

17 OCTOBER 2017 PLANNING COMMITTEE

5g 17/0164 Reg'd: 03.05.17 Expires: 28.06.17 Ward: PY
Nei. 21.09.17 BVPI 21 Number > 8 On No
Con. Target Householder of Weeks Target?
Exp: on Cttee'
Day:

LOCATION: 66 Beaufort Road, Maybury, Woking, GU22 8BZ

PROPOSAL: Retention of part two storey, part single storey side and rear extension (retrospective) (as built plans received 14.08.2017).

TYPE: Householder

APPLICANT: Mr N Shah

OFFICER: Benjamin
Bailey

REASON FOR REFERRAL TO COMMITTEE

The decision on whether to issue an Enforcement Notice falls outside the Management Arrangements and Scheme of Delegations.

SUMMARY OF PROPOSED DEVELOPMENT

This is a householder planning application which seeks the retention of a part two storey, part single storey side and rear extension.

PLANNING STATUS

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

RECOMMENDATION

Refuse planning permission and authorise formal enforcement proceedings.

SITE DESCRIPTION

No.66 Beaufort Road is a two storey semi-detached dwelling situated within the Urban Area within the Maybury Estate area of the Borough. The property is set on higher ground than the carriageway of Beaufort Road and its amenity space continues to rise in level to the rear. The property is externally finished in facing brick below a tiled roof.

RELEVANT PLANNING HISTORY

PLAN/2011/1175 - Erection of a single storey front extension, two-storey side and rear extension and a single storey rear extension.
Permitted subject to conditions (23.02.2012)

PLAN/2011/0608 - Erection of a two storey side and front extension, single storey front extension and single storey rear extension.
Refused (08.09.2011) for the following reasons:

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01. *The proposed extension due to its design, bulk and position will result in an over prominent addition to the existing dwelling that is detrimental to its appearance and will unbalance the pair of semi-detached properties and also harm the visual amenities of the area and the street scene contrary to policies BE1, HSG18, HSG21 and HSG23 of the Woking Borough Local Plan 1999 and the Council's Supplementary Planning Guidance 'House Extensions' 2001 and Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight' 2008.*
02. *The proposed extension due to its bulk and position results in an over prominent addition that would be overbearing to the visual amenities enjoyed by the occupiers of 64 Beaufort Road contrary to policies BE1, HSG21 and HSG23 of the Woking Borough Local Plan 1999 and the Council's adopted Supplementary Planning Guidance 'House Extensions' 2001 and Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight' 2008.*

CONSULTATIONS

None undertaken

REPRESENTATIONS

None received

RELEVANT PLANNING POLICIES

National Planning Policy Framework (NPPF) (2012)
Section 7 - Requiring good design

Woking Core Strategy (2012)
CS18 - Transport and accessibility
CS21 - Design

Supplementary Planning Documents (SPDs)
Design (2015)
Outlook, Amenity, Privacy and Daylight (2008)
Parking Standards (2006)

Other Material Considerations
National Planning Practice Guidance (NPPG)

BACKGROUND

1. Planning permission reference PLAN/2011/1175, for the “*erection of a single storey front extension, two-storey side and rear extension and a single storey rear extension*”, was permitted subject to conditions on 23.02.2012. This permission was subject to the standard three year time limit for commencement of development, with the permission subsequently time expiring on 23.02.2015. The Council's Building Control records (Ref: 13/04573/DEXBN) indicate that excavations commenced on 29.04.2015 with the inspection notes stating “*excavations commenced, agreed depth and bearing strata, to be notified when fully excavated*”. This date of commencement (29.04.2015) occurred two months after the expiration of planning permission reference PLAN/2011/1175 on 23.02.2015.

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2. The inspection notes for a further Building Control inspection, relating to the roof joists/beams, on 17.10.2016 states *“discussed revised roof timber arrangement, advised owner & builders that as this is not as per the planning drawings approval should be sought from the planning dept. for the proposed changes”*.
3. The current planning application was registered as valid on 03.05.2017. During the planning case officer site visit undertaken on 23.06.2017 it was noted that the initially submitted plans and elevations did not reflect what had been built on site. ‘As built’ plans were therefore requested to reflect what had been built on site. These ‘as built’ plans were received by the Local Planning Authority on 14.08.2017 and a further period of 21 days public consultation was subsequently undertaken on the ‘as built’ plans.
4. The works undertaken on site commenced after the expiry date of planning permission reference PLAN/2011/1175, and are not in accordance with that grant of planning permission regardless. The development undertaken on site is therefore unauthorised and represents a breach of planning control.

PLANNING ISSUES

5. The main planning considerations in the determination of this application are:
 - Design and impact upon the character of the area
 - Impact upon neighbouring amenity
 - Impact upon car parking provision
 - Impact upon private amenity spacehaving regard to the relevant policies of the Development Plan, other relevant material planning considerations and national planning policy and guidance.

Design and impact upon the character of the area

6. One of the core principles of planning as identified in the National Planning Policy Framework (NPPF) (2012) is securing high quality design. Paragraph 57 of the NPPF refers to the need to plan positively for the achievement of high quality design for all development. Policy CS21 (Design) of the Woking Core Strategy (2012) states that *“proposals for new development should...respect and make a positive contribution to the street scene and character of the area in which they are situated, paying due regard to the scale, height, proportions, building lines, layout, materials and other characteristics of adjoining buildings and land”*.
7. The residential extensions chapter of SPD ‘Design (2015)’ sets out that, in terms of building form, *“the additional mass should respect the existing building proportion, symmetry and balance”*. In terms of roof form SPD ‘Design (2015)’ states that *“the roof of an extension is a prominent component of the building form and should normally be of a similar format to that of the existing dwelling”*, that *“extensions to the roof using hipped or gabled forms should have the same angle pitch as the existing dwelling”* and that *“roof forms that are contrary to the existing roof form will generally be resisted”*.
8. In terms of streetscape SPD ‘Design (2015)’ states that *“the architectural form of the extension is of particular importance if visible from the street”*, and, in terms of side extensions, that *“side extensions are often the most convenient way to extend a dwelling. However, they can also have a significant impact on the character and appearance of a property and that of the street scene...two storey extensions which leave little or no space between adjoining dwellings will not be permitted if they create*

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a 'terracing effect'... (and) it is important to retain a minimum 1m gap between all two storey extensions and a side boundary”.

9. Beaufort Road is situated within the Maybury Estate area of the Borough. This part of Woking is a large Post War residential area and was one of the last large council estates to be built within the Borough. Roads are generally, informal, sinuous and surfaced with tarmac with footpaths and intermittent grass verges. There is an element of on street parking, however many of the moderate front gardens have been converted to accommodate at least one vehicle. The area has a relatively open feeling and generally low front walls with planting strips behind to define the boundary. The majority of properties are semi-detached or terraced, two storeys in height and constructed in facing brick. Throughout the Maybury Estate, unity is created by the similar typology of buildings.
10. No.66 Beaufort Road is a two storey semi-detached dwelling. The grant of planning permission reference PLAN/2011/1175 involved the erection of a two storey extension to the side, the first floor element of which was set-back from the front building line by approximately 350mm. A separation gap, at first floor level, measuring 1.0m was retained to the common boundary with No.64 Beaufort Road and the first floor element measured approximately 2.3m in width. This element of the extension reflected the eaves height of the host dwelling, was set down from the maximum height of the host dwelling and resulted in a side gable against the profile of the previously existing side gable. The previous planning permission also resulted in a projecting two storey gable element to the rear. Again this element reflected the eaves height of the host dwelling and appeared subordinate in maximum height to the host dwelling with a maximum width measuring approximately 3.7m. A monopitched single storey element to the rear, measuring approximately 3.9m in width and 3.0m in depth also formed part of the grant of planning permission reference PLAN/2011/1175 as did the erection of a monopitched single storey front extension measuring approximately 1.6m in depth and 2.4m in width with an open canopy measuring approximately 5.9m in width and 1.6m in depth.
11. The two storey side extension as constructed is also set back from the front building line, at first floor level, by approximately 350mm however measures approximately 2.8m (+ 0.5m over and above PLAN/2011/1175) in width and therefore retains only approximately 0.5m separation to the common boundary with No.64 Beaufort Road instead of 1.0m. This element also demonstrates an entirely different roof arrangement to that permitted under PLAN/2011/1175. The front of the two storey extension to the side demonstrates a 'false pitched' element which is set higher than the eaves height termination of the host dwelling. This 'false pitched' element includes a very small element of pitch with an element of flat roof beyond, which is readily appreciable from public vantage points within Beaufort Road. The roof then continues into a pair of gabled elements, the more rearward of which steps out towards the common boundary with No.64. This roof arrangement, at two storey level to the side, is very contrived and incongruous and fails to relate in any way to the form and character of the host dwelling and further amplifies the width and proximity to the common boundary with No.64.
12. The two storey projection to the rear measures approximately 7.0m in width (in comparison to the approximate 3.7m width permitted under PLAN/2011/1175). Instead of a subordinate rear gable projection at two storey level a dual-pitched element occurs which appears similar in form to the host dwelling. This element demonstrates an awkward and incongruous relationship with the host dwelling and is integrally linked to the side extension which has been discussed earlier within the report. A

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single storey monopitched extension occurs to the rear which appears subordinate to the host dwelling, by reason of its single storey scale, and is considered to appear proportionate to the host dwelling in terms depth, height and width, with a simple monopitched form which integrates into the appearance of the host dwelling to an acceptable degree.

13. Overall the part two storey, part single storey side and rear extension, by reason of its scale, form, siting and design, represents a contrived and incongruous addition which fails to respect and make a positive contribution to the street scene of Beaufort Road and the wider character of the Maybury Estate and which furthermore overwhelms and fails to integrate into the form and appearance of the host dwelling and the wider semi-detached pair of dwellings contrary to Policy CS21 of the Woking Core Strategy (2012), Supplementary Planning Document 'Design (2015)' and Section 7 of the National Planning Policy Framework (NPPF) (2012).

Impact upon neighbouring amenity

14. Policy CS21 (Design) of the Woking Core Strategy (2012) advises that proposals for new development should achieve a satisfactory relationship to adjoining properties avoiding significant harmful impact in terms of loss of privacy, daylight or sunlight, or an overbearing effect due to bulk, proximity or outlook. More detailed guidance with regard to neighbouring amenity impacts is provided by SPD 'Outlook, Amenity, Privacy and Daylight (2008)'.

15. The key neighbouring amenity impacts to consider are those of adjacent No.64 Beaufort Road and No.68 Beaufort Road.

No.64 Beaufort Road:

16. No.64 Beaufort Road is situated to the south-west and is set at a slightly higher level than the host dwelling. Due to the curvature of this section of Beaufort Road the rear elevation of No.64 is set forwards of the rear elevation of No.66. No.64 was granted planning permission on 11.05.2000 (Ref: PLAN/2000/0318) for a "*single storey rear extension and addition of pitched roof to existing side elevation*" however this permission does not appear to have been implemented although the existing plans and elevations submitted as part of application reference PLAN/2000/0318 have aided assessment of the impact of the development upon No.64.
17. The existing flat roofed single storey projection to the north-east side of No.64 appears to accommodate non-habitable space (store rooms and w/c) with the only openings within this projection being a doorway within the front and rear and a window within the front serving the w/c. The two storey form of No.64 is set approximately 3.0m away from the common boundary, and it is within this two storey form that habitable room openings occur within the rear (south-east) elevation of No.64. The north-east (side) elevation of No.64 contains only a first floor level window which appears to serve a bathroom (non-habitable) which also appears to be dual-aspect, further served by a window within the front elevation.
18. Given these factors, combined with the resulting relationship between the extension and the main dwelling of No.64 (the two storey element), including the rise in ground level which occurs towards No.64, it is not considered that significantly harmful impact, in terms of loss of daylight or sunlight, or overbearing effect due to bulk, proximity or loss outlook occurs to No.64 contrary to Policy CS21. The extension demonstrates a first floor level side-facing (south-west) window, facing directly

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towards the common boundary with No.64, however this window serves a bathroom (non-habitable) and, in the event of the retrospective application being considered otherwise acceptable, could be secured, via planning condition, to be obscure-glazed and non-opening below 1.7m from finished floor level to maintain the privacy of No.64. Overall the impact upon No.64 Beaufort Road is considered to be acceptable.

No.68 Beaufort Road:

19. No.68 Beaufort Road is situated to the north-east and forms the adjoining semi-detached dwelling. Due to the staggered nature of the semi-detached pair the two storey form of No.68 projects beyond that of No.66 to the rear by approximately 1.0m. No.68 is also set slightly lower than No.66. The rear amenity space of No.68 occurs at an angled nature to the south-east.
20. The two storey projection of the extension to the rear remains commensurate with that considered to be acceptable by the Local Planning Authority in granting planning permission reference PLAN/2011/1175 although this two storey element does occur approximately 2.2m closer to No.68 to the north-east. However, taking into account the combined factors of the staggered relationship between No.66 and No.68, the angled common boundary line, the level of separation which has been retained between the north-east (side) elevation of the two storey extension to the rear and the dwelling of No.68, it is not considered that significantly harmful impact, in terms of loss of daylight or sunlight, or overbearing effect due to bulk, proximity or loss outlook occurs to No.68 contrary to Policy CS21. Whilst the monopitched single storey element of the extension to the rear occurs within relatively close proximity to the common boundary with No.68 taking into account the combined factors outlined above, this element is not considered to result in significantly harmful impact, in terms of loss of daylight or sunlight, or overbearing effect due to bulk, proximity or loss outlook to No.68 contrary to Policy CS21.
21. Whilst clear-glazed and openable first floor level windows face towards the common boundary with No.68, with occurs at an angled nature to the south-east, this windows remain at a distance from the common boundary commensurate with that considered to be acceptable by the Local Planning Authority in granting planning permission reference PLAN/2011/1175. Furthermore these first floor level windows are not considered to compromise the privacy of the area of rear amenity space closely related to the dwelling of No.68 Beaufort Road (eg. that area directly to the rear of the dwelling) but rather face across the rear amenity space of the host dwelling with the angled section of the rear amenity space of No.68 beyond. There is also some vegetative screening within the curtilage of No.68 which provides some mitigating screening.
22. Overall, taking account of the considerations discussed above, combined with the material consideration of the grant of planning permission reference PLAN/2011/1175, it is not considered that the extension results in significantly harmful impact, by reason of a loss of privacy to either the dwelling or rear amenity area of No.68 contrary to Policy CS21. Overall the impact upon No.68 Beaufort Road is considered to be acceptable.

Impact upon car parking provision

23. SPD 'Parking Standards (2006)' sets maximum parking standards, with the objective of promoting sustainable non-car travel. It advises that where car parking provision falls below the stated maximum standard the scheme needs to be examined to ensure

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it does not have an adverse impact upon highway safety, the free flow of traffic or parking provision in the locality. Whilst Policy CS18 states that the Council will move towards minimum parking standards for residential development, SPD 'Parking Standards (2006)' remains in place.

24. The resulting dwelling provides 4 bedrooms. SPD 'Parking Standards (2006)' identifies a maximum parking standard for dwellings providing 3 or more bedrooms, situated outside of the High Accessibility Zone, of 2 car parking spaces. The application property provides no off-street parking nor does opportunity exist for off-street parking provision without relatively significant engineering works being undertaken due to the rise in ground level which occurs between the carriageway of Beaufort Road towards the host dwelling. Whilst this is the case the grant of planning permission reference PLAN/2011/1175 is a significant material consideration in the determination of the current application. PLAN/2011/1175 also resulted in the provision of a 4 bedroom dwelling on the site and no objection was raised by the Local Planning Authority, in terms of car parking provision, in granting planning permission. It must be noted that SPD 'Parking Standards (2006)' was in place at the grant of PLAN/2011/1175 and remains in place at the current time. Due to these considerations the impact upon car parking provision is considered to be acceptable.

Impact upon private amenity space

25. SPD 'Outlook, Amenity, Privacy and Daylight (2008)' states that "*where appropriate, the area of private garden should approximate with gross floorspace of the dwelling (subject to the character of the local context) but it is advised that it should always be as large as the building footprint of the dwelling house*". The gross floorspace of the dwelling as extended measures approximately 162 sq.m and the resulting building footprint measures approximately 95 sq.m. The resulting area of private amenity space to the rear measures approximately 139 sq.m and therefore exceeds the resulting building footprint.
26. Whilst the retained area of private amenity space (approx. 139 sq.m) does not approximate with the gross floorspace of the dwelling as extended (approx. 162 sq.m) the resulting area of private amenity space does significantly exceed the building footprint as extended (approx. 95 sq.m), and is therefore considered to remain commensurate with the character of the local context and to provide a suitable sunlit area of predominantly soft landscaped private amenity space, appropriate in size and shape for the outdoor domestic and recreational needs of occupiers the extended dwelling is intended to support.
27. It is also a material consideration in this instance that the previous grant of planning permission (Ref: PLAN/2011/1175) resulted in a gross extended dwelling floorspace measuring approximately 149 sq.m, and a resulting building footprint measuring approximately 98 sq.m, with a retained area of private amenity space under that application measuring approximately 136 sq.m. The difference between the retained private amenity space and the gross floorspace of the dwelling as extended is currently 23 sq.m. The difference between these two areas under permitted PLAN/2011/1175 was 13 sq.m. Therefore the material consideration of the previous grant of planning permission (Ref: PLAN/2011/1175) is considered to add further weight to the acceptability of the impact upon private amenity space provision under the current application.
28. Overall, taking into account the character of the local context, the impact of the proposed extension upon private amenity space is considered to be acceptable.

LOCAL FINANCE CONSIDERATIONS

29. The uplift in as built residential floor area does not exceed 100 sq.m and the development is therefore not Community Infrastructure Levy (CIL) liable.

CONCLUSION

30. Overall the part two storey, part single storey side and rear extension, by reason of its scale, form, siting and design, represents a contrived and incongruous addition which fails to respect and make a positive contribution to the street scene of Beaufort Road and the wider character of the Maybury Estate and which furthermore overwhelms and fails to integrate into the form and appearance of the host dwelling and the wider semi-detached pair of dwellings contrary to Policy CS21 of the Woking Core Strategy (2012), Supplementary Planning Document 'Design (2015)' and Section 7 of the National Planning Policy Framework (NPPF) (2012).

BACKGROUND PAPERS

1. Site visit photographs
2. PLAN/2011/1175 Approved Plans and Decision Notice

RECOMMENDATION

Refuse planning permission for the following reason:

01. The part two storey, part single storey side and rear extension, by reason of its scale, form, siting and design, represents a contrived and incongruous addition which fails to respect and make a positive contribution to the street scene of Beaufort Road and the wider character of the Maybury Estate and which furthermore overwhelms and fails to integrate into the form and appearance of the host dwelling and the wider semi-detached pair of dwellings contrary to Policy CS21 of the Woking Core Strategy (2012), Supplementary Planning Document 'Design (2015)' and Section 7 of the National Planning Policy Framework (NPPF) (2012).

It is further recommended that:

- a) That the Head of Legal Services be instructed to issue an Enforcement Notice under Section 172 of The Town & Country Planning Act 1990 (as amended) in respect of the above land requiring the remedy of the breach of planning control to be achieved through the removal of the part two storey, part single storey side and rear extension and all resulting materials and spoil from the site arising from such within twelve (12) months of the Enforcement Notice taking effect.

Informatives

1. The plans relating to the retrospective planning application hereby refused are numbered/titled:

2011/NED/006 Rev B (Location Plan, Block Plan and Roof Plan), undated and received by the Local Planning Authority on 02.05.2017.

2017/NED/04 (Proposed Ground Floor Plan), undated and received by the Local Planning Authority on 14.08.2017.

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2017/N/01 Rev A (Proposed First Floor Plan), undated and received by the Local Planning Authority on 14.08.2017.

2017/N5/Rev (Proposed Elevations), undated and received by the Local Planning Authority on 14.08.2017.

2. The Council confirms that in assessing this planning application it has worked with the applicant in a positive and proactive way, in line with the requirements of paragraph 186-187 of the National Planning Policy Framework 2012. The application is retrospective in nature, seeking to remedy a breach of planning control which is considered to constitute unacceptable development. It is not considered that the development, which is externally complete, can be amended to result in an acceptable form of development without extensive demolition.
3. The applicant is advised that the plans listed within informative 1 above are not considered to entirely accurately reflect the development as built. The retrospective application has been assessed on the basis on what is present, as built, on the site, with the assistance of the submitted plans as listed within informative 1.