

LOCATION:	49 Firwood Drive, Camberley, Surrey, GU15 3QD
PROPOSAL:	Erection of a part single and part two storey side extension.
TYPE:	Full Planning Application
APPLICANT:	R Sell
OFFICER:	Shannon Kimber

This application would normally be determined under the Council's Scheme of Delegation but it is being reported to the Planning Applications Committee on the request of Councillor Rowlands because of proximity to the boundary line with 47 Firwood Drive and overlooking of the garden of this neighbouring dwelling.

RECOMMENDATION: GRANT, subject to conditions

1.0 SUMMARY

- 1.1 The proposed development is acceptable in principle.
- 1.2 It is considered to result in no adverse impact on the character of the area, host dwelling or highway safety.
- 1.3 In addition, subject to conditions, it would not result in a detrimental impact on the residential amenities of the occupiers of the neighbouring dwellings or the health of protected trees.
- 1.4 Therefore the application is recommended for approval subject to conditions.

2.0 SITE DESCRIPTION

- 2.1 The application site comprises of a two storey, detached dwelling. It is located to the south of the highway, at the end of a cul-de-sac. It is within the Edwardian Mosaic Housing Character Area. There is a tree preservation order along the rear boundary of the site (reference: TPO/6/66). The surrounding area is predominantly residential.

3.0 RELEVANT HISTORY

- 3.1 6305/3 Erection of 10 houses (37 to 53 Firwood Drive) Approved 07.10.1970

4.0 THE PROPOSAL

- 4.1 Full planning permission is sought for the erection of a part single and part two storey side extension.
- 4.2 The proposed side extension would provide a snug and utility room at ground floor level, with a dressing room and en-suite at first floor level.

- 4.3 The proposed extension would have a width of 3 metres. It would have a maximum height of 6.4 metres, with an eaves height of 5.3 metres at first floor level. The single storey element to the front would have a maximum height of 3.6 metres and an eaves height of 2.4 metres. The extension would have a maximum depth of 7 metres, being set-back by 1.8 metres at ground floor level. At first floor level the structure would have a depth of 4.5 metres, and would be set-back by 4.2 metres from the front elevation. It would be sited adjacent to the eastern boundary of the site which splays with a minimum separation of 0.5 metres and a maximum separation of 6 metres and 14.7 metres separation to the rear boundary.
- 4.4 The application form states that the proposed materials would match the existing brick, roof tiles and white u-PVC window frames.

5.0 CONSULTATION RESPONSES

- 5.1 No external consultees were required for this application.
- 5.2 The following internal consultee was consulted and their comments are summarised in the table below:

Internal Consultation	Comments Received
Arboricultural Officer	The trees to the rear boundary of the site are protected by TPO reference: TPO/6/66. The Arboricultural Officer raised no objection subject to a condition which secures the submission of a Tree Protection Plan.

6.0 REPRESENTATION

- 6.1 A total of 4 individual letters of notification were sent out on 20th July 2023 to the adjoining neighbouring properties. To date three letters of representation have been received, from one address.
- 6.2 The table below summarises the material planning reasons for objection:

Material Reason for Objection	Officer Response
Loss of daylight and sunlight to family room, utility room and patio area.	The affected rooms are a utility room served by a door which is not a habitable room, and a family room, which is also served by a larger window to the rear elevation. In this instance it is considered that the proposed development would not result in a detrimental loss of light to any room. The window and door affected are southern facing with the extension sited approximately 2.8 metres to the southwest. The patio space would receive some loss of light, but this would occur only in the late afternoon/evening, when the shadow of the existing dwelling would also affect this patio area. In addition there is a much larger, more private amenity area to the rear of the neighbouring property which would receive an unaffected level of light. It is therefore considered that the proposed extension would comply with principles

	10.1 and 10.3 of the RDG.
Loss of outlook/overbearing	The proposed extension would be sited approximately 2.8 metres to the south of the side elevation of no. 47 Firwood Drive. The extension would be part single storey to the front with the two-storey element set-back a further 4.4 metres from the front elevation of the host dwelling. Due to the separation and the set back of the two-storey element the proposal would not appear overbearing to the occupiers of number 47 Firwood Drive. The proposal would be screened by the host dwelling and would not impact on number 51 Firwood Drive.
Loss of privacy/overlooking	No side facing windows are proposed. Due to the orientation, the window serving the proposed en-suite would not have a direct line of sight towards the neighbours patio, in addition, it would be reasonable to secure obscure glazing with limited opening to this window. At ground floor level, a boundary fence would provide a degree of screening to the side facing windows at number 47. In addition, the forward facing windows within the proposed extension would serve a utility room which is not a habitable room. As such the proposal would not result in overlooking or loss of privacy to the detriment of the neighbouring residential occupiers.
Development would infringe on the neighbouring property	The submitted plans show the proposed extension entirely within the curtilage of 49 Firwood Drive and the ownership certificate A has been completed and submitted with this application. In any event, an informative can be attached to a decision with advice regarding access and Party Wall Agreements.
Aesthetically displeasing	The proposed extension would be the set-back and set-down design of the extension and would appear subservient to the host dwelling and is similar in design to the neighbouring two storey extension at number 47 Firwood Drive and recent approval at 51 Firwood Drive. The proposed extension is therefore considered be acceptable.
There are trees in the rear garden of the application site	The Arboricultural Officer has been consulted and raised no objection to the proposed development subject to a condition securing a tree protection plan and its implementation during the proposed construction. As such the proposal would not result in harm to any protected trees.

There has been an increase in the number of cars in the cul-de-sac	The proposed development has yet to commence, as such the present increase in car use is not linked to this application. In any event, the proposed development would not reduce the level of parking at the application site, nor would it provide a need to increased parking (such as providing an additional bedroom).
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6.3 The table below summarises the non-material planning reasons for objection:

Non-Material Reason for Objection	Officer Response
No reason for the development as extra space is not required	This is not a material planning consideration.
There are sewage pipes in close proximity to the proposed development	This point is noted, however the construction of the development would need to comply with building regulations.
The applicants may run a business from home	This has not been applied for and forms no part of this proposal.
Negative impact on the value of neighbouring properties	House prices are not a material planning consideration.

7.0 PLANNING CONSIDERATION

7.1 The site lies in the urban settlement where development is acceptable in principle. In considering this proposal regard has been had to the National Planning Policy Framework (NPPF), the National Design Guide (NDG), Policies DM9 and DM11 of the Surrey Heath Core Strategy and Development Management Policies Document 2012 (CSDMP) and guidance within the Surrey Heath Residential Design Guide Supplementary Planning Document 2017 (RDG) and the Western Urban Area Character Supplementary Planning Document (WUAC).

7.2 The main issues to be considered with this application are:

- Impact on the character and appearance of the area
- Residential amenity
- Highway impacts
- Other matters

7.3 Impact on the character and appearance of the area

7.3.1 Policy DM9 of the CSDMP seeks development of high-quality design. This is supported by Para. 130 of the NPPF, Principles 7.8, 10.1 and 10.3 of the RDG and Guiding Principles EM1(e) and EM2 of the WUAC.

7.3.2 It is acknowledged that the proposed development would be visible from the public realm, however the proposal, at ground floor level would be set 1.8 metres behind the principal elevation, and there would be a set-back of 4.2 metres at first floor level. In addition to this set-back from the front elevation of the host dwelling, the proposal would be sited a minimum of 11.4 metres from the near-side-edge of the public highway to the front of the site. Furthermore, it is noted that there is a similar two storey side extension within the street scene found at number 47 Firwood Drive (planning permission ref: 01/0616) and a similar extension has been approved at number 51 Firwood Drive (planning permission ref: 22/0855/FFU). As such, the proposed development is considered not to be an over-dominant or out of keeping with the character of the surrounding area.

- 7.3.3 It is noted that principle 10.3 of the RDG states that a minimum gap of 1 metre between the side elevation of side extensions and the side boundary of the site should normally be retained to provide for access and servicing. In this instance there would be a minimum of 0.5 metres between only the front corner point of the side elevation and the existing boundary wall. As the boundary splays and runs at 45 degrees from the existing house, there would be maximum gap of 6 metres between the side extension and the side boundary measured from the rear most point of the extension. Furthermore, external access to the rear garden is provided to the alternate side of the dwelling. Due to this diverging side boundary, the proposed extension would also not result in the loss of a sense of space surrounding the site, nor would the views to the rear of the mature vegetation be significantly reduced.
- 7.3.4 The proposed roof of the side extension would be set 1 metres lower than the ridgeline over the host dwelling. In addition to this set-down, the height of the eaves, the pitch of the roof slope and the roof form would all match those of the host dwelling. The width of the proposed extension would also be modest when viewed against the width of the host dwelling. The proposal's design remains sympathetic and subservient to the main building and does not project beyond the building line on the street. It is noted that the windows on the front elevation of the extension at ground and first floor level would not align vertically. The first floor level window would be sited centrally, however the windows at ground floor level would be sited to one side to accommodate the internal layout of this room. It would not be reasonable to refuse an application due to the placement of matching windows. In addition, the windows would align horizontally with the lintels of the existing windows. The application form states that the materials will match the existing and a condition securing the material to match the existing materials of the host dwelling is recommended. As such, the design of the proposal is considered acceptable.
- 7.3.5 The land along the rear boundary of the site is covered by a tree preservation order (reference: TPO/6/66). These trees are visible from the public realm and make a positive contribution to the area. The area of the site proposed to be covered by the extensions has no trees present. The Council's Arboricultural Officer has been consulted and recommended a condition to secure the submission of a tree protection plan to ensure the protected trees are not harmed during the construction phase.
- 7.3.6 Therefore, the proposed development would comply with the NPPF, Policy DM9 of the CSDMP, Principles 7.8, 10.1 and 10.3 of the RDG and Guiding Principles EM1(e) and EM2 of the WUAC in terms of the impact of the development on the character of the surrounding area.

7.4 Impact on residential amenities

- 7.4.1 Policy DM9 of the CSDMP states that development will be acceptable where the proposal respects the amenities of the occupiers of neighbouring properties, amongst other things. This is reiterated by Para. 130 of the NPPF and Principles 8.1, 8.2, 8.3 and 10.1 of the RDG.
- 7.4.2 The closest neighbouring dwelling to the proposed extension is 47 Firwood Drive to the east of the site. The extension would be sited approximately 2.8 metres from the side elevation of this dwelling. This dwelling has a side to side relationship with the application site, at 90 degrees and share a boundary at 45 degrees.
- 7.4.3 There are no windows proposed to the south-eastern side elevation. It is considered reasonable to restrict the further installation of windows to this side elevation by condition which removes the relevant permitted development rights. The window proposed at first floor level on the front elevation would not directly face the patio area to the side of number 47, however it is noted that there would be perceived overlooking. As this window

would serve a bathroom, it is considered reasonable to secure obscure glazing and with high level opening for the privacy of all involved. The windows at ground floor level would serve a utility room and would be partially screen by the boundary treatment and would not result in a material alteration to the existing pattern of overlooking.

- 7.4.4 It is noted that the proposed extension would result in additional built form 3 metres closer to this neighbouring dwelling. However, due to the splayed shared boundary, the rear garden of number 47 increases in width to the rear. The proposed extension would be single storey to the front with the two storey element set-back which would retain a maximum distance of 6 metres between the side elevation of the proposed extension at its rear and the side boundary. The proposed development is considered to be modest in width and due to the single storey element being in closest proximity to the number 47 with the two storey element being set-back the proposal would not result in an adverse overbearing impact on the occupier of this neighbouring dwelling, nor would it result in the outlook from this neighbouring dwelling being dominated by the built form.
- 7.4.5 To the south-western side of number 47 is a door serving a utility room which also has a window on the front elevation, and there is also a window which serves as a secondary window to the lounge. There are no windows at first floor level. The side elevation of number 4.7 faces south and the two storey element of the proposal would retain a separation of approximately 5.4 metres. In addition the window and door are secondary windows to habitable rooms, for these reasons it is considered that, there would be no adverse loss of light or sunlight to the detriment of the amenity of this neighbouring occupier.
- 7.4.6 The proposed extension would be sited to the south-west of number 47. There would be a minimum separation distance of 2.8 metres between built form and the side elevation of number 47. It was observed during the site visit that there is a patio area adjacent to the utility room door. It is acknowledged that the proposed development would result in a limited loss of light to this outdoor amenity space, with particular reference to evening sun as the application site is west of the patio area to the side of number 47. However, there is a wider private amenity area to the rear of this neighbouring dwelling which would be unaffected by the proposed development. Therefore the proposal would not result in overshadowing of the private amenity area of this neighbour to the detriment of their amenity.
- 7.4.7 There is no residential dwelling directly to the front of the site. To the rear of the site, is the rear garden of 19 France Hill Drive. The proposal would retain a separation of approximately 14.7 metres to the share boundary and approximately 32 metres to the rear elevation of this dwelling. These separation distances would prevent any harm to the amenity of this neighbouring occupier. The proposed development would be screened to the north-western side and would not result in harm to the neighbouring occupiers at no 51 Firwood Drive.
- 7.4.8 Subject to the recommended conditions, it is considered that the proposed development would not result in an adverse impact on the residential amenities of the occupiers of the neighbouring dwellings. The proposal would comply with the relevant policy DM9 of the CSDMP and principles 10.1 and 10.3 of the RDG.

7.5 Highway impacts

- 7.5.1 Policy DM11 of the CSDMP states that development will be not acceptable were the proposal adversely impacts safe and efficient flow of traffic.
- 7.5.2 One of the comments received as part of neighbour notification scheme mentioned that there has been an increase in parking in the cul-de-sac. The proposed development is not applied retrospectively, as such, any existing parking pressures are not a result of this proposal. The proposed development does not result in any additional bedrooms, nor would it involve the loss of the existing garage or driveway space. As such, the proposal

would not result in a significant worsening of the existing parking situation. It is considered that the proposed extension would have an acceptable impact on highway safety.

7.5.3 The proposed development would comply with policy DM11 of the CSDMP.

7.6 Other matters

7.6.1 The proposed development is not for a net increase in dwellings, nor is it for a residential extension of over 100 square metres, as such the proposal will not be CIL liable.

8.0 PUBLIC SECTOR EQUALITY DUTY

8.1 Under the Equalities Act 2010 the Council must have due regard to the need to eliminate discrimination, harassment or victimisation of persons by reason of age, disability, pregnancy, race, religion, sex and sexual orientation. This planning application has been processed and assessed with due regard to the Public Sector Equality Duty. The proposal is not considered to conflict with this duty.

9.0 CONCLUSION

9.1 The proposed development would result in no adverse impact on the character of the area, host dwelling or residential amenities of the occupiers of the neighbouring dwellings. Nor would the proposal have a detrimental impact on highway safety or the health of protected trees. The proposed development would comply with the NPPF, Policies DM9 and DM11 of the CSDMP, Principles 7.8, 8.1, 8.2, 8.3, 10.1 and 10.3 of the RDG. and the Guiding Principles EM1(e) and EM2 of the WUAC.

10.0 RECOMMENDATION

GRANT subject to the following conditions:

1. The development hereby permitted shall be begun within three years of the date of this permission.

Reason: To prevent an accumulation of unimplemented planning permissions and in accordance with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51(1) of the Planning and Compulsory Purchase Act 2004.

2. The proposed development shall be built in accordance with the following approved plans:

Site Location Plan, Drawing reference: AD4826 Sheet 1, Received: 17.07, 2023
Proposed Plans and Elevations, Drawing reference: AD4826 Sheet 2, Received: 17.07, 2023.

Reason: For the avoidance of doubt and in the interest of proper planning and as advised in ID.17a of the Planning Practice Guidance.

3. The building works, hereby approved, shall be constructed in external fascia materials to match those of the existing building.

Reason: In the interests of the visual amenities of the area and to accord with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012.

4. Before first occupation of the development hereby approved the en-suite window in the front elevation at first floor level shall be completed in obscure glazing and any opening shall be at high level only (greater than 1.7m above finished floor level) and retained as

such at all times. No additional openings shall be created in this elevation without the prior approval in writing of the Local Planning Authority.

Reason: In the interests of the amenities enjoyed by neighbouring residents and to accord with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012.

5. No additional windows shall be created in the south-eastern side elevation of the development hereby permitted without the prior approval in writing of the Local Planning Authority.

Reason: In the interests of the amenities enjoyed by the neighbouring resident at 47 Firwood Drive and to accord with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012.

6. No demolition works or development shall take place until a Tree Protection Plan (TPP) specific to this scheme, has been submitted and approved in writing by the Local Planning Authority. The Tree Protection Plan shall be written in accordance with, and address sections 5.5, 6.2, 6.3 and 7 of British Standard 5837:2012 Trees in relation to design, demolition and construction - recommendations. All protection measures shall be erected before any equipment, machinery or materials (including demolition and all preparatory work) are brought on to the site, and thereafter maintained until all construction work, equipment, machinery and surplus materials have been permanently removed from the site. Once approved the development shall be undertaken in entire accordance with the approved plans and particulars.

Nothing shall be stored or placed in any area in accordance with this condition and the ground levels within those protected areas shall not be altered, nor shall any excavation be made, without the prior written approval of the Local Planning Authority. Thereafter the works shall be carried out in accordance with the approved details until completion of the development.

Reason: To protect trees which contribute to the visual amenities of the site and surrounding area and to comply with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012.

Informative(s)

1. This Decision Notice is a legal document and therefore should be kept in a safe place as it may be required if or when selling your home. A replacement copy can be obtained, however, there is a charge for this service.
2. The applicant is advised that this permission is only pursuant to the Town and Country Planning Act 1990 and is advised to contact Building Control with regard to the necessary consents applicable under the Building Regulations and the effects of legislation under the Building Act 1984.
3. Whilst it would appear from the application that the proposed development is to be entirely within the curtilage of the application site, care should be taken upon commencement and during the course of building operations to ensure that no part of the development, including the foundations, eaves and roof overhang will encroach on, under or over adjoining land.
4. The applicant's attention is drawn to the Party Walls (etc) Act 1996.
5. The decision has been taken in compliance with paragraphs 38-41 of the NPPF to work with the applicant in a positive and proactive manner.

6. Under The Control of Pollution Act 1974 noisy construction working practices should be limited to:
- Monday to Friday: 8am to 6pm
 - Saturday: 8am to 1pm
 - At no time on a Sunday or Bank Holiday