

## 16 JANUARY 2018 PLANNING COMMITTEE

5a 17/0463 Reg'd: 07.06.17 Expires: 02.08.17 Ward: HO  
Nei. 10.17.17 BVPI Minor Number >8 On No  
Con. 10.17.17 Target dwellings -13 of Weeks On No  
Exp: on Cttee' Target?  
Day:

**LOCATION:** Woodlands, Elm Road, Horsell, Woking, GU21 4DY

**PROPOSAL:** Demolition of existing dwelling and erection of 2x detached two storey dwellings (5xbed) with accommodation in the roofspace, erection of detached double garage to frontage and associated parking and landscaping

**TYPE:** Full Planning Application

**APPLICANT:** Mustafa Home and Developments Ltd **OFFICER:** David Raper

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

The proposal includes the creation of a new dwelling which falls outside the scope of delegated powers as set out by the Management Arrangements and Scheme of Delegation.

### **SUMMARY OF PROPOSED DEVELOPMENT**

The proposal is for the erection of 2x detached two storey dwellings (5x bed) plus a detached double garage following the demolition of the existing two storey dwelling on the site. The existing vehicular access onto Elm Road would be utilised to serve both dwellings which would both have parking to their frontages.

Site Area: 0.125 ha (1,250sq.m)  
Existing units: 1  
Proposed units: 2  
Existing density: 8 dph (dwellings per hectare)  
Proposed density: 16 dph

### **PLANNING STATUS**

- Urban Area
- Thames Basin Heaths SPA ZoneB (400m-5km)

### **RECOMMENDATION**

GRANT planning permission subject to conditions and Section 106 Agreement to secure a SAMM contribution.

### **SITE DESCRIPTION**

The application site comprises an existing two storey detached dwelling. It is located within a residential area and is bound on each side and to the rear by residential properties. The area immediately beyond the site frontage contains mature trees and vegetation. The site itself is positioned at the western end of Elm Road and has an existing vehicular access off Elm Road. A public footpath runs along the front of the site with pedestrian access through

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the end of Elm Road and on to Horsell Common. The surrounding area is generally characterised by large detached dwellings of varying ages and styles and is spacious and verdant in character. The proposal site is within the designated urban area.

### PLANNING HISTORY

- PLAN/2016/0160 - Demolition of existing dwelling and erection of 2x detached two storey dwellings (5xbed) with accommodation in the roofspace – Permitted 25/08/2016
- PLAN/2014/1033 – Demolition of existing dwelling and erection of 2x detached two storey dwellings (5xbed) with accommodation in the roofspace – refused on 19/11/2015 for the following reason and dismissed at appeal on 23/08/2016 but only due to the absence of a Legal Agreement securing a SAMM contribution:

*01. The proposed development would, by reason of its scale and design, substandard garden provision and unsatisfactory shared vehicular access arrangements, represent a cramped and contrived overdevelopment of the site which would be harmful to the character and appearance of the area and detrimental to the amenities of future residents contrary to Policy CS21 of the Core Strategy.*
- PLAN/2014/0076 – Demolition of the existing dwelling and erection of a 1No 5 bedroom dwelling – Permitted 19/11/2015

### CONSULTATIONS

**County Highway Authority:** No objection subject to conditions.

**Arboricultural Officer:** No objection subject to conditions.

**Drainage and Flood Risk Engineer:** No objection subject to conditions.

**Surrey Wildlife Trust:** No objection subject to conditions.

### REPRESENTATIONS

15x representations received objecting to the proposal raising the following concerns:

- Overdevelopment
- Out-of-character
- Excessive bulk/scale
- Loss of Privacy
- Overbearing and loss of light
- Access/on site manoeuvrability
- Inadequate parking provision and pressure on on-street parking
- Impact upon trees
- Dispute position of front boundary; applicant does not own land to the frontage
- Existence of Bats on the site
- Construction noise/disturbance
- Impact on drainage, sewage and flooding
- Emergency vehicle access
- The neighbour at Grangewood has a glass conservatory roof which is not shown on the plans
- This application should be subject to the same conditions as the previous application

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- Proposed bat mitigation cannot be accommodated on site as trees have been removed
- Restrictive covenants on the number of dwellings allowed [*Officer note: this would be a separate matter and not a material planning consideration.*]

Neighbours were re-consulted on 14/12/2017 following receipt of amended plans and additional information. 11x additional representations were received objecting to the proposal reiterating their previous concerns and raising points summarised above.

### **RELEVANT PLANNING POLICIES**

#### National Planning Policy Framework (NPPF) (2012):

Section 4 - Promoting sustainable transport

Section 6 - Delivering a wide choice of high quality homes

Section 7 - Requiring good design

Section 10 - Meeting the challenge of climate change, flooding and coastal change

Section 11 - Conserving and enhancing the natural environment

#### Woking Core Strategy (2012):

CS1 - A Spatial strategy for Woking Borough

CS7 - Biodiversity and nature conservation

CS8 - Thames Basin Heaths Special Protection Areas

CS10 - Housing provision and distribution

CS11 - Housing Mix

CS12 - Affordable housing

CS18 - Transport and accessibility

CS21 - Design

CS22 - Sustainable 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

#### Supplementary Planning Documents (SPDs):

Woking Design (2015)

Affordable Housing Delivery (2014)

Climate Change (2013)

Outlook, Amenity, Privacy and Daylight (2008)

Parking Standards (2006)

#### Supplementary Planning Guidance (SPG):

Plot Sub-Division: 'Infilling' and 'Backland' Development (2000)

### **PLANNING ISSUES**

#### Background & Principle of Development:

1. Planning permission has previously been granted for the demolition of the existing dwelling and the subdivision of the plot and the erection of two detached dwellings under application ref: PLAN/2016/0160. The current application is for similar form of development however the form and position of the proposed dwellings is different and a detached double garage has been included to the frontage. The proposal site is also now approximately 138m<sup>2</sup> larger in size as the applicant now owns the rear portions

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of gardens at No.81 and No.83 Orchard Drive. The principle of a plot subdivision has therefore effectively been established however the current proposal must be assessed based on its own merits

2. The NPPF (2012) and Core Strategy policy CS25 (2012) promote a presumption in favour of sustainable development. The site lies within the designated Urban Area and within the 400m-5km (Zone B) Thames Basin Heaths Special Protection Area (SPA) buffer zone. The development of previous garden land for additional dwellings can be acceptable provided that the proposal respects the overall grain and character of development in the area. Core Strategy (2012) policy CS10 seeks to ensure that sufficient homes are built in sustainable locations where existing infrastructure is in place. The principle of infill residential development is considered acceptable subject to further material planning considerations, specific development plan policies and national planning policy and guidance as discussed below.

### Impact on Character:

3. Policy DM10 'Development on Garden Land' permits subdivision of plots providing the proposed development "*...does not involve the inappropriate sub-division of existing curtilages to a size significantly below that prevailing in the area*", "*the means of access is appropriate in size and design to accommodate vehicles and pedestrians safely and prevent harm to the amenities of adjoining residents and is in keeping with the character of the area*" and "*suitable soft landscape is provided for the amenity of each dwelling appropriate in size to both the type of accommodation and the characteristic of the locality*".
4. The proposal would result in the subdivision of the plot with Plot 1 measuring 20m in width and Plot 2 measuring 15m in width. Plot widths in the area are generally between 15m and 22m in width; the neighbouring plot at Grangewood is 22m in width and neighbours opposite such as Wellyards and Cormandel are approximately 15m in width. The proposed plot subdivision is therefore considered to result in plot widths and sizes which reflect the prevailing grain, pattern and character of development in the area.
5. The proposed dwelling at Plot 2 adjacent to the neighbouring dwelling at Grangewood would have a ridge height of 8.8m which is similar to that of the previously consented application (PLAN/2016/0160) which had a ridge height of 8.9m. The dwelling at Plot 1 would be taller with a maximum ridge height of 9.4m, stepping down to 8.8m. Given the variation in ridge heights in the local area and the context of the previously approved application, the height and scale of the proposed dwellings is considered acceptable and is considered to respect the character of the surrounding area. The proposed dwellings would have a separation distance of 4.2m between each other and there would be a separation distance of 2.1m between Plot 2 and the side boundary with Grangewood. The proposal is considered to retain sufficient visual spacing between dwellings which is considered to respect the spacious character of the area.
6. The proposed dwellings adopt a traditional design approach which is considered consistent with the character of the area. Although the proposed dwellings would feature areas of crown roof, this is not considered to result in material harm to the visual amenities of the development or surrounding area and is not considered unduly prominent in the street scene.
7. The proposal includes the erection of a detached double garage to the frontage of Plot 1. Although garages to frontages are not common along Elm Road, the proposal site

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is at the very end of Elm Road and it is borne in mind that the frontage of Plot 1 is relatively deep (13m) due to the set-back of this dwelling. The proposed garage is not therefore considered to appear unduly prominent or incongruous in the street scene. This element of the proposal is therefore considered acceptable.

8. Overall the proposed development is considered to result in a visually acceptable form of development which would respect the character of the surrounding area in accordance with Core Strategy (2012) policies CS21, CS24 and CS25, Woking DPD (2016) policy DM10 and Supplementary Planning Document 'Woking Design' (2015) and the National Planning Policy Framework (2012).

### Impact on Neighbours:

#### *Elm Road:*

9. The proposed dwelling at Plot 2 would be sited 2.3m from the boundary with Grangewood to the east which itself features a single storey side and rear element positioned close to the boundary with a conservatory style roof. The two storey element of Plot 2 would be in-line with Grangewood and would not project beyond the ground floor front or rear elevations of this neighbour. The proposed dwelling would project 2m beyond the two storey rear elevation and 1.2m beyond the two storey front elevation of this neighbour however the proposal would pass the '45° test' in plan and elevation form with this neighbour as set out in the Council's 'Outlook, Amenity, Privacy and Daylight' SPD (2008). The proposed dwelling features a single storey element to the rear however this would be positioned 2.6m from the boundary with a depth and height of 2.8m and is not therefore considered to unduly impact on Grangewood. Given the relationship discussed above, the proposal is not considered to result in an undue loss of light or overbearing impact on Grangewood. Side-facing windows and rooflights are identified on the flank elevation however as these serve bathrooms or as secondary windows, these can be required to be obscurely glazed with restricted opening by condition in order to avoid an undue overlooking or loss of privacy impact.
10. The proposed dwellings would have a separation distance in excess of 15m with neighbours opposite to the south which would accord with the recommended minimum of 15m set out in the Council's 'Outlook, Amenity, Privacy and Daylight' SPD (2008).

#### *Orchard Drive:*

11. The dwelling at Plot 1 would be sited a minimum of 5.3m from the rear boundaries of neighbours at No.81 and No.83 Orchard Drive to the west which have a rear-to-side relationship with the proposal site and Plot 1. These neighbours would be positioned a minimum of 25m from the two storey flank elevation of the proposed dwelling at Plot 1. This separation distance is considered sufficient to avoid an undue overbearing or loss of light impact on these neighbours and the proposed development is considered to form an acceptable relationship with these neighbours.
12. The proposed dwelling would feature a first floor side-facing window and side-facing rooflight facing west towards neighbours on Orchard Drive however as these serve non-habitable rooms, these could be required to be obscurely glazed with restricted opening by condition.

#### *Heath Road:*

13. The proposal site has a rear-to-side relationship with the neighbour at Hollesley to the north. The proposed dwelling at Plot 2 would have a separation distance 15.7m between the two storey rear elevation and the rear boundary which forms the side

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boundary of Hollesley. The proposed dwelling would feature first and second floor windows on the rear elevation however the separation distance of 15.7m is considered sufficient to avoid an undue overbearing or overlooking impact and would comply with the recommended minimum distance of 15m set out in the Council's 'Outlook, Amenity, Privacy and Daylight' SPD (2008). The proposed dwelling at Plot 1 is set-back further in the plot meaning the proposed dwelling would have a smaller separation distance of 12.3m to the rear boundary with Hollesley. As the rooflights at second floor level would not comply with the recommended minimum described above, these can be required to be obscurely glazed with restricted opening by condition. The separation distances involved are not considered to result in an undue loss of light or overbearing impact. The proposal is therefore considered to form an acceptable relationship with this neighbour.

14. Overall the proposal is therefore considered to have an acceptable impact on the amenities of neighbours in terms of loss of light, overbearing and loss of privacy impacts and accords with Core Strategy (2012) policy CS21, Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight' (2008) and the National Planning Policy Framework (2012).

### Transportation Impact:

15. The proposed dwellings would utilise the existing vehicular access serving the existing single dwelling. An additional vehicular crossover is not possible due to the position of the proposal site at the end of Elm Road. The limited space to the frontages under this and previous applications means the access and parking arrangements are relatively constrained. Nonetheless, the previous application was considered acceptable in terms of parking and access which had a similar arrangement to the current proposal. Under this application the dwelling at Plot 1 has been moved back further in the plot thereby providing greater space to the frontage for parking and manoeuvring and a detached double garage has been provided.
16. Plot 1 would be served by a detached double garage and hardstanding to the frontage and Plot 2 would be served by an integral single garage and hardstanding to the frontage. It is considered that there would be sufficient space for off-street parking for at least two vehicles serving both plots in accordance with the Council's Parking Standards (2006) which recommends a maximum standard of two spaces per dwelling with three bedrooms or more. The proposal site is located at the end of a no-through road with relatively light traffic and low vehicles speeds. The proposal is not considered to raise any significant highway safety concerns and the County Highway Authority raise no objection.
17. Overall the proposal is considered to result in an acceptable transportation impact.

### Standard of Accommodation:

18. The Council's 'Outlook, Amenity, Privacy and Daylight' SPD (2008) sets out minimum recommended standards for areas of private amenity space. The general guidance for family dwellings is for an area of private amenity space proportionate to the dwelling and larger than the footprint. The guidance however suggests that for large family dwellings (e.g. over 150m<sup>2</sup>), that an area of private amenity space proportionate to the dwelling and exceeding the internal floor area of the dwelling should be provided.
19. The main useable garden area of Plot 1 would be 273m<sup>2</sup> and the garden area of Plot 2 would have an area of 206m<sup>2</sup>. Although the garden areas would not be larger than the internal floor areas of the proposed dwellings, the areas would both be larger than

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the footprints of both proposed dwellings (184m<sup>2</sup> and 146m<sup>2</sup> respectively). It is also borne in mind that the previously consented application (PLA/2016/0160) also resulted in garden areas which did not match the internal floor areas of the dwellings but were larger than the footprint. The proposed garden areas are therefore considered acceptable.

20. Overall the proposal is considered to achieve an acceptable standard of accommodation for future residents.

### Impact on Trees:

21. There are mature trees on a piece of land to the frontage of the site and smaller trees to the rear of the site which are covered by a Tree Preservation Order. The applicant has provided arboricultural information detailing how trees would be protected during construction which is considered acceptable by the Council's Arboricultural Officer subject to compliance with the submitted information.

### Impact on Protected Species:

22. A number of representations raise concerns regarding the likelihood of bats roosting in the roof of the existing house. The applicant did undertake Bat Surveys in connection with the previously consented application (PLAN/2016/0160) which concluded that there were no bats on site but evidence indicated that bats had been using the building. The application was approved subject to conditions securing mitigation measures including new bat roosts. A period of two years has elapsed since these bat surveys and the applicant has therefore commissioned a further survey undertaken in November 2017 which found evidence of rats in the roof space and no evidence of bat roosting. Nonetheless the Ecologist recommends the provision of bat roosts within the site to enhance the biodiversity value of the site and further recommends the hand-stripping of the roof under ecological supervision as a precautionary measure. Surrey Wildlife Trust has been consulted and concurs with the findings of the submitted survey and raise no objection.
23. The proposed development is not therefore considered to detrimentally affect any protected species and is considered to have an acceptable impact on biodiversity subject to conditions.

### Drainage:

24. Localised problems, particularly with blocked drains, have been identified by neighbours. This would be a matter that would need to be addressed through any subsequent Building Regulations application but an informative is suggested advising of this issue and the need to address any problems through the Building Regulations process.
25. Given the proximity of the site to the Rive Ditch which is positioned to the rear of properties on Elm Road opposite the proposal site and the increase in impermeable area, it is considered that a condition requiring details of surface water drainage could be attached to ensure there is no increase in flood risk to the surrounding area if the proposal were otherwise considered acceptable. The Council's Flood Risk and Drainage Engineer raises no objection subject to such a condition securing a sustainable drainage scheme.

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### Sustainability:

26. Following a Ministerial Written Statement to Parliament on 25 March 2015, the Code for Sustainable Homes (aside from the management of legacy cases) has now been withdrawn. For the specific issue of energy performance, Local Planning Authorities will continue to be able to set and apply policies in their Local Plans that require compliance with energy performance standards that exceed the energy requirements of Building Regulations until commencement of amendments to the Planning and Energy Act 2008 in the Deregulation Bill 2015. This is expected to happen alongside the introduction of Zero Carbon Homes policy in late 2016. The Government has stated that the energy performance requirements in Building Regulations will be set at a level equivalent to the outgoing Code for Sustainable Homes Level 4.
27. Until the amendment is commenced, Local Planning Authorities are expected to take this statement of the Government's intention into account in applying existing policies and setting planning conditions. The Council has therefore amended its approach and an alternative condition will now be applied to all new residential permissions which seeks the equivalent water and energy improvements of the former Code Level 4.

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

28. The SPAs in this area are internationally-important and designated for their interest as habitats for ground-nesting and other birds. Core Strategy (2012) policy CS8 requires new residential development beyond a 400m threshold, but within 5km 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).
29. The SANG and Landowner Payment elements of the SPA tariff are encompassed within the Community Infrastructure Levy (CIL) however the SAMM element of the SPA tariff is required to be addressed outside of CIL. The applicant has agreed to make a SAMM contribution of **£1,008** in line with the Thames Basin Heaths Special Protection Area Avoidance Strategy 2010-2015 as a result of the net gain of a 4+ bedroom dwelling which would arise from the proposal.
30. In view of the above, the Local Planning Authority is able to determine that the development would have no significant effect upon the SPA and therefore accords with Core Strategy (2012) policy CS8 and the 'Thames Basin Heaths Special Protection Area Avoidance Strategy 2010-2015'.

### Affordable Housing:

31. Following the Court of Appeal's judgment of 11<sup>th</sup> May 2016, wherein the Secretary of State for Communities and Local Government successfully appealed against the judgment of the High Court of 31<sup>st</sup> July 2015 (West Berkshire and Reading Borough Council v Secretary of State for Communities and Local Government), officers accept that, subsequent to the Court of Appeal's judgment, the policies in the Written Ministerial Statement of 28<sup>th</sup> November 2014 by the Minister of State for Housing and Planning which sets out specific circumstances where contributions for affordable housing and tariff-style planning obligations should not be sought from small scale and self build development, must once again be treated as a material consideration in development management decisions.
32. Additionally the Planning Practice Guidance (Paragraph 031 – Revision date: 19.05.2016) sets out that there are specific circumstances where contributions for



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affordable housing planning obligations should not be sought from small scale and self-build development. This follows the order of the Court of Appeal judgment dated 13<sup>th</sup> May 2016, which again give legal effect to the policy set out in the Written Ministerial Statement of 28<sup>th</sup> November 2014 and should be taken into account. These circumstances include that contributions should not be sought from developments of 10 units or fewer, and which have a maximum combined gross floorspace of no more than 1000sqm.

33. Whilst weight should still be afforded to Policy CS12 'Affordable housing' of the Woking Core Strategy (2012) it is considered that greater weight should be afforded to the policies within the Written Ministerial Statement of 28<sup>th</sup> November 2014 and the Planning Practice Guidance (Paragraph 031 – Revision date: 19.05.2016). No affordable housing contribution is therefore sought for this application.

### Community Infrastructure Levy (CIL):

34. The proposal would be CIL liable as it involves the creation of new dwellings. Based on the submitted information, the total tariff payable for this development would be **£74,907.69** based on a net increase in floor area of 541m<sup>2</sup>.

### Land Ownership:

35. The proposal site includes a strip of land to the frontage which representations suggest is not within the control/ownership of the applicant. However the piece of land in question is an undeveloped piece of land featuring vegetation and a mature tree, the land is situated at the end of Elm Road and borders a public footpath. The ownership of this piece of land is not clear and the applicant has signed Certificate C as part of the application form which confirms that the owner of the land is not known despite the applicant's attempts to find the owner. The position of the boundary line in this instance is not therefore considered a hindrance in determining the application; the same piece of land formed part of the proposal site under the previously consented application (PLAN/2016/0160).

## **CONCLUSION**

36. Considering the points discussed above, the proposal is considered an acceptable form of development which would have an acceptable impact on the amenities of neighbours, on the character of the surrounding area and on protected trees. The proposal therefore accords with Core Strategy (2012) policies CS1, CS7, CS8, CS10, CS11, CS18, CS21, CS24 and CS25, Supplementary Planning Documents 'Parking Standards' (2006), 'Outlook, Amenity, Privacy and Daylight' (2008), 'Woking Design' (2015) and 'Plot Sub-Division: Infilling and Backland Development' (2000), DPD (2016) policies DM2 and DM10 and the NPPF (2012) and is recommended for approval subject to conditions and subject to Section 106 Agreement.

## **BACKGROUND PAPERS**

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

## **PLANNING OBLIGATIONS**

The following obligation has been agreed by the applicant and will form the basis of the Legal Agreement to be entered into.

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	<b>Obligation</b>	<b>Reason for Agreeing Obligation</b>
1.	SAMM (SPA) contribution of <b>£1,008</b>	To accord with the Habitat Regulations, policy CS8 of the Woking Core Strategy 2012 and The Thames Basin Heaths SPA Avoidance Strategy 2010-2015.

### **RECOMMENDATION**

PERMIT subject to the following conditions and S106 Agreement:

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

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

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

17/17/1 (Section and Details) received by the LPA on 20/04/2017  
17/17/2 (Site Layout and Garage Plan) received by the LPA on 03/10/2017  
17/17/3 (Proposed Floor Plans – Plot 1) received by the LPA on 01/12/2017  
17/17/4 (Proposed Floor Plans – Plot 2) received by the LPA on 23/05/2017  
17-17-6 (Proposed Elevations – Plot 1) received by the LPA on 01/12/2017  
17/17/17 (Proposed Elevations – Plot 2) received by the LPA on 25/09/2017  
Unnumbered Plan showing a Location Plan received by the LPA on 23/05/2017

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

03. ++ Prior to the commencement of the development hereby approved, a written specification of the materials to be used in the external elevations shall be submitted to and approved in writing by the local planning authority. The development shall be carried out and thereafter retained in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority

Reason: In the interests of the visual amenities of the area and in accordance paragraph 17 of the NPPF and Policy CS21 of the Woking Core Strategy 2012.

04. ++ Prior to the commencement of the development hereby permitted, full details of the proposed vehicular accesses to the site including surface treatment shall be submitted to and approved in writing by the local planning authority and, unless otherwise agreed in writing by the local planning authority, the occupation of the buildings hereby permitted shall not commence until such works have been completed. Following the commencement of use all vehicular access and parking areas shall be kept permanently clear of obstructions and parking areas shall only be used for the parking and manoeuvring of vehicles.

Reason: In the interests of highway safety and in accordance with Policies CS18 and CS21 of the Woking Core Strategy 2012.

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05. ++ Prior to the commencement of the development hereby permitted, a hard and soft landscaping scheme showing details of shrubs, trees and hedges to be planted, details of materials for areas of hardstanding and details of boundary treatments, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and thereafter retained in accordance with the approved details unless otherwise first agreed in writing by the Local Planning Authority. All landscaping shall be carried out in accordance with the approved scheme in the first planting season (November-March) following the occupation of the buildings or the completion of the development (in that phase) whichever is the sooner and maintained thereafter. Any retained or newly planted trees, shrubs or hedges which die, become seriously damaged or diseased or are removed or destroyed within a period of 5 years from the date of planting shall be replaced during the next planting season with specimens of the same size and species unless otherwise agreed in writing by the Local Planning Authority.

Reason: To preserve and enhance the character and appearance of the locality in accordance with Policies CS21 and CS24 of the Woking Core Strategy 2012.

06. The development hereby approved shall take place in strict accordance with the Arboricultural Impact Assessment and Method Statement provided by RMT Tree Consultancy ref: RMT221 dated 08/12/2017, including the convening of a pre-commencement meeting and arboricultural supervision as indicated. No works or demolition shall take place until the tree protection measures have been implemented. Any deviation from the works prescribed or methods agreed in the report will require prior written approval from the Local Planning Authority.

Reason: To ensure reasonable measures are taken to safeguard trees in the interest of local amenity and the enhancement of the development itself to comply with Policy CS21 of the Woking Core Strategy 2012.

05. ++ Full details of the method of construction of hard surfaces and service runs in the vicinity of the trees to be retained shall be submitted to and approved in writing by the local planning authority prior to commencement of any works on site (including demolition). The method shall adhere to the principles embodied in BS 5837:2005 and AAIS Arboricultural Practice Note 1 (1996) and the involvement of an arboricultural consultant and engineer will be necessary. The development shall be carried out strictly in accordance with the agreed details.

Reason: To ensure the retention and protection of trees on the site in the interests of the amenities of the locality and the appearance of the development.

06. The windows and rooflights at first floor level and above in the east and west-facing flank elevations of the dwellings hereby approved and the rooflights in the rear roof slope of the dwelling referred to as 'Plot 1' on the approved plans shall be glazed entirely with obscure glass and non-opening unless the parts of the windows which can be opened are more than 1.7 metres above the floor levels of the rooms in which the windows are installed. Once installed the windows and rooflights shall be permanently retained in that condition unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard the amenities of the adjoining properties in accordance with Policy CS21 of the Woking Core Strategy 2012.

07. Notwithstanding the provisions of Article 3 and Schedule 2, Part 1 and Classes A to E of The Town and Country Planning (General Permitted Development) Order 2015

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(or any orders amending or re-enacting that Order with or without modification) no extension, enlargement or other alteration of the dwellings hereby permitted nor the provision of any other building within its curtilage other than that expressly authorised by this permission shall be carried out without planning permission being first obtained from the local planning authority.

Reason: The local planning authority considers that further development could cause detriment to the amenities of nearby properties and the character of the area and for this reason would wish to control any future development in accordance with Policy CS21 of the Woking Core Strategy 2012.

08. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no window, dormer window, rooflight, door or other additional openings other than those expressly authorised by this permission shall be formed at first floor level or above in any elevation (including the roof) without planning permission being first obtained from the Local Planning Authority.

Reason: To protect the amenity and privacy of the occupiers of adjoining properties in accordance with Policy CS21 of the Woking Core Strategy 2012.

09. ++ Prior to the commencement of the development, details of a scheme for disposing of surface water by means of a sustainable drainage system shall be submitted and agreed in writing by the Local Planning Authority. The scheme shall ensure that there is no increase of surface water discharge from the site than from the existing development. The scheme shall be implemented in full in accordance with the approved details prior to completion or first occupation of the development whichever is the earlier. The submitted details shall:

- o Provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
- o If infiltration is proposed then an infiltration test to BRE 365 shall be carried out and the results submitted to the LPA including the design details of the proposed infiltration device;
- o Include a timetable for its implementation; and
- o Provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

Reason: to ensure that the development achieves a high standard of sustainability and to comply with Policy CS9 and CS16 of the Woking Core Strategy 2012

10. ++ Prior to the commencement of the development hereby approved, the recommendations within 'Arbtech' 'Material Changes re-visit' survey, dated 04/12/2017, shall be complied with in full and details of bat box locations shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development hereby approved. Development shall thereafter take place and be maintained in accordance with the agreed details.

Reason: To protect the habitat of the bats in accordance with Policy CS7 of the Woking Core Strategy 2012.

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11. ++Prior to the commencement of the development hereby approved, written evidence shall be submitted to and approved in writing by the Local Planning Authority (LPA) demonstrating that the development will:
- Achieve a minimum of a 19% improvement in the dwelling emission rate over the target emission rate, as defined in the Building Regulations for England Approved Document L1A: Conservation of Fuel and Power in New Dwellings (2013 edition). Such evidence shall be in the form of a Design Stage Standard Assessment Procedure (SAP) Assessment, produced by an accredited energy assessor; and,
  - Achieve a maximum water use of no more than 110 litres per person per day as defined in paragraph 36(2b) of the Building Regulations 2010 (as amended), measured in accordance with the methodology set out in Approved Document G (2015 edition). Such evidence shall be in the form of a Design Stage water efficiency calculator.

Development shall be carried out wholly in accordance with the agreed details and maintained as such in perpetuity unless otherwise agreed in writing by the LPA.

Reason: To ensure that the development achieves a high standard of sustainability and makes efficient use of resources and to comply with policy CS22 of the Woking Core Strategy 2012.

12. The development hereby permitted shall not be occupied until written documentary evidence has been submitted to and approved in writing by the Local Planning Authority demonstrating that the development has:
- Achieved a minimum of a 19% improvement in the dwelling emission rate over the target emission rate, as defined in the Building Regulations for England Approved Document L1A: Conservation of Fuel and Power in New Dwellings (2013 edition). Such evidence shall be in the form of an As Built Standard Assessment Procedure (SAP) Assessment, produced by an accredited energy assessor; and
  - Achieved a maximum water use of 110 litres per person per day as defined in paragraph 36(2b) of the Building Regulations 2010 (as amended). Such evidence shall be in the form of the notice given under Regulation 37 of the Building Regulations.

Development shall be carried out wholly in accordance with the agreed details and maintained as such in perpetuity unless otherwise agreed in writing by the LPA.

Reason: To ensure that the development achieves a high standard of sustainability and makes efficient use of resources and to comply with policy CS22 of the Woking Core Strategy 2012.

### Informatives

- The Council confirms that in assessing this planning application it has worked with the applicant in a positive and proactive way, in line with the requirements of paragraph 186-187 of the National Planning Policy Framework (2012).
- The applicant is advised that this application is liable to make a CIL contribution of £74,907.69. The applicant must complete and submit a Commencement (of development) Notice to the Local Planning Authority, which the Local Planning Authority must receive prior to commencement of the development. Otherwise, the applicant may lose their right to pay in instalments.
- Your attention is specifically drawn to the conditions above marked ++. These condition(s) require the submission of details, information, drawings, etc. to the Local

## 16 JANUARY 2018 PLANNING COMMITTEE

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.

4. The permission hereby granted shall not be construed as authority to carry out works on the highway. The applicant is advised that a licence must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway.
5. The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders. (Highways Act 1980 Sections 131, 148, 149).
6. The applicant is advised that under the Control of Pollution Act 1974, works which will be audible at the site boundary will be restricted to the following hours:-

8.00 a.m. - 6.00 p.m. Monday to Friday

8.00 a.m. - 1.00 p.m. Saturday

and not at all on Sundays and Bank Holidays.