

14 NOVEMBER 2017 PLANNING COMMITTEE

5f 17/0944 Reg'd: 21.08.17 Expires: 17.11.17 Ward: MH
Nei. 27.09.17 BVPI 13 (Dwellings) Number > 8 On
Con. Target of Weeks Target?
Exp: on Cttee' Ext. of
Day: time

LOCATION: Tor House, Maybury Hill, Woking, GU22 8AF

PROPOSAL: Erection of 2no. 5 bedroom two storey detached dwellings with roof accommodation following demolition of existing dwelling with associated landscaping and vehicular access.

TYPE: Full Application

APPLICANT: Luxuria Developments Ltd

OFFICER: Benjamin
Bailey

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 erection of 2no. 5 bedroom two storey detached dwellings with roof accommodation following demolition of existing dwelling with associated landscaping and vehicular access.

Site Area: 0.118 ha (1180 sq.m)
Existing units: 1
Proposed units: 2
Existing density: 8 dph (dwellings per hectare)
Proposed density: 16 dph

PLANNING STATUS

- Urban Area
- Thames Basin Heaths Special Protection Area (TBH SPA) Zone B (400m-5km)
- Area Tree Preservation Order (TPO) (Ref: 626/0070/1964)

RECOMMENDATION

Grant planning permission subject to recommended conditions and SAMM (TBH SPA) contribution secured by Legal Agreement.

SITE DESCRIPTION

The application site contains a single detached two storey Georgian style dwelling set relatively centrally within the width of the site although towards the northern boundary of the site. The area to the south of the dwelling is laid to a combination of lawn and planting with the area to the west laid to patio hardstanding. These areas form the private garden of the existing dwelling. Vehicular access is achieved from Maybury Hill, towards the northern site

14 NOVEMBER 2017 PLANNING COMMITTEE

boundary, onto a driveway area and garage. An ancillary outbuilding exists to the west of the existing dwelling.

RELEVANT PLANNING HISTORY

None relevant

CONSULTATIONS

County Highway Authority (SCC):

The proposed development has been considered by the County Highway Authority who, having considered any local representations and having assessed the application on safety, capacity and policy grounds, recommends conditions 13, 14, 15, 16 and 17 be attached to any planning permission granted.

Senior Arboricultural Officer:

The arboricultural information provided by SJA Trees (Ref: SJA air 17184-01) is considered acceptable and should be complied with in full. A pre-commencement meeting should take place prior to any works on site and should include the project manager, project arboriculturalist and the Local Authority Arboricultural Officer. Details of drainage and service runs will be required prior to commencement. (Conditions 11 and 12 refer)

REPRESENTATIONS

x4 Letters of objection (from x3 properties) have been received raising the following main points:

Transport:

- The junction of Shaftesbury Road and Maybury Hill is already dangerous for many reasons, including cars parked along Maybury Hill, from St. Columbus onwards, causing queues to block the junction, a number of schools use the Maybury Hill/Shaftesbury Road junction as a drop-off/pick-up location for their school coaches, parents dropping off their children for the buses, park their cars, twice a day in Shaftesbury Road, starting at the junction, parking 5 to 10 cars along the road, since the opening of St. Dunstan's Church, the volume of traffic at the Shaftesbury Road/Maybury Hill junction has dramatically increased. Queues are commonplace most of each weekend and on numerous church occasions, the increases in the class and year group sizes at St. Dunstan's School has added further pressure to Shaftesbury Road and the Maybury Hill Junction.
- The Police are obviously aware of the dangers and excessive traffic around the junction, as they use this location on a regular basis to set up speed traps.
- The Council themselves are already aware of the dangers along Maybury Hill, as they recently held a consultation with a view to implementing traffic calming measures along Maybury Hill.

14 NOVEMBER 2017 PLANNING COMMITTEE

- Accidents occur at this junction on a regular basis caused by a car failing to see the queue of traffic.
- The proposed new driveway would require the removal of the one controlled parking space at the eastern end of Shaftesbury Road.
- The proposed vehicular access is far too close to the junction of Shaftesbury Road and Maybury Hill, causing a danger to both pedestrians and vehicles entering and exiting the junction.
- The above points, and the fact that there is already an existing access to the Tor House site on Maybury Hill, should surely make this the preferred access, rather than adding an additional access point to the over-used, over-congested Shaftesbury Road/Maybury Hill junction.
- Parked cars close to the exit of Shaftesbury Road onto Maybury Hill represent a safety issue with obscured sightlines as cars sweep into and exit from Shaftesbury Road.

Character/ Neighbouring Amenity:

- The roofline of Plot 1 is dominant and appears overbearing and disproportionate in scale to Mayhill and other neighbouring properties. Even accepting the dip in the Plot 1 ground level its roofline of 9.28m is 1.58m higher than Mayhill's height of 7.7m.
- The existing roof on Tor House is 7.3m. The proposed roof on Plot 1 is 9.3m, some 2.0m higher. In addition to being significantly higher than the existing roof it is also 1.2m higher than the proposed Plot 2 and 1.3m higher than the Mayhill property situated next door to Plot 1.
- The Plot 1 building footprint is too close to Mayhill's eastern boundary, overshadowing the first floor side bedroom window within Mayhill.
- The top of the roof of the existing Tor House sits level with the top of the rear garden hedge of No.2 Verralls and therefore has no impact on No.2 Verralls. Furthermore, the existing Tor House is located to the north-east of the proposed Plot 1 and regardless of roof height does not have an impact on No.2 Verralls.
- The combination of the location of proposed Plot 1 (south-west of the existing Tor House) and the significant increase in roof height will result in the hemming in of No.2 Verralls by replacing an open space with a very large roof area (of which No.2 Verralls will see part of the rear and all of the side area).
- No.2 Verralls currently enjoys good levels of light in the morning when the sun rises. This will be reduced by the proposed roof height and property location of Plot 1. During winter months, when the sun is lower in the sky, No.2 Verralls will experience a significant loss of light, putting the garden into shadow, particularly in the morning.
- The proposed height of Plot 1 results in the outlook of No.2 Verralls being unacceptably closed in.
- No.1 Verralls is currently unoccupied as the new owners have yet to move in. I have written to the estate agents, Foundations of Woking, asking that details of the planning application be forwarded to the new owners, however they have not confirmed that this has been done, potentially denying the new owners a chance to review and comment on a planning application that will also have a material impact on their property.
(Officer Note: A neighbour notification letter was sent to No.1 Verralls)
- There are 3 possible compromises; (1) reduce the height of Plot 1 to the height of the existing Tor House (2) reduce the height of Plot 1 to the height of Plot 2 (3) switch the house designs between Plot 1 and Plot 2.

14 NOVEMBER 2017 PLANNING COMMITTEE

(Officer Note: The planning application must be considered on its merits as submitted)

- Plot 1 will enclose No.1 Verralls.
- Loss of light to the front bedroom windows of No.1 Verralls.

COMMENTARY

Amended plans were requested, and accepted, during consideration of the application. Amended plans made the following main changes to the proposal as initially submitted (and on which public consultation was undertaken):

- Plot 1 finished ground floor level revised from initially proposed 37.85 AOD to 37.70 AOD (the relevant existing level is approximately 37.85 AOD).
- Existing 2no. ground floor level side-facing (east) windows within adjacent Mayhill plotted on the Proposed Site Plan.
- Proposed Roof Plans shown on the Proposed Block Plan with existing extension at Mayhill also shown.
- Proposed Street Scene updated to more accurately reflect the existing form and scale of adjacent Mayhill and the revised finished ground floor level of Plot 1.
- Existing extension at adjacent Mayhill shown on the Existing Block Plan.

Due to the nature of these amendments it was not considered necessary to undertake further public consultation on amended plans.

RELEVANT PLANNING POLICIES

National Planning Policy Framework (NPPF) (2012)

Section 4 - Promoting sustainable transport

Section 6 - Delivering a wide choice of high quality homes

Section 7 - Requiring good design

Section 10 - Meeting the challenge of climate change, flooding and coastal change

Section 11 - Conserving and enhancing the natural environment

Woking Core Strategy (2012)

CS1 - A spatial strategy for Woking Borough

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

CS25 - Presumption in favour of sustainable development

Development Management Policies Development Plan Document (DMP DPD) (2016)

DM2 - Trees and Landscaping

DM8 - Land Contamination and Hazards

DM10 - Development on Garden Land

Supplementary Planning Documents (SPD's)

Outlook, Amenity, Privacy and Daylight (2008)

Design (2015)

Parking Standards (2006)

Climate Change (2013)

14 NOVEMBER 2017 PLANNING COMMITTEE

Affordable Housing Delivery (2014)

Supplementary Planning Guidance (SPG)

Plot subdivision: Infilling and backland development (2000)

Other Material Considerations

South East Plan (2009) (Saved policy) NRM6 - Thames Basin Heaths Special Protection Area

Thames Basin Heaths Special Protection Area Avoidance Strategy

National Planning Practice Guidance (NPPG)

Written statement to Parliament - Planning update - 25th March 2015

Written Ministerial Statement - 28th November 2014

Community Infrastructure Levy (CIL) Charging Schedule (2015)

PLANNING ISSUES

01. The main planning issues to consider in determining this application are:
- Principle of development
 - Design and impact upon the character of the area, including arboricultural implications
 - Impact upon neighbouring amenity
 - Amenities of future occupiers
 - Highways and parking implications
 - Thames Basin Heaths Special Protection Area (TBH SPA)
 - Affordable housing
 - Sustainable construction
- having regard to the relevant policies of the Development Plan, other relevant material planning considerations and national planning policy and guidance.

Principle of development

02. Policy CS10 of the Woking Core Strategy (2012) identifies that the Council will make provision for an additional 4,964 net additional dwellings in the Borough between 2010 and 2027. The reasoned justification text to Policy CS10 states that new residential development within the Urban Area will be provided through redevelopment, change of use, conversion and refurbishment of existing properties or through infilling.
03. Both of the proposed 2no. dwellings would exceed 290 sq.m. in Gross Internal Area (GIA) and provide 4+ bedrooms in accommodation. Both proposed 2no. dwellings would therefore constitute 'family accommodation'. Both Policy CS11 of the Woking Core Strategy (2012), and the Strategic Housing Market Assessment (SHMA) (2015), identify a need for 4+ bedroom dwellings. The proposal would therefore assist in meeting this local need and demand and would result in no loss of existing family accommodation because the demolition of the existing 4 bedroom dwelling (approximately 224 sq.m in GIA) would be mitigated by one of the two proposed replacement dwellings.
04. Policy CS10 of the Woking Core Strategy (2012) sets out an indicative density range of between 30 - 40 dph for infill development within the rest of the Urban Area (ie. those areas outside of Woking Town Centre, West Byfleet District Centre and Local Centres), as in this instance, stating that density will not be justified at less than 30 dph unless higher densities cannot be integrated into the existing urban form. The existing density of the application site is just 8 dph and the proposal would double this density to 16 dph. Whilst the resulting density would fall short of 30 dph it is

14 NOVEMBER 2017 PLANNING COMMITTEE

considered that the resulting density of 16 dph is the most which could be integrated into the existing urban form of the surrounding area and having regard to neighbouring amenity.

05. The application site is situated within the designated Urban Area within the Mount Hermon area of the Borough where the principle of residential development is considered to be acceptable. Paragraph 53 of the National Planning Policy Framework (NPPF) (2012) states that, "*Local Planning Authorities should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area*". Policy DM10 of the Development Management Policies DPD (2016), and guidance contained within Supplementary Planning Guidance 'Plot Subdivision, Infilling' and Backland Development', notes that such development may not be considered favourably if it has a significant adverse impact upon the character or the amenities of existing housing areas. This is assessed in further detail within the paragraphs below.

Design and impact upon the character of the area, including arboricultural implications

06. One of the core principles of the National Planning Policy Framework (NPPF) (2012) is to seek to secure high quality design. Furthermore Policy CS21 of the Woking Core Strategy (2012) states that buildings 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.
07. Policy DM10 (Development on Garden Land) of the Development Management Policies DPD (2016) states that housing development on garden land and/or that to the rear or side of an existing property will be supported provided that it meets the other relevant Development Plan policies and that:
- *it does not involve the inappropriate sub-division of existing curtilages to a size substantially below that prevailing in the area, taking account of the need to retain and enhance mature landscapes;*
 - *it presents a frontage in keeping with the existing street scene or the prevailing layout of streets in the area, including frontage width, building orientation, visual separation between buildings and distance from the road;*
 - *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.*
08. The application site is located on the corner of Maybury Hill and Shaftesbury Road in an attractive relatively low density suburban area. In the vicinity of the application site there is considerable variety in house types in terms of architectural styles, ages and scale, although a traditional style of architecture prevails. The general pattern of development is of dwellings set back from the road frontage within generously sized plots. There are a variety of roof forms in the area, including gable ends and hipped roofs, and also a variety of angles of pitch associated with these roof forms.
09. The area has a sylvan character as a result of vegetation growing in front and rear gardens and front hedges; qualities which positively contribute to the character and

14 NOVEMBER 2017 PLANNING COMMITTEE

appearance of the area. The application site is relatively unusual in that the existing dwelling is positioned towards the rear of the site whereas other properties fronting Shaftesbury Road are located closer to the frontage. The wider area is generally within the Arcadian typology with some small areas of post war and more modern infill. The majority of properties are large detached two storey houses, although some bungalows are present. Whilst the frontage of the existing dwelling has some architectural merit the dwelling has been historically unsympathetically extended, reducing its overall architectural value. Furthermore the existing dwelling is not Locally, or Statutory Listed, nor located within a Conservation Area. Therefore it is not considered that an objection to the principle of the demolition and replacement of the existing dwelling could be substantiated, subject to the other planning considerations as set out within this report.

10. The application site measures approximately 33.0m in width and is one of the larger sites within the area in terms of this width. The depth of the site, in measuring approximately 36.0m, is commensurate with adjacent Mayhill, and White Gates further to the west. The proposal would sub-divide the site into two plots measuring approximately 16.5m in width. The resulting plot widths would be commensurate with those of Magnolia Lodge and Sycamores, on the opposing southern side of Shaftesbury Road, with the plot depths remaining unaltered at 33.0m, and therefore commensurate with adjacent Mayhill and White Gates.
11. Whilst the proposed 2no. dwellings would move closer towards the Shaftesbury Road frontage than the existing dwelling to be demolished a depth of frontage measuring approximately 12.5m would be retained. There is no consistent building line along this northern side of Shaftesbury Road and the siting of the proposed dwellings would more closely accord with the prevailing character of the area than the existing siting of the dwelling to be demolished. The adopted building lines enable adequate car parking and turning provision to be accommodated within the site and the depth of frontage maintained with a partially soft landscaped front garden. It is considered that the adopted building lines are an acceptable approach which would present a frontage in keeping with the existing street scene including frontage width, building orientation and distance from the road as required by Policy DM10 of the DMP DPD (2016).
12. Whilst some existing bamboo, laurel and rhododendron along the Shaftesbury Road frontage would be removed to facilitate the formation of a new vehicular crossover with Shaftesbury Road the proposed site plan shows indicative replacement soft planting along this frontage with such replacement planting considered to remain sufficient distance from the front elevations of the proposed dwellings to have potential to maintain the sylvan character of the area in the medium term. Details of such replacement planting would be secured via the recommended soft landscape condition (condition 04 refers).
13. Several trees exist within the site, with further trees sited immediately adjacent to the site. Policy CS21 requires proposals for new development to include the retention of any trees of amenity value. Policy DM2 of the Development Management Policies DPD (2016) states that the Council will require any trees which are to be retained to be adequately protected to avoid damage during construction, and that the Council will consider attaching the appropriate conditions to prevent damage and ensure satisfactory arboricultural works in accordance with British Standard 5837:2012 'Trees in relation to design, demolition and construction - Recommendations' (or any future equivalent).
14. The application is supported by arboricultural information, dated August 2017, prepared by SJA Trees, which identifies that 3no. trees would be removed (Hawthorn,

14 NOVEMBER 2017 PLANNING COMMITTEE

Laburnum and Norway Maple) although these 3no. trees have all been assessed within the arboricultural information as being of low quality and value (Category C). Whilst some low level ornamental shrubbery, laurel, bamboo and rhododendron would also be removed this planting is generally contained within the application site and therefore has limited public amenity value and could be removed without the Council's consent regardless. All tree and soft planting proposed to be removed is considered capable of being adequately mitigated through a soft landscaping scheme secured via recommended condition 04. The submitted arboricultural information makes provision for works within the Root Protection Areas (RPAs) of retained trees to be carried out in an arboriculturally sensitive manner and for the provision of adequate physical protection to retained trees during the course of site works. The Council's Senior Arboricultural Officer has reviewed the submitted arboricultural information and considers the arboricultural implications to be acceptable subject to a recommended condition to secure compliance (condition 11 refers) and further details of any drainage or service runs (condition 12 refers).

15. Taking account of these combined factors the proposal is not considered to involve the inappropriate sub-division of an existing curtilage to a size substantially below that prevailing in the area, taking account of the need to retain and enhance mature landscapes.
16. In terms of separation between buildings a 2.6m separation gap would be maintained between proposed Plot 1 and the common boundary with adjacent Mayhill, although, due to the catslide style roof and single storey projection to the eastern elevation of Mayhill, the level of separation retained to Mayhill at two storey level would measure in excess of 6.0m. An overall separation gap of 3.0m would be maintained between proposed Plot 1 and Plot 2 (1.5m either side of the resulting common boundary) with Plot 2 set approximately 2.8m from the eastern boundary with Maybury Hill. It is considered that these levels of visual separation would maintain the character and rhythm of the Shaftesbury Road street scene and would be sufficient to avoid a 'cramped' appearance. Furthermore the eastern elevation of proposed Plot 2 would not occur within significantly closer proximity to the carriageway of Maybury Hill than the existing side (east) elevation of Magnolia Lodge on the opposite side of Shaftesbury Road. Due to these distances the proposed dwellings are considered to respect and integrate acceptably into the character of the street scene in terms of visual separation between buildings and spacing.
17. In terms of architectural approach Plot 1 adopts a traditional 'Arts and Crafts' style demonstrating a two storey front gable with a canted bay window, which would form the principal architectural feature to this elevation, and a subordinate two storey hipped roof front projection with a single storey monopitched element above the front entrance. A butterfly style roof would be utilised with a modest flat roofed front dormer window. A chimney stack would occur to the eastern (side) elevation. The rear elevation would demonstrate a two storey projecting gable feature. External materials are proposed to consist of red facing brick, feature brick bands, clay tile hanging and clay roof tiles with black rainwater goods. The architectural approach of Plot 1 is considered to be acceptable and to integrate into the character of the area, which is somewhat varied in terms of architectural styles.
18. The architectural approach of Plot 2 is of a Georgian influence, in reference to the style of the existing dwelling to be demolished. Plot 2 would be two storey in scale with further accommodation within a mansard style roof behind a parapet wall, and would demonstrate a modest flat roofed front dormer window. Several of the doors would demonstrate fanlights, a feature typical of the Georgian era with the design and

14 NOVEMBER 2017 PLANNING COMMITTEE

proportion of the vertical sliding sash windows also typical of a Georgian style. A chimney stack would also be provided to the eastern (side) elevation with this eastern elevation designed to 'turn the corner' from Shaftesbury Road into Maybury Hill. Plot 2 would also demonstrate two projections, at two storey level, to the front and a projection to the rear, which would articulate these elevations. External materials are proposed to consist of red facing brick, slate roof tiles and reconstituted stone copings with painted window shutters also utilised. The architectural approach of Plot 2 is considered to be acceptable and to integrate into the character of the area, which is somewhat varied in terms of architectural styles.

19. In terms of building scale the maximum height (approx. 9.3m) of Plot 1 would be greater than that of adjacent Mayhill to the west (approximately 7.7m) however this factor alone does not in itself result in harm to the street scene of Shaftesbury Road or to the character of the area, in which there is considerable variety in house types in terms of architectural styles, ages and scale and some variation between adjacent dwellings. It must also be borne in mind that the inclusion of a subordinate projecting gable (height approx. 8.4m) to the front elevation would read as the focal point of Plot 1 from the carriageway of Shaftesbury Road, therefore reducing the potential impact of the difference in maximum height between Plot 1 and adjacent Mayhill.
20. Whilst three levels of accommodation would be provided internally within both Plot 1 and Plot 2 the only external manifestation of this would be a single front dormer window within both dwellings. The front dormer within Plot 1 is modest in scale and would serve to add visual interest to the front roof slope whilst the front dormer within Plot 2 would be reduced in visibility by the parapet wall.
21. The perceived two storey depths of both Plots 1 and 2 would be relieved through the inclusion of subordinate two storey projections to the front and rear with the greatest two storey depths also relieved by the protruding chimney stacks to the eastern elevations. Overall the scale of both proposed dwellings is considered to reflect the overriding character of the area and to respect the street scenes of Shaftesbury Road and Maybury Hill, particularly taking into account the level of separation from the front boundary of the application site.
22. Overall the proposed dwellings are considered to represent a high quality design, which would respect and make a positive contribution to the street scenes of Shaftesbury Road and Maybury Hill 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 Sections 6 and 7 of the National Planning Policy Framework 2012 (NPPF), Policy CS21 of the Woking Core Strategy (2012), Policy DM10 of the Development Management Policies DPD (2016) and Supplementary Planning Document 'Design (2015)'.

Impact upon neighbouring amenity

23. 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 loss of outlook. More detailed guidance, in terms of assessing neighbouring amenity impacts, is provided by SPD 'Outlook, Amenity, Privacy and Daylight (2008)'.

Mayhill, Shaftesbury Road:

14 NOVEMBER 2017 PLANNING COMMITTEE

24. Mayhill is a detached two storey dwelling situated to the west which demonstrates a single storey extension (PP Ref: 78/465) to its eastern side, which projects forwards of the two storey front elevation, and to the rear towards the terminus of the garden amenity area, party wrapping around the rear elevation. Mayhill benefits from a car port and integral garage to the front of its eastern side, adjoining the application site, with both a study and living area towards the rear of the extension, both of these rooms benefitting from high-level windows close to the common boundary and facing across the application site. The high level window serving the study is clear-glazed with that serving the living area obscure-glazed. Mayhill demonstrates a single first floor level side-facing window (east) although this window serves a secondary function to a bedroom, the primary window serving which is within the front elevation.
25. Plot 1 would be sited approximately 2.6m away from the single storey side (east) elevation of Mayhill, maintaining a separation distance measuring approximately 7.0m to the two storey side (east) elevation of Mayhill. The existing extension (PP Ref: 78/465) at Mayhill would largely mitigate any potential impact of Plot 1 upon openings within the rear elevation, and the rear garden amenity area, of Mayhill. Whilst Plot 1 would project forwards of the front elevation of Mayhill this projection would occur at a separation distance measuring approximately 7.0m from the two storey form of Mayhill, and for approximately 5.0m forwards of the two storey form of Mayhill. Furthermore this forward projection would occur in the form of the subordinate hipped element of Plot 1, which would demonstrate an approximate 5.5m eaves height with the roof form hipping both away from the common boundary and away from the front, serving to reduce the bulk and mass of this projection. It is also a material consideration that the easterly part of the front elevation of Mayhill contains a car port and integral garage with habitable room windows restricted to the two storey front elevation of Mayhill, which is set further away from the common boundary.
26. Whilst it is acknowledged that Plot 1 would be readily visible from the single side-facing (east) first floor window within Mayhill, Plot 1 would remain approximately 7.0m from this window and utilise a roof form pitching away from the common boundary. This side-facing window serves a secondary function to a bedroom, the primary window serving which is within the front elevation. That new development would be visible from neighbouring properties or land does not, in itself, give rise to significantly harmful impact. In terms of daylight to the primary bedroom window within the front elevation SPD 'Outlook, Amenity, Privacy and Daylight (2008)' states that "*significant loss of daylight will occur if the centre of the affected window...lies within a zone measured at 45° in both plan and elevation*". Plot 1 complies with this 45° angle test and therefore no significant loss of daylight is considered to occur to the first floor level front-facing bedroom window within Mayhill. Furthermore, with regard to the first floor level side-facing (east) window serving a secondary function to the bedroom within Mayhill, SPD 'Outlook, Amenity, Privacy and Daylight (2008)' identifies that suitable daylight is achieved to side-facing openings where an unobstructed vertical angle of 25° can be drawn from a point taken from the middle of the existing window opening. Plot 1 would pass this 25° angle test and is therefore not considered to cause a significant loss of daylight to this side-facing window.
27. With regard to the impact upon the two ground floor, albeit high-level windows, located close to the common boundary, and facing across the application site, the window serving the living area is obscure-glazed and therefore does not form the primary source of daylight or outlook to this area, which is also served by openings facing towards the north and west. The window serving the study is clear-glazed and forms the single source of daylight and outlook to this room. The two storey form of the existing dwelling to be demolished is sited directly opposite the study window to the

14 NOVEMBER 2017 PLANNING COMMITTEE

east at a separation distance measuring approximately 6.5m. Plot 1 would be sited predominantly to the south-east with the main dwelling massing therefore not occurring directly opposite the study window, although the two storey rear gable projection would occur directly opposite the study window to the east at a separation distance measuring approximately 9.8m. In terms of daylight to the study SPD 'Outlook, Amenity, Privacy and Daylight (2008)' identifies that suitable daylight is achieved to side-facing openings where an unobstructed vertical angle of 25° can be drawn from a point taken from the middle of the existing window opening. The rear gable projection of Plot 1 would cause a very marginal breach of this 25° angle and is therefore not considered to result in a significantly harmful loss of daylight to this window, particularly given the high-level nature of this window and its siting close to the common boundary, and that it is wholly reliant upon daylight received across the application site. Whilst it is acknowledged that some daylight impact would occur to the study it is not considered that this would be significantly harmful either to this room alone, or to the residential amenity of Mayhill overall, such as to form a defensible basis for refusal which could potentially be upheld.

28. In terms of potential loss of sunlight, the Building Research Establishment (BRE) Guide 'Site Layout Planning for Sunlight and Daylight: A Guide to Good Practice (2011)' suggests that all main living rooms should be checked if they have a window facing within 90° of due south and that kitchens and bedrooms are less important. Plot 1 would be located predominantly to the east of Mayhill and it is acknowledged that the siting of Plot 1 within the application site (in comparison to the siting of the existing dwelling towards the rear of the application site), in combination with its form, may result in some loss of existing sunlight to Mayhill. The first floor level side-facing (east) window within Mayhill serves a secondary function to a bedroom alongside a predominantly south-facing front elevation window. Any potential loss of sunlight to the side-facing first floor window is therefore not considered to be significantly harmful contrary to Policy CS21. Some loss of early morning sunlight would likely occur to the ground floor, albeit high-level, side-facing (east) window serving a study however this window is located close to the common boundary and faces across the application site. It is not considered that the potential loss of early morning sunlight to this single room would be capable of forming a defensible basis for refusal of the application as any such loss of sunlight is not considered to cause significant harm to the overall amenity of Mayhill contrary to Policy CS21.
29. The single first floor level window within the western elevation of Plot 1 would serve a bathroom and has been annotated on plan as being obscure-glazed. The obscure-glazing and high-level opening only (ie. above 1.7m from FFL) of this window can be secured via recommended condition 18 and would avoid a significantly harmful loss of privacy to Mayhill.
30. Overall, taking into account the above combined factors, whilst it is acknowledged that Plot 1 would be readily visible from both a side-facing (east) first floor level window (serving a bedroom) and a side-facing (east) ground floor level window (serving a study) within Mayhill it is not considered that significant harmful impact, by reason of potential loss of daylight or sunlight, or overbearing effect due to bulk, proximity or loss of outlook, would occur to Mayhill contrary to Policy CS21.

No.1 Verralls:

14 NOVEMBER 2017 PLANNING COMMITTEE

31. No.1 Verralls is a detached two storey dwelling situated to the north at a ground level approximately 1.5m higher than the finished ground floor level of both proposed Plot 1 and Plot 2. No.1 is orientated at an oblique angle in relation to the application site which results in its front elevation facing predominantly east, and its rear elevation predominantly west, with a south elevation which appears to demonstrate no openings. The area to the east of No.1 primarily serves as a driveway, and contains a detached garage, with the primary private garden amenity area of No.1 located to the west, to the rear of adjacent Mayhill.
32. Plot 1 would demonstrate an eaves height measuring approximately 5.5m, a maximum height measuring approximately 9.3m, and an approximate 8.3m high rear gable projection. The maximum 9.3m height of Plot 1 would occur approximately 16.0m from the common boundary with No.1 Verralls with the main massing of Plot 1 located approximately 12.1m from the common boundary and the two storey rear gable projection located approximately 10.2m from the common boundary.
33. Plot 2 would demonstrate an eaves height measuring approximately 6.5m and a maximum height measuring approximately 8.1m. The maximum height of Plot 2 would occur approximately 16.0m from the common boundary with No.1 Verralls with the 6.5m high two storey rear projection located approximately 11.5m from the common boundary.
34. Both Plot 1 and Plot 2 have been designed to avoid north-facing windows above first floor level. Recommended conditions 19 and 20 can prevent the potential future formation/insertion of rear dormer windows/rooflights in order to protect the privacy of No.1. SPD 'Outlook, Amenity, Privacy and Daylight (2008)' identifies recommended minimum separation distances for achieving privacy, with a separation distance of 10.0m recommended for two storey rear elevation-to-boundary relationships. Both Plot 1 and Plot 2 would comply with the relevant recommended separation distances. Furthermore the area to the east of No.1, which windows within the rear elevations of both Plot 1 and Plot 2 would face towards, serves primarily as a driveway, and contains a detached garage, as opposed to the primary private garden amenity area of No.1, which is located to the west, to the rear of adjacent Mayhill.
35. Overall, taking account of the above combined factors, including that No.1 Verralls is set at a ground level approximately 1.5m higher than the finished ground floor level of both proposed Plot 1 and Plot 2, it is not considered that significantly harmful impact, by reason of potential loss of privacy, daylight or sunlight, or an overbearing effect due to bulk, proximity or loss of outlook, would occur to No.1 Verralls contrary to Policy CS21.

No.2 Verralls:

36. No.2 Verralls is situated to the north-west, adjacent to No.1 Verralls, and to the rear of Mayhill and White Gates. A letter of objection has been received from No.2 Verralls. The closest point of Plot 1 would remain approximately 20.0m from the closest part of the curtilage of No.2, which represents the very south-eastern terminus of its rear garden amenity area. The existing residential curtilage of Mayhill intervenes between proposed Plot 1 and No.2 Verralls. It is acknowledged that proposed Plot 1 would potentially be visible from the residential curtilage of No.2 however, as previously noted within this report, the fact that new development may be visible from neighbouring properties or land does not, in itself, give rise to significantly harmful impact. Furthermore no 'right to a view' exists across third party land. Taking account of the form, scale and siting of the proposed development in relation to No.2, including

14 NOVEMBER 2017 PLANNING COMMITTEE

separation distances and the oblique relationship, it is not considered that significantly harmful impact, by reason of potential loss of privacy, daylight or sunlight, or an overbearing effect due to bulk, proximity or loss of outlook, would occur to No.2 Verralls contrary to Policy CS21.

Magnolia Lodge and The Sycamores:

37. Magnolia Lodge and The Sycamores are detached two storey dwellings situated to the south on the opposite side of Shaftesbury Road. Plot 1 would be sited directly opposite The Sycamores, although located a minimum of approximately 11.4m from the application site boundary with Shaftesbury Road, resulting in an overall level of retained separation measuring approximately 21.0m to the front boundary of The Sycamores, and approximately 28.0m to the closest part of the front elevation of The Sycamores. Plot 2 would be sited directly opposite Magnolia Lodge, although located a minimum of approximately 10.5m from the application site boundary with Shaftesbury Road, resulting in an overall level of retained separation measuring approximately 20.0m to the front boundary of Magnolia Lodge, and approximately 29.0m to the closest part of the front elevation of Magnolia Lodge.
38. SPD 'Outlook, Amenity, Privacy and Daylight (2008)' identifies recommended minimum separation distances for achieving privacy, with a separation distance of 15.0m recommended for three storey front elevation-to-front elevation relationships, taking into account the front dormer windows proposed. Both Plot 1 and Plot 2 would substantially exceed the relevant recommended separation distances and would demonstrate a typical 'across the street' relationship with Magnolia Lodge and The Sycamores.
39. Overall, taking into account the above combined factors, and having regard to the scale and form of Plot 1 and Plot 2, it is not considered that significantly harmful impact, by reason of potential loss of privacy, daylight or sunlight, or an overbearing effect due to bulk, proximity or loss of outlook, would occur to either Magnolia Lodge or The Sycamores contrary to Policy CS21.
40. Overall, subject to recommended conditions, the proposed 2no. dwellings are considered to achieve satisfactory relationships to adjoining properties, avoiding significant harmful impact, by reason of potential loss of privacy, daylight or sunlight, or overbearing effect due to bulk, proximity or loss of outlook and therefore accord with Policy CS21 of the Woking Core Strategy (2012), SPD 'Outlook, Amenity, Privacy and Daylight (2008)' and the core principles of the National Planning Policy Framework 2012 (NPPF).

Amenities of future occupiers

41. In terms of the proposed dwellings it is considered that a good standard of outlook, daylight and sunlight would be achieved to habitable rooms and private garden amenity areas. Both proposed dwellings would exceed 290 sq.m. in Gross Internal Area (GIA); for three storey 4+ bedroom dwellings this level of GIA is considered to provide a good standard of amenity.
42. SPD 'Outlook, Amenity, Privacy and Daylight (2008)' sets out, within paragraph 4.8 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, except in the most dense urban locations*". The gross floorspace of Plot 1

measures approximately 299 sq.m with the building footprint measuring approximately 145 sq.m. The gross floorspace of Plot 2 measures approximately 303 sq.m with the building footprint measuring approximately 148 sq.m. The area of private garden amenity to serve Plot 1 would measure approximately 200 sq.m and that to serve Plot 2 approximately 221 sq.m. The areas of private garden amenity would therefore exceed the respective building footprints and provide suitable, sunlit areas of predominantly soft landscaped private amenity space, appropriate in size and shape for the outdoor domestic and recreational needs of future occupiers, reflecting the prevailing grain and pattern of development within the surrounding area.

Highways and parking implications

43. SPD 'Parking Standards (2006)' sets maximum parking standards, with the objective of promoting sustainable non-car travel. Whilst Policy CS18 of the Woking Core Strategy (2012) states that the Council will move towards minimum parking standards for residential development, SPD 'Parking Standards (2006)' remains in place and sets a maximum residential car parking standard of 2 spaces, per 3 or more bedroom dwelling outside of the High Accessibility Zone, stating that "*for car parking the standards define the maximum acceptable provision for the most common forms of development. Provision above this level will not normally be permitted*".
44. The proposal includes the provision of an integral garage and frontage driveway and parking area to each dwelling. The frontage driveway and parking area alone would be capable of facilitating the on-site parking of 2 cars, in line with the relevant parking standard set out by SPD 'Parking Standards (2006)', and therefore it is not considered necessary, having regard to the 'six tests' for planning conditions set out within paragraph 206 of the NPPF, to restrict the integral garages to parking purposes only via planning condition. Whilst the proposal appears to make provision for in excess of 2 car parking spaces per dwelling, this factor is not considered to cause planning harm in this context and would remain commensurate with the level of car parking apparent at properties within the immediate area which are generally large and detached.
45. The proposal would remove the existing single vehicular crossover onto Maybury Hill and form a new single vehicular crossover onto Shaftesbury Road, which would split within the application site in order to serve both dwellings.
46. The proposed development has been considered by the County Highway Authority (SCC) who, having considered any local representations and having assessed the application on safety, capacity and policy grounds, raises no objection subject to recommended conditions 13, 14, 15, 16 and 17. Whilst some local representations relating to the relocation of vehicular access from Maybury Hill to Shaftesbury Road are noted the application proposes 2no. dwellings (1no. net) and is therefore unlikely to give rise to significant vehicular movement. It is also a material consideration that the proposed vehicular access would result in the removal of an existing on-street Zone 5 controlled parking zone (CPZ) bay on Shaftesbury Road and would therefore remove the potential for semi-permanent obstruction of the carriageway (vehicles parked within the on-street bay for periods of time) and replace this with intermittent, and short-term, vehicular access and egress into and out of the application site, which would cause less potential obstruction of the Shaftesbury Road carriageway in this location close to the Maybury Hill junction. Furthermore, paragraph 32 of the NPPF states that "*development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe*". No severe

14 NOVEMBER 2017 PLANNING COMMITTEE

transport impacts are considered to arise and the closure of the existing crossover onto Maybury Hill is considered to be a positive factor of the proposal.

47. 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' (2008) and the National Planning Policy Framework (NPPF) (2012).

Thames Basin Heaths Special Protection Area (TBH SPA)

48. The Special Protection Areas (SPAs) in this area are internationally-important and designated for their interest as habitats for ground-nesting and other birds. Policy CS8 of the 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).
49. The Suitable Alternative Natural Greenspace (SANG) and Landowner Payment elements of the SPA tariff are encompassed within the Community Infrastructure Levy (CIL) however the Strategic Access Management and Monitoring (SAMM) element of the SPA tariff is required to be addressed outside of CIL. The applicant has agreed to make a SAMM contribution of **£1,008** in line with the Thames Basin Heaths Special Protection Area Avoidance Strategy (April 2017 update) as a result of the uplift of 1no. 4+ bedroom dwelling which would arise from the proposal. The applicant is preparing a Legal Agreement to secure this financial contribution.
50. In view of the above, the Local Planning Authority is able to determine that the development would have no significant effect upon the TBH SPA and therefore accords with Policy CS8 of the Woking Core Strategy (2012) and the 'Thames Basin Heaths Special Protection Area Avoidance Strategy'.

Affordable Housing

51. Policy CS12 of the Woking Core Strategy (2012) states that all new residential development will be expected to contribute towards the provision of affordable housing and that, on sites providing fewer than five new dwellings, the Council will require a financial contribution equivalent to the cost to the developer of providing 10% of the number of dwellings to be affordable on site.
52. However, following the Court of Appeal's judgment of 11 May 2016 (*Secretary of State for Communities and Local Government v West Berkshire District Council and Reading Borough Council [2016] EWCA Civ 441*), it is acknowledged that the policies within the Written Ministerial Statement of 28 November 2014, as to the specific circumstances where contributions for affordable housing and tariff-style planning obligations should not be sought from small scale and self build development, must be treated as a material consideration in development management decisions.
53. Additionally the Planning Practice Guidance (Paragraph 031 - Revision date: 19.05.2016) sets out that affordable housing contributions should not be sought from developments of 10-units or less, and which have a maximum combined gross floorspace of no more than 1000sqm. Whilst it is considered that weight should still be afforded to Policy CS12 of the Woking Core Strategy (2012) it is considered that greater weight should be afforded to the policies within the Written Ministerial Statement of 28 November 2014 and the Planning Practice Guidance (Paragraph 031

14 NOVEMBER 2017 PLANNING COMMITTEE

- Revision date: 19.05.2016). The proposal represents a development of 10-units or less, and has a maximum combined gross floorspace of no more than 1000sqm, and therefore no affordable housing contribution is sought.

Sustainable construction:

54. 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 105 litres per person per day indoor 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 (recommended conditions 08 and 09).

LOCAL FINANCE CONSIDERATIONS

55. The proposed development would be liable for Community Infrastructure Levy (CIL) to the sum of **£51,231** (including the April 2017 Indexation).

CONCLUSION

56. Overall the proposed dwellings are considered to be acceptable in principle, to represent a high quality design, which would respect and make a positive contribution to the street scenes of Shaftesbury Road and Maybury Hill 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. The proposal is also considered to result in an acceptable impact upon neighbouring amenity, to provide a good standard of amenity to future occupiers and to result in acceptable arboricultural implications and highways and car parking implications having regard to the relevant policies of the Development Plan, other relevant material planning considerations and national planning policy and guidance. Thames Basin Heaths Special Protection Area (TBH SPA) mitigation will be addressed by way of Legal Agreement.
57. The proposal is therefore considered to be an acceptable form of development that complies with Policies CS1, CS8, CS10, CS11, CS12, CS18, CS21, CS22 and CS25 of the Woking Core Strategy (2012), Sections 4, 6, 7, 10 and 11 of the National Planning Policy Framework 2012 (NPPF), Supplementary Planning Documents 'Outlook, Amenity, Privacy and Daylight (2008)', 'Design (2015)', 'Parking Standards (2006)', 'Climate Change (2013)' and 'Affordable Housing Delivery (2014)', Supplementary Planning Guidance 'Plot subdivision: Infilling and backland development (2000)', Policies DM2, DM8 and DM10 of the Development Management Policies DPD (2016), South East Plan (2009) (Saved policy) NRM6, the Thames Basin Heaths Special Protection Area Avoidance Strategy and the National Planning Practice Guidance (NPPG). It is therefore recommended that planning permission is granted subject to conditions and legal agreement as set out below.

BACKGROUND PAPERS

Site visit photographs

x4 Letters of representation

Consultation response from Senior Arboricultural Officer

Consultation response from County Highway Authority (SCC)

PLANNING OBLIGATIONS

14 NOVEMBER 2017 PLANNING COMMITTEE

	Obligation	Reason for Agreeing Obligation
1.	£1,008 SAMM (TBH SPA) contribution.	To accord with the Habitat Regulations, policy CS8 of the Woking Core Strategy (2012) and The Thames Basin Heaths Special Protection Area (TBH SPA) Avoidance Strategy.

RECOMMENDATION

Grant planning permission subject to the following conditions and SAMM (TBH SPA) contribution secured by way of Legal Agreement:

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:

DP/587/01-01 Rev P1 (Existing GF Plan), dated June 17 and received by the Local Planning Authority on 11.08.2017.

DP/587/01-02 Rev P1 (Existing FF & Roof), dated June 17 and received by the Local Planning Authority on 11.08.2017.

DP/587/02-01 Rev P1 (Ex Elevations 01), dated June 17 and received by the Local Planning Authority on 11.08.2017.

DP/587/02-02 Rev P1 (Ex Elevations 02), dated June 17 and received by the Local Planning Authority on 11.08.2017.

DP/587/06-01 Rev P2 (Prop Site Plan), dated 18.10.17 and received by the Local Planning Authority on 18.10.2017.

DP/587/06-02 Rev P2 (Prop Street Scene), dated 18.10.17 and received by the Local Planning Authority on 18.10.2017.

DP/587/06-03 Rev P2 (Ex Block Plan), dated 18.10.17 and received by the Local Planning Authority on 18.10.2017.

DP/587/06-04 Rev P2 (Prop Block Plan), dated 18.10.17 and received by the Local Planning Authority on 18.10.2017.

DP/586/PL1/01-01 Rev P1 (Plot 1 Plans 01 - Ground Floor), dated June 17 and received by the Local Planning Authority on 11.08.2017.

DP/586/PL1/01-02 Rev P1 (Plot 1 Plans 02 - First Floor), dated June 17 and received by the Local Planning Authority on 11.08.2017.

14 NOVEMBER 2017 PLANNING COMMITTEE

DP/586/PL1/01-03 Rev P1 (Plot 1 Plans 03 - Attic Floor), dated June 17 and received by the Local Planning Authority on 11.08.2017.

DP/586/PL1/01-04 Rev P1 (Plot 1 Plans 04 - Roof Plan), dated June 17 and received by the Local Planning Authority on 11.08.2017.

DP/586/PL1/02-01 Rev P1 (Plot 1 Elevations 01 - South and East), dated June 17 and received by the Local Planning Authority on 11.08.2017.

DP/586/PL1/02-02 Rev P1 (Plot 1 Elevations 02 - West and North), dated June 17 and received by the Local Planning Authority on 11.08.2017.

DP/586/PL2/01-01 Rev P1 (Plot 2 Plans 01 - Ground Floor), dated June 17 and received by the Local Planning Authority on 11.08.2017.

DP/586/PL2/01-02 Rev P1 (Plot 2 Plans 02 - First Floor), dated June 17 and received by the Local Planning Authority on 11.08.2017.

DP/586/PL2/01-03 Rev P1 (Plot 2 Plans 03 - Attic Floor), dated June 17 and received by the Local Planning Authority on 11.08.2017.

DP/586/PL2/01-04 Rev P1 (Plot 2 Plans 04 - Roof Plan), dated June 17 and received by the Local Planning Authority on 11.08.2017.

DP/586/PL2/02-01 Rev P1 (Plot 2 Elevations 01 - South and East), dated June 17 and received by the Local Planning Authority on 11.08.2017.

DP/586/PL2/02-02 Rev P1 (Plot 2 Elevations 02 - West and North), dated June 17 and received by the Local Planning Authority on 11.08.2017.

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

03. The development hereby permitted shall be constructed in the external materials as set out on the document titled 'Proposed Materials - 2 x new dwellings, Tor House, Shaftesbury Road, Woking' (2pp), and as shown/annotated on the approved plans listed within condition 02 above, and shall thereafter be 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 Shaftesbury Road and Maybury Hill and the visual amenities of the area in accordance with Policy CS21 of the Woking Core Strategy (2012), Supplementary Planning Document 'Design (2015)' and the provisions of the National Planning Policy Framework (NPPF) (2012).

04. ++ Notwithstanding any details shown on the approved plans listed within condition 02, prior to the commencement of any above ground works to construct the development hereby permitted a detailed soft landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority which specifies species, planting sizes, spaces and numbers of trees/shrubs and hedges to be planted and any existing soft planting to be retained. All new soft landscaping shall be carried out in accordance with the approved scheme within the first planting season (November-March) following the first occupation of the dwellings 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

14 NOVEMBER 2017 PLANNING COMMITTEE

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 Shaftesbury Road and Maybury Hill and the visual amenities of the area in accordance with Policy CS21 of the Woking Core Strategy (2012), Policy DM2 of the Development Management Policies DPD (2016), Supplementary Planning Document 'Design (2015)' and the provisions of the National Planning Policy Framework (NPPF) (2012).

05. ++ Notwithstanding any details shown on the approved plans listed within condition 02, prior to the commencement of any above ground works to construct the development hereby permitted full details and/or samples of the materials to be used for the 'hard' landscape works shall be 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 dwellings hereby permitted and permanently retained thereafter.

Reason: To protect the character and appearance of Shaftesbury Road and Maybury Hill and the visual amenities of the area in accordance with Policy CS21 of the Woking Core Strategy (2012), Policy DM2 of the Development Management Policies DPD (2016), Supplementary Planning Document 'Design (2015)' and the provisions of the National Planning Policy Framework (NPPF) (2012).

06. ++ Notwithstanding any details shown on the approved plans listed within condition 02, prior to the commencement of any above ground works to construct the development hereby permitted details of any modifications to boundary treatments (including the subdivision of the application site between the proposed dwellings) 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 dwellings 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), Policy DM2 of the Development Management Policies DPD (2016), Supplementary Planning Document 'Design (2015)' and the provisions of the National Planning Policy Framework (NPPF) (2012).

07. ++ Prior to the commencement of any above ground works to construct the development hereby permitted details of a scheme for disposing of surface water by means of a sustainable drainage system shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in full in accordance with the approved details prior to the first occupation of the development.

Reason: To ensure that the development achieves a high standard of sustainability in accordance with Policies CS9 and CS16 of the Woking Core Strategy (2012) and the policies within the National Planning Policy Framework (NPPF) (2012).

08. ++ Prior to the of the commencement of any above ground works to construct the development hereby permitted, written evidence shall be submitted to, and approved in writing by, the Local Planning Authority demonstrating that the development will:

14 NOVEMBER 2017 PLANNING COMMITTEE

- 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), 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).

09. ++ 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).

10. If during development, contamination not previously identified is found present at the site then no further development (unless otherwise first agreed in writing by the Local Planning Authority) shall be carried out until the a remediation strategy has been submitted to and approved in writing by the Local Planning Authority detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall thereafter be implemented in accordance with the approved details.

Reason: In accordance with the National Planning Policy Framework (2012) and Policy DM8 of the Development Management Policies DPD (2016) which require development to contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to, or being put at unacceptable risk from, or being adversely affected by, unacceptable levels of water pollution (paragraph 109) and to ensure that adequate site investigation information, prepared by a competent person, is presented (paragraph 12).

14 NOVEMBER 2017 PLANNING COMMITTEE

11. Tree protective measures shall be carried out in strict accordance with the Arboricultural Implications Report (Ref: SJA air 17184-01, dated August 2017) and the Tree Protection Plan (Ref: SJA TPP 17184-01) provided by SJA Trees. A pre-commencement site meeting shall be held between the Council's Arboricultural Officer, the project Arboricultural consultant and Project Manager whereupon any arboricultural supervision can be agreed and any changes to tree protection details can be amended and agreed. No works or demolition shall take place until the tree protective 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. The works shall be carried out as approved and the tree protection shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition nor shall any fires be started, no tipping, refuelling, disposal of solvents or cement mixing carried out and ground levels within those areas shall not be altered, nor shall any excavation or vehicular access be made, without the prior written consent of the Local Planning Authority.

Reason: To ensure the retention and protection of trees on and adjacent to the site In the interests of the visual amenities of the locality and the appearance of the development in accordance with Policy CS21 of the Woking Core Strategy (2012), Policy DM2 of the Development Management Policies DPD (2016) and the core principles of the National Planning Policy Framework (NPPF) (2012).

12. ++ Prior to the commencement of the development hereby permitted, full details of the method of construction and position of drainage and service runs on the site shall be submitted to and approved in writing by the Local Planning Authority. The method shall adhere to the principles embodied in BS 5837:2012 and the involvement of an arboricultural consultant may be necessary. The development shall thereafter be carried out strictly in accordance with the agreed details.

Reason: To ensure the retention and protection of trees on and adjacent to the site In the interests of the visual amenities of the locality and the appearance of the development in accordance with Policy CS21 of the Woking Core Strategy (2012), Policy DM2 of the Development Management Policies DPD (2016) and the core principles of the National Planning Policy Framework (NPPF) (2012).

13. The development hereby permitted shall not be first occupied unless and until the proposed vehicular access to Shaftesbury Road has been constructed and 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 high.

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) and the provisions of the National Planning Policy Framework (NPPF) (2012).

14. The development hereby permitted shall not be first occupied unless and until the existing access from the site to Maybury Hill has been permanently closed and any kerbs, verge and footway fully reinstated.

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) and the provisions of the National Planning Policy Framework (NPPF) (2012).

14 NOVEMBER 2017 PLANNING COMMITTEE

15. 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 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 retained and maintained for their designated purposes.

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) and the provisions of the National Planning Policy Framework (NPPF) (2012).

16. ++ No development shall commence 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
 - (d) programme of works (including measures for traffic management)
 - (e) provision of boundary hoarding behind any visibility zones
 - (f) measures to prevent the deposit of materials on the highway
- has been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented during the construction of the development.

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) and the provisions of the National Planning Policy Framework (NPPF) (2012).

17. ++ The development hereby permitted shall not be first occupied unless and until a scheme to remove and/or relocate the existing parking bay on Shaftesbury Road has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to the first occupation of the dwellings hereby permitted to the satisfaction of the Local Planning Authority.

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) and the provisions of the National Planning Policy Framework (NPPF) (2012).

18. Where annotated as being 'obscure and fixed' on the approved plans numbered/titled 'DP/586/PL1/01-02 Rev P1 (Plot 1 Plans 02 - First Floor)' and 'DP/586/PL2/01-02 Rev P1 (Plot 2 Plans 02 - First Floor)' side-facing window(s) within the dwellings hereby permitted shall be glazed entirely with obscure glass and non-opening unless the parts of the window(s) which can be opened are more than 1.7 metres above the finished floor level of the room(s) in which the window(s) are installed. Once installed the window(s) shall be permanently retained in that condition.

Reason: To protect the privacy and residential amenity of the existing adjacent dwelling of Mayhill, and between the two dwellings hereby permitted, in accordance with Policy CS21 of the Woking Core Strategy (2012), Supplementary Planning Documents 'Outlook, Amenity, Privacy and Daylight (2008)' and the provisions of the National Planning Policy Framework (NPPF) (2012).

19. Notwithstanding the provisions of Article 3, Schedule 2, Part 1 and Classes A, B and E of The Town and Country Planning (General Permitted Development) (England) Order

14 NOVEMBER 2017 PLANNING COMMITTEE

2015 (as amended) (or any orders amending or re-enacting that Order with or without modification) no extension(s) or enlargement(s) of the dwellings hereby permitted, or the provision of any outbuilding(s), 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 of Mayhill and No.1 Verralls, to the character of the area and provision of an appropriate level of private garden amenity space to serve the dwellings hereby permitted and for this reason would wish to control any future development in accordance with Policy CS21 of the Woking Core Strategy (2012), Supplementary Planning Documents 'Outlook, Amenity, Privacy and Daylight (2008)' and 'Design (2015)' and the provisions of the National Planning Policy Framework (NPPF) (2012).

20. Notwithstanding the provisions of Article 3, Schedule 2, Part 1 and Class 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) no rooflight(s) or other additional openings shall be formed above first floor level within the rear (northern) elevation (including the roof slope) of the dwellings hereby permitted without planning permission being first obtained from the Local Planning Authority.

Reason: To preserve the privacy of No.1 Verralls in accordance with Policy CS21 of the Woking Core Strategy (2012), Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight (2008)' and the provisions of the National Planning Policy Framework (NPPF) (2012).

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 paragraph 186-187 of the National Planning Policy Framework (NPPF) (2012).
02. The applicants 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 RELEVANT TRIGGER POINT. 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.
03. The development hereby permitted is subject to the Community Infrastructure Levy (CIL). The charge becomes due when development commences. A Commencement Notice, which is available from the Planning Portal website (Form 6: Commencement Notice: https://ecab.planningportal.co.uk/uploads/1app/forms/form_6_commencement_notice.pdf) must be issued to the Local Planning Authority and all owners of the relevant land to notify them of the intended commencement date of the development. The Local Planning Authority will then send a Demand Notice to the person or persons who have assumed liability.

14 NOVEMBER 2017 PLANNING COMMITTEE

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, under the Control of Pollution Act 1974, site works which will be audible at the site boundaries are restricted to the following hours:-
08.00 – 18.00 Monday to Friday
08.00 – 13.00 Saturday
and not at all on Sundays and Bank/Public Holidays.
06. The permission hereby granted shall not be construed as authority to carry out any works on the highway. The applicant is advised that prior approval must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, or verge to form a vehicle crossover or to install dropped kerbs. Please see:
www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/vehicle-crossovers-or-dropped-kerbs
07. The permission hereby granted shall not be construed as authority to carry out any works on the highway or any works that may affect a drainage channel/culvert or water course. The applicant is advised that a permit and, potentially, a Section 278 agreement 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. All works on the highway will require a permit and an application will need to be submitted to the County Council's Street Works Team up to 3 months in advance of the intended start date, depending on the scale of the works proposed and the classification of the road. Please see:
<http://www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/the-traffic-management-permit-scheme>
The applicant is also advised that Consent may be required under Section 23 of the Land Drainage Act 1991. Please see:
www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/floodingadvice
08. When a temporary access is approved or an access is to be closed as a condition of planning permission an agreement with, or licence issued by, the Highway Authority Local Highways Service will require that the redundant dropped kerb be raised and any verge or footway crossing be reinstated to conform with the existing adjoining surfaces at the developers expense.
09. The scheme to remove the existing parking bay shall first require the alteration of the existing Traffic Regulation Order (TRO) prior to first occupation of the development. The alteration of the Traffic Regulation Order is a separate statutory procedure which must be processed at the applicants expense prior to any alterations being made. In the event that the removal of the parking spaces is not successful due to unresolved objections the applicant shall submit an alternative scheme to the Local Planning Authority for its approval prior to the first occupation of the development. Any alternative scheme shall be implemented prior to the occupation of any dwellings to the satisfaction of the Local Planning Authority.
10. The applicant is advised that where windows are required to be fitted with obscure glazing the glass should have a sufficient degree of obscuration so that a person looking through the glass cannot clearly see the objects on the other side. 'Patterned'

14 NOVEMBER 2017 PLANNING COMMITTEE

glass or obscured plastic adhesive are not acceptable. If in doubt, further advice should be sought from the Local Planning Authority before work is commenced.

11. The applicant is advised that the term 'fixed' or 'non-opening window refers to a window where the glazing is fitted directly into a permanent fixed frame which contains no opening or openable casement or other device or mechanism to permit opening. Fixing an openable casement with screws or bolts into the frame is not acceptable. If in doubt, further advice should be sought from the Local Planning Authority before work is commenced.
12. This decision notice should be read in conjunction with the related Legal Agreement.