

17th JANUARY 2023 PLANNING COMMITTEE

6B PLAN/2022/0289

WARD: Hoe Valley

LOCATION: Dormer Cottage, Bonsey Lane, Westfield, Woking, Surrey, GU22 9PP

PROPOSAL: Erection of single storey side and rear extensions, and works to restore and repair listed building (Amended Plans and Description).

APPLICANT: Mr N. Nathwani

OFFICER: David Raper

REASON FOR REFERRAL TO COMMITTEE:

The application has been referred to Planning Committee by Councillor Ali.

SUMMARY OF PROPOSED DEVELOPMENT

The proposal is for the erection of single storey side and rear extensions and works to restore and repair listed building.

PLANNING STATUS

- Grade II Listed Building
- Urban Area
- Thames Basin Heaths Special Protection Area Zone B (400m-5km)

RECOMMENDATION

REFUSE planning permission.

SITE DESCRIPTION

The proposal relates to Dormer Cottage which is a Grade II listed building. Dormer Cottage is a detached single storey dwelling dating from the 1920s built with Arts and Crafts influences finished in a mixture of roughcast render, brickwork and clay roof tiles with front dormer windows. The building has been damaged by fire but the structure of the building remains intact. After the fire, the building was left unprotected from the elements by the owners until the owners were issued with a formal warning by the LPA. Bonsey Lane is characterised by detached dwellings set in generously sized plots and a predominance of trees and vegetation gives a spacious and verdant appeal to the area.

RELEVANT PLANNING HISTORY

- PLAN/2022/0290 - Listed Building Consent is sought for the erection of single storey side and rear extensions and internal and external works to restore and repair listed building – Recommended for refusal elsewhere on this agenda.
- PLAN/2021/1232 - Erection of single storey side and rear extensions, erection of outbuilding to rear and works to restore and repair listed building – Refused 16.02.2022 for the following reasons:

01. The proposed development, by reason of the siting and excessive size, bulk and massing of the proposed extensions and outbuilding, would result in a dominating,

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discordant and incongruous development which fails to respect the scale, character, form and proportions of the Grade II Listed host building. The proposal would result in less than substantial harm to the special character and architectural and historical interest of the listed building and its setting; the proposed development would therefore fail to preserve the special character and setting of the listed building. The proposal would also result in a detrimental impact on the character of the surrounding area. The proposal is therefore contrary to Woking Core Strategy (2012) policies CS20 'Heritage and Conservation', CS21 'Design' and CS24 'Woking's Landscape and Townscape', Woking Development Management Policies DPD (2016) policy DM20 'Heritage Assets and their Settings', Supplementary Planning Document 'Design' (2015) and the National Planning Policy Framework (2021).

02. *The proposed development would be in close proximity to mature trees of significant public amenity value and in the absence of arboricultural information in line with BS5837:2012, it has not been demonstrated that the proposed development could be accommodated on the proposal site without resulting in a detrimental impact on the health and longevity of trees of public amenity value. The proposal is therefore contrary to Woking Core Strategy (2012) policies CS21 'Design' and CS24 'Woking's landscape and townscape', Woking Development Management Policies DPD (2016) policy DM2 'Trees and Landscaping' and the National Planning Policy Framework (2021).*
 03. *It has not been demonstrated that the proposed development would not cause harm to protected species or habitats or that the proposed development would not result in a net loss of biodiversity on the proposal site. The proposed development is therefore contrary to Woking Core Strategy (2012) policy CS7 'Biodiversity and Nature Conservation' and the National Planning Policy Framework (2021).*
- PLAN/2021/1233 - Listed Building Consent is sought for the erection of single storey side and rear extensions, rear outbuilding and internal and external works to restore and repair listed building – Refused 16.02.2022 for the following reason:
 01. *The proposed development, by reason of the siting and excessive size, bulk and massing of the proposed extensions and the lack of detail of the nature and extent of the proposed internal alterations, would result in a dominating, discordant and incongruous development which fails to respect the scale, character, form and proportions of the Grade II Listed host building. The proposal would result in less than substantial harm to the special character and architectural and historical interest of the listed building and its setting; the proposed development would therefore fail to preserve the special character and setting of the listed building. The proposal is therefore contrary to Woking Core Strategy (2012) policy CS20 'Heritage and Conservation', Woking Development Management Policies DPD (2016) policy DM20 'Heritage Assets and their Settings' and the National Planning Policy Framework (2021).*
 - PLAN/2020/1197 - Planning permission is sought for the demolition of existing Grade II listed building and erection of 2x two storey detached dwellings – Refused 04.05.2021 for the following reasons:
 01. *The proposal would result in the total, irreversible and unacceptable loss of a Grade II listed building and the total loss of the special architectural and historical interest of the listed building and its setting. The proposal would also result in a detrimental impact on the character of the surrounding area and would fail to improve the character or quality of the area. The proposal is therefore contrary to*

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Woking Core Strategy (2012) policies CS20 'Heritage and Conservation', CS21 'Design' and CS24 'Woking's Landscape and Townscape', Woking DMP DPD (2016) policy DM20 'Heritage Assets and their Settings' and the National Planning Policy Framework (2019).

02. *The proposed development would be in close proximity to mature trees of significant public amenity value and in the absence of arboricultural information in line with BS5837:2012, it has not been demonstrated that the proposed development could be accommodated on the proposal site without resulting in a detrimental impact on the health and longevity of trees of public amenity value. The proposal is therefore contrary to Woking Core Strategy (2012) policies CS21 'Design' and CS24 'Woking's landscape and townscape', Woking DMP DPD (2016) policy DM2 'Trees and Landscaping' and the National Planning Policy Framework (2019).*
 03. *It has not been demonstrated that the proposed development would not cause harm to protected species or habitats or that the proposed development would not result in a net loss of biodiversity on the proposal site. The proposed development is therefore contrary to Woking Core Strategy (2012) policy CS7 'Biodiversity and Nature Conservation' and the National Planning Policy Framework (2019).*
 04. *It has not been demonstrated that the proposal would deliver sufficient off-street parking provision, consequently the Local Planning Authority cannot be satisfied that there would be no adverse effect upon car parking provision, highway safety or the free flow of traffic within the locality. The proposal is therefore contrary to Woking Core Strategy (2012) policy CS18 'Transport and Accessibility' and Supplementary Planning Document 'Parking Standards' (2018).*
 05. *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 impact on the Thames Basin Heaths Special Protection Area, contrary to Woking Core Strategy (2012) policy CS8 'Thames Basin Heaths Special Protection Areas', the Thames Basin Heaths Avoidance Strategy (2010 -2015), saved policy NRM6 of the South East Plan (2009) and the Conservation of Habitats and Species Regulations 2017 (SI No. 490 - the "Habitats Regulations").*
- PLAN/2020/1198 - Listed Building Consent is sought for the demolition of existing Grade II listed building – Refused 04.05.2021 for the following reason:
 01. *The proposal would result in the total, irreversible and unacceptable loss of a Grade II listed building and the total loss of the special architectural and historical interest of the listed building and its setting. The proposal is therefore contrary to Woking Core Strategy (2012) policy CS20 'Heritage and Conservation', Woking DMP DPD (2016) policy DM20 'Heritage Assets and their Settings' and the National Planning Policy Framework (2019).*
 - Dormer Cottage listed at Grade II on 03.02.2017
 - PLAN/2016/0530 - Demolition of existing dwelling and the erection of two detached dwellings – No Further Action taken

CONSULTATIONS

- **Surrey Wildlife Trust:** *Thank you for forwarding the Bat Method Statement (United Environmental Services Ltd., 17th November 2022).*

The document appears to be appropriate in scope, and we therefore advise that the precautionary methods and enhancement recommendations are adhered to.

The applicant should be made aware that should any roosting bats be identified, works should cease immediately and the mitigation strategy be reviewed. A licence may be required from Natural England before works can re-start.

- **Tree Officer:** *The arboricultural information provided is acceptable and should be complied with in full and should include a pre-commencement meeting with the Project Arb, Project manager/builder and the LA tree officer. Details of the no dig foundation will be required prior to commencement and should show the proposed in relation to existing ground levels. Details of services and drainage runs will also be required.*
- **Drainage and Flood Risk Engineer:** No objection subject to condition.
- **Conservation Consultant:** *The side bedroom has now been reduced and pulled back so that the arched chimney detail is now fully visible on both sides of the cottage, this is a significant improvement. I previously had no problems with the garden building or the glass link on the right -hand flank of the cottage. The little cottage stands prominently in the centre of the new single- story extensions which are, (correctly in my view), in a contrasting style. So, although the added space is considerable, the cottage still has a strong presence. The burnt-out cottage is tiny, and the restoration costs may not produce an economically viable scheme so some form of extension package would assist in preserving this building for a long time to come. The Cottage has few architectural features, the steep roof, dormers, and the gable chimney details are the most important, these are to be preserved. There will have to be a balance between salvaging the cottage and the extent of the proposed extensions.*

REPRESENTATIONS

One objection received raising the following summarised concerns:

- The previous refusal reasons have not been addressed
- The proposal appears to remove mature hedging which would destroy habitats
- The trees are not correctly plotted on the submitted plans
- Proposal would result in removal of trees and vegetation

One neutral representation raising the following summarised points:

- There is no reference to how access to an existing shared main sewer drain would be maintained
- Any changes to boundary treatments would need the mutual agreement of neighbours

One representation in support of the proposal has also been received.

RELEVANT PLANNING POLICIES

National Planning Policy Framework (NPPF) (2021):
Section 12 - Achieving well-designed places

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Section 15 - Conserving and enhancing the natural environment
Section 16 - Conserving and enhancing the historic environment

Woking Borough Core Strategy (2012):

CS1 - A Spatial strategy for Woking Borough
CS7 - Biodiversity and nature conservation
CS9 - Flooding and water management
CS20 - Heritage and Conservation
CS21 - Design
CS24 - Woking's landscape and townscape
CS25 - Presumption in favour of sustainable development

Woking Development Management Policies DPD (2016):

DM2 - Trees and Landscaping
DM20 - Heritage Assets and their Settings

Supplementary Planning Documents:

Design (2015)
Outlook, Amenity, Privacy and Daylight (2022)

Other guidance:

Parking Standards (2018)
Design (2015)
Heritage of Woking (2000)

In addition to the above Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) places a statutory duty on decision makers to have '*special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses*'.

PLANNING ISSUES

Background:

1. The host building was listed at Grade II by Historic England on 03.02.2017. The building was damaged by fire in November 2020. After the fire, the building was left unprotected from the elements by the owners until the owners were issued with a formal warning by the LPA.
2. Planning applications were submitted in December 2020 to demolish the building and replace it with two dwellings which were refused by the LPA for several reasons (PLAN/2020/1197 and PLAN/2020/1198; see Planning History). Subsequent applications proposed extensions to the listed building and a large outbuilding in the rear garden which were also refused by the LPA for several reasons (PLAN/2021/1232 and PLAN/2021/1233).
3. The current application is similar to the previously refused application. The side extension element has been set-back further from the principal front elevation however the rest of the extensions remain the same.
4. Arboricultural information was submitted during the course of the application on 23.05.2022.
5. The application was on the agenda of the 18th October 2022 Planning Committee with a recommendation for refusal. The application was deferred from this Committee in

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order to give the applicant an opportunity to provide the required updated ecology information. An updated Bat Survey Report was received on 26.10.2022 and a Bat Method Statement was received on 18.11.2022. Surrey Wildlife Trust has reviewed this additional information and raises no objection.

6. Amended plans were also received on 26.10.2022 which removed the previously proposed detached outbuilding.
7. The proposal has been assessed on the basis of these amended plans and additional information and on its own merits as set out below.

Impact on the special character, significance and setting of the listed building:

8. The proposal is for the erection of single storey extensions. Dormer Cottage was listed at Grade II on 03.02.2017. The reasons for designation listed by Historic England include “...its generous planning, thoughtful use of materials and detailing, picturesque form and slightly eccentric features, Dormer Cottage is a modest but well-conceived example of the higher end of interwar mass-market speculative housing” and “as a built illustration of the important social, cultural and economic shift in the lives of a large segment of society, which moved from being tenants, to first-time owner-occupiers in unprecedented numbers in the interwar period...”.
9. The NPPF (2021) attaches great weight to the desirability of preserving and enhancing Heritage Assets and states that “These assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations”.
10. The NPPF (2021) goes on to state that: “When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation...Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification...” and that where a proposal would lead to ‘less than substantial’ harm to the significance of the heritage asset, this harm should be weighed against the public benefits of the proposal.
11. Furthermore, Woking Core Strategy (2012) policy CS20 ‘Heritage and Conservation’ and Woking DMP DPD (2016) policy DM20 ‘Heritage Assets and their Settings’ seek to preserve and enhance Heritage Assets and their settings and Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) places a statutory duty on decision makers to have “special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses”.
12. The proposal includes the erection of single storey side and rear extensions. The extension would extend 8.2m to the rear and 5.6m to the western side elevation and would wrap around the side and rear elevations of the host building. The existing dwelling has a footprint of 82.5m² and the proposed extensions would result in the main dwelling having a footprint of 212m². The proposed rear extension would be deeper than the depth of the existing dwelling and the extensions would increase the footprint of the host dwelling by around 157% (excluding the garage and glazed link). The existing dwelling is a modestly proportioned cottage and its modest cottage-like proportions contribute towards its special character and setting. The proposed extensions are considered to appear as excessively large and box-like structures which would overwhelm and dominate the listed building. The proposed extensions

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would fail to be subservient or sympathetic additions to the host building and would have a detrimental impact on the special character of the listed building.

13. The extensions would have flat roofs with a distinctly contemporary architectural style with vertical cladding and contemporary windows and glazed sections linking the extension and existing detached garage to the main building. Whilst a contemporary design approach which is distinct from the form and design of the listed building can be an acceptable approach in heritage terms generally, the excessive size of the extensions described above are considered to significantly overwhelm, dominate and detract from the listed building and the flat roof and form of the extensions is considered to add to their incongruity and unsympathetic nature when combined with their size.
14. A key architectural feature of the building is the twin external chimney stacks on both flank elevations which frame a door and window. The chimney on the eastern flank elevation would largely remain exposed. The proposed side extension on the western flank elevation would be set-back from the principal front elevation by 5.7m. This would be a 4.6m greater set-back compared to the previously refused application, thereby keeping the chimney exposed. However, this is not considered to outweigh the harm caused by the extensions described above.
15. The proposed development would allow for the restoration and repair of the listed building which is undoubtedly a benefit of the proposed development. However, there is no evidence that the erection of excessively sized extensions which results in harm to the special character and setting of the listed building as set out above, is the only viable way of restoring the listed building. The LPA has had to issue the owners with a formal warning to make the fire-damaged building weather-tight as the building was left exposed to the elements for a prolonged period after the fire, which likely resulted in further deterioration of the surviving parts of the building. The NPPF (2021) makes clear that *"Where there is evidence of deliberate neglect of, or damage to, a heritage asset, the deteriorated state of the heritage asset should not be taken into account in any decision"*. In this context, the benefits of the scheme are not considered to outweigh the harm to the special character and setting of the listed building.
16. The proposed development, by reason of the siting and excessive size, bulk and massing of the proposed extensions, would result in a dominating, discordant and incongruous development which fails to respect the scale, character, form and proportions of the Grade II Listed host building. The proposal would result in less than substantial harm to the special character and architectural and historical interest of the listed building and its setting; the proposed development would therefore fail to preserve the special character and setting of the listed building. The proposal would also result in a detrimental impact on the character of the surrounding area. The proposal is therefore contrary to Woking Core Strategy (2012) policies CS20 'Heritage and Conservation', CS21 'Design' and CS24 'Woking's Landscape and Townscape', Woking Development Management Policies DPD (2016) policy DM20 'Heritage Assets and their Settings', Supplementary Planning Document 'Design' (2015) and the National Planning Policy Framework (2021).

Impact on Character:

17. Woking Core Strategy (2012) Policy CS21 'Design' requires development proposals to *"respect and make a positive contribution to the street scene and the character of the area in which they are situated, paying due regard to the scale, height, proportions, building lines, layout, materials and other characteristics of adjoining buildings and land"* whilst Policy CS24 'Woking's Landscape and Townscape' requires development

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proposals to provide a 'positive benefit' in terms of townscape character. Section 12 of the NPPF (2021) states that "*The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve*" and that "*Good design is a key aspect of sustainable development...*" and requires proposals to "*add to the overall quality of the area...*", to be "*visually attractive as a result of good architecture...*" and "*sympathetic to local character and history, including the surrounding built environment and landscape setting...*". The Council's 'Design' SPD (2015) sets out guidance for extensions and states that "*The additional mass should respect the existing building proportion, symmetry and balance*" of the existing dwelling.

18. As set out above, the proposed extensions are considered excessive in size, bulk and massing and would overwhelm the host dwelling and fail to respect its scale, form and proportions. The proposed development would therefore have a harmful impact on the character of the host dwelling and the surrounding area.

Impact on Trees and Landscaping:

19. There are mature trees both on and off-site with significant public amenity value, including an off-site tree which is protected by a Tree Preservation Order. Previous planning applications have been refused partly due to the absence of arboricultural information. Arboricultural information was submitted during the course of the application which details how trees would be protected during construction. The Council's Tree Officer has reviewed this information and raises no objection subject to conditions, including a condition requiring details of a no-dig foundation design and details of drainage and service runs. The proposal is therefore considered to have an acceptable impact on trees, subject to conditions which would be applied if the proposal were considered otherwise acceptable.

Impact on Ecology:

20. The NPPF (2021) states that the planning policies and decisions should contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity. This approach is supported by Circular 06/05 – Biodiversity and Geological Conservation and is reflected in Policy CS7 of the Woking Core Strategy.
21. Bats and their roosts are protected under the Wildlife and Countryside Act (1981) (as amended). The Conservation of Habitats and Species Regulations (2017) (as amended) transpose the Habitats Directive into national law. Schedule 2 of the Regulations lists all species of bats as being European Protected Species. It is an offence to kill or disturb bats or their roosts. However, such actions can be made lawful through the grant of a license from Natural England, but only after it is satisfied that there are no satisfactory alternatives and that such actions will have no detrimental effect on the species concerned. It is essential that the likely presence of protected species is established before planning applications are determined.
22. The initial Bat Report which was provided dated from 18th October 2016 which confirmed the presence of a bat roost in the building. However, this information was over five years old and was considered by the LPA to be out of date and this information could not therefore be relied upon to establish the likely presence of bats or other protected species.
23. An updated Bat Report was received by the LPA on 26th October 2022. The report recognises that the building presents a number of potential roosting features and bat

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activity was recorded on the site, but no signs of bats using the building were recorded and no bats were recorded roosting in the building. However, due to the previous presence of bats, the report recommends that any works should be carried out under a non-licenced Method Statement. A Bat Method Statement was submitted on 18th November 2022 which sets out various precautionary, mitigation and compensation measures. Surrey Wildlife Trust has reviewed the submitted Bat Report and Method Statement and raises no objection.

24. Overall, the applicant is considered to have demonstrated that bats are unlikely to be present in the building and the Method Statement sets out adequate precautionary and mitigation measures. Overall, the proposal is therefore considered to have an acceptable impact on protected species.

Community Infrastructure Levy (CIL):

25. The proposal would be liable to make a CIL contribution as it results in new floor space of over 100m².

CONCLUSION

26. The proposed development, by reason of the siting and excessive size, bulk and massing of the proposed extensions, would result in a dominating, discordant and incongruous development which fails to respect the scale, character, form and proportions of the Grade II Listed host building. The proposal would result in less than substantial harm to the special character and architectural and historical interest of the listed building and its setting; the proposed development would therefore fail to preserve the special character and setting of the listed building. The proposal would also result in a detrimental impact on the character of the surrounding area. The proposal is therefore contrary to Woking Core Strategy (2012) policies CS20 'Heritage and Conservation', CS21 'Design' and CS24 'Woking's Landscape and Townscape', Woking Development Management Policies DPD (2016) policy DM20 'Heritage Assets and their Settings', Supplementary Planning Document 'Design' (2015) and the National Planning Policy Framework (2021).
27. The proposal is therefore recommended for refusal.

BACKGROUND PAPERS

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

RECOMMENDATION

REFUSE for the following reasons:

01. The proposed development, by reason of the siting and excessive size, bulk and massing of the proposed extensions, would result in a dominating, discordant and incongruous development which fails to respect the scale, character, form and proportions of the Grade II Listed host building. The proposal would result in less than substantial harm to the special character and architectural and historical interest of the listed building and its setting; the proposed development would therefore fail to preserve the special character and setting of the listed building. The proposal would also result in a detrimental impact on the character of the

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surrounding area. The proposal is therefore contrary to Woking Core Strategy (2012) policies CS20 'Heritage and Conservation', CS21 'Design' and CS24 'Woking's Landscape and Townscape', Woking Development Management Policies DPD (2016) policy DM20 'Heritage Assets and their Settings', Supplementary Planning Document 'Design' (2015) and the National Planning Policy Framework (2021).

Informatives

01. The plans and documents relating to the development hereby refused are listed below:

1422 FE01c (Location Plan) received by the LPA on 30.03.2022
EX10-001 (Existing Site Survey) received by the LPA on 30.03.2022
EX13-001a (Existing Ground Floor Plan) received by the LPA on 30.03.2022
EX13-002a (Existing First Floor Plan) received by the LPA on 30.03.2022
EX13-003 (Existing Roof Plan) received by the LPA on 30.03.2022
EX13-100 (Existing Elevations) received by the LPA on 30.03.2022
EX13-101 (Existing Elevations) received by the LPA on 30.03.2022
EX10-002 (Existing Site Plan) received by the LPA on 30.03.2022
EX13-012 (Existing Roof Condition Survey) received by the LPA on 26.10.2022
EX13-013 (Proposed Roof Methodology) received by the LPA on 26.10.2022

PL10-001c (Proposed Site Plan) received by the LPA on 26.10.2022
PL10-002d (Proposed Block Plan) received by the LPA on 26.10.2022
PL13-001b (Proposed Ground Floor Plan) received by the LPA on 30.03.2022
PL13-002b (Proposed First Floor Plan) received by the LPA on 30.03.2022
PL13-003b (Proposed Roof Plan) received by the LPA on 30.03.2022
PL33-001b (Ground Floor Demolition Plan) received by the LPA on 30.03.2022
PL13-100a (Proposed Elevations) received by the LPA on 26.10.2022
PL13-101a (Proposed Elevations) received by the LPA on 26.10.2022

Arboricultural Impact Assessment Method Statement prepared by Arbor Cultural Ltd ref: AC.2022.233 and Tree Protection Plan numbered TPP-01 Rev.A received by the LPA on 23.05.2022

Bat Presence / Absence and Roost Characterisation Survey ref: UES01894/01 prepared by UES dated 18.10.2016 received by the LPA on 30.03.2022

Bat and Great Crested Newt Method Statement ref: UES01894/02 prepared by UES dated 05.01.2017 received by the LPA on 30.03.2022

Heritage Statement dated March 2022 received by the LPA on 30.03.2022

Bat Presence/Absence Survey dated 24.10.2022 prepared by United Environmental Services Ltd received by the LPA on 26.10.2022

Bat Method Statement dated 17.11.2022 prepared by United Environmental Services Ltd received by the LPA on 18.11.2022