

26th June 2018 PLANNING COMMITTEE

5d 17/1426 Reg'd: 20.12.17 Expires: 14.02.18 Ward: HE
Nei. 29.05.18 BVPI Minor Number On No
Con. Target dwellings - 13 of Weeks Target? No
Exp: on Cttee'
Day:

LOCATION: 8 Old Hill, Woking, Surrey, GU22 0DF

PROPOSAL: Erection of a new two storey detached dwelling and detached garage with room over following demolition of the existing bungalow

TYPE: Full Planning Application

APPLICANT: Mr Dennis Harrison

OFFICER: Komal Gorasia

REASON FOR REFERRAL TO COMMITTEE

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

PROPOSED DEVELOPMENT

Demolition of existing two storey 3no bedroom bungalow and erection of 4no bedroom two storey dwelling with detached double garage.

Existing units: 1
Proposed units: 1

Existing dwelling GIA 125 m2
Proposed dwelling GIA 352.9 m2 (incl. 42.5 m2 double garage)

Proposed dwelling:

Footprint: 108.5 m2
Total Width: 15.03 m
Total Depth: 10.68 m
Maximum height: 8.06 m

PLANNING STATUS

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

RECOMMENDATION

Grant planning permission subject to conditions.

26th June 2018 PLANNING COMMITTEE

SITE DESCRIPTION

The application site comprises of a single family chalet bungalow, set back from the established building line of the street. Extensive screening is provided around the dwelling making the location appear secluded. There are 4 and 5 metre high mature trees at the rear boundary, whilst the western side boundary is defined by thick hedgerows measuring approximately 2.5 metres in height, the eastern side boundary with No. 6 Old Hill (also known as 'Hartley') appears to have recently been cleared of most of the mature vegetation that previously offered screening and now the site is exposed to this neighbour.

Rear amenity space is substantial and measures approximately 13 metres in depth and 25 metres in width. The site levels rise east to west and south to north and the existing dwelling is thus on an elevated level compared to No. 6 Old Hill.

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.

PLANNING HISTORY

COND/2018/0039 - Discharge of conditions 2 (Materials) and 6 (Landscaping to eastern boundary) of planning permission PLAN/2017/1043 for the erection of part two storey, part first floor extensions with alterations to existing finishing materials and detached garage with accommodation in the roof. – Permitted – 24th April 2018

PLAN/2017/1043 - Proposed erection of part two storey, part first floor extensions with alterations to existing finishing materials and detached garage with accommodation in the roof. – Permitted – 25th October 2017

PLAN/2017/0489 - Erection of part two storey, part first floor extensions with alterations to existing finishing materials and detached garage with accommodation in the roof - Refused – 25th August 2017

PLAN/2006/0164 – Erection of a rear conservatory - Permitted - 17th March 2006

PLAN/2004/0989 - Demolition of existing three dwellings. Construct nine chalet style dwellings with garages and parking spaces. Access from Hillside with associated landscaping. - Refused – 30th September 2004

PLAN/1989/1112 – Erection of single storey side extension to provide kitchen extension - Permitted – 30th November 1989

CONSULTATIONS

None

REPRESENTATIONS

1 letter of objection received which can be summarised as follows:

- Concerns relating to positioning of windows
- Concerns relating to loss of privacy caused by potential removal of trees on site

RELEVANT PLANNING POLICIES

National Planning Policy Framework (NPPF) (2012):

Section 4 - Promoting sustainable transport
Section 6 - Delivering a wide choice of high quality homes
Section 7 - Requiring good design
Section 10 - Meeting the challenge of climate change, flooding and coastal change
Section 11 - Conserving and enhancing the natural environment

Woking Core Strategy (2012):

CS1 - A Spatial strategy for Woking Borough
CS7 - Biodiversity and nature conservation
CS8 - Thames Basin Heaths Special Protection Areas
CS10 - Housing provision and distribution
CS11 - Housing Mix
CS12 - Affordable housing
CS18 - Transport and accessibility
CS21 - Design
CS22 - Sustainable construction
CS24 - Woking's landscape and townscape
CS25 - Presumption in favour of sustainable development

Woking Development Management Policies DPD (2016):

DM2 - Trees and Landscaping
DM10 - Development on Garden Land

Supplementary Planning Documents (SPDs):

Woking Design (2015)
Affordable Housing Delivery (2014)
Climate Change (2013)
Outlook, Amenity, Privacy and Daylight (2008)
Parking Standards (2018)

Supplementary Planning Guidance (SPG):

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

PLANNING ISSUES

Background:

1. The current application is a resubmission following a previous refusal and subsequent approval at the site. The refusal (planning ref: PLAN/2017/0489) was for 'Erection of part two storey, part first floor extensions with alterations to existing finishing materials and detached garage with accommodation in the roof'. The application was refused for the following reasons:

The application was refused for the following three reasons.

26th June 2018 PLANNING COMMITTEE

1. The resultant building due to the proposed full glazed first floor window/glazing in the east elevation would give an impression of being overlooked and loss of privacy to no.6 Old Hill (to the east) and this would be reinforced by inadequate separation distance and the change in site level and thus would have a harmful impact on the amenities of this neighbour by reasons of overlooking and loss of privacy contrary to policy CS21 of the Woking Core Strategy 2012 and the Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight (2008) and the policies in the NPPF.
 2. The window serving the proposed bedroom 4 would result in loss of privacy/overlooking to the rear garden of no.10 Old Hill (to the north) given the short separation distance of approx. 5m and thus would have a harmful impact on the amenities of this neighbour by reasons of overlooking and loss of privacy contrary to policy CS21 of the Woking Core Strategy 2012 and the Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight (2008) and the policies in the NPPF.
 3. The proposed detached garage, given the change in levels and the proximity to the common boundary and the partial screening the garage would create an overbearing and dominating structure as viewed from no.6 Old Hill (to the east) which is contrary to policy CS21 of the Woking Core Strategy 2012 and the Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight (2008) and the policies in the NPPF.
2. The subsequent application (planning ref: PLAN/2017/0489) was for 'Proposed erection of part two storey, part first floor extensions with alterations to existing finishing materials and detached garage with accommodation in the roof'. The application sought to address the previous reasons for refusal and for reasons highlighted in the officers report for the application, was granted planning permission. A further application to discharge conditions 2 (Materials) and 6 (Landscaping to eastern boundary) of this permission was also approved.
 3. The current application follows the approval at the site for extensions. It proposes a replacement dwelling where the resultant building would be identical to what was granted under the previous application. It should be noted that the previous approval remains extant till 25th October 2020 and the applicant could lawfully build the extensions based on this, this forms a major 'fall-back' position and thus major consideration under this application.
 4. The proposal would represent a substantial change from the existing bungalow and fails to take its architectural cues from the existing building, however, the existing property has minimal architectural merit and the area is characterised by large residential properties of varied scale, style and design. The proposal can be situated on the plot whilst maintaining the spatial characteristics of the area.

Principle of Development:

5. One of the core principles of planning as identified in the National Planning Policy Framework (NPPF) 2012 is securing high quality design. Paragraph 57 of the NPPF refers to the need to plan positively for the achievement of high quality and inclusive design for all development. Policy CS21 (Design) of the Woking Core Strategy 2012 states that "proposals for new development should...respect and make a positive contribution to the street scene and 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". The principle of a building

26th June 2018 PLANNING COMMITTEE

of identical scale and appearance has already been established under the previous consent where such matters were considered prior to approval being granted for the extensions.

Impact on Character:

6. The proposal is for the erection of a two storey replacement dwelling with a detached double garage including a games room above, following demolition of the existing dwelling. The current dwelling on site is not locally listed or in a conservation area. Although the principle of the development has been established as discussed in the 'Principle of Development' section above, the ultimate success of the building will be dependant on the visual impact the building would have within the streetscene and surrounding area and the quality of materials to be used.
7. In this instance, the location of the dwelling would remain as previously approved. It was noted in the officers report for the application that 'Given the varied streetscene and the screening of the site from the wider streetscene, the overall proposal although would be of different architectural design/character is not considered to have a harmful impact on the character nor the visual amenities of the area'. The building is identical to what was already approved and thus officers do not consider the proposal to detract from the character and appearance of the area.
8. In addition to this, it is important that the quality of materials reflects the architectural vernacular and contributes to its success and preserves the streetscene. The planning approval for the extensions included a condition requiring the submission of any proposed materials given that the resultant building would have differed significantly in appearance from the existing. The applicant has since submitted an application (planning ref COND/2018/0039) to discharge the condition with details of materials which was permitted; it included details of the proposed brickwork, roof slate, cladding, windows and paving to the footpaths and drive; the same materials are also proposed under the current application. Given that the materials do not vary from what has already been approved, it is considered that they are of an adequate and sufficient quality ensuring that the replacement building would harmonise with its context and neighbouring properties. A condition is recommended to ensure the materials to be used in the proposal are as those specified within this application.
9. For the reasons highlighted above, it is considered that the proposed development is consistent with the grain and pattern of development in the surrounding area, respecting the character and appearance of the surrounding area and resulting in a visually acceptable structure within its setting. The principle of the development and its impact on the character of the area is therefore deemed acceptable and in compliance with Core Strategy (2012) policies CS20, CS21, CS24 and CS25, Woking DPD (2016) policy DM2, Supplementary Planning Document 'Woking Design' (2015) and the National Planning Policy Framework (2012).

Impact on Neighbours:

10. Concerns have been raised by interested parties in the current and previous applications relating to overlooking, loss of privacy and the proximity of the detached garage to neighbouring properties.
11. The area of concern lies with the first floor windows in the east elevation of the proposed dwelling which would face onto No. 6 Old Hill. The site levels rise east to west and south to north and thus the proposal would be on an elevated level compared to No. 6 Old Hill. As previously approved, the current application proposes

26th June 2018 PLANNING COMMITTEE

to obscure glaze all first floor east-facing windows. It should be noted that the single window in this elevation would serve a bathroom and the 3no tall windows would serve a two level void within the building; officers are satisfied that the combination of the void and obscure glazed windows would not result in any direct overlooking into the neighbouring properties. Nonetheless, a condition is recommended requiring these windows to be maintained as such.

12. Concerns raised under previous applications related to the proximity of the proposed garage to neighbouring properties. Given the drastic level changes and the previous siting of the garage, it was considered that it would have resulted in an overbearing and dominating structure when viewed from No. 6 Old Hill. During the most recent application at the site, the applicant relocated the proposed garage. The revised scheme saw the garage located to the south eastern most point of the application site where the levels are lower and there is substantial natural screening; the same is proposed under this application. The natural screening however, in this instance, is not protected by any Tree Preservation Orders and can thus be removed. In order to ensure that adequate screening is maintained to the eastern boundary, a condition was attached to the previous consent, requesting boundary treatment details to the eastern boundary be submitted; this was consequently submitted (planning ref COND/2018/0039) indicating that the applicant proposes to install a Buxus Sempervirens (box hedge) to the full length of the eastern boundary; the application was deemed acceptable and approved. The applicant has submitted the same details under this application and thus a condition is recommended ensuring the use of the boundary treatment as specified within this application and as previously approved.
13. In any new development, it is important to maintain sufficient separation distances to boundaries and neighbouring buildings in order to ensure adequate outlook and daylight is achieved for both the future occupiers and existing neighbouring residents. Table 1 within Appendix 1 of the Woking SPD Outlook, Amenity, Privacy and Daylight (2008) shows the recommended minimum separation distances for achieving privacy. In this instance, the proposed dwelling would be two storey and would maintain a distance of 27m to No. 6 Old Hill, a minimum distance of 30.2m to the rear of No 10 and No 12 Old Hill to the north, a minimum distance of 27m to the rear of the properties to the west on Hillside, and a minimum distance of 41m to the property to the south at No. 31 Hillside. The proposed building would always maintain a distance of greater than 2m on all elevations to all respective boundaries. The distances highlighted above are in excess of the minimum distances recommended in Table 1 of the SPD.
14. Overall the proposed development is considered to have an acceptable impact on neighbours in terms of loss of privacy, overlooking and overbearing impacts.

Standard of Accommodation:

15. The proposed dwelling is considered to achieve an acceptable size and standard of accommodation with good quality outlook to habitable rooms. The National Technical Housing Standards (2015) requires a 4 bedroom dwelling across 2 floors to have a minimum Gross Internal Area (GIA) of between 97m²-124m²; the proposed development exceeds this with a proposed GIA of 295.5m². The amenity space is well in excess of double the footprint of the proposed dwelling. Overall the proposal is considered to offer an acceptable level of amenity for family dwellings and future occupiers.

26th June 2018 PLANNING COMMITTEE

Transportation Impacts:

16. The existing dwelling is accessed via Old Hill; the applicant proposes to retain this access as access for the new dwelling. The proposal is therefore not considered to impact the safety of the public highway.
17. Supplementary Planning Document 'Parking Standards' (2018) requires dwellings with 4 bedrooms to provide a total of 3no off street parking spaces. There is considered to be sufficient off-street parking proposed with the double garage being able to accommodate 2no large cars and the proposed hardstanding at the front of the garage being able to accommodate an additional 2no large cars. The applicant has proposed an area for refuse and recycling storage to the front of the site and cycle parking inside the double garage which is deemed acceptable.
18. Overall therefore the proposal is considered to result in an acceptable impact upon highway safety and car parking provision and accords with policy CS18 of the Woking Core Strategy 2012, Supplementary Planning Document 'Parking Standards' (2008) and the National Planning Policy Framework (2012).

Sustainability

19. Following a Ministerial Written Statement to Parliament on 25 March 2015, the Code for Sustainable Homes (aside from the management of legacy cases) has now been withdrawn. For the specific issue of energy performance, Local Planning Authorities will continue to be able to set and apply policies in their Local Plans that require compliance with energy performance standards that exceed the energy requirements of Building Regulations until commencement of amendments to the Planning and Energy Act 2008 in the Deregulation Bill 2015.
20. The Council has therefore amended its approach and an alternative condition will now be applied to all new residential permissions which seeks the equivalent water and energy improvements of the former Code Level 4.

Community Infrastructure Levy (CIL):

21. The proposal would be liable for Community Infrastructure Levy (CIL). The proposed additional floorspace would be 295.5m² and therefore the applicant is liable to pay a CIL Levy of approximately £45,603.61. As part of this application, the applicant has submitted a Self Build Exemption form. For relief to be granted, the LPA would require the applicant to submit a CIL Additional Information form, an Assumption of Liability form as well as a Commencement Notice prior to any works commencing.

CONCLUSION

22. Considering the points discussed above, the proposal is considered an acceptable form of development which would have an acceptable impact on the amenities of neighbours, on the character of the surrounding area and on protected trees. The proposal therefore accords with Core Strategy (2012) policies CS1, CS7, CS8, CS10, CS11, CS18, CS20, CS21, CS24 and CS25, Supplementary Planning Documents 'Parking Standards' (2006), 'Outlook, Amenity, Privacy and Daylight' (2008), 'Woking Design' (2015) and 'Plot Sub-Division: Infilling and Backland Development' (2000), DPD (2016) policies DM2 and DM10 and the NPPF (2012) and is recommended for approval subject to conditions.

26th June 2018 PLANNING COMMITTEE

BACKGROUND PAPERS

1. Site visit photographs
2. Planning application PLAN/2017/1043 dated 25th October 2017
3. Planning application COND/2018/0039 dated 24th April 2018

RECOMMENDATION

It is recommended that planning permission be granted 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:

- Design And Access Statement
- Materials Schedule
- Landscaping Plan
- Drawing No 17-5
- Drawing No 17-5-4
- Drawing No 17-20 Rev A
- Drawing No 17-20-1
- Drawing No 17-20-2-2

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

3. The external materials to be used in the construction of the development hereby approved shall be as those specified on the 'Materials Schedule' hereby approved, 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. Prior to the first occupation of the dwelling hereby approved, the boundary treatment as shown on the 'Landscaping Plan' hereby approved shall be implemented in full. The development shall be carried out and thereafter retained in accordance with the approved details unless otherwise first agreed in writing by the Local Planning Authority. All landscaping shall be carried out in accordance with the approved scheme in the first planting season (November-March) following the occupation of the buildings or the completion of the development (in that phase) whichever is the sooner and maintained thereafter. Any retained or newly planted trees, shrubs or hedges which die, become seriously damaged or diseased or are removed or destroyed within a period of 5 years from the date of planting shall be replaced during the next planting season with specimens of the same size and species unless otherwise agreed in writing by the Local Planning Authority.

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

26th June 2018 PLANNING COMMITTEE

5. The windows in the first floor east-facing side elevation hereby permitted shall be glazed entirely with obscure glass and non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor level of the room in which the window is installed. Once installed the window 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.

6. Notwithstanding the provisions of Article 3 and Schedule 2, Part 1, Classes A, B, C and D 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 new dwelling hereby approved 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.

7. 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, door or other additional openings at first floor level or above, other than those expressly authorised by this permission, shall be formed in any elevation of the new dwelling 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.

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

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

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

26th June 2018 PLANNING COMMITTEE

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 applicant is advised that Council officers may undertake inspections without prior warning to check compliance with approved plans and to establish that all planning conditions are being complied with in full. Inspections may be undertaken both during and after construction.
3. The applicant is advised that, under the Control of Pollution Act 1974, site works which will be audible at the site boundaries are restricted to the following hours:-
08.00 – 18.00 Monday to Friday
08.00 – 13.00 Saturday
and not at all on Sundays and Bank/Public Holidays.
4. The permission hereby granted shall not be construed as authority to carry out works on the highway. The applicant is advised that a licence must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway.
5. The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders. (Highways Act 1980 Sections 131, 148, 149).
6. The applicant is advised that this application is liable to make a CIL contribution. 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.