

5th June 2018 PLANNING COMMITTEE

5d 17/1229 Reg'd: 28.11.17 Expires: 23.01.18 Ward: C
Nei. 26.12.17 BVPI 13 (Dwellings) Number On
Con. Target of Weeks Target? N
Exp: on Cttee'
Day:

LOCATION: 85 Maybury Road, Woking, GU21 5JH

PROPOSAL: Proposed erection of single storey rear extension to create 5No flats (1No two bed unit and 4No 1 bed units)

TYPE: Full Application

APPLICANT: Mr Ali

OFFICER: Komal Gorasia

REASON FOR REFERRAL TO COMMITTEE

The application is for the subdivision of an existing dwelling to create five dwellings and is therefore outside the Scheme of Delegation.

SUMMARY OF PROPOSED DEVELOPMENT

The application seeks planning permission for the erection of a single storey rear extension and the conversion of the dwelling into 5no flats comprising 1x 2bed unit and 4x 1bed units

PLANNING STATUS

- Urban Area
- Priority Place
- Thames Basin Heaths Special Protection Area (TBH SPA) Zone B (400m-5km)
- High Density Residential Area
- High Accessibility Zone
- Adjacent to Neighbourhood Centre

RECOMMENDATION

GRANT planning permission subject to a legal agreement and recommended conditions.

SITE DESCRIPTION

No.85 Maybury Road is part of a pair of two storey semi-detached dwellings. The properties are finished in render and brick beneath a tiled roof and the host property benefits from a roof extension comprising of a rear and side dormer window (the side dormer being on the two storey rear outrigger). The frontage of the dwelling is laid to hardstanding. The rear amenity space is laid to a combination of hardstanding and lawn. The properties are situated within the designated Urban Area, Priority Place, High Accessibility Zone and High Density Residential Area within close proximity to Woking Town Centre.

The host property is not listed and does not fall within a designated conservation area. There exist no outstanding conditions on the application site which might limit development.

RELEVANT PLANNING HISTORY

PLAN/1987/0733 - Continued use of premises as offices (previous use as residential) for a temporary period until 1.10.88 – subject to Legal agreement

PLAN/1990/0300 - Conversion of existing property to 2,two bedroom units and 1,one bedroom flat with six parking spaces. – Refused

PLAN/1993/0132 - Use of single dwellinghouse as bedsit accommodation. – Refused

PLAN/2007/0350 - Conversion of roof space into a 2-bed flat. – Withdrawn

PLAN/2006/0425 - Conversion of existing two storey dwelling to a shop and self contained flat on ground floor, 1 x one bed flat and 1 x two bed flat on first floor. (3 flats in total). – Permitted

PLAN/2016/0991 - Proposed conversion of existing two storey dwelling into 1x 1 bedroom flats and 4x 2 bedroom flat. Proposed erection of a two storey side extension. – Refused dated 31.10.2016 for the following reasons:

- 1. The proposed 4No. 2 bedroom flats fail to meet the definition of family accommodation, and would not be suitable for family accommodation due to their restricted gross internal floor area. The proposal would therefore result in an overall loss of an existing family home contrary to Policy DM11 of the Development Management Policies DPD and Policy CS11 of the Woking Core Strategy 2012.*
- 2. By reason of the design of the first floor rear windows these would fail to respect and make a positive contribution to the character of dwelling and the area in which it would be situated. Additionally the windows would appear incongruous and contrived on the dwelling and within the street scene of Lancaster Close. The proposal is therefore contrary to Policy CS21 of the Woking Core Strategy 2012, Policy DM11 of the Development Management Policies DPD, section 7 of the National Planning Policy Framework (2012) and Supplementary Planning Document 'Design (2015)'.*
- 3. By reason of the restricted gross internal floor areas of flats 2-5, the siting of single aspect ground floor level habitable room windows in relation to proposed frontage car parking (Flat 1) and rear communal amenity space (Flat 2), and the room depths of the living areas serving Flat 1 and Flat 3, the poor outlook to Flat 1 and Flat 3, the internal configuration of Flat 2 and Flat 4 living areas receiving inadequate light, the lack of outlook of Flat 3, Flat 4 and Flat 5 and lack of light to Flat 1 and Flat 3 bedrooms, the proposal would fail to provide a good quality of accommodation and good standard of amenity for future residential occupiers contrary to Policy DM11 of the Development Management Policies DPD, Policy CS21 of the Woking Core Strategy 2012, Supplementary Planning Documents 'Outlook, Amenity, Privacy and Daylight (2008)' and 'Design (2015)' and the core principles of the National Planning Policy Framework 2012.*
- 4. By reason of the loss of outlook to No.83-84 the Maybury Lodge bedroom 10, the proposal would form an unneighbourly form of development detrimental to neighbouring amenities and would be contrary to Policy CS21 of the Woking Core Strategy 2012, Supplementary Planning Documents 'Outlook, Amenity, Privacy and Daylight (2008)' and 'Design (2015)' and the core principles of the National Planning Policy Framework 2012.*

5th June 2018 PLANNING COMMITTEE

5. *In the absence of a Legal Agreement or other appropriate mechanism to secure contributions towards mitigation measures, the Local Planning Authority is unable to determine that the additional dwellings would not have a significant impact upon the Thames Basin Heaths Special Protection Area, contrary to Policy CS8 of the Woking Core Strategy 2012, the Thames Basin Heaths Avoidance Strategy, saved Policy NRM6 of the South East Plan (2009), the Conservation of Habitats and Species Regulations 2010 (SI No. 490 - the "Habitats Regulations") and Policy DM11 of the Development Management Policies DPD.*

PLAN/2016/1458 - Certificate of Proposed Lawful Development for a hip-to-gable roof extension, side and rear dormer windows and front and rear rooflights – Refused 02.03.2017

PLAN/2017/0274 - Certificate of Proposed Lawful Development for side and rear dormer window extensions, front and rear rooflights and single storey rear extension – Permitted 11.05.2017

PROPOSED DEVELOPMENT

The application seeks planning permission for the erection of a single storey rear extension and the conversion of the dwelling into 5no flats comprising 1x 2bed unit and 4x 1bed units

The proposed units would be laid out as follows:

	Location	Occupancy	Bedroom GIA	Total GIA
Flat 1	Ground floor	1bed 1person	10.8m ²	49.8m ²
Flat 2	Ground floor	1bed 2person	12.7m ²	50.84m ²
Flat 3	First floor	1bed 1person	10.8m ²	52.7m ²
Flat 4	First and second floor	2bed 3person	Bedroom 1: 10.24m ² Bedroom 2: 12.8m ²	68.9m ²
Flat 5	Second floor	1person studio	8.7m ²	41.46m ² (excl. Floorspace located at less than 1.5m height)

It should be noted that this application follows a previous refusal at the site (ref: PLAN/2016/0991) and a subsequent pre-application meeting which resulted in a successful Certificate of Lawful Development for roof extensions (ref: PLAN/2017/0274) which has since been built on site. In addition to this, it is important to note at this stage that the current proposal does not include the two storey side extension as proposed under the previous unsuccessful application.

This application seeks to address the previous points of refusal.

CONSULTATIONS

None

REPRESENTATIONS

None received

RELEVANT PLANNING POLICIES

National Planning Policy Framework 2012 (NPPF)

Section 4 - Promoting sustainable transport
Section 6 - Delivering a wide choice of high quality homes
Section 7 - Requiring good design
Section 11 - Conserving and enhancing the natural environment

South East Plan 2009

Saved Policy NRM6 – Thames Basin Heaths Special Protection Area

Woking Core Strategy 2012

CS1 - A spatial strategy for Woking Borough
CS5 - Priority Places
CS8 - Thames Basin Heaths Special Protection Areas
CS10 - Housing provision and distribution
CS11 - Housing mix
CS12 - Affordable housing
CS18 - Transport and accessibility
CS21 - Design
CS24 - Woking's landscape and townscape
CS25 - Presumption in favour of sustainable development

Development Management (DM) Policies DPD 2016

DM11 – Sub-divisions, specialist housing, conversions and loss of housing

Supplementary Planning Documents (SPD)

Parking Standards 2018
Outlook, Amenity, Privacy and Daylight 2008
Thames Basin Heaths Special Protection Area Avoidance Strategy 2010-2015
Affordable Housing Delivery 2014
Design February 2015
Waste and recycling provisions for new residential developments

Other Material Considerations

National Planning Practice Guidance (NPPG)

PLANNING ISSUES

1. The main planning issues to consider in the determination of this application are, the principle of development, visual impact of the proposed development on the locality including impact on neighbouring amenity, highways and parking, Thames Basin Heaths Special Protection Area (TBHSPA), affordable housing and local finance considerations.

Principle of development

5th June 2018 PLANNING COMMITTEE

2. The National Planning Policy Framework (2012) and Policy CS25 of the Woking Core Strategy (2012) promote a presumption in favour of sustainable development. The application site is within a sustainable location within the defined Urban Area and within the 400m-5km (Zone B) threshold of the Thames Basin Heaths Special Protection Area, where the impact of new residential development can be mitigated. The application site is within a designated Priority Place and High Density Residential Area.
3. Policy DM11 (Sub-divisions, Specialist Housing, Conversions and Loss of Housing) of the Development Management Policies (DPD) states that:

proposals for...the sub-division of existing dwellings of an appropriate size to two or more dwellings, including flats...will be permitted provided the following criteria are met:

- *the proposal does not harm the residential amenity or character of the area;*
- *a good quality of accommodation is provided by meeting any relevant housing standards;*
- *there would be no detrimental impact on the visual appearance of the area or that of the building itself;*
- *any proposed alterations, extensions or additional areas of hard surfacing required to enable the conversion of the dwelling are appropriate in scale, form and extent to the site and its surroundings;*
- *maximum tree cover, mature planting, and screening is retained;*
- *boundary treatment to the street frontage of the property is retained and a sufficient area of amenity space is retained or provided;*
- *there is adequate enclosed storage space for recycling/refuse;*
- *access is acceptable and parking (including for cycles) is provided on site in accordance with the Council's standards. Car parking (including drop-off points if relevant) will not be permitted in rear gardens or in locations which might cause a nuisance to adjoining residential properties;*
- *the traffic impacts of the proposal are considered acceptable;*
- *the internal layout of the rooms within the proposed conversion will not cause undue disturbance to adjoining residential properties in the building.*
- *Appropriate contribution is made to avoid harm to the Thames Basin Heaths Special Protection Areas, as set out in Core Strategy Policy CS8, where relevant.*

In addition to the 'General Criteria' above, the sub-division of dwellings of an appropriate size to two or more dwellings will only be permitted where:

- *the proposal would not result in an overall loss of a family home; and*
- *each proposed dwelling has access to a suitable area of private amenity space.*

4. Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight (2008)' states, in paragraph 4.5, that "*family accommodation will be taken to mean...all flats with two bedrooms of more and exceeding 65 sq.m. gross floor space*"
5. This was an issue of concern in the previous application and formed a reason for refusal as follows:

The proposed 4No. 2 bedroom flats fail to meet the definition of family accommodation, and would not be suitable for family accommodation due to their restricted gross internal floor area. The proposal would therefore result in an overall loss of an existing family

5th June 2018 PLANNING COMMITTEE

home contrary to Policy DM11 of the Development Management Policies DPD and Policy CS11 of the Woking Core Strategy 2012.

6. The current scheme proposes flat 4 as a 2 bedroom unit with a total GIA of 68.9m² and therefore would constitute 'family accommodation' as indicated above. The proposal would therefore not result in the overall loss of 'family accommodation' and addresses the previous reason for refusal in this regard.

Design and impact upon the character of the area

7. One of the core principles of the NPPF is to seek to secure high quality design. Furthermore Policy CS21 of the Woking Core Strategy 2012 states that buildings should respect and make a positive contribution to the street scene and the character of the area paying due regard to the scale, height, proportions, building lines, layout, materials and other characteristics of adjoining buildings and land.
8. The Supplementary Planning Document 'Woking Design (2015)' states 'significant extensions to the street façade will usually be resisted where there is a well established building line, extensions should not result in unbalanced or disproportionate frontages. The additional mass should respect the existing building proportion, symmetry and balance.'
9. This area of Woking has been developed and re-developed over the years since the arrival of the railway. Large areas of the original Late Victorian/Edwardian development have been retained but there has been piecemeal redevelopment of plots and conversion to other uses. The character of this dwelling has been maintained with the windows and detailing remaining.
10. The second reason for refusal under the previous application was as follows:

By reason of the design of the first floor rear windows these would fail to respect and make a positive contribution to the character of dwelling and the area in which it would be situated. Additionally the windows would appear incongruous and contrived on the dwelling and within the street scene of Lancaster Close. The proposal is therefore contrary to Policy CS21 of the Woking Core Strategy 2012, Policy DM11 of the Development Management Policies DPD, section 7 of the National Planning Policy Framework (2012) and Supplementary Planning Document 'Design (2015)'.
11. The officer noted the following in their delegated report: "*The proposal would have uncharacteristic rear windows which are not in keeping with the host dwelling. The windows would be at eaves height level and appear to merge with the roof lights. This appears incongruous and contrived and does not relate to the dwelling or the surrounding area. Although to the rear, the windows would not impact the street scene of Maybury Road, however, there will be views from Lancaster Close.*"
12. The current proposal has removed the windows as previously proposed with a replacement with windows which are of similar size and style to the existing dwelling. This amendment is deemed to adequately address the previous reason for refusal as shown above.
13. The application includes a proposal for a single storey rear extension; the extension is minimal in size and located to the rear of the property. It would not extend beyond the extension at the attached neighbouring property (No. 86) and is considered to form a subordinate and proportionate addition to the existing building. There are a number of

5th June 2018 PLANNING COMMITTEE

examples of similar extensions at properties within the immediate vicinity of the application site. For the reasons highlighted, this element of the proposal is deemed to have an acceptable level of impact on the character and appearance of the host dwelling and surrounding area.

Impact upon neighbouring amenity

14. Policy CS21 (Design) of the Woking Core Strategy 2012 advises that proposals for new development should achieve a satisfactory relationship to adjoining properties avoiding significant harmful impact in terms of loss of privacy, daylight or sunlight, or an overbearing effect due to bulk, proximity or outlook. Policy CS21 is enhanced by Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight (2008)'.
15. The main adjoining properties affected by the proposal are No.86 Maybury Road to the side (east) and No.83-84 Maybury Road and 1-4 Maybury Cottages to the side (west). The impact upon these adjoining properties will be addressed in turn:

No.86:

16. No.86 adjoins the application site to the side (east) and is a two storey dwelling with a single storey rear extension. The proposed extension is not considered to impact this property in terms of overbearing, loss of light, outlook and privacy given that it would not extend further beyond the ground floor rear wall of this neighbouring property. There are no windows facing this property. The change of use into flats is not considered to impact this neighbour.

No.83-84 and 1-4 Maybury cottages:

17. No.83-84 is a lodge and has side facing windows and dormers. Two windows serve the ensuite and the other four at first floor level serve bedrooms. The 25 degree test was applied to the windows facing the extension and passed.
18. The existing side windows in No.85 will be increased in size; this is not considered to cause significant further overlooking over and above the existing situation. The existing side dormer is not considered to be impacted by the proposal.
19. 1-4 Maybury Cottages are approximately 10m away and are not considered to be impacted by the proposal. Overall, the impact on these neighbouring properties in terms of overlooking, light, outlook and overbearing impact is considered acceptable.

Properties to the rear

20. To the rear of the site is Lancaster Close and the proposal would remain situated approximately 30m from the common (rear) boundary. In terms of privacy the proposal would result in second floor rear-facing windows. Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight (2008)' identifies a recommended minimum separation distance for achieving privacy, for three storey rear elevation-to-boundary relationships, of 15.0m. The proposal exceeds this recommended separation distance and is therefore not considered to cause a significantly harmful loss of privacy or overlooking to Lancaster Close.

5th June 2018 PLANNING COMMITTEE

Residential amenities of future occupiers

21. One of the Core planning principles set out within paragraph 17 of the NPPF is to “*secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings*”.
22. Policy DM11 of the Development Management Policies DPD (DMP DPD) states that “*proposals for...the sub-division of existing dwellings of an appropriate size to two or more dwellings, including flats...will be permitted provided the following criteria are met...a good quality of accommodation is provided by meeting any relevant housing standards*”. Footnote 9 states “*for example, standards set in other Development Plan policies, and national planning policy, such as the nationally described space standard*”.
23. The Technical Housing Standards - Nationally Described Space Standard (March 2015) identifies a minimum gross internal floor area (GIA m²), for 1 bedroom, 1 person, 1 storey dwellings, measuring 37m² (stating that, where a 1b1p has a shower room instead of a bathroom, the floor area may be reduced from 39m² to 37m²). It also identifies 1 bedroom 2 person, 1 storey dwellings should measure a minimum GIA of 50m² and a 2 bedroom 3 person, 1 storey dwelling should have a minimum GIA of 61m².
24. Supplementary Planning Document ‘Outlook, Amenity, Privacy and Daylight (2008)’ states, in paragraph 3.5, that “*outlook from a principal window may also become adversely affected where a dwelling is sited in close proximity to an incongruous feature...it may be unacceptable to site grouped areas of residential parking immediately in front of a dwelling’s principal elevation without the inclusion of a landscaped margin to provide a visual buffer. This would be particularly important in the case of principal windows to single aspect dwellings*”. It goes on to state in paragraph 6.5, that “*building depth will always be a factor in achieving good interior lighting. Rooms over 5m deep will always be difficult to light adequately from a single elevation*”.
25. Taking the above into consideration, reason for refusal 3 under the previous application found this to be an area of concern:

By reason of the restricted gross internal floor areas of flats 2-5, the siting of single aspect ground floor level habitable room windows in relation to proposed frontage car parking (Flat 1) and rear communal amenity space (Flat 2), and the room depths of the living areas serving Flat 1 and Flat 3, the poor outlook to Flat 1 and Flat 3, the internal configuration of Flat 2 and Flat 4 living areas receiving inadequate light, the lack of outlook of Flat 3, Flat 4 and Flat 5 and lack of light to Flat 1 and Flat 3 bedrooms, the proposal would fail to provide a good quality of accommodation and good standard of amenity for future residential occupiers contrary to Policy DM11 of the Development Management Policies DPD, Policy CS21 of the Woking Core Strategy 2012, Supplementary Planning Documents ‘Outlook, Amenity, Privacy and Daylight (2008)’ and ‘Design (2015)’ and the core principles of the National Planning Policy Framework 2012.

26. Furthermore, reason for refusal 4 under the previous application elaborating on the need for sufficient outlook from habitable rooms:

By reason of the loss of outlook to No.83-84 the Maybury Lodge bedroom 10, the proposal would form an unneighbourly form of development detrimental to neighbouring amenities and would be contrary to Policy CS21 of the Woking Core

5th June 2018 PLANNING COMMITTEE

Strategy 2012, Supplementary Planning Documents 'Outlook, Amenity, Privacy and Daylight (2008)' and 'Design (2015)' and the core principles of the National Planning Policy Framework 2012.

27. The current application has completely omitted the two storey side extension from this proposal, thus mitigating any adverse impact in regards to windows being in close proximity to neighbouring dwellings.
28. The applicant has also amended the internal layouts of the flats and proposed additional windows to allow for sufficient outlook. Furthermore, a visual buffer by way of planting has been proposed at the front of the parking area so the living area for flat 1 does not face onto parked cars.
29. Most importantly, the internal reconfiguration has allowed for each flat to now meet and adequately exceed the minimum GIAs as stated within the Technical Housing Standards and thus will provide sufficient internal amenity for future occupiers.
30. For the reasons highlighted above, it is considered that the scheme as proposed under the current application fully addresses the previous reason for refusal in regards to amenities for future occupiers.

Highways and car parking implications

31. The proposal would provide 1No. 2 bedroom unit, and 4No. 1 bedroom units. Supplementary Planning Document 'Parking Standards (2018)' requires 1 bedroom flats to have a parking space of 0.5 and a 2 bedroom flat to have 1 parking space.
32. The submitted block plan indicates 3 car parking spaces to the front of the proposal in compliance with the requirements within the Parking Standards SPD (2018). It should be noted that there is sufficient space within the curtilage of the site for bin and cycle storage.

Affordable Housing

33. Policy CS12 of the Core Strategy states that all new residential development will be expected to contribute towards the provision of affordable housing and that, on sites providing fewer than five new dwellings, the Council will require a financial contribution equivalent to the cost to the developer of providing 10% of the number of dwellings to be affordable on site.
34. However, following the Court of Appeal's judgment of 11th May 2016 (*Secretary of State for Communities and Local Government v West Berkshire District Council and Reading Borough Council [2016] EWCA Civ 441*), wherein the Secretary of State for Communities and Local Government successfully appealed against the judgment of the High Court of 31st July 2015 (*West Berkshire district Council and Reading Borough Council v Department for Communities and Local Government [2015] EWHC 2222 (Admin)*), it is acknowledged that the policies within the Written Ministerial Statement of 28th November 2014, as to the 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.

5th June 2018 PLANNING COMMITTEE

35. Additionally the Planning Practice Guidance (Paragraph 031 - Revision date: 19.05.2016) sets out that there are specific circumstances where contributions for 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 13th May 2016, which again gives legal effect to the policy set out in the Written Ministerial Statement of 28th November 2014 and should be taken into account. These circumstances include that contributions should not be sought from developments of 10-units or less, and which have a maximum combined gross floorspace of no more than 1000sqm.
36. Whilst it is considered that weight should still be afforded to Policy CS12 it is considered that greater weight should be afforded to the policies within the Written Ministerial Statement of 28th November 2014 and the Planning Practice Guidance (Paragraph 031 - Revision date: 19.05.2016). As the proposal represents a development of 10-units or less, and has a maximum combined gross floorspace of no more than 1000sqm, no affordable housing financial contribution is therefore sought from the application scheme.

Thames Basin Heaths Special Protection Area (TBH SPA)

37. The application site falls within the 400m - 5km (Zone B) of the Thames Basin Heath Special Protection Area (TBH SPA) buffer zone. The Thames Basin Heath Special Protection Area (SPA) is a European designated site afforded protection under the Conservation of Habitats and Species Regulations 2010 as amended (the Habitats Regulations). The Habitats Regulations designate the Local Planning Authority as the Competent Authority for assessing the impact of development on European sites and the LPA must ascertain that development proposals will not have an adverse effect on the integrity of the site, alone or in combination with other plans and projects, either directly or indirectly, before granting planning permission. The TBH SPA is designated for its internationally important habitat which supports breeding populations of three rare bird species: Dartford Warbler, Woodlark and Nightjars. The Conservation Objectives of the TBH SPA are to ensure that the integrity of the site is maintained or restored as appropriate, and to ensure that the site contributes to achieving the aims of the Wild Birds Directive.
38. Policy CS8 of the Woking Core Strategy (2012) requires new residential development beyond a 400m threshold, but within 5 kilometres, of the SPA boundary to make an appropriate contribution towards the provision of Suitable Alternative Natural Greenspace (SANG) and Strategic Access Management and Monitoring (SAMM).
39. The Suitable Alternative Natural Greenspace (SANG) and Landowner Payment elements of the SPA tariff are encompassed within the Community Infrastructure Levy (CIL) however the Strategic Access Management and Monitoring (SAMM) element of the SPA tariff is required to be addressed outside of CIL. The applicant is required to submit a Legal Agreement to secure the relevant SAMM contribution of **£2,036.00** in line with the Thames Basin Heaths Special Protection Area Avoidance Strategy. The TBH SPA Avoidance Strategy tariff (April 2018 update) is set at a SAMM contribution of £503 per studio or 1 bedroom unit and £682 per 2 bedroom unit.
40. In view of the above, the Local Planning Authority is able to determine that the development would have no significant effect upon the TBHSPA and therefore accords with Policy NRM6 of the South East Plan, Policy CS8 of the Core Strategy 2012 and the Thames Basin Heaths Special Protection Area Avoidance Strategy.

5th June 2018 PLANNING COMMITTEE

41. The previous application included the lack of a legal agreement as a reason for refusal (reason 5) as follows:

In the absence of a Legal Agreement or other appropriate mechanism to secure contributions towards mitigation measures, the Local Planning Authority is unable to determine that the additional dwellings would not have a significant impact upon the Thames Basin Heaths Special Protection Area, contrary to Policy CS8 of the Woking Core Strategy 2012, the Thames Basin Heaths Avoidance Strategy, saved Policy NRM6 of the South East Plan (2009), the Conservation of Habitats and Species Regulations 2010 (SI No. 490 - the "Habitats Regulations") and Policy DM11 of the Development Management Policies DPD.

In this instance, the application is being recommended for an approval and therefore a legal agreement in line with the above can be sought pending an approval.

Other matters

42. Policy CS22 relating to sustainable construction does not explicitly state that it relates to conversions of existing buildings. In this case there is limited extension and alteration to the building to facilitate its use as 5no. dwellings. Therefore it is not considered reasonable or necessary to impose any conditions relating to sustainable construction.

LOCAL FINANCE CONSIDERATIONS

43. The proposed increase in residential floor area does not exceed 100m² and is consequently not CIL liable.

CONCLUSION

44. 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 and on the character of the area. Subject to a Legal Agreement, the proposal is considered to have an acceptable impact on the Thames Basin Heath SPA. The proposal therefore accords with the Development Plan and is thus recommended for approval subject to conditions and a Legal Agreement.

BACKGROUND PAPERS

1. Site photographs
2. Planning application PLAN/2016/0991 dated 31.10.2016

PLANNING OBLIGATIONS

	Obligation	Reason for Agreeing Obligation
1.	£2,036.00 SAMM (SPA) contribution.	To accord with the Habitat Regulations, policy CS8 of the Woking Core Strategy 2012 and The Thames Basin Heaths Special Protection Area (SPA) Avoidance Strategy.

RECOMMENDATION

It is recommended that planning permission be **Granted** subject to:

(i) the prior completion of a S106 Legal Agreement to secure the required SMM (TBHSPA) contribution; and

(ii) the following planning 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 following approved plans numbered/titled:

Location Plan
1705/PL/01 Existing Drawings
1705/PL/02 Proposed Drawings
1705/PL/03 Proposed & Existing Block Plans

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

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

Reason: 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. Prior to the first occupation of the development hereby approved, details of any changes to 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.

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

5. Prior to the first occupation of the development hereby approved, details of secure cycle storage for a minimum of four bicycles shall be submitted to and approved in writing by the Local Planning Authority. These facilities shall be fully implemented and made available for use prior to the first occupation of the development hereby permitted and shall thereafter be retained and made available for use at all times.

Reason: To ensure that satisfactory facilities for the parking of cycles are provided and to encourage travel by means other than the private car in accordance with the principles set out in paragraph 17 of the National Planning Policy Framework 2012 and Policy CS18 of the Woking Core Strategy 2012.

5th June 2018 PLANNING COMMITTEE

6. Prior to the first occupation of the development hereby approved, details of the proposed waste and recycling storage arrangements shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full prior to the first occupation of the development and maintained and made available thereafter for use at all times.

Reason: In the interests of amenity and to ensure the appropriate provision of infrastructure in accordance with Policies CS16 and CS21 of the Woking Core Strategy 2012.

7. Prior to the first occupation of the development hereby approved, space shall be laid out within the site for vehicles to be parked in accordance with the approved plans. Thereafter the parking areas shall be permanently retained and maintained for their designated purposes.

Reason: In order that the development should not prejudice highway safety nor should it inconvenience highway users.

8. 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 in the east-facing side elevation of the development hereby approved 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.

9. Notwithstanding the provisions of Article 3 and Schedule 2, Part 1, Classes A, B, D, E and F 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 extension, enlargement, building or structure shall be erected in the curtilage of the dwelling hereby approved, other than those expressly authorised by this permission, 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.

10. ++ The development hereby permitted shall not commence until details of the measures to be undertaken to upgrade the acoustic performance of the party ceilings/floors and walls have been submitted to and approved in writing by the Local Planning Authority. The works shall be completed in accordance with the approved details prior to the first occupation of the development.

Reason: To protect the environment and amenities of the occupants of neighbouring properties in accordance with Policy CS21 of the Woking Core Strategy 2012.

11. Prior to the first occupation of the dwelling hereby approved, 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

5th June 2018 PLANNING COMMITTEE

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.

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 applicants 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 RELEVANT TRIGGER POINT. 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.