

05 September 2017 PLANNING COMMITTEE

6b 17/0293 Reg'd: 17.03.17 Expires: 12.05.17 Ward: GP
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LOCATION: 17 Alterton Close, Woking, Surrey, GU21 3DD

PROPOSAL: Erection of a part two-storey/part single-storey side extension and conversion of an existing garage to facilitate the creation of an annexe. Erection of a rear conservatory (amended description).

TYPE: Householder.

APPLICANT: Mr M Ali

OFFICER: Tanveer
Rahman

REASON FOR REFERRAL TO COMMITTEE

This applicant is a Woking Borough Councillor and the application cannot therefore be determined under delegated powers.

PLANNING STATUS

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

RECOMMENDATION

Grant planning permission subject to conditions.

SITE DESCRIPTION

17 Alterton Close is a two-storey, pitched roof detached house which is situated in the north east corner of the cul-de-sac. The property has a shared driveway to its front and a double garage in the northwest corner of the site. The property's garden wraps around the side (north west) and rear elevations.

PLANNING HISTORY

PLAN//2016/1037: Proposed attached annexe including part two storey, part single storey side extension and conversion of one existing garage into habitable room and proposed rear conservatory - refused on 10.01.2017 for the following reasons:

"01. By reason of its scale, internal accommodation and the size of the accommodation in relation to the main dwelling, it has not been designed in such a way which would render it incapable of being occupied separately from the main dwelling and the proposed annexe has not been demonstrated to be genuinely ancillary to the occupation of the main dwelling. The proposal is therefore contrary to Policy DM9 of the Development Management Policies DPD 2015.

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02. *In the absence of arboricultural information in line with BS 5837:2012, it has not been demonstrated that the proposed extensions would not result in adverse impacts upon the health of trees within close proximity which contribute to the visual amenity of the area. The proposal is therefore contrary to policies CS21 and CS24 of the Woking Core Strategy 2012, Policy DM2 of the Development Management Policies DPD and the core principles of the National Planning Policy Framework 2012.*
03. *In the absence of a Legal Agreement or other appropriate mechanism to secure contributions towards mitigation measures, it cannot be determined that the additional dwelling would not have a significant adverse impact on the Thames Basin Heaths Special Protection Area, contrary to Policy CS8 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")*
04. *The annexe could be used as an independent dwelling and would increase the number of cars and pressure upon car parking. It is considered the proposal would remain inconsistent with the existing car parking approach within Alterton Close, where all the properties have a garage and driveway. This issue is exacerbated by the loss of one garage into a habitable room and given that it is a shared access driveway and could potentially block access to No.16 Alterton Close garage and parking area. Given these factors it is considered that parking provision would not be capable of being provided on the shared access driveway without impacting on the neighbouring property No. 16 Alterton access to their garage and parking and would increase street parking in the Close. The impact upon car parking provision is therefore unacceptable and contrary to CS18 Transport and accessibility of the Core Strategy (2012), Supplementary Planning Document 'Parking Standards' (2008) and the National Planning Policy Framework (2012)."*

PLAN/2016/0600 - Proposed attached annexe, part two storey side and rear extension, part single storey rear and side extension and conversion of one existing garage into a habitable room - withdrawn 12.08.2016.

PROPOSED DEVELOPMENT

The proposal is for a two-storey side extension which would have a pitched roof that would be a continuation of the existing main roof of the house. A ground floor window and a first floor window are proposed in its front elevation. A set of bi-fold doors and a first floor window are proposed in its rear elevation. A single-storey, hipped roof extension is proposed to infill the area between the proposed two-storey extension and the property's double garage. A window is proposed in its rear elevation. Part of the garage is proposed to be converted to a habitable room. In order to serve this new room an existing garage door is proposed to be partially blocked up and a window is proposed in the remaining opening. A second set of internal stairs are proposed to provide access to the first floor level of the extension. The application also proposes a conservatory on the existing rear elevation of the house.

The changes to this application compared to PLAN//2016/1037 are:

- A second kitchen is no longer proposed.
- An internal wall separating a proposed bedroom from the kitchen/living room has been removed.
- A ground floor bedroom has been changed to an office.

A drawing has also been submitted demonstrating there would still be space to park one car in the existing garage and a further three cars on the existing driveway.

CONSULTATIONS

LPA Senior Arboricultural Officer:

“There are minor implications for trees as is demonstrated by the Arboricultural information provided by Green Earth Arboricultural and Environmental Consultancy dated 27/02/2017, however the trees could be affected during the construction phase therefore tree protection details will be required prior to commencement of any works on site this should be produced in line with BS5837 and be prepared by a suitably qualified and experienced Arboricultural Consultant.”

The County Highway Authority (SCC) had no objections or requirements to PLAN//2016/1037. Given the similarity of that application with this current one it is considered that these comments are still applicable.

REPRESENTATIONS

15 letters of objection from 10 separate objectors were received which made the following statements:

- Given the similarity of the drawings to the previous two applications at the application site the intention of this application is clearly to create another dwelling to sell or rent out.
- An objector questioned why another set of stairs was required for a single family home.
- The density created by the proposal would be out of keeping with the area and could set a precedent.
- It could increase demand for on street parking which is already limited.
- The submitted drawings show the boundary line between the objector's property drawn incorrectly (*Case officer's note: drawings are taken at face value and land ownership/boundary disputes are a civil matter which fall outside of planning control*).
- Proposed guttering would overhang the boundary into neighbour's property (*Case officer's note: planning permission does not convey the right to enter or build on land that is not within their ownership*).
- The proposed plans show that a wood burner would be closer to an objector's property and they currently have issues with the smell from an existing wood burner at the application site furthermore this could create a fire hazard.
- The proposed extension is much larger than others in the cul-de-sac and would mean that no.16 would no longer be a semi-detached property.
- The existing garages on site are narrow and cannot accommodate large cars.
- The proposed parking arrangements are unrealistic and would involve no.16 having to drive over their lawn to access their garage.
- An objector questioned why some properties were not notified of the application and wanted to know why the standard consultation period was not extended to take into account the Easter school holidays (*Case officer's note: the consultation was carried out in accordance with the Council's procedures*).
- The proposal would raise drainage and other infrastructural issues (*Case officer's note: these would not normally be planning issues*).
- The proposal would create a 'terracing effect'.
- The proposal is contrary to local planning policies in design terms.
- The proposal would create an unacceptable overbearing towards an objector's property.

RELEVANT PLANNING POLICIES

National Planning Policy Framework (2012):

Section 7 - Requiring good design

Section 11 - Conserving and enhancing the natural environment

Woking Core Strategy (2012):

CS8 - Thames Basin Heaths Special Protection Areas

CS18 - Transport and accessibility

CS21 - Design

Development Management Policies Development Plan Document (2016):

DM2: Trees and Landscaping

DM9: Flats Above Shops and Ancillary Accommodation

Supplementary Planning Documents:

Woking Design SPD (2015)

Outlook, Amenity, Privacy and Daylight (2008)

Parking Standards (2006)

PLANNING ISSUES

Impact on the character of the area

1. The external appearance of this proposal is the same as what was proposed as part of PLAN/2016/1037. That application was considered to have acceptable impact on the character of the area.
2. The proposal is therefore considered to result in a visually acceptable dwelling which would have an acceptable impact on the character of the surrounding area and accord with section 7 of the *National Planning Policy Framework* (2012), policy CS21 of the *Woking Core Strategy* (2012), policy DM9 of the *Development Management Policies Development Management Document* (2016) and *Woking Design SPD* (2015).

Impact on neighbours:

3. The neighbours potentially most affected by this application would be the properties on Torridon Close which adjoin the application site, 16 Alterton Close, 18 Alterton Close and 19 Alterton Close. Given the proposed scale, form, design and location of the PLAN/2016/1037 it was considered that it would not create unacceptable overlooking issues, it would not unacceptably impact sunlight/daylight levels and that it would not appear unacceptably overbearing towards any of these properties. The external scale, form and design of this proposal is no different to what was proposed as part of PLAN2016/1037. It is therefore considered that this application would also have acceptable impact on neighbouring amenity.
4. The proposal is considered to have an acceptable impact on neighbouring amenity which would accord with policy CS21 of the *Woking Core Strategy* (2012), *Woking Design SPD* (2015), *Outlook, Amenity, Privacy and Daylight* (2008) and section 7 of the *National Planning Policy Framework* (2012).

Impact private amenity space

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5. The Council's SPD *Outlook, Amenity, Privacy and Daylight* (2008) identifies recommended minimum garden amenity areas. As a family dwelling house with two bedrooms or more, and measuring over 65sqm in gross floorspace the SPD sets out a minimum provision of "a suitable area of private garden amenity in scale with the building but always greater than the building footprint". It also states that "in established residential areas, where the existing pattern of development has a well defined character, the size, shape and position of the garden will need to reflect the existing context and be in proportion to the size of the dwelling". The footprint of the resulting dwelling would measure approximately 126sqm. The resulting area of private amenity space would be 128sqm which would be more than the footprint and consequently complies with the above policy. Furthermore, when assessed as a single dwelling PLAN/2016/1037 was considered to have had an acceptable impact on private amenity space.
6. The proposal is therefore considered to have an acceptable impact on private amenity space which would accords with policy CS21 of the *Woking Core Strategy* (2012), *Woking Design SPD* (2015), *Outlook, Amenity, Privacy and Daylight* (2008) and section 7 of the *National Planning Policy Framework* (2012).

Annexe use

7. Policy DM9 of the *Development Management Policies Development Plan Document* (2016) states that: "Ancillary residential extensions, including 'granny annexes' and staff accommodation, designed in accordance with Core Strategy policy CS21 and the Council's Design SPD, will be permitted provided they share a common access with the main dwelling and are physically incorporated within it, and are designed in such a way that renders them incapable of being occupied separately from the main dwelling. Freestanding units that can demonstrate they are genuinely ancillary to the occupation of the main house will be considered in light of the character and amenities of the area and may be subject to conditions restricting their occupancy. Separate, freestanding, independent accommodation will be treated in the same way as a proposal for a new dwelling"
8. The reasoned justification for the policy states that: "The Council is mindful that housing development needs to respond flexibly to the changing needs of families by accommodating additional relatives or staff. The policy on ancillary accommodation aims to meet such needs whilst recognising that separate buildings within the curtilage of larger dwellings can have a negative impact on the character of the area and may not have suitable amenity space or access arrangements to be used as an independent house – for example, if an annex was sold off as a separate dwelling this could adversely affect the demand for access and parking on the site".
9. One of the reasons for the refusal of PLAN/2016/1037 was that it could be used as a separate dwelling to the existing house. It is noted that the scale and form of this application is the same as PLAN/2016/1037 however the internal layout has been altered so that it would no longer have separate kitchen facilities to the main house. Furthermore, according to the proposed plans it does not appear as though the entrance hall could be easily reconfigured to separate the existing dwelling from the annexe. It is therefore considered that this scheme has been redesigned in a way that makes it incapable of being occupied separately from the main dwelling.
10. The proposal is therefore considered to be acceptable in terms of its internal layout which accords with policy DM9 of the *Development Management Policies Development Management Document* (2016). However, it is acknowledged that future internal alterations to the approved layout would not need planning permission. In

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order to ensure that the dwelling is not split into separate units over time, it is considered that it is necessary to attach a condition to any permission preventing the use of the dwelling as two or more separate units (condition 4).

Impact on trees

11. One of the reasons for the refusal of PLAN/2016/1037 was that aboricultural information in line with BS 5837:2012 had not been submitted to demonstrate that the proposal *would not result in adverse impacts upon the health of trees within close proximity which contribute to the visual amenity of the area.*
12. As mentioned above the same aboricultural information has been submitted as part of this application however the LPA's Senior Aboricultural Officer has requested further information by way of condition.
13. Subject to the imposition of a condition the proposal is therefore considered to have an acceptable impact on trees which would accord with policy CS21 of the *Woking Core Strategy (2012)*, policy DM2 *Development Management Policies Development Management Document (2016)*, *Woking Design SPD (2015)* and section 7 of the *National Planning Policy Framework (2012)*.

Impact on car parking provision & highway safety

14. One of the reasons for the refusal of PLAN/2016/1037 stated that "*The annexe could be used as an independent dwelling and would increase the number of cars and pressure upon car parking. It is considered the proposal would remain inconsistent with the existing car parking approach within Alterton Close, where all the properties have a garage and driveway.*" It went on to state that "*given that it is a shared access driveway and could potentially block access to No.16 Alterton Close*".
15. As noted previously it is considered that the amended scheme has been designed in a way that makes it incapable of being occupied separately from the main dwelling. Furthermore, a plan showing that four cars could be parked on site without impeding access to no.16's garage has been submitted.
16. The proposal is therefore considered acceptable in terms of its impact on car parking and highway safety which accords with *Parking Standards (2006)*.

Local Finance Considerations:

17. Reason 3 for the refusal of PLAN/2016/1037 was an absence of a legal agreement or other appropriate mechanism to secure a Strategic Access Management and Monitoring (SAMM) contribution for the mitigation against adverse impacts on Thames Basin Heaths Special Protection Area. Given that the proposal is no longer considered to result in a additional dwelling this contribution would no longer be required and this reason for refusal is considered to have been overcome.

CONCLUSION

Overall, the proposal is considered to have an acceptable impact on the character of the area, neighbouring amenity, private amenity space, annexe use, trees, car parking provision & highway safety and local finance considerations. It is considered that it addresses all

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reasons for the refusal of PLAN/2016/1037. The proposal therefore accords with policies CS8, CS18 and CS21 of the *Woking Core Strategy* (2012), policies DM2 and DM9 of the *Development Management Policies Development Management Document* (2016), *Woking Design SPD* (2015), *Outlook, Amenity, Privacy and Daylight* (2008), *Parking Standards* (2006) and sections 7 and 11 of the *National Planning Policy Framework* (2012) and is recommended for approval.

BACKGROUND PAPERS

Site visit photographs (27.04.2017)

Tree survey (received by the LPA on 16.03.2017)

RECOMMENDATION

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

1. 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).

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

- 1:500 block plan Drwg no.B.11 (received by the LPA on 16.03.2017)
- 1:200 proposed block plan Drwg no.P.11 (received by the LPA on 16.03.2017)
- 1:100 proposed ground floor plan (received by the LPA on 16.03.2017)
- 1:100 proposed ground floor plan showing parking layout (received by the LPA on 16.03.2017)
- 1:100 proposed first floor plan Drwg no.P.18 (received by the LPA on 16.03.2017)
- 1:100 proposed roof plan Drwg no.P.19 (received by the LPA on 16.03.2017)
- 1:100 proposed front and side (south east) elevation Drwg no.P.20 (received by the LPA on 16.03.2017)
- 1:100 proposed rear and side (north west) elevation Drwg no.P.21 (received by the LPA on 16.03.2017)

Reason:

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

3. The external finishes of the development hereby permitted shall match those used in the existing building in material, colour, style, bonding and texture.

Reason:

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In the interests of the character and appearance of the building and the visual amenities of the area and in accordance with policy CS21 of the *Woking Core Strategy* (2012).

4. The development hereby permitted shall be occupied only as residential accommodation ancillary to the use of the dwelling currently known as '17 Alterton Close' and shall not be used as an independent residential unit.

Reason:

To ensure the dwelling remains in single family occupation and the use of the premises is compatible with the surrounding area.

5. The remaining garage at 17 Alterton Close shown on the plans hereby approved shall only be used for the parking of vehicles ancillary to the residential use of the site and shall be retained thereafter solely for that purpose and made available to the occupiers of the property at all times for parking purposes unless otherwise first agreed in writing by the Local Planning Authority.

Reason:

In the interests of amenity and to ensure a satisfactory form of development in accordance with Policies CS18 and CS21 of the *Woking Core Strategy* 2012.

6. ++ No development related works shall be undertaken on site (including clearance and demolition) until tree protection details, to include the protection of hedges and shrubs, 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 in accordance with Policy CS21 of the *Woking Core Strategy* (2012).

Informatives

1. 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.

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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.

2. 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).
3. It is noted that a set of bi-fold doors are shown on the proposed side (north west) elevation but not on the ground floor plan. However given the presence of boundary fencing in front of this elevation it is considered that this inconsistency raises no material planning issues.
4. The applicant is reminded that planning permission does not convey the right to enter or build on land that is not within their ownership.