

05 JUNE 2018 PLANNING COMMITTEE

5c	18/0201	Reg'd:	12.05.16	Expires:	02.05.18	Ward:	HE
Nei. Con. Exp:	04.04.18	BVPI Target	Minor dwellings -13	Number of Weeks on Cttee' Day:	13/8	On Target?	No

LOCATION: Ridge End, Hook Hill Lane, Woking, GU22 0PT

PROPOSAL: Demolition of existing bungalow and garage and erection of a replacement two storey dwelling with attached garage.

TYPE: Full Planning Application

APPLICANT: Mrs Victoria Evans

OFFICER: David Raper

REASON FOR REFERRAL TO COMMITTEE:

The proposal includes the erection of a replacement 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 a part two storey, part single storey replacement dwelling following the demolition of the existing single storey dwelling and detached garage. The replacement dwelling would be erected in the same location as the existing dwelling and includes a two storey front projecting element with a double garage.

PLANNING STATUS

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

RECOMMENDATION

GRANT planning permission subject to conditions.

SITE DESCRIPTION

The proposal relates to a single storey dwelling dating from the mid C20. The site is accessed via Hook Hill Lane and shares an access with West Cottage and Fulford to the east. The property features a detached garage and parking area to the frontage and a large, mature garden to the rear which slopes downwards towards Ridge Close to the south. To the west the property is bounded by the rear gardens of neighbours on Hook Hill Park which is a spacious development of detached dwellings dating from the 1970s. The surrounding area is spacious and sylvan in character and is generally characterised by large detached dwellings. The proposal site is within the Urban Area in the Hook Heath Neighbourhood Area of the Borough.

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PLANNING HISTORY

- TREE/2018/8074 - Fell Oak tree T1(Works Subject to TPO TPO/0007/2016) – Permitted 18/04/2018
- PLAN/1994/1049 - Erection of a rear conservatory – Permitted 02/02/1995
- 26459 – Extension – Permitted 01/10/1970
- 25657 – Erection of double garage – Permitted 17/03/1970
- 25397 – Extension – Permitted 01/01/1970

CONSULTATIONS

County Highway Authority: No objection.

Arboricultural Officer: No objection subject to conditions.

Hook Heath Neighbourhood Forum: Objection, raising the following summarised concerns:

- The submitted Planning Statement does not refer to the Hook Heath Neighbourhood Plan
- The proposal would cause overlooking and the screening is too sparse to be effective
- The eaves and gutters would overhang the neighbouring property
- The submitted Block Plan does not accurately show the position of neighbours
- The applicant is proposing to fell a TPO tree with no justification and no replacement proposed
- There is insufficient separation to the boundaries and the proposal is out of character with the area and should be placed more centrally in the plot

REPRESENTATIONS

A total of 16x representations have been received objecting to the proposal, including one from the Hook Heath Residents' Association. The representations raise the following concerns:

- The proposal would cause overlooking and loss of light to neighbours
- The recently installed front rooflights do not serve habitable rooms and have been installed to justify the current application
- The screening that has been planted is ineffective
- Proposal would be high density in nature and out of character with the area
- Proposal would have an oppressive appearance
- The proposed dwelling would be better positioned more centrally within the site
- The placement of the dwelling means the rest of the site could be subdivided in the future
- Proposal would result in a 'terracing effect' and would harm the street scene on Hook Hill Park
- The applicant proposes the removal of a TPO Oak tree for which there is no justification
- No machinery should be allowed to operate in the Root Protection Area of trees
- Conditions should be applied relating to working hours and construction management

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- The construction phase would cause disruption and place pressure on parking. Hook Hill Lane is not suitable for HGVs
- The proposed dwelling would be too close to the western boundary and guttering may overhang (*Officer note: Officers are satisfied that the development would be within the proposal site*)
- The proposed Block Plan does not accurately show neighbouring dwellings (*Officer note: officers have taken account of the true positions of neighbouring dwellings and have visited the neighbour at No.2 Hook Hill Park*)

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

Development Management Policies DPD (2016):

DM2 - Trees and Landscaping

Woking Core Strategy (2012):

CS1 - A Spatial strategy for Woking Borough

CS18 - Transport and accessibility

CS21 - Design

CS24 - Woking's landscape and townscape

CS25 - Presumption in favour of sustainable development

Hook Heath Neighbourhood Plan (2015):

BE1 - Design of New Developments

BE2 - Off-road Parking

Supplementary Planning Documents (SPDs):

Parking Standards (2018)

Woking Design (2015)

Outlook, Amenity, Privacy and Daylight (2008)

BACKGROUND

Amended plans were received on 9th and 10th May which made the following amendments:

- The overall height of the proposed dwelling has been reduced by 0.8m. This has been achieved by lowering the pitch of the roof and by lowering the ground floor level which is currently built on a raised plinth.
- A first floor side-facing window has been removed and two storey flank elevation moved 0.4m further from the boundary.

The proposal has been assessed based on these plans.

PLANNING ISSUES

Impact on Character:

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1. The proposal relates to a detached single storey dwelling understood to date from the mid C20. The dwelling has a simple, traditional form and character but is not considered to possess any notable architectural merit. The demolition and replacement of the dwelling can therefore be considered acceptable subject to the design of the proposed replacement. The proposed dwelling would be two storeys and adopts a simple traditional design with hipped roofs and includes a two storey front projecting element with an integral garage. The dwelling would occupy a similar footprint to the existing dwelling. The plans indicate the use of brickwork and tile hanging. Overall the proposed dwelling is considered to represent a visually acceptable and well proportioned dwelling which respects the character of the surrounding area, which is predominately characterised by dwellings built in a traditional style.
2. Apart from the neighbour at Fulford to the east, the surrounding area is predominately characterised by two storey dwellings and the resulting height and scale of the proposed dwelling is considered consistent with the character of the surrounding area. The proposed development would not be prominent in views from Hook Hill Lane due to the set-back of the site from the road and its 'backland' position. The dwelling would be visible from Hook Hill Park to the north and west however this would be viewed in the context of the existing two storey dwellings along Hook Hill Park and the proposal is not considered to unduly harm the character and street scene of Hook Hill Park. Whilst the proposed dwelling would inevitably be greater in height and scale compared to the existing dwelling, as discussed above this is not considered to result in unacceptable harm to the character of the area and is considered consistent with the character of the surrounding area.
3. It is acknowledged that the dwelling would be positioned in the western portion of the site, leaving a gap to the eastern boundary of the site. This is not however considered to result in visual harm to the area or an unduly cramped form of development and it is borne in mind that the dwelling would occupy a similar footprint to the existing dwelling. The projecting garage element would be positioned 0.2m from the western boundary however this is a similar arrangement to the existing garage which would be demolished.
4. Overall the proposed replacement dwelling is considered a visually acceptable form of development and is considered to respect the character and appearance of the surrounding area. The proposal therefore accords with Core Strategy (2012) policies CS21, CS24 and CS25, Hook Heath Neighbourhood Plan (2015) policy BE1, Supplementary Planning Document 'Working Design' (2015) and the National Planning Policy Framework (2012).

Impact on Neighbours:

5. The nearest neighbours potentially most affected by the proposed development are those on Hook Hill Park to the west, Hook Hill Lane to the north and west and neighbours at Fulford and West Cottage to the east. The potential impacts on the amenities of neighbours are assessed below.

No.2 Hook Hill Park:

6. No.2 Hook Hill Park is positioned immediately to the west of the proposal site and its rear elevation is orientated towards the proposal site. This neighbour includes a single storey side extension including a garage at the point nearest to Ridge End as well as a habitable room serving as a living area which opens onto a patio adjacent to the boundary with Ridge End. Although the rear elevation of this neighbour is orientated towards Ridge End, the orientation is such that the proposed replacement

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dwelling would not be sited directly opposite the windows of this neighbour, however the replacement dwelling would inevitably be readily appreciable from this neighbour and the nearest habitable room window in question. The existing dwelling on the site is located 1.4m from the boundary and the twin hipped roof elements of the dwelling are prominent from this neighbour's window and patio area. The existing dwelling has a maximum height of 7.9m from ground level including the raised area the dwelling sits on.

7. The part of the proposed replacement dwelling nearest this neighbour would be single storey with a maximum height of 2.9m and sited 1.4m from the boundary. The first floor element of the replacement dwelling would be set-in further and would be positioned 3.5m from the boundary and would be positioned 10m from the nearest habitable room window at No.2 Hook Hill Park with an eaves height of 5m. The maximum height of the dwelling would be 8.5m and this element would be positioned 7.3m from the boundary and approximately 14.5m from the neighbouring window. The maximum height of the proposed dwelling would be 0.6m taller than the existing but greater in bulk and massing due to the first floor accommodation and larger roof form.
8. Whilst there is no dedicated test in the Council's 'Outlook, Amenity, Privacy and Daylight' SPD (2008) for this particular relationship, the '25° test' relates to developments which are directly opposite habitable room windows and establishes that if the proposed development does not intersect a 25° angle line drawn from the window, then an undue loss of light or overbearing impact is unlikely to occur. Such a relationship would be worse than the proposed relationship as the development is not directly opposite the neighbouring window, however the proposal would pass this test. The '45° test' relates to dwellings which are adjacent to one another and the proposal would also pass this test in both plan and elevation form. Considering the points discussed above, overall the proposed development is not considered to result in an unacceptable loss of light or overbearing impact on the habitable room windows of No.2 Hook Hill Park.
9. The proposed garage element includes first floor accommodation and would be sited closer to the boundary (0.2m) however this element is positioned further to the north of this neighbour and would only be visible from the nearest neighbouring window at an oblique angle and is not considered to result in an undue loss of light or overbearing impact on this window.
10. It is acknowledged that there is a patio area adjacent to the boundary with Ridge End. Whilst the proposed building would be clearly visible from the patio area and the building would inevitably be greater in height and mass compared to the existing, considering the 3.5m separation distance of the two storey element from the boundary and the hipped roof design, the proposal is not considered to result in an unacceptable loss of light or overbearing impact on the patio area. It is also borne in mind that this neighbour benefits from a garden which extends to the south and south-west.
11. In terms of overlooking, the windows on the flank elevation facing west would be limited to high-level rooflights and ground floor windows which are not considered to cause any undue overlooking. The ground floor windows would be positioned 1.4m from the boundary; this separation distance, the ground floor position of the windows and the boundary fence are considered to avoid any undue overlooking from these windows. The rooflights can be required to be high-level by condition and the insertion of future side-facing windows can also be restricted by condition.

Landford Lodge and No.1 Hook Hill Park:

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12. The neighbours at Landford Lodge and No.1 Hook Hill Park are sited to the north of the proposal site and the existing and proposed dwellings have a front-to-rear relationship with these neighbours. The proposal would introduce first floor accommodation with first floor windows facing towards the rear elevations and rear gardens of these neighbours serving a bedroom, staircase and landing. These first floor windows would however be located a minimum of 10m from the rear boundary of No.1 Hook Hill Park at their nearest point and 13m from the rear boundary of Landford Lodge at their nearest point. The windows would be positioned a minimum of 24m from the rear elevations of these neighbours. The Council's 'Outlook, Amenity, Privacy and Daylight' SPD (2008) recommends minimum separation distances for different relationships; whilst there is no recommended minimum for front-to-rear relationships, the most generous recommended separation distance is for rear-to-rear relationships which is 20m and the recommended minimum for front-to-boundary relationships is 10m. The proposed development would meet these recommended minimum standards with regards to the three windows in question. Furthermore, these neighbours and their rear gardens are positioned on ground which is approximately 1.5m higher than that of the proposal site which further diminishes the potential for undue overlooking or overbearing impacts. The applicant has also planted pleached trees on the boundary with these neighbours which would have some screening value when in leaf and matured. In any case, the separation distances and the change in levels involved are considered to result in an acceptable overlooking, loss of light and overbearing impact on these neighbours.
13. Front-facing rooflights have been recently installed on the front roof slope of the existing dwelling and some representations allege this has been done to justify the current planning application. It is acknowledged that the potential for overlooking from these rooflights is materially different to the proposed development and limited weight has therefore been given to their presence. In any case, the proposed first floor windows are considered to form an acceptable relationship with neighbours, regardless of the presence of existing windows.
14. The two storey front projecting element includes a front-facing window positioned around 5m from the boundary with No.1 Hook Hill Park however as this window serves a bathroom, this can be required to be obscurely glazed with restricted opening by condition to avoid undue overlooking. There would also be first floor windows above the garage facing east however these would only have oblique views of neighbours to the north and are not considered to result in undue overlooking.

Fulford, Hook Hill Lane:

15. Fulford is a single storey dwelling located to the south-east and is set-back in the plot relative to the proposed replacement dwelling. The proposed dwelling would be located a minimum of 15m from the side boundary with this neighbour and 18.2m from the neighbour itself at its nearest point. The proposal would pass the '45° test' in plan and elevation form and the relationship is considered to result in acceptable loss of light and overbearing impact on this neighbour. The proposed dwelling includes a side-facing first floor window which window would be sited 15m from the boundary with Fulford and looks towards the frontage of this neighbour; as this window serves a shower room, this can be required to be obscurely glazed with restricted opening by condition. The accommodation above the garage features windows facing east towards Fulford however these would be located a minimum of 22m from the boundary with this neighbour and look towards the frontage and driveway of this neighbour. These windows are not therefore considered to result in undue overlooking.

West Cottage, Hook Hill Lane:

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16. This neighbour is positioned 28.6m from the proposed dwelling at its nearest point and the parking area and driveways of both Ridge End and West Cottage separate the two properties. The separation distance is considered sufficient to achieve an acceptable relationship with this neighbour in terms of loss of light, overbearing and overlooking impacts.

Other neighbours:

17. Other neighbours include No.3-5 Hook Hill Park which back onto the proposal site's rear garden. These neighbours are not considered to be unduly affected by the proposal due to the separation distances involved and their orientation away from proposed replacement dwelling. Padleys and Brigadoon on Ridge Close to the south have a rear-to-rear relationship with the proposal site however these neighbours are positioned approximately 80m from the proposed dwelling. These and other neighbours in the area are considered a sufficient distance from the proposed development to not be unduly affected.
18. Considering the points discussed above, overall the proposal is therefore considered to have an acceptable impact on the amenities of neighbours and accords with Core Strategy (2012) policy CS21, Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight' (2008) and the National Planning Policy Framework (2012).

Impact on Trees:

19. The proposal site includes a mature Beech and Oak in the rear garden which are protected by a Tree Preservation Order (TPO) as well as other smaller trees which are not protected. The applicant has provided an Arboricultural Report demonstrating how trees on the site would be protected during construction which is considered acceptable by the Council's Arboricultural Officer. The applicant has submitted a separate tree works application (TREE/2018/8074) to fell the TPO Oak tree due to a fungus infection; this application was granted on 18/04/2018 subject to conditions, including a condition securing a replacement tree. The Oak tree is not required to be felled to accommodate the proposed development and the felling has been permitted due to the long-term health of the tree; this is not therefore considered directly relevant to the current planning application. The applicant has however demonstrated the protection and retention of the remaining trees on the site including the TPO Beech tree. The proposal is therefore considered acceptable in terms of its impact on trees, subject to conditions.

Standard of Accommodation:

20. The proposed dwelling would have four bedrooms and a total internal floor area of 332m². The garden of Ridge End is substantial and exceeds the internal floor area of the dwelling. Overall the proposal is considered to achieve an acceptable standard of accommodation for future residents.

Transportation Impact:

21. The proposed dwelling would have sufficient off-street parking space to accommodate at least three vehicles in accordance with policy BE2 of the Hook Heath Neighbourhood Plan (2015) and the Council's recently adopted Parking Standards (2018). The existing access arrangements via Hook Hill Lane would not be altered by the application. The County Highway Authority has reviewed the proposal and raises no objection.

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22. Overall the proposal is therefore considered to have an acceptable transportation impact.

Community Infrastructure Levy (CIL):

23. The proposal would be liable to make a CIL contribution of £27,084.38 based on a net increase in floor area of 175.5m². The applicant has however submitted a self-build exemption form claiming relief from CIL. Notwithstanding this, the LPA must assess the application for exemption separately and the applicant must submit a Commencement of Development Notice prior to any commencement of development.

CONCLUSION

24. Overall, the proposed replacement dwelling is considered to constitute an acceptable form of development which would have an acceptable impact on the character of the surrounding area, on the amenities of neighbours and on trees. The proposal therefore accords with Core Strategy (2012) policies CS21, CS24 and CS25, Woking DMP DPD (2016) policy DM2, Hook Heath Neighbourhood Plan (2015) policies BE1 and BE2, Supplementary Planning Documents 'Outlook, Amenity, Privacy and Daylight' (2008) and 'Woking Design' (2015) and the National Planning Policy Framework (2012) and is recommended for approval subject to conditions.

BACKGROUND PAPERS

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

RECOMMENDATION

GRANT Planning Permission subject to the following conditions:

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

18-690 (Proposed elevations, floor plan and roof plan) received by the LPA on 09/05/2018

18-690/BP (1:200 Block Plan) received by the LPA on 10/05/2018

VE001 (Existing floor plan) received by the LPA on 23/02/2018

VE002 (Existing east elevation) received by the LPA on 23/02/2018

VE003 (Existing north elevation) received by the LPA on 23/02/2018

VE004 (Existing south elevation) received by the LPA on 23/02/2018

VE005 (Existing west elevation) received by the LPA on 23/02/2018

VE006 (Existing garage elevations) received by the LPA on 23/02/2018

18-690/LP (Location Plan) received by the LPA on 23/02/2018

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

3. ++Prior to the commencement any above ground works in connection with the development hereby permitted, a written specification of all external materials to be used in the construction of the dwelling hereby permitted 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.

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

4. The development hereby permitted shall take place in strict accordance with the Arboricultural Impact Assessment, Method Statement and Tree Protection Plan prepared by Acornarb dated February 2018, 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.

5. Notwithstanding the provisions of Article 3 and Schedule 2, Part 1, Classes A and B of The Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any orders amending or re-enacting that Order with or without modification) no extension or enlargement of the dwelling hereby permitted 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.

6. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modification) no window, rooflight or other additional openings, other than those expressly authorised by this permission, shall be formed in the north facing front elevation or roof slope or the west-facing side elevation or roof slope of the new dwelling hereby permitted, at first floor level or above, 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.

7. The first floor window in the east-facing side elevation and the first floor window in the north facing front elevation of the dwelling hereby permitted, identified as serving an en-suite bathroom on the approved plans listed in this notice, 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 window shall be permanently retained in that condition unless otherwise agreed in writing by the Local Planning Authority.

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

8. The rooflights in the east and west-facing roof slopes of the dwelling hereby permitted, shall be high-level windows with a minimum internal sill height of 1.7 metres above the floor levels of the rooms in which the windows are installed. Once installed the windows 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.

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 paragraph 186-187 of the National Planning Policy Framework 2012.
2. 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.
3. 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).
4. The provisions of The Party Wall Act 1996 may be applicable and relates to work on an existing wall shared with another property; building on the boundary with a neighbouring property; or excavating near a neighbouring building. An explanatory booklet setting out your obligations can be obtained from the Communities and Local Government website www.communities.gov.uk
5. The proposed development is Community Infrastructure Levy (CIL) liable although the applicant has submitted a Self-Build Exemption Form. Notwithstanding this, a self-build exemption must be granted prior to the commencement of the development. Additionally 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, in order to benefit from relief from the levy.
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.

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