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7 June 2021

To: The Members of the **Planning Applications Committee**
(Councillors: Edward Hawkins (Chairman), Victoria Wheeler (Vice Chairman),
Graham Alleway, Peter Barnett, Cliff Betton, Mark Gordon, David Lewis,
David Mansfield, Charlotte Morley, Robin Perry, Darryl Ratiram, John Skipper,
Graham Tapper, Helen Whitcroft and Valerie White)

**In accordance with the Substitute Protocol at Part 4 of the Constitution,
Members who are unable to attend this meeting should give their apologies and
arrange for one of the appointed substitutes, as listed below, to attend.
Members should also inform their group leader of the arrangements made.**

Substitutes: Councillors Dan Adams, Paul Deach, Sharon Galliford, Shaun Garrett,
Sashi Mylvaganam, Emma-Jane McGrath, Morgan Rise and Pat Tedder

Site Visits

**Members of the Planning Applications Committee and Local Ward Members may
make a request for a site visit. Requests in writing, explaining the reason for the
request, must be made to the Development Manager and copied to the Executive
Head - Regulatory and the Democratic Services Officer by 4pm on the Thursday
preceding the Planning Applications Committee meeting.**

Dear Councillor,

A meeting of the **Planning Applications Committee** will be held at Council Chamber,
Surrey Heath House, Knoll Road, Camberley, GU15 3HD on **Thursday, 17 June 2021 at
7.00 pm**. The agenda will be set out as below.

Please note that this meeting will be recorded and live streamed on
<https://www.youtube.com/user/SurreyHeathBC>

Please note that this meeting will be recorded.

Yours sincerely

Damian Roberts

Chief Executive

AGENDA

1 Apologies for Absence

Pages

2 Minutes of Previous Meeting 3 - 8

To approve as a correct record the minutes of the meeting of the Planning Applications Committee held on 20 May 2021.

3 Declarations of Interest

Members are invited to declare any disclosable pecuniary interests and non pecuniary interests they may have with respect to matters which are to be considered at this meeting. Members who consider they may have an interest are invited to consult the Monitoring Officer or the Democratic Services Manager prior to the meeting.

Human Rights Statement

The Human Rights Act 1998 (the Act) has incorporated part of the European Convention on Human Rights into English law. All planning applications are assessed to make sure that the subsequent determination of the development proposal is compatible with the Act. If there is a potential conflict, this will be highlighted in the report on the relevant item.

Planning Applications

- | | | |
|----------|---|----------------|
| 4 | Application Number: 21/0002 - 39 Chertsey Road, Windlesham, Surrey, GU20 6EW * | 9 - 22 |
| 5 | Application Number: 21/0270 - 28 Hillsborough Park, Camberley, Surrey, GU15 1HG | 23 - 46 |
| 6 | Application Number: 21/0343 - 6 Mount Pleasant Close, Lightwater, Surrey, GU18 5TP | 47 - 74 |

*** indicates that the application met the criteria for public speaking**

Minutes of a Meeting of the Planning Applications Committee held at on 20 May 2021

+ Cllr Edward Hawkins (Chairman)
+ Cllr Victoria Wheeler (Vice Chairman)

+ Cllr Graham Alleway	+ Cllr Robin Perry
+ Cllr Peter Barnett	+ Cllr Darryl Ratiram
+ Cllr Cliff Betton	+ Cllr John Skipper
+ Cllr Mark Gordon	+ Cllr Graham Tapper
+ Cllr David Lewis	+ Cllr Helen Whitcroft
+ Cllr David Mansfield	+ Cllr Valerie White
- Cllr Charlotte Morley	

+ Present
- Apologies for absence presented

Substitutes: Cllr Sharon Galliford (in place of Cllr Peter Barnett)

Members in Attendance: Cllr Emma-Jane McGrath and Cllr Pat Tedder

Officers Present: Sarita Bishop, Duncan Carty, Louise Livingston, Jonathan Partington, Gavin Ramtohal, Jenny Rickard, Eddie Scott and Ryno Van der Hoven

1/P Minutes of Previous Meeting

The minutes of the meeting held on 15 April 2021 were confirmed and signed by the Chairman.

2/P Application Number: 20/0821 - 24 Park Avenue Camberley Surrey GU15 2NG

The application was for the demolition of the existing dwelling and garage and the erection of 3 new dwellings.

The application would normally have been determined under the Council's Scheme of Delegation. However, it had been called in by Councillor David Lewis given the level of local concern and the previous refusal.

Members were informed of the following updates on the application:

“A Tree Preservation Order, 04/21, has been made in relation to a Scots Pine and a Western Red Cedar in the rear garden and the group of trees along the rear boundary.”

As the application had triggered the Council's Public Speaking Scheme Dr Andrew Hosty and Mr Paul McEntegart spoke in objection to the application.

The officer recommendation to refuse the application was proposed by Councillor Whitcroft, seconded by Councillor Victoria Wheeler and put to the vote and carried.

RESOLVED that application 20/0821 be refused for the reasons as per the Officer Report

Note 1

In accordance with Part 4, Section D, paragraph 18 of the Constitution, the voting in relation to the application was as follows:

Voting in favour of the recommendation to refuse the application:

Councillors Graham Alleway, Cliff Betton, Sharon Galliford, Mark Gordon, Edward Hawkins, David Lewis, David Mansfield, Robin Perry, Darryl Ratiram, Victoria Wheeler, Helen Whitcroft and Valerie White.

Voting against the recommendation to refuse the application:

Councillor Graham Tapper

3/P Application Number:20/1005 - Land East Of Shangri-la Fairfield Lane West End, Woking Surrey GU24 9QX*

The application was for the erection of 4 detached dwellings with associated garages, parking and landscaping.

This application had been referred to the Planning Applications Committee because one of the applicants was an ex-Councillor who left office less than 4 years ago.

Members were informed of the following updates on the application:

“Additional planning history:

BGR5933 Outline application for the erection of four detached houses with garages. Refused in August 1967.

Refused in August 1967 on the basis that the site falls within the proposed Green Belt and would provide development beyond the confines of the existing settlement to the detriment of the open countryside.”

As the application had triggered the Council’s Public Speaking Scheme Mr Guy Consterdine spoke in objection to the application and Mr Tony Galvin spoke in support of the application.

The officer recommendation to refuse the application was proposed by Councillor Graham Alleway, seconded by Councillor David Lewis and put to the vote and carried.

RESOLVED that application 18/0875 be refused for the reasons as per the Officer Report

Note 1

It was noted for the record that

- i. Councillor Edward Hawkins declared that Members knew the applicant, who was a former Councillor; and
- ii. A Member Site Visit had taken place on the application.

Note 2

In accordance with Part 4, Section D, paragraph 18 of the Constitution, the voting in relation to the application was as follows:

Voting in favour of the recommendation to refuse the application:

Councillors Graham Alleway, Cliff Betton, Sharon Galliford, Mark Gordon, Edward Hawkins, David Lewis, Robin Perry, Darryl Ratiram, Graham Tapper, Victoria Wheeler, Helen Whitcroft and Valerie White.

Voting in abstention on the recommendation to refuse the application:

Councillor David Mansfield

4/P Application Number:18/0875 -154 GUILDFORD ROAD, WEST END, WOKING, GU24 9LT

The application was for change of use to provide two pitch gypsy site (retrospective).

This application would have normally been determined under the Council's Scheme of Delegation, however, it had been called-in by Councillor David Mansfield on the basis of the concerns raised by local residents.

The application was first reported to the Planning Applications Committee on the 6 February 2020 with an officer recommendation to refuse. The matter was deferred to enable further information on health matters and was reported back to the Planning Applications Committee on the 18 June 2020 with a revised recommendation to grant with a temporary permission for 5 years. The matter was again deferred for further evidence on the applicant's personal circumstances and reported back to the Planning Applications Committee on the 17 September 2020. Members resolved to grant temporary permission subject to conditions and a legal agreement to secure Strategic Access Monitoring and Maintenance (SAMM) payment.

Since 17 September 2020 the applicant had confirmed that they did not wish to make the Thames Basin Heath Special Protection Area (TBHSPA) contribution. The applicant would have only been willing to agree to pay if granted a permanent permission. The applicant had therefore requested that the application be returned to the Committee to reconsider on a permanent basis.

Members were advised of the following updates on the application:

“The Surrey Heath Gypsy and Traveller Accommodation Assessment (GTAA) was updated in 2020 with a need for 32 pitches by 2040; and 23 pitches by 2025 (compared with previously defined need of 12 pitches by 2032; with 9 pitches by 2022).

Update to planning history:

SU/16/0397 Certificate of existing lawful use for the stationing of 2 no residential caravans.

*Considered to be unlawful in December 2017. **Subsequently an appeal is under consideration under the Inquiries procedure. The Inquiry is proposed for August 2021.***

Additional planning history:

20/0303/FFU Erection of 3 no two bedroom bungalows following the demolition of existing building with the retention of existing dwelling on the site.

Currently under consideration.

20/0919/FFU Demolition of residential building, cessation of commercial use and the siting of one mobile home for residential occupation.

Currently under consideration.”

The officer recommendation to refuse the application was proposed by Councillor Victoria Wheeler, seconded by Councillor Edward Hawkins and put to the vote and carried.

RESOLVED that application 18/0875 be refused for the reasons as per the Officer Report.

In accordance with Part 4, Section D, paragraph 18 of the Constitution, the voting in relation to the application was as follows:

Voting in favour of the recommendation to refuse the application:

Councillors Graham Alleway, Cliff Betton, Sharon Galliford, Cliff Betton, Cllr Mark Gordon, Edward Hawkins, David Lewis, David Mansfield, Robin Perry, Darryl Ratiram, Graham Tapper, Victoria Wheeler, Helen Whitcroft, Valerie White.

5/P Performance Report

The Committee considered the performance report which evaluated the performance of the Development Management service over the last 2 financial years.

It was clarified to the Committee that the report did not need to be reported to the Executive.

Over the last 2 years workloads in the Development Management Team remained high; and Officers were often reliant on extension of time agreements for determination of applications. Despite this, changes to bolster resource had been made including the recruitment of a new Senior Planning Officer to work alongside the Corporate Enforcement Team. The vast majority of applications had continued to be determined under delegated authority with only 5% of applications being determined by the Planning Applications Committee.

The Council's planning appeals performance had dipped slightly in the past year. Two thirds of delegated decisions had been upheld by the Planning Inspectorate, whilst half of applications, which had been determined by the Planning Applications Committee, had been upheld at appeal.

It was acknowledged that in general the service had performed well. However, there was still room to further develop the Council's pre-application service, improve customer care and ease reliance on extension of time agreements.

The Committee acknowledged that the planning enforcement service had improved significantly over the last year, which had enabled Ward Councillors to liaise with constituents more effectively on enforcement matters. However it was noted greater resource was still required; and that the Council was midway through the recruitment of a new compliance officer. Furthermore, there was an ongoing necessity to develop the Council's use of the Uniform software solution to allow for easy extraction of data in respect of enforcement cases. It was agreed that Officers would report back to Committee members in respect of a timeline to undertake the work.

There was discussion in respect of how the Council could improve its performance at appeals. Whilst in respect of Committee overturns on character reasons the Planning Inspectorate had not deemed the Committee's decision making to be unreasonable, it was acknowledged that there were significant training opportunities for Members and Officers on topics such as 5 year housing land supply and greenbelt matters.

RESOLVED that the performance report and associated enforcement annex be noted.

6/P Review of Exempt Items

The Planning Committee reviewed the reports which had been considered at the meeting following the exclusion of members of the press and public, as it involved the likely disclosure of exempt information.

Chairman

LOCATION:	39 Chertsey Road, Windlesham, Surrey, GU20 6EW,
PROPOSAL:	Change of use of land from residential to play area for children's nursery.
TYPE:	Full Planning Application
APPLICANT:	Ms J Protheroe
OFFICER:	Miss Patricia Terceiro

This application would normally be determined under the Council's Scheme of Delegation. However, it is being reported to the Planning Applications Committee by Cllr Emma McGrath, due to concerns that the proposal would be unneighbourly to the adjacent properties.

RECOMMENDATION: GRANT, subject to conditions

1.0 SUMMARY

- 1.1 The application site is located in the settlement of Windlesham and the surrounding area is residential in nature. The site is currently occupied by a nursery that currently does not benefit from any outdoor space and seeks with this application to provide an outdoor playground to the children in attendance.
- 1.2 This application follows a previously refused application (LPA ref 20/0373/FFU) and, similarly, the principle of development is considered acceptable. The scheme now before the LPA would necessitate the provision of a 2m height acoustic fence to mitigate against noise and it is considered that this revised height would sufficiently integrate into its surroundings. Subject the provision of this fence, together with control over the number of children using the space at one time, it is considered that the proposal would overcome the previous reason for refusal. As such, the proposal is recommended for approval.

2.0 SITE DESCRIPTION

- 2.1 The site subject to this application currently comprises a residential garden that is under the curtilage of no 39 Chertsey Road and is located directly to the rear of Chertsey Road Hall (no 41 Chertsey Road). Chertsey Road Hall is currently used as a pre-school/nursery. The application site lies within the settlement of Windlesham.

3.0 RELEVANT HISTORY

- 3.1 78/1006 Renewal of consent for playgroup. Approved, 1979.
- 3.2 80/1032 Renewal of consent SU/78/1006 dated 11.10.79. Re: playgroup. Approved, 1980. *[Officer note: this was a temporary permission until 1981, limited to 20 pupils and to the hours of 9:30 to 12 noon on Mondays, Tuesdays, Wednesdays and Fridays].*

- 3.3 81/0885 Renewal of consent SU/80/1032 dated 17.11.80. Re: Playgroup. Approved, 1981. *[Officer note: this was a temporary permission until 1984, limited to 20 pupils and to the hours of 9:30 to 12 noon on Mondays, Tuesdays, Wednesdays and Fridays].*
- 3.4 06/1066 Erection of wrought iron railings, vehicular and pedestrian access gates and a picket fence to the front. Refused 2007 (not implemented), on the following grounds and subsequently allowed at appeal:
The use of the forecourt as a children's play space is likely to result in an increase in activity which would be prejudicial to the residential amenities of the adjoining occupier (Three Gables). In addition the loss of on site parking will result in additional on street parking prejudicial to the visual character of the area.
The Appeal decision did not restrict the number of pupils or hours of operation.
- 3.5 20/0373/FFU Change of use of land from residential to play area for children's nursery. Refused, 2020 for the following reasons:
In the absence of any mitigation strategy, the change of use by reason of the noise generated within the garden area would be harmful to the residential amenities of the adjoining neighbours. The applicant's 2.5m high acoustic fence along the boundary with School Lane by reason of its length and height, would appear incongruous in the street scene, be harmful to the rural character of the lane and fail to improve the character and appearance of the area. No other alternative mitigation strategies have been identified to safeguard residential amenities. As such, the proposal would fail to comply with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

4.0 THE PROPOSAL

- 4.1 Full planning permission is sought for the change of use of land from residential to play area for children's nursery.
- 4.2 The application site joins land that currently forms part of Chertsey Road Hall would be accessed through this property. Chertsey Road Hall is currently used as a pre-school/nursery with operating hours between 7:30-18:30. Currently, there are 45 children attending the nursery in the age group 3 months to 5 years.
- 4.3 In its current form Chertsey Road Hall does not benefit from an outdoor play area and so the proposal aims to provide this. The proposal would not affect the capacity of the existing nursery, which would remain as existing and the applicant advises that there would be a maximum of 20 children in the garden at one time, supervised by an appropriate member of staff.
- 4.4 Since the previous refusal the accompanying noise report has been updated after discussions with the owner which confirmed that previous assumptions that all children could play outdoors at any given time was incorrect. Instead, an adjustment has been made to account for restrictions on numbers in addition to the times this would take place. These are detailed in para 6.4 of the Noise Impact Assessment and comprise a maximum number of children in the outside 'garden' area of 20 (instead of 25 as previously refused) at any one time (supervised by an appropriate number of staff). The play times would typically be between 09:00 – 11:30 and 13:00 – 18:00 hours.
- 4.5 The Noise Report advises that, without a mitigation strategy, the predicted levels from children's proposed play area would not be acceptable. To mitigate against this, the report recommends that 2m high acoustic fence is installed around the perimeter of the site and, subject to this fence, the children's play would not cause annoyance. It is noted that the

previous application advised that this acoustic fence should measure 2.5m in height. Therefore, the assessment of this application has also considered the impact of this mitigation strategy in terms of character and residential amenity.

5.0 CONSULTATION RESPONSES

- | | | |
|-----|---------------------------------|---|
| 5.1 | Surrey County Highway Authority | No objections |
| 5.2 | Environmental Health | No objections, subject to planning conditions |
| 5.3 | Windlesham Parish Council | No objections |

6.0 REPRESENTATION

- 6.1 At the time of preparation of this report three written representations have been received which raise the following issues:
- Noise nuisance [*Officer comment: see section 7.5*];
 - As the noise barrier would not be all sides it would fail to protect the residents at no 47;
 - Concerns regarding elevated play equipment, as the noise report says that no elevated play equipment should be installed as it would negate the intended impact of the fencing [*Officer comment: see section 7.5*];
 - Concerns regarding number of children playing outside [*See section 7.5*].
- 6.2 At the time of preparation of this report thirty written representations have been received in support of the application for the following reasons:
- The proposal would support children's development and support their interest in enjoying time outside in the natural environment;
 - The proposal comprises clear measures to mitigate the noise impact on the neighbours;
 - The nursery would benefit from having a direct outdoor space that children can access at certain times throughout their day to encourage positively on their mental health and wellbeing;
 - The proposal would provide an outdoor learning space;
 - This would be a welcome facility to a nursery and a necessary addition to the facilities provided by the nursery.

7.0 PLANNING CONSIDERATION

- 7.1 The application site is located in a residential area within a defined settlement, as set out in the Proposals Map of the Surrey Heath Core Strategy and Development Management Policies 2012 (CSDMP). In this case, consideration is given to Policies DM9, DM14 and DM11 of the CSDMP.
- 7.2 The main issues to be considered within this application are:
- Principle of development
 - Impact on character and appearance of the surrounding area
 - Residential amenity
 - Transport and highways considerations

7.3 Principle of development

- 7.3.1 Policy DM14 of the CSDMP states that the Borough Council will seek opportunities to enhance and improve community and cultural facilities within the Borough.
- 7.3.2 The principle of development has been accepted by application 20/0373/FFU. Similarly to this previous application, the current proposal would see the site becoming part of the curtilage of no 41 Chertsey Road, which has an established use as a nurse. Currently, the nursery does not benefit from any outdoor play space and by providing this, the proposal would be improving this community facility. Despite losing part of its garden, no 39 would be retained in a generous curtilage, so it would benefit from appropriate garden space.
- 7.3.3 The proposed development is therefore considered acceptable in principle, subject to no adverse impact on the character and appearance of the surrounding area, amenity of neighbouring occupiers, highway safety etc. These matters are assessed below.

7.4 Impact on character of area

- 7.4.1 Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies Document (CSDMP) 2012 promotes high quality design. Development should respect and enhance the character of the local environment and be appropriate in scale, materials, massing, bulk and density.
- 7.4.2 Although currently part of no 39's rear garden, historically, the application site was a part of the curtilage of no 41. Both plots would revert to their original form and so they would fit comfortably in the surrounding area.
- 7.4.3 The previous application considered that the soft boundary treatment would be lost and replaced by a fairly high, unrelieved hard boundary treatment that would erode the soft green verdant character of the lane and fail to reflect its surrounding context. The acoustic fence was considered to give rise to an urban and visually harmful form of development that would be detrimental to the character of the area. Given the height and length of the proposed structure, it was not considered the visual harm could be mitigated with the provision of soft-landscaping which, in addition, would take time to establish.
- 7.4.4 As detailed in Section 3 above, in order to reduce noise levels to acceptable levels, the proposed change of use would require the installation of a 2m high fence. This has been reduced from 2.5m high as previously assessed. The fence that would be installed on the site's western and northern boundaries would not be visible from public vantage points. However, it remains that an approximately 6.5m long section of fence would be installed adjacent to School Lane, which would be visible from public vantage points. Currently, the site's boundary with School Lane in this location untreated, as the previously existing hedge has been removed. The lane is rural and verdant in character, as most properties have their boundaries with it treated to high hedges. It is, however, noted the presence of a brick wall and a small section wooden fence (approximately 1.8m to 2m in height) in the property directly opposite of the application site.
- 7.4.5 Although the application site's boundary with School Lane remains currently untreated, any boundary treatment in this location would be expected to be sympathetic to the character of the lane. Public Footpath Number 72b runs adjacent to the application site, however, it is noted that this is not a main thoroughfare. In comparison to the last application, while the same length would be retained, the acoustic fence has been reduced in height by 0.5m. The reduced height would bring the fence more in keeping with the other hard boundary treatments within the lane. In this instance, and given the rural character of the road, the provision of soft landscaping would also help integrate the boundary treatment into the surrounding character and this can be secured by planning condition.

- 7.4.6 The previous assessment considered that the harm caused by the proposed fence in character terms needs to be balanced against the provision for outdoor space for the children attending the pre-school/nursery at Chertsey Road Hall, as currently there is none. Paragraph 3.58 of the 'Statutory Framework for the Early Years Foundation Stage' (2017), states that providers must provide access to an outdoor play area or, if that is not possible, ensure that outdoor activities are planned and taken on a daily basis. Whereas, therefore, it is acknowledged that there is no requirement for the nursery to provide an outdoor play area, the provision of such facility would improve the services offered and some weight is attached to this
- 7.4.7 On balance, it is ultimately considered that the proposal would overcome the previous concerns and would be acceptable in terms of its impact on the character of the area. The proposal would therefore comply with Policy DM9 of the CSDMP.

7.5 Impact on residential amenity

- 7.5.1 Policy DM9 of the CSDMP 2012 states that development should respect the amenities of the adjoining properties and uses.
- 7.5.2 The Council's Environmental Health Officer has been consulted in relation to potential noise and disturbance to neighbouring property occupants, as the proposal aims to provide the nursery with an external play area. The Officer advises that the noise report submitted in support of this application identifies significant noise issues to neighbours from the operations. This could, however, be mitigated by the provision of acoustic fencing and the Officer recommends that a 2.0m high fence is secured by planning condition. This would reduce the noise impact on the neighbours from unacceptable to imperceptible. The fencing would be acoustic grade of minimum mass of 10kg/m² and installed along the boundary lines as detailed in Appendix 6 of the noise impact assessment. The fence would therefore be placed in the common boundary with no 39 Chertsey Road to the west, Sunray to the north and part of the eastern boundary with school lane, as there is a substation in this location.
- 7.5.3 The Environmental Health Officer further advises that such a barrier would not prevent occasional loud shouts above the hub-bub from being heard by neighbours which could cause nuisance and annoyance. Accordingly, the Officer recommends the hours that the playground could be used are restricted to 09:30 - 10:30, noon to 13:00, and 14:30-16:30. In addition, it is recommended that the number of children in the garden at one time is restricted to 20, so to meet the conclusions of the Noise Report. These conditions have been agreed with the applicant.
- 7.5.4 Paragraph: 003 Reference ID: 21a-003-20190723 of the PPG says that para 55 of the NPPF makes clear that planning conditions should be kept to a minimum, and only used where they satisfy 5 tests. Test 4 is enforceability and it is considered that condition 4 is capable of being adequately monitored, should an officer visit the site and count the number of children in the garden at one time.
- 7.5.5 Concerns have been raised regarding noise from elevated playing equipment. The Noise Report advises that climbing frames should not be installed within the outside play area, as these may compromise attenuation provided by the acoustic fencing. As such, a planning condition has been added to this recommendation restricting the installation of this type of play equipment. Part 7 Class M of the current GPDO removes permitted development rights for the erection, extension or alteration of a school and in order to assure that any equipment eventually installed in the playground does not give rise to noise concerns a planning condition has been added to this recommendation removing such rights.
- 7.5.6 Although the proposed change of use on its own would not give rise to overbearing, overshadowing or overlooking impacts, in order for the noise levels to be considered acceptable it would be necessary to install a 2m high fence. As such, the impact of this structure on the residential amenities of the nearest neighbours has been assessed.

- 7.5.7 Due to the nature of the fence it is not considered it would give rise to loss of privacy on any of the adjacent neighbours.
- 7.5.8 No 39 Chertsey Road contains a garage located near the common boundary with the application site which would screen part of the fence from these neighbours. Behind this fence, there is mature vegetation and, owing to the siting of the fence in relation to the dwelling at no 39 and its primary amenity area, it is not considered the proposal would cause overbearing or overshadowing impacts to these residents. These neighbours would lose part of their rear garden, however the remaining garden area would be generous in size and comply with the current standards.
- 7.5.9 Sunray contains an outbuilding near its common boundary with the application site which currently accommodates a garage. As such, the proposal would not be considered unduly overbearing or overshadow these neighbours.
- 7.5.10 The fence would be adjacent to School Lane to the east and, given it would be sited at approximately 4.3m from no 43 School Lane (which benefits from its own boundary treatment) it is not considered the fence would be unduly overbearing or detrimentally overshadow these neighbours.
- 7.5.11 As such, the fence associated with the proposal would not be considered to affect the residential amenities of the neighbouring properties and would be in accordance with Policy DM9 of the CSDMP and the RDG.

7.6 Parking and access

- 7.6.1 Policy DM11 states that development which would adversely impact the safe and efficient flow of traffic movement on the highway network will not be supported by the Council, unless it can be demonstrated that measures to reduce such impacts to acceptable levels can be implemented.
- 7.6.2 The County Highway Authority has been consulted on the proposal and advises that as the proposal would not lead to an increase in the capacity of the nursery it would not have a material impact on highway safety.
- 7.6.3 The proposal is therefore in line with Policy DM11 of the CSDMP.

7.7 Other matters

- 7.7.1 Surrey Heath's Community Infrastructure Levy (CIL) Charging Schedule was adopted on 16 July 2014 and the CIL Charging Schedule came into effect on 1 December 2014. Given its nature, the proposal would not be CIL liable.

8.0 POSITIVE/PROACTIVE WORKING

- 8.1 In assessing this application, officers have worked with the applicant in a positive, creative and proactive manner consistent with the requirements of paragraphs 38-41 of the NPPF. This included 1 or more of 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.
 - c) Have suggested/accepted/negotiated amendments to the scheme to resolve identified problems with the proposal and to seek to foster sustainable development.
 - d) Have proactively communicated with the applicant through the process to advise progress, timescale or recommendation.

9.0 CONCLUSION

- 9.1 The application site would be incorporated into a well-established nursery and therefore the principle of changing the use is considered acceptable. Both plots would revert back to their original form, so in this respect the proposal would be acceptable. In order to mitigate against the noise associated with the change of use the provision of a 2m high acoustic fence would be necessary. It is considered that this would structure would sufficiently integrate into the character of the area. Subject to the provision of said fence, the proposal is further considered acceptable in terms of residential amenity and highway safety. It is considered that the lower height fence, together with control over the number of children using the space at one time would overcome the previous reason for refusal. As such, the application is recommended for approval, subject to planning conditions.

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, unless the prior written approval has been obtained from the Local Planning Authority.
- Drawing no PL-01 rev A - Site location plan, existing block plan & proposed block plan. Received 4 January 2021

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. Prior to the children play area hereby approved being first brought into use a 2m high acoustic grade fence of minimum mass of 10kg/m² shall be installed along the boundary lines as detailed in Appendix 6 of the Noise Impact Assessment ref J04085R1 dated 9 November 20 shall be installed in accordance with a scheme agreed in writing with the Local Planning Authority and retain 1m gap to School Lane. The fence shall thereafter be retained in perpetuity.

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

4. The total number of children at one time in the play area shall not exceed twenty children.

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. The hours of outdoor play shall be 09:30 - 10:30, noon to 13:00, and 14:30-16:30.

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.

6. Prior to commencement of development a full details of soft and hard landscaping shall be submitted to and approved in writing by the Local Planning Authority.
The approved details shall be carried out as approved and implemented prior to first occupation. The scheme shall include indication of all hard surfaces, walls, fences, access features, the existing trees and hedges to be retained, together with the new planting to be carried out and the details of the measures to be taken to protect existing features during the construction of the development.
Any landscaping which, within 5 years of the completion of the landscaping scheme, dies, becomes diseased, is removed, damaged or becomes defective in anyway shall be replaced in kind.

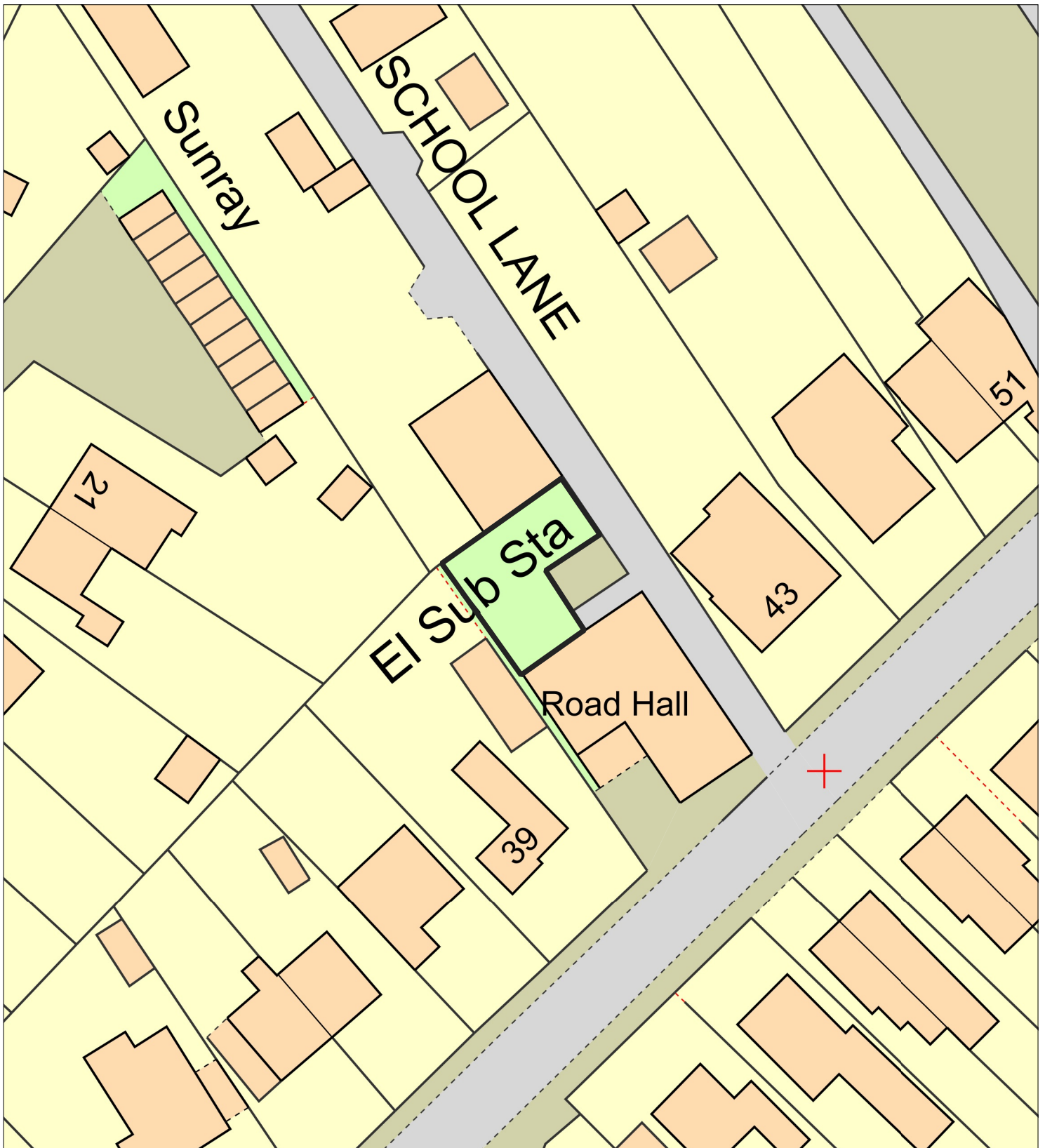
Reason: To preserve and enhance the visual amenities of the locality in accordance with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012.

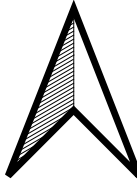
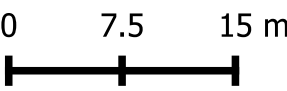

7. Notwithstanding the provisions of Part 7, Class M of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any Order revoking and re enacting that Order) no further extensions or alterations shall be erected or undertaken without the prior approval in writing of the Local Planning Authority. For the avoidance of doubt, there shall also be no climbing frames or play equipment above 1 metre in height within the outside play area.

Reason: To enable the Local Planning Authority to retain control over the enlargement, improvement or other alterations to the development in the interests of the residential amenities and to accord with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework 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. 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. Please see the Officer's Report for further details.



Title	Planning Applications		
Application number	21/0002/FFU	 	Scale @ A4 1:500
Address	39 Chertsey Road Windlesham Surrey GU20 6EW		Date 28 May 2021
Proposal	Change of use of land from residential to play area for children's nursery.		
			
<p>Version 5 © Crown Copyright. All rights reserved. Surrey Heath Borough Council 100018679 2021 Author: DE</p>			

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Location Plan



Block plan



Site Photos: Application site as seen on the streetscene of Chertsey Road



Site Photos: streetscene of School Lane



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21/0270/FFU

Reg. Date 2 March 2021

Heatherside

LOCATION: 28 Hillsborough Park, Camberley, Surrey, GU15 1HG,

PROPOSAL: Double storey north (rear) extension and part single, part double storey west side extension.

TYPE: Full Planning Application

APPLICANT: Mr Sean Jones

OFFICER: Melissa Turney

This application would normally be determined under the Council's Scheme of Delegation. However, it has been called-in by Cllr Edward Hawkins due to concerns expressed to him over the proposal's bulk and mass, being out of keeping with the neighbourhood and being overbearing.

RECOMMENDATION: GRANT, subject to conditions

1.0 SUMMARY

- 1.1 This application seeks planning permission for double storey north (rear) extension and part single, part double storey west side extension.
- 1.2 For the reasoning explained in this report, the design and scale of the proposal is considered to harmonise satisfactorily with the host dwelling and would not have an adverse impact on the character and appearance of the area, including the Wooded Hills Character Area. The extensions would not be harmful to neighbouring residential amenities. The application is therefore recommend for approval.

2.0 SITE DESCRIPTION

- 2.1 The proposal site consists of a detached two storey dwelling located within the settlement area of Camberley. The application plot itself is larger compared to surrounding plots. The application site is enclosed by neighbouring properties to three of the common boundaries. The dwellinghouse is significantly set back from the highway and does not follow the uniform building line. Due to the set back and high vegetation to the front boundary the dwelling is not overly visible from the street scene. The dwelling has a large front garden area and a narrow access track driveway leading up to the off-street parking area to the northeast of the site. Hillsborough Park lies within the Wooded Hills Character Area.

3.0 RELEVANT HISTORY

- 3.1 No relevant planning history

4.0 THE PROPOSAL

- 4.1 Full planning permission is sought for double storey north (rear) extension and part single, part double storey west side extension.

- 4.2 The proposed extensions would result in the northern elevation having a width of approximately 16m including the single storey element; the eastern elevation having a two-storey depth of approximately 14.3m; the southern elevation having a width of approximately 16.5m; and, western elevation having a depth of 13m including the single storey element.
- 4.3 The proposed two storey western side extension would have a depth of approx. 7.3m including the bay window, and a width of approx. 4.5m. It's height to the eaves and ridge would be the same as the existing dwelling and it would have a gable on the southern roadside elevation. This would mimic the existing gable and bay window design on this southern elevation. Between these gables a new glazed canopy is proposed. On the western flank elevation folding sliding doors are proposed to serve the open plan kitchen/dining room.
- 4.4 The single storey western side extension, which would form part of the kitchen/dining room, would have a depth of approx.6.2m, a width of approx.3.4m and have a flat roof with maximum height of approx. 3.3m.
- 4.5 The proposed two storey north side extension would have a depth of approx. 4.6m, a width of approx. 4.5m and extend out from the existing ridge height mimicking the existing gables. The central gable would have grey curtain walling. The flank eastern elevation would have windows but the northern elevation would not have windows.
- 4.6 At first floor the side extension would provide an enlarged master bedroom suite and the northern extension would provide an additional bedroom with en-suite.

5.0 CONSULTATION RESPONSES

- 5.1 County Highways Authority No comments or requirements to make.
- 5.2 Tree Officer No objection raised.

6.0 REPRESENTATION

- 6.1 At the time of preparation of this report 6 letters of representation have been received including 5 letters of objection, summarised below:
- The proposal would make the dwelling considerably bigger than neighbours, given the height, and risks dwarfing those around it [*Officer comment: Please refer to paragraph 7.2.6*]
 - First floor window within the southern elevation would look directly into neighbouring property [*Please refer to 7.3.5*]
 - Two storey side extension to the western elevation would extend closer to neighbour concerns dominating effect over the house and garden [*Please refer to 7.3.3*]
 - Loss of sunlight due to the height of the building [*Please refer to section 7.3*]
 - Out of context within surrounding area [*Please refer to section 7.2*]

- Proximity of the proposed extension of the north elevation and south west to neighbouring property *[Please refer to section 7.3]*
- Reduce privacy – overlooking *[Please refer to section 7.3]*
- Overbearing *[Please refer to section 7.3]*
- Loss of light *[Please refer to section 7.3]*
- Dwarf the existing housing completely out of context *[Please refer to section 7.2]*
- Delivery vehicles cause damage to the roads. *[Please refer to section 7.4]*
- Conifers trees along the front of the property adjacent to the road remain to maintain privacy *[Please refer to 7.4]*

7.0 PLANNING CONSIDERATION

7.1 The application site is located within the defined settlement boundary, as set out in the Proposals Map included in the Core Strategy and Development Management Policies Document 2012 (CSDMP). For this proposed development, consideration is given to Policy DM9 and DM11 of the CSDMP and the National Planning Policy Framework (NPPF). The Residential Design Guide (RDG) Supplementary Planning Document 2017 as well as the Western Urban Area Character (WUAC) Supplementary Planning Document 2012 are also relevant.

7.1.1 The main issues to be considered within this application are:

- Impact on character and appearance of the surrounding area and host dwelling; and,
- Impact on residential amenity of neighbouring properties.

Other matters include highway considerations.

7.2 Impact on the character and appearance of the area

7.2.1 Section 12 of the NPPF 'Achieving well-designed places' sets out guiding principles which includes securing high quality design. Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies Document (CSDMP) 2012 is reflective of the NPPF, promoting high quality design. Development should respect and enhance the character of the local environment and be appropriate in scale, materials, massing, bulk and density.

7.2.2 The RDG provides further guidance on extensions and alterations to a dwellinghouse. Of relevance to this submission principle 10.1 recommends that extensions remain subordinate and consistent with the form, scale, architectural style and materials of the original building. Principle 10.3 goes on to say that side extensions should remain sympathetic and subservient to the main building, not project beyond the building line on the street and that important gaps between buildings should be maintained. Principle 10.4 states that rear extensions should be sympathetic and subservient to the design of the main building.

7.2.3 The site lies within the Wooded Hills Character Area as defined by the WUAC SPD. The Wooded Hills is characterised by hilly areas, large irregular plots, winding roads/lanes, heavy vegetation, and a scattering of Victorian/Edwardian buildings. Guiding principles WH1, WH2 and WH6 are most relevant. WH1 states that new development should pay regard to:

a) buildings to be set in spacious, irregularly shaped plots which provide for extensive space between, and around buildings and which allows for the maintenance/ development of a verdant character;

(b) consist principally of 2-storey detached buildings set in individual plots enclosed by verdant vegetation; and,

(e) Provision of high-quality designed buildings and surrounding spaces

WH2 resists development forms contrary to the prevailing development form of detached houses set in generous individual enclosed plots and WH6 requires high quality design that reflects the character of the area in terms of materials and building form.

7.2.4 The Wooded Hills has several pockets of mid to late 20th century subdivision housing estates, of a completely different nature to the woody low-density area surrounding. This application site sits within one of these pockets. As a result, the neighbouring dwellings to the north on Hillsborough Park are modern and have a more uniform plot size and pattern. By contrast, the host dwelling was constructed mid to late 1930s and reflects mock Tudor style with pale red bricks. The host dwelling is significantly set back from the highway and is not overly visible from the street scene.

7.2.5 The proposed two storey side extension's south elevation faces towards the highway. The proposal would extend from the ridge and have a matching two storey front gable which would mirror the existing dwelling's south elevation and is considered to integrate satisfactorily, having a consistent architectural style with this elevation. To the rear of this element there is a single storey flat roof extension with the roof lantern. The north elevation would extend out and have a blank elevation as there are no windows, however, the existing northern elevation has limited number of windows as such it is not considered to result in significant harm to the host dwelling. The proposed materials would be to match the existing dwelling and the grey curtain walling and the glazing would add design interest. As such the overall design is considered to reflect the architectural detailing and would not be contrary to guiding principle WH6 of the WUAC, or the RDG.

7.2.6 Concerns have been raised in relation to the height of the extensions and that the proposal would dwarf neighbouring dwellings. As previously mentioned, the host dwelling is of a different style and design compared to the neighbouring properties. As a result, the dwelling already has a higher ridge height than neighbours which adjoin the boundary. The proposed extensions would increase the overall size of the dwelling, however as outlined above the extensions have been designed with a consistent form, scale and architectural style with matching materials as not to result in the proposal dominating the existing dwelling. Due to the set back from the highway and the spaciousness of the plot it is not considered that the dwelling would dwarf the neighbouring dwellings that would result in the dwelling appearing prominent within the street scene. Overall, the proposed appearance of the dwelling would retain a pitched roof and would retain extensive space around the building and the level of spaciousness within the plot would be retained, in compliance with WH1 and WH2.

7.2.7 In character terms, for the reasoning above, the proposal would be in accordance with Policy DM9 of the CSDMP, the RDG and the WUACSPD.

7.3 Impact on residential amenity

- 7.3.1 Policy DM9 of the CSDMP 2012 states that development should respect the amenities of the adjoining properties and uses. Principle 10.1 of the RDG indicates that extensions should not result in a material loss of amenity to neighbouring properties.
- 7.3.2 Due to the location of the site the neighbours to the north, east and west rear gardens are adjacent to the common boundary. The neighbours to the west, no. 30, 32 and 34 Hillsborough Park have rear gardens of approximately 16m-20m deep. The proposed part single storey/two storey side extensions are set off the common boundaries with these neighbours, which would increase the separation distance. Concerns have been raised that the extensions would appear dominating. The separation distance would be in excess of 15m, the element closest to the neighbour at no. 32 Hillsborough Park would be single storey in height and the two-storey element would be set off the common boundary approximately 6m with the neighbour at no.30 Hillsborough Park. Therefore, due to the design and separation distances the resulting development would not have adverse impact on the amount of sunlight or daylight these neighbouring properties would receive, and nor would the proposal appear overbearing.
- 7.3.3 The neighbour at no. 26 Hillsborough Park is located to the south east of the application site. This neighbour has a rear garden of approximately 15m in depth. This neighbour's rear elevation is directed towards the application site, however, looks towards the front garden area. As a result, due to the angle, orientation, and separation distance it is not considered that the proposed extensions would appear overbearing or impact the amount of sunlight or daylight that this neighbour would receive.
- 7.3.4 The neighbour to the south east no. 26 Hillsborough Park has raised concerns in relation to loss of privacy/overlooking. The proposed two storey side extension would result in additional glazing but considering this glazing's position, distance, and juxtaposition with the neighbouring amenity space, it would not result in detrimental overlooking to the neighbouring property to warrant a refusal.
- 7.3.5 The two storey north elevation would extend closer to neighbours, however, again given the separation distances there would be no adverse impact. Whilst there would be additional glazing within the ground floor elevation there is an existing boundary fence and it is considered there is sufficient distance to prevent unacceptable overlooking to neighbouring properties. There is additional glazing within the eastern elevation, however, it is considered there is sufficient distance to prevent unacceptable levels of overlooking to neighbouring properties.
- 7.3.6 It is therefore considered that the proposal will not adversely affect the residential amenities of adjacent properties in terms of overdominance, obtrusiveness, loss of light or overlooking. As such, the proposal would be in accordance with Policy DM9 of the CSDMP and the RDG.

7.4 Other matters

- 7.4.1 The dwelling would be a five-bedroom dwelling, it is considered that the property's driveway is capable to accommodate sufficient parking spaces for this residential dwellinghouse. The proposal is therefore in line with Policy DM11 of the CSDMP.
- 7.4.2 Whilst concerns relating to potential damage to the roads during construction are noted, given that this is a householder development and given the size and nature of the proposal imposing a condition for construction management plan would be unreasonable.
- 7.4.3 The proposal is not CIL liable.

7.4.4 A neighbour raised that the tree to the front elevation should not be removed. The applicant has stated that no trees or hedges will be affected by the proposal. Further, the Council's Tree Officer reviewed the application and raised no objections.

8.0 POSITIVE/PROACTIVE WORKING

8.1 In assessing this application, officers have worked with the applicant in a positive, creative and proactive manner consistent with the requirements of paragraphs 38-41 of the NPPF. This included 1 or more of the following:

a) Have proactively communicated with the applicant through the process to advise progress, timescale or recommendation.

9.0 CONCLUSION

9.1 It is not considered that the proposed development would result in an adverse impact on the character and appearance of the host dwelling or local area, on the amenities of the adjoining residents, or on highway safety, subject to the recommended conditions. Therefore, the proposal complies with Policies DM9 and DM11 of the CSDMP, the RDG and the WUAC SPD.

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:

EX-S1-00 Received: 02.03.2021

PL-GA-00 Received: 02.03.2021

PL-GA-01 Received: 02.03.2021

PL-GA-02 Received: 02.03.2021

PL-GA-03 Received: 02.03.2021

PL-GA-04 Received: 02.03.2021

PL-SI-00 Received: 02.03.2021

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.

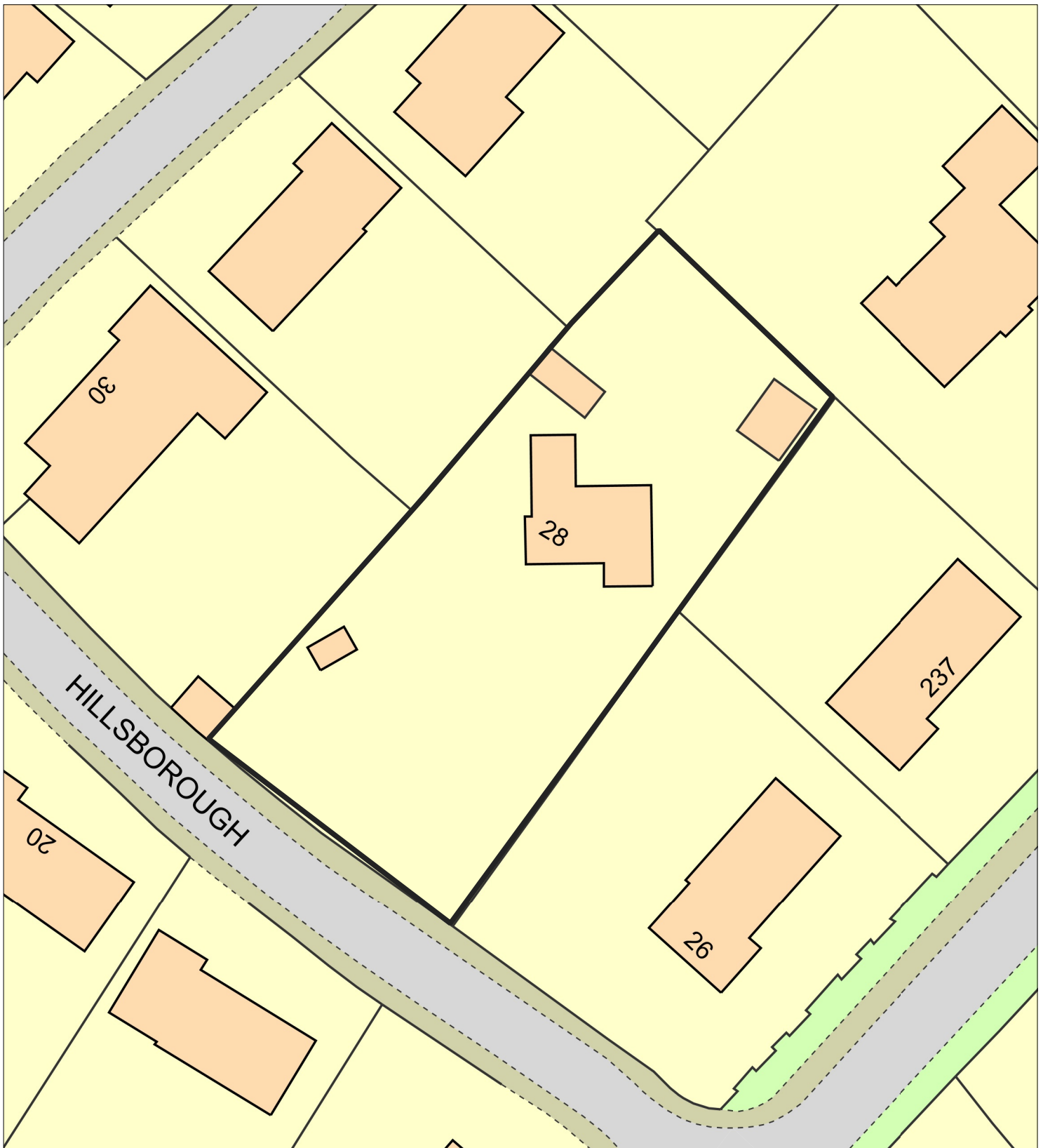
3. The building works, hereby approved, shall be constructed in external fascia materials to match those of the existing building.

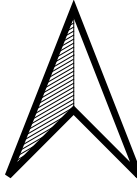
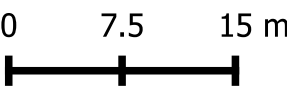

Reason: In the interests of the visual amenities of the area and to accord with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012.

Informative(s)

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3. The decision has been taken in compliance with the paragraphs 38-41 of the NPPF to work with the applicant in a positive and proactive manner. Please see Officer's report for further details.

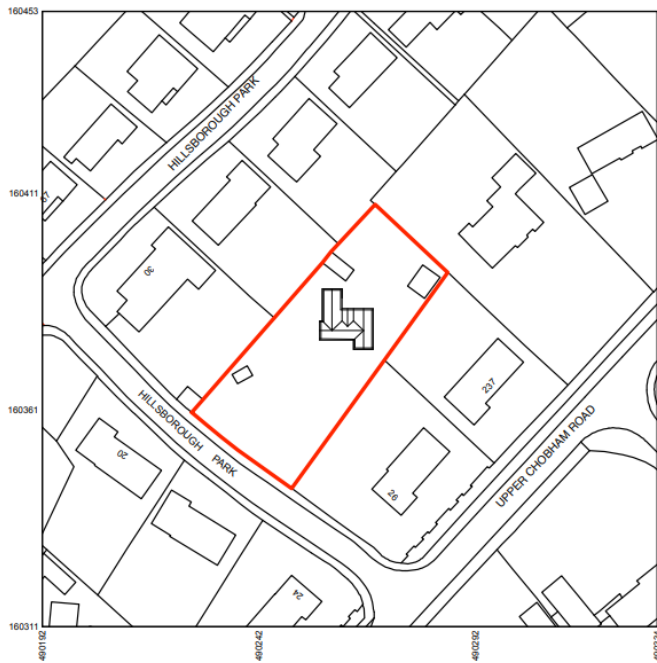
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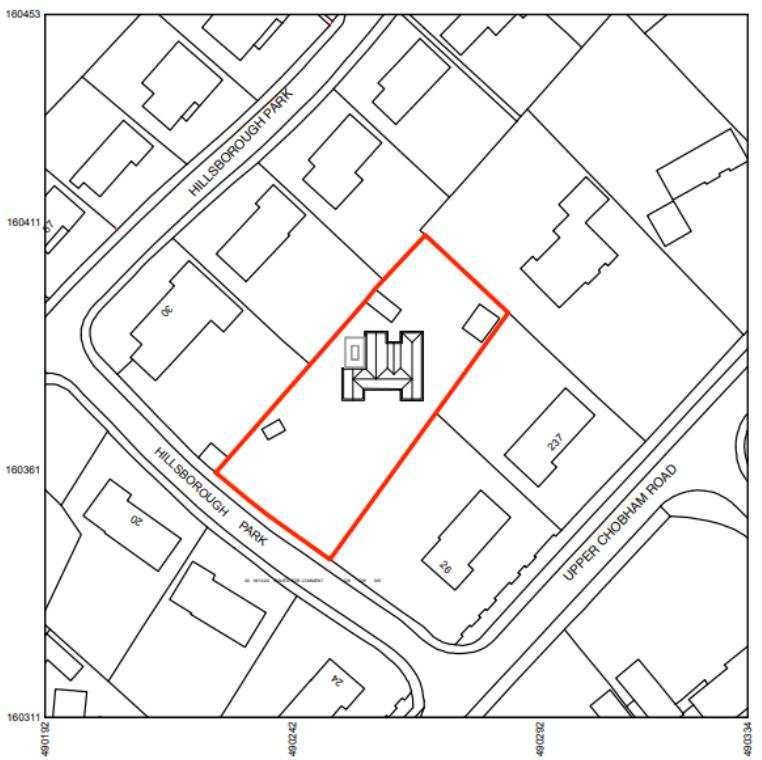
Title	Planning Applications		
Application number	21/0270/FFU	 	Scale @ A4 1:500
Address	28 Hillsborough Park Camberley Surrey GU15 1HG		Date 28 May 2021
Proposal	Double storey north (rear) extension and part single, part double storey west side extension.		
			
Version 5	© Crown Copyright. All rights reserved. Surrey Heath Borough Council 100018679 2021	Author: DE	

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Location Plan



Block Plan



Existing elevations



ELEVATION 04
SCALE 1:100



ELEVATION 03
SCALE 1:100

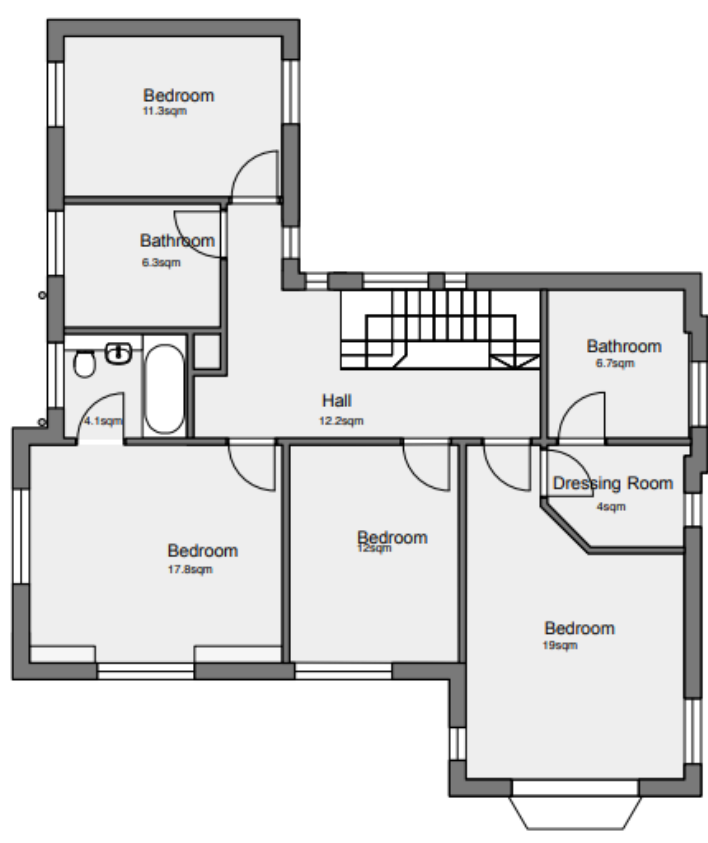
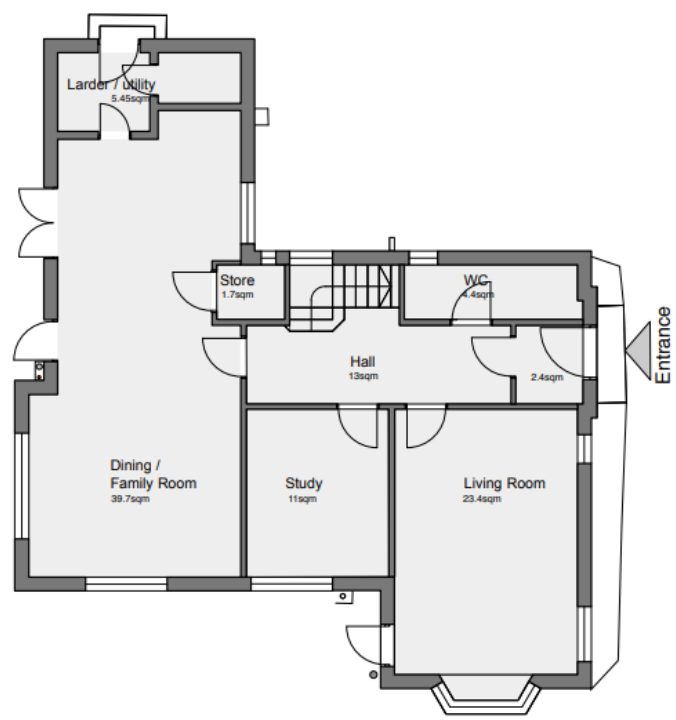


ELEVATION 01
SCALE 1:100

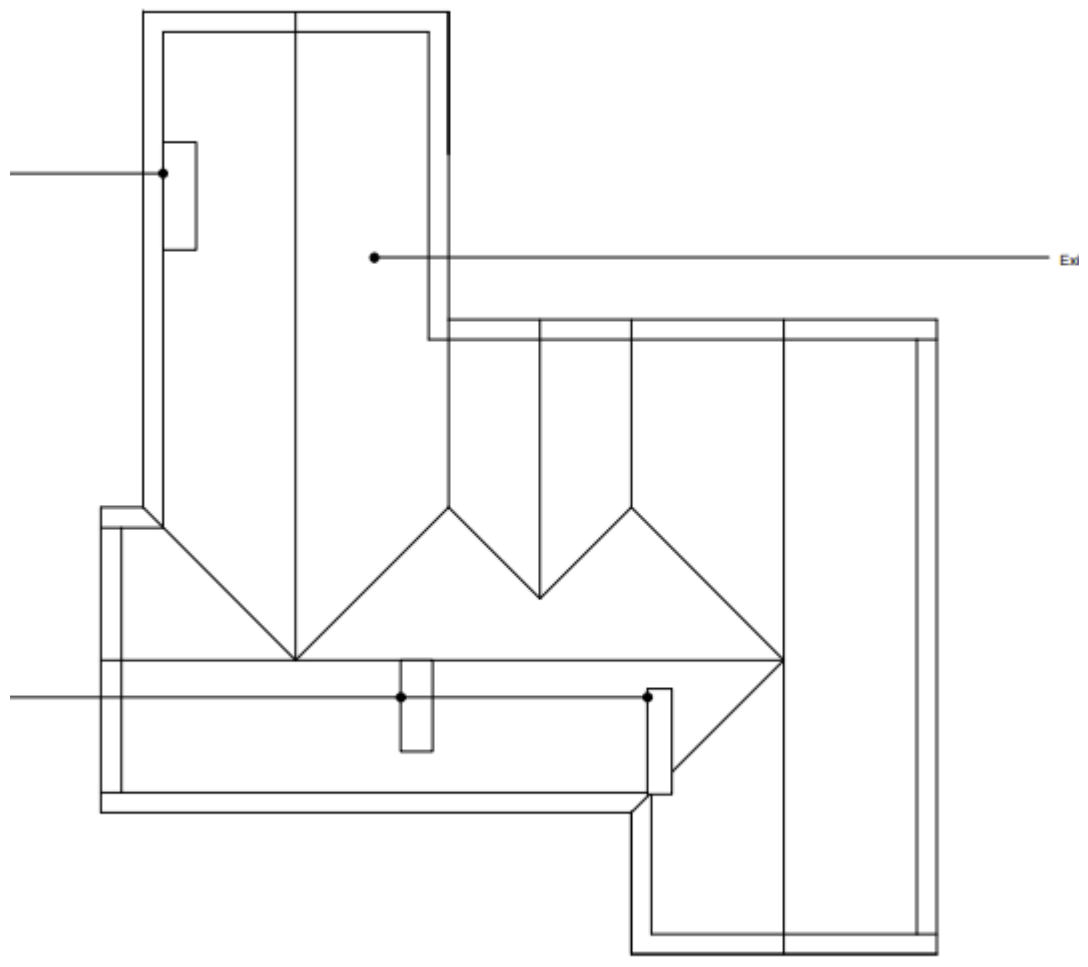


ELEVATION 02
SCALE 1:100

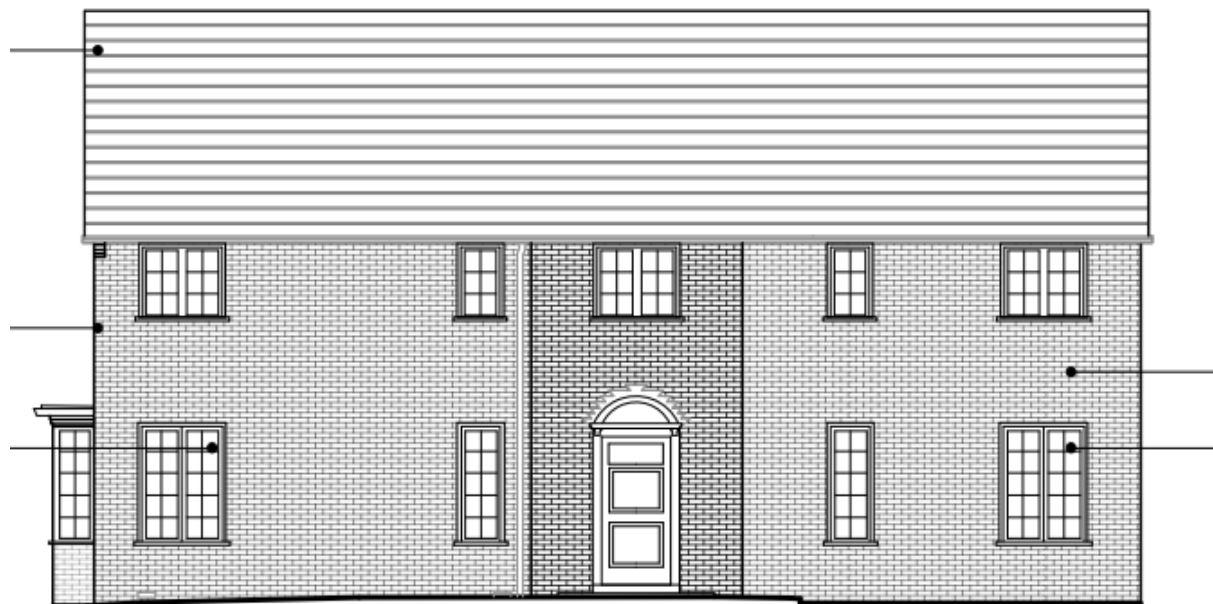
Existing Plans



Existing roof plan

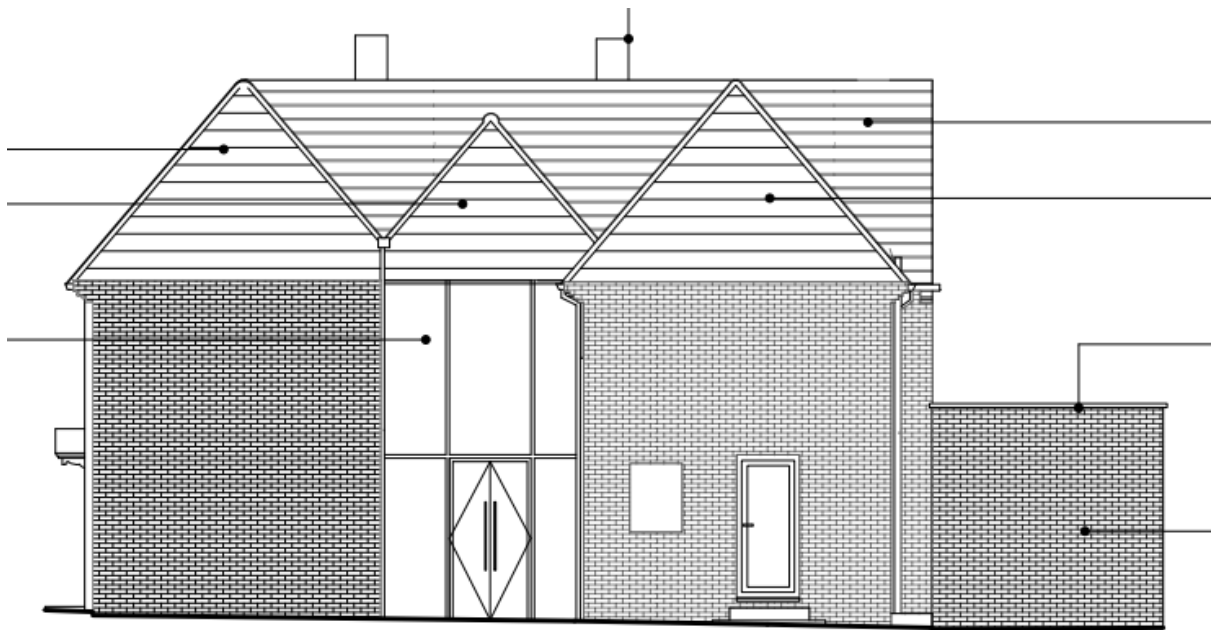


Proposed elevations



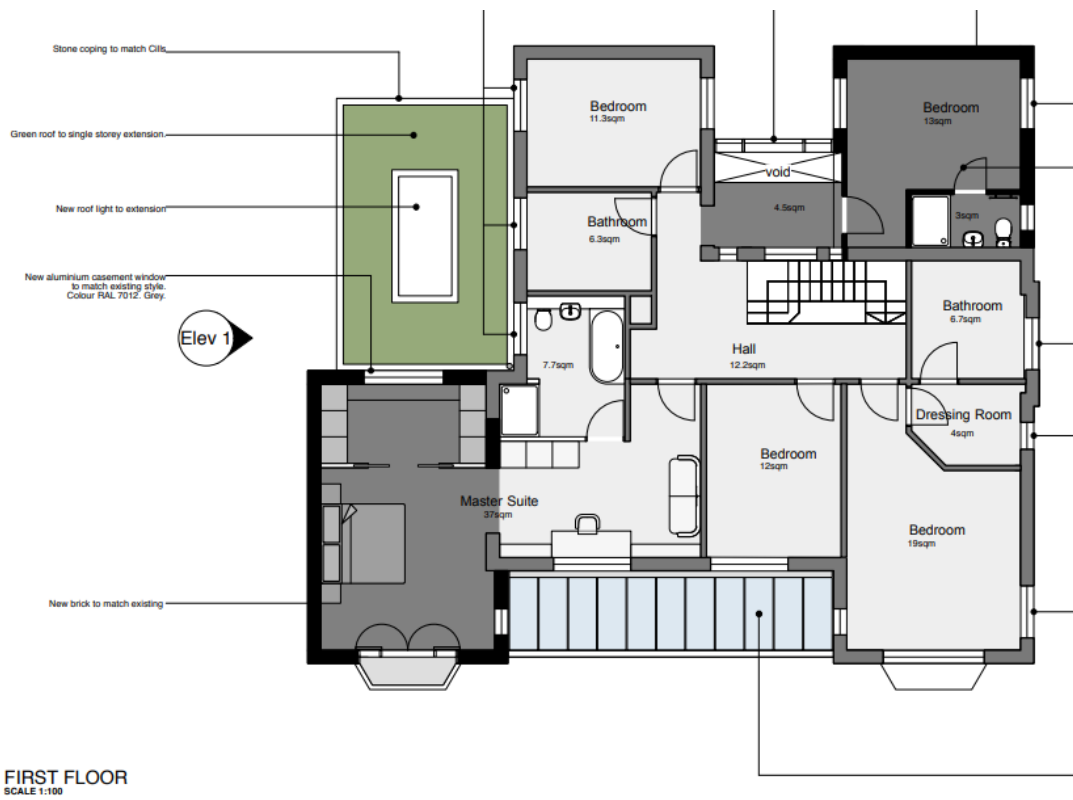
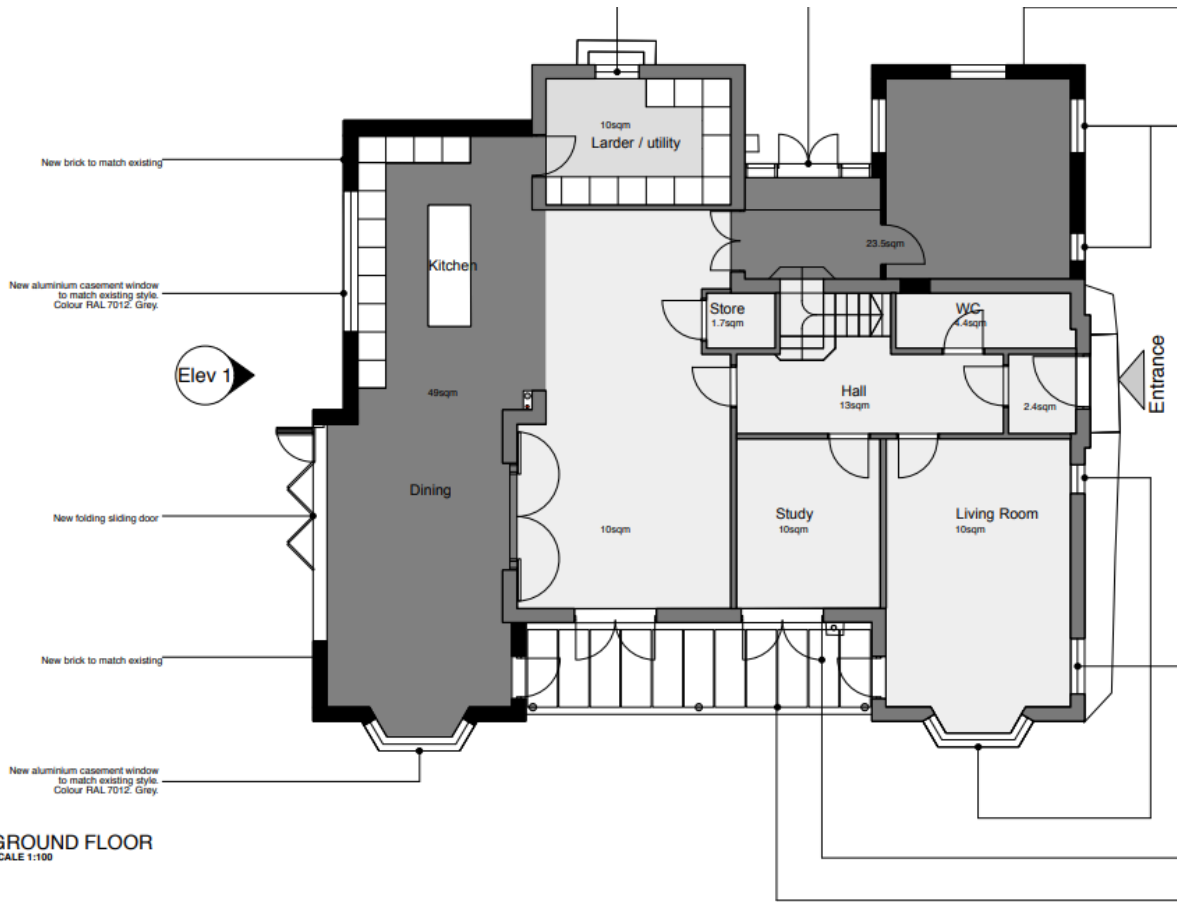


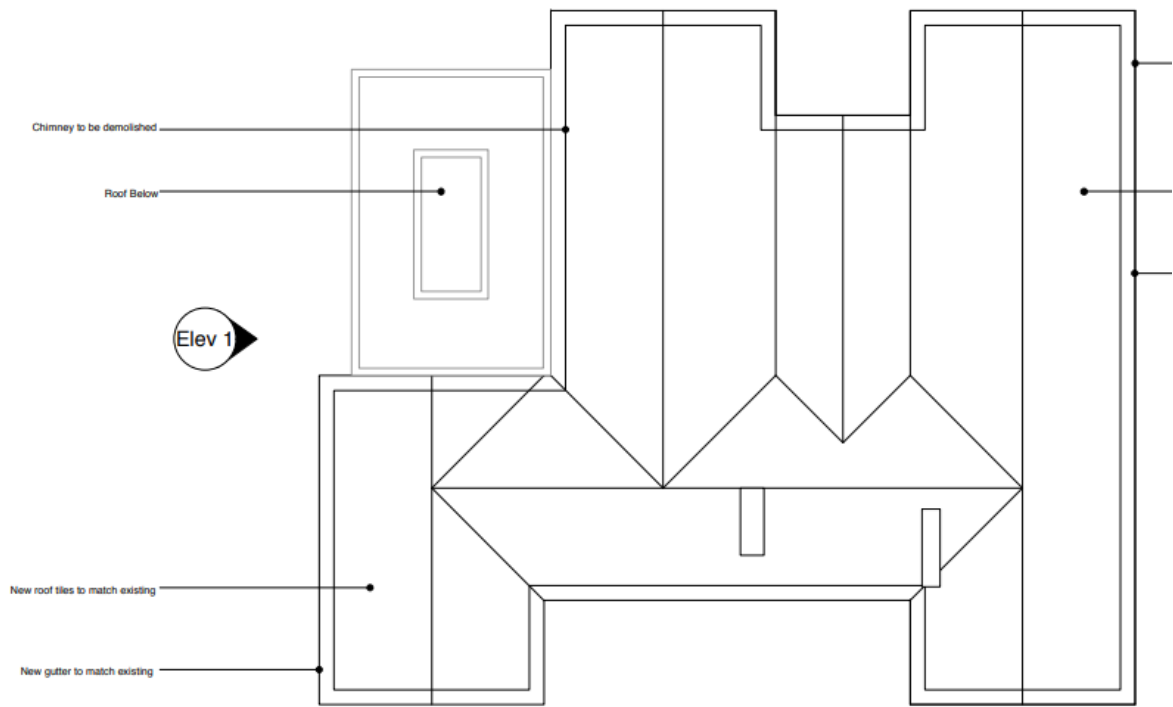
ELEVATION 01
SCALE 1:100



ELEVATION 02
SCALE 1:100

Proposed floor plans





ROOF
SCALE 1:100

Site Photos

Front Boundary









View from the neighbour's rear garden at at no. 29 Hillsborough Park



View from the neighbour at no. 30 Hillsborough Park



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21/0343/FFU

Reg. Date 1 April 2021

Lightwater

LOCATION: 6 Mount Pleasant Close, Lightwater, Surrey, GU18 5TP,
PROPOSAL: Sub-division of existing dwelling into two separate dwellings
TYPE: Full Planning Application
APPLICANT: Mr Gareth Wilkins
OFFICER: Miss Patricia Terceiro

This application would normally be determined under the Council's Scheme of Delegation. However, it is being reported to the Planning Applications Committee at the request of Cllr Sharon Galliford, as the proposal would be of character with the street scene, would constitute over development and have inappropriate parking

RECOMMENDATION: REFUSE

1.0 SUMMARY

- 1.1 The application site is located in Mount Pleasant Close, Lightwater and the surround area is residential in nature. The application plot is generous in size and comprises a detached two storey dwellinghouse, which benefits from an attached single side garage to the western elevation and from an enclosed garden to the rear. The proposal seeks planning consent for the sub-division of the existing dwelling into two separate dwellings. The proposed dwelling would be located within the existing annexe and would form a pair of semi-detached properties.
- 1.2 The principle of development is considered acceptable. The proposal is not considered detrimental to the character of the area, residential amenities of the nearest neighbours or highway safety. However, the applicant has not entered in a legal agreement with the LPA and is unwilling to do so and, therefore, the financial contributions towards SAMM and SANG cannot be discharged. Accordingly, the application is recommended for refusal.

2.0 SITE DESCRIPTION

- 2.1 The application site is located in Mount Pleasant Close, Lightwater. The application property is a residential detached two storey dwelling house and benefits from an attached single side garage to the western elevation. There is also a single storey projection from the eastern side elevation that contains annexe accommodation. The dwelling is set back from the main road and benefits from a driveway set to hardstanding and there is an enclosed garden to the rear. The frontage of the property consists of tall hedging which forms a front boundary and mature trees located in close proximity to the shared east and west boundary.

3.0 RELEVANT PLANNING HISTORY

- 3.1 16/0664 Erection of a two-storey 3-bedroom detached dwelling with new crossover, driveway and new residential curtilage, following demolition of the annexe and single storey rear extension to existing dwelling. Refused, 2016 for the following reasons and subsequently dismissed at appeal in

2017 (see Annex A):

The proposal by reason of the small gaps between the first floor side elevation of the proposed new dwelling and those either side, and the narrow width combined with the height of the proposed dwelling and the narrow plot, would result in a cramped and incongruous development, disrupting the existing spacious and low density character of this part of the road, and would be harmful to the existing character and appearance of the streetscene. Additionally the lack of front boundary treatment and position of the driveway is out of keeping with other properties within the road. The proposal would therefore fail to respect and enhance the character and quality of the area, contrary to Policies CP2 (iv) and DM9 (ii) of the Surrey Heath Core Strategy and Development Management Policies 2012, Policies B1, B2 and B8 (b) and (c) of the Lightwater Village Design Statement, and the National Planning Policy Framework.

3.2 16/1153 Erection of a first floor extension over the existing single storey attached annex building with addition of a dual pitched roof. Approved, 2017. Not implemented and expired.

3.3 17/0707 Erection of a two storey, 2 bedroom dwelling with associated parking and garden area, and single storey rear extension to existing dwelling, following demolition of existing annexe. Refused, 2017 for the following reasons and subsequently dismissed at appeal in 2018 (see Annex B):

1 - The proposal by reason of its narrow width, the small gaps between the first floor side elevation of the proposed new dwelling and those either side, and the narrow plot, would result in a cramped and incongruous development, disrupting the existing spacious and low density character of this part of the road, and would be harmful to the existing character and appearance of the streetscene. Additionally the roof design, the lack of front boundary treatment and position of the driveway would be out of keeping with other properties within the road and also cause harm to character. The proposal would therefore fail to respect and enhance the character and quality of the area, contrary to Policies CP2 (iv) and DM9 (ii) of the Surrey Heath Core Strategy and Development Management Policies 2012, Policies B1, B2 and B8 (b) and (c) of the Lightwater Village Design Statement, and the National Planning Policy Framework.

2 – Impact on Thames Basin Heaths SPA.

3.4 20/0347/FFU Erection of first floor side extension. Approved, 2020. Not implemented.

3.5 20/0510/FFU Demolition of existing single storey annexe and construction of a two storey attached 3 bed house with associated access and parking. Refused at Planning Committee on 12 November 2020 for the following reasons:

1 - The proposal would introduce a semi-detached dwelling, at odds with the pattern of dwellings along Mount Pleasant Close. The resulting plot, by virtue of its narrow width, would appear out of context with the surrounding plot layouts and the lack of front boundary treatment and position of the driveway would be out of keeping with other properties within the road and be harmful to the character of the area. The proposal would therefore fail to respect and enhance the character and quality of the area, contrary to Policies CP2 and DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012, Principles 6.6, 6.8 and 7.4 of the Residential Design Guide Supplementary Planning Document (2017), Policies B1, B2 and B8 of the Lightwater Village Design Statement (2007), and the National Planning Policy Framework.

2 – Impact on Thames Basin Heaths SPA.

4.0 THE PROPOSAL

- 4.1 Full planning permission is sought for the conversion of the existing annexe into an independent 1-bed dwelling. No 6 would be retained in a reduced curtilage.
- 4.2 The proposal would not comprise any external alterations to the building itself and the internal works would comprise blocking up a door between the main dwelling and the annexe. The plot would be sub-divided to the rear and the proposed dwelling would benefit from a long and narrow garden to the rear and parking for two vehicles on its frontage. The proposal would see the creation of a new vehicular access point to Mount Pleasant and it is noted that these works have already taken place.

5.0 CONSULTATION RESPONSES

- 5.1 Surrey County Highway Authority No objections, subject to planning conditions – see Annex A.
- 5.2 Windlesham Parish Council Objects to the proposal for a number of reasons as follows:
- access issues;
 - loss of amenity;
 - overdevelopment of the site and the appearance of the development not being in keeping with the street scene.

6.0 REPRESENTATION

- 6.1 At the time of preparation of this report 9 representations have been received which raise the following issues:
- Creating two separate dwellings would be an over-development of this site and not in keeping with the rest of the road where all the houses are detached [*See Section 7.4*];
 - The proposal would have a cramped appearance and a noticeably smaller gap to no 4 than any other gaps between properties in the road [*See Section 7.4*];
 - The proposal would have an unbalanced appearance, out of keeping with the streetscene [*See Section 7.4*];
 - A previously existing hedge and tree have been removed from the site's front boundary [*See Section 7.4*];
 - Noise and disturbance associated with the proposal [*See Section 7.5*];
 - The proposal would generate additional traffic and exacerbate the parking issues in the vicinity [*See Section 7.6*];
 - The proposal would result in the loss of on-street parking spaces [*See Section 7.6*];
 - The proposal would be detrimental to highway safety [*See Section 7.6*].

7.0 PLANNING CONSIDERATIONS

- 7.1 The application site is located in a residential area within a defined settlement, as set out in the Proposals Map of the Surrey Heath Core Strategy and Development Management Policies 2012 (CSDMP). In this case, consideration is given to Policies CP1, CP2, CP3, CP6, CP12, CP14B, DM9, and DM11 of the CSDMP. The Residential Design Guide (RDG) SPD 2017 as well as the Lightwater Village Design Statement (LVDS) SPD 2007 also constitute material planning considerations.

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

- Principle of development;
- Impact on character and appearance of the surrounding area, including trees;
- Residential amenity;
- Transport and highways considerations;
- Impact on infrastructure; and,
- Impact on the Thames Basin Heaths SPA

7.3 Principle of development

7.3.1 Policy CP1 of the Surrey Heath Core Strategy and Development Management Policies Document (CSDMP) 2012 seeks sustainable development within the Borough. This Policy states that Lightwater Village has limited capacity to accommodate new development. Policy CP3 sets out the overall housing provision targets for the Borough for the period 2011-2028 and Policy CP6 promotes a range of housing types and tenures.

7.3.2 The site is located in a residential area that is within a defined settlement. The proposal would provide one additional dwelling to contribute to the housing supply within the Borough. Furthermore, the Council cannot demonstrate a five year housing supply. As a result, the proposed development is considered acceptable in principle, subject to no adverse impact on the character and appearance of the surrounding area, amenity of neighbouring occupiers, highway safety etc. These matters are assessed below.

7.3.3 It is therefore considered that the proposal would be acceptable in principle and would be in line with Policies CP1, CP3, CP6 of the CSDMP.

7.4 Impact on character of area

7.4.1 Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies Document (CSDMP) 2012 promotes high quality design. Development should respect and enhance the character of the local environment and be appropriate in scale, materials, massing, bulk and density. Policy CP2 states that new development should use the land efficiently within the context of its surroundings and respect and enhance the quality of the urban, rural, natural and historic environments.

7.4.2 The RDG provides further guidance relating to the design of residential developments. In particular, Principle 6.6 states that new residential development will be expected to respond to the size, shape and rhythm of surrounding plot layouts. Principle 6.8 goes on to say that where front of plot parking is proposed this should be enclosed with soft landscape. Principle 7.4 advises that new residential development should reflect the spacing, heights, and building footprints of existing buildings.

7.4.3 Design Principle B1 of the LVDS requires development to pay regard to the size of building plots, space between buildings, the scale and shape of buildings. Design Principle B2 seeks to prevent overdevelopment of plots. Design Principle B4 goes on to say that the visual impact of car parking should be minimised. Design Principle B8 states that new development should consist principally of two-storey buildings, respect the spacious character of the residential area through reflecting the predominant depth of front gardens and the size and frequency of gaps between houses; development should incorporate front boundary treatments particularly through the use of hedges and substantial landscaping should be provided.

- 7.4.4 The proposal would not comprise any external alterations to the building itself, which would be retained as existing. Notwithstanding this, the current application aims to create an independent dwelling with all associated residential paraphernalia and, as such, the application will be assessed on whether or not the use of the existing annexe as independent accommodation would be considered acceptable in planning terms.
- 7.4.5 This proposal follows a series of refused applications and dismissed appeals for the erection of detached or semi-detached dwellings on site. All of these refused applications noted the fact that subdividing the application plot into two separate units would give rise to a much narrower plot than those surrounding which would be harmful to the character of the area. The proposed parking area to the front was also raised as an issue in previous applications.
- 7.4.6 It is noted that the works associated with the driveway have already taken place under permitted development rights. This included removing part of the brick wall, hedge and one tree in order to allow the creation of a driveway laid to gravel which serves no 6. Although these works comprised removing a mature tree that positively contributed to the character of the road, this tree was not protected and, as such, the applicant was well within their own rights of doing so.
- 7.4.7 The current application would see the plot being sub-divided in a similar fashion as in the previous applications and the proposed block plan shows that the proposal would comprise planting a hedge at the front between both properties. The removal of the boundary treatment and laying of driveway means that the use of the annexe as an independent dwelling would see no material alterations to the visual aspect of property's frontage as seen from the road. Whereas the resulting plot would still be less wide than those surrounding, it is considered that should both properties have a common frontage, the proposal would resemble the existing situation as seen from public vantage points. This could be secured by planning condition requiring the provision of a landscaping plan. Significant weight is afforded to this and, as such, the proposed plot sub-division would ultimately be considered acceptable.
- 7.4.8 The proposal would not comprise any external alterations to the building as it currently stands. Although it would introduce a pair of semi-detached properties within a road where detached dwellings prevail, weight is afforded to the fact that the building's external appearance would remain as it exists. On this basis, it is considered that ultimately the pair or semis would sufficiently integrate into its surroundings.
- 7.4.9 Previous appeal decisions and officer reports talk about the space the new dwelling would retain towards no 4's flank wall. As noted above, the building would remain as existing and the annexe to be converted is single storey. As such, there would be no material changes to the pattern of spacing already observed on site. The proposed dwelling would be provided with a generous garden and the lack of increase of built form over and above that existing means the proposal would not constitute over-development of the plot.
- 7.4.10 The planning history (see section 3 above) shows that planning permission 20/0347/FFU remains extant. This permission would see the erection of a first floor side extension above the existing annexe and, should this be implemented together with the annexe conversion into habitable accommodation, the resulting development would be a two storey dwelling. The provision of a two storey dwelling in this location has been resisted in the past and, as such, it is considered necessary to impose a planning condition restricting the implementation of this permission should the extension under 20/0347/FFU be constructed. As a new dwelling, the property would have its permitted development rights intact. To prevent future enlargement it is in this instance considered that permitted development rights should be removed, in the interests of protecting the character of the area.
- 7.5.11 In summary, although it is considered that the proposal would result in a narrower plot than those surrounding, the provision of a common frontage with no 6 would result in a similar frontage to the arrangement currently on site. The proposal would not comprise any increase in built form. As such, it is ultimately considered that the use of the annexe as a new dwelling would sufficiently integrate into the surrounding streetscene. As such, the

proposal would be considered to comply with Policies CP2 and DM9 of the CSDMP, the RDG and the LVDS.

7.5 Impact on residential amenity

- 7.5.1 Policy DM9 of the CSDMP 2012 states that development should respect the amenities of the adjoining properties and uses. Principles 8.1 and 8.3 of the RDG seek to protect residential amenities in terms of overbearing and overshadowing. Principle 8.4 sets out the standards for garden spaces and Principle 7.6 talks about internal space. Principle 8.2 advises that windows serving habitable rooms in new residential developments should be provided with adequate outlook.
- 7.5.2 The proposal would not comprise any external alterations to the building itself and, as such, the relationship with the adjoining properties in terms of overbearing, overlooking and overshadowing would remain as existing. Although concerns have been raised with the noise and disturbance associated with the proposal, the development would see the introduction of one dwelling on an already established residential area. The construction works associated with the proposal would be minimal and, as such, the noise associated would likely be for a limited period of time. As such, it is not considered that the proposal would give rise to such undue levels of noise and disturbance as to warrant a refusal of this application.
- 7.5.3 Turning into the residential amenities of the dwelling's future occupiers, it is noted that the size of the proposed garden would comply with the standards required by the RDG. The internal area would be in accordance with the national space standards. The dwelling's bedroom would be served by a flank window, which would face the site's side boundary at a separation distance of approximately 1.3m. Whereas this would somewhat amount to a poor outlook, it is not considered that a refusal of the application on these grounds could be sustained. The elevations submitted with this application show that 2 no windows on no 6's side elevation facing the site would be obscured glazed and fixed shut, which would protect the privacy of the dwelling's future residents. Both windows are secondary sources of light and, as such, they have been secured by planning condition to be provided in obscure glazing and fixed shut below 1.7m in internal height.
- 7.5.4 As such, the proposal would not be considered to affect the residential amenities of the neighbouring properties and would be in accordance with Policy DM9 of the CSDMP and the RDG.

7.6 Parking and access

- 7.6.1 Policy DM11 states that development which would adversely impact the safe and efficient flow of traffic movement on the highway network will not be supported by the Council, unless it can be demonstrated that measures to reduce such impacts to acceptable levels can be implemented.
- 7.6.2 The County Highway Authority has been consulted on the proposal and advises that the proposal would not have a material impact on highway safety, subject to planning conditions regarding visibility splays, the provision of parking spaces prior to occupation and the provision of a fast-charge Electric Vehicle charging point. The proposal would be provided with 2 no vehicular parking spaces which would comply with the current 'Vehicular and Cycle Parking Guidance (2018)' for a 3-bed dwelling in a village location. The retained dwelling at no 6 would also have adequate parking spaces.
- 7.6.3 The Highway Authority further advises that whilst there is an opening to access the site at this location, there is no dropped kerb provided and therefore the access is not authorised as it doesn't allow vehicles safe access. As such, a planning condition has been added to this recommendation regarding the new access. The Highway Authority further notes that the required visibility splays could be achieved over highway land or land controlled by the

applicant. In order to achieve this, County advises that any vegetation fronting 6 Mount Pleasant Close would need to be removed/maintained to ensure the required visibility splays are kept permanently clear of any obstruction over 1m high. An informative has been added to this recommendation, in line with County's consultation response.

7.6.4 The proposal is therefore in line with Policy DM11 of the CSDMP.

7.7 Impact on infrastructure

7.7.1 Policy CP12 states that the Borough Council will ensure that sufficient physical, social and community infrastructure is provided to support development. In the longer term, contributions will be via the Community Infrastructure Levy (CIL) charging schedule, in order to offset the impacts of the development and make it acceptable in planning terms. The Council's Infrastructure Delivery Supplementary Planning Document (2014) sets out the Council's approach to delivering the infrastructure required to support growth.

7.7.2 Surrey Heath's Community Infrastructure Levy (CIL) Charging Schedule was adopted on 16 July 2014 and the CIL Charging Schedule came into effect on 1 December 2014. Regulation 123 CIL sets out the list of infrastructure projects that may be funded (either entirely or in part) through CIL. These include, for example, open spaces, community facilities or play areas. It is noted that these projects do not have to be directly related to the proposed development.

7.7.3 The proposed dwelling would be achieved through sub-division and, given that there would be no net increase in floor space, the proposal would not be CIL liable.

7.8 Impact on Thames Basin Heaths SPA

7.8.1 Policy CP14B of the CSDMP states that the Council will only permit development where it is satisfied that this will not give rise to likely significant adverse effect upon the integrity of the Special Protection Area (SPA) and Special Areas of Conservation (SAC) sited within the Borough. Furthermore, it states that no new net residential development will be permitted within 400m of the SPA. Proposals for all new net residential development elsewhere in the Borough should provide or contribute towards the provision of SANGs and shall also contribute toward strategic access management and monitoring (SAMM) measures.

7.8.2 The Thames Basin Heaths Special Protection Area Avoidance Strategy SPD (2019) 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.

7.8.3 The proposed development would lie within the 5km buffer of the Thames Basin Heaths SPA. Provided that sufficient SANG capacity is available in the Borough, it can be allocated to minor development proposals and the financial contribution towards SANG. To enable delivery of new residential units that are not CIL liable, but nonetheless include a net increase in residential units, the Council will require such development to contribute toward the cost of the ongoing management and maintenance of SANG through a Unilateral Undertaking. This is to meet the requirements of the Conservation of Habitats and Species Regulations 2017 (or as subsequently amended).

7.8.4 Following an Executive resolution which came into effect on 1 August 2019, due to the currently limited capacity available for public SANGs in parts of the Borough, applications for development which reduce SANG capacity, as in the case of this application will be valid for one year (rather than three years).

- 7.8.5 The development would also be liable for a contribution towards SAMM (Strategic Access Monitoring and Maintenance) of the SANG, which is a payment separate from CIL and would depend on the sizes of the units proposed. This proposal is liable for a SAMM payment of £399 which could be secured through a legal agreement.
- 7.8.6 However, the applicant has not entered in a legal agreement with the LPA, and is unwilling to do so, and as such the necessary monies cannot be secured. As such, the proposal would fail to comply with Policy CP14B of the CSDMP and with the Thames Basin Heaths SPA SPD.

8.0 POSITIVE/PROACTIVE WORKING

- 8.1 In assessing this application, officers have worked with the applicant in a positive, creative and proactive manner consistent with the requirements of paragraphs 38-41 of the NPPF. This included 1 or more of 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.
 - c) Have suggested/accepted/negotiated amendments to the scheme to resolve identified problems with the proposal and to seek to foster sustainable development.
 - d) Have proactively communicated with the applicant through the process to advise progress, timescale or recommendation.

9.0 CONCLUSION

- 9.1 It is accepted that there is no demonstrable 5-year housing land supply and the erection of one additional dwelling would contribute to this, albeit to a very modest degree. The proposal would be considered to sufficiently integrate into its surroundings and would not give rise to adverse residential amenity or prejudice highway safety. However, the applicant has not entered in a legal agreement with the LPA and the proposal would be harmful to the Thames Basin Heaths Special Protection Area (SPA). The application is therefore recommended for refusal on these grounds.

10.0 RECOMMENDATION

REFUSE for the following reasons:

1. In the absence of a payment or a completed legal agreement under section 106 of the Town and Country Planning Act 1990, the applicant has failed to comply with Policy CP14B (vi) (European Sites) of the Surrey Heath Core Strategy and Development Management Policies Document 2012 and Policy NRM6 (Thames Basin Heath Special Protection Area) of the South East Plan 2009 (as saved) in relation to the provision of contributions towards Suitable Alternative Natural Greenspaces (SANGs) and Strategic Access Management and Monitoring (SAMM) measures, in accordance with the requirements of the Surrey Heath Borough Council's Thames Basin Heaths Special Protection Area Avoidance Strategy Supplementary Planning Document (Adopted January 2019).

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 decision has been taken in compliance with paragraphs 38-41 of the NPPF to work with the applicant in a positive and proactive manner. Please see the Officer's Report for further details.

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APPLICATION NUMBER	SU/21/0343
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DEVELOPMENT AFFECTING ROADS
TOWN AND COUNTRY PLANNING GENERAL DEVELOPMENT ORDER 1992

Applicant: Mr Gareth Wilkins

Location: 6 Mount Pleasant Close Lightwater Surrey GU18 5TP

Development: Sub-division of existing dwelling into two separate dwellings

Contact Officer	Chris Duncan	Consultation Date	12 April 2021	Response Date	17 May 2021
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The proposed development has been considered by THE COUNTY HIGHWAY AUTHORITY who having assessed the application on safety, capacity and policy grounds, recommends the following conditions be imposed in any permission granted:

Conditions

1) Parking

The development hereby approved shall not be first occupied unless and until space has been laid out within the site in accordance with the approved plans for vehicles to be parked. Thereafter the parking area shall be retained and maintained for its designated purpose.

2) Electric vehicle charging

The development hereby approved shall not be occupied unless and until each of the proposed dwellings are provided with a fast charge socket (current minimum requirements - 7 kw Mode 3 with Type 2 connector - 230v AC 32 Amp single phase dedicated supply) and thereafter retained and maintained to the satisfaction of the Local Planning Authority.

Reason

The above conditions are required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users.

Policy

Policies CP11 and DM11 of the Surrey Heath Core Strategy 2012 and the National

Informatives

1) Electric vehicle charging

It is the responsibility of the developer to ensure that the electricity supply is sufficient to meet future demands and that any power balancing technology is in place if required.

Please refer to:

<http://www.beama.org.uk/resourceLibrary/beama-guide-to-electric-vehicle-infrastructure.html>

for guidance and further information on charging modes and connector types.

2) Pedestrian inter-visibility splay

A pedestrian inter-visibility splay of 2m by 2m shall be provided on each side of the access, the depth measured from the back of the footway and the widths outwards from the edges of the access. No fence, wall or other obstruction to visibility between 0.6m and 2m in height above ground level shall be erected within the area of such splays.

Note to Planner

Any vegetation fronting 6 Mount Pleasant Close will need to be removed/maintained to ensure the visibility splays shown in Drawing No. 1493-APP2-PL1110 are achievable at all times. The visibility zones shall then be kept permanently clear of any obstruction over 1m high. The Highway Authority considers that the proposal would not have a material impact on highway safety.



Appeal Decision

Site visit made on 3 July 2017

by R J Jackson BA MPhil DMS MRTPI MCI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 20 July 2017

Appeal Ref: APP/D3640/W/17/3172317

The Annexe, 6 Mount Pleasant Close, Lightwater GU18 5TP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Gareth Wilkins against the decision of Surrey Heath Borough Council.
 - The application Ref 16/0664, dated 4 July 2016, was refused by notice dated 14 October 2016.
 - The development proposed is demolition of single storey attached annex, erection of detached two storey 3 bed house with new cross over and drive way. Erection of single storey extension to rear of existing house.
-

Decision

1. The appeal is dismissed.

Preliminary matters

2. Although the address of the property as set out in the heading is that set out on the application form, the 'red line' of the application site includes the area both of the Annexe and 6 Mount Pleasant Close itself.
3. After refusing the appeal application the Council granted planning permission for "Erection of a first floor extension over the existing single storey attached annex building with addition of a dual pitched roof" on the appeal site (Council Ref: 16/1153). I will discuss the implications of this later in this decision.
4. As set out in the heading the proposal is for a dwelling and a rear extension to the 'parent' property. The Council's reasons for refusal only related to the new dwelling, but the rear extension appears part of an integrated proposal for the site. I therefore consider that the extension cannot be considered separately and in the event that the proposal for the dwelling is unacceptable then the appeal should be dismissed rather than considering a 'split' decision allowing the extension and dismissing the dwelling.

Main Issues

5. The main issue is the effect on the character and appearance of the area.

Reasons

Character and appearance

6. The appeal property is located towards the eastern end of Mount Pleasant Close where the road has a sinuous alignment. On the same side of the road as the appeal site the properties immediately to the west are bungalows while the two properties to the east are two storey houses linked by a pair of garages. Opposite are two storey houses, set down slightly from the road as the land drops away to the south.
7. The immediate local area is made up predominantly of frontage development with distinct gaps between the properties, particularly above ground floor level. This ensures that the area has a sense of spaciousness. This development character alters some distance further along Mount Pleasant Close where development becomes denser with smaller gaps. The appeal site is wider than many others in the area adding to the sense of space.
8. The appeal property is, when compared to others in the street scene, a large two storey dwelling with a single storey, flat roofed extension on the east side set back from the front elevation. The extension is linked to the main house by a single door. There is also a single storey extension on the west side of the property. The front boundary treatment is made up of a low block wall with a dense evergreen hedge, approximately 2 m high, above with a Scots Pine at the end. This screens the dwelling from views from directly in front of it. At the eastern end there a pedestrian access to the building.
9. The appeal proposal is to demolish the extension on the eastern side and erect a detached two storey dwelling. There would be a gap of approximately 1 m between the walls of the existing and proposed dwellings and this would be reduced above the walls by the overhang to both roofs. The property would be set at a lower level than 6 Mount Pleasant Close but above No 4 to the east. The main front elevation located on a similar line to the existing extension, although a part two-, part single-storey gable/porch feature would extend further forward, although not as far as the front elevation of the parent property.
10. Parking would be provided in front of the dwelling, immediately inside the footway with a small vegetated area between the parking area and dwelling. The pedestrian access location would be retained to the new dwelling although the Scots Pine would be felled to provide the parking area.
11. As noted above, the proposal is also for a single storey flat roofed extension on the rear of No 6 located on the eastern side of that property.
12. While there would remain a gap similar to that between the properties opposite between the new dwelling and No 4, the gap between this new dwelling and No 6 would be harmfully narrow and out of character with the area where wider gaps are more common. This lack of space would be emphasised at roof level where the two overhangs would converge meaning that the proposal would appear cramped. As noted above it is the gaps above ground floor that are particularly important in creating the character of the immediate area. The other examples of more cramped development cited by the appellant are further along this road in an area with a different character and, in my view, are not directly comparable.

13. As noted above planning permission exists for a two storey side extension. This would result in the same gap as in the appeal proposal between the new dwelling and No 4. The roof line of the extension would be lower in absolute terms than that of the appeal proposal. If this appeal were to be dismissed I consider that there is a realistic prospect that this extension would be constructed, and I therefore give that significant weight.
14. However, the gap between No 6 and the new dwelling and the design of the new dwelling mean that the effect on the street scene would be materially different. The gap, such as it is, would make it clear that it was a separate dwelling and not a subordinate extension to No 6, and the front element of the proposed dwelling with its gable front gives an emphasis to the lack of separation and thus the cramped nature of the proposal.
15. Further the proposal would open up the frontage to create the parking area for the occupiers of the new dwelling further emphasising the prominence of the new dwelling. The parking spaces, of themselves, would be similar to others in Mount Pleasant Close. However, it would be the opening up of the area that would create the view that would emphasise the cramped nature of the overall development. That such parking spaces could be created without the need for planning consent does not alter my conclusion on this as I can see no need for additional parking spaces beyond those already provided for No 6, and I therefore consider it unlikely that this would be provided without the need created by the proposed new dwelling.
16. As such the proposal would be harmful to the character and appearance of the area. It would therefore be contrary to Policies CP2 and DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012 (the CSDMP) which require that development respects and enhances the quality of the urban environment. It would also be contrary to Policies B1, B2 and B8 of the Lightwater Village Design Statement which indicated development should pay regard to the locally distinctive and valued patterns of development, that overdevelopment will be resisted and that development should respect the spacious character of the residential area by reflecting the size and frequency of gaps between houses. It would finally be contrary to paragraph 58 of the National Planning Policy Framework (the Framework) which indicates that development should respond to local character and history.

Other matters

17. The site lies within 5 km of the Thames Basin Heaths Special Protection Area (the SPA) which is designated under the Habitats Directive for its populations of woodlark, nightjar and the Dartford Warbler. In line with the Habitats Directive and the Conservation of Habitats and Species Regulations 2010 (as amended) (the Habitats Regulations) planning permission is to be refused if development either on its own or in combination with other plans or projects would have a significant adverse effect on the SPA. The additional resident human population associated with the development proposed has been shown through research to be likely to recreate on the SPA leading to such significant harm.
18. To provide mitigation for developments potentially having such an effect the Council has published a Thames Basin Heaths Special Protection Area Avoidance Strategy SPD which was adopted in 2012. The Council indicates that this sets out a strategy of providing additional greenspace to provide an

alternative location for recreation (Suitable Alternative Natural Greenspace or SANG) and access management (Strategic Access Management and Monitoring or SAMM).

19. The Council has introduced the Community Infrastructure Levy and indicates that SANG is provided from the contributions secured under the Levy. However, the Levy does not provide for a contribution towards SAMM which consequently needs to be secured separately. In the Council report on the application it indicates that a contribution towards SAMM has been paid by the applicant and I am therefore satisfied that the effects of the proposal would be appropriately mitigated and there would be compliance with the relevant policies of the South East Plan and the CSDMP.
20. The Council has confirmed that it is unable to demonstrate a five year supply of housing land meaning that policies for the supply of housing are out-of-date; see paragraph 49 of the Framework. This means that the tilted balance set out in paragraph 14 of the Framework applies. However, I am satisfied that the significant and demonstrable harm of the proposal as identified above would outweigh the benefit of the one additional dwelling which would not have a material effect on the housing land supply situation. As such the proposal would not represent sustainable development and the appeal should be dismissed.

Conclusion

21. For the reasons given above, and taking into account all other matters raised, I conclude that the appeal should be dismissed.

RJ Jackson

INSPECTOR



Appeal Decision

Site visit made on 21 May 2018

by **Nicola Davies BA DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 6 June 2018

Appeal Ref: APP/D3640/W/18/3193257

The Annexe, 6 Mount Pleasant Close, Lightwater GU18 5TP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Gareth Wilkins against the decision of Surrey Heath Borough Council.
 - The application Ref 17/0707, dated 27 July 2017, was refused by notice dated 4 October 2017.
 - The development proposed is demolition of single storey annexe and erection of a 2 storey 2 bedroom house, plus single storey extension.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. Although the address of the property as set out in the heading reflects that provided on the planning application form, the 'red line' of the application site includes the area both of the Annexe and 6 Mount Pleasant Close itself.
3. The Council has granted planning permission for development described as "*Erection of a first floor extension over the existing single storey attached annex building with addition of a dual pitched roof*" on the appeal site (Council Ref: 16/1153). I will deal with this in my consideration later in this decision.
4. The site has also been subject to a refused planning permission (Council Ref: 16/0664) and subsequent appeal (Appeal Ref: APP/D3640/W/17/3172317) for the "*Erection of a two-storey 3-bedroom detached dwelling with new crossover, driveway and new residential curtilage, following demolition of the annexe and single storey rear extension to existing dwelling*". I note that the proposal before me has sought to increase the separation between the new dwelling and 6 Mount Pleasant Close. It has also a markedly different roof form to that previously proposed. I have considered the proposal, the subject of this appeal, on its own merit.
5. The proposal is for a new detached dwelling and a rear extension to the 'parent' property. The Council's reasons for refusal relate only to the new dwelling. Nonetheless, I consider the rear extension forms part of the integrated proposal for the site and cannot be considered separately. In the event that one element is unacceptable then the appeal should be dismissed rather than considering a split decision.

Main Issues

6. The main issues raised in respect of the appeal are the effect of the proposed development on: -
 - (a) The character and appearance of the area; and
 - (b) Habitat and biodiversity at the Thames Basin Heaths Special Protection Area (SPA).

Reasons

Character and appearance

7. On the same side of the road as the appeal property the dwellings to the west are bungalows and the properties to the east are two storey dwellings linked by garages. Opposite are two storey houses. The development in the immediate vicinity of the appeal site is road frontage development with distinct gaps between properties, particularly above ground floor level. The gaps create a sense of spaciousness to the character and appearance of this part of the Mount Pleasant Close.
8. The appeal site is wider than most other plots in the vicinity of the appeal site. The spaces either side of the two storey dwelling above the existing single storey extensions add to the sense of spaciousness to this part of the streetscene. These spaces are clearly visible from the highway above the existing tall evergreen hedge with low wall the forms the front boundary of the appeal site.
9. The proposal is to demolish the existing eastern single storey side extension and erect a detached two storey dwelling. There would be approximate gaps of 1.5m between the new dwelling and 6 Mount Pleasant Close and 2m between 4 Mount Pleasant Close. Part of the frontage wall and existing hedgerow would be removed to provide two parking spaces within the site frontage in front of the proposed dwelling. This would also involve the removal of the large Scots Pine from the frontage of the site.
10. The resulting gap between the proposed dwelling and 6 Mount Pleasant Close would be less than that between 2 and 4 Mount Pleasant Close, as well as that of other gaps between the dwelling opposite the appeal site and that of 6 and 8 Mount Pleasant Close. Although there is separation between the dwellings further west along the northern side of Mount Pleasant Close, these properties are bungalows and have a low density character.
11. I have been referred to other examples of development further along Mount Pleasant Road but that area has a different character and, therefore, is not directly comparable. The properties of Barons Mead and 9 Mount Pleasant Close are bungalows. That is a different development to that proposed here. Whilst some properties host some intervening pitched roof garages, gaps at first storey are retained.
12. I accept that the gap between No 6 and the proposed property has increased when compared to that of the previously proposed scheme. Nonetheless, the gap, being less than 2m width at first floor level, would be noticeably narrower than that of the separation between other dwellings within this streetscene. The resulting gap would be visually harmfully narrower than existing gaps.

This would be out of keeping with the character of the area and those wider gaps that are a particularly important characteristic of the spacious appearance of this streetscene.

13. In addition, the plot width and the width of the proposed dwelling would be significantly narrower than those of other plots and properties in the immediate locality. The proposed dwelling would also appear substantially narrower than the dwellings either side. I saw that front and side roof hips are prevalent within this streetscene. Whilst I find that the hipped design of the roof in itself would not be appreciably different to other roof forms in this location, being centrally pitched this contributes to the visual narrowness of the proposed dwelling. The proposed dwelling overall would have a diminutive appearance and would appear visually cramped positioned between the larger properties of 4 and 6 Mount Pleasant Close. Consequently, the dwelling would appear visually out of keeping within this streetscene.
14. The proposed parking area, whilst in itself similar to other examples in Mount Pleasant Close, would open up the frontage of the site. The opening up of the frontage would emphasise the cramped appearance of the proposed dwelling and the loss of the first floor gap. The visual harm resulting from the proposed development would, therefore, appear more pronounced in the streetscene.
15. Planning permission is in place for a two storey side extension and there is a realistic prospect that it would be constructed (Council Ref: 16/1153). However, the gap between No 6 and the new dwelling and the contrived narrow appearance of the new dwelling mean that the effect on the streetscene would be materially different. This is not a similar proposal given it would be for a detached dwelling. The gap between No 6 and the new dwelling creates this clear distinction.
16. I accept that the existing site of No 6 and the existing dwelling with its annexe extension, that could be occupied independently, is larger than that of other plots and properties in the area. Whilst the existing dwelling differs in these respects to this street context, this does not assume that redevelopment of part of the appeal site with a visually cramped form of development is justified.
17. The proposal also includes the addition of a single storey extension at the rear of 6 Mount Pleasant Close. I have no concerns in regard to that element of the proposed development.
18. For these reasons, I conclude that the proposed development would be harmful to the character and appearance of the area. The proposal would therefore conflict with Policies CP2 (iv) and DM9 (ii) of the Surrey Heath Core Strategy and Development Management Policies 2012 which require development to respect and enhance the quality of the urban environment. It would also conflict with Policies B1, B2 and B8 (b) and (c) of the Lightwater Village Design Statement that require development to pay regard to the locally distinctive and valued patterns of development. These Design Statement policies also indicate that development should respect the spacious character of the residential area by reflecting the size and frequency of gaps between houses and that overdevelopment will be restricted. It would also be contrary to the core principles of the National Planning Policy Framework (the Framework) that require development to take account of the character of different areas and that seek to secure high quality design.

Thames Basin Heaths SPA

19. Policy CP14B of the Surrey Heath Core Strategy and Development Management Policies 2012 and saved Policy NRM6 of the South East Plan 2009 indicate that development will only be permitted where it would not give rise to likely significant adverse effect on the ecological integrity of the Thames Basin Heaths SPA.
20. The Council advise that a contribution towards Strategic Access Management and Monitoring (SAMMS) would be required given the sites proximity to the SPA. The Council has confirmed that it has received a SAMMS payment. For this reason, the proposed conflict with these policies and the provisions of the Framework has potentially been overcome. Notwithstanding this, had I considered the development acceptable in all other respects, I would have sought to explore the implications of the recent Court Judgement¹ and the necessity for undertaking an Appropriate Assessment.

Other Matters

21. I accept that the proposed dwelling would be accessible to services, facilities and public transport at Lightwater, Bagshot, Camberley, Woking and Farnborough. It would also contribute a two bedroom dwelling to the Borough's house supply deficit and that the new dwelling would be within an existing residential settlement. Whilst these are modest benefits of the scheme they do not overcome or outweigh the concerns that I have identified in regard to the environmental dimension of sustainable development.

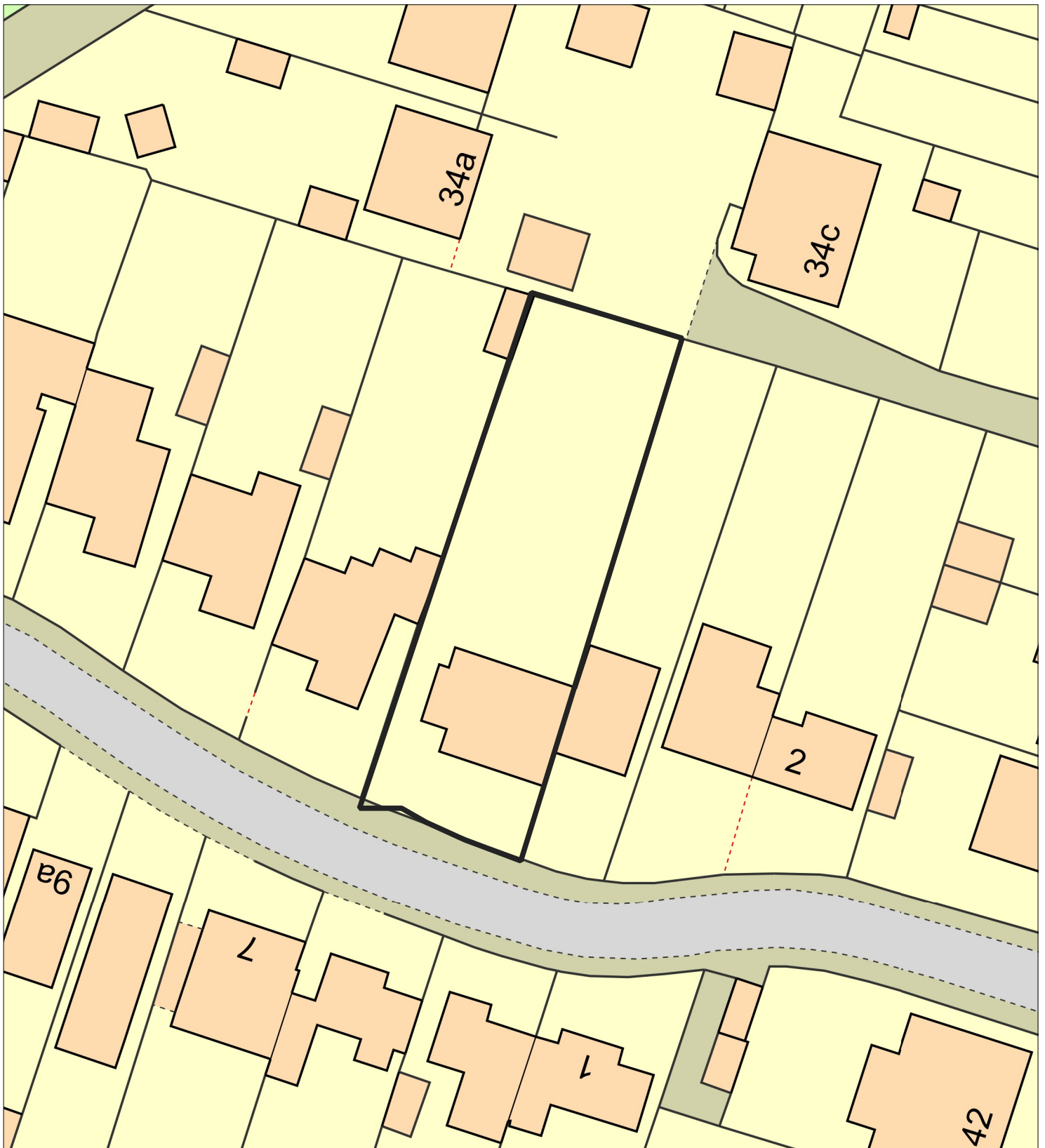
Conclusion

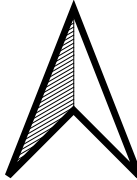
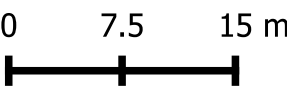

22. Having regard to the above findings, the appeal should be dismissed.

Nicola Davies

INSPECTOR

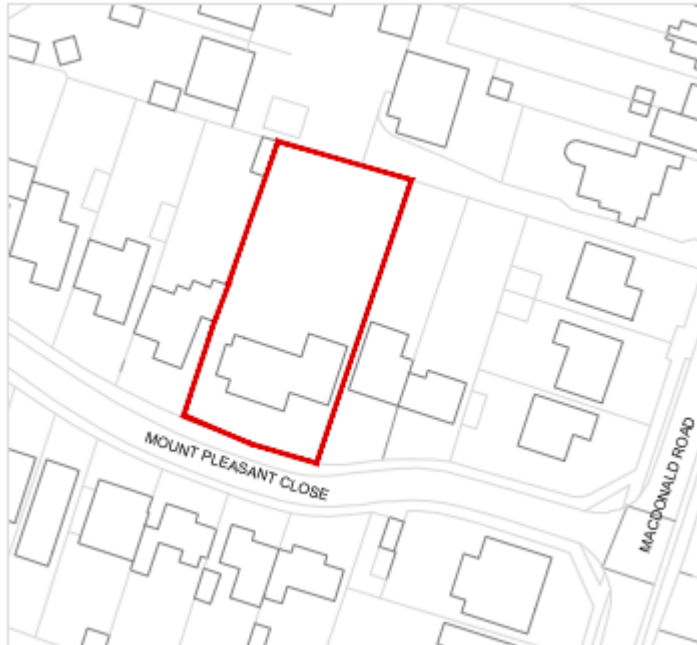
¹ Court of Justice of the European Union: People Over Wind, Peter Sweetman V Coillte Teoranta



Title	Planning Applications		
Application number	21/0343/FFU	 	Scale @ A4 1:500
Address	6 Mount Pleasant Close Lightwater Surrey GU18 5TP		Date 28 May 2021
Proposal	Sub-division of existing dwelling into two separate dwellings		
<p>Page 67</p> <p>Version 5 © Crown Copyright. All rights reserved. Surrey Heath Borough Council 100018679 2021 Author: DE</p>			

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Location Plan



Block plan



Existing elevations



Existing Front Elevation
Scale 1:100@A3



Existing Rear Elevation

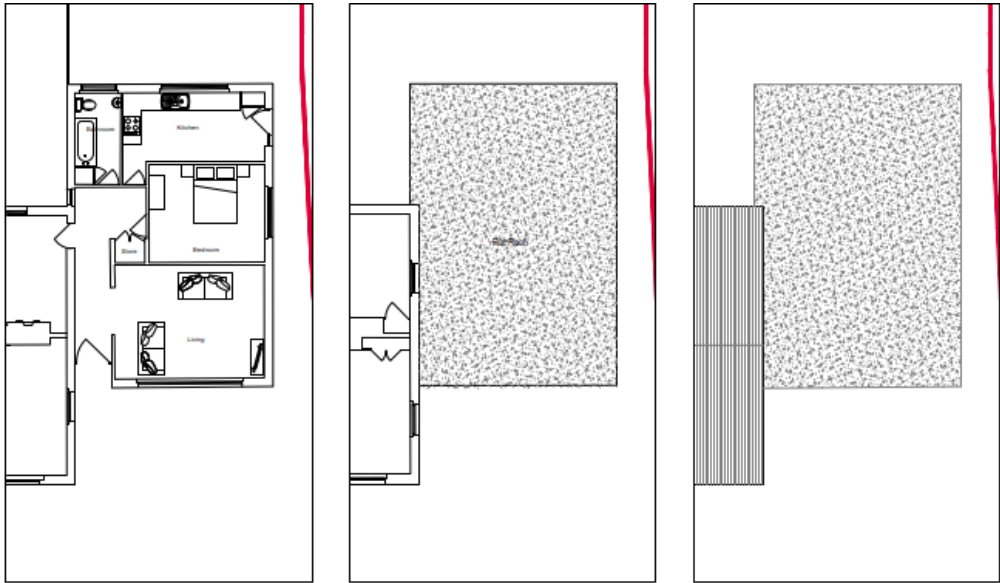


Existing North East Elevation
Scale 1:100@A3



Existing North West Elevation

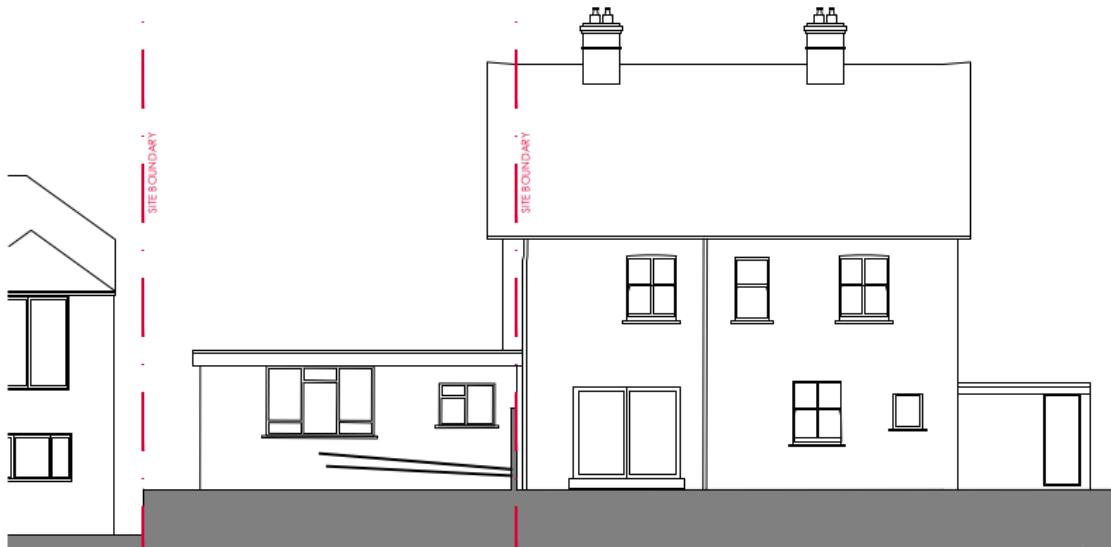
Existing floor plan and roof plan



Proposed elevations



Proposed Front Elevation

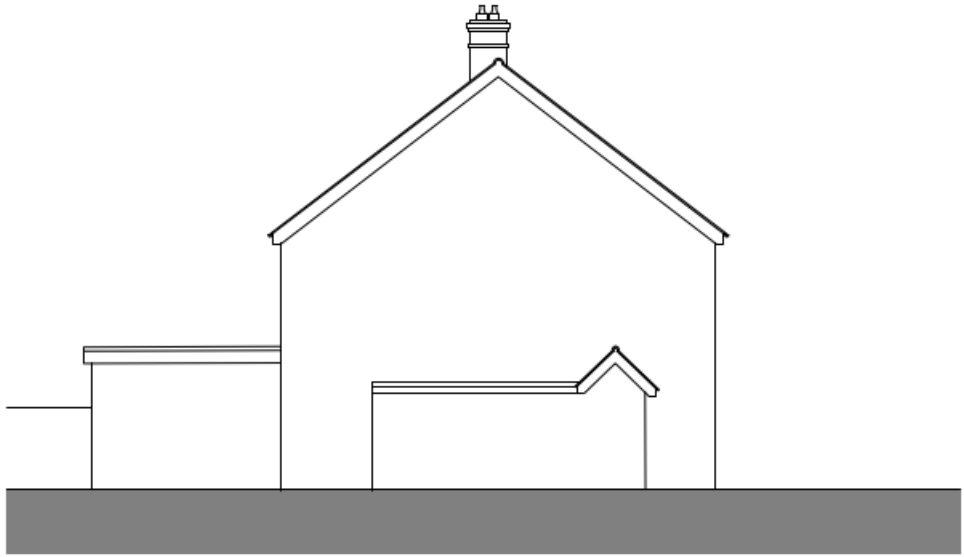


Proposed Rear Elevation



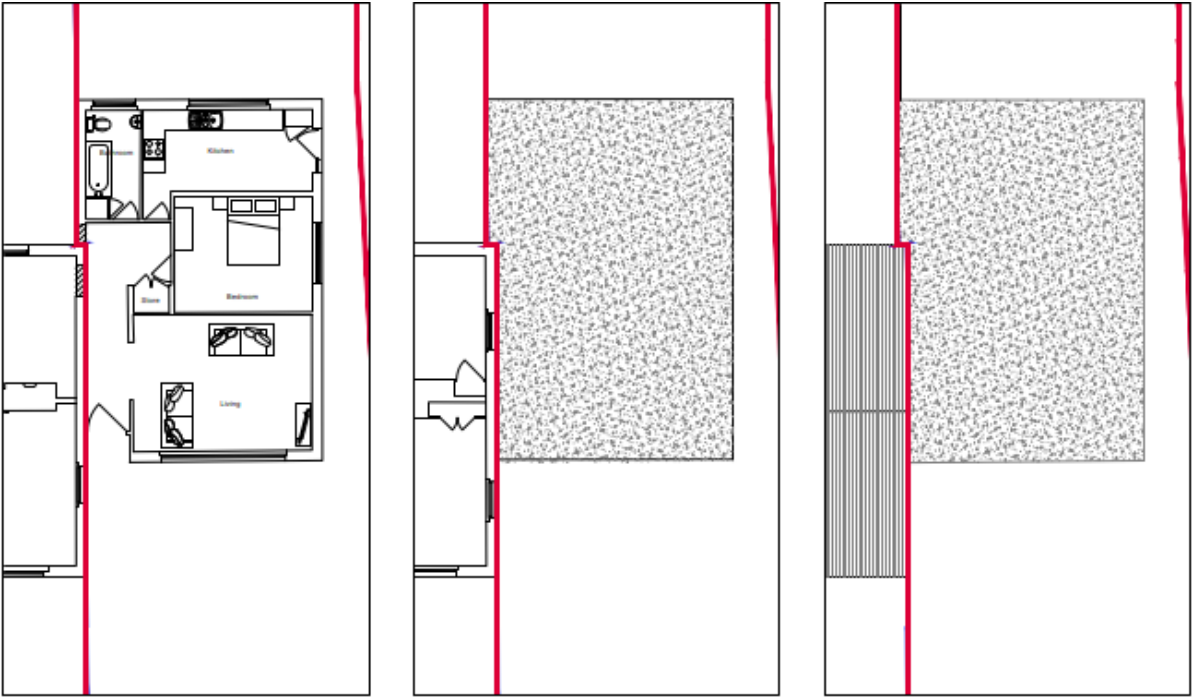
Proposed North East Elevation

Scale 1:100/BA3



Proposed North West Elevation

Proposed floor plans and roof plans



Site Photo: Application site as seen from Mount Pleasant Close

