

## 26 FEBRUARY 2019 PLANNING COMMITTEE

6b 18/0952 Reg'd: 03.09.18 Expires: 29.10.18 Ward: HE  
Nei. 18.10.18 BVPI Minor Number >8 On No  
Con. Target dwellings -13 of Weeks Target?  
Exp: on Cttee'  
Day:

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

**PROPOSAL:** Erection of 2x detached two storey dwellings (1x four bed & 1x three bed) following demolition of existing dwelling and garage and erection of a replacement detached garage to frontage

**TYPE:** Full Planning Application

**APPLICANT:** Mrs Victoria Kelso

**OFFICER:** David Raper

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

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

### **SUMMARY OF PROPOSED DEVELOPMENT**

The proposal seeks planning permission for the demolition of an existing three bedroom detached bungalow and a detached garage and the erection of 2x two storey detached dwellings in its place along with a replacement detached garage and the associated subdivision of the plot. The proposed dwellings would have three and four bedrooms respectively. The proposed dwellings adopt a traditional design and utilise the existing vehicular access point leading to Hook Hill Lane.

Site Area: 0.24ha (2,400m<sup>2</sup>)  
Existing units: 1  
Proposed units: 2  
Existing density: 4.16 dph (dwellings per hectare)  
Proposed density: 8.3 dph

### **PLANNING STATUS**

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

### **RECOMMENDATION**

GRANT planning permission subject to conditions and Section 106 Agreement to secure a SAMM contribution.

### **SITE DESCRIPTION**

The proposal relates to a single storey dwelling dating from the mid C20. The site is accessed via Hook Hill Lane and shares an access with West Cottage and Fulford to the east. The

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property features a detached garage and parking area to the frontage and a large, mature garden to the rear which slopes downwards towards Ridge Close to the south. To the west the property is bounded by the rear gardens of neighbours on Hook Hill Park which is a spacious development of detached dwellings dating from the 1970s. The surrounding area is spacious and sylvan in character and is generally characterised by large detached dwellings. The proposal site is within the Urban Area and is in the Hook Heath Neighbourhood Area of the Borough.

### **PLANNING HISTORY**

- PLAN/2018/0201 - Demolition of existing bungalow and garage and erection of a replacement two storey dwelling with attached garage – Permitted 06/06/2018
- TREE/2018/8074 - Fell Oak tree T1(Works Subject to TPO TPO/0007/2016) – Permitted 18/04/2018
- PLAN/1994/1049 - Erection of a rear conservatory – Permitted 02/02/1995
- 26459 – Extension – Permitted 01/10/1970
- 25657 – Erection of double garage – Permitted 17/03/1970
- 25397 – Extension – Permitted 01/01/1970

### **CONSULTATIONS**

**County Highway Authority:** No objection subject to conditions.

**Arboricultural Officer:** No objection subject to conditions.

**Hook Heath Neighbourhood Forum:** Object for the following summarised reasons:

- The amenity spaces for the proposed dwellings is long and narrow and shaded by trees
- We would question whether the narrow frontages comply with Woking DMP DPD (2016) policy DM10
- Hook Hill Lane is dangerous and increasing the number of vehicles using the access would add to the danger
- The applicant has not indicated where the additional bins would be placed whether this would add to the highway safety issue

### **REPRESENTATIONS**

A total of 13x objections have been received raising the following summarised concerns:

- Proposal would cause overlooking and loss of privacy
- Proposal would be overbearing and impact on outlook
- Proposal would be cramped and overdeveloped
- Proposal would have limited separation between dwellings and would be out of character with the area
- Proposal would be out of scale with its surroundings
- Proposed development would be highly prominent on an escarpment
- The proposed plots would be uncharacteristically narrow and too small
- The access drive is owned by West Cottage and is not a 'shared drive'. Parking is not permitted on the access drive

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- Hook Hill Lane is narrow with blind corners; the proposal would impact on highway safety
- The proposed visibility splays rely on vegetation being cut back which is not owned by the applicant
- The access drive is not wide enough to accommodate both vehicles and pedestrians
- The submitted traffic survey is misleading
- The parking and turning areas are restrictive
- Bin storage has not been identified
- The construction of the proposed development would require heavy machinery and HGVs to access the site
- Proposal would lead to increased noise and pollution
- If permitted, a Construction Management Plan should be secured by condition
- There is bat activity in the local area
- There would be an increase in surface water run-off
- The Oak Tree was consented to be felled on condition that a replacement tree is planted; this should be strictly enforced (*Officer note: this relates to a separate tree works application*)
- The existing water infrastructure is not suitable for additional dwellings and the construction of the proposed dwellings could damage existing infrastructure (*Officer note: this is not a material planning consideration*)

### **RELEVANT PLANNING POLICIES**

#### National Planning Policy Framework (NPPF) (2018):

Section 2 - Achieving sustainable development

Section 5 - Delivering a sufficient supply of homes

Section 8 - Promoting healthy and safe communities

Section 9 - Promoting sustainable transport

Section 11 - Making effective use of land

Section 12 - Achieving well-designed places

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

#### Woking Core Strategy (2012):

CS1 - A Spatial strategy for Woking Borough

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

#### Development Management Policies DPD (2016):

DM2 – Trees and Landscaping

DM10 – Development on Garden Land

#### Hook Heath Neighbourhood Plan (2015):

BE1 - Design of New Developments

BE2 - Off-road Parking

#### Supplementary Planning Documents (SPDs):

Parking Standards (2018)

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Woking Design (2015)  
Outlook, Amenity, Privacy and Daylight (2008)

### **BACKGROUND**

An application to erect a two storey replacement dwelling in place of the existing bungalow was permitted at the 5<sup>th</sup> June 2018 Planning Committee. The current proposal is for the erection of 2x detached two storey dwellings and the associated subdivision of the plot.

### **PLANNING ISSUES**

#### Principle of Development:

1. The site lies within the designated Urban Area and within the 400m-5km (Zone B) Thames Basin Heaths Special Protection Area (SPA) buffer zone. The development of previous garden land for additional dwellings can be acceptable provided that the proposal respects the overall grain and character of development in the area. Core Strategy (2012) policy CS10 seeks to ensure that sufficient homes are built in sustainable locations where existing infrastructure is in place. Furthermore, paragraph 68 of the NPPF (2018) states that "*Small and medium sized sites can make an important contribution to meeting the housing requirement of an area, and are often built-out relatively quickly*" and that Local Planning Authorities should "*...support the development of windfall sites through their policies and decisions – giving great weight to the benefits of using suitable sites within existing settlements for homes...*"
2. The proposal site is within an established residential area where principle of infill residential development can be considered acceptable subject to further material planning considerations, specific development plan policies and national planning policy and guidance as discussed below.

#### Impact on Character:

3. Woking DMP DPD (2016) policy DM10 'Development on Garden Land' permits subdivision of plots providing the proposed development "*...does not involve the inappropriate sub-division of existing curtilages to a size significantly below that prevailing in the area*", "*the means of access is appropriate in size and design to accommodate vehicles and pedestrians safely and prevent harm to the amenities of adjoining residents and is in keeping with the character of the area*" and "*suitable soft landscape is provided for the amenity of each dwelling appropriate in size to both the type of accommodation and the characteristic of the locality*".
4. Policy BE1 'Design of New Developments' of the Hook Heath Neighbourhood Plan (2015) states that:  
  

*"In order to maintain or enhance the character of the Area, all developments should a) be designed to a high quality and closely reflect the existing rhythm, proportion, materials, height, scale, bulk, massing and storey heights of nearby buildings. Where possible, plot sizes should be similar to those adjacent and in other cases within the mid-range for Arcadian Developments (5-10 dph). Regard should be paid to guidance contained within the associated 2014 Character Study..."*
5. The plot of the proposal site is considerably deeper than surrounding plots at approximately 83m in depth and is 0.24ha in area. The width of the proposal site is between 26m and 30m. The proposal would result in the sub-division of the plot from

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north to south and the width of the resulting proposed plots would be between approximately 13m and 15m in width. Both plots would be around 15m in width at the site frontage and would have total areas of approximately 0.12ha.

6. Plot widths in the area vary however they typically range between 18m-22m in width. Actual plot sizes also vary considerably; for example No.1 Hook Hill Park immediately to the north is 0.082ha in area, Fulford to the east is 0.13ha and Farthings to the north-east is 0.91ha. Although the plot widths themselves would be marginally narrower than those which prevail in the surrounding area, it should be borne in mind that the overall proposed plot sizes are generous in nature (0.12ha) and larger than most surrounding plots. The proposed plot subdivision is considered consistent with the spacious character of the area and would retain a character of mature, generous plots with good spacing between dwellings. The plot depths are particularly generous and the proposed dwellings would have garden depths of between 48m and 58m in depth. Most dwellings in the immediate area do not have the depth of the proposed plots; for example Acorn Lodge to the east has a maximum plot depth of 38m and No.3 Hook Hill Park to the west has a maximum plot depth of 48m. By contrast, the proposed plots would have total depths of between 78m-90m and would therefore benefit from generous, mature rear gardens.
7. Furthermore, the proposal site is effectively in a 'backland' position where the plot widths would not be easily appreciable from public vantage points. The proposed plot subdivision is not therefore considered to result in identifiable harm to the visual amenities of the surrounding area and is not considered to result in plots which are 'significantly' below that prevailing in the surrounding area as set out by DMP DPD (2016) policy DM10. Although density is not in-itself determinative in assessing the impact on the character of an area, it should be noted that the proposed density of the development (8.3dph) is within the mid-range for Arcadian developments as set out by Policy BE1 of the Hook Heath Neighbourhood Plan (2015).
8. The existing dwelling is positioned forward of the principal front elevation of Fulford to the south-east. The proposed dwelling at House 1 would be in a similar position to the existing dwelling. The front elevation of the proposed dwelling at House 2 would be set-back 8.4m from that of House 1. This creates a staggered building line which is considered a logical pattern of development which takes account of the position of Fulford relative to the existing dwelling.
9. The surrounding area is predominately characterised by two storey dwellings however the existing dwelling at Ridge End and the neighbour at Fulford are single storey dwellings. Planning permission has recently been granted on the site for a two storey replacement dwelling (PLAN/2018/0201). The proposed dwelling at House 1 would be two storeys with a ridge height of 8m when viewed from the north which is 0.1m higher than the existing dwelling but 0.5m lower than that of the approved replacement dwelling. The proposal achieves this by adopting relatively low eaves levels. The dwelling at House 2 would also be two storeys but would have the appearance more of a 1.5x storey dwelling when viewed from the front due to the relatively low eaves heights, cat-slide roof design and front dormer feature at first floor level.
10. The neighbour to the east at Fulford is a bungalow with a particularly low and shallow roof and is positioned on lower ground compared to the proposal site due to its set-back in the plot; the ground at this neighbour slopes down from front to rear as with the proposal site. The neighbour at Fulford features a detached garage to the frontage which is positioned on higher ground than Fulford itself. The proposed development responds to the change in height between Fulford and the development by utilising a single storey eaves height of 2.8m at House 2 adjacent to Fulford when viewed from

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the front elevation. The eaves height increases towards the rear of the proposed dwelling due to the changes in ground levels. The proposed dwelling also adopts a cat-slide roof design adjacent to Fulford and has the general appearance of a 1.5x storey dwelling from the front. It is acknowledged that the ridge height of House 2 is approximately 5.5m higher than that of Fulford (taking account of changes in levels) however it should be borne in mind that the highest point of House 2 is set-in 8m from the boundary with Fulford and the difference in height is not considered to be pronounced or visually harmful due to this distance and the cat-slide roof design. It should also be borne in mind that Fulford is particularly modest in height and is positioned on lower ground relative to House 2. The proposed development is consequently considered to make a logical and visually acceptable transition in height, bulk and scale between the proposal site and the adjoining site which is consistent with the character of the area.

11. The proposed dwelling at House 1 would have a separation distance of 3m to the western side boundary, House 1 and House 2 would have a minimum separation distance of 3m between each other and House 2 would be sited a minimum of 2m from the boundary with Fulford. This is considered to result in acceptable visual gaps between dwellings and is considered to result in a development which respects the spacious character of the surrounding area and is consistent with the grain and pattern of development in the area.
12. In terms of design, the proposed dwellings adopt a traditional design approach with 'Arts and Crafts' influences which is a common architectural style which prevails in the area. The proposed dwellings would be finished in a mixture of brick, render and tile hanging and clay roof tiles and make use of gable features, chimneys and triangular dormer windows. The dwellings have been designed to respond to the topography of the site which slopes down from front to rear; the dwellings inevitably appear greater in height and scale to the rear however these elevations are not prominent from public vantage points.
13. The proposal also includes a detached double garage structure in the north-west corner of the site in place of an existing flat-roofed double garage. The proposed garage would feature a hipped roof and a traditional overall design approach which is considered consistent with the character of the surrounding area and an improvement in visual amenity terms compared to the existing flat-roofed structure. The garage would be more visible from Hook Hill Park to the north however the proposal is not considered to result in any visual harm to the street scene of Hook Hill Park and would be viewed in the context of existing dwellings on Hook Hill Park.
14. When balanced with the benefit of the provision of a net additional family dwelling within the established Urban Area and the absence of unacceptable harm to the character of the area identified above, the proposal is considered an acceptable form of development which is consistent with the aims of the Core Strategy (2012) and NPPF (2018) in directing development towards existing established residential areas.
15. Overall the proposal is considered a visually acceptable form of development which would reflect the prevailing pattern, character and scale of development in the surrounding area. The proposal is therefore considered to result in an acceptable impact on the character of the surrounding area,

### Impact on Neighbours:

16. The nearest neighbours potentially most affected by the proposed development are those on Hook Hill Park to the west, Hook Hill Lane to the north and neighbours at

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Fulford and West Cottage to the east. The potential impacts on the amenities of neighbours are assessed below.

### *No.2 Hook Hill Park:*

17. No.2 Hook Hill Park is positioned immediately to the west of the proposal site and its rear elevation is orientated towards the proposal site. This neighbour includes a single storey side extension including a garage at the point nearest to Ridge End as well as a habitable room serving as a living area which opens onto a patio adjacent to the boundary with Ridge End. The proposed dwelling at House 1 would inevitably be readily appreciable from this neighbour and the nearest habitable room window in question. The existing dwelling on the site is located 1.4m from the boundary and the twin hipped roof elements of the dwelling are prominent from this neighbour's window and patio area. The existing dwelling has a maximum height of 7.9m from ground level including the raised area the dwelling sits on. The proposed development would be positioned 9m from the centre of the habitable room window at its nearest point, albeit measured at an oblique angle from the window.
18. A strong material planning consideration is the previously consented application for a replacement dwelling (PLAN/2018/0201) which was considered to form an acceptable relationship with this neighbour. House 1 would have a ridge height of 8m when measured from the ground level to the front of the site, which would be 0.5m lower than the previously consented replacement dwelling. The proposed dwelling would have a maximum height of 8.3m when measured from the lower ground level to the rear of the site. House 1 would have a minimum separation distance of 3m to the boundary with this neighbour, which is 1.6m greater than the minimum separation distance of the previously consented replacement dwelling.
19. The rear projection of House 1 into the rear garden of the plot would be greater than that of the previously consented replacement dwelling however the rear projecting element would be set-in from the boundary of this neighbour by between 2.8m and 5m with a relatively low eaves height of 3.5m and a cat-slide roof design; the roof would slope away from the boundary of this neighbour and would be single storey on the western side facing this neighbour. These factors are considered to diminish the potential overbearing effect of the rear projecting element.
20. Whilst there is no dedicated test in the Council's 'Outlook, Amenity, Privacy and Daylight' SPD (2008) for this particular relationship, the '25° test' relates to developments which are directly opposite habitable room windows and establishes that if the proposed development does not intersect a 25° angle line drawn from the window, then an undue loss of light or overbearing impact is unlikely to occur. Such a relationship would be worse than the proposed relationship as most of the proposed development is not directly opposite the neighbouring window, however the proposal would, in any case, pass this test. The '45° test' relates to dwellings which are adjacent to one another and the proposal would also pass this test in elevation form. The proposal would fail in plan form however this is due to the projecting rear element which is single storey on the elevation facing this neighbour with a cat-slide roof as discussed above. Considering the points discussed above, overall the proposed development is not considered to result in an unacceptable loss of light or overbearing impact on the habitable room windows of No.2 Hook Hill Park.
21. House 2 would be positioned a minimum of 14.5m from the boundary with No.2 Hook Hill Park which is considered a sufficient distance to avoid an undue overbearing or loss of light impact. The proposal also includes the erection of a detached double garage to the front of House 1 with a maximum height of 5.4m however this would not be easily appreciable from the habitable room windows of this neighbour due to its position.

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22. The west-facing elevation facing this neighbour features rooflights however these would be high-level rooflights and so are not considered to result in undue overlooking.

### *Landford Lodge and No.1 Hook Hill Park:*

23. The neighbours at Landford Lodge and No.1 Hook Hill Park are sited to the north of the proposal site and the existing and proposed dwellings have a front-to-rear relationship with these neighbours.
24. The Council's 'Outlook, Amenity, Privacy and Daylight' SPD (2008) recommends minimum separation distances for different relationships; whilst there is no recommended minimum for front-to-rear relationships, the most generous recommended separation distance for two storey development is for rear-to-rear relationships which is 20m (elevation-to-elevation) and the recommended minimum for front-to-boundary relationships is 10m.
25. The proposed dwellings would feature habitable room windows at first floor level facing towards the rear of these neighbours. The windows of House 1 would be positioned at least 11m from the rear boundary of No.1 Hook Hill Park and 24.5m from the rear elevation of this neighbour. The front-facing windows of House 2 would be positioned further away at 18m from the rear boundary of No.1 Hook Hill Park and around 29m from this neighbour itself. The proposed dwelling at House 1 would have a similar relationship with neighbours to the north as the previously consented replacement dwelling which was considered to form an acceptable relationship with these neighbours.
26. The proposed development would therefore meet these recommended minimum standards. Furthermore, these neighbours and their rear gardens are positioned on ground which is approximately 1.5m higher than that of the proposal site which further diminishes the potential for undue overlooking or overbearing impacts. The applicant has also planted pleached trees on the boundary with these neighbours which would have some screening value when in leaf and matured. In any case, the separation distances and the change in levels involved are considered to result in an acceptable overlooking, loss of light and overbearing impact on these neighbours. The proposed detached garage would be positioned approximately 2.2m from the rear boundary of No.1 Hook Hill Park with a hipped roof and maximum height of 5.4m. The relationship between the proposal site and No.1 Hook Hill Park described above, combined with the hipped roof design of the garage, is considered to result in an acceptable neighbour impact in terms of overbearing and loss of light impacts.
27. Both proposed dwellings feature front-facing rooflights however these would be high-level windows and so are not considered to result in undue overlooking.

### *Fulford, Hook Hill Lane:*

28. Fulford is a single storey dwelling located to the south-east and is set-back in the plot relative to the existing dwelling at Ridge End and is consequently positioned on lower ground relative to the proposal site.
29. The proposed dwelling at House 2 would be set-in 2m from the boundary with Fulford and would be positioned 6.4m forward of the front elevation of this neighbour, which features habitable room windows on the front elevation. The proposed dwelling would marginally fail the '45° test' in plan form but would pass the test in elevation form as set out by the Council's 'Outlook, Amenity, Privacy and Daylight' SPD (2008). The proposed dwelling adopts a cat-slide style roof facing this neighbour with the roof pitching away from the boundary. Considering the above points, the proposal is not considered to



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result in an undue overbearing or loss of light impact on the front-facing habitable room windows of this neighbour.

30. The rear elevation of House 2 would be in-line with that of Fulford and so is not considered to result in an undue loss of light or overbearing impact on rear-facing windows. The rear elevation of House 2 features large window openings however these serve a double-height internal space and are not considered to result in an undue overlooking or overbearing impact and are considered to result in a relationship which is typical of a residential area.
31. It is acknowledged that both proposed dwellings feature balconies at first floor level. The balconies however would face towards the rear gardens of the proposed dwellings and would be enclosed on both sides which would prevent clear side-facing views. Views from the balconies would therefore be directed to the rear rather than the sides and are not considered to result in an undue overlooking or loss of privacy impact.
32. The proposed dwelling at House 2 features a ground floor side-facing window and two side-facing rooflights facing this neighbour. The rooflights are high-level windows and so are not considered to result in undue overlooking. Despite being at ground floor level, the side-facing window would have an elevated position relative to Fulford and so would have views across the frontage of this neighbour. It is therefore considered appropriate that this window should be required to be obscurely glazed with restricted opening by condition.
33. The proposed dwelling at House 1 would feature a first floor side-facing bedroom window facing towards the frontage of Fulford. This window would however be positioned approximately 16m from the boundary of Fulford. Furthermore, the proposed dwelling at House 2 would effectively screen views from the window in question towards the dwelling at Fulford. This window is not therefore considered to result in an undue overlooking impact on this neighbour.

### *Other neighbours:*

34. Other neighbours include No.3-5 Hook Hill Park which back onto the proposal site's rear garden. These neighbours are not considered to be unduly affected by the proposal due to the separation distances involved and their orientation away from proposed replacement dwelling. Padleys and Brigadoon on Ridge Close to the south have a rear-to-rear relationship with the proposal site however these neighbours are positioned approximately 64m from the proposed dwelling at House 2 at their nearest point. These and other neighbours in the area are considered a sufficient distance from the proposed development to not be unduly affected.
35. Considering the points discussed above, overall the proposal is therefore considered to have an acceptable impact on the amenities of neighbours and accords with Core Strategy (2012) policy CS21, Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight' (2008) and the National Planning Policy Framework (2018).

### Impact on Trees:

36. The proposal site includes a mature Beech and Oak in the rear garden which are protected by a Tree Preservation Order (TPO) as well as other smaller trees which are not protected. The applicant has been granted consent under a separate tree works application (TREE/2018/8074) to fell the TPO Oak tree due to a fungus infection; this application was granted on 18/04/2018 subject to conditions, including a condition securing a replacement tree.

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37. The applicant has provided an Arboricultural Report demonstrating how the Beech tree and other trees on the site would be retained and protected during construction which is considered acceptable by the Council's Arboricultural Officer and this information identifies the Oak tree as being removed. A landscaping scheme, including the planting of an appropriate replacement tree can be secured by condition.
38. The proposal is therefore considered acceptable in terms of its impact on trees, subject to conditions.

### Transportation Impact:

39. The Council's Parking Standards SPD (2018) sets minimum parking standards for new developments. The minimum parking standard for three bedroom dwellings is 2x spaces and for four bedroom dwellings the minimum standard is 3x spaces; policy BE2 'Off-road Parking' of the Hook Heath Neighbourhood Plan (2015) sets the same parking standards. 'House 1' would have four bedrooms and would benefit from two off-street parking spaces to its frontage as well as a detached double garage, which would count as a single space in accordance with the Council's Parking Standards SPD (2018). 'House 2' would have sufficient space to the frontage for two vehicles and also includes an integral single garage. The submitted Transport Statement demonstrates that vehicles will be able to enter and leave the site in forward gear. The proposal is therefore considered to achieve sufficient parking and turning space.
40. Ridge End is accessed via an access from Hook Hill Lane which is also shared by West Cottage and Fulford. It is understood that the access is owned by West Cottage however Ridge End have access rights across it. Whilst the proposal would utilise the existing access arrangements, the proposal would result in a net additional dwelling using this access. The applicant has provided a Transport Statement which assesses the suitability of the vehicular access into Hook Hill Lane to serve the net additional dwelling. The Transport Statement proposes reduced alternative visibility splay distances compared to the usual distances (2.4m x 43m). The applicant's alternative visibility splay distances have been informed by a traffic speed survey which established that vehicle speeds along this section of Hook Hill Lane are generally reduced by the relatively narrow width and the alignment of the road. A 2m set back distance ('x' distance) and a 35m distance ('y' distance) to the south-east (leading direction) and a 32m distance to the north-west (trailing direction) is proposed and the principle of these visibility splays is considered acceptable by the County Highway Authority. The Transport Assessment acknowledges that a small section of the north-east facing visibility splay is only achievable if vegetation is removed down to 1m in height and this vegetation is outside the proposal site. However, the County Highway Authority has confirmed that the areas of vegetation in question fall within designated public highway. These proposed visibility splays are therefore considered achievable and are considered acceptable in terms of highway safety. The County Highway Authority has reviewed the proposal and raises no objection, subject to conditions. It should also be borne in mind that the proposal would result in the net increase of only one additional dwelling using the existing access which would result in limited additional vehicle movements.
41. There is sufficient space within the curtilage of each dwelling for bin and cycle storage and bins would be presented for collection at the access point with Hook Hill Lane, which reflects the existing waste collection arrangements of Ridge End.
42. Overall the proposal is therefore considered to result in an acceptable transportation impact.

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### Standard of Accommodation:

43. The internal floor area of the proposed four and three bedroom dwellings are 231m<sup>2</sup> and 249m<sup>2</sup> respectively. The size and quality of the internal accommodation is considered acceptable and the proposal is considered to achieve a good standard of amenity for future occupants.
44. The rear garden areas of both proposed dwellings would have areas of approximately 736m<sup>2</sup>. The garden areas are considered generous in size and benefit from mature landscaping. The areas of amenity space comfortably exceed the internal floor areas of both dwellings in accordance with the guidance in the Council's 'Outlook, Amenity, Privacy and Daylight SPD (2008) and are commensurate with garden sizes in the local area. Whilst areas of the gardens would be shaded by the retained TPO tree, the gardens would still be large in areas with significant areas not affected by the tree. The gardens would generally be 13-15m in width which is not considered unduly narrow.
45. Overall the proposal is considered capable of achieving an acceptable standard of accommodation for future residents.

### Impact on the Thames Basin Heaths Special Protection Area (SPA):

46. The Thames Basin Heaths Special Protection Area (TBH SPA) has been identified as an internationally important site of nature conservation and has been given the highest degree of protection. Policy CS8 of the Core Strategy states that any proposal with potential significant impacts (alone or in combination with other relevant developments) on the TBH SPA will be subject to Habitats Regulations Assessment to determine the need for Appropriate Assessment. Following recent European Court of Justice rulings, a full and precise analysis of the measures capable of avoiding or reducing any significant effects on European sites must be carried out at an 'Appropriate Assessment' stage rather than taken into consideration at screening stage, for the purposes of the Habitats Directive (as interpreted into English law by the Conservation of Habitats and Species Regulations 2017 (the "Habitat Regulations 2017")). An Appropriate Assessment has therefore been undertaken for the site as it falls within 5 kilometres of the TBH SPA boundary.
47. Policy CS8 of Woking Core Strategy (2012) requires new residential development beyond a 400m threshold, but within 5 kilometres of the TBH SPA boundary to make an appropriate contribution towards the provision of Suitable Alternative Natural Greenspace (SANG) and Strategic Access Management and Monitoring (SAMM), to avoid impacts of such development on the SPA. The SANG and Landowner Payment elements of the SPA tariff are encompassed within the Community Infrastructure Levy (CIL), however the SAMM element of the SPA tariff is required to be addressed outside of CIL. The proposed development would require a SAMM financial contribution of **£1,041** based on a net gain of a four bedroom dwelling which would arise from the proposal. The Appropriate Assessment concludes that there would be no adverse impact on the integrity of the TBH SPA providing the SAMM financial contribution is secured through a S106 Legal Agreement. CIL would be payable in the event of planning permission being granted. For the avoidance of doubt, sufficient SANG at Heather Farm has been identified to mitigate the impacts of the development proposal.
48. Subject to securing the provision of the SAMM tariff and an appropriate CIL contribution, and in line with the conclusions of the Appropriate Assessment (as supported by Natural England), the Local Planning Authority is able to determine that the development will not affect the integrity of the TBH SPA either alone or in combination with other plans and projects in relation to urbanisation and recreational pressure effects. The

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development therefore accords with Policy CS8 of Woking Core Strategy (2012), the measures set out in the Thames Basin Heaths SPA Avoidance Strategy, and the requirements of the Habitat Regulations 2017.

### Impact on Biodiversity:

49. Representations suggest there is bat activity in the surrounding area which could be impacted on by the proposal. It should be borne in mind however that the applicant already has consent to remove the Oak tree under the relevant tree works application (TREE/2018/8074) and the applicant has consent to demolish the existing dwelling under the replacement consent application (PLAN/2018/0201). The applicant can be reminded of the protected status of bats by way of informative.

### Sustainability:

50. 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. The government has stated that the energy performance requirements in Building Regulations will be set at a level equivalent to the outgoing Code for Sustainable Homes Level 4.
51. Until the amendment is commenced, Local Planning Authorities are expected to take this statement of the Government's intention into account in applying existing policies and setting planning conditions. 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. 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.

### Drainage and Flood Risk:

52. The proposal site is not within a designated flood zone and the proposal site is not identified as being at risk from surface water flooding; no sustainable drainage conditions are therefore recommended.

### Affordable Housing:

53. The recently revised National Planning Policy Framework (2018) states that affordable housing provision should not be sought for residential developments which are not 'major' developments (i.e. 10x units or more). Whilst weight should still be afforded to Policy CS12 'Affordable housing' of the Woking Core Strategy (2012) it is considered that greater weight should be afforded to the more recently published NPPF (2018). Contributions towards affordable housing are not therefore sought under this application.

### Community Infrastructure Levy:

54. The proposal would be liable to make a CIL contribution of £58,412.74 based on a net increase in floor area of 378.5m<sup>2</sup>. The applicant has submitted a Self-Build Exemption Form. Notwithstanding this, a self-build exemption must be granted prior to the

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commencement of the development. Additionally the applicant must complete and submit a Commencement (of development) Notice to the Local Planning Authority, which the Local Planning Authority must receive prior to commencement of the development, in order to benefit from relief from the levy.

### **CONCLUSION**

55. Considering the points discussed above, overall the proposal is considered an acceptable form of development with would have an acceptable impact on the character of the surrounding area and on the amenities of neighbours. The proposal is also considered to have an acceptable impact on retained trees and in transportation terms. The proposal therefore accords with the Development Plan and is recommended for approval subject to conditions and a Legal Agreement to secure the relevant SAMM contribution.

### **BACKGROUND PAPERS**

1. Site visit photographs
2. Consultation responses
3. Representations
4. Transport Statement prepared by Vision Planning dated 20/08/2018
5. Tree Survey Report prepared by Acornarb dated July 2018

### **PLANNING OBLIGATIONS**

The following obligation has been agreed by the applicant and will form the basis of the Legal Agreement to be entered into.

	<b>Obligation</b>	<b>Reason for Agreeing Obligation</b>
1.	SAMM (SPA) contribution of <b>£1,041</b>	To accord with the Habitat Regulations, policy CS8 of the Woking Core Strategy 2012 and The Thames Basin Heaths SPA Avoidance Strategy 2010-2015.

### **RECOMMENDATION**

GRANT Planning Permission subject to the following conditions and S106 Agreement:

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:

28L(-1)01A (Block Plan) received by the Local Planning Authority on 02/10/2018

28L(-1)02A (Site Sections) received by the Local Planning Authority on 02/10/2018

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28L(-1)03A (Site Location Plan & Proposed Floor Plans) received by the Local Planning Authority on 02/10/2018

28L(-1)04A (Proposed Elevations & Sections) received by the Local Planning Authority on 02/10/2018

VE001 (Existing floor plan) received by the LPA on 31/08/2018

VE002 (Existing east elevation) received by the LPA on 31/08/2018

VE003 (Existing north elevation) received by the LPA on 31/08/2018

VE004 (Existing south elevation) received by the LPA on 31/08/2018

VE005 (Existing west elevation) received by the LPA on 31/08/2018

VE006 (Existing garage elevations) received by the LPA on 31/08/2018

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

3. ++Prior to the commencement any above ground works in connection with the development hereby permitted, a written specification of all external materials to be used in the construction of the dwellings hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and thereafter retained in accordance with the approved details unless otherwise first agreed in writing by the Local Planning Authority.

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

4. ++Prior to the first occupation of the development hereby permitted, a hard and soft landscaping scheme showing details of shrubs, trees and hedges to be planted, including details of a replacement tree in place of the Oak tree to be felled, details of materials for areas of hardstanding and details of boundary treatments, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and thereafter retained in accordance with the 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.

5. The development hereby permitted shall take place in strict accordance with the Arboricultural Impact Assessment, Method Statement and Tree Protection Plan prepared by Acornarb dated July 2018, including the convening of a pre-commencement meeting and arboricultural supervision as indicated. No works or demolition shall take place until the tree protection measures have been implemented. Any deviation from the works prescribed or methods agreed in the report will require prior written approval from the Local Planning Authority.

Reason: To ensure reasonable measures are taken to safeguard trees in the interest of local amenity and the enhancement of the development itself to comply with Policy CS21 of the Woking Core Strategy 2012.

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6. The rooflights in the north, east and west-facing roof slopes of the dwellings hereby permitted, shall be high-level windows with a minimum internal sill height of 1.7 metres above the floor levels of the rooms in which the windows are installed. Once installed the windows shall be permanently retained in that condition unless otherwise agreed in writing by the Local Planning Authority.

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

7. The window in the east-facing flank elevation of the dwelling identified as 'House 2' on the approved plans hereby permitted shall be glazed entirely with obscure glass and non-opening unless the parts of the rooflights which can be opened are more than 1.7 metres above the floor levels of the rooms in which the rooflights are 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.

8. Notwithstanding the provisions of Article 3 and Schedule 2, Part 1 and Classes A, B and C 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, enlargement or addition to the dwellings hereby permitted shall be carried out without planning permission being first obtained from the Local Planning Authority.

Reason: The Local Planning Authority considers that further development could cause detriment to the amenities of nearby properties and the character of the area and for this reason would wish to control any future development in accordance with Policy CS21 of the Woking Core Strategy 2012.

9. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modification) no window, rooflight or other additional openings, other than those expressly authorised by this permission, shall be formed in any elevation or roof slope of the dwellings and detached garage hereby permitted 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.

10. 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), the detached double garage hereby permitted shall only be used for the parking of vehicles and storage ancillary and incidental to the residential use of the dwellinghouse and shall be retained thereafter solely for those purposes and made available to the occupiers of the property at all times for parking purposes unless otherwise first agreed in writing by the Local Planning Authority.

Reason: To preserve the amenities of the development and ensure provision of off-street parking facilities.

11. ++Prior to the commencement of any above ground works in connection with the development hereby approved, details of privacy screening and balustrades to the

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proposed balconies shall be submitted to and approved in writing by the Local Planning Authority. Development shall thereafter take place in accordance with the agreed details and shall be permanently retained in the agreed 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.

12. ++ Prior to the commencement of the development hereby permitted a Method of Construction Statement, to include details of points (a) to (g) below, shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall then be implemented during the construction of the development hereby approved.
- (a) parking for vehicles of site personnel, operatives and visitors
  - (b) loading and unloading of plant and materials
  - (c) storage of plant and materials
  - (d) programme of works (including measures for traffic management)
  - (e) provision of boundary hoarding
  - (f) measures to prevent the deposit of materials on the highway
  - (g) on-site turning for construction vehicles

Measures will be implemented in accordance with the approved Method of Construction Statement and shall be retained for the duration of the construction period. Only the approved details shall be implemented during the construction works unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the development does not prejudice highway safety nor cause inconvenience to other highway users and in the interests of public safety and amenity

13. Prior to the first occupation of the development hereby permitted, the vehicular access onto Hook Hill Lane shall be provided with visibility zones in accordance with the approved plans and thereafter the visibility zones shall be kept permanently clear of any obstruction over 1.05m in height.

Reason: To ensure that the development does not prejudice highway safety nor cause inconvenience to other highway users and in the interests of public safety and amenity

14. Prior to the first occupation of the development hereby permitted, space shall be laid out within the site in accordance with the approved plans for vehicles to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the parking and turning areas shall be permanently retained and maintained for their designated purposes.

Reason: To ensure that the development does not prejudice highway safety nor cause inconvenience to other highway users and in the interests of public safety and amenity

15. ++ Prior to the commencement of any above ground works in connection with the development hereby permitted, written evidence shall be submitted to and approved in writing by the Local Planning Authority (LPA) 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,
  - 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),



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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.

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.

16. 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.

### **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 National Planning Policy Framework (2018).
2. The permission hereby granted shall not be construed as authority to carry out works on the highway. The applicant is advised that a licence must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway.
3. The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders. (Highways Act 1980 Sections 131, 148, 149).
4. The developer is advised that as part of the detailed design of the highway works required by the above conditions, the County Highway Authority may require necessary accommodation works to street lights, road signs, road markings, highway drainage, surface covers, street trees, highway verges, highway surfaces, surface edge restraints and any other street furniture/equipment.

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5. Your attention is specifically drawn to the conditions above marked ++. These condition(s) require the submission of details, information, drawings, etc. to the Local Planning Authority PRIOR TO THE COMMENCEMENT OF ANY DEVELOPMENT ON THE SITE or, require works to be carried out PRIOR TO THE COMMENCEMENT OF THE USE. Failure to observe these requirements will result in a contravention of the terms of the permission and the Local Planning Authority may serve Breach of Condition Notices to secure compliance.

You are advised that sufficient time needs to be given when submitting details in response to conditions, to allow the Authority to consider the details and discharge the condition. A period of between five and eight weeks should be allowed for.

6. 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 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 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).

7. The applicant is advised that under the Control of Pollution Act 1974, works which will be audible at the site boundary will be restricted to the following hours:-

8.00 a.m. - 6.00 p.m. Monday to Friday

8.00 a.m. - 1.00 p.m. Saturday

and not at all on Sundays and Bank Holidays.

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8. Bats are protected under the Wildlife & Countryside Act 1981 and subsequent legislation and it is an offence to deliberately or recklessly disturb them or damage their roosts. Trees should be inspected before any works commence and if the presence of bats is suspected advice will need to be sought from the English Nature Bat Line on 08708 339213. Further advice on bats is available from The Bat Conservation Trust (020 7627 2629).