

04 2014/0456 Reg Date 14/05/2014 Chobham

LOCATION: 2 CHERTSEY ROAD, CHOBHAM, WOKING, GU24 8NB
PROPOSAL: Change of Use and extension to the existing building comprising of a hairdressing salon on the ground floor and a first floor 3 bedroom flat to a reduced ground floor financial services office use (A2) and 3 x 1 bedroom flats within the ground and first floor levels.
TYPE: Full Planning Application
APPLICANT: Mr Roger Hardesty
OFFICER: Chenge Taruvinga

RECOMMENDATION: REFUSE

1.0 SUMMARY

- 1.1 The proposal is for the change of use and extension to the existing building comprising of a hairdressing salon on the ground floor and a first floor 3 bedroom flat to a reduced ground floor financial services office use (A2) and 3 x 1 bedroom flats within the ground and first floor levels.
- 1.2 The report concludes that the proposed change of use of part of the ground floor would be an appropriate development within the washed over Green Belt settlement of Chobham. The proposed two storey element and provision of 3 units of residential accommodation would not have an adverse impact on the character of the Chobham Village Conservation Area, or the residential amenities of neighbouring properties. It is also considered that the development would provide sufficient parking provision for the residential units proposed.
- 1.3 However, as there is currently no SANGS mitigation available by which the proposal can mitigate its impact on the SPA, and in the absence of a legal agreement to secure planning infrastructure; reasons for refusal in respect of these matters are proposed.

2.0 SITE DESCRIPTION

- 2.1 The application site is within the washed over Green Belt settlement of Chobham, located at the junction of Chobham High Street and Chertsey Road, forming a prominent part of the street scene. The site features a two storey building constructed in the late 19th century. The existing building is of red brick construction with simple gable roof forms that face onto Chertsey Road.
- 2.2 Presently, the site accommodates a hairdressing salon on the ground floor facing on to the Chobham High Street frontage. A 3 bedroom flat with access from Chertsey Road is located at first floor level. The site adjoins a single storey building to the south (rear) that faces the High Street, with an area laid to tarmac and concrete between the two buildings serving as a parking area.

3.0 RELEVANT HISTORY

- 3.1 BGR2473 – Convert existing building to form shop with s/c flat above – Approved 19/02/1959

4.0 THE PROPOSAL

- 4.1 The proposal is for the change of use and extension to the existing building comprising of a hairdressing salon on the ground floor and a first floor 3 bedroom flat to a reduced ground floor financial services office use (A2) and 3 x 1 bedroom flats within the ground and first floor levels.
- 4.2 The proposed two storey extension would be an infill extension of an 'L' shape with a maximum depth of 3.9 metres, a maximum width of 4.1 metres and a maximum height of 7.4 metres and eaves of 5.1 metres. This element would also feature a rear facing gable roof form.
- 4.3 Following the change of use and extension the site would yield a 44 sqm financial services unit (use class A2) and one 1 bed flat on the ground floor and two 1 bed flats at first floor level.

5.0 CONSULTATION RESPONSES

- 5.1 Chobham Parish Council No response received had been received at the time of the preparation of this report.
- 5.2 County Highway Authority No objection to the development subject to conditions.
- 5.3 Council's Conservation Advisor No objection to the extension or change of use but objects to the loss of the chimney.

6.0 REPRESENTATION

At the time of the preparation of this report 4 representations of objection had been received:

- 6.1 Significant parking problems would arise given the location of the site and existing highway safety concerns – Case Officer: see para. 7.4
- 6.2 Not enough parking provision - Case Officer: see para.7.4

7.0 PLANNING CONSIDERATION

- 7.1 The site is located within the washed over Green Belt settlement of Chobham as identified on the Proposals Map of the Surrey Heath Core Strategy and Development Management Policies. Accordingly policies DM2, DM9, DM11 and DM17 are relevant to the consideration of the current application. The National Planning Policy Framework (NPPF) is also a material consideration as is the associated Planning Practice Guidance (PPG).
- 7.2 Having regard to the above it is considered that the main issues to be addressed are:
- The principle of development;
 - The level of parking and the impact on highway safety;
 - The impact of the character of the conservation area;
 - The impact of the development on residential amenities;
 - The impact on local infrastructure;
 - The impact on the Thames Basin Heath Special Protection Area.

7.3 The principle of development

- 7.3.1 The site is located within an area which is washed over by Green Belt. As such there are certain constraints on development. Policy DM2 of the CSDMP advises that development within the settlement of Chobham will be limited to appropriate Green Belt uses and other limited small scale developments. The principle of the change of use and small extension is therefore acceptable.
- 7.3.2 The proposed development would result in the loss of retail floor space. However, as an A2 use is proposed, it is not considered that the proposal would be harmful to the character of this locale particularly given the site lies outside a designated shopping parade. On this basis it is considered that the principle of development is acceptable.

7.4 The level of parking and the impact on highway safety

- 7.4.1 Policy DM11 of the Core Strategy advises that development which would adversely impact the safe and efficient flow of traffic movement on the highway network will not be permitted unless it can be demonstrated that measures to reduce and mitigate such impacts to acceptable levels can be implemented.
- 7.4.2 The applicant proposes 4 car parking spaces as indicated on the block plan submitted. The Surrey County Council Vehicular and Cycle Parking Guidance (2012) indicates that 1 car parking space per residential unit should be provided for small units within village locations. The existing 3 bedroom dwelling is currently served by two car parking spaces in accordance with the guidance. In addition retail units are required to provide one car parking space per 30 square metres. The table below indicates the existing and proposed parking provision to support the development.

	Existing requirement	Proposed requirement
Residential spaces	2	3
Commercial spaces	3	1

- 7.4.3 The table above demonstrates that the reduction in retail floor space and the loss of the 3 bedroom unit would result in an overall reduction in the required car parking spaces to serve the development. Given that there are four spaces to be provided, with capacity for three more spaces on the adjoining site within the applicant's ownership to the south of the site, it is considered that the level of parking proposed is sufficient.
- 7.4.4 It should also be noted that the site is in a sustainable location given its proximity to the wide variety of convenience stores, health surgeries and restaurants. In addition, there are bus transport links to various locations within and beyond the borough, thereby limiting reliance on the use of a motor car. A public car park is located 125 metres to the south of the site and as thus can be used as visitor's car parking for the proposed units.
- 7.4.5 In light of this it is considered that the proposed development would not have an adverse impact on parking or highway safety and would accord with the principles contained within Policy DM11 of the Core Strategy.

7.5 The impact on the character of the conservation area

- 7.5.1 Policy DM17 of the Surrey Heath Core Strategy advises that development which affects any heritage asset should seek to promote the conservation and enhancement of the asset and its setting. One of the core planning principles contained within Para. 17 of the NPPF is the requirement that heritage assets are conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of future generations.
- 7.5.2 The existing building is within the Chobham Village Conservation Area and as such is a designated heritage asset for the purposes of this application. The approach into Chobham Village along Chertsey Road is characterised by residential dwellings which benefit from

hedges interspersed with trees along the property frontages. The site is located at the High Street end, to the south side of Chertsey Road where it is part of only a few commercial premises.

7.5.3 The Council's Conservation Advisor has advised that the removal of the shop fronts and the provision of a two storey extension to the rear would not detract from the character of the building or Conservation Area. However, he has raised a concern over the loss of the existing chimney as this acts as a feature in the streetscene that links with the wider street views of the listed buildings at nos. 2 and 4 Windsor Road. Whilst the loss of the chimney is regrettable, in the officers opinion this does not substantiate a reason for refusal. This is because a planning application would not otherwise be required for demolition of the chimney (i.e. demolition works less than 115 cubic metres do not require consent within a conservation area) and the Conservation Advisor also acknowledges that the building has limited individual signifyingence to the overall character of the Conservation Area. In the circumstances it is considered that a reasonable response is to add an informative advising the applicant that in the interests of the appearance of the Conservation Area it is desirable to retain the external chimney stack and this could be achieved by supporting steels within the roofslope.

7.5.4 Having regard to all of the above, it is considered that the development would preserve and enhance these designated heritage assets and accordingly the development meets the objectives of Policy DM17 of the Core Strategy and Development Management Policies 2012 and complies with the policy of the National Planning Policy Framework.

7.6 The impact of the development on residential amenities

7.6.1 Policy DM9 of the Core Strategy advises that development will be acceptable where it respects the amenities of occupiers of neighbouring property and uses.

7.6.2 The neighbouring property to the east at 6 Chertsey Road is set 1 metre away from the common boundary the application site. The proposed extension would be adjacent to the rear patio area of this site. However, given that the proposed extension would only project 2.5 metre beyond the nearest rear wall of this neighbouring property, it is not considered that there would be an adverse impact on the amenities that the occupants of this property enjoy.

7.6.3 The development proposed would be sited a sufficient distance from any other residential properties in this vicinity. As such, the development would not be overbearing or unneighbourly and it is not considered that it would impact on amenities currently enjoyed.

7.6.3 Having regard to the above it is considered that the development would meet the relevant objectives of policy DM9 of the Core Strategy and Development Management Policies 2012 and no object should be raised to the development on residential amenity grounds.

7.7 The impact on local infrastructure

7.7.1 In October 2011 the Council adopted the Developer Contributions SPD and financial contributions are now required for any development providing new dwellings or commercial floor space; levels of contributions have been drawn from work carried out by the Surrey Collaboration Project and the amount payable will be dependent on the scale of the development and its location.

7.7.2 In this instance the development proposes the erection of 3 one bedroom flats. As such a total contribution of £3663.00 is required which would be put towards primary education, transport, libraries, equipped play space, community facilities, indoor sports, and recycling, and would ensure that the infrastructure impact of the development is mitigated. At the time of writing this report a satisfactory legal agreement to secure this contribution had not been provided.

7.8 The impact on the Thames Basin Heath Special Protection Area

7.8.1 The application site is located within approximately 1.1 km of the Thames Basin Heaths

Special Protection Area (SPA). Natural England are currently advising that new residential development within 5km of the protected site has the potential to significantly adversely impact on the integrity of the site through increased dog walking and an increase in general recreational use. The application proposes a net increase of 2 units, which in combination with other development, to have a significant adverse impact on the protected site.

7.8.2 In January 2012 the Council adopted the Thames Basin Heaths Special Protection Area Avoidance Strategy SPD which identifies Suitable Alternative Natural Green Space (SANGS) within the Borough and advises that the impact of residential developments on the SPA can be mitigated by providing a financial contribution towards SANGS. However the Council currently has no SANGS capacity to mitigate the impact of the proposed development on the SPA. As such, it is not considered that the applicant would be able to offset the harm to the SPA through the completion of a legal agreement.

8.0 ARTICLE 2(3) DEVELOPMENT MANAGEMENT PROCEDURE (AMENDMENT) ORDER 2012 WORKING IN A POSITIVE/PROACTIVE MANNER

8.1 In assessing this application, officers have worked with the applicant in a positive and proactive manner consistent with the requirements of paragraphs 186-187 of the NPPF. This included:

- a) Provided or made available pre application advice to seek to resolve problems before the application was submitted and to foster the delivery of sustainable development.
- b) Provided feedback through the validation process including information on the website, to correct identified problems to ensure that the application was correct and could be registered.

9.0 CONCLUSION

9.1 The proposal is an appropriate form of development in the washed over Green Belt settlement of Chobham and the development would preserve the significance of the Conservation Area. The development would not impact on the amenities currently enjoyed by the occupants of the surrounding residential properties and would not give rise to conditions prejudicial to parking and highway safety. However, as there is currently no SANGS mitigation available by which the proposal can mitigate its impact on the SPA, and in the absence of a legal agreement to secure planning infrastructure, the proposal is recommended for refusal.

10.0 RECOMMENDATION

REFUSE for the following reason(s):-

1. The Planning Authority, following an Appropriate Assessment and in the light of available information and the representations of Natural England, is unable to satisfy itself that the proposal (in combination with other projects) would not have an adverse effect on the integrity of the Thames Basin Heaths Special Protection Area (SPA) and the relevant Site of Specific Scientific Interest (SSSI). In this respect, significant concerns remain with regard to adverse effect on the integrity of the Special Protection Area in that there is likely to be an increase in dog walking, general recreational use and damage to the habitat and the protection of protected species within the protected areas. Accordingly, since the planning authority is not satisfied that Regulation 62 of the Conservation of Habitats and Species Regulation 2010 (The Habitats Regulation) applies in this case, it must refuse permission in

accordance with Regulation 61 (5) of the Habitats Regulations and Article 6 (3) of Directive 92/43/EE.

2. In the absence of a completed legal agreement under section 106 of the Town and Country Planning Act 1990, the applicant has failed to comply with Policy CP12 of the Surrey Heath Core Strategy and Development Management Policies 2012 in relation to the provision of infrastructure contributions towards primary education, transport, libraries, equipped playspace, indoor sports, community facilities and recycling in accordance with the requirements of Surrey Heath Borough Councils Developer Contributions SPD.

Informative(s)

- . The applicant is advised that in the interests of the appearance of the Conservation Area it is desirable to retain the external chimney stack and this could be achieved by supporting steels within the roof slope.
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MINUTE LIST OF COMMITTEE
02 July 2014

APP. NO	WARD	LOCATION & PROPOSAL	TYPE	DECISION
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2014/0456	CHO	2 CHERTSEY ROAD, CHOBHAM, WOKING, GU24 8NB	<u>FFU</u>	RF
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ACTION

DEFER AND DELEGATE (RECOMMENDATION CHANGE FROM REFUSED)

