

10 NOVEMBER 2020 PLANNING COMMITTEE

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PLAN/2020/0779

WARD: MH

LOCATION: Barn End, Bracken Close, Woking, GU22 7HD

PROPOSAL: Demolition of existing part two-storey, part single-storey detached dwelling. Erection of a replacement part two-storey (with roof accommodation), part single-storey (including garage) detached dwelling and associated landscaping, including erection of front pillars.

APPLICANT: Paul Honeywood & Elizabeth Thomson

OFFICER: Benjamin Bailey

REASON FOR REFERRAL TO COMMITTEE

The application would ordinarily be determined under delegated powers but has been referred to the Planning Committee for determination by Cllr Lyons who considers that the proposed development may adversely affect the privacy of adjacent Missenden and, by reason of its size, mass, bulk and design, may be out of keeping with the other houses in Bracken Close.

PLANNING STATUS

- Urban Area
- Tree Preservation Order Area (Ref: 626/0038/1961)
- Thames Basin Heaths Special Protection Area (TBH SPA) Zone B (400m-5km)

RECOMMENDATION

Grant planning permission subject to recommended conditions.

SITE DESCRIPTION

Barn End is a detached two storey dwelling which benefits from a single storey rear orangery extension. The property is predominantly externally finished in white painted brick at ground floor level and tile hanging at first floor level, below a tiled roof; there is painted brick to the first floor level of the front gable element and tile hanging above. The private garden area is largely at the rear, although wraps around the southern side of the property, being laid to a combination of lawn, amenity planting and patio hardstanding; there are mature protected trees towards the rear of the rear garden area and the side boundaries are marked predominantly by hedging and planting. The frontage is predominantly laid to lawn and amenity planting with a driveway laid to hard surfacing providing vehicle parking. A low level hedge runs along the front boundary with Bracken Close. A flat roofed two storey extension exists to the northern side.

RELEVANT PLANNING HISTORY

PLAN/2010/0115 - Erection of an orangery to the rear elevation.
Permitted subject to conditions (04.05.2010)

PLAN/1996/0273 - Erection of single storey rear extension.
Permitted subject to conditions (03.05.1996)

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78/0832 - The execution of site works and the carrying out of alterations and the erection of additions to existing dwelling at Barn End, Bracken Close.
Permitted subject to conditions (01.08.1978)

CONSULTATIONS

Arboricultural Officer: The proposed is considered acceptable from an arboricultural perspective. The arboricultural information provided by GHA is considered acceptable and should be complied with in full. A pre-commencement meeting should take place prior to any works on site and should include the LA tree officer, project manager and project arboriculturalist (Condition 04 refers).

Surrey Wildlife Trust: Please refer to report section sub-headed 'Biodiversity and protected species.'

County Highway Authority (SCC): The application site is accessed via Bracken Close, which is a private road and does not form part of the public highway, therefore it falls outside The County Highway Authority's jurisdiction. The County Highway Authority has considered the wider impact of the proposed development and considers that it would not have a material impact on the safety and operation of the adjoining public highway.

REPRESENTATIONS

x5 letters of representation (x4 in objection and x1 neutral) have been received raising the following points:

- Is far too large for the plot
- Existing house, built in 1937/38, is one of the more attractive properties in Bracken Close
- New dwelling spans across the plot – on the wider plots, as per Barn End, the houses allow both visual and green space between them
- Not in-keeping with the nature of the Close
- Internal floor space is almost double the size of the average house in Bracken Close
- Unacceptably overbearing impact to Missenden
- Chimney within rear pergola will not be sufficiently tall to prevent smoke and fumes harming amenity value of garden of Missenden
- Large first floor bay window would result in loss of privacy to Missenden
- Dressing room window at first floor would result in loss of privacy to Missenden
- Would overshadow Missenden and its patio area and rear garden
- Would have severe impact on energy efficiency of Missenden which contains southerly aspect windows at ground floor level to take advantage of passive solar gain in the cool months and southern roof slope of single storey rear part of Missenden is covered in PV cells to generate electricity
- No reference to energy conservation in the proposal
- Loss of privacy to Fox's Lodge
- 'Missenden' is incorrectly referred to as 'Arden'
(Officer Note: This is noted but does not affect validity of the application)
- Would be easier to leave the bats in-situ and retain the existing building
- Is one storey higher than anything previously allowed

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- Almost 25% larger than the recently built 'Arden' property which already dwarves many of the other houses
(Officer Note: Previous 'Arden' is now known as 'Missenden')
- Loss of privacy due to dormer windows being a full storey higher than existing properties - would result in overlooking towards front and rear
- Is unlikely to accommodate sufficient off-street parking for 6 bedrooms
- Significant increase in traffic which would affect Bracken Close
- All properties in Bracken Close should have been notified of the application
(Officer Note: Neighbour notification has been undertaken in accordance with the Council's adopted procedures and proportionately to the nature of the proposal as a replacement dwelling)
- The building of such a large property will cause disruption in the Close
(Officer Note: Temporary disruption during works is not a valid reason to potentially refuse planning permission)
- Loss of bushes, shrubs and plants
- Does it meet the Zero Carbon Policy?
- New housing should be designed to reduce potential for summer overheating
- New developments should consider the greater risk of extreme rainfall
- Suggest the provision of an external power point to charge an electric car, electric bicycles and to use electric garden tools
- Should include cycle parking in the form of a covered area, or a lockable shed or garage

RELEVANT PLANNING POLICIES

National Planning Policy Framework (NPPF) (2019)

Section 2 - Achieving sustainable development

Section 4 - Decision-making

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

Section 15 - Conserving and enhancing the natural environment

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

CS11 - Housing mix

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

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Supplementary Planning Documents (SPD's)

Design (2015)

Parking Standards (2018)

Outlook, Amenity, Privacy and Daylight (2008)

Climate Change (2013)

Other Material Considerations

National Design Guide (2019)

Planning Practice Guidance (PPG) (online resource)

Woking Character Study (2010)

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

01. The main planning considerations in determining this application are:

- Principle of development
- Design and character
- Neighbouring amenity
- Amenities of future occupiers
- Highways and parking
- Arboriculture
- Biodiversity and protected species
- Thames Basin Heaths Special Protection Area (TBH SPA)
- Flooding and water management
- Energy and water consumption

having regard to the relevant policies of the Development Plan, other relevant material planning considerations and national planning policy and guidance.

Principle of development

02. The site falls within the Urban Area, as designated on the Proposals Map, wherein the principle of a replacement dwelling is established. The proposal would not result in the loss of a family dwelling (due to replacement) and would therefore comply with Policy CS11 of the Woking Core Strategy (2012) in this regard.

Design and character

03. Policy CS21 of the Woking Core Strategy (2012) requires proposals for new development to create buildings and places that are attractive with their own distinct identity and which 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 and land. SPD Design (2015) provides more detailed design guidance. The NPPF states that the creation of high quality buildings and places is fundamental to what the

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planning and development process should achieve and that good design is a key aspect of sustainable development.

04. The existing dwelling is of an 'Arts and Crafts' style and exhibits some architectural interest and aesthetic value, although has historically been rather unsympathetically extended to its northern side (ie. flat roofed two storey extension). Whilst the existing dwelling exhibits some aesthetic value it is nonetheless not located within a Conservation Area, and is not listed at either local or national level. The demolition of the existing dwelling therefore cannot be reasonably resisted by the Local Planning Authority subject to a suitable replacement. Although close to Woking Town Centre the area within which the site is located is of an Arcadian character however the replacement of the existing single dwelling on the plot will not have intrinsically adverse implications in this regard because the existing plot would remain the same size and shape and remain host to a single dwelling.
05. The reasoned justification text to Policy CS21 states that different parts of the Borough present different contexts for development, that a character study has been carried out to provide evidence of the distinctiveness of the various parts of the Borough and that all forms of development should have regard to the Council's Character Study. The site falls within Character Area 17 (Hockering) of the Character Study. The Character Study states that Character Area 17 is a large, Arcadian residential area to the south of the railway, with small areas of post war and modern housing infill, identifying that the majority of the properties are two to two and a half storey detached houses built on large plots, generally constructed of buff and red brick, that many of the properties have large chimneys and that the upper floors often have dormer windows. Dwellings fronting Bracken Close are generally large, detached and two storeys in height, being situated in large plots. More limited examples of detached bungalows are also evident, again being situated in large plots. The prevailing external finishes are of a traditional 'Surrey style' (i.e. facing or painted brick / tile-hanging) although some render finishes are evident, including at adjacent Missenden, which adopts a contemporary external material palette albeit is of a relatively traditional form.
06. The replacement would be a dwelling of a substantial size but this alone does not result in intrinsic harm given that it is consistent with the character of the area, which is marked by substantial dwellings. At two storey level the projecting front gable of the replacement would remain on an almost identical building line to the most forward section of the existing dwelling with the 'primary' two storey front elevation of the replacement set back by circa 2.5m and 2.0m respectively compared to the existing dwelling. Whilst a single storey element (to the south) would project very slightly forwards of the front building line of the existing dwelling this element would nonetheless remain set back from the two storey front building line of adjacent Fox's Lodge to the south and would remain clearly subordinate in height to the main body of the replacement. The front building line therefore remains in character with the street scene and the prevailing pattern and layout of development.
07. Whilst the footprint of the replacement would span a greater width of the plot than the existing dwelling above ground floor level circa 12.0m separation would be retained to the common southern boundary with Fox's Lodge. Whilst a single storey element would encroach to within circa 2.7m of the southern boundary this element would have a maximum height of circa 4.1m, such that

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its street scene impact would be relatively limited and a significant level of visual spacing would be retained above ground floor level. This southern element would also remain clearly subordinate in height to the main body of the replacement, which would be situated towards the northern boundary of the site; however this is the case with the existing dwelling which forms the 'baseline' for assessment of the present proposal. The replacement would retain a similar distance to the common northern boundary with Missenden as the existing dwelling to be demolished, although it is acknowledged that the northern (side) elevation adjacent to this boundary would be greater in depth than the existing. For these reasons, and as demonstrated by the submitted proposed street scene, the replacement would not appear unduly cramped within the width of the plot, retaining sufficient visual spacing above ground floor level to its southern side and with its two storey massing reflecting the siting of the existing dwelling within the northern part of the plot.

08. Above ground floor level the depth of the main body of the replacement (i.e. excluding the front gabled projection) would measure circa 11.7m, which is entirely consistent with that of a new dwelling recently granted planning permission directly on the opposite side of Bracken Close (Ref: PLAN/2018/0008), which would measure circa 11.8m above ground floor level (excluding its front bay windows). Whilst works appear yet to commence to implement that permission it remains extant until 13 February 2022 and therefore must be afforded significant weight. Furthermore, the northern side elevation of the replacement, which would be more open to views from Bracken Close than the southern side elevation, would be articulated through the inclusion of a gabled bay window feature, emphasising the 'Arts and Crafts' design influence of the replacement and adding visual interest, and relief, to the depth of this main body elevation.
09. The two storey eaves height of the replacement would be a modest circa 0.3m greater than that of the existing dwelling with the maximum height of the replacement also a modest circa 0.5m greater than that of the existing dwelling. Furthermore the two storey eaves (circa 5.7m) and maximum heights (circa 8.5m) of the replacement are entirely consistent with those of the new dwelling recently granted planning permission directly on the opposite side of Bracken Close (Ref: PLAN/2018/0008), which would measure circa 5.7m to two storey eaves, and circa 8.8m to maximum, height. For these reasons the maximum and two storey eaves heights are appropriate in this street scene context.
10. The front projecting gable responds well to the character of Bracken Close, in which some properties have prominent gables facing towards the carriageway, and reflects the 'Arts and Crafts' design influence of the replacement. The projecting gable adds visual interest, relief and articulation to the northern (side) elevation. The proposed external material palette of brick, tile hanging and a tiled roof is reflective of the 'Arts and Crafts' style of both the existing dwelling and many properties within the surrounding area, is visually acceptable with further details can be secured through Condition 03. The horizontal split between tile-hanging at first floor level above facing brick at ground floor level adds visual interest and assists in reducing the perceived bulk and mass of the replacement. Windows are of a traditional design and the ratio of glazing to solid is visually appropriate. The inclusion of a large chimney stack to the southern side elevation is a positive aspect, adding further visual interest and 'Arts and Crafts' influenced design elements to the replacement.

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11. The replacement exhibits an area of flat roof at maximum height. Whilst this is somewhat regrettable it is nonetheless a significant material consideration that the new dwelling recently granted planning permission directly on the opposite side of Bracken Close (Ref: PLAN/2018/0008) would exhibit an identical amount of flat roof at maximum height (circa 45 sq.m). For this reason no objection can be sustained in respect of the area of flat roof at maximum height. The small roof lantern within the area flat roof would be modest in scale and not readily apparent in views from ground/street level.
12. The front (x1) and rear (x2) dormer windows are sufficiently modest in scale and design such that they appear as clearly subordinate features within the roof. Whilst front dormer windows are not a particular characteristic within Bracken Close the single front dormer window is centrally positioned, modest in scale and adds some visual interest to the front roof slope. Furthermore it is a significant material consideration that the new dwelling recently granted planning permission directly on the opposite side of Bracken Close (Ref: PLAN/2018/0008) would exhibit a large partial dormer window within its front (i.e. western) elevation, split across first and second floor levels and breaking the eaves line. For these combined reasons the front dormer window is visually acceptable. Whilst the x2 rear dormer windows are not positioned centrally nor symmetrically, given their modest scale and positioning to the rear, no consequential design and character harm would arise. The single storey element to the rear would appear clearly subordinate in scale to the main body of the replacement.
13. A landscape proposal has been submitted with the application which identifies the provision of a centrally located gravel drive, hedging along the front boundary, planting beds and lawn to the frontage, and areas of patio hardstanding, planting and paving to the sides and rear. Whilst front pillars are proposed either side of the relocated vehicular entrance the submitted landscape proposal identifies these pillars as being 1 metre high, such that they would be 'permitted development' (by virtue of Art 3, Sch 2, Part 2, Class A of the GPDO). It is also noted that adjacent Fox's Lodge benefits from front entrance piers and gates (Ref: PLAN/1998/1051). No in principle concern arises with regard to relocating the front vehicular entrance centrally although the retention or re-planting of front boundary hedging would be required, as is shown on the submitted landscape proposal. Whilst a landscape proposal has been submitted with the application a more detailed landscaping scheme, including further details of the proposed driveway/boundary treatments etc, can be secured through Condition 06 to ensure that the development enhances the character and appearance of the surrounding area in landscaping terms.
14. Overall, for the reasons previously set out, it is considered that the replacement dwelling is a visually acceptable form of development which would respect the character and appearance of the surrounding area.

Neighbouring amenity:

15. 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. More detailed guidance is provided within SPDs Outlook, Amenity, Privacy and Daylight (2008) and Design (2015).

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16. It must be borne in mind that the potential loss of enjoyment of a view is not a ground on which planning permission can be refused although the impact of a development on outlook is a material planning consideration and stems on whether the development would give rise to an undue sense of enclosure or overbearing effect to neighbouring/nearby residential properties. There are no established guidelines for what is acceptable or unacceptable in this regard, with any assessment subjective as opposed to empirical, with key factors in this assessment being the existing local context and arrangement of buildings and uses. It must also be noted that Policy CS21 refers to significantly harmful impact; this is the threshold which must be reached in order to form any potentially robust, and defensible, reason for refusal on neighbouring amenity grounds.
17. In respect of daylight, and where existing habitable room windows/openings are orientated at 90° in relation to a proposed development, SPD Outlook, Amenity, Privacy and Daylight (2008) states that "*significant loss of daylight will occur if the centre of the affected window (or a point 2m in height above the ground for floor to ceiling windows) lies within a zone measured at 45° in both plan and elevation*". Where existing habitable room windows/openings are directly opposite a proposed development the SPD identifies that suitable daylight is achieved where an unobstructed vertical angle of 25° can be drawn from a point taken from the middle of the existing opening.

Missenden (formerly Arden):

18. Adjacent Missenden is a detached part two storey, part single storey dwelling situated to the north, being a recently constructed replacement dwelling (Ref: PLAN/2017/1452). On the basis of the approved plans for PLAN/2017/1452 the closest part of Missenden (i.e. the single storey element to the south side) is circa 7.5m from the common boundary, with the staggered plan form of Missenden resulting in the more northerly rear elements of this dwelling being circa 15.0m and 21.8m from the common boundary respectively. At ground floor level Missenden benefits from corner windows to its staggered rear elements, resulting in all habitable ground floor rooms/areas being served by full height style glazing within both the side (south) and rear (west) elevations. In such cases even if a significantly harmful loss of daylight or outlook were to occur to glazing within the side (south) elevations glazing within the rear (west) elevations, where serving the same habitable ground floor rooms/areas, would retain sufficient daylight and outlook to the room/area overall. At first floor level Missenden contains no glazing within the southern side elevations with the exception of a small window serving a secondary function to the master bedroom, which is circa 19.0m distant from the common boundary, and therefore sufficiently distant so as to not be materially affected in terms of daylight. A patio area is situated immediately to the rear of Missenden, being staggered in plan form in line with the staggered rear elevations.
19. With the exception of the gabled northern bay window the replacement would be located on the same northern (side) building line as the existing dwelling. At two storey level the projecting front gable of the replacement would remain on an almost identical building line to the most forward section of the existing dwelling with the 'primary' two storey front elevation of the replacement set back by circa 2.5m and 2.0m respectively compared to the existing dwelling. The 'primary' two storey front building line of the replacement would project

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circa 1.0m, and the two storey front gable of the replacement circa 3.6m, forwards of the closest, single storey element of Missenden. The front gable element of the replacement would be situated circa 4.1m away from the common boundary.

20. When viewed from Missenden (particularly from the side (south) and rear (west)) the replacement would project not insignificantly further to the rear, and certainly appear as a larger and more obvious building, in comparison to the existing dwelling, however this consideration alone does not give rise to significantly harmful impact.
21. Whilst the two storey form of the replacement would be sited close to the common (northern) boundary with Missenden this is the situation with the existing dwelling, forming the 'baseline' for assessment. With the exception of the northern bay window the main body of the replacement would remain circa 2.1m away from the common boundary, projecting a relatively modest circa 2.0m more rearward than the two storey form of Missenden, which is situated circa 15.0m away from the common boundary. Whilst the main body of the replacement would project circa 5.2m more rearward than the closest, single storey, section of Missenden, this element of Missenden is situated circa 7.5m from the common boundary. To the rear of the main body the circa 3.0m deep single storey rear projection of the replacement would measure a relatively modest circa 3.0m in maximum, flat roofed, height (excluding the 'chimney' style feature which would reach circa 3.9m in maximum height), remaining circa 1.5m from the common boundary. The rear garden of Missenden is large and wide, with the main patio areas (where located to the rear of the dwelling) being situated at least circa 7.5m from the common boundary and up to circa 19.0m from the common boundary. Whilst there would clearly be some impact to Missenden, for the combined reasons previously set out, the replacement would not give rise to significantly harmful impact to Missenden, including its rear garden or patio areas, by reason of loss of daylight or overbearing effect due to bulk, proximity or outlook.
22. Although situated largely directly south of Missenden when having regard to the similar siting and height of the replacement in comparison to the existing dwelling the replacement would not give rise to significantly greater overshadowing or loss of sunlight to the glazing within the side and rear elevations of Missenden than the existing dwelling. Whilst the additional rearward projection of the replacement (particularly of the main body) is likely to give rise to some additional overshadowing of the rear garden of Missenden, taking into account the overall size and width of this rear garden, together with the location of patio areas (where located to the rear of the dwelling) at least circa 7.5m from the common boundary and up to circa 19.0m from the common boundary, any additional overshadowing of the rear garden of Missenden would not be significantly harmful and would be fairly limited in duration and extent, mainly occurring close to the southern edge of the rear garden. For these same reasons the replacement is not considered to result in a severe impact upon the energy efficiency of Missenden by reason of reducing passive solar gain through the south facing ground floor windows of Missenden (all of which 'turn the corner' into the west elevation) or overshadowing the PV cells within the southern roof slope of the single storey rear part of Missenden, which is situated circa 21.8m away from the common boundary.

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23. At ground floor level the northern (side) elevation of the replacement contains three windows (including the two storey bay window) facing directly towards the common boundary with Missenden, together with a 'gap' in the side of the rear pergola. These openings would largely be situated between circa 1.5m and 2.0m from the common boundary; whilst the bay window would be closer it would nonetheless maintain 1.0m separation to the common boundary, in line with the relevant minimum distance (side to boundary) stated within SPD Outlook, Amenity, Privacy and Daylight (2008). Therefore these ground floor level openings would not facilitate any significantly harmful loss of privacy to Missenden.
24. At first floor level the bay window within the northern (side) elevation would serve the stair/landing. Outlook from this bay window towards Missenden would be entirely precluded by the void over the entrance hall, which would prevent occupiers from standing in close proximity to this window (the finished first floor level (i.e. landing) is circa 5.5m away from this window). However Officer concerns remained in terms of the perception of overlooking to Missenden due to the use of clear-glazing. During the course of the application amended plans have therefore been submitted which show the use of obscure-glazing to these lower portions of glazing (including the side 'returns' of the bay). Given the non-habitable nature of the space served by this window this is considered an appropriate solution which would prevent a significantly harmful loss of privacy or perception of a loss of privacy to Missenden (Condition 11 refers). Whilst some perception of overlooking towards Missenden may remain, this bay window within the replacement would not be positioned in a significantly different location to the existing first floor window within the northern elevation of the existing (side) flat roofed extension at Barn End. On this basis any perception of overlooking would not be significantly harmful in comparison to the existing situation.
25. The more rearward first floor level window within the northern (side) elevation would serve a dressing room; given the non-habitable nature of this room the obscure-glazing and restricted opening of this window can also be secured through condition to protect the privacy of Missenden (Condition 11 refers). Two rooflights would be inserted into the northern side roof slope of the replacement, serving a secondary function to two bedrooms at second floor level, which would be primarily served by the front and rear dormer windows. These rooflights would be sited at high level (i.e. a sill height of 1.7m above FFL), precluding outlook towards Missenden. Again, this can be secured through condition (condition 13 refers).
26. Overall, subject to recommended conditions, the replacement would avoid significantly harmful impact upon Missenden by reason of loss of privacy, daylight or sunlight or overbearing effect.

Fox's Lodge:

27. Adjacent Fox's Lodge is a detached part two storey, part single storey dwelling situated to the south. Fox's Lodge contains only a single window within its north (side) elevation, located at first floor level and which appears to serve a bathroom or w/c (non-habitable). The area between the common boundary and the dwelling of Fox's Lodge is laid to hard surfacing and was being used for car parking purposes at the time of the site visit. The replacement would be set behind the front building line of Fox's Lodge.

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28. Whilst the main body of the replacement would project circa 7.4m beyond that of the closest part of Fox's Lodge, the main body of the replacement would nonetheless be situated circa 12.0m away from the common boundary, and partially opposite the side profile of Fox's Lodge, which contains no window nor other openings serving habitable rooms. Whilst the single storey element on the southern side of the replacement would project circa 5.4m beyond the rear elevation of the closest part of Fox's Lodge this element would remain a minimum of circa 2.7m away from the common boundary (at which point it would be opposite the side profile of Fox's Lodge) and circa 3.0m away from the common boundary where projecting beyond the rear elevation of Fox's Lodge. This element would also have a maximum height of circa 4.1m, with the front and rear elements being pitched, and thus resulting in lower eaves heights. To the rear of the main body the circa 3.0m deep single storey rear projection of the replacement would measure a relatively modest circa 3.0m in maximum, flat roofed, height (excluding the 'chimney' style feature which would reach circa 3.9m in maximum height), remaining circa 15.0m from the common boundary.
29. The replacement would cause no breach of the 45° angle test for daylight to windows/openings within the rear elevation of Fox's Lodge, and no habitable room windows are apparent within the northern (side) elevation. The replacement would be situated almost directly to the north of Fox's Lodge and therefore would have no significant implications in respect of potential loss of sunlight or overshadowing. For the combined reasons previously set out the replacement would not give rise to significantly harmful impact to Fox's Lodge by reason of loss of daylight, sunlight or overbearing effect due to bulk, proximity or outlook.
30. The replacement contains several openings within the staggered side (south) elevations, facing directly towards the common boundary with Fox's Lodge. At ground floor level the closest opening (a door serving the garage & store) would remain circa 3.0m from the common boundary, exceeding the relevant 1.0m minimum distance within SPD Outlook, Amenity, Privacy and Daylight (2008). Other side (south) openings at ground floor level (serving the kitchen/dining/living) would be in excess of 12.0m away from the common boundary. A single window at first floor level would face south although would serve an en-suite (non-habitable); Condition 12 can secure the obscure-glazing and restricted opening of this window to ensure no harmful loss of privacy to Fox's Lodge. Given these factors there would be no significantly harmful impact, by reason of loss of privacy, to Fox's Lodge.
31. Overall, subject to recommended conditions, the replacement would avoid significantly harmful impact to Fox's Lodge in respect of loss of privacy, daylight or sunlight or overbearing effect.

Copper Beech House:

32. Copper Beech House is a building providing flats situated to the rear (west). At its closest the replacement would remain circa 25.0m from the common boundary, which is screened by protected trees, to be retained. Notwithstanding the screening, and having regard to this retained separation distance, together with the scale (circa 5.7m two storey eaves height and circa 8.5m maximum height) and form of the replacement no significantly harmful

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loss of daylight, sunlight, or overbearing effect would arise to dwellings within Copper Beech House. In the case of three storey developments, as in this instance (i.e. the x2 proposed rear dormer windows), SPD Outlook, Amenity, Privacy and Daylight (2008) recommends a minimum separation distance of 15.0m for back-to-boundary relationships, which would be exceeded by circa 10.0m, precluding any significantly harmful loss of privacy to dwellings within Copper Beech House. Overall the replacement would avoid significantly harmful impact to Copper Beech House in respect of loss of privacy, daylight or sunlight or overbearing effect.

Land adjacent to White Walls:

33. A new dwelling was recently granted planning permission directly on the opposite side of Bracken Close at land adjacent to White Walls (Ref: PLAN/2018/0008); whilst works appear yet to commence to implement this permission it remains extant until 13 February and therefore is a significant material consideration. The replacement would be located in a very similar position to the existing dwelling, being located circa 9.0m back from the front boundary and, therefore, circa 18.0m from the front boundary of the development permitted under PLAN/2018/0008, the dwelling of which is located circa 15.0m back within its plot. Having regard to these retained separation distances, together with the scale (circa 5.7m two storey eaves height and circa 8.5m maximum height) and form of the replacement no significantly harmful loss of daylight, sunlight, or overbearing effect would arise to the extant dwelling permitted under PLAN/2018/0008.
34. In the case of three storey developments, as in this instance (i.e. the x1 proposed front dormer window), SPD Outlook, Amenity, Privacy and Daylight (2008) recommends a minimum separation distance of 15.0m for front-to-front elevation relationships, which would be exceeded, precluding any significantly harmful loss of privacy to the extant dwelling permitted under PLAN/2018/0008. Overall the replacement would avoid significantly harmful impact to the extant dwelling permitted under PLAN/2018/0008 in respect of loss of privacy, daylight or sunlight or overbearing effect.

Other properties:

35. Having regard to the nature, scale, siting and form of the replacement no material impacts would arise to properties other than those assessed previously.

Amenities of future occupiers:

36. The Technical housing standards - nationally described space standard (March 2015) (NDSS) set out minimum gross internal floor areas. The replacement would measure circa 510 sq.m in GIA (including the pergola, garage, store etc) and therefore very comfortably exceed the relevant minimum of 138 sq.m for three storey 6 bedroom dwellings (8p). Habitable rooms would predominately face east or west (with some benefiting from openings in the south and north elevations) and therefore benefit from direct sunlight for at least part of the day. All habitable rooms would achieve sufficient levels of daylight and outlook and be of a good size.

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37. Policy CS21 of the Woking Core Strategy (2012) requires development proposals to provide appropriate levels of private amenity space. SPD Outlook, Amenity, Privacy and Daylight (2008) sets out recommended minimum garden amenity areas, stating that large family dwelling houses (e.g. over 150 sq.m gross floorspace), as in this instance, should provide a suitable area of private garden amenity in scale with the building (e.g. greater than the gross floor area of the building). The retained area of private rear garden (in excess of 700 sq.m) would remain greater than the gross floor area of the replacement (circa 510 sq.m), such that sufficient private amenity space would be retained.

Highways and parking:

38. Policy CS18 of the Woking Core Strategy (2012) states that minimum car parking standards will be set for residential development (outside of Woking Town Centre), as in this instance. Accordingly SPD Parking Standards (2018) sets out a minimum residential parking standard of x3 spaces for 5+ bedroom houses. The SPD sets out that garages only contribute 50% towards parking provision and that the minimum size of a garage, when contributing towards parking provision, should be 6m x 3m (internal floorspace); whilst the attached garage meets this requirement it is clear that sufficient space for the parking of at least x3 cars, in line with the SPD requirements, would be provided on the centrally located gravel drive, such that it is not necessary to restrict use of the attached garage solely for parking purposes through condition.
39. No concerns arise with regard to relocating the front vehicular entrance centrally although the retention / re-planting of front boundary hedging would be required, as is shown on the submitted landscape proposal; a more detailed landscaping scheme, including further details of the proposed driveway/boundary treatments etc, can be secured by way of planning condition to ensure that the development enhances the character and appearance of the surrounding area in landscaping terms (condition 06 refers).
40. Whilst front pillars are proposed either side of the relocated vehicular entrance the submitted landscape proposal identifies these as being 1 metre in height, such that they would be 'permitted development' (by virtue of Art 3, Sch 2, Part 2, Class A of the GPDO); it is also noted that adjacent Fox's Lodge benefits from front entrance piers and gates (Ref: PLAN/1998/1051).
41. The County Highway Authority (Surrey CC) have been consulted and comment that Bracken Close is a private road which is not publicly maintained and therefore does not form part of the public highway (being outside the County Highway Authority's jurisdiction). However the County Highway Authority has considered the wider impact of the proposed development and considers that it would not have a material impact on the safety and operation of the adjoining public highway.
42. In order to encourage sustainable transport modes SPD Parking Standards (2018) requires the provision of x2 secure, lit and covered cycle parking spaces per house, regardless of bedroom provision. This is shown within the garage & store and can be secured through Condition 10.
43. Overall the proposal complies with Policy CS18 of the Woking Core Strategy (2012), SPD Parking Standards (2018) and the provisions of the NPPF and the highways and parking implications are acceptable.

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Arboriculture:

44. Policy CS21 of the Woking Core Strategy (2012) requires proposals to incorporate landscaping, including the retention of any trees of amenity value and other features. Policy DM2 of the Development Management Policies DPD (DMP DPD) (2016) sets out that the Council will not normally permit development proposals which would result in the loss of trees of amenity value. The supporting text to Policy DM2 sets out that, where trees are present within the site, or within close proximity to the site that could influence, or be affected by, the development, information will be required about which trees should be retained and how they will be protected during construction works.
45. The rear section of the site falls within a Tree Preservation Order Area (Ref: 626/0038/1961). Arboricultural information has been submitted with the application which identifies that a single tree (T2 - Cherry - Category C (low quality) - not within the TPO Area) will require removal because it is located within the outline of the new vehicular access, that no retained trees will require pruning as a result of the development, that the replacement dwelling is situated outside of the root protection areas (RPA's) of all retained trees and that any new services can be routed outside of the RPA's of retained trees. The submitted arboricultural information also makes provision for tree protection measures, including tree protection fencing, during the course of demolition and construction works. The removal of the single low quality Cherry tree (which is not protected) can be mitigated through a landscaping scheme to be secured through Condition 06.
46. The Arboricultural Officer considers the submitted arboricultural information to be acceptable and raises no arboricultural objections subject to compliance with the submitted information, which can be secured through condition (Condition 04 refers). On this basis the proposal complies with Policies CS21 and DM2, and the provisions of the NPPF, in respect of arboriculture.

Biodiversity and protected species:

47. The NPPF states that planning policies and decisions should contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity. This approach is supported by Circular 06/05 – Biodiversity and Geological Conservation and is reflected in Policy CS7 of the Woking Core Strategy (2012).
48. In its role as a Local Planning Authority the Council has a legal duty under Regulation 9(3) of The Conservation of Habitats and Species Regulations 2017 which states that “*a competent authority must, in exercising any of their functions, must have regard to the requirements of the Habitats Directive so far as they may be affected by the exercise of those functions*”.
49. All species of bat and their roost sites are protected under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) and Schedule 2 of the Conservation of Habitats and Species Regulations 2017. A Preliminary Roost Assessment (PRA), dated June 2020, and Emergence and Activity Bat Survey (EBS), dated August 2020, have been submitted in support of the application,

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together with a Cherryfield Ecology Response Letter (dated 23rd October 2020) which has been submitted during the course of the application.

50. Surveys found the existing dwelling to contain active bat roosts for low numbers of common pipistrelle and soprano pipistrelle bats. During the PRA some bat droppings were recorded in the roof void, mostly in the southern gable end. The applicant's ecological consultant has provided a confirmation letter (dated 23rd October 2020) that these droppings are considered to be consistent with the roosts identified above. A single tree (T2) is proposed for removal and this tree has been assessed by the applicant's ecological consultant as offering no features suitable for roosting bats. Because the proposal involves the demolition of the existing dwelling the works will directly impact roosting bats. Therefore appropriate impact avoidance, mitigation, compensation and enhancement measures are required. The EBS report sets out that the demolition of suitable bat roosting features (i.e. hanging tiles etc.) will require the supervision of a bat licensed ecologist and will be stripped by hand only and that all areas across the roof/wall tops etc. will be checked for bats (i.e. endoscope (where possible)) and via destructive search. If bats are found these will be removed by hand (by a licensed ecologist only) and placed in the minimum of three Schweglar 1FF (or similar) bat boxes which will first be hung on retained trees at a minimum of 3 metres from ground level, and face south/south-westerly before works begin; these bat boxes are known to be used by crevice and void dwelling species.
51. The site offers suitable habitat for roosting, commuting and foraging bats and a number of species were recorded using the site during surveys and therefore any tree, hedges or linear feature should be retained were possible. The submitted arboricultural information shows only the removal of a single tree at the front which does not form part of a linear feature.
52. As nocturnal animals, bats are sensitive to any increase in artificial lighting of their roosting and foraging places and commuting routes. The EBS report identifies that any external lighting near or shining onto any trees, especially those with bat boxes in or commuting routes, should be designed to minimize the impact on potential bat roosting and commuting and in line with the BCT lighting guidelines (Bats and Lighting in the UK (Bat Conservation Trust, 2018) (Condition 16 refers).
53. In terms of the loss of the bat roost the Conservation of Habitats and Species Regulations 2017 requires the decision maker to have regard to the 3 tests set out in the European Habitats Directive. These are:
 - a) *Preserving public health or public safety or other imperative reasons of overriding public interest;*
 - b) *There is no satisfactory alternative; and*
 - c) *The action will not be detrimental to maintaining the population of the species concerned at a favourable conservation status in its natural range.*
54. The applicants' ecological consultant classifies the existing bat roost as being of low conservation importance, therefore qualifying for registration under Natural England's 'low impact' licence, which "*permits the disturbance and capture of bats and/or damage/destruction of roost(s) of no more than three low*

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conservation significance roosts affecting no more than three species of bats, which are present in small numbers”.

55. In relation to (a) the visually attractive, sustainable and accessible design would pass this test. In relation to (b) the present dwelling does not meet the needs of the owners for modern day living, there are no alternative sites given that the applicants own the property and it would be prohibitively expensive to purchase an alternative property/site. The proposed development cannot take place without the demolition of the existing dwelling. In relation to (c) the proposed development is considered by the applicants' ecological consultant to qualify for a 'low impact' licence which, due to the criteria of this licence type, it has already been assessed that the impact would not be detrimental to maintaining the population of the species concerned at a favourable conservation status (FCS) in its natural range.
56. The Surrey Wildlife Trust (SWT) have been consulted as part of the assessment of the application and advise that the proposed development would not have any significant or unacceptable adverse impact on bats. This conclusion is subject to the applicant obtaining a European Protected Species (EPS) licence from Natural England (following planning permission, if granted) and undertaking all the mitigation, compensation and enhancement actions presented within the submitted EBS report, which will also need to be detailed in a Method Statement submitted to Natural England as part of the (separate) EPS licence application. This conclusion is also subject to compliance with the Bat Conservation Trust's document "Bats and lighting in the UK - Bats and the Built Environment Series" (Condition 16 refers).
57. For the avoidance of any doubt, there is a legal requirement under The Conservation of Habitats and Species Regulations 2017 for the applicant to obtain an EPS Mitigation Licence from Natural England prior to the carrying out of any activities which may kill, injure or disturb an individual or damage or destroy a breeding site or resting place of that individual. A planning condition requiring the applicant to acquire an EPS Mitigation Licence from Natural England is not reasonable or necessary as it is required by alternative legislation and secured by a separate permitting regime. The bat mitigation and compensation measures can be secured by Condition 05.
58. In the letter dated 23rd October 2020 the applicants' ecological consultant has confirmed that the site is considered to offer negligible potential for badgers and that no evidence was found during surveys, such that badger surveys are therefore not considered necessary. There is suitable habitat for terrestrial mammals in the local area and SWT have recommended that appropriate precautions are put in place to avoid harm to any species that may move through the site during works. The SWT have also assessed the impact of the proposal upon breeding birds. The recommendations of the SWT can be secured by way of Condition 18 with informatives advising the applicant of their obligations in respect of terrestrial mammals. Biodiversity enhancement measures can be secured through Condition 19.
59. Overall it is considered that there is a reasonable prospect of an EPS Mitigation Licence being granted by Natural England. It is therefore considered that the proposed development would not result in any significant or unacceptable harm to protected species, subject to compliance with the relevant legislation referenced above. The mitigation and compensation measures identified by the

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applicant in the submitted reports can be secured by Condition 05. It is therefore considered that the proposed development would comply with Policy CS7 of the Woking Core Strategy (2012) and the NPPF.

Thames Basin Heaths Special Protection Area (TBH SPA):

60. The site falls within the 400m - 5km (Zone B) Thames Basin Heaths Special Protection Area (TBH SPA) buffer zone. However the Thames Basin Heaths Special Protection Area Avoidance Strategy states (paragraph 1.28) that *“replacement dwellings will not generally lead to increased recreational pressure, therefore, will have no likely significant effect on the SPA and will not be required to make a contribution to the provision of avoidance measures”*.

Flooding and water management:

61. Paragraphs 155-165 (inclusive) of the NPPF relate to planning and flood risk. Policy CS9 of the Woking Core Strategy (2012) states that the Council will determine planning applications in accordance with the guidance contained within the NPPF and that the Council expects development to be in Flood Zone 1.
62. The site is located entirely within Flood Zone 1 (low risk), as identified on the Flood map for planning, and therefore no fluvial flood issues arise. The Council's Strategic Flood Risk Assessment (SFRA) (November 2015) does not identify any areas within the site to be at risk of surface water flooding and the site is not within 20 metres of any areas identified as being at very high risk of surface water flooding. Therefore surface water matters would be addressed outside of planning control (i.e. under the Building Regulations) and do not represent a planning constraint in this instance.

Energy and water consumption and EV charging:

63. The Planning and Energy Act 2008 allows LPAs to set energy efficiency standards in their Development Plan policies that exceed the energy efficiency requirements of the Building Regulations. However, such policies must not be inconsistent with relevant national policies for England. A Written Ministerial Statement to Parliament, dated 25 March 2015, set out the Government's expectation that such policies should not be used to set conditions on planning permissions with requirements above the equivalent of the energy requirement of Level 4 of the (now abolished) Code for Sustainable Homes - this is approximately 19% above the requirements of Part L1A of the Building Regulations. This is now reiterated in Planning Practice Guidance (PPG) on Climate Change, which supports the NPPF. Therefore, whilst Policy CS22 of the Woking Core Strategy (2012) sought to achieve zero carbon standards (as defined by the Government) from 2016, standards have been 'capped' at a 19% uplift in Part L1A Building Regulations standards in accordance with national planning policy and national zero carbon buildings policy.
64. The LPA requires all new residential development to achieve as a minimum the optional requirement set through Building Regulations for water efficiency, which requires estimated water use of no more than 110 litres/person/day. Recommended Conditions 07 and 08 can secure the requisite energy and water consumption requirements.

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65. A letter of representation states that an external power point should be provided; this is beyond the scope of local planning policy, although Electric Vehicle (EV) charging infrastructure requirements are set out under the parking requirements of Policy CS18 of the Woking Core Strategy (2012). SPD Climate Change (2013) provides detailed guidance on the implementation of EV parking infrastructure, including a requirement to install at least 1 passive charging point per new dwelling; this provision can be secured by planning condition (Condition 17 refers).

Local Finance Considerations

66. The Community Infrastructure Levy (CIL) is a mechanism adopted by Woking Borough Council as a primary means of securing developer contributions towards infrastructure provision in the Borough. In this case, the proposed residential development would have a chargeable area of approximately 300 sq.m (the net increase in floorspace following demolition of the existing dwelling). The CIL rate would be £125 plus indexation for inflation.
67. The applicant has however submitted a self-build exemption form claiming relief from CIL. Notwithstanding this, the LPA must assess the application for exemption separately and the applicant must submit a Commencement of Development Notice prior to any commencement of development.

Conclusion

68. Overall the development is acceptable in principle and, subject to recommended conditions, acceptable in terms of design and character, neighbouring amenity, amenities of future occupiers, highways and parking, arboriculture, biodiversity and protected species, Thames Basin Heaths Special Protection Area (TBH SPA), flooding and water management and energy and water consumption.
69. The proposal complies with Policies CS1, CS7, CS8, CS9, CS11, CS18, CS21, CS22, CS24 and CS25 of the Woking Core Strategy (2012), Policies DM2 and DM10 of the Development Management Policies DPD (2016), SPD's Design (2015), Outlook, Amenity, Privacy and Daylight (2008), Parking Standards (2018) and Climate Change (2013), Sections 2, 4, 5, 9, 11, 12, 14 and 15 of the NPPF, the PPG and SFRA and is recommended for approval. In considering this application the Council has had regard to the provisions of the Development Plan, so far as material to the application, and to any other material considerations. In making the recommendation to grant planning permission it is considered that the application is in accordance with the Development Plan of the area.

BACKGROUND PAPERS

Letters of representation
Consultee responses

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RECOMMENDATION

Grant planning permission subject to the following conditions:

01. The development hereby permitted must be commenced not later than three years from the date of this permission.

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

02. The development hereby permitted must be carried out only in accordance with the following approved plans numbered / titled:

010-100 PL-01 (Location Plan), dated 08/09/2020 (rec'd by LPA 09.09.2020)

021-100 PL-01 (Existing Site Plan), dated 08/09/2020 (rec'd by LPA 09.09.2020)

021-101 PL-01 (Proposed Site Plan), dated 08/09/2020 (rec'd by LPA 09.09.2020)

021-102 PL-01 (Street Scene Elevations), dated 08/09/2020 (rec'd by LPA 09.09.2020)

031-100 PL-01 (Existing Ground Floor), dated 08/09/2020 (rec'd by LPA 09.09.2020)

031-101 PL-01 (Existing First Floor), dated 08/09/2020 (rec'd by LPA 09.09.2020)

031-102 PL-01 (Existing Second Floor), dated 08/09/2020 (rec'd by LPA 09.09.2020)

031-103 PL-01 (Existing Roof Plan), dated 08/09/2020 (rec'd by LPA 09.09.2020)

032-100 PL-01 (Existing North & South Elevations), dated 08/09/2020 (rec'd by LPA 09.09.2020)

032-101 PL-01 (Existing East & West Elevations), dated 08/09/2020 (rec'd by LPA 09.09.2020)

051-100 PL-01 (Proposed Ground Floor), dated 08/09/2020 (rec'd by LPA 09.09.2020)

051-101 PL-01 (Proposed First Floor), dated 08/09/2020 (rec'd by LPA 09.09.2020)

051-102 PL-01 (Proposed Second Floor), dated 08/09/2020 (rec'd by LPA 09.09.2020)

051-103 PL-01 (Proposed Roof Plan), dated 08/09/2020 (rec'd by LPA 09.09.2020)

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052-100 PL-02 (Proposed East & West Elevations), dated 21/10/2020 (amended plan rec'd by LPA 21.10.2020)

052-101 PL-02 (Proposed North & South Elevations), dated 21/10/2020 (amended plan rec'd by LPA 21.10.2020)

053-100 PL-01 (Proposed Sections A & B), dated 08/09/2020 (rec'd by LPA 09.09.2020)

053-101 PL-01 (Proposed Sections C & D), dated 26/10/2020 (rec'd by LPA 27.10.2020)

Landscaping Proposal, undated (rec'd by LPA 14.09.2020)

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

03. ++Notwithstanding the details submitted with the application prior to the application/installation of external facing materials to the development hereby permitted full details of all external facing materials must be submitted to and approved in writing by the Local Planning Authority. The submitted details must include specifications of all external facing materials including window/door frame material/RAL colour(s), roof covering materials (including dormer windows), tile hanging, masonry (including details of brick and mortar types/colours) and rainwater goods. The details must accord with the type and quality of materials indicated within the application. The development hereby permitted must thereafter be carried out and permanently maintained in accordance with the approved details unless otherwise first agreed in writing by the Local Planning Authority.

Reason: To ensure a high quality development in accordance with Policy CS21 of the Woking Core Strategy (2012), SPD Design (2015) and the NPPF.

04. Protective measures must be carried out in strict accordance with the Arboricultural and Planning Integration Report by GHA trees arboricultural consultancy, dated 2nd September 2020 (Ref: GHA/DS/122960:20) and the Tree Protection Plan (dated September 2020) by GHA trees arboricultural consultancy including the convening of a pre-commencement meeting attended by the Council's Arboricultural Officer and the Project Manager and arboricultural supervision as indicated. Any works or demolition must not take place until tree protective measures have been fully implemented. Tree protection must be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition. 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 the retention and protection of trees on and adjacent to the site in the interests of the visual amenities of the locality and the appearance of the development in accordance with Policy CS21 of the Woking Core Strategy (2012), Policy DM2 of the Development Management Policies DPD (2016) and the NPPF.

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05. The development hereby permitted must be carried out only in strict accordance with the recommended mitigation and compensation measures specified within the 'Emergence and Activity Bat Survey (EBS)' report undertaken by Cherryfield Ecology, dated August 2020. A minimum of three Schweglar 1FF (or similar) bat boxes must be hung on suitable trees within the site at a minimum of 3 metres from ground level and face south/south-westerly before works (including the demolition of the existing dwelling) commence. The installed bat boxes must thereafter be permanently maintained for the lifetime of the development hereby permitted.

Reason: To secure mitigation for the bats at the site and their habitat in accordance with The Conservation of Habitats and Species Regulations 2017, the Wildlife and Countryside Act 1981, Policy CS9 of the Woking Core Strategy (2012) and the provisions of the NPPF.

06. ++Notwithstanding the details shown on the approved plans listed within Condition 02 of this notice the development hereby permitted must not be first occupied until hard and soft landscaping has been implemented in accordance with details which have first been submitted to and approved in writing by the Local Planning Authority. The submitted details must include:
- a) details of proposed tree planting including confirmation of location, species and planting size(s) (including at least x1 tree to the frontage to replace the Cherry tree to be removed);
 - b) soft planting, grassed/turfed areas, shrubs and herbaceous areas detailing species, planting sizes and numbers/densities; and
 - c) hard landscaping, including specifications of all ground surface materials.

All planting must be completed/planted in accordance with the approved details during the first planting season following practical completion of the development hereby permitted or in accordance with a programme otherwise first agreed in writing with the Local Planning Authority. Any new planting which dies, is removed, becomes severely damaged or diseased within five years of planting must be replaced during the following planting season. Unless further specific written permission has first been given by the Local Planning Authority, replacement planting must be in accordance with the approved details.

Reason: To ensure a high quality development in accordance with Policy CS21 of the Woking Core Strategy (2012), Policy DM2 of the Development Management Policies DPD (2016), SPD Design (2015) and the NPPF.

07. ++Prior to the progression of any works beyond superstructure stage pursuant to the construction of the development hereby permitted, written evidence must be submitted to and approved in writing by the Local Planning Authority demonstrating that the development will:
- a. Achieve a minimum of a 19% improvement in the dwelling emission rate over the target emission rate, as defined in the Building Regulations for England Approved Document L1A: Conservation of Fuel and Power in New Dwellings (2013 edition). Such evidence must be in the form of a Design Stage Standard Assessment Procedure (SAP) Assessment, produced by an accredited energy assessor; and

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- b. Achieve a maximum water use of no more than 110 litres per person per day as defined in paragraph 36(2b) of the Building Regulations 2010 (as amended), measured in accordance with the methodology set out in Approved Document G (2015 edition). Such evidence must be in the form of a Design Stage water efficiency calculator.

Development must be carried out wholly in accordance with such details as may be approved and the approved details must be permanently maintained and operated for the lifetime of the development unless otherwise first agreed in writing by the Local Planning Authority.

Reason: To ensure that the development achieves a high standard of sustainability and makes efficient use of resources in accordance with Policy CS22 of the Woking Core Strategy (2012), SPD Climate Change (2014) and the NPPF.

08. ++The development hereby permitted must not be first occupied until written documentary evidence has been submitted to and approved in writing by the Local Planning Authority demonstrating that the development has:
 - a. Achieved a minimum of a 19% improvement in the dwelling emission rate over the target emission rate, as defined in the Building Regulations for England Approved Document L1A: Conservation of Fuel and Power in New Dwellings (2013 edition). Such evidence must be in the form of an As Built Standard Assessment Procedure (SAP) Assessment, produced by an accredited energy assessor; and
 - b. Achieved a maximum water use of 110 litres per person per day as defined in paragraph 36(2b) of the Building Regulations 2010 (as amended). Such evidence must be in the form of the notice given under Regulation 37 of the Building Regulations.

Such approved details must be permanently maintained and operated for the lifetime of the development unless otherwise first agreed in writing by the Local Planning Authority.

Reason: To ensure that the development achieves a high standard of sustainability and makes efficient use of resources in accordance with Policy CS22 of the Woking Core Strategy (2012), SPD Climate Change (2014) and the NPPF.

09. The development hereby permitted must not be first occupied until space has been laid out within the site in accordance with the approved plans listed within condition 02 of this notice for the parking and turning of vehicles within the site. Thereafter all vehicle parking and turning areas must be permanently retained and maintained for their designated purposes.

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with Policy CS18 of the Woking Core Strategy (2012), SPD Parking Standards (2018) and the NPPF.

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10. The development hereby permitted must not be first occupied until facilities for the covered, secure and lit parking of x2 bicycles have been provided in accordance with the approved plans listed within condition 02 of this notice. Thereafter the said approved facilities must be permanently maintained.

Reason: To promote more sustainable modes of transport than the private motor vehicle in accordance with Policy CS18 of the Woking Core Strategy (2012), SPD Parking Standards (2018) and the NPPF.

11. Prior to the first occupation of the development hereby permitted, where annotated as 'Proposed opaque glazing' on the approved plans listed within condition 02 of this notice, first floor level window(s) within the north (side) elevation of the development (including the east and west (side) returns of the first floor level bay window(s) within the north (side) elevation) must be glazed entirely with obscure glass and non-opening unless the parts of the window(s) which can be opened are more than 1.7 metres above the finished floor level of the room in which the window(s) are installed. Where such window(s) are on a staircase or landing (i.e. not in a room) the 1.7 metre measurement must be made from the stair or point on a landing immediately below the centre of the window(s), upwards to the opening part of the window(s). Once installed the window(s) must be permanently retained in that condition.

Reason: To protect the amenity and privacy of the occupiers of adjoining Missenden in accordance with Policy CS21 of the Woking Core Strategy (2012), SPD Outlook, Amenity, Privacy and Daylight (2008) and the provisions of the NPPF.

12. Prior to the first occupation of the development hereby permitted the first floor level window(s) within the south (side) elevation of the development must be glazed entirely with obscure glass and non-opening unless the parts of the window(s) which can be opened are more than 1.7 metres above the finished floor level of the room(s) in which the window(s) are installed. Once installed the window(s) must be permanently retained in that condition.

Reason: To protect the amenity and privacy of the occupiers of adjoining Fox's Lodge in accordance with Policy CS21 of the Woking Core Strategy (2012), SPD Outlook, Amenity, Privacy and Daylight (2008) and the provisions of the NPPF.

13. Prior to the first occupation of the development hereby permitted the rooflight(s) within the north (side) roof slope of the development must be installed within a minimum sill height of 1.7 metres above the finished floor level of the room(s) in which the rooflights(s) are installed. Once installed the rooflights(s) must be permanently retained in that condition.

Reason: To protect the amenity and privacy of the occupiers of adjoining Missenden in accordance with Policy CS21 of the Woking Core Strategy (2012), SPD Outlook, Amenity, Privacy and Daylight (2008) and the provisions of the NPPF.

14. Notwithstanding the provisions of Article 3 of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order(s) revoking and/or re-enacting that Order with or without modification(s)) window(s) or other additional openings other than as expressly authorised by

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this permission must not be formed at first floor level in the side (north and south) elevations of the development without planning permission being first obtained from the Local Planning Authority.

Reason: To protect the amenity and privacy of the occupiers of adjoining Missenden and Fox's Lodge in accordance with Policy CS21 of the Woking Core Strategy (2012), SPD Outlook, Amenity, Privacy and Daylight (2008) and the provisions of the NPPF.

15. Notwithstanding the provisions of Article 3, Schedule 2, Part 1, Classes A and B of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order(s) amending and/or re-enacting that Order with or without modification(s)) extension or enlargement of the development hereby permitted must not be carried out without planning permission being first obtained from the Local Planning Authority.

Reason: The Local Planning Authority considers that further development could cause detriment to the residential amenities of the occupiers of adjoining Missenden and Fox's Lodge and for this reason would wish to control any future development in accordance with Policy CS21 of the Woking Core Strategy (2012), SPDs Outlook, Amenity, Privacy and Daylight (2008) and Design (2015) and the provisions of the NPPF.

16. ++ External lighting attached to the replacement dwelling hereby permitted must not be installed until full details (to include a layout plan with beam orientation and a schedule of equipment in the design (luminaire type, mounting height, aiming angles and luminaire profiles)) and demonstrating compliance with the recommendations of the Bat Conservation Trusts' document entitled "Bats and Lighting in the UK - Bats and The Built Environment Series" (or any future equivalent) have been submitted to and approved in writing by the Local Planning Authority. The submitted details must make provision for any external lighting installed on the replacement dwelling to be installed with a timer or infrared sensor. The external lighting scheme must thereafter be installed and permanently maintained in accordance with the approved details unless otherwise first agreed in writing by the Local Planning Authority.

Reason: During the bat surveys bats were recorded commuting / foraging around the site. As nocturnal animals, bats are sensitive to any increase in artificial lighting of their roosting and foraging places and commuting routes. To accord with Policy CS7 of the Woking Core Strategy (2012), Circular 06/05 Biodiversity and Geological Conservation and the NPPF.

17. ++Prior to the progression of any works beyond superstructure stage pursuant to the construction of the development hereby permitted details of active/passive electric vehicle charging points to be provided must be submitted to and approved in writing by the Local Planning Authority. The works must be carried out in accordance with the approved details prior to first occupation of the development and thereafter permanently retained in accordance with the approved details unless the Local Planning Authority subsequently agrees in writing to their replacement with more advanced technology serving the same objective.

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Reason: In the interests of achieving a high standard of sustainability and in accordance with the electric vehicle charging infrastructure requirements of Policy CS22 of the Woking Core Strategy (2012) and SPD Climate Change (2013).

18. Any scrub, hedgerow and tree clearance must be undertaken outside the bird breeding season (early March to August inclusive) unless the applicant has first carried out a survey of such vegetation (undertaken by a suitably qualified and experienced ecologist) immediately prior to clearance works which demonstrates that there are no active nests within relevant parts of the application site and any such survey results have first been submitted to and approved in writing by the Local Planning Authority. If any active nests are found they must be left undisturbed with a buffer zone around them until it can be confirmed by a suitably qualified and experienced ecologist that the nest is no longer in use.

Reason: To prevent birds being injured or killed during site clearance works and to comply Policy CS7 of the Woking Core Strategy (2012), Circular 06/05 Biodiversity and Geological Conservation and the NPPF.

19. ++Prior to the progression of any works beyond superstructure stage pursuant to the construction of the development hereby permitted details of measures for the enhancement of biodiversity on the site must be submitted to and approved in writing by the Local Planning Authority, together with a timetable for the implementation of such measures. Biodiversity enhancements could include, but are not limited to, the following:

- Providing a wildlife friendly soft landscaping scheme, including using a range of native species when planting new trees and shrubs, preferably of local provenance from seed collected, raised and grown only in the UK, suitable for site conditions and complimentary to surrounding natural habitat. Planting should focus on nectar-rich flowers and/or berries as these can also be of considerable value to wildlife;
- Including log piles within areas of boundary vegetation, to provide habitat for a range of species;
- Providing bird boxes erected on or integral within the new building and/or on suitable trees. Their design and placement should follow best practice guidance; and
- Providing bat roosting features (in addition to those required as compensation and mitigation) erected on or integral within the new building and/or on suitable trees. Their design and placement should follow best practice guidance.

The measures as are approved must be implemented in full accordance with the agreed details prior to the first occupation of the development hereby permitted and thereafter be permanently retained for the lifetime of the development unless otherwise first agreed in writing by the Local Planning Authority.

Reason: To ensure that there is a net gain in biodiversity on the site in accordance with Policies CS7 and CS21 of the Woking Core Strategy (2012) and the NPPF.

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Informatives

01. The Council confirms that in assessing this planning application it has worked with the applicant in a positive and proactive way, in line with the requirements of the NPPF.
02. The applicant is advised that Council officers may undertake inspections without prior warning to check compliance with approved plans and to establish that all planning conditions are being complied with in full. Inspections may be undertaken both during and after construction.
03. The applicants attention is specifically drawn to the conditions above marked ++. These conditions require the submission of details, information, drawings, etc. to the Local Planning Authority PRIOR TO THE RELEVANT TRIGGER POINT(S). Failure to observe this requirement will result in a contravention of the terms of the permission and the Local Planning Authority may serve Breach of Condition Notices (BCNs) to secure compliance. The applicant is advised that sufficient time needs to be given when submitting details in response to conditions, to allow the Local Planning Authority to consider the details and discharge the condition(s). A period of between five and eight weeks should be allowed for.
04. 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

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>

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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).

05. The applicant is advised that adequate control precautions should be taken in order to control noise emissions from any fixed plant, including generators, on site during demolition / construction activities. This may require the use of quiet plant or ensuring that the plant is sited appropriately and / or adequately attenuated. Exhaust emissions from such plant should be vented to atmosphere such that fumes do not ingress into any property. Due to the proximity of residential accommodation there should be no burning of waste material on site. During demolition or construction phases, adequate control precautions should be taken in order to control the spread of dust on the site, so as to prevent a nuisance to residents within the locality. This may involve the use of dust screens and/ or utilising water supply to wet areas of the site to inhibit dust.
06. The provisions of the Party Wall etc. Act 1996 may be applicable and relates to work on an existing wall shared with another property; building on the boundary with a neighbouring property; or excavating near a neighbouring building. Please refer to the following address for further information: <https://www.gov.uk/party-walls-building-works>
07. The applicant is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the public 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 public highway surfaces and prosecutes persistent offenders. (Highways Act 1980 Sections 131, 148, 149).
08. The applicant is advised that under the Control of Pollution Act 1974, demolition and building works - audible at the site boundaries - are restricted to the following hours:
 - 0800 - 1800 hrs Monday to Friday (inclusive)
 - 0800 - 1300 hrs Saturdays
 - and not at all on Sundays and Bank/Public Holidays.
09. All species of Bat and their roost sites are protected under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) and Schedule 2 of the Conservation of Habitats and Species Regulations 2017. All Bats are therefore European Protected species. Offences under this legislation include any activities that may kill, injure or disturb an individual or damage or destroy a breeding site or resting place of that individual. Destruction of a Bat roost is therefore an offence, even if the bat is not present at the time of roost removal. An EPS Mitigation Licence will be required from Natural England before any actions which may affect bats are undertaken.
10. The applicant is advised that clearance of any vegetation or piles of logs, brash, compost, rocks or other similar debris should be undertaken carefully and by hand. Any excavations left open overnight should include a ramped means of escape for any animals that may fall in and open pipework capped overnight to avoid species becoming trapped. Should any evidence of mammal

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digging be identified during works then works should cease and advice sought from a suitably qualified ecologist. The applicant is also strongly encouraged to provide suitable gaps in any new boundary fencing to allow species such as hedgehogs to move through the site post-development.