

LOCATION: 34 CURLEY HILL ROAD, LIGHTWATER, GU18 5YH
PROPOSAL: Conversion of garage to habitable space, the erection of a two storey rear extension following demolition of existing extension and conversion of roof space to provide habitable space. (Amended & additional plans rec'd 12/08/15), (Additional plans rec'd 13/08/15), (Additional info rec'd 17/08/15).
TYPE: Full Planning Application
APPLICANT: Ms Sophia Hooper
OFFICER: Noreen Mian

This application would normally be determined under delegated powers, however, it is being reported to the Planning Applications Committee at the request of a Ward Councillor.

RECOMMENDATION: REFUSE

1.0 SUMMARY

- 1.1 This application seeks planning permission for the conversion of a garage to habitable space and the extension and alteration of the dwelling. The works, while described as extensions or alterations, are comprehensive and would change the character and scale of the host property.
- 1.2 The proposal is considered to be acceptable in terms of its impact on local character but not considered to be acceptable in regards to residential amenity. The application is therefore recommended for refusal.

2.0 SITE DESCRIPTION

- 2.1 The application site is situated in the settlement area of Lightwater. The application property is a split level dwelling with a part single storey and part two storey arrangement. The two storey element is to the front elevation and includes basement level accommodation and an integral garage with a ground floor front facing terrace above it.
- 2.2 There are significant level differences across the site (from front to rear) and in addition the application site is set at different levels to its neighbours.
- 2.3 There is limited boundary treatment to the front of the property which features significant vegetation on both neighbouring boundaries. Steps are present on both sides of the dwelling and this provides access to the rear which is set on higher ground.

3.0 RELEVANT PLANNING HISTORY

- 3.1 SU 96/385 – Erect single storey rear extension and front porch and associated alternations. Approved.

No pre-application advice has been sought prior to the submission of this planning application.

4.0 THE PROPOSAL

- 4.1 The proposal is for the conversion of the existing garage to habitable space, the extension of the existing utility room adjacent to the garage and its subsequent use for ancillary residential purposes, the erection of a 2 storey rear extension following the demolition of the existing and a change of roof form and increase in height to provide a further storey of habitable accommodation. The proposal features a contemporary design.
- 4.2 The conversion of the garage into habitable space would provide a retreat / media area and the adjacent extension to the existing utility would form an entrance hallway, wine cellar and cloakroom. This extension would infill an existing void.
- 4.3 An extension is proposed to the rear of the property and in part this would replace an existing single storey arrangement. The proposed development also seeks to increase the overall height of the property and change its roof form from a traditional pitched roof with a maximum height of 4.8 metres and an eaves height of 2.2 metres from ground floor level (when seen from the front), to a flat roof with a universal height of 5.8 metres. This would facilitate the provision of an extra floor of accommodation taking the property from a split level two storey (front) and single storey (rear) to a three storey (front) and two storey (rear) sized dwellinghouse.
- 4.4 The combination of the proposed works in addition to the contemporary design would materially alter the character of the host property.

5.0 CONSULTATION RESPONSES

- 5.1 Windlesham Parish Council No objection.
- 5.2 Arboricultural Officer No objection.
- 5.3 Surrey County Council - Highways No objection.

6.0 REPRESENTATION

- 6.1 At the time of preparation of this report 5 representations in objection to the proposal have been received. The objections relate to:

Character

- The proposal is neither proportionate to the size of the plot or to other properties in the vicinity [see para 7.3.5]
- Out of character (form and materials) [see para 7.3.6].

Amenity

- Overbearing / Scale – at three storey's the development will dominate neighbours [see section 7.4]
- Will cause a loss of light to No.32 [see section 7.4]

- Could result in damage to boundary treatment and swimming pool at No.32 [see para 7.4.4]
- Loss of privacy / overlooking [see section 7.4]
- Concern over the impact of reflected light from the glass elevations to Number 43 [see para 7.4.5].

Other matters

- Will impact on property prices [Officer comment: this is not a material consideration]
- The description of development does not fully describe the proposed works/ inaccuracies with submitted plans/information [Officer comment: notwithstanding this all aspects of the development have been assessed fully in this report]
- Is akin to a new build as opposed to the extension of the existing [see para 1.1]
- Applicant has removed boundary between the site and No.32 [Officer comment: This is not a material consideration in this application and is a private matter].
- Objection to the widening of the existing access [Officer comment: the works are detailed in the submitted Arboricultural report as facilitating construction vehicle access to the site and as such would be temporary in nature].

7.0 PLANNING CONSIDERATIONS

7.1 The proposal is considered against the principles of the National Planning Policy Framework (NPPF); DM9 (Design Principles) and DM11 (Traffic Management and Highway Safety) of the Surrey Heath Core Strategy and Development Management Policies 2012 (CSDMP). The proposal will also be considered against the Lightwater Village Design Statement – ‘Design Principles for All Areas’ and ‘Design Principles for the Rest of the Village’.

7.2 It is considered that the main issues to be addressed in the assessing of this proposal are:

- Impact on the character of the area;
- Impact on residential amenities; and,
- Impact on highway safety issues.

7.3 Impact on character of the surrounding area

7.3.2 Paragraph 59 of the NPPF states that design policies should avoid unnecessary prescription or detail and should concentrate on guiding the overall scale, density, massing, height, landscape, layout, materials and access of new development in relation to neighbouring buildings and the local area more generally. Policy DM9 (Design Principles) of CSDMP 2012 reiterates the NPPF by also promoting high quality design that respects and enhances the local environment, with regard to scale, materials, massing, bulk and density.

7.3.3 Guidance is also provided in the Lightwater Village Design Statement (LVDS) and in this regard Policy B1 states that new development should pay regard to the size of building plots, the scale and shape of buildings, the architectural detailing and materials of

individual buildings, boundary treatments and landscaping. Policy B2 states that the Village character of Lightwater should be protected and the over-development of sites should be resisted due to harmful impact on residential amenity and harm to the character of the area through eroding the generally smaller scale character of the Village. Policy B3 states that all new development should maintain the style, balance and character of the existing building, and be sympathetic to the scale and character of adjoining properties and the street scene. Policy B8 states that new development should consist principally of two-storey buildings and should respect the spacious character of the residential areas through reflecting the predominant depths of front gardens and the size and frequency of gaps between houses. Finally this policy states that new development should provide substantial landscaping through trees, shrubs and hedges.

7.3.4 The application property is set in a mixed character area with bungalows, some of which have been extended and have loft space conversions / extensions and a small number of two storey dwellings. There is not, however, a uniformity of architectural design in the vicinity and neither is it in an area of special control such as a conservation area. An analysis of the local area identifies the valued features within the street scene as including: the dominant landscaping; the feeling of spaciousness which is largely due to the size and frequency of the gaps between houses and the depths of front gardens and visual interest, that is, variation, in the appearance of the dwellinghouses themselves.

7.3.5 The proposed development would fundamentally change the appearance and scale of the application property from a modest, fairly conventional dwellinghouse, to a larger and contemporary design response. However, despite this, the scale and massing of the development would not appear cramped or overly dominant in the street scene. This is because the depth of the front garden and gaps with neighbouring properties would be maintained, as would the existing trees and vegetation. The 2 storey height is being largely kept and although the visual mass of the building will increase, especially from the front elevation, the lowest level of the accommodation is in effect basement level and largely already present. The size of the proposal would therefore integrate into its context and would not undermine the valued features set out above.

7.3.6 The contemporary design would appear very different from neighbouring properties. However, the NPPF is clear that variation in architecture is not a reason to refuse when a development integrates into its context. Paragraph 60 of the NPPF states:

“Planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness.”

Paragraph 61 reinforces this by stating that although visual appearance and the architecture of individual buildings are important factors, securing high quality and inclusive design goes beyond aesthetic considerations and should address the connections between people and places and the integration of new development into the natural, built and historic environment.

7.3.7 Moreover, paragraph 5.11 of the LVDS supports this approach by stating that new development should predominantly respect the existing character and valued features of the streetscene, although modern designs are acceptable where the overall character of the streetscene is not prejudiced.

7.3.8 In summary, the NPPF is clear that LPA's should not seek to stifle design or impose any particular architectural design. This is reflective of local plan policies and design guidance which seek to retain and protect valued spatial characteristics whilst allowing properties to be developed. The proposed development would result in a very different designed property to the original. However it would not undermine the spatial characteristics of the area or result in harm to landscape features of merit. It is therefore considered the proposal would comply with the aims and objectives of the NPPF, LVDS and Policy DM9 for the CSDMP 2012.

7.4 Impact on residential amenities of neighbouring properties

7.4.1 The NPPF sets out a good standard of amenity for all existing and future occupants of land and buildings. Policy DM9 ensures that any new proposals respect the amenities of the occupiers of the neighbouring properties and uses.

7.4.2 The adjoining neighbour no. 32 Curley Hill Road is set at a lower level (to the rear) than the host property and features a swimming pool in its rear garden. The extended and enlarged dwelling would be set approximately 3 metres from the flank elevation of this property and 1.1 metres from the shared boundary. It is noted that the proposed development would not result in built form coming any closer to this neighbour; however, the impact of the increased height and mass would be dramatic. At present this neighbour experiences a modest exposure to the low eaves height of 3.0 metres and the simple roof form pitches the roof mass away from this neighbour. In contrast, the proposal would result in a 5.8 metre high wall of development running 19 metres deep overall, dwarfing and dominating this property. The resulting relationship would be both unneighbourly and overbearing to this neighbour.

7.4.3 It is noted that the applicant has submitted a sun survey but this does not address the concern above. It is unclear what the survey is based upon and what technical standards have been used to create this plan. In any event there is no objection raised in respect of overshadowing effects or a loss of light, given the orientation of the properties.

7.4.4 The adjoining neighbour at no. 36 Curley Hill is set on slightly higher ground (to the rear) than the application site and the increase in overall height and mass will be readily apparent to this neighbour. However, a separation gap of approximately 10 metres would be retained between the two properties, which together with their respective siting would be sufficient to prevent any overbearing impact or loss of light to either this neighbour's habitable rooms or its primary amenity areas. A ground floor window is proposed to the side elevation facing this neighbour, however, this is similar in siting and size to an existing window and, given the separation distance and boundary treatment would be unlikely to cause any material loss of privacy above the existing arrangement.

7.4.5 In respect of other neighbours in the vicinity, no. 30 shares a rear boundary with the application site and the rear amenity space of this neighbour extends behind no. 28 to the east, and no. 32 and the application site to the west. The proposed development is, however, set a sufficient distance as to not impact on any primary amenity areas serving that property. Nos.43 and 45, the neighbours on the opposite side of Curley Hill Road, are at a minimum separation distance of 44 metres from any front elevation of the proposal and as such are unlikely to experience any overbearing impact, loss of light or loss of privacy.

7.4.6 In summary, the proposal would result in a harmful form of development detrimental to the residential amenities of the occupiers of no. 32 and would therefore be contrary to Policy DM9 of the CSDMP 2012.

7.5 Whether the development is acceptable in terms of parking and highway safety

- 7.5.1 Policy DM11 (Traffic Management and Highway Safety) seeks that all development ensures no adverse impact on the safe and efficient flow of traffic movement on the highway network results.
- 7.5.2 The County Highway Authority has undertaken an assessment in terms of the likely net additional traffic generation, access arrangements and parking provision and is satisfied that the application would not have a material impact on the safety and operation of the adjoining public highway. The County Highway Authority has therefore no highway requirements.

7.6 Other matters

- 7.6.1 The proposal is CIL liable, as the proposed development amounts to more than 100 square metres. An informative will be added to the decision advising the applicant.

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. It is noted that no Pre-Application advice was sought in relation to this application.
 - 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 design and massing of the proposal is considered acceptable in character terms and there are no policy grounds to object to the proposed architecture. However, it is considered the proposal would be harmful to the residential amenities of no. 32 Curley Hill Road. Accordingly it is recommended the application be refused.

10.0 RECOMMENDATION

REFUSE for the following reason(s):-

1. The proposed development by reason of its height, depth and mass, in combination with its proximity to the shared boundary with 32 Curley Hill Road and the change in land levels, would represent an unneighbourly form of development resulting in adverse overbearing effects which would be harmful and detrimental to the residential amenities that this neighbour may reasonably expect to enjoy. The proposed development would therefore be contrary to the aims and objectives of Policy DM9 of the Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

Informative(s)

1. Advise CIL Liable on Appeal CIL3