, whether redundant or in continuing use, as appropriate development which improves the vitality of a local centre.

Design Considerations and Impact on Character of Area

7. One of the core provisions of the National Planning Policy Framework is to secure high quality design and a good standard of amenity for existing and future occupants of land and buildings. Section 12 of the NPPF further sets out 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, taking into account any local design standards or style guides in plans or supplementary planning documents”*.
8. It is proposed to erect a single storey storage unit which would measure 15.8 metres in length, 6.9 metres in width, stand at a maximum height of 3.2 metres adopting a typical rectangular built form corresponding to the shape of

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the application site. This represent a significant reduction in the size of the two previously refused schemes both of which were two storey buildings, albeit the development refused under PLAN/2016/1406 included a smaller footprint. Set to replace the existing block of 4 garages, the proposed building would extend northwards onto a section of the site which is not considered to serve a particular purpose or use class and is currently overgrown with vegetation.

9. The proposed building is set to the rear of buildings along High Street and has been designed around the constraints of the site with a height which is largely screened by existing boundary treatments and width which sits conveniently within the site. In the previous appeal decision the Planning Inspector noted, within paragraph 6, that *“the supermarket at No.111 Horsell High Street lies to the east of the access road and has a depth of building which extends well to the rear of No.109A, partially enclosing the appeal site on that side with a high brick wall. The depth of building proposed as the office block would extend the pattern of built development even further behind the frontage development and whereas No.111 is adjoined by the service yard with the garages comprising the appeal site on its western side, the appeal building itself would lie adjacent to an open area of land which, although untidy, acts as an amenity area to the frontage property on the High Street (No.107).”*
10. The proposal is for a single storey storage unit and would introduce a second tier of development behind the frontage properties. The Planning Inspector stated at Paragraph 7 of the appeal decision that *“in my view the proposed building would appear as an incongruous feature in the area by introducing an additional tier of development into the space at the rear of the High Street as an independent entity, unrelated to the frontage buildings.”* The Inspector goes on to state that such a form of development does not exist at present and the building would be poorly related to its surroundings in civic design terms.
11. This reason for refusal was carried forward in a recent decision under PLAN/2016/1406 where the Planning Officer noted that although the scheme had been reduced in scale, there was no justification provided or change to the objection that an additional tier of development would still be introduced as a separate entity, unrelated to the frontage buildings, in a location where this form of development does not exist at present.
12. The current scheme is materially different to previously refused applications including the most recent refusal under PLAN/2019/0933 in that the red line has changed and now includes the application site as well as the host frontage building at 109 High Street. It is proposed to erect a single storey ancillary unit and not an independent entity as referred to in previous refusals. Whilst adopting a large footprint covering a significant section of the site, the proposal utilises a section of the site which is currently unused and practically inaccessible considering the existing layout. This along with the single storey height of the ancillary unit ensures the building remains a secondary building with a condition recommended to constrict its use as a subsidiary to the frontage building 109 High Street.
13. It is considered, therefore, that whilst the building would introduce a second tier of development behind the frontage on the northern side of High Street Horsell, it would be an ancillary storage unit to a frontage business. There are

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examples of similar forms of development in the wider locality and whilst the size of the proposed unit raises some concern, the layout of the site is such that a building with this coverage and indeed use, can be appropriately accommodated here. A condition ensuring its ancillary use to the frontage building in perpetuity can be attached thereby mitigating the concern of introducing a second independent tier of development in the area.

Impact on Neighbour Amenities

14. Policy CS21 of the Woking Core Strategy 2012, requires development proposals to *“achieve a satisfactory relationship to adjoining properties avoiding significant harmful impact in terms of loss of privacy, daylight or sunlight, or an overbearing effect due to bulk, proximity or outlook”* while Supplementary Planning Document ‘Outlook, Amenity, Privacy & Daylight’ 2008 seeks to protect the amenities of neighbouring occupiers and to avoid loss of light, overlooking or overbearing impacts resulting from development proposals. Section 12 of the National Planning Policy Framework 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”*.
15. The adjoining properties to the west of the site have Class A uses at ground floor with residential flats above. To the south, the rear elevation of No.109 High Street (containing habitable room windows at first floor level) would be approximately 4.5 metres from the flank side of the proposed building. The previous planning appeal decision (Ref: APP/A3655/A/10/2123978) and previously refusals (PLAN/2016/1406 and PLAN/2019/0933) remains material considerations in the determination of the current application. In the previous appeal decision the Planning Inspector states, within paragraph 10, *that “in my view the effect on the living conditions of the residents of these properties would be seriously and detrimentally affected by the development. Overshadowing of land would occur to an unreasonable extent and the amount of light reaching the windows in the rear elevation of Nos.107 and 109 High Street would be reduced by a significant amount, in my view. The outlook from these properties would be badly affected in a materially harmful way through the introduction of a substantial and bulky building into a position which at present provides a measure of openness and space at first floor level for the residents of the flats. In my conclusion, and in these respects, the development would be so unneighbourly and visually intrusive as to be unacceptable on this issue”*.
16. It is acknowledged that the proposal would result in an uncharacteristically large building to the area which has been addressed in the previous section of the report. The proposal, however, differs significantly in terms of scale and height at single storey and is largely screened by the existing boundary treatments on the northern, eastern and western sides. The concerns raised in the appeal decision and indeed in the previous refusal relate to an overtly bulky building which, by reason of its proximity and visual intrusion, would cause loss of light and an overbearing impact. The reduction in its height and bulk addresses these concerns with no significant detrimental impact on the outlook from the C3 units at first floor level within 109 and 109A High Street nor from the residential units atop 111 High Street. The building would appear indiscernible from the existing building from the rear elevation windows with 107 High Street and as such is not deemed to carry a significant level of

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detrimental harm to the amenities on neighbours surrounding the site by which a recommendation for refusal could be substantiated on this ground.

17. The proposed outbuilding would extend towards the rear boundary with properties which front onto South Close. Whilst this would result in a building sited closer to the shared boundary with these properties along South Close, it would be sited towards the terminus of these gardens and approximately 45 metres from the dwellings. Notwithstanding this, it has to be noted that the building is proposed to be an ancillary storage unit and a condition restricting it to this ancillary use is recommended. Furthermore, a condition restricting delivery hours to the building is recommended to ensure undue disturbance to surrounding residential properties is mitigated as much as possible.

Impact on Parking

18. It is unclear as to whom or what the existing four garages on the site serve. It is also unclear whether the area to the front of the lock-up garages is utilised to service the Class A ground floor premises at No.109 and No.109A High Street. The parking situation and provision had been addressed in all previous reports. Under PLAN/2009/1028 concern was raised with regards to inadequate parking and insufficient clearance for emergency vehicles to access the site although the loss of the 4 garages and parking was not included as part of the reason for refusal. Nevertheless, the Inspector addressed this issue in the subsequent appeal and did not raise it as a substantive concern.
19. Under PLAN/2016/1406, the proposal was for residential units and therefore the parking situation was assessed against the appropriate standards for this type of development. In contrast, the current application is for approximately 95 sq.m of B8 storage which, as per the Council's Supplementary planning Document 'Parking Standards' 2018, requires a maximum of 1 car parking space. It is proposed to create a parking space for the proposed B8 unit and 2 spaces to serve the residential units within 109 and 109A High Street. Although this has an overall reduction in the level of parking on site, it has to be noted that considering the size of the garages, these were not intended for modern-day vehicles and serve a storage garages rather than parking garages. Furthermore, as previously indicated, it is not known what the garages or indeed the spaces in front of them relate to. The proposed development has been considered by the County Highway Authority who having considered any local representations and having assessed the application on safety, capacity and policy grounds, raises no objection.
20. In light of the above, it is not considered that the proposal would result in undue pressure upon the availability of parking in the locality or have a materially adverse impact upon the free flow of traffic and highway safety. The proposal would therefore comply with the provisions in the National Planning Policy Framework, Policy CS18 of the Woking Core Strategy 2012 and SPD 'Parking Standards' 2018.

Impact on Drainage

21. The proposal site is in an area identified as being at risk from surface water flooding by the Council's Strategic Flood Risk Assessment 2015. Policy CS9 of the Core Strategy 2012 states that for development proposals in areas at risk from surface water flooding, a Flood Risk Assessment should be required

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and that proposals should seek to mimic greenfield surface water run-off rates. The proposal would result in the erection of a B8 storage unit covering approximately 95 sq.mn the site however the application is not accompanied by a Flood Risk Assessment.

22. The Council's Drainage and Flood Risk Engineer raises no objection to the proposal subject to a condition requiring details of a scheme for disposing of surface water by means of a sustainable drainage system.

Local Finance Consideration

23. CIL is a mechanism adopted by the Woking Borough Council which came into force on 1st April 2015, as a primary means of securing developer contributions towards infrastructure provisions in the Borough. In this case, the proposed development relates to the creation of ancillary storage floor space would, therefore, not be liable for a financial contribution under Community Infrastructure Levy.

Conclusion

24. To conclude, it has been argued that the proposed ancillary storage unit is to assist with the expansion of the business operating out of 109 High Street Horsell. Increased vitality and sustainable economic development are central to the NPPF and the Woking Core Strategy 2012 and creating an ancillary storage unit to this shop is considered to assist in this. Concerns raised in previous refusals and indeed appeal dismissals over a second tier of development have been addressed with a revised red line and ability to ensure the building remains ancillary and no independent entity is introduced in this location.
25. With the scale and height of the building responding to the site's context and relationship with neighbouring sites, the impact on the character of the area and neighbours is addressed and found to be acceptable. Impact on parking and drainage is also addressed and found to be acceptable in these regards.
26. The proposal is considered to be an acceptable form of development that complies with Sections 6, 7, 9, 11 and 14 of the National Planning Policy Framework, Policies CS4, CS9, CS15, CS18 and CS21 of the Woking Core Strategy 2012 and Supplementary Planning Documents 'Design' 2015, 'Parking Standards' 2018 and 'Outlook, Amenity, Privacy and Daylight' 2008. Approval is accordingly recommended subject to the recommended conditions.

BACKGROUND PAPERS

1. Site visit photographs.
2. Response from County Highway Authority (30.03.20)
3. Response from Drainage Officer (26.03.20)
4. Response from Environmental Health Team (19.03.20)

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 must 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. ++ Notwithstanding the material details outlined on the approved plans, the development hereby permitted must not commence until details and/or samples and a written specification, including colours, 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 must 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

3. The development hereby permitted must be carried out in accordance with the approved plan:

Drawing No. CDA-240-011 Rev B

Drawing No. CDA-240-012 Rev A

Reason:

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

4. The ancillary storage unit, hereby approved, must only be used for storage purposes ancillary and incidental to the commercial use of the existing commercial unit at 'No.109 High Street, Horsell' and must not be used as an independent unit.

Reason:

To ensure the unit remains in single use and to ensure no second tier of independent development is formed in the area.

5. There shall be no deliveries taken at or dispatched from the site outside of the hours 07:30 to 19:30 Mondays-Saturday and, 08:30 to 19:00 Sundays and Bank Holidays.

Reason:

To safeguard the amenities of the environment and amenities of the occupants of neighbouring properties.

6. ++ No development should commence until details of a scheme for disposing of surface water by means of a sustainable drainage system have been

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submitted to and approved in writing by the Local Planning Authority. The development should be implemented in full in accordance with the approved details prior to the first occupation of the development.

Reason:

To ensure that the development achieves a high standard of sustainability.

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. Your attention is specifically drawn to the conditions 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.

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

3. 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.
4. The applicant is advised that, under the Control of Pollution Act 1974, site works which will be audible at the site boundaries are restricted to the following hours:-
08.00 - 18.00 Monday to Friday
08.00 - 13.00 Saturday
and not at all on Sundays and Bank/Public Holidays.

The applicant is advised that an application will need to be made under the Control of Pollution Act 1974 to Woking Borough Council's Environmental Health Team for consent for any proposed additional working hours outside of the normal working hours of 08.00 to 18.00 Monday-Friday and 08.00 to 13.00 on Saturdays.

5. The applicant is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders (Highways Act 1980 Sections 131, 148, 149).