

10 NOVEMBER 2020 PLANNING COMMITTEE

PLAN/2019/0878 - Proposed two storey side and rear extensions and conversion of existing family dwellings into 8 flats (two 2-bed and six 1-bed) following demolition of existing rear conservatory with access and car parking (Part Retrospective) – Refused 15.11.2019

Reason 1: The proposal would result in the loss of family dwellings, for which there is an identified local need, and replacement with 8 flats which are unsuitable for family accommodation due to lack of suitable private amenity space, contrary to Policy CS11 of the Woking Core Strategy 2012 and Policy DM11 of the Woking DMP DPD 2016.

Reason 2: By reason of the scale and design of the extensions, the development would fail to respect and make a positive contribution to the street scene of Hawthorn Road and to the character of the area in which they would be situated. The development would conflict sharply with the prevailing density of the area at almost seven times that of Hawthorn Road and three times that of the neighbouring flatted development. Additionally, the extensions would appear incongruous within the street scene enveloping the pre-existing pair of semi-detached family dwellings and failing to observe their pronounced location on 3 converging highways with substantial additions resulting in a bulky and contrived building. The development is, therefore, contrary to provisions outlined in the National Planning Policy Framework, Policy CS21 of the Woking Core Strategy 2012, and Supplementary Planning Document 'Design' 2015.

Reason 3: The development would cause harm to the living conditions of future residential occupiers through a severe restriction in terms of outlook and light to 2 of the ground floor flats and would therefore fail to provide a good quality of accommodation and good standard of amenity for future residential occupiers. Furthermore, considering the restricted rear space, this would not provide a good standard of communal amenity space falling below that of the required amount as outlined in the Council's Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight' 2008. The development would, therefore, fail to accord with the provisions of the National Planning Policy Framework, Policy CS21 of the Woking Core Strategy 2012 and Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight' 2008.

Reason 4: By reason of depth, bulk, massing, proximity and fenestration layout, the two storey northern side extension causes a detrimental loss of outlook, loss of privacy, loss of light and overbearing impact on the amenities of neighbours at No.151 Hawthorn Road and 1-4 The Oaks Hawthorn Close. The development, therefore, represents an unneighbourly form of development contrary to provisions outlined in the National Planning Policy Framework, Policy CS21 of the Woking Core Strategy 2012 and Supplementary Planning Documents 'Outlook, Amenity, Privacy and Daylight' 2008 and 'Design' 2015.

Reason 5: The development would increase the parking demand of the site on an already heavily parked street and fails to meet the minimum standards set out in the Council's Supplementary Planning Document 'Parking Standards' 2018, much to the detriment of the amenities of the area and would set an undesirable precedent for similar future developments in the local area. Consequently the Local Planning Authority cannot be satisfied that there would no adverse effect upon the free flow of

10 NOVEMBER 2020 PLANNING COMMITTEE

traffic or car parking provision within the locality. The development is therefore contrary to Policy CS18 of the Woking Core Strategy 2012, Policy DM11 of the Woking Development Management Policies DPD 2016 and Supplementary Planning Document 'Parking Standards' 2018.

Reason 6: Further works on top of what has already been carried out would result in catastrophic damage to the protected Oak Tree in the rear amenity space which would likely lead to significant implications of the root protection area and ultimately the loss of the tree. Further incursions in the form of additional parking and soakaways are not considered acceptable and, therefore, the development is considered contrary to provisions outlined in the National Planning Policy Framework, Policy CS21 of the Woking Core Strategy 2012 and Policy DM2 of the Development Management Document DPD 2016.

Reason 7: The development is in Flood Zone 2 and it has not been demonstrated through a Sequential Test that there are no other sequentially preferable sites that are reasonably available that are at a lesser risk of flooding. Furthermore, the Flood Risk Assessment submitted demonstrates a drainage design which fails to mitigate the likelihood of flooding the surrounding area with inappropriate infiltration measures proposed. The development is, therefore, contrary to Section 14 of the National Planning Policy Framework and Policy CS9 of the Woking Core Strategy 2012.

Reason 8: In the absence of a Legal Agreement or other appropriate mechanism to secure contributions towards mitigation measures, the Local Planning Authority is unable to determine that the additional dwellings would not have a significant impact upon the Thames Basin Heaths Special Protection Area, contrary to Policy CS8 of the Woking Core Strategy 2012, the Thames Basin Heaths Avoidance Strategy, saved Policy NRM6 of the South East Plan (2009), the Conservation of Habitats and Species Regulations 2017 (SI No.1012 - the "Habitats Regulations") and Policy DM11 of the Development Management Policies DPD 2016.

ENF/2019/00115 - Unauthorised Operational Development – Two storey front and side extensions and creation of 4 flats following conversion of 3 bedroom family home – Resolution to Enforce on Unauthorised Development granted at Planning Committee 24.09.2019 – Appeal Dismissed and Enforcement Notice Upheld 22.10.2020

ENF/2019/00114 - Unauthorised Operational Development – Two storey side and rear extensions and creation of 4 flats following conversion of 3 bedroom family home – Resolution to Enforce on Unauthorised Development granted at Planning Committee 24.09.2019 – Appeal Dismissed and Enforcement Notice Upheld 22.10.2020

PLAN/2018/1026 - Proposed erection of a two storey front and two storey side extension with porch addition (Retrospective) - Permitted Subject to Legal Agreement 25.04.2019

PLAN/2018/1019 - Proposed two storey side and rear addition and two storey rear extension following demolition of existing rear conservatory with car parking space at rear (Retrospective) – Permitted Subject to Legal Agreement 25.04.2019.

10 NOVEMBER 2020 PLANNING COMMITTEE

PLAN/2017/1079 - Proposed erection of a two storey front and side extension with porch addition – Permitted Subject to Legal Agreement 10.04.2018

PLAN/2017/1078 - Proposed two storey side and part two storey, part single storey rear extension following demolition of existing rear conservatory with car parking space at rear – Permitted Subject to Legal Agreement 10.04.2018

PLAN/2017/0689 - Proposed side and rear extensions to Nos 153 and 155 Hawthorn Road – Permitted 24.08.2017

PLAN/2016/1325 - Proposed erection of a two storey side and rear extension – (Called to Planning Committee) Refused 30.03.2017

Reason 1: By virtue of their size, siting and design the two storey front and side extensions would fail to respect and make a positive contribution to the street scene of Hawthorn Road and to the character of the area in which they would be situated. Additionally the proposal would appear incongruous within the street scene destroying the relationship the existing dwelling has with 3 converging highways and erecting substantial front and side additions resulting in bulky, contrived additions. The proposal is therefore contrary to provisions outlined in the National Planning Policy Framework, Policy CS21 of the Woking Core Strategy 2012, and Supplementary Planning Document 'Design' 2015.

Reason 2: By reason of height, depth, bulk, massing and proximity, the proposed two storey side extension would cause a detrimental loss of outlook and overbearing impact on the amenities of neighbours at No.153 Hawthorn Road. The proposal therefore represents an unneighbourly form of development contrary to provisions outlined in the National Planning Policy Framework, Policy CS21 of the Woking Core Strategy 2012 and Supplementary Planning Documents 'Outlook, Amenity, Privacy and Daylight' 2008 and 'Design' 2015.

Reason 3: It has not been demonstrated that the proposed development could be constructed without having a detrimental impact upon adjacent Oak trees which are protected by a Tree Preservation Order and have visual amenity and screening value and contribute to the character of the surrounding area, contrary to provisions outlined in the National Planning Policy Framework, Policy CS21 of the Woking Core Strategy 2012, Policy DM2 of the Development Management Policies DPD 2016.

PLAN/2016/1324 - Proposed two storey side and part two storey part single storey rear extension following demolition of existing rear conservatory with car parking space at rear – (Called to Planning Committee) Refused 30.03.2017

Reason 1: By virtue of its size, siting and design the two storey rear extension is considered to result in an incongruous feature which would adversely affect the character of the dwelling and in turn the surrounding area, contrary to provisions outlined in the National Planning Policy Framework, Policy CS21 of the Woking Core Strategy 2012, and Supplementary Planning Document 'Design' 2015.

Reason 2: By reason of height, depth, bulk, massing, proximity and fenestration layout, the proposed two storey side and rear extensions would cause a detrimental loss of outlook, loss of privacy, loss of light and

10 NOVEMBER 2020 PLANNING COMMITTEE

overbearing impact on the amenities of neighbours at No.151 and No.155 Hawthorn Road. The proposal therefore represents an unneighbourly form of development contrary to provisions outlined in the National Planning Policy Framework, Policy CS21 of the Woking Core Strategy 2012 and Supplementary Planning Documents 'Outlook, Amenity, Privacy and Daylight' 2008 and 'Design' 2015.

Reason 3: It has not been demonstrated that the proposed development could be constructed without having a detrimental impact upon adjacent Oak trees which are protected by a Tree Preservation Order and have visual amenity and screening value and contribute to the character of the surrounding area, contrary to provisions outlined in the National Planning Policy Framework, Policy CS21 of the Woking Core Strategy 2012, Policy DM2 of the Development Management Policies DPD 2016.

PLAN/2006/1236 – Subdivision of existing plot to form 4 new apartments and retention of existing No.153 Hawthorn Road – Permitted 07.02.2007

PLAN/2005/1293 - Outline application for subdivision of existing plot to form 2 x houses and retention of existing 153 - Refused 08.12.2005

PLAN/1999/1287 - Erection of replacement and additional boundary fencing 1.95m in height, formation of new vehicular access and erection of detached garage.
Approved 27.01.2000

PLAN/1990/0693 -Erection of two semi-detached bungalows and a pair of attached garages - Refused 23.10.1990

PLAN/1988/0908 - Erection of two detached three bedroom houses with integral garages - Refused 22.11.1988

PROPOSED DEVELOPMENT

Retrospective planning consent is sought to retain the unauthorised two storey side and rear extensions following demolition of the pre-existing conservatory along with car parking towards the rear.

CONSULTATIONS

Arboricultural Officer: Encroachment of the development upon the root protection area of the protected tree has had/will have a significantly detrimental impact this protected trees. In light of the current application an Investigation will take place into the increase of the agreed size from the previously approved plan as these are protected trees and it is very likely that damage has occurred (10.10.19, 12.11.19 and 20.03.20)

Drainage Officer: details are not sufficient to recommend planning approval in accordance with NPPF and working Core Strategy Policy CS9 as this is a retrospective application (08.04.20)

REPRESENTATIONS

There have been 2 third party letters of objection received (both from the same neighbours) in relation to the proposed development. The issues raised in this representation are summarised as follows:

10 NOVEMBER 2020 PLANNING COMMITTEE

- Development is out of character with the wider area.
- Proposed parking layout is not accurate and the parking space shown on submitted plans are not accessible without crossing over land outside of the red line.
- Annotated plans are incorrect (Officer Note: *this is noted and the extent of the development is acknowledged as well as what the original/existing dwelling consisted of.*)

RELEVANT PLANNING POLICIES

National Planning Policy Framework 2019

Section 12 - Achieving well-designed places

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

Core Strategy Publication Document 2012

CS9 - Flooding and water management

CS18 – Transport and accessibility

CS21 - Design

CS24 - Woking's Landscape and Townscape

Development Management Policies DPD 2016

DM2 – Trees and Landscaping

DM9 – Flats Above Shops and Ancillary Accommodation

Supplementary Planning Documents

Supplementary Planning Document 'Parking Standards' 2018

Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight' 2008

Supplementary Planning Document 'Design' 2015

Other Material Considerations

Community Infrastructure Levy (CIL) Charging Schedule 2015

Technical Housing Standards - Nationally Described Space Standard 2015

House of Commons: Written Statement (HCWS161) - Sustainable drainage systems

PLANNING ISSUES

1. The extensive Planning and Planning Enforcement history related to this site and, in particular, the recent history are significant material considerations in the assessment of this application along with the following planning issues; the principal of development, whether the development has a detrimental impact on the character of the pre-existing dwelling or character of the surrounding area, impact on amenity provision, whether the development causes significant harm to the amenities of neighbours, impact on highway safety and parking, impact on trees and impact on flooding.

Background

2. As evident from the 'Relevant Planning History' section above, the application site along with adjoining No.155 have gone through an extensive planning history, particularly with regards to extensions to both properties since 2016. It is considered necessary to summarise the sequence of events from the outset to have a clear understanding of the history.

10 NOVEMBER 2020 PLANNING COMMITTEE

3. Under PLAN/2016/1324 and PLAN/2016/1325, extensions to the front, side and rear elevations of No.153 and No.155 respectively were refused at Planning Committee on 28 March 2017, for the same three reasons of; i) adverse effects on the character of the dwelling and the surrounding area due to bulk, scale and design; ii) the impact on the amenities of neighbours including 153 and 155 (respectively) as there was no legal agreement in place to secure concurrent construction of extensions on both dwellings and iii) lack of information relating to impact on protected trees.
4. Following numerous discussions between the agent/applicant and Local Planning Authority, the applicant submitted a revised scheme under ref. PLAN/2017/0689 which took into consideration the previous reasons for refusal and reduced the bulk and scale of the developments. The submitted application showed the red line around both properties, thereby addressing the concern of impact on the respective adjoining property, in terms of amenity. The LPA found that these additions formed *“adequately subordinate additions which merge with the host dwelling in a seamless manner whilst improving the character of the area”* with the proposed rear elevation found to be *“much less complicated with a twin central gable and valley with subordinate single store additions.”* Reasons relating to impact on neighbour amenity and trees were also addressed. The application was approved under delegated powers. However, as the site was contained within a single red line and the overall increase in floor area was 151 sq.m, the application fell liable for a Community Infrastructure Levy (CIL) contribution. This approval was never implemented. Instead the applicant submitted proposed developments under PLAN/2017/1078 and PLAN/2017/1079 with separate red lines for each property which effectively mirrored the previous approval. These were subsequently approved subject to a legal agreement to secure concurrent construction. The proposals were based on an identical scale and design to that of PLAN/2017/0689.
5. In September/October 2018, following a significant amount of discussion, two retrospective applications were submitted (PLAN/2018/1019 and PLAN/2018/1026) for retention of extensions to both properties. These partly-built extensions not only exceeded the width, depth and height of the most recently approved schemes and failed to adhere to restrictive conditions such as obscure glazing on certain windows, but also exceeded the dimensions of the proposals which were refused at Planning Committee on 28 March 2017. Nevertheless, these retrospective applications were approved at Committee in April 2019.
6. What is of paramount importance in this matter is that the plans submitted and approved under PLAN/2018/1019 and PLAN/2018/1026 did not, in fact, represent what had actually commenced on site and what is currently under consideration in this application. Therefore the decision reached by the Planning Committee was on a hypothetical scheme which, considering the level of development that had already occurred, appeared to be beyond compliance of any plans submitted with these applications. This breach of planning control only became apparent following third party complaints to the Planning Enforcement Team who, in turn, advised the developer/builders to suspend works, as what had been constructed did not benefit from planning permission. In fact the development of significantly larger extensions, compared to that approved, along with the conversion of the dwellinghouses into 8 flats, did not benefit from any permission. As the 2018 permissions was

10 NOVEMBER 2020 PLANNING COMMITTEE

approved on the basis of extensions to single dwellinghouses they could therefore no longer be implemented.

7. It was a clear and obvious risk to pursue this development as it was apparent by the LPA's objections to the initial scheme in March 2017, as well as the reservations relayed to the agent and applicant about the scale and design throughout the application processes of PLAN/2018/1019 and PLAN/2018/1026. The decision to carry out the current development was a premediated one as the foundations and layout of the scheme were implemented despite submission of plans under the applications in 2018 for a different form of development. The decision to continue with construction was entirely at the applicant's risk.
8. The underlying objective for the multiple occupation of these dwellings became obvious following submission of an application in September 2019 for the retention of two storey side and rear extensions and conversion of existing family dwellings at No.153 and No.155 into 8 flats (two 2-bed and six 1-bed), following demolition of existing rear conservatory. The merits of this case were determined and considering the significant impacts on the character of the area, standard of accommodation, loss of family housing, inadequate amenity space, inadequate parking provision, impact on trees and the significant impact on flooding as well as impact on the Thames Basin Heaths Special Protection Area with no legal mechanism submitted to mitigate this effect, the application was refused.
9. Enforcement action commenced on both 153 and 155 Hawthorn Road where a resolution to Enforce on Unauthorised Development was granted at Planning Committee on 24 September 2019. These Enforcement Notices were appealed against with the Appeals being dismissed and the varied Enforcement Notice upheld on 22 October 2020.

Principal of Development

10. The most recent application on this site was a joint retrospective application (PLAN/2019/0878) seeking permission to retain unauthorised developments which included unauthorised larger extensions to both the application property as well as the adjoining No.155 Hawthorn Road. Part of this unauthorised development included subdividing both properties into a block of 8 flats, 4 of which would be located within each dwelling. Works carried out as part of the development included installation of a stairwell in a position within the application dwelling which could be accessed independently from a side door which would have provided a separate entrance point to the intended first floor flats. No interaction would have been necessary with the notional ground floors units, thereby resulting in 4 separate units across the ground and first floors. As previously noted, this application was refused and Enforcement Notices were served. Appeals against the Notices were dismissed on 22 October.
11. Permission is now sought to retain the unauthorised extensions with submitted plans demonstrating a similar arrangement with regards to the stairwell providing access to the first floor albeit as single dwellinghouse rather than 4 flats. Despite the recent appeal dismissal (ref. APP/A3655/C/20/3247235) requiring the cessation of the use as flats, the plans as submitted are still laid out such that they can be occupied as separate flats. Policy DM9 of the Development Management Policies DPD

10 NOVEMBER 2020 PLANNING COMMITTEE

2016 seeks to ensure that ancillary residential extensions will be permitted provided they “...are designed in such a way that renders them incapable of being occupied separately from the main dwelling”. The proposal would retain the existing main entrance on the front of the dwelling, however, it is sought to retain the northern side elevation entrance which provides an external access point to the stairwell indicative of a separate independent entrance to the first floor accommodation. It is acknowledged that it is proposed to introduce internal doorways to the stairs but it also has to be acknowledged that these doorways could be easily closed off thereby rendering the ground floor accommodation and first floor accommodation as separate independent space. Policy DM9 of the Development Management Policies DPD 2016 goes further and states that residential extensions “will be permitted provided they share a common access with the main dwelling and are physically incorporated within it.” Whilst the dwelling would share a common access, as indicated, the first floor space could be segregated off and would therefore retain an independent access point via the unauthorised side elevation doorway.

12. Further to this, the level of accommodation provided at both ground floor and first floor could easily accommodate separate independent units considering the amount of floorspace created as a result of the unauthorised extensions. The ground floor and first floor area of the dwelling, has the potential to be utilised as a separate unit considering the internal layout and external doorway to the staircase, each covering 116 sq.m GIA, a space which would constitute generous accommodation in itself. The ‘Technical housing standards - nationally described space standard (2015)’ defines a minimum gross internal floor area for a 4no bedroom 1 storey dwelling of 108 sq.m. There are many other permutations possible too. Considering the proposed addition and indeed the internal layout, it is not unreasonable to deduce that the internal space could be easily manipulated to form separate independent accommodation and therefore could result in the form of development which was refused under the previous application PLAN/2019/0878 and which associated S.174 Enforcement Notice Appeal was dismissed.
13. Considering the points discussed above the development, by reason of its nature and layout of internal accommodation, is not considered to meet the requirements of Policy DM9 if the Development Management Policies DPD 2016 in that it has not been designed in such a way which would render it incapable of being occupied as a single dwellinghouse with external access provided to the first floor accommodation and could be easily segregated off from the ground floor. The proposal therefore remains contrary to Policy DM9 of the Woking Development Management Policies DPD 2016.

Impact on Character

14. The National Planning Policy Framework attaches great importance to the design of the built environment throughout Section 12 with emphasis being placed on planning positively for the achievement of high quality and inclusive design for all development. Policy CS21 of the Woking Core Strategy 2012 is generally consistent with this in so far as they expect development proposals to have regard to the general character and quality of the surrounding area.
15. As addressed in the ‘Background’ section of this report, under PLAN/2018/1019 extensions to 153 Hawthorn Road had been approved at Planning Committee in January 2019 for extensions which were larger than

10 NOVEMBER 2020 PLANNING COMMITTEE

those refused at Planning Committee in March 2017. These extensions, which were approved, are not what has been implemented, and cannot now be implemented in accordance with the approved plans. It is accepted that the planning history is an important material consideration. The current scheme will be assessed with this in mind.

16. Planning consent is sought to retain a two storey side and rear extension on the northern side elevation of No.153 in line with an application on No.155 for two storey front and side extensions (subject to a separate application PLAN/2020/0141). In terms of physical appearance, this application at No.153 is effectively a re-submission of a scheme which was refused in November 2019 under PLAN/2019/0878 (albeit that scheme was for the retention of the additions along with the subdivision of both No.153 and No.155 into an apartment block of 8 flats). This too is identical to the enforcement case (ENF/2019/00114) which was refused with a resolution to authorise enforcement at Planning Committee on 24 September 2019 and subsequently dismissed at appeal (APP/A3655/C/20/3247235). Whilst the merits of the case differ in this application is described as being a "householder application" to retain extensions to a single dwellinghouse, the assessment in terms of impact on character regarding the built bulk and scale does not change.
17. The unauthorised side addition measures 2.9 metres in width, 10.8 metres in depth extending beyond the pre-existing two storey rear building line by 3.2 metres and would stand at 7 metres in height, set down just 0.2 metres from the existing ridge line.
18. A two storey side extension was approved under PLAN/2018/1019 with a width of 2.9 metres and depth of 9.1 metres. What had been approved at Planning Committee in April 2019 was for a much smaller scheme which measures only 9.1 metres in depth some 1.7 metres less than what has been carried out. Whilst this increase in depth of this northern side addition might not be as stark or evident from the street-scene, the cumulative impact of the increase with the extension carried out on No.155 (addressed under PLAN/2020/0141) results in a block-like structure which completely dominates the area with a scale and form that dwarfs the neighbouring semi-detached dwellings and even the block of flats to the North of the application site. The National Planning Policy Framework at Paragraph 130 states that "*Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents.*" The bulk and scale of this extension, when read against the grain and scale of the pre-existing dwelling, cannot be considered as subordinate or subservient with a resultant dwelling that nearly trebles the size of the dwelling from a pre-existing GIA of approximately 97 sq.m to a current floor area of 232 sq.m. The Council's Supplementary Planning Document 'Design' 2015 states that "*The additional mass should respect the existing building proportion, symmetry and balance.*" It is not considered that the extensions do this, given that they engulf the existing dwelling to such a degree that the original house is currently undistinguishable.
19. The northern addition wraps around the rear elevation at two storey in height which, together with the two storey side addition, spans across the entirety of the rear elevation with a twin gable and central valley along with a two storey

10 NOVEMBER 2020 PLANNING COMMITTEE

flat roofed addition. This two storey rear addition measures approximately 11.3 metres in width across the rear elevation. As previously noted, the dwelling forms part of a 'T' shaped semi-detached layout with No.155 acting as the corner dwelling on the junctions. As such, No.155's side elevation (eastern side) projects back in line with this rear addition at approximately 3.2 metres, 1.7 metres more than the consented scheme. As part of the application, the submitted elevations demonstrate how both the extension of No.153 as well as No.155 appear collectively but not individually.

20. Policy CS21 of the Woking Core Strategy 2012 states that developments *"should respect and make a positive contribution to the street scene and the character of the area in which they are situated, paying due regard to the scale, height, proportions, building lines, layout, materials and other characteristics of adjoining buildings"*. Spanning the width of the rear elevation, the proposed two storey rear extension would adjoin the proposed two storey side extension on No.155. Although applications need to be determined on their own merits, it is difficult to individualise the additions given that they were carried out concurrently and form part of the same elevation. The additions collectively transform the existing side/rear elevations from a pitched gable on No.155 with a subordinate roof scape to No.153, to an elevation with 4 projecting gables consisting of primary and secondary gables, 2 roof valleys and a flat roofed central valley incorporated in a bid to accommodate the proposal which is symptomatic of the over-development of the sites. The rear addition of No.153 would project off the rear elevation at 90° with the outriggers adopting differing ridge heights of 7 and 6.2 metres and the proposed two storey side addition adding to the contrived and complex roof form proposed. The additions, measuring 11.3 metres in width across the rear elevation of No.153 and with an unbroken depth projecting 5.5 metres beyond the existing rear building line of No.153, require the adoption of such a complex roof form consisting of projecting gables and section of flat roof (valley) to accommodate this sizeable addition.
21. Supplementary Planning Document 'Design' 2015 states that *"the additional mass (of extensions) should respect the existing building proportion, symmetry and balance...(and that) the roof of an extension is a prominent component of the building form and should normally be of a similar format to that of the existing dwelling"*. The SPD on 'Design' 2015 also states that *"roof forms that are contrary to the existing roof form will generally be resisted"*. The pre-existing host dwelling demonstrated a simple roof form; a dual pitched design. Flat roofed elements are often synonymous with overdevelopment and are, in most cases, a way to achieve extra space despite appearing at odds with the existing roof form. It is considered that erection of this rear addition which, coupled with the side and rear extension, increases the floor area to such a level that it fails to respect or make a positive contribution to the street-scene or character of the area (from approximately 97 sq.m GIA to approximately 232 sq.m GIA). In terms of relationship with the host dwelling, it is apparent considering the addition has been carried out that it represents a contrived and incongruous addition due to its scale and poor marriage to the host building which is harmful to its character and appearance.
22. Section 12 of National Planning Policy Framework states that *"Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions"*. With the development on No.153 increasing the floor

10 NOVEMBER 2020 PLANNING COMMITTEE

area to almost treble that of the pre-existing dwelling (from approximately 97 sq.m GIA to approximately 232 sq.m GIA), it is inevitable that the purpose built layout would be malformed with the constructed additions resulting in a completely different building and relationship to the surrounding area. These overly dominant and bulky elevations contain large expanses of blank gable on the northern elevation and bland, unrelieved elevation across the rear (eastern) side which appears out of keeping with the surrounding character. The cumulative extension completely transform the existing form and layout of not only the application dwelling but the adjoining No.155. It is considered that this form of development points towards overdevelopment of not only the dwelling but of the site which would have a consequential impact on the street-scene.

23. Consideration has been paid to the previous approvals on No.153, but the current scheme is significantly larger than that approved and, therefore, there remains considerable concern regarding the overdevelopment of the site due to the insubordinate, contrived and incongruous additions. The once proportionate semi-detached pair of dwellings were purposely designed to respect their pronounced location. However, the current scheme has enveloped the application dwelling and together with the additions on the adjoining dwelling at No.155 Hawthorn Road replaced them with a block-like structure almost 3 times the size of neighbouring pairs of semi-detached properties and indeed the pre-existing dwelling. The result is apparent and stark with regards to its impact on the character of the area with a dwelling in combination with No.155 dwarfing the neighbouring flatted building at The Oaks to the North. The development is therefore contrary to provisions outlined in the National Planning Policy Framework, Policies CS21 and CS24 of the Woking Core Strategy 2012 and Supplementary Planning Document 'Design' 2015.

Amenity Provision

24. One of the planning principles set out within Section 12 of the National Planning Policy Framework (NPPF) is to ensure that developments have a high quality design and a good standard of amenity for existing and future occupants of land and buildings. Paragraph 130 states that *"permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area."*
25. As previously noted the floor area of the application dwelling more than doubles from approximately 97 sq.m to 232 sq.m, a significant increase across the site with the footprint increase from 58 sq.m (including the demolished conservatory) to approximately 130 sq.m, much of which occurs to the rear with the private amenity space.
26. The Council's Supplementary Planning Document on 'Outlook, Amenity, Privacy and Daylight' 2008 recommends that *"family accommodation will be taken to mean all houses with two bedrooms or more and exceeding 65 sq.m gross floor area"*. It goes on to state that *"all dwellings designed for family accommodation (as per above) need to provide a suitable sunlit area of predominantly soft landscaped private amenity space, appropriate in size and shape for outdoor domestic and recreational needs of the family it is intended to support"*. The area of amenity space should approximate with the gross floor-space of the dwelling or at least be as large as the footprint of the dwelling. Section 4.6 of the SPD states that *"Private amenity space is best*

10 NOVEMBER 2020 PLANNING COMMITTEE

provided as an enclosed garden to the rear or side of the property where it is clearly separate from more public areas of the site". As the areas to the front of the dwellings would not constitute enclosed spaces to the side or rear, or indeed separate from more public areas of the site, these could not be taken into account in the provision of amenity space. Furthermore, the narrow access paths down along the side of dwelling are not considered to constitute amenity space as they consist of passage-like spaces providing a route to the rear with little room to be utilised as anything else and therefore could not be considered as usable amenity space.

27. The application site is located in a setting where the semi-detached properties demonstrate generous amenity spaces on rectangular shaped plots. It is noted that the application site as well as the adjoining No.155 demonstrate different layouts due to their positioning at the convergence of a number of highways and, therefore, the amenity space would have already been less than those of the prevailing properties. The proposed floor-space of the dwelling would increase to approximately 232 sq.m with a footprint of approximately 130 sq.m, an increase of 125% over the existing. Considering the proposed parking layout, which would include 2 spaces within this rear amenity space as well as the vegetation towards the south-eastern corner of the amenity space, the figure shown on Drawing No. P.806 is misleading and in reality the usable amenity space is closer to approximately 90 sq.m which falls considerably short of the 232 sq.m required as per the SPD on 'Outlook, Amenity, Privacy and Daylight' 2008 or even the minimum allocation of an area similar to that of the footprint. Given this, the allocated amenity space would fall short of the recommended space in the Outlook SPD with inadequate amenity provision provided. As per the above paragraphs, this is indicative of overdevelopment of a site with not only a detrimental impact on the character of the area but on the amenity of potential future occupiers as well as setting an undesirable precedent for inadequate levels of amenity space.
28. Overall, it is considered that the restricted private amenity space for the plot, by reason of its size, is not sufficient to provide a good standard of amenity for future residential occupiers. The proposed development is, therefore, considered contrary to the core principles of the National Planning Policy Framework, Policy CS21 of the Woking Core Strategy 2012 and Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight' 2008.

Impact on Neighbour Amenities

29. Policy CS21 of the Woking Core Strategy 2012, requires development proposals to *"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"* while Supplementary Planning Document 'Outlook, Amenity, Privacy & Daylight' 2008 seeks to protect the amenities of neighbouring occupiers and to avoid loss of light, overlooking or overbearing impacts resulting from development proposals. Section 12 of the National Planning Policy Framework states that *"Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions"*.

10 NOVEMBER 2020 PLANNING COMMITTEE

30. No.153 is a semi-detached property adjoined by a similar style dwelling albeit at a different orientation to address the convergence of three separate highways, Hawthorn Road, Hawthorn Close and Willow Way. The application site is positioned to the North of this adjoining dwelling and to the East of the relatively linear grain of dwellings along Hawthorn Road with a block of 4no. apartments on land to the North which previously served as amenity land to No.153, therefore properties effectively surround the application site on three sides.
31. The scheme on No.155 (PLAN/2020/0141) is subject to a separate application but is being recommended for refusal on a number of grounds including principal, impact on character and lack of amenity space amongst others. The impacts of the scheme, therefore, need to be assessed against the pre-existing layout.
32. No.155 Hawthorn is the adjoining dwelling which is South facing and adjoins the application dwelling on its rear elevation. As previously noted, due to the union of these properties, the side elevation of No.155, as existing, previously projected back 1.5 metres beyond the rear elevation of the application dwelling. Measuring 4.7 metres in depth, the proposed rear extension would project 3.2 metres beyond the side elevation of No.155. Supplementary Planning Document 'Design' 2015 states that *"the location of the extension...should not result in any adverse overshadowing or overbearing impact on adjacent dwellings"*. Stemming back a further 3.2 metres from the side elevation of No.155, the 45° test has been applied to the pre-existing ground and first floor windows on this side elevation which are breached both in elevation and plan form. The increase in bulk and massing would be sited directly North of a number of habitable room windows.
33. While the current addition on No.155 would project back in line with the rear addition proposed under this application, the separate applications for each property need to be assessed on their own merits and the worst case scenario, in terms of the development's impacts on neighbouring amenities, needs to be examined for the purposes of this report. Considering this, and by reason of the cumulative impact of the height, depth, bulk, massing and proximity to No.155 Hawthorn Road, this two storey rear element would exert a loss of outlook, and, by reason of the introduction of significant massing resulting in a significant loss of light upon habitable rooms, of the adjoining property which would be significantly harmful to the residential amenity contrary to Policy CS21 of the Woking Core Strategy 2012, Supplementary Planning Documents 'Design' 2015 and 'Outlook, Amenity, Privacy and Daylight' 2008.
34. The two storey northern side extension projects 2.9 metres out on the side elevation which faces the eastern flank elevation of No.151 to the West. Under PLAN/2018/1019 the extension was not deemed to cause a detrimental level of overshadowing on this property given its relationship. The width of the first floor northern side extension of the previously approved scheme and indeed the current scheme are largely unchanged. A first floor western elevation window was included in this extension to serve 'Bedroom 4' which was conditioned (Condition 3 under PLAN/2018/1019) to be obscurely glazed and non-opening below 1.7 metres to ensure no loss of privacy would occur to No.151 Hawthorn Road. Whilst under the previously refused scheme (PLAN/2019/0878) this western elevation window was to be clear glazed and the sole window serving the bedroom within a 1 bedroom flat, it is now

10 NOVEMBER 2020 PLANNING COMMITTEE

proposed to revert the window back to obscure glazed with restricted opening serving a bathroom. A condition to ensure its obscurity would have been attached in the event of an approval.

35. No.1-4 The Oaks is sited to the North of the application dwelling and previously served as amenity land to this property. This building fronts onto Hawthorn Close and contains a rear amenity space for the apartments which run back along the shared northern boundary of the application site. It is a material planning consideration that a planning permission for a side addition which stemmed back along this shared boundary was allowed under PLAN/2018/1019, however, the current development is materially different in that it increases the depth of the extension significantly which in effect means that the two storey addition along this side now includes an unrelieved, monotonous wall measuring 10.8 metres in depth and just 0.7 metres off the shared boundary. The extent and harshness of this addition has a significant impact on the amenity space of The Oaks to the North. This scale of development coupled with its minimal separation distance to the shared boundary completely dominates the outlook from the amenity space of 1-4 The Oaks causing an overbearing impact on this space. As previously noted, Policy CS21 of the Woking Core Strategy 2012 advises that new developments 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”*. The extension measures 10.8 metres in depth, an increase of almost 2 metres over the previously approved development, imposing a built mass with minimal visual relief abutting the shared boundary and in turn dominates the outlook from this space resulting in an oppressive and unneighbourly form of development.
36. The side and rear extensions cause significant overbearing on the private amenity space of No.1-4 The Oaks given the extent of the northern side elevation which stretches down alongside the entirety of this space and just 0.7 metres off the shared boundary. This along with the potential impact on the pre-existing situation on No.155 would cause significant detriment to the residential amenity of these neighbours and therefore represents an unneighbourly form of development contrary to the core principles of the National Planning Policy Framework, Policy CS21 of the Woking Core Strategy 2012, Supplementary Planning Documents ‘Outlook, Amenity, Privacy and Daylight’ 2008 and ‘Design’ 2015.

Impact on Highway Safety and Parking

37. It is proposed to retain the single car-parking space to the front of the property with 2no. partly-finished spaces to the rear of the property off Hawthorn Close. This would include the provision of a dropped kerb onto Hawthorn Close and would be similar to that proposed under the permitted scheme PLAN/2017/1078 where the County Highways Authority raised no objection to the parking layout or highways safety issues. This was subject to conditions ensuring that the proposed layout is carried out in accordance with the submitted plans and that development should not be commenced until the existing access has been permanently closed and any kerbs, verge, footway is fully reinstated.
38. The Council’s Supplementary Planning Document on ‘Parking Standards’ 2018 proposes minimum standards as opposed to the maximum standards in

10 NOVEMBER 2020 PLANNING COMMITTEE

the previous SPD. For dwellings with 4 or more bedrooms it indicates a requirement for at least 3 spaces. The proposed dropped kerb and new parking spaces off Hawthorn Road would provide 2 spaces to the rear with the other space sited towards the front. This space towards the front of the site is not considered to constitute a parking space which is accessible without passage over neighbouring sites. Submitted plans (Drawing No. P.807) illustrate the parking layout with 2 spaces towards the rear, off Hawthorn Close and 1 further space towards the front, off Hawthorn Road. This space towards the front appear as though they have been positioned in an ad-hoc and contrived way. For example, the proposed space would occur right up against the habitable room window of this ground floor flat and does not appear to be accessible in the event that the 2 parking spaces for No.155 are occupied unless crossing over grass verge and encroaching onto land in ownership of No.151 Hawthorn Road and outside of the red line of the application site. This, in effect, renders this space unusable and would, therefore, result in a shortfall in the minimum number of parking spaces.

39. On-street parking is severely limited along Hawthorn Road and Willow Way with the area in and around the site heavily parked with the majority of parking bays typically observed as being occupied during weekday daytime hours. Vehicles routinely parked on the footpaths to avoid blocking the carriageway. Whilst the County Highway Authority have yet to respond to this current scheme, under previous schemes they have raised no objection. The remit of the County Highway Authority is, however, limited to highway safety and operation rather than parking pressure and the amenity issues associated with it.
40. As previously noted, the layout proposed also remains laid out such that it is capable of being occupied as multiple flats. Additional residential units would increase the parking demand on the site on an already heavily parked street whilst delivering an insufficient number off-street parking. Whether occupied as flats or an extended dwelling, it is considered that the proposal places further pressure on the existing on-street parking to the detriment of the amenities of the area and parking provision generally. Consequently the Local Planning Authority cannot be satisfied that there would no adverse effect upon the free flow of traffic or car parking provision within the locality. The proposal is therefore contrary to Policy CS18 of the Woking Core Strategy 2012, Policy DM11 of the Woking Development Management Policies DPD 2016 and Supplementary Planning Document 'Parking Standards' 2018.

Impact on Trees

41. The eastern side of the site contains 2no substantial Oak Trees positioned within the curtilage of the application property as well as the adjoining No.155, one of which is covered by a Tree Preservation Order. An Arboricultural Impact Assessment and Method Statement has been submitted along with a Tree Protection Plan (ACD Environmental) which outlines protection measures to be adopted as part of the development. These protection details are immaterial at this stage as the development has been carried out and is substantially complete. The scheme has been carried out and differs significantly from the previously approved scheme and since the initial refusals (PLAN/2016/1324 & PLAN/2016/1325), the development has increased significantly in scale and, as such, encroaches much closer towards these trees which has a significant impact on the root protection

10 NOVEMBER 2020 PLANNING COMMITTEE

area. Additional hardstanding is also included on this side of this site which has significant impact on these trees.

42. It is acknowledged that Planning Permission was granted subsequent to these refusals in 2017 and 2019 but it also has to be borne in mind that the information submitted as part of these applications portrayed a completely different situation to that of the previous approvals with the development now having encroached upon the root protection areas of these trees. This incursion is not considered acceptable considering the rooting environment of these significant trees. The protected tree, in particular, is set up against the rear (eastern) boundary of the site with the hard standing of Hawthorn Close bordering it on this side and the once open soft landscaped gardens of No.153 and No.155 Hawthorn Road on their western, northern and southern sides. This soft landscaped area, therefore, would have provided the principal rooting area of these trees where the roots would have gravitated towards over time and as a consequence would host the majority of them. It is reasonable to assume, therefore, that the unauthorised developments has had a significant detrimental impact upon the health and wellbeing of these trees.
43. The scheme also introduces additional parking at the rear within the rooting environment of the protected Oak as well as additional soakaways to accommodate the significant increase in size. These would have further detrimental impacts on the protected trees and would likely cause catastrophic implications for the trees which would be under stress from the current encroachment from the unauthorised block of flats.
44. The Council's Arboricultural Officer has been consulted on this application and considering the significant incursions that have already occurred on the rooting environment of this protected tree, no further incursions will be consented. It is noted that an arboricultural investigation is currently underway considering the deviation from the previous information provided with damage to any protected trees likely to carry repercussions. The LPA will separately determine whether any further enforcement action is appropriate in this respect.

Impact on Flooding

45. Located to the north-west of the Hoe Stream, the application property is located within Flood Zone 2. Paragraph 100 of the NPPF states that *"inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere"*. Paragraph 003 of the NPPG states that *"for the purposes of applying the National Planning Policy Framework, areas at risk from all sources of flooding are included. For fluvial (river) and sea flooding, this is principally land within Flood Zones 2 and 3."*
46. The application has been supported by a Flood Risk Assessment carried out by Apple Environmental dated January 2017 and SuDS Drainage Report. This information has been examined by the Council's Drainage Officer and found to be unacceptable and insufficient as it demonstrates that the surface water drainage system does not work appropriately. Details within the SuDS Report show the "half drain time" is 4.7 days which is over the required time of 24hrs to allow for preceding storms. Calculations do not match the

10 NOVEMBER 2020 PLANNING COMMITTEE

drawings with the proposed system failing to drain sufficiently to allow a preceding rainfall event to occur and disperse without flooding the surrounding area. The development, therefore, fails to comply with Policies CS9 and CS16 of the Woking Core Strategy and provisions within Section 14 of the National Planning Policy Framework.

Conclusion

47. Overall, by reason of its layout of internal accommodation and indeed scale, the development has not been designed in such a way which would render it incapable of being occupied as a single dwellinghouse with external access provided to the first floor accommodation and could be easily segregated off from the ground floor. The proposal is therefore contrary to Policy DM9 of the Development Management Policies DPD 2016.
48. It is clear that the two storey side and rear addition together with the two storey rear extension result in contrived and conflicting additions which indicate an overdevelopment of the site by way of the adopted complex and contrived roof form (in line with PLAN/2020/0141) that requires a central flat roof valley to accommodate the development. Furthermore, due to this bulk, scale and proximity to neighbours, the development along the northern elevation has a detrimental overbearing impact on the amenity space of 1-4 The Oaks and would cause significant harm to the pre-existing situation at No.155 causing significant detriment to the amenities of these neighbouring properties.
49. Due to the unauthorised increase in the scale of the development and indeed additional parking provision towards the rear in a bid to comply with parking standards, the resultant amenity space has been significantly reduced and fails to provide suitable provision for a family dwelling of this size. The development therefore fails to comply with Section 12 of the National Planning Policy Framework or Policies CS21 of the Core Strategy 2012 or the Council's Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight' 2008.
50. The increase in the size of the dwelling would increase the parking demand on the site on an already heavily parked street with the on-site parking provision failing to meet the minimum parking standards as set out in the Council's SPD on parking 2018. This would place further pressure on the existing on-street parking and highway safety, much to the detriment of the amenities of the area and parking provision generally.
51. In spite of the information submitted with regards to the arboricultural information, further encroachment on the root protection areas of the protected trees to the West of the building would be unacceptable and has possibly caused irreversible damage to said trees. Further investigation is currently underway.
52. Furthermore, the information submitted relating to SuDS are insufficient as they demonstrate the surface water drainage system does not work appropriately. Evidence presented as part of the submissions represent calculations which do not match the drawings with a notional system not being able to drain sufficiently to allow a preceding rainfall event to occur without flooding the surrounding area. The development, therefore, fails to

10 NOVEMBER 2020 PLANNING COMMITTEE

comply with Section 14 of the National Planning Policy Framework or Policies CS9 and CS16 of the Woking Core Strategy.

53. The development is therefore contrary to provisions set out in Sections 12 and 14 of the National Planning Policy Framework, Policies CS9, CS16, CS18 and CS21 of the Woking Core Strategy 2012, Policies DM2 and DM9 of the Development Management Policies DPD 2016 and Supplementary Planning Documents 'Outlook, Amenity, Privacy and Daylight' 2008, 'Design' 2015 and 'Parking Standards' 2018 and is accordingly recommended for refusal.

BACKGROUND PAPERS

1. Site visit photographs
2. Response from Arboricultural Officer (20.03.20)
3. Response from Drainage Officer (08.04.20)

RECOMMENDATION

It is recommended that planning permission be REFUSED for the following reasons:

1. The extensions, by reason of their scale and nature of internal accommodation, have been designed in such a way that could render it possible to subdivide the dwelling into a number of separate independent units which would represent overdevelopment and be detrimental to the prevailing character of the area. The proposal is therefore contrary to Policy DM9 of the Development Management Policies DPD 2016.
2. By reason of their overall size, siting and complex roof design, the two storey side and rear extensions are considered to result in incongruous features which would dominate and adversely affect the character of the dwelling and in turn the surrounding area contrary to provisions outlined in the National Planning Policy Framework, Policy CS21 of the Woking Core Strategy 2012, and Supplementary Planning Document 'Design' 2015.
3. The development would fail to provide a good standard of amenity for future residential occupiers considering the restricted rear space that would fall below the minimal amount of space required as outlined in the Council's Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight' 2008. The development would, therefore, fail to accord with the provisions of the National Planning Policy Framework, Policy CS21 of the Woking Core Strategy 2012 and Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight' 2008.
4. By reason of height, depth, bulk, massing, proximity and fenestration layout, the proposed two storey side and rear extensions would cause a detrimental loss of outlook, loss of light and overbearing impact on the pre-existing layout of No.155 Hawthorn Road and on the amenities enjoyed by 1-4 The Oaks Hawthorn Close. The proposal therefore represents an unneighbourly form of development contrary to provisions outlined in the National Planning Policy Framework, Policy CS21 of the Woking Core Strategy 2012 and Supplementary Planning Documents 'Outlook, Amenity, Privacy and Daylight' 2008 and 'Design' 2015.

10 NOVEMBER 2020 PLANNING COMMITTEE

5. The development fails to meet the minimum standards set out in the Council's Supplementary Planning Document 'Parking Standards' 2018, much to the detriment of the amenities of the area and would set an undesirable precedent for similar future developments in the local area. Consequently the Local Planning Authority cannot be satisfied that there would no adverse effect upon the free flow of traffic or car parking provision within the locality. The development is therefore contrary to Policy CS18 of the Woking Core Strategy 2012, Policy DM11 of the Woking Development Management Policies DPD 2016 and Supplementary Planning Document 'Parking Standards' 2018.
6. Insufficient information has been submitted in relation to sustainable drainage systems. The submissions show that the surface water drainage system does not work properly with the system failing to demonstrate sufficient drainage to allow a preceding rainfall event to occur without flooding the surrounding area. The proposal is therefore contrary to Policy CS9 and CS16 of the Woking Core Strategy 2012, House of Commons: Written Statement (HCWS161) - Sustainable drainage systems and Section 14 of the National Planning Policy Framework (NPPF) 2019.

Informatives:

1. The plans relating to the development hereby refused are numbered / titled:
 - Drawing No: P.806 Proposed Site Plan
 - Drawing No. P.804 Elevations Sheet 1
 - Drawing No. P.805 Elevations Sheet 2
 - Drawing No. P.801 Proposed Ground Floor Plans
 - Drawing No. P.802 Proposed First Floor Plans
 - Drawing No. P.803 Roof Plan
2. The applicant is advised that further works on top of what has already been approved are likely to result in catastrophic damage to the protected Oak Tree in the rear amenity space. They would likely lead to significant implications of the root protection area and ultimately the loss of the tree. Further incursions in the form of additional parking and soakaways are not considered acceptable. The LPA will separately investigate whether any breaches of planning control have already occurred in this respect.