

## 15 OCTOBER 2019 PLANNING COMMITTEE

6f PLAN/2019/0576

WARD: BWB

**LOCATION:** Copperwood, 14A Rectory Lane, Byfleet, West Byfleet, Surrey, KT14 7LL

**PROPOSAL:** Erection of a part two storey, part single dwelling (3x bed) with associated vehicular access, parking and landscaping.

**APPLICANT:** Mr Brian Thomas

**OFFICER:** Brooke Bournague

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

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

### **PROPOSED DEVELOPMENT**

The proposed development is for the construction of a flat roofed part two storey, part single storey 3 bedroom dwelling of a contemporary design. The proposed dwelling has a green sedum roof, with the single storey level clad in prodema cladding panels and vertical and horizontal larch timber cladding for the rest of the external walls. A biomass boiler fuelled by wood pellets is also proposed along with a small cycle store. Access to the site is via a new driveway to the side of 14 Rectory Lane which connects into the existing dropped kerb onto Rectory Lane.

Site Area:	0.0906ha (906sq.m)
Existing units:	0
Proposed units:	1
Existing density:	0 dph (dwellings per hectare)
Proposed density:	11.03 dph

### **PLANNING STATUS**

- Urban Area
- Thames Basin Heaths SPA ZoneB (400m-5km)
- Flood Zone 2
- Tree Preservation Order

### **RECOMMENDATION**

Grant planning permission subject to conditions and Section 106 Agreement.

### **SITE DESCRIPTION**

The application site is located to the rear of No.12 and No.14 Rectory Lane. The application site is currently vacant and enclosed with a close boarded fence and natural boundary treatment. The site is accessed from an existing driveway to the south of No.14 Rectory Lane. The surrounding area is characterised by detached residential properties to the north, east and south and short terrace to the south of the existing access. The application site is located in flood zone 2 and is surrounded by a number of protected trees.

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### **PLANNING HISTORY**

*Land to the rear of No. 12 and No. 14 Rectory Lane*

PLAN/2015/0232: Erection of a new dwelling (Amended Plans). Refused 18.01.2016

Refusal reasons:

01. By reason of its design and location the proposal would have an adverse impact on the character and appearance of the area contrary to Policy CS21 of the Woking Core Strategy and Saved Policy HSG22 of the Woking Borough Local Plan 1999.
02. The proposal would give rise to material harm to the amenity enjoyed by occupiers of the adjacent properties in Mowbray Avenue by causing a loss of privacy contrary to Policy CS21 of the Woking Core Strategy.
03. The proposal fails to provide an adequate access that is sufficiently separated or screened from 14 Rectory Lane which would be detrimental to their amenity contrary to Saved Policy HSG22 (iv) of the Woking Borough Local Plan 1999.

Allowed at appeal 10.06.2016 (appeal ref: APP/A3655/W/16/3143933)

*No. 12 Rectory Lane*

PLAN/2013/0698: Single storey rear extension. Permitted 13.08.2013

*No. 14 Rectory Lane*

PLAN/2012/0693: Proposed change of use from Police Station to residential dwelling.

Permitted 19.10.2012

### **CONSULTATIONS**

Arboricultural Officer: No objection subject to conditions 4, 13 and 14

County Highway Authority: No objection subject to conditions 8 and 9

Flood Risk and Drainage Team: No objection subject to conditions 15 and 16

### **REPRESENTATIONS**

1 letter of objection was received in response to the proposal raising the following points:

- Overlooking
- Loss of privacy
- Increase in noise
- The wood burning heating system will add to pollution
- Access will be a problem especially for emergency vehicles
- Disruption, noise and pollution during construction
- The development will not fit in with the area

### **RELEVANT PLANNING POLICIES**

National Planning Policy Framework (NPPF) (2019)

Section 2 - Achieving sustainable development

Section 5 - Delivering a sufficient supply of homes

Section 9 - Promoting sustainable transport

Section 11 - Making effective use of land

Section 12 - Achieving well-designed places

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

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### Woking Core Strategy (2012)

CS1 - A spatial strategy for Woking Borough  
CS7 - Biodiversity and nature conservation  
CS8 - Thames Basin Heaths Special Protection Areas  
CS9 - Flooding and water management  
CS10 - Housing provision and distribution  
CS11 - Housing mix  
CS12 - Affordable housing  
CS18 - Transport and accessibility  
CS21 - Design  
CS22 - Sustainable construction  
CS24 - Woking's landscape and townscape  
CS25 - Presumption in favour of sustainable development

### Development Management Policies Development Plan Document (DM Policies DPD) (2016)

DM2 - Trees and landscaping  
DM10 - Development on Garden Land

### Supplementary Planning Documents (SPD's)

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

### Other Material Considerations

Planning Practice Guidance (PPG)  
South East Plan (2009) (Saved policy) NRM6 - Thames Basin Heaths Special Protection Area  
Thames Basin Heaths Special Protection Area Avoidance Strategy  
Woking Borough Council Strategic Flood Risk Assessment (November 2015)  
Community Infrastructure Levy (CIL) Charging Schedule (2015)  
Waste and recycling provisions for new residential developments  
Technical Housing Standards - Nationally Described Space Standard (March 2015)

## **PLANNING ISSUES**

### Principle of Development:

1. Planning application PLAN/2015/0232 for the erection of a new dwelling was refused on 18.01.2016. It was considered the design and location of the proposal would have an adverse impact on the character and appearance of the area, give rise to material harm to the amenity enjoyed by occupiers of the adjacent properties in Mowbray Avenue by causing a loss of privacy and fail to provide an adequate access that is sufficiently separated or screened from 14 Rectory Lane.
2. The dwelling refused under PLAN/2015/0232 was allowed at appeal (APP/A3655/W/16/3143933) on 10.06.2016 subject to 17 conditions which included a number of pre commencement conditions. Planning application PLAN/2015/0232 has now expired and none of the pre commencement conditions have been discharged. This planning application is for the same development allowed at appeal.
3. Planning application PLAN/2015/0232 did not raise any objection to the principle of the development.

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4. The NPPF (2019) and Policy CS25 of the Woking Core Strategy (2012) promote a presumption in favour of sustainable development and policy CS10 seeks to ensure that sufficient homes are built in sustainable locations where existing infrastructure is in place. The site lies within the designated Urban Area and within the 400m-5km (Zone B) Thames Basin Heaths Special Protection Area (SPA) buffer zone. The subdivision of existing plots for additional dwellings can be acceptable provided that the proposal respects the overall grain and character of development in the area. The principle of infill residential development is considered acceptable subject to further material planning considerations, specific development plan policies and national planning policy and guidance as discussed below.

### Impact on Character:

5. Planning application PLAN/2015/0232 was refused as it was considered the design and location of the proposal would have an adverse impact on the character and appearance of the area contrary to Policy CS21 of the Woking Core Strategy (2012) and Saved Policy HSG22 of the Woking Borough Local Plan (1999).
6. With regards to the character of the area the Planning Inspector's decision for PLAN/2015/0232 states *'The general character of the area is formed by the presence of the detached houses of a traditional design on the street frontages, as described in paragraph 3 above, and their long rear gardens which form a hinterland of open area with mature trees and scattered domestic outbuildings. At my site visit I did not see other examples local to the site of development in depth to the rear of the main frontages other than the car parking area associated with the former police station. The appeal proposal would be a form of tandem development in a backland location which would be at odds with this existing pattern of development'*.
7. However the Planning Inspector concludes *'Although the proposal would result in a form of tandem development and so would not accord with saved policy HSG22 I can only put limited weight on this policy as it predates and is not wholly consistent with the Framework and in any event there is already evidence of previous development in depth as associated with the police station. Further, although it is emerging policy which carries much less weight, I am satisfied that the proposal meets the criteria on plot size, access and design in draft DMP policy DM10'*.
8. With regards to the design of the dwelling the Planning Inspector's decision for PLAN/2015/0232 states *'In terms of design, the proposed house does not seek to mimic the existing local houses and chalet bungalows in Mowbray Avenue but would have a contemporary form which is designed to fit in with the verdant setting of the site in the open garden / woodland area. In my view the architectural form of the house and the palette of materials proposed would achieve this. The use of a sedum roof with infill larch cladding and a copper roof, the natural patina of which is likely to turn brown then green, would complement the verdant setting of the site.'*
9. The Planning Inspector's report also states *'Because of the backland setting of the site I do not consider that the proposed house would destroy the architectural harmony of the existing frontage development, as alleged, but the proposal can be seen as an interesting piece of architecture in its own right, albeit away from the public realm.'*
10. The DM Policies DPD (2016) has been adopted since planning application PLAN/2015/0232 was refused, however the Planning Inspector did give limited weight to the draft DM Policies DPD in the appeal decision.

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11. DM Policy DM10 of the DM Policies DPD (2016) permits subdivision of plots providing the proposed development “...does not involve the inappropriate sub-division of existing curtilages to a size substantially below that prevailing in the area”, “the means of access is appropriate in size and design to accommodate vehicles and pedestrians safely and prevent harm to the amenities of adjoining residents and is in keeping with the character of the area” and “suitable soft landscape is provided for the amenity of each dwelling appropriate in size to both the type of accommodation and the characteristic of the locality”.
12. The proposed dwelling remains the same as the dwelling allowed at appeal under planning application PLAN/2015/0232. The Planning Inspector appeal decision concludes ‘I have considered the proposal in relation to the emerging policy DM10 on garden land but found that the scheme meets the relevant criteria’.
13. It is considered that the proposed dwelling and plot size would not detract from the character and appearance of the area and accord with Policies CS21 and CS24 of the Woking Core Strategy (2012), Supplementary Planning Document 'Woking Design' (2015) and the NPPF (2019).
14. The Planning Inspector’s appeal decision for PLAN/2015/0232 required details of proposed materials to be submitted and agreed. The appeal decision states ‘The use of a sedum roof with infill larch cladding and a copper roof, the natural patina of which is likely to turn brown then green, would complement the verdant setting of the site’. Details of proposed materials to be used have been submitted. It is proposed to finish the elevations in a mix of larch timber and prodema cladding with the two storey element finished in a green grey steel roof and single storey elements finished in a sedum roof. Although the roof would be finished in a green grey steel roof instead of copper it is considered that the proposed roof would still complement the verdant setting of the site. Condition 3 is recommended to ensure that the proposal is built in accordance with agreed materials.
15. Condition 10 is also recommended to remove permitted development rights. The Planning Inspector’s appeal decision states that the removal of permitted development rights was ‘also necessary to ensure that the individual design of the dwelling proposed is not compromised by further and inappropriate additions’.
16. Overall the proposed dwelling is considered to have an acceptable impact on the character of the surrounding area and accord with Policies CS21 and CS24 of the Woking Core Strategy (2019), Supplementary Planning Document 'Woking Design' (2015) and the NPPF (2019).

### Impact on Neighbours:

17. Planning application PLAN/2015/0232 was refused as it was considered the proposal would give rise to material harm to the amenity enjoyed by occupiers of the adjacent properties in Mowbray Avenue by causing a loss of privacy contrary to Policy CS21 of the Woking Core Strategy and the proposal failed to provide an adequate access that is sufficiently separated or screened from 14 Rectory Lane which would be detrimental to their amenity contrary to Saved Policy HSG22 (iv) of the Woking Borough Local Plan 1999.
18. Policy CS21 of the Woking Core Strategy (2012) advises that proposals for new development should achieve a satisfactory relationship to adjoining properties, avoiding significant harmful impact in terms of loss of privacy, daylight or sunlight, or an overbearing effect due to bulk, proximity or outlook.
19. In terms of the relationship with the properties along Mowbray Avenue the Planning Inspector’s appeal decision states ‘although the proposed house would be prominent at the end of the garden almost in full view of the occupiers of No’s 38 to 44 Mowbray Avenue

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*I do not consider that there would be a materially imposing visual impact in an already developed general urban area. Nevertheless, there needs to be improved screening to mitigate some of the effect of the new house on the residential environment given its raised plinth. This should take the form of an additional screen fence 2.5m in height from normal ground level with additional tree/shrub planting along this boundary in the space available' and 'in terms of overlooking, it appears to me that the scheme has been designed to minimise this'.*

20. In terms of the relationship with No.14 Rectory Lane sited to the north of the access to the proposed dwelling the Planning Inspector's appeal decision states *'In my judgement a simple fence erected along the party boundary adjacent to the driveway and separating this from the hard surfaced forecourt to no. 14 would provide a reasonable enclosure and degree of privacy. Further, the driveway has been used in the past to serve the seven parking spaces and large garage located to the rear of the former police station. In these circumstances, I do not consider that the normal coming and going from a single dwelling would have a materially harmful effect on the residential amenity of this property by causing noise and disturbance'.*
21. The appeal decision concludes *'overall on this issue I am satisfied that the single dwelling proposed and its use would not result in a loss of privacy to neighbours and so would accord with policy CS21 of the Core Strategy and would not adversely affect adjoining properties through causing noise or visual intrusion and therefore accords with saved policy HSG22 (iv)'.*
22. The planning Inspector's appeal decision required a number of conditions to retain the privacy of neighbouring properties. Conditions 11 and 12 are recommended to restrict the insertion of windows at ground floor and above in the north, east and south elevations and ensure the ground floor windows in the south elevation are obscure glazed and non-opening. Condition 5 is recommended to ensure a 2.5m close boarded fence is installed along the south boundary with properties along Mowbray Avenue.
23. The proposed dwelling remains the same as the dwelling allowed at appeal under planning application PLAN/2015/0232. Subject to conditions the proposal is considered to have an acceptable impact on the amenities of neighbours in terms of loss of light, overlooking and overbearing impacts and accords with Policy CS21 of the Core Strategy (2012), Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight' (2008) and the policies in the NPPF (2019).

### Standard of Accommodation:

24. The proposal would deliver a three bedroom with a floor area of approximately 132.4m<sup>2</sup> which exceeds the recommended minimum standards set out in the National Technical Housing Standards (2015). The proposed dwelling is considered of an acceptable size with acceptable quality outlooks to habitable rooms.
25. The proposed dwelling would have a footprint of approximately 105m<sup>2</sup> with a private area of amenity area of approximately 512m<sup>2</sup>. The areas of private amenity space would be predominately soft landscaped. The proposal is therefore considered to have an acceptable impact on the living conditions of future occupants.
26. The proposed plans show a proposed bin store. Condition 6 is to ensure the proposed bin store is provided prior to first occupation of the proposed dwelling.

### Transportation Impacts:

27. The proposed access and parking arrangements would remain the same as those approved at appeal. The proposed dwelling would be accessed from Rectory Lane using

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an existing dropped kerb. The access track would be sited to the south of No.14 Rectory Lane.

28. Supplementary Planning Document 'Parking Standards' (2018) requires a dwelling with 3 bedrooms to provide a minimum of 2 on site parking spaces. There is sufficient space within the application site to accommodate 2 parking spaces.
29. Supplementary Planning Document 'Parking Standards' (2018) requires the provision of 2 cycle spaces per residential dwelling. A cycle store provided two cycle spaces is provided on site. The proposal would comply with on-site parking and cycle standards within Supplementary Planning Document 'Parking Standards' (2018).
30. The Planning Inspector's appeal decision for PLAN/2015/0232 included conditions requiring the submission of a Construction Transport Management Plan and vehicles to be parked and for vehicles to turn so that they may enter and leave the site in a forward gear. A Construction Transport Management Plan has been submitted with the planning application and the County Highway Authority have advised the plan is considered acceptable. Condition 8 is recommended to ensure the Construction Transport Management Plan is implemented during construction and condition 9 is recommended requiring vehicles to be parked and for vehicles to turn so that they may enter and leave the site in a forward gear.
31. Overall therefore the proposal is considered to result in an acceptable impact upon highway safety and car parking provision and accords with Policy CS18 of the Woking Core Strategy (2012), Supplementary Planning Document 'Parking Standards' (2018) and the National Planning Policy Framework (2019).

### Impact on Trees:

32. The Planning Inspector's appeal decision for PLAN/2015/0232 included conditions requiring the submission of a landscaping plan and details of service and drainage runs and required the development to be built in accordance with the submitted tree protection plan and Arboricultural impact assessment and method statement and that no other tree work should take place other than the works approved.
33. There are a number of mature trees adjacent to the application site. Policy DM2 of DM Policies DPD (2016) states the Council will *'require any trees which are to be retained to be adequately protected to avoid damage during construction'* and Policy CS21 of the Woking Core Strategy (2012) requires new development to include the retention of trees and landscape features of amenity value.
34. The applicant has submitted an Arboricultural impact assessment and method statement and tree protection plan which details how trees would be protected during construction. A plan detailing surface and drainage runs has also been provided. The Council's Arboricultural Officer considers the submitted information is acceptable. Conditions 13 and 14 are recommended to ensure the proposal is built in accordance with the submitted Arboricultural impact assessment and method statement, tree protection plan and surface and drainage run plan.
35. A landscaping plan has been submitted with the planning application. The Council's Arboricultural Officer considers the submitted landscaping plan to be acceptable. The landscaping plans including details of boundary treatment which consists of a 1.8m high fence and 2.5m high fence and additional landscaping along the south boundary. Conditions 4 and 5 are recommended to ensure the landscaping plan is implemented, a 2.5m fence is retained along the south boundary and a 1.8m fence is retained to the north of the access track.

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### Flood Risk:

36. The application site is located in flood zone 2. The Planning Inspector's appeal decision for PLAN/2015/0232 required the development to be built in accordance with the approved Flood Risk Assessment with the finished floor levels set no lower than 16.65 AOD and required the submission of a surface water drainage scheme. The planning application has been supported by a Flood Risk Assessment and Surface Water Drainage Strategy. The Council's Flood Risk and Drainage Team have been consulted and advised the submitted information is considered acceptable. Condition 15 and 16 is recommended to ensure the development is built in accordance with the submitted information.

### Sustainability:

37. Following a Ministerial Written Statement to Parliament on 25 March 2015, the Code for Sustainable Homes (aside from the management of legacy cases) has now been withdrawn. For the specific issue of energy performance, Local Planning Authorities will continue to be able to set and apply policies in their Local Plans that require compliance with energy performance standards that exceed the energy requirements of Building Regulations until commencement of amendments to the Planning and Energy Act 2008 in the Deregulation Bill 2015. The Government has stated that the energy performance requirements in Building Regulations will be set at a level equivalent to the outgoing Code for Sustainable Homes Level 4.

38. Until the amendment is commenced, Local Planning Authorities are expected to take this statement of the Government's intention into account in applying existing policies and setting planning conditions. The Council has therefore amended its approach and an alternative condition will now be applied to all new residential permissions which seeks the equivalent water and energy improvements of the former Code Level 4 (Conditions 17 and 18).

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

39. The Thames Basin Heaths Special Protection Area (TBH SPA) has been identified as an internationally important site of nature conservation and has been given the highest degree of protection. Policy CS8 of the Core Strategy states that any proposal with potential significant impacts (alone or in combination with other relevant developments) on the TBH SPA will be subject to Habitats Regulations Assessment to determine the need for Appropriate Assessment. Following recent European Court of Justice rulings, a full and precise analysis of the measures capable of avoiding or reducing any significant effects on European sites must be carried out at an 'Appropriate Assessment' stage rather than taken into consideration at screening stage, for the purposes of the Habitats Directive (as interpreted into English law by the Conservation of Habitats and Species Regulations 2017 (the "Habitat Regulations 2017")). An Appropriate Assessment has therefore been undertaken for the site as it falls within 5 kilometres of the TBH SPA boundary.

40. Policy CS8 of Woking Core Strategy (2012) requires new residential development beyond a 400m threshold, but within 5 kilometres of the TBH SPA boundary to make an appropriate contribution towards the provision of Suitable Alternative Natural Greenspace (SANG) and Strategic Access Management and Monitoring (SAMM), to avoid impacts of such development on the SPA. The SANG and Landowner Payment elements of the SPA tariff are encompassed within the Community Infrastructure Levy (CIL), however the SAMM element of the SPA tariff is required to be addressed outside of CIL. The applicant has agreed to make a SAMM contribution of £919.00 in line with the Thames Basin Heaths SPA Avoidance Strategy. This would need to be secured through a S106 Legal Agreement. For the avoidance of doubt, sufficient SANG at Brookwood Country Park has been identified to mitigate the impacts of the development proposal.

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Subject to securing the provision of the SAMM tariff and an appropriate CIL contribution, and in line with the conclusions of the Appropriate Assessment (as supported by Natural England), the Local Planning Authority is able to determine that the development will not affect the integrity of the TBH SPA either alone or in combination with other plans and projects in relation to urbanisation and recreational pressure effects. The development therefore accords with Policy CS8 of Woking Core Strategy (2012), the measures set out in the Thames Basin Heaths SPA Avoidance Strategy, and the requirements of the Habitat Regulations 2017.

### Affordable housing

41. 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 between five and nine new dwellings, the Council will require a financial contribution equivalent to the cost to the developer of providing 20% of dwellings to be affordable or a financial contribution equivalent to the cost to the developer of providing 20% of the number of dwellings to be affordable on site. All new residential development on Greenfield land and land in public ownership will be required to provide 50% of the dwellings as affordable housing, irrespective of the site size or number of dwellings proposed.
42. However, Paragraph 63 of the NPPF (2019) sets out that the provision of affordable housing should not be sought for residential developments that are not major developments, other than in designated rural areas (where policies may set out a lower threshold of 5 units or fewer).
43. Whilst it is considered that weight should still be afforded to Policy CS12 of the Woking Core Strategy (2012) it is considered that more significant weight should be afforded to the policies within the NPPF (2019). The proposal is not major development and therefore no affordable housing contribution is sought.

### Community Infrastructure Levy (CIL):

44. The proposal would be liable for Community Infrastructure Levy (CIL) to the sum of £20,623.85.

## **CONCLUSION**

45. Considering the points discussed above, the proposal is considered an acceptable form of development which would have an acceptable impact on the amenities of neighbours, on the character of the area and in transportation terms. The proposal therefore accords with Policies CS1, CS7, CS8, CS9, CS10, CS11, CS12, CS18, CS21, CS22, CS24 and CS25 of the Woking Core Strategy (2012), Policies DM2 and DM10 of the DM Policies DPD (2016), Supplementary Planning Documents 'Parking Standards' (2018), 'Outlook, Amenity, Privacy and Daylight' (2008), 'Woking Design' (2015) and the NPPF (2019) and is recommended for approval subject to conditions and subject to Section 106 Agreement.

## **BACKGROUND PAPERS**

1. Site visit photographs
2. Consultation responses
3. Representation

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### PLANNING OBLIGATIONS

	Obligation	Reason for Agreeing Obligation
1.	SAMM (SPA) contribution of <b>£919.00</b>	To accord with the Habitat Regulations, policy CS8 of the Woking Core Strategy 2012 and The Thames Basin Heaths SPA Avoidance Strategy 2010-2015.

### RECOMMENDATION

It is recommended that planning permission be Granted subject to the following Conditions and S106 Agreement:

1. The development for which permission is hereby granted must be commenced not later than the expiration of three years beginning with the date of this permission.

Reason: To accord with the provisions of Section 91(1) of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2. The development hereby permitted shall be carried out in accordance with the approved plans listed below:

145-00-01 received by the Local Planning Authority on 10.06.2019

145-00-02 received by the Local Planning Authority on 10.06.2019

145-00-03 received by the Local Planning Authority on 10.06.2019

145-20-11 received by the Local Planning Authority on 10.06.2019

145-20-12 received by the Local Planning Authority on 10.06.2019

145-20-13 received by the Local Planning Authority on 10.06.2019

145-21-11 received by the Local Planning Authority on 10.06.2019

145-21-12 received by the Local Planning Authority on 10.06.2019

145-21-013 received by the Local Planning Authority on 10.06.2019

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

3. The development hereby permitted shall be carried out in accordance with the following materials unless otherwise agreed in writing with the Local Planning Authority:

Elevations: Prodepa natural wood and Siberian Larch cladding

Roof: Two storey element: steel grey/green steel by Tata and single storey elements: Sedum roof

Windows: Timber

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Reason: To protect the visual amenities of the area.

4. Notwithstanding any details shown on the approved plans listed within condition 02, the development shall be carried out and thereafter retained in accordance with plan PRI19568-11 dated April 2019 by ACD Environmental received by the Local Planning Authority on 10.06.2019 unless otherwise first agreed in writing by the Local Planning Authority. All landscaping shall be carried out in accordance with the approved scheme in the first planting season (November-March) following the occupation of the buildings or the completion of the development (in that phase) whichever is the sooner and maintained thereafter. Any retained or newly planted trees, shrubs or hedges which die, become seriously damaged or diseased or are removed or destroyed within a period of 5 years from the date of planting shall be replaced during the next planting season with specimens of the same size and species unless otherwise agreed in writing by the Local Planning Authority.

Reason: To preserve and enhance the character and appearance of the locality.

5. The development shall be built in accordance with the boundary treatment shown on plan PRI19568-11 dated April 2019 by ACD Environmental received by the Local Planning Authority on 17.09.2019. Notwithstanding any details shown plan PRI19568-11 dated April 2019 by ACD Environmental received by the Local Planning Authority on 17.09.2019 a 2.5m high heather edge fence shall be installed for a distance of 18m in accordance with unnumbered plan showing position of the fence between mark x-x and a 1.8m high feather edge fence shall be installed to the north of the south of the access track. The means of enclosure will be implemented fully in accordance with the approved details prior to the occupation of any part of the development and thereafter maintained to the height and position as approved unless otherwise agreed in writing by the Local Planning Authority. Any hedges and planting which die or become seriously damaged or diseased within a period of 5 years from the completion of the development shall be replaced during the next planting season with specimens of the same size and species unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure that the proposed development does not adversely affect the amenities at present enjoyed by the occupiers of the adjoining and nearby properties and to preserve and enhance the character and appearance of the locality.

6. Prior to the first occupation of the development hereby permitted, the refuse and recycling facilities shown on the approved plans shall be made available and thereafter be retained for use at all times.

Reason: To ensure the provision of satisfactory facilities for the storage and recycling of refuse and to protect the amenities of the area.

7. No trees which are shown as being retained on the approved plans shall be cut down, uprooted or destroyed nor shall any retained tree be pruned or reduced other than those works approved without the prior written approval of the Local Planning Authority until the expiration of five years from the date of completion of the development.

Reason: To ensure reasonable measures are taken to safeguard trees in the interest of local amenity and the enhancement of the development itself.

8. The Construction Management Plan titled 'Traffic Management Plane for the Land to the Rear of 12-14 Rectory Lane' and received by the Local Planning Authority on 10.06.2019 shall be implemented during the construction of the development unless otherwise agreed in writing with the Local Planning Authority

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Reason: In order that the development should not prejudice highway safety nor should it inconvenience other highway users.

9. The development hereby approved 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 a 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 should it inconvenience other highway users.

10. Notwithstanding the provisions of Article 3 and Schedule 2, Part 1 and Classes A, B, C, D, E and F of The Town and Country Planning (General Permitted Development) (England) Order 2015, (or any orders amending or re-enacting that Order with or without modification) no extension, enlargement or other alteration of the dwelling house or the provision of any other building or hardstanding within the curtilage other than as expressly authorised by this permission shall be carried out without planning permission being first obtained from the Local Planning Authority.

Reason: To protect the amenity and privacy of the occupants of neighbouring properties.

11. Notwithstanding the provisions of Article 3 of The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no window, dormer window, roof light, or other additional openings shall be formed at ground floor level or above on the northern, eastern and southern elevations of the building (other than those expressly authorised by the approved drawings) hereby permitted without planning permission being first obtained from the Local Planning Authority.

Reason: To protect the amenity and privacy of the occupants of neighbouring properties.

12. The ground floor windows in the southern elevation of the building hereby permitted shall be glazed entirely with obscure glass and non-opening. Once installed the windows shall be permanently retained in that condition unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the amenity and privacy of the occupants of neighbouring properties.

13. Protective measures shall be carried out in strict accordance with the Tree Protection Plan (PRI19568aia\_amsA) and Arboricultural Impact Assessment & Method Statement prepared by ACD Arboriculture dated 18.05.2015 and received on 10.06.2019 including the convening of a pre-commencement meeting and arboricultural supervision as indicated. No works or demolition shall take place until the tree protection measures have been implemented. Any deviation from the works prescribed or methods agreed in the report will require prior written approval from the Local Planning Authority.

Reason: To ensure reasonable measures are taken to safeguard trees in the interest of local amenity and the enhancement of the development itself.

14. The development shall be constructed in accordance with the service and drainage details shown on unnumbered plan showing details of service and drainage runs

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received by the Local Planning Authority on 10.06.2019 unless otherwise agreed in writing with the Local Planning Authority

Reason: To ensure reasonable measures are taken to safeguard trees in the interest of local amenity and the enhancement of the development itself.

15. All development shall be constructed in accordance with the submitted and approved Flood Risk Assessment (dated January 2015) unless otherwise first approved in writing by the Local Planning Authority.

Reason: To ensure the flood risk is adequately addressed for the development and not increased in accordance with policy CS9 of the Woking Core Strategy 2012 and the policies in the NPPF.

16. All development shall be constructed in accordance with the submitted and approved Surface Water Drainage Strategy (dated May 2019) unless otherwise first approved in writing by the Local Planning Authority.

Reason: To ensure the flood risk is adequately addressed for the development and not increased in accordance with policy CS9 of the Woking Core Strategy 2012 and the policies in the NPPF.

17. ++Prior to the commencement of the development hereby approved (with the exception of demolition and site preparation works), written evidence shall be submitted to and approved in writing by the Local Planning Authority (LPA) demonstrating that the development will:
- 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
  - 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.

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

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

18. The development hereby permitted shall not be occupied until written documentary evidence has been submitted to and approved in writing by the Local Planning Authority demonstrating that the development has:
- 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
  - 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

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shall be in the form of the notice given under Regulation 37 of the Building Regulations.

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

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

### Informatives

1. The Council confirms that in assessing this planning application it has worked with the applicant in a positive and proactive way, in line with the requirements of the National Planning Policy Framework 2019.
2. You are advised that Council officers may undertake inspections without prior warning to check compliance with approved plans and to establish that all planning conditions are being complied with in full. Inspections may be undertaken both during and after construction.
3. The 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.
4. 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.
5. The planning 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 to install dropped kerbs. Please see: [www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/vehicle-crossovers-or-dropped-kerbs](http://www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/vehicle-crossovers-or-dropped-kerbs)
6. The developer is advised that as part of the detailed design of the highway works required by the above conditions, the County Highway Authority may require necessary accommodation works to street lights, road signs, road markings, highway drainage, surface covers, street trees, highway verges, highway surfaces, surface edge restraints and any other street furniture/equipment.
7. The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders. (Highways Act 1980 Sections 131, 148, 149).

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8. This decision notice should be read in conjunction with the related S106 Legal Agreement.
9. The applicant is advised that the development hereby permitted is subject to a Community Infrastructure Levy (CIL) liability. The Local Planning Authority will issue a Liability Notice as soon as practical after the granting of this permission.

The applicant is advised that, if he/she is intending to seek relief or exemptions from the levy such as for social/affordable housing, charitable development or self-build developments it is necessary that the relevant claim form is completed and submitted to the Council to claim the relief or exemption. In all cases (except exemptions relating to residential exemptions), **it is essential that a Commencement Notice be submitted at least one day prior to the starting of the development.** The exemption will be lost if a commencement notice is not served on the Council prior to commencement of the development and there is no discretion for the Council to waive payment. For the avoidance of doubt, commencement of the demolition of any existing structure(s) covering any part of the footprint of the proposed structure(s) would be considered as commencement for the purpose of CIL regulations. A blank commencement notice can be downloaded from: [http://www.planningportal.gov.uk/uploads/1app/forms/form\\_6\\_commencement\\_notice.pdf](http://www.planningportal.gov.uk/uploads/1app/forms/form_6_commencement_notice.pdf)

Claims for relief must be made on the appropriate forms which are available on the Council's website at: <https://www.woking.gov.uk/planning/service/contributions>

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

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

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

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

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