

## 25 SEPTEMBER 2018 PLANNING COMMITTEE

5c 18/0657 Reg'd: 16.07.18 Expires: 28.09.18 Ward: HE  
Nei. 07.08.18 BVPI 13 (Minor Number 10/10 On  
Con. Target dwellings) of Weeks Target?  
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**LOCATION:** Pippins, 4 Mount Close, Hook Heath, Woking, GU22 0PZ

**PROPOSAL:** Demolition of existing 4 bedroom dwelling and the erection of a 5 bedroom dwelling.

**TYPE:** Full Application

**APPLICANT:** Paul and Olga Cragg

**OFFICER:** Benjamin Bailey

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### **REASON FOR REFERRAL TO COMMITTEE**

The proposal is of a development type which falls outside the Management Arrangements and Scheme of Delegations.

### **SUMMARY OF PROPOSED DEVELOPMENT**

This is a full planning application for the demolition of existing 4 bedroom dwelling and the erection of a 5 bedroom dwelling.

Site Area: 0.0855 ha (855 sq.m)  
Existing units: 1  
Proposed units: 1  
Existing density: 12 dph (dwellings per hectare)  
Proposed density: 12 dph

### **PLANNING STATUS**

- Urban Area
- Hook Heath Neighbourhood Area
- Thames Basin Heaths Special Protection Area (TBH SPA) Zone B (400m-5km)

### **RECOMMENDATION**

**Grant** planning permission subject to recommended conditions.

### **SITE DESCRIPTION**

The application site lies within the residential cul-de-sac of Mount Close. It comprises of a detached two storey dwelling which is set down at a lower level from the carriageway. The frontage of the site is open and contains a garden and sloping driveway. The rear garden falls steeply from north to south and is bounded by vegetation, wooden fencing and a brick wall. Residential properties adjoin all boundaries of the rear garden.

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### COMMENTARY

During consideration of the application the applicant (at the request of the case officer) has submitted amended plans and added a further section plan (Section BB) to those plans initially submitted. However, these amended plans only show additional, contextual information about the proposal in relation to its boundaries and adjacent properties, rather than incorporating changes to the proposal as initially submitted. It was therefore not considered necessary to undertake further neighbour consultation on amended plans.

### RELEVANT PLANNING HISTORY

PLAN/2016/1142 - Erection of five bedroom detached three storey dwelling, single garage and detached pool house following demolition of the existing dwelling (amended plans). Permitted subject to conditions (17.03.2017)

### CONSULTATIONS

**County Highway Authority (CHA) (SCC):** The proposed development is located on a private road that is not under the jurisdiction of the CHA. The proposed development is not likely to have an impact on the local highway network, therefore the CHA has no requirements.

**Arboricultural Officer:** Any trees previously noted on site have now been removed, therefore there are no arboricultural objections to the proposed.

**Hook Heath Neighbourhood Forum:** No comments received.

### REPRESENTATIONS

**x12** local properties were sent neighbour notification letters of the application, in addition to the application being advertised on the Council's website.

**x1** letter of objection has been received raising the following main points:

- Whilst we have no objections in principle to constructing a new house we feel the current plans would result in a loss of privacy. Specifically:
  - The significant amount of glazed area across all floors on the southern elevation.
  - The existence and location of a balcony in the plans.
  - The increased footprint of the house bringing it closer to the property boundary lines.
- The topography of the land needs to be considered when approving any plans given the significant height difference between properties.

### RELEVANT PLANNING POLICIES

National Planning Policy Framework (NPPF) (2018)

Section 2 - Achieving sustainable development

Section 12 - Achieving well-designed places

Section 14 - Meeting the challenge of climate change, flooding and coastal change

Section 15 - Conserving and enhancing the natural environment

Woking Core Strategy (2012)

CS1 - A spatial strategy for Woking Borough

CS9 - Flooding and water management

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CS18 - Transport and accessibility  
CS21 - Design  
CS22 - Sustainable construction  
CS24 - Woking's landscape and townscape  
CS25 - Presumption in favour of sustainable development

Development Management Policies Development Plan Document (DMP DPD) (2016)  
DM2 - Trees and landscaping

Hook Heath Neighbourhood Plan (2015)  
BE1 - Design of New Developments  
BE2 - Off-road Parking

Supplementary Planning Documents (SPD's)  
Design (2015)  
Parking Standards (2018)  
Outlook, Amenity, Privacy and Daylight (2008)  
Climate Change (2013)

Other Material Considerations  
Planning Practice Guidance (PPG)  
Woking Borough Council Strategic Flood Risk Assessment (November 2015)  
Community Infrastructure Levy (CIL) Charging Schedule (2015)

### **PLANNING ISSUES**

1. The key planning issues for consideration in determining this planning application are:
  - Principle of development
  - Design and impact upon the character of the area
  - Impact upon neighbouring amenity
  - Amenities of future occupiers
  - Highways and parking implications
  - Energy and water consumption
  - Flooding and water management
  - Thames Basin Heaths Special Protection Area (TBH SPA)having regard to the relevant policies of the Development Plan, other relevant material planning considerations and national planning policy and guidance.

#### Background

2. The revised National Planning Policy Framework (NPPF) was published on 24 July 2018 and is a material consideration in the determination of this application. However, the starting point for decision making remains the Development Plan, and the revised NPPF (2018) is clear at Paragraph 213 that existing Development Plan policies should not be considered out-of-date simply because they were adopted or made prior to 24 July 2018. The degree to which relevant Development Plan policies are consistent with the revised NPPF (2018) has been considered in this instance, and it is concluded that they should be afforded significant weight.

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### Principle of development

3. The application site falls within the Urban Area where the principle of replacement dwellings is considered to be acceptable subject to the material planning considerations as set out within the paragraphs below.

### Design and impact upon the character of the area

4. The NPPF (2018) sets out that one of the fundamental functions of the planning and development process is to achieve the creation of high quality buildings and places and that good design is a key aspect of sustainable development. Policy CS21 of the Woking Core Strategy (2012) states that development 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.
5. Policy BE1 of the Hook Heath Neighbourhood Plan (2015) states that new development should maintain or enhance the character of the area. All development should:
  - be designed to a high quality and closely reflect the existing rhythm, proportion, materials, height, scale, bulk, massing and storey heights of nearby buildings;
  - ensure that the specific context of the site and the wider character of the street scene are fully taken into account in relation to scale, appearance and materials;
  - maintain residential privacy and the character of the area.
6. In this case, the area falls within an Arcadian typology as described within both SPD Design (2015) and the Hook Heath Neighbourhood Plan (2015). The surrounding area is generally characterised by substantial detached two storey dwellings (some of which also provide accommodation within the roof) set within relatively large plots with generally open frontages. There are ground level changes within Mount Close which factor significantly in the appearance of the cul-de-sac. Within the prevailing generalisation of two storey detached dwellings there is a significant variation of architectural styles. Consequently, there is no dominant or prevailing design narrative within Mount Close.
7. The principle of replacing the traditional existing dwelling with a dwelling utilising a contemporary flat roof design and large extents of glazing has previously been accepted by the Local Planning Authority in granting extant planning permission reference PLAN/2016/1142, which forms a significant material planning consideration in determining the current application. It should also be noted that extant PLAN/2016/1142 included the provision of a detached single garage (to the front) and a detached pool house (at the terminus of the rear garden), neither of which are included within the current application. Due to the mix of style and dwelling designs within Mount Close it is difficult to identify a truly local distinctiveness beyond the broad characteristic of detached two storey dwellings. The existing dwelling is not of an uncommon or unusual design and its value in architectural and townscape terms is relatively limited, such that its proposed demolition cannot be resisted subject to the design quality of the proposed replacement dwelling.
8. The replacement dwelling would appear as a two storey dwelling from Mount Close (which would be lower in height than the adjoining properties of No.3 and No.5) and as a three storey dwelling from the rear garden. This 'tiered' approach is consistent with the extant planning permission (Ref: PLAN/2016/1142) on the site. The proposed

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replacement dwelling would also be set down lower than the Mount Close carriageway due to the change in ground levels, as per the existing arrangement.

9. The contemporary flat roof form would result in the maximum height presented to Mount Close being closely comparable to the eaves height of the existing dwelling and the bulk and mass associated with the existing pitched roof would not be evident. At the front the first floor level would cantilever (supported by two rendered piers) forwards of the ground floor level by between approximately 1.5m and 2.7m (due to the staggered ground floor level front building line). The cantilevered element would approximately 'line through' with the front building lines of adjacent No.3 and No.5 and add articulation, depth and shadow to the front elevation, which would be externally finished in a render frame wrapping around large extents of glazing and wood cladding (likely to be Western Red Cedar although condition 03 is recommended to secure further details of external materials). The use of render is already prevalent within the Mount Close street scene and the proposed sedum roof and wood cladding would contribute to the sylvan and verdant character of this part of Hook Heath.
10. Retained separation distances to the common side boundaries with adjacent No.3 and No.5 would measure approximately 2.5m and 2.3m respectively. It is considered that these distances would be sufficient to ensure an adequate degree of visual separation is retained reflective of the character of the area and Mount Close street scene.
11. The main element of the replacement dwelling would measure approximately 8.5m in depth along the elevation presented to No.3, then step in by approximately 1.3m and project a further approximate 3.5m in depth. This 'stepped' approach would reduce the perceived depth of this side elevation when viewed from Mount Close, albeit it would be set lower than the carriageway. The depth of the main element would not stagger along the elevation presented to No.5. However the perception of this approximate 11.8m depth would be reduced by the first floor level cantilever at the front, the relatively modest flat roof height of this element and the set down nature of the proposed replacement dwelling in relation to the carriageway.
12. At the rear a subordinate two storey element would contain a lower ground floor level and part of the ground floor level (also providing an external terrace at ground floor level). This element would measure approximately 3.8m in depth and would be 'stepped' in by approximately 2.5m from the eastern elevation presented to No.5 and by approximately 6.3m from the western elevation presented to No.3. The lower ground floor level would be contained within partially excavated ground and lead onto a small patio area. Stairs would lead from the external terrace (at ground floor level) to the small patio area at lower ground floor level. The main form of the existing dwelling is two storeys and a subordinate rear projection is evident which is effectively two storeys in height when taking into account the sloping ground level at the rear. The external scale of the replacement dwelling would remain comparable to the existing situation (ie. a two storey main form and a two storey subordinate rear projection). Although greater in width than the existing subordinate rear projection, and providing accommodation, the 'stepped' approach to the rear of the proposed replacement dwelling is considered to be well designed and to respond in an appropriate manner to the fall in ground level which occurs from north to south through the site.
13. The rear elevation utilises a render frame wrapping around large extents of glazing and wood cladding (likely to be Western Red Cedar although condition 03 is recommended to secure further details of external materials) as per the front elevation although utilises a contemporary grey or dark brick to 'ground' the lower ground floor level, which would be partly excavated into the sloping topography of the site. This

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contemporary brick is continued into the side elevations for the lower ground floor level with the side elevations utilising wood cladding at ground floor level and render at first floor level. Overall, as per the front elevation, the rear elevation is considered to achieve a high quality contemporary design approach and would be articulated through the staggered projections and heights of the different elements, which would create shadow and add further depth to the building.

14. There are no protected trees within, or adjacent to, the site. The Council's Arboricultural Officer has advised that there are no arboricultural objections to the proposal.
15. Overall, although representing a contemporary intervention, the proposed replacement dwelling is considered to achieve a high quality contemporary design approach, to respect and make a positive contribution to the street scene of Mount Close and the character of the area more generally, paying due regard to the scale, height, proportions, building lines, layout, materials and other characteristics of adjoining buildings in accordance with Policy CS21 of the Woking Core Strategy (2012), SPD Design (2015), Policy BE1 of the Hook Heath Neighbourhood Plan (2015) and the provisions of the NPPF (2018).

### Impact upon neighbouring amenity

16. Policy CS21 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 loss of outlook.
17. More detailed guidance on assessing neighbouring amenity impacts is provided within SPD Outlook, Amenity, Privacy and Daylight (2008), which sets out a 45° angle test in terms of potential loss of daylight. That is, where built form is proposed to project beyond openings within neighbouring dwellings (ie. they project at 90° to the opening in question) significant loss of daylight will occur if the centre of affected windows within the front or rear elevations (or a point 2.0m in height above the ground for floor to ceiling windows) lies within a zone measured at 45° in both plan and elevation.

### No.3 Mount Close (Pentowan)

18. No.3 Mount Close is a detached two storey dwelling situated to the west, which benefits from an attached single storey element to its eastern side (abutting part of the common boundary with the site) shown to accommodate a store to the front and a bedroom/study to the rear within the approved plans for planning permission reference PLAN/2017/1236, which is in the process of being implemented. The replacement dwelling passes the 45° angle test with regard to the front and rear windows/doors within No.3 and therefore no significantly harmful loss of daylight is considered to occur to the rooms served by these openings. There is a single first floor level window within the eastern (side) elevation of No.3, however this window is shown to serve circulation space (non-habitable) within the approved plans for planning permission reference PLAN/2017/1236 (which is in the process of being implemented). It is therefore considered that the proposed replacement dwelling would not cause a significant loss of daylight to habitable spaces within No.3.
19. The main (ground and first floor) element of the proposed replacement dwelling would be sited between approximately 2.0m and 3.5m from the common boundary with No.3, due to the staggered nature of the western elevation of this element. Whilst this

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would be approximately 1.5m closer than the existing relationship the first floor element of the replacement dwelling would remain largely in line with the main (two storey) rear building line of No.3 at this point, before stepping back an additional approximate 1.6m from the common boundary in order to reduce the impact of the further approximate 3.5m deep projection at first floor level, which would subsequently remain approximately 3.5m away from the common boundary.

20. The lower ground floor element would be set approximately 3.5m from the common boundary and utilise the sloping topography of the site such that this element would not result in bulk and mass which would be particularly apparent from No.3. Whilst a largely glazed projection at ground floor level would occur atop the lower ground floor element this would be set approximately 8.5m from the common boundary and remain approximately level with the ground floor of No.3. An external terrace would also be provided at ground floor level atop the lower ground floor element although remain approximately 3.5m from the common boundary. External steps would lead from this external terrace down to the garden and a small patio area outside the lower ground floor element. Stepped planters are proposed to maintain an approximate 2.0m buffer between these external steps and the common boundary to prevent overlooking to No.3. New fencing is also proposed along part of the common boundary with No.3 to prevent overlooking from the external terrace.
21. Whilst the external terrace will be raised in relation to the sloping rear garden of the application property it should be noted that the finished level of this external terrace would be approximate to that of the ground floor level of No.3. Furthermore the rear garden of No.3 is also 'stepped' in that it is formed of a patio area (retained by a stone wall) largely level with the ground floor dwelling accommodation and a lawned area further south set at a lower level. The mass and bulk of the lower ground floor level proposed at the application property will be similar to the patio area at No.3 (retained by a stone wall) albeit that it will provide internal accommodation. The ground floor level rear projection would be similar to a single storey rear extension and the external terrace similar to the patio area at No.3. For these cumulative reasons it is not considered that the proposed replacement dwelling would give rise to significantly harmful overbearing effect due to bulk, proximity or loss of outlook to No.3.
22. With the exception of the largely glazed projection at ground floor level and the external terrace previously discussed no windows or doors would face directly towards the common boundary with No.3 and therefore no significantly harmful loss of privacy is considered to occur to No.3.
23. The replacement dwelling would be situated largely to the east of No.3, which benefits from a predominantly south-facing private rear garden and rear elevation and no habitable room openings within its eastern elevation. Taking into account these factors, combined with the topography of both the application site and the residential curtilage of No.3, and the scale and form of the proposal, it is not considered that the proposed replacement dwelling would result in a significantly harmful loss of sunlight or overshadowing to No.3.
24. Overall the proposed replacement dwelling is considered to achieve a satisfactory relationship to adjoining No.3 Mount Close, avoiding significantly harmful impact by reason of potential loss of privacy, daylight or sunlight, or overbearing effect due to bulk, proximity or loss of outlook.

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### No.5 Mount Close

25. No.5 Mount Close is a detached two storey dwelling situated to the east. The proposed replacement dwelling passes the 45° angle test with regard to the front and rear windows/doors within No.5 and therefore no significantly harmful loss of daylight is considered to occur to the rooms served by these openings. There are a number of ground floor windows within the western side elevation of No.5 however these are either secondary windows or serve non-habitable rooms. The proposal is therefore not considered to result in a significantly harmful loss of daylight to No.5.
26. No.5 Mount Close benefits from a raised decking area to the rear which is predominantly south facing. Whilst the replacement dwelling would extend a further approximate 2.2m at first floor level than existing it would be re-sited a further approximate 0.5m from the common boundary in comparison to the existing. It is also a material consideration that the level of first floor projection beyond the rear building line of No.5 remains almost identical to that previously considered to be acceptable (approximately 2.0m) in permitting extant PLAN/2016/1142, which would have resulted in the replacement dwelling permitted under that application being re-sited approximately 0.8m closer to No.5 than the existing dwelling.
27. Whilst the lower ground floor level/ground floor level rear projection would project approximately 1.6m further than the existing subordinate rear projection the higher ground floor element would be set back from the common boundary by a further approximate 2.6m in comparison to the existing rear projection. Separation distances of approximately 2.5m would be retained between the main massing (first floor) of the replacement dwelling, and of approximately 5.0m between the ground floor level of the rear projection, and the common boundary with No.5. Again the finished level of the ground floor of the replacement dwelling would not be significantly higher than the ground floor, and raised decking, level of No.5. The proposal would also result in the removal of a ground floor side-facing window (within the existing rear projection) which overlooks the raised decking area of No.5 at present. Whilst the rear projection containing the ground floor level (brick finish) would likely be evident from the private rear garden area of No.5 (the lawned area of which is set at a lower level than the raised decked area) this element would remain approximately 2.5m from the common boundary and reach a maximum height of approximately 2.4m above ground level, such that any impact of this element is not considered to be materially harmful to the private rear garden of No.5.
28. The largely glazed projection at ground floor level (which would occur atop the lower ground floor element) would be set approximately 5.0m from the common boundary and present a render wall (measuring approximately 2.7m in height) containing no openings within its eastern elevation. The separation distances and comparative heights would ensure no significantly harmful overbearing effect to No.5 arising from this element and the blank render wall would prevent any harmful loss of privacy arising to No.5 due to use of this largely glazed projection and external terrace to the west of this.
29. A single first floor level window (serving a bathroom) within the eastern elevation would face towards the common boundary with No.5 however this window is shown with a high-level sill such that no outlook would be achievable directly towards No.5 (condition 14 is recommended to secure this). For these cumulative reasons it is not considered that the replacement dwelling would give rise to significantly harmful overbearing effect upon No.5 due to bulk, proximity or loss of outlook over and above that which presently exists, nor any significantly harmful loss of privacy.



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30. The proposed replacement dwelling would be situated largely to the west of No.5, which benefits from a predominantly south-facing private rear garden and rear elevation and no single aspect habitable room openings within its western elevation. Taking into account these factors, combined with the topography of both the application site and the residential curtilage of No.5, and the scale and form of the proposal, it is not considered that the replacement dwelling would result in a significantly harmful loss of sunlight or overshadowing to No.5.
31. Overall the replacement dwelling is considered to achieve a satisfactory relationship to adjoining No.5 Mount Close, avoiding significantly harmful impact by reason of potential loss of privacy, daylight or sunlight, or overbearing effect due to bulk, proximity or loss of outlook.

### Loss of privacy / overlooking to No.3 and No.5 Mount Close:

32. It is noted that the rear (south) elevation would contain a large extent of glazing arising from the contemporary design of the proposal. Whilst this is the case it is considered that there would not be direct overlooking or loss of privacy caused to the adjoining properties of No.3 and No.5 Mount Close because the rear glazing would face south directly over the private rear garden of the application property. Whilst it is noted that there would be a level of perceived overlooking/loss of privacy, this would be from oblique angles towards the adjoining rear gardens and is a situation which exists presently from the rear elevation of the existing dwelling and one that is a common relationship within suburban areas such as this.

### No.7 Mount Close

33. No.7 Mount Close is a two storey detached dwelling situated to the east, south-east of No.5. No.7 is orientated at an oblique angle in relation to the application property with its rear elevation facing predominantly south-west over a rear garden measuring approximately 30.0m in depth. The south-western corner of the rear garden of No.7 adjoins the rear boundary of the application site. A degree of overlooking presently exists from windows within the rear elevation of the existing dwelling of No.4 towards this south-western corner of the rear garden of No.7.
34. Windows at first floor level within the replacement dwelling would remain between approximately 15.5m and 23.5m from the obliquely angled common boundary with No.7 whilst the largely glazed projection at ground floor level, and the external terrace, would remain between approximately 13.5m and 19.5m from the obliquely angled common boundary with No.7. Whilst it is noted that the south-western corner of the rear garden of No.7 is set a lower ground level than the replacement dwelling taking into account the combined factors of the retained levels of separation set out previously, the existing relationship between windows within the rear of the existing dwelling of the application property and the rear garden of No.7, and that the affected part of the rear garden of No.7 represents an area towards the terminus of an approximately 30.0m deep rear garden it is not considered that the replacement dwelling would result in a significantly harmful loss of privacy or overlooking towards the rear garden of No.7 over and above the existing situation.

### Hook Hill Farm:

35. A small portion of the rear garden boundary of Hook Hill Farm adjoins the application site. The replacement dwelling would be sited approximately 21.0m from this common

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boundary at its closest point and is therefore not considered to cause significantly harmful potential overlooking or loss of privacy to Hook Hill Farm.

36. Overall, in light of the above, the replacement dwelling is considered to achieve a satisfactory relationship to adjoining properties, avoiding significantly harmful impact, and is considered to comply with Policy CS21 of the Woking Core Strategy (2012), Policy BE1 of the Hook Heath Neighbourhood Plan (2015), SPD's Outlook, Amenity, Privacy and Daylight (2008) and Design (2015) and the provisions of the NPPF (2018).

### Amenities of future occupiers

37. The replacement dwelling is considered to achieve a high standard of outlook, daylight and sunlight to habitable rooms and the rear garden area. Furthermore, in measuring approximately 342 sq.m internal floor area, the replacement dwelling would significantly exceed the relevant minimum gross internal floor area recommended by the Technical housing standards - nationally described space standard (March 2015) and would therefore provide a high standard of overall residential amenity.
38. SPD Outlook, Amenity, Privacy and Daylight (2008) sets out recommended minimum garden amenity areas for large family dwelling houses (eg. over 150 sq.m gross floorspace), as in this instance, stating that a suitable area of private garden amenity in scale with the building (eg. greater than the gross floor area of the building) should be provided.
39. The resulting rear garden amenity area (that area laid to lawn and planting) would measure approximately 321 sq.m although when the ground floor level external terrace is also included (approximately 22 sq.m) this area increases to approximately 343 sq.m, which would accord with the approximate 342 sq.m gross floorspace. Whilst it is noted that the rear garden amenity area slopes this is the existing situation due to the inherent topography of the site. Overall the replacement dwelling is considered to provide a high standard of residential amenity to future occupiers.

### Highways and parking implications

40. Policy CS18 of the Woking Core Strategy (2012) aims to locate most new development within the main urban areas, served by a range of sustainable transport modes, such as public transport, walking and cycling.
41. The proposal seeks the repositioning of the existing vehicular crossover further towards the eastern end of the site frontage from the privately maintained road of Mount Close, which falls outside the jurisdiction of the County Highway Authority (CHA). The vehicular crossover repositioning is not considered to raise any significant highway safety issues. The CHA have been consulted and raise no objection.
42. SPD Parking Standards (2018) sets out minimum on-site vehicle parking requirements of x3 spaces for each 5+ bedroom house. Policy BE2 of the Hook Heath Neighbourhood Plan (2015) seeks x3 on site car parking spaces for 4 bedroom plus dwellings. Including the integral garage (accounting for x1 parking space in line with the SPD) and driveway the proposal would facilitate the on-site parking of x3 cars in accordance with SPD Parking Standards (2018).

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43. SPD Parking Standards (2018) also sets out cycle parking standards of x2 cycle spaces per dwelling. There is considered to be sufficient space within the integral garage to provide secure cycle parking to serve the replacement dwelling.
44. Given the relatively restricted nature of the application site, a Construction Transport Management Plan (CTMP) condition is recommended to minimise disruption during the course of demolition and construction works (condition 09 refers), as was attached to extant PLAN/2016/1142. 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), SPD Parking Standards (2018) and the NPPF (2018).

### Energy and water consumption

45. Planning policies relating to sustainable construction have been updated following the Government's withdrawal of the Code for Sustainable Homes (CfSH). Therefore in applying Policy CS22 of the Woking Core Strategy (2012), the approach has been amended and at present all new residential development shall be constructed to achieve a water consumption standard of no more than 110 litres per person per day water consumption and not less than a 19% CO2 improvement over the 2013 Building Regulations TER Baseline (Domestic). Planning conditions are recommended to secure this (conditions 07 and 08 refer).

### Flooding and water management

46. The site is located within Flood Zone 1 (low risk) and no issues relating to fluvial flood risk are raised. There are no areas identified as being at risk of surface water flooding within, or adjacent to, the site (including this section of the carriageway of Mount Close) within the Council's Strategic Flood Risk Assessment (November 2015). Given these factors surface water flood risk is not considered to represent a planning constraint and it is noted that no planning condition relating to surface water flood risk was attached to extant PLAN/2016/1142, which proposed a similar level of development. The proposal is therefore considered to comply with Policy CS9 of the Woking Core Strategy (2012) and the provisions of the NPPF (2018) in terms of flooding and water management.

### Thames Basin Heaths Special Protection Area (TBH SPA)

47. Although within Zone B (400m-5km) of the Thames Basin Heaths Special Protection Area (TBH SPA), the adopted Thames Basin Heaths Special Protection Area Avoidance Strategy sets out that replacement dwellings will not generally lead to increased recreational pressure, and therefore, will have no likely significant effect upon the TBH SPA and will not be required to make a contribution to the provision of avoidance measures.

## **LOCAL FINANCE CONSIDERATIONS**

48. The proposed development would be Community Infrastructure Levy (CIL) liable to the sum of **£19,136** (including the April 2018 Indexation). However the applicant intends to submit CIL Form 7: Self Build Exemption Claim and would therefore be exempt from CIL providing a 'disqualifying event' does not occur.

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### **CONCLUSION**

49. Overall the principle of development is considered to be acceptable. Furthermore, subject to recommended conditions, the development is considered to result in acceptable impacts with regard to design and impact upon the character of the area, neighbouring amenity, amenities of future occupiers, highways and parking implications, energy and water consumption, flooding and water management and the Thames Basin Heaths Special Protection Area (TBH SPA).
50. The proposal is therefore considered to accord with Sections 2, 12, 14 and 15 of the National Planning Policy Framework (NPPF) (2018), Policies CS1, CS9, CS18, CS21, CS22, CS24 and CS25 of the Woking Core Strategy (2012), Policy DM2 of the Development Management Policies Development Plan Document (DMP DPD) (2016), Policies BE1 and BE2 of the Hook Heath Neighbourhood Plan (2015), Supplementary Planning Documents (SPD's) Design (2015), Parking Standards (2018), Outlook, Amenity, Privacy and Daylight (2008) and Climate Change (2013), Planning Practice Guidance (PPG), Woking Borough Council Strategic Flood Risk Assessment (November 2015) and Community Infrastructure Levy (CIL) Charging Schedule (2015).

### **BACKGROUND PAPERS**

Site visit photographs

x1 Letter of representation

Consultation response from County Highway Authority (CHA) (SCC)

Consultation response from Arboricultural Officer

PLAN/2016/1142 File

### **RECOMMENDATION**

**Grant** planning permission subject to the following conditions:

01. 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).

02. The development hereby permitted shall be carried out in accordance with the following approved plans numbered/titled:

1594-PA-001 (Topographical Survey & Existing Location Plan), dated 12.17 and received by the Local Planning Authority on 05.07.2018.

1594-PA-002 (Existing Lower Ground Floor Plan), dated 12.17 and received by the Local Planning Authority on 05.07.2018.

1594-PA-003 (Existing Ground Floor Plan), dated 12.17 and received by the Local Planning Authority on 05.07.2018.

1594-PA-004 (Existing First Floor Plan), dated 12.17 and received by the Local Planning Authority on 05.07.2018.

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1594-PA-005 (Existing Section & Site Plan), dated 12.17 and received by the Local Planning Authority on 05.07.2018.

1594-PA-006 (Existing Elevations), dated 12.17 and received by the Local Planning Authority on 05.07.2018.

1594-PA-010 Rev A (Proposed Lower Ground Floor Plan), dated 08.18 and received by the Local Planning Authority on 03.09.2018.

1594-PA-011 Rev A (Proposed Ground Floor Plan), dated 08.18 and received by the Local Planning Authority on 03.09.2018.

1594-PA-012 Rev A (Proposed First Floor Plan), dated 08.18 and received by the Local Planning Authority on 03.09.2018.

1594-PA-013 Rev A (Proposed Roof Plan), dated 08.18 and received by the Local Planning Authority on 03.09.2018.

1594-PA-014 Rev A (Proposed Site Plan), dated 08.18 and received by the Local Planning Authority on 03.09.2018.

1594-PA-015 Rev A (Proposed Section AA), dated 08.18 and received by the Local Planning Authority on 03.09.2018.

1594-PA-016 (Proposed North & East Elevations), dated 12.17 and received by the Local Planning Authority on 03.09.2018.

1594-PA-017 (Proposed South & West Elevations), dated 12.17 and received by the Local Planning Authority on 03.09.2018.

1594-PA-020 Rev A (Proposed Section BB), dated 08.18 and received by the Local Planning Authority on 03.09.2018.

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

03. ++ Notwithstanding the external material details annotated on the approved plans/documents listed within condition 02 of this notice, or within the submitted application form, prior to the application/installation of any external facing materials to the development hereby permitted details and a written specification of the materials to be used in the external elevations of the replacement dwelling hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and thereafter permanently retained in accordance with the approved details unless otherwise first agreed in writing by the Local Planning Authority.

Reason: To protect the character and appearance of Mount Close and the visual amenities of the area in accordance with Policy CS21 of the Woking Core Strategy (2012), SPD Design (2015), Policy BE1 of the Hook Heath Neighbourhood Plan (2015) and the provisions of the NPPF (2018).

04. ++ Notwithstanding any details outlined on the approved plans and documents listed within condition 02 of this notice, or within the submitted application form, prior to the installation of any facing 'hard' landscape works hereby permitted full details and/or samples of the facing materials to be used for the 'hard' landscape works shall be

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submitted to and approved in writing by the Local Planning Authority. The 'hard' landscape works shall be carried out in accordance with the approved details and completed before the first occupation of the replacement dwelling hereby permitted and permanently retained thereafter.

Reason: To protect the character and appearance of Mount Close and the visual amenities of the area in accordance with Policy CS21 of the Woking Core Strategy (2012), SPD Design (2015), Policy BE1 of the Hook Heath Neighbourhood Plan (2015) and the provisions of the NPPF (2018).

05. ++ Notwithstanding any details outlined on the approved plans and documents listed within condition 02 of this notice, or within the submitted application form, prior to the application/installation of any external facing materials to the replacement dwelling hereby permitted a detailed planting scheme shall be submitted to and approved in writing by the Local Planning Authority. The detailed planting scheme shall specify species, planting sizes, spaces and numbers of trees/shrubs/hedges to be planted. The detailed planting scheme shall include full details of any tree pits (including sections) as may be required. All new planting shall be carried out in accordance with the approved scheme within the first planting season (November-March) following the first occupation of the replacement dwelling or the completion of the development, 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 first agreed in writing by the Local Planning Authority.

Reason: To protect the character and appearance of Mount Close and the visual amenities of the area in accordance with Policy CS21 of the Woking Core Strategy (2012), SPD Design (2015), Policy BE1 of the Hook Heath Neighbourhood Plan (2015) and the provisions of the NPPF (2018).

06. ++ Notwithstanding any details shown on the approved plans listed within condition 02, prior to the application/installation of any external facing materials to the replacement dwelling hereby permitted details of any modifications to boundary treatments shall be submitted to and approved in writing by the Local Planning Authority. The approved boundary modifications and treatments shall be implemented in full prior to the first occupation of the replacement dwelling hereby permitted and permanently maintained thereafter unless otherwise first agreed in writing by the Local Planning Authority.

Reason: To ensure adequate security and a satisfactory appearance of the completed development in accordance with Policy CS21 of the Woking Core Strategy (2012), SPD Design (2015) and the provisions of the NPPF (2018).

07. ++ Prior to the commencement of the development hereby permitted (with the exception of demolition and site preparation works) written evidence shall be submitted to, and approved in writing by, the Local Planning Authority demonstrating that the development will:
- a. Achieve 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 a Design Stage Standard Assessment Procedure (SAP) Assessment, produced by an accredited energy assessor; and

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- b. Achieve a maximum water use of no more than 110 litres per person per day as defined in paragraph 36(2b) of the Building Regulations 2010 (as amended), measured in accordance with the methodology set out in Approved Document G (2015 edition). Such evidence shall be in the form of a Design Stage water efficiency calculator.

Such details shall be permanently maintained unless otherwise first agreed in writing by the Local Planning Authority.

Reason: To ensure that the development achieves a high standard of sustainability and makes efficient use of resources in accordance within Policy CS22 of the Woking Core Strategy (2012) and SPD Climate Change (2013).

08. ++ The development hereby permitted shall not be first occupied until written documentary evidence has been submitted to, and approved in writing by, the Local Planning Authority, proving 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.

Such details shall be permanently maintained unless otherwise first agreed in writing by the Local Planning Authority.

Reason: To ensure that the development achieves a high standard of sustainability and makes efficient use of resources in accordance within Policy CS22 of the Woking Core Strategy (2012) and SPD Climate Change (2013).

09. ++ The development hereby permitted shall not commence (including demolition and site preparation works) until a Construction Transport Management Plan (CTMP), to include details of:
- (a) parking for vehicles of site personnel, operatives and visitors
  - (b) loading and unloading of plant and materials
  - (c) storage of plant and materials

has been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented during the demolition and construction of the development.

Reason: In order that the development should not prejudice highway safety nor cause undue inconvenience to other highway users in accordance with Policy CS18 of the Woking Core Strategy (2012) and the provisions of the National Planning Policy Framework (NPPF) (2018). This is a pre-commencement condition to ensure that demolition and site preparation works do not prejudice highway safety nor cause undue inconvenience to other highway users.

10. The development hereby permitted shall not be first occupied unless and until space has been laid out within the site in accordance with the approved plans listed within condition 02 for vehicles to be parked. Thereafter the parking areas shall be permanently retained and maintained for their designated purposes.

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Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with Policy CS18 of the Woking Core Strategy (2012), SPD Parking Standards (2018) and the provisions of the NPPF (2018).

11. The development hereby permitted shall not be first occupied until the integral garage shown on the approved plans listed within condition 02 is available for the parking of vehicles (and the storage of cycles) ancillary and incidental to the use of the replacement dwelling. Thereafter the integral garage shall be retained solely for those purposes and made available to the occupiers of the replacement dwelling at all times for parking (and cycle storage) purposes unless otherwise first agreed in writing by the Local Planning Authority.

Reason: To preserve the residential amenity of the surrounding area and ensure the provision of adequate off-street parking facilities in accordance with Policies CS18 and CS21 of the Woking Core Strategy (2012), SPD Parking Standards (2018) and Policy BE2 of the Hook Heath Neighbourhood Plan (2015).

12. Notwithstanding the provisions of Article 3, Schedule 2, Part 1, Classes A, B and E of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any orders amending or re-enacting that Order with or without modification(s)) no extension(s), enlargement(s) or the provision of any other building(s) within the curtilage other than that expressly authorised by this permission shall be constructed 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 residential amenities of the adjacent properties, to the character of the area and provision of an appropriate level of private garden amenity space to serve the replacement dwelling hereby permitted and for this reason would wish to control any future development in accordance with Policy CS21 of the Woking Core Strategy (2012), SPD's Outlook, Amenity, Privacy and Daylight (2008) and Design (2015) and the provisions of the NPPF (2018).

13. Notwithstanding the provisions of Article 3, Schedule 2, Part 1, Classes A and C of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any orders amending or re-enacting that Order with or without modification(s)) no window(s), dormer window(s), rooflight(s) or other additional opening(s) other than those expressly authorised by this permission shall be formed at ground or first floor levels within the western and eastern (side-facing) elevations of the replacement dwelling hereby permitted without planning permission being first obtained from the Local Planning Authority.

Reason: The Local Planning Authority considers that further windows and other openings at ground and first floor levels could cause detriment to the residential amenities of the adjacent properties and for this reason would wish to control any future development in accordance with Policy CS21 of the Woking Core Strategy (2012), SPD's Outlook, Amenity, Privacy and Daylight (2008) and Design (2015) and the provisions of the NPPF (2018).

14. The development hereby permitted shall not be first occupied until the first floor level window within the eastern (side-facing) elevation demonstrates a minimum internal sill height of 1.7 metres above the finished floor level of the room in which the window is



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installed. Once installed the window shall be permanently retained in that condition unless otherwise first agreed in writing by the Local Planning Authority.

Reason: To preserve the residential amenities of adjacent No.5 Mount Close from potential loss of privacy and overlooking in accordance with Policy CS21 of the Woking Core Strategy (2012), SPD Outlook, Amenity, Privacy and Daylight (2008) and Design (2015) and the provisions of the NPPF (2018).

15. Notwithstanding the provisions of Article 3, Schedule 2, Part 1, Classes A and C of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order(s) amending or re-enacting that Order with or without modification(s)), the sedum roof areas (for the avoidance of doubt shown coloured green on the approved plan numbered/titled 1594-PA-013 Rev A (Proposed Roof Plan)) of the replacement dwelling hereby permitted shall not be used as balconies, roof terraces, sitting or standing out areas or similar amenity areas nor shall any railings or other means of enclosure be erected on top of or attached to the side of these areas (other than as may be shown on the approved plans listed within condition 02 of this notice) without the grant of further specific planning permission by the Local Planning Authority.

Reason: To preserve the residential amenities of adjacent No.3 Mount Close and No.5 Mount Close from potential loss of privacy and overlooking in accordance with Policy CS21 of the Woking Core Strategy (2012), SPD's Outlook, Amenity, Privacy and Daylight (2008) and Design (2015) and the provisions of the NPPF (2018).

### Informatives

01. 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 the NPPF (2018). Following the submission of further contextual information after initial submission the application was considered to be acceptable.
02. The applicants attention is specifically drawn to the planning 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 planning permission and the Local Planning Authority may serve Breach of Condition Notices (BCNs) to secure compliance. The applicant is advised that sufficient time needs to be allowed when submitting details in response to planning conditions, to allow the Local Planning Authority to consider the details and discharge the condition(s). A period of between five and eight weeks should be allowed for.
03. The applicant is advised that the development hereby permitted is subject to a Community Infrastructure Levy (CIL) liability. The Local Planning Authority will issue a Liability Notice as soon as practical after the granting of this permission.

The applicant is advised that, if he/she is intending to seek relief or exemptions from the levy such as for social/affordable housing, charitable development or self-build developments it is necessary that the relevant claim form is completed and submitted to the Council to claim the relief or exemption. In all cases (except exemptions relating to residential extension exemptions), it is essential that a Commencement Notice be submitted at least one day prior to the starting of the development. The exemption will be lost if a commencement notice is not served on the Council prior to commencement of the development and there is no discretion for the Council to waive

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payment. For the avoidance of doubt, commencement of the demolition of any existing structure(s) covering any part of the footprint of the proposed structure(s) would be considered as commencement for the purpose of CIL regulations. A blank commencement notice can be downloaded from:

[http://www.planningportal.gov.uk/uploads/1app/forms/form\\_6\\_commencement\\_notice.pdf](http://www.planningportal.gov.uk/uploads/1app/forms/form_6_commencement_notice.pdf)

Claims for relief must be made on the appropriate forms which are available on the Council's website at:

<https://www.woking.gov.uk/planning/service/contributions>

Other conditions and requirements also apply and failure to comply with these will lead to claims for relief or exemption being rendered void. The Local Planning Authority has no discretion in these instances.

For full information on this please see the guidance and legislation here:

<https://www.gov.uk/guidance/community-infrastructure-levy>

<http://www.legislation.gov.uk/all?title=The%20Community%20Infrastructure%20Levy%20Regulations%20>

Please note this informative provides general advice and is without prejudice to the Local Planning Authority's role as Consenting, Charging and Collecting Authority under the Community Infrastructure Levy Regulations 2010 (as amended).

04. 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.
05. The applicant is advised that adequate control precautions should be taken in order to control noise emissions from any fixed plant, including generators, on site during demolition / construction activities. This may require the use of quiet plant or ensuring that the plant is sited appropriately and / or adequately attenuated. Exhaust emissions from such plant should be vented to atmosphere such that fumes do not ingress into any property. Due to the proximity of residential accommodation there should be no burning of waste material on site. During demolition or construction phases, adequate control precautions should be taken in order to control the spread of dust on the site, so as to prevent a nuisance to residents within the locality. This may involve the use of dust screens and/ or utilising water supply to wet areas of the site to inhibit dust.
06. The provisions of the Party Wall etc. Act 1996 may be applicable and relates to work on an existing wall shared with another property; building on the boundary with a neighbouring property; or excavating near a neighbouring building. An explanatory booklet, prepared by the Ministry of Housing, Communities and Local Government, and setting out your obligations, is available at the following address:  
<https://www.gov.uk/guidance/party-wall-etc-act-1996-guidance#explanatory-booklet>
07. The applicant's attention is drawn to Sections 60 and 61 of the Control of Pollution Act 1974 and the associated British Standard Code of Practice BS 5228: 1984 "Noise Control on Construction and Open Sites" (with respect to the statutory provision relating to the control of noise on construction and demolition sites). If work is to be carried out outside normal working hours, (i.e. 8 am to 6 p.m. Monday to Friday, 8 am to 1 p.m. Saturday and not at all on Sundays or Bank Holidays) prior consent should

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be obtained from the Council's Environmental Health Service prior to commencement of works.