

LOCATION: LAND BETWEEN 4 AND 5, SCHOOL LANE, WINDLESHAM, GU20 6EY

PROPOSAL: Erection of a detached 4 bedroom, two storey dwelling (with accommodation in the roof space) and integral garage.
(Additional plan recv'd 11/6/15), (Amended plan rec'd 23/07/15)

TYPE: Full Planning Application

APPLICANT: Mr & Mrs Maffre

OFFICER: Mr N Praine

The application would normally be determined under the Council's Scheme of Delegation, however, at the request of a local ward councillor it has been called in for determination by the Planning Applications Committee.

RECOMMENDATION: GRANT subject to conditions

1.0 SUMMARY

- 1.1 The proposal relates to the erection of a detached two storey dwelling house with 4 bedrooms. As part of the proposal highway works are proposed to improve visibility splays from the junction of School Lane onto Chertsey Road. The works include a small build out on Chertsey Road which will narrow the carriageway and provide a wider footway. The result of this wider footway will allow a driver leaving School Lane to have a better sight of existing traffic on Chertsey Road.
- 1.2 This report concludes that the proposal is acceptable in regard to its impacts upon the character of the area, residential amenity and matters of highways, parking and access. The application is also not considered to harm the provision of local infrastructure, negatively impact on protected species or the Thames Basin Heath SPA. On this basis the application is recommended for approval.

2.0 SITE DESCRIPTION

- 2.1 The application site is located approximately to the eastern side of School Lane an unmade single lane track. Access to School lane is from the northern side of Chertsey Road which is next to the Chertsey Road Hall. The application site, an undeveloped plot of land is bounded by mature vegetation and boundary fencing. The site is moderately overgrown with scrub style vegetation.
- 2.2 Residential properties along School Lane are broadly 2 storey nature with a mix of detached and semi-detached style properties of varying architectural finishes and designs which include white renders, brown renders, red bricks, hip ended and gable ended properties. The immediately adjoining residential properties number 4 and 5 School Lane are white rendered semi-detached two storey dwelling houses.

3.0 RELEVANT HISTORY

- 3.1 SU/98/0042 - Erection of one detached 3-bedroom dwelling house with integral garage - refused 19/03/98 due to the impact on the character of the area; on residential amenities;

and, highway safety grounds. At this date the development failed to comply with the Surrey Structure Plan 1994 and the Surrey Heath Local Plan 1994.

- 3.2 SU/00/0917 - Erection of a detached two storey dwelling house with detached single garage – refused 06/11/00 for the same reasons as SU/98/0042 and dismissed on appeal 5/6/2001. The appeal was dismissed on character and highway safety grounds only with the Inspector concluding no adverse impact on residential amenities.
- 3.3 SU/01/0851 - Erection of a detached two storey dwelling house and attached single garage – refused 01/11/2001 and dismissed on appeal 15/5/2002 on highway safety grounds only, namely due to increase in traffic movements from an existing inadequate vehicular access at School Lane adjoining Chertsey Road. There was no objection to this development on character or residential amenities grounds.

4.0 THE PROPOSAL

- 4.1 The proposal is for a detached two storey dwelling house (with accommodation in the roof space) with 4 bedrooms. The dwelling would have an attached single storey garage and front entrance on its northern side and a single storey lounge annexe facing the main garden area to the south. Vehicular access would be from the north western side of the application site with driveway and integral garage parking for at least three vehicles provided onsite.
- 4.2 The proposed dwelling would have a maximum footprint of 15.5 metres in width by 13 metres in length. The dwelling would have minimum separation distance of 2.1 metres from the northern boundary shared with no. 5 and 10.8 metres from the southern boundary shared with no.4. The broadly rectangular plot size is to remain as existing measuring 30.9 metres in width by 19.6 metres in depth.
- 4.3 In terms of height the two storey part of the dwelling would measure 5 metres in height to the eaves and 8.5 metres to the ridge. The dwelling would be of brick and tile construction and incorporate a gable fronted roof design, barge board features and a front, street facing bay window.
- 4.4 As part of the proposal the applicants have also offered to provide highway improvement works to Chertsey Road. These proposed highway works are required to improve visibility splays from the junction of School Lane onto Chertsey Road. The works include a small build out on Chertsey Road which will narrow the carriageway and provide a wider footway. The existing footway measures 1.6 metres wide, as part of the proposal the build out will extend the footway to 2.38 metres. The result of this wider footway will allow a driver leaving School Lane to have a better sight of existing traffic on Chertsey Road. After the works are complete the carriageway will measure 5.5 m wide (a reduction of 0.85 metres) at its narrowest points. This minimum width is sufficient to enable two HGV's to pass each other (e.g. average HGV measures 2.5 metres in width). Additionally it is proposed to place timber posts in the footway at either end of the narrowing works to discourage vehicles from mounting the footway. It is also proposed to introduce waiting restrictions to prevent vehicles parking on and around the build out.

5.0 CONSULTATION RESPONSES

- 5.1 County Highway Authority No objection subject to condition and informatives *[see paragraph 7.4 below]*
- 5.2 Windlesham Parish Council Objection raised regarding;
- loss of privacy *[see paragraph 7.3 below]*
 - scale of development *[see paragraph 7.2 below]*
 - Vehicle access and highway safety concerns *[see paragraph 7.4 below]*
- 5.3 Surrey Heath Borough Council Drainage Officer No objections.

6.0 REPRESENTATIONS

- 6.1 At the time of writing this report, 1 letter in support and 38 letters of objection have been received. Additionally a petition containing 27 signatures has been received in objection to the application. The reasons for objecting are summarised below:
- Out of character with the local area *[see paragraph 7.2 below]*
 - Vehicle access and highway safety concerns *[see paragraph 7.4 below]*
 - Overbearing impact of the proposal *[see paragraph 7.3 below]*
 - Impact on protected wildlife species *[see paragraph 7.6 below.]*
 - Potential for flooding *[Officer comment: The application site does not lie within areas of food risk as identified by the Environment Agency. Additionally the LPA's Drainage Officer raises no objection to the proposal]*
 - School Lane is a private road and permission has not been given by the road owners for access to this new dwelling *[Officer comment: This is a private, civil matter between landowners and therefore not a material planning consideration]*

7.0 PLANNING CONSIDERATIONS

- 7.1 The application site is located within the settlement area of Windlesham, as identified by the Proposal Map of the Surrey Heath Core Strategy and Development Management Policies 2012 (CSDMP). As such policies CPA, CP3, CP11, CP12, CP14, DM9 and DM11 of the CSDMP apply. The national guidance contained in the National Planning Policy Framework (NPPF) 2012 is also a material consideration. The issues to be considered therefore are:
- Impact on character;
 - Residential amenity;
 - Highways, parking and access;

- Impact on the provision of local infrastructure; and,
- Impact on biodiversity and the Thames Basin Heath SPA.

7.2 Impact on character

- 7.2.1 The NPPF promotes a presumption in favour of sustainable development, securing high quality design, and reflecting on the character of different areas. Poor design that fails to take the opportunity to improve the character and quality of an area is not considered to ascribe to the principles of the NPPF. Paragraph 59 of the NPPF requires design policies to 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.
- 7.2.2 Policy DM9 of the Surrey Heath Core Strategy advises that development will be acceptable where it achieves high quality design and layouts that respect and enhance the local character of the environment. Particular regard is given to scale, materials, bulk and massing.
- 7.2.3 The character of School Lane is mixed comprising of broadly 2 storey properties with detached and semi-detached style properties of varying architectural finishes and designs which include white renders, brown renders, red bricks, hip ended and gable ended properties. The immediately adjoining residential properties number 4 and 5 School Lane are white rendered semi-detached two storey dwelling houses.
- 7.2.4 Plot sizes within School Lane vary reflecting the organic and piecemeal growth of this part of Windlesham. Larger plot sizes such as Sunray, School Lane measure approximately 70 metres wide by 15 metres deep and the smaller plot sizes such as number 12 School Lane measure approximately 7 metres wide and 22 metres deep. Numbers 4 and 5 School Lane which adjoin the application site measure approximately 16 metres wide by 21 metres deep and 23 metres wide by 19 metres deep respectively.
- 7.2.5 Footprint sizes of the buildings (detached and semi-detached) within School Lane also significantly vary within this piecemeal street scene. Adjoining plot numbers 5 and 6 School Lane as a semi-detached 'block' measure approximately 14 metres wide by 13 metres deep. The other adjoining plot 3 and 4 School Lane also as a semi-detached 'block' measures approximately 14 metres wide by 18 metres deep.
- 7.2.6 Lateral separation between the built form also varies within School Lane as a minimum this is approximately 11 metres between numbers 11 and 12 School Lane and as a maximum approximately 30 metres between Cherry Tree Cottage, School Lane and The Cottage, School Lane.
- 7.2.7 The broadly rectangular plot size is to remain as existing measuring approximately 30.9 metres in width by 19.6 metres in depth. Having regard for the varied plot sizes that sit within School Lane this is considered to be an acceptable size particularly when compared to the adjoining plot sizes as set out above at paragraph 7.2.4. Likewise the physical footprint of the dwelling (maximum 15.5 metres in width by 13 metres in length) is considered appropriate in comparison to the adjoining semi-detached 'blocks' and the wider mixed street scene as set out at paragraph 7.2.5 above.
- 7.2.8 The proposal is also separated by approximately 17 metres from number 5 School Lane and approximately 15.5 metres from number 4 School Lane having regard to the mixed spacing between the built form as set out at paragraph 7.2.6 above, this separation is considered in keeping with the established character of the area.

- 7.2.9 In terms of height, the two storey part of the dwelling would measure 5 metres in height to the eaves and 8.5 metres to the ridge. This is of comparable height to the adjoining dwellings which measure approximately 8.7 metres to the ridge (5 School Lane) and 8.6 metres to the ridge (4 School Lane).
- 7.2.10 The proposal respects the building line of the adjoining dwellings and the garden size of approximately 277 square metres is considered appropriate for a dwelling of this size and is not considered incongruous to the wider mixed area or the adjoining neighbours; number 4 School Lane (approximately 240 square metres) and Number 5 School Lane (approximately 340 square metres).
- 7.2.11 While it is noted that the proposal is for a detached dwelling of brick and tile construction and the immediately neighbouring properties are semi-detached and rendered in nature, given the wider mixed context of this street scape it is considered that this variation in building type will sit comfortably adding interest within this already varied wider street scene of School Lane.
- 7.2.12 Given the plot size, proposed building size and separation to surrounding buildings, in order to protect the character of the area as identified above, it is considered appropriate to remove the Permitted Development rights for extensions and outbuildings.
- 7.2.13 In light of the above considerations, it is considered that the proposed development would accord with the character considerations set out within Policy DM9 of the CSDMP.

7.3 Impact on residential amenity

- 7.3.1 The NPPF seeks a good standard of amenity for all existing and future occupants of land and buildings. Policy DM9 (Design Principles) ensures that the amenities of the occupiers of the neighbouring properties and uses are respected.
- 7.3.2 The proposed dwelling would be sited approximately 17 metres from number 5 School Lane. This separation distance is considered sufficient to guard against potential overshadowing or overbearing impacts of the proposal. Turning to loss of privacy, the proposed two storey elements of the proposal are sited in excess of 20m from the closest wall of number 5 School Lane and again this level of separation is sufficient to protect the amenity enjoyed at number 5 School Lane.
- 7.3.3 Number 4 School Lane is sited 15.5 metres from the proposal and this is also sufficient to guard against potential overshadowing or overbearing impacts of the proposal. Turning to loss of privacy, the proposed two storey elements of the proposal are sited in excess of 19m from the closest wall of number 4 School Lane and for the same reasons as above, this level of separation is sufficient to protect the amenity enjoyed at number 4 School Lane.
- 7.3.4 The neighbouring property to the rear of the site is 3 Herrings Lane. The single storey elements of the proposal are sited approximately 5 metres from this neighbouring property and the two storey elements are sited approximately 7 metres. By reason of the separation distances and the building relationship between the two properties it is not considered that the proposal will result in adverse overshadowing or overbearing impact to this neighbour. In regard to privacy it is noted that oblique views of the rear garden area would be possible from the first floor dressing room, first floor en-suite and roof space bedroom of the proposed dwelling, however, subject to condition to control glazing and openings to these windows no objections are raised on privacy grounds.
- 7.3.5 Given its location and retained separation distances no undue loss of residential amenity is anticipated by this proposed development to the occupiers of any other adjoining or nearby

residential properties. It is also considered that the proposed development would benefit from adequate amenity garden space. Notwithstanding this, given the plot size, proposed building size and separation to neighbouring properties, in order to protect the residential amenity enjoyed at the surrounding residential properties, it is considered appropriate to remove the Permitted Development rights for extensions and outbuildings.

7.3.6 Therefore it is considered the proposal complies with Policy DM9 (iii) of the CSDMP.

7.4 Highways, Parking and Access

7.4.1 The previous applications (see paragraph 3.1, 3.2. and 3.3 above) all failed on highway grounds as the existing vehicular access at School Lane, where it adjoins Chertsey Road, was considered to lead to increased danger and inconvenience to users of the highway from activity at that junction which would arise from an additional dwelling house. In an attempt to overcome this objection the applicant entered into pre-application discussions with the County Highways Authority. As a result of these negotiations, the applicant is proposing a pavement build out which will increase visibility at the junction whilst retaining two-way traffic on Chertsey Road. A full description of this build out is given at paragraph 4.3 above.

7.4.2 The applicant has agreed to the highway improvements on Chertsey Road, to mitigate any likely impact on the highway network from the proposed development. The County Highway Authority have also undertaken their own assessment in consultation with the Surrey County Council Road Safety Team in terms of the free flow of traffic, likely net additional traffic generation, access arrangements, risk assessment and parking provision. Both are satisfied that the proposal would not have a material impact on the safety and operation of the adjoining public highway, subject to condition.

7.4.3 In conclusion, the proposal would not conflict with Policy DM11 (Traffic Management and Highway Safety) of the CSDMP.

7.5 Impact on the provision of local infrastructure

7.5.1 Surrey Heath's Community Infrastructure Levy (CIL) Charging Schedule was adopted by Full Council on the 16th July 2014. As the CIL Charging Schedule came into effect on the 1st December 2014 an assessment of CIL liability has been undertaken. Given the proposal would provide a new dwelling with a floor space of 263 square metres, the development would be liable for an estimated CIL contribution of £57,860.00, in accordance with the Council's CIL Charging Schedule. The final total will be stated in the CIL notices that will be served on the liable party(s).

7.5.2 In accordance with the requirements of the CIL Regulations 2010 (as amended) and the Council's Infrastructure Delivery Supplementary Planning Document, should this application be approved, a land charge will be levied on the land to which this application relates, with payment required prior to commencement of development.

7.6 Impact on biodiversity and the Thames Basin Heath SPA

7.6.1 The application site is located within 5 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 1 unit, which in combination with other development, to have a significant adverse impact on the protected site.

7.6.2 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. The Council's Community Infrastructure Levy (CIL) Charging Schedule was adopted by Full Council on the 16th July 2014. As SANGS is considered to be a form of infrastructure, it is pooled through CIL. The Council currently has sufficient SANGS capacity to mitigate the impact of the development on the SPA.

7.6.3 Policy CP14B requires that all net new residential development provide contributions toward strategic access management and monitoring measures. As a legal agreement to secure payment in respect of SAMM has been received in respect of the proposal, it is considered that the development would accord with Policy CP14B of the Core Strategy and the Thames Basin Heaths Special Protection Area Avoidance Strategy Supplementary Planning Document.

7.6.4 Having regard to Natural England's Standing Advice, in respect to the surrounding residential uses, size of the site, limited woodland on site and absence of buildings to be demolished, it is considered that the application site has low potential for protected species habitat. On this basis it is considered appropriate for an informative to be added to the decision notice informing the applicant to seek guidance from a suitably qualified ecologist in the event any protected species are discovered on site.

8.0 ARTICLE 2(3) DEVELOPMENT MANAGEMENT PROCEDURE (AMENDMENT)

ORDER 20

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 the following:

- 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 This report concludes that the proposal is acceptable in regard to its impacts upon the character of the area, residential amenity and matters of highways, parking and access. The application is also not considered to harm the provision of local infrastructure, negatively impact on protected species or the Thames Basin Heath SPA. On this basis the application is recommended for approval.

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. No development shall take place until details and samples of the external materials to be used shall be submitted to and approved in writing by the Local Planning Authority. Materials to be agreed will include the proposed brick, tile, guttering and fenestration. Once approved, the development shall be carried out using only the agreed materials.

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

3. Before first occupation of the development hereby approved the first floor dressing room and en-suite windows in the north east elevation 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. unless otherwise agreed in writing with 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.

4. Before first occupation of the development hereby approved the roof space bedroom window in the eastern elevation facing number 3 Herrings Lane 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 development shall take place until full details of both hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved and implemented prior to first occupation, unless otherwise agreed in writing. The submitted details should also include an indication of all level alterations, hard surfaces, walls, fences, access features, the existing trees and hedges to be retained, period of maintenance and management together with the new planting to be carried out and methods to protect existing landscaping and trees during the construction phase.

Reason: To preserve and enhance the visual amenities of the locality in accordance with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012.

6. The development hereby permitted shall be carried out in accordance with the following approved plans 2014-1317-PL E and 2014-1173-PL E unless the prior written approval has been obtained from the Local Planning Authority.

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

7. Notwithstanding the provisions of Schedule 2, Part 1, Classes A and E of the Town

and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order) no extensions, garages, structures or other buildings shall be erected without the prior approval in writing of the Local Planning Authority.

Reason: To enable the Local Planning Authority to retain control over the enlargement, improvement or other alterations to the development in the interests of visual and residential amenity having regard to the plot size and neighbouring relationships and to accord with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012.

8. The development hereby approved shall not be occupied until the proposed highway improvement works on Chertsey Road have been constructed in general accordance with drawing no. 140915-02 Rev A and will include:
 - (i) the deletion of the yellow lines shown on the southern side of Chertsey Road.
 - (ii) the placement of timber posts on each corner of the narrowest section.
 - (iii) localised adjustment of the carriageway narrowing to suit the existing highway features.
 - (iv) a minor reduction in the length to the narrowing on the eastern extent outside number 39 Chertsey Road.
 - (v) the reduced extent of yellow lines on the eastbound approach on the northern side of Chertsey Road.

Reason: The above condition is required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users and to satisfy Policy DM11 of the Surrey Heath Core Strategy and Development Management Policies Document (2012).

Informative(s)

1. Decision Notice to be kept DS1
2. Building Regs consent req'd DF5
3. CIL Liable CIL1
4. The applicant is reminded of Natural England's standing advice in respect of Protected Species and if any protected species are found on the site, an appropriate licence should be obtained from Natural England.
5. The permission hereby granted shall not be construed as authority to carry out any works on the highway or any works that may affect a drainage channel/culvert or water course. The applicant is advised that a permit and, potentially, a Section 278 agreement must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. All works on the highway will require a permit and an application will need to be submitted to the County Council's Street Works Team up to 3 months in advance of the intended start date, depending on the scale of the works proposed and the classification of the road. Please see <http://www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/the-traffic-management-permit-scheme>. The applicant is also advised that Consent may be required under Section 23 of the Land Drainage Act 1991. Please see www.surreycc.gov.uk/people-and-community/emergency-planning-

and-community-safety/flooding-advice.

6. The developer is advised that as part of the detailed design of the highway works required by the above condition, the County Highway Authority may require necessary accommodation works to street lights, road signs, road markings, highway drainage, surface covers, street trees, highway verges, highway surfaces, surface edge restraints and any other street furniture/equipment.