

LOCATION: 39 FRIMLEY ROAD, CAMBERLEY, GU15 3EL
PROPOSAL: Removal of existing unauthorised side dormer window and the erection of two side dormer windows and a roof light.
TYPE: Full Planning Application
APPLICANT: Mr Ian Russell
OFFICER: Mr N Praise

This application would normally be determined under the Council's Scheme of Delegation, however, it has been called in for determination at the Planning Applications Committee at the request of Cllr McClafferty because of the impact on the adjoining neighbours and the wider character of the area.

RECOMMENDATION: GRANT subject to conditions

1.0 SUMMARY

- 1.1 The application site is on the eastern side of Frimley Road within the settlement area of Frimley and Camberley. The application site currently features a two storey dwelling with a large unauthorised dormer window on the southern roof plane. The proposal is to remove the existing and unauthorised dormer window and erect two smaller dormer windows and a roof light.
- 1.2 The current scheme follows a previous retrospective planning application and a planning appeal (see Annex A) for the existing dormer window on the southern side of the roof facing number 41 Frimley Road. The existing dormer window was refused permission and dismissed at appeal by reason of its size, scale and visual impacts both to the character of the area and the impact upon number 41 Frimley Road. It is considered that the proposal's significant reduction in size and form over the existing dormer window has now overcome the previous character and amenity objections. The application is therefore recommended for approval, subject to conditions.

2.0 SITE DESCRIPTION

- 2.1 The application site falls within the settlement of Camberley as set out in the Surrey Heath Core Strategy and Development Management Policies 2012 DPD. The application site is located in the character area "Historic Routes / Main Thoroughfares" according to the Western Urban Area Character Supplementary Planning Document 2012. The character of the area is predominantly residential with a mixture of architectural styles and design. The site boundary treatments are wooden fences, brick walls and sporadic vegetation.
- 2.2 The application site is a two storey detached dwelling house with extensions to the rear and to the north side. There is a pitched roof dormer on both the front and rear elevations. There is an unauthorised flat roof dormer window to the southern elevation.

3.0 RELEVANT PLANNING HISTORY

- 3.1 11/0603 - Certificate of Lawful Development for the proposed conversion of roofspace to habitable accommodation and erection of a side dormer window - agreed - 21/10/11
- 3.2 16/0956 - Erection of a two storey side extension with accommodation in the roofspace, insertion of two dormer windows and one roof light with associated works, following demolition of existing garage – approved 05/12/16 and implemented
- 3.3 16/0465 - Erection of a two storey side extension and the insertion of a side dormer window to the roof plane and the provision of loft accommodation – refused - 04/07/16
- 3.4 16/0469 - Application for a prior notification of a larger home extension to a depth of 6 metres and an overall height of 3.3 metres with an eaves height of 3 metres – agreed - 21/06/16 and implemented
- 3.5 18/0663 - Erection of a side dormer window (retrospective) – refused 14/09/2018 and dismissed on appeal 08/02/19
- 3.6 In reference to the above history, in June 2018 the Council was made aware that the dormer window refused under reference 16/0465 (due to the in combination impact with the other extensions) had been built in contravention of planning control. Therefore, a retrospective planning application for this current flat roof dormer on the southern elevation was submitted in July 2018 (ref 18/0663). This application was refused in September 2018 due to its negative impact on the character of the area and unneighbourly impacts upon number 41 Frimley Road. The applicant appealed the decision and this appeal was dismissed in February 2019. The Inspector agreed with the LPA that through a combination of its poor design, large size and prominent position the dormer is harmful to the character and appearance of the host dwelling. In addition, the Inspector also found the dormer window would lead to a loss of privacy and overbearing impact / loss of outlook from the garden area of number 41 Frimley Road. A copy of the Inspector's decision is attached at Annex A.
- 3.7 Following the dismissal of the appeal, the applicant approached planning officers in a bid to reach a compromise for a reduced design which would have the potential to overcome the previous objections attached to 18/0663. Officers explained that the proposal would need to be significantly reduced in order to overcome its impacts on number 41 Frimley Road as well as its visual impact from the street scene.

4.0 THE PROPOSAL

- 4.1 This proposal therefore seeks to overcome the reasons for refusing 18/0663 and remedy the breach of planning control. This submission proposes the removal of the unauthorised full width dormer on the southern roof plane (which measures approximately 9m deep, 3.3cm wide and 3.2m high) and the erection of two smaller pitched roof dormers and a roof light in its place.
- 4.2 Each proposed dormer would have a size of approximately 1.7m deep, 2.6m wide and 2.5m high. The proposed rooflight would measure 1.1m high and 1.0m deep. All the windows will be obscured glazed and fixed shut below 1.7m of the finished floor level.

5.0 CONSULTATION RESPONSES

- 5.1 None received

6.0 REPRESENTATION

6.1 At the time of preparation of this report, no letters of support and 15 letters of objection have been received: The letters of objection raise the following concerns which are summarised below.

- Out of character with the local area and host dwelling - *[Officer comment see paragraph 7.2 below].*
- Overdevelopment - *[Officer comment see paragraph 7.3 below].*
- Overshadowing - *[Officer comment see paragraph 7.3 below].*
- Overbearing - *[Officer comment see paragraph 7.3 below].*
- Loss of privacy - *[Officer comment see paragraph 7.3 below].*
- The proposal is not in accordance with principle 10.5 of the Council's Residential Design Guide – *[Officer comment see paragraph 7.2 below].*

7.0 PLANNING CONSIDERATION

7.1 The application should be determined against Policies DM9 and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012. It will also be considered against the Guiding Principles of the 'Historic Routes / Main Thoroughfare' Character Area within the Western Urban Area Character SPD, The Residential Design Guide Supplementary Planning Document (RDG) SPD 2017 and the National Planning Policy Framework (NPPF). The planning history (including the appeal decision) as set out in section 3 of this report is also a material consideration and so on the basis of this history the following issues need to be considered in determining this application:

- Impacts on the character and appearance of the area;
- Impacts on residential amenity; and,
- Other matters

7.2 Impacts on the character and appearance of the area

7.2.1 Policy DM9 (Design Principles) of the CSDMP seeks to promote high quality design that respects and enhances the local environment, paying particular regard to scale, materials, massing, bulk. The NPPF has a presumption in favour of sustainable development and to secure high quality design, as well as taking account of the character of different areas. However, the NPPF rejects poor design that fails to take the opportunity to improve the character and quality of an area. Paragraph 127(c) of the NPPF requires design policies to be sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change.

7.2.2 Principle 7.3 of the RDG states that development should not overwhelm a street. Principle 7.5 goes further to explain that proposals which introduce roof forms on residential

development that diverge from the prevailing character of residential development will be resisted. Principle 10.1 states that extensions which erode gaps which contribute to visual amenity and character will be resisted. Principle 10.1 also advises that extensions will be expected to be subordinate and consistent with the form, scale and architectural style of the host dwelling, the RDG is clear here that developments that are over-dominant or out of keeping will be resisted. Principle 10.5 of the RDG gives a clear steer in respect of roof alterations and dormer windows, stating that roof alterations should be sympathetic and subservient to the design of the main building and not undermine the street scene or local character. Dormers must be set back from the sides and ridgeline of the roof and not occupy more than half the width and depth of the roof slope

- 7.2.3 The application site is located within the Historic Routes / Main Thoroughfares Character Area as classified by the Western Urban Area Character SPD 2012. The WUAC SPD states that new development should consist principally of 2 storey buildings which maintain the open texture with visual gaps and the existing rhythms of plot widths maintained (MT1). In his assessment of the street scene, the Inspector found that Frimley Road has a varied street scene in terms of both house types and sizes and their positions on their plots (Paragraph 4). Additionally opposite the application site number 42 Frimley Road also enjoys a number of side dormer windows.
- 7.2.4 The existing (to be removed) dormer window was refused permission and dismissed at appeal as it is a fully expressed unrelieved side dormer window which has a significant presence along the southern roof plane at 9m in depth. The current proposal reduces the width significantly to two lesser dormers which measure 1.7m in depth each with a gap of approximately 2m between each dormer window which offers relief between the built form. Each dormer has also been reduced in height from approximately 3.2m high to 2.5m high offering increased separation to the eaves and ridge of the existing roof.
- 7.2.5 Guiding Principle 10.5 of the RDG states that dormer windows must not occupy more than half the width and depth of the roof slope. The width of the roof measures approximately 9.5m and half would therefore be 4.75m. Each dormer measures 1.7m ($x2 = 3.2m$) this is under half. Turning to depth / height. Figure 10.5 of the RDG uses the top to the bottom of the window in relation to the roof to measure depth. In this case the eaves to ridge height measures approximately 4.5m and therefore half would be 2.25m. At 2.5m the height exceeds the guidance by 25cm. That said, Figure 10.6 of the RDG identifies that the relationship of a dormer window and its bulk to the existing roof design is important. In the officer's opinion the increase in height is marginal at 25cm and consideration also needs to be given to the relationship with the existing roof slope. This reduced scheme over the previous flat roof dormer window has incorporated separation between the dormers and their height and depth more or less replicate the existing front and rear dormer windows adding symmetry to the dwelling. The dormers as proposed now have pitched roofs which gradually diminishes as the height reaches the apex of the roof. The pitched roof also pitches away from the Frimley Road lessening its perceived height when viewed from public vantage points.
- 7.2.6 The dormers as proposed have been set back behind the street facing edge of the roof by approximately 1.2m, the current dormer sits approximately 0.3m from the edge. This reduction in height width and depth as well as siting further away from the already mixed street scene with similar examples of side dormer windows elsewhere in the street, is considered to significantly reduce the visual impact of the dormer windows when viewed from Frimley Road. Such reductions will also increase the gap between the buildings and these alterations, in the officer's view, will ensure the dormer windows as two lesser dormer windows with pitched roofs and a visual break between them, will no longer dominate or overwhelm the host dwelling and wider streetscape in which it sits. No objections are raised on these grounds.

7.2.7 Given its small scale and siting, there is no objection to the roof light on character grounds. The proposed development would therefore, be of an acceptable scale, form, design and materials. It would respect the appearance of the surrounding street scene and would integrate sufficiently within the 'Historic Routes / Main Thoroughfare' Character Area. As such, the proposals would comply with the NPPF, CSDMP Policy DM9, Principles 7.3, 10.1 and 10.5 of the RDG and Guiding Principle MT1 of the Western Urban Area Character SPD.

7.3 Impacts on residential amenity

7.3.1 Paragraph 127 of the NPPF states that planning decisions should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. Policy DM9 states that development will be acceptable where it respects the amenities of the occupiers of neighbouring properties and uses. The Residential Design Guide Supplementary Planning Document 2017 also sets out, at Principle 10.1, that extensions should not result in a material loss of amenity to neighbouring properties as a result of overshadowing, eroding privacy or being overbearing.

7.3.2 The side roof dormers have been significantly reduced in depth as well as height, they are also now separated by approximately 2.5m from the shared boundary with No.41's ground floor side extension (which is the shared boundary between the neighbours). Similar to the conclusions drawn in 18/0663 and by the Planning Inspector (paragraph 15 of Annex A), No.41's primary windows are a sufficient distance, angle or orientation to ensure there would not be any adverse overshadowing or overbearing impacts to these windows.

7.3.3 Turning to the impact of the garden, given the northern orientation of the applicant property to number 41 it is not considered that any adverse overshadowing would result to the garden area of number 41 Frimley Road. In respect of overbearing impacts, the Inspector described the existing unauthorised dormer as looming, dominating and an oppressive feature. This proposal's significant reduction in size would ensure that visually the same effect would not be experienced. The dwelling's original roof slope would be more visible and, in addition, the two dormers are also to be positioned towards the front of the property further away from the garden. This would reduce their visual impact, as the primary external amenity areas of number 41 are set further away from the proposal into the site at approximately 5m increasing to nearer 11m separation to the southern edge of the garden area. As such, the proposal is not considered to be adversely overbearing to the garden area of number 41 Frimley Road.

7.3.4 Turning to matters of overlooking, the dormer windows and roof light are all shown as obscure glazed with no openable sections below 1.7 finished floor level. These three facing windows in the roof are either secondary windows or serve a bathroom. The Inspector concluded at paragraph 12 of his report the imposition of a planning condition that would require the windows to be obscure glazed and permanently fixed shut at any height up to 1.7m of finished floor area would satisfactorily resolve matters of loss of privacy and also the perception of being overlooked. Therefore subject to a suitably worded condition to achieve this, the proposal is considered to be acceptable in this regard and no objections are raised in respect to any adverse overlooking.

7.3.5 The remainder of the neighbouring properties in Frimley Road, Hollyfields Close and Crawford Gardens to the rear are well separated and in the officer's opinion are unlikely to be adversely affected by the proposed dormer window.

7.3.6 In conclusion, the proposed is considered to comply with CSDMP Policy DM9 and Principle 10.1 of the RDG for the reasons as outlined above.

7.4 Other matters

- 7.4.1 The NPPF states that planning decisions should take account of whether safe and suitable access to the site can be achieved for all people. Policy DM11 of the CSDMP states that development which would adversely impact the safe and efficient flow of traffic movement on the highway network will not be permitted unless it can be demonstrated that measures to reduce such impacts to acceptable levels can be implemented.
- 7.4.2 Under the previous applications neither the LPA nor the Planning Inspector raised any objections in respect to highways, parking or access. Again, there are no proposed changes to vehicular / pedestrian access and existing off street parking is to be retained in accordance with parking guidance. On this basis it is considered that the proposal would not conflict with Policy DM11 (Traffic Management and Highway Safety) of the Surrey Heath Core Strategy and Development Management Policies 2012 and the proposal is acceptable on these grounds.
- 7.4.3 Surrey Heath's Community Infrastructure Levy (CIL) Charging Schedule was adopted by Full Council on the 16th July 2014. As the CIL Charging Schedule came into effect on the 1st December 2014. Surrey Heath charges CIL on residential and retail developments where there is a net increase in floor area. However, as the proposal relates to a net increase in residential floor area less than 100 square metres the development is not CIL liable.

8.0 WORKING IN A POSITIVE/PROACTIVE MANNER

In assessing this application, officers have worked with the applicant in a positive 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 current scheme follows a previous retrospective planning application and a planning appeal for the existing dormer window on the southern side of the roof facing number 41 Frimley Road. This current application seeks to reduce the size of the dormer window and now proposes two smaller dormer windows and a roof light. The significant reduction has now overcome the character and amenity objections. The application is therefore recommended for approval, subject to conditions.

RECOMMENDATION

GRANT subject to the following conditions:-

1. The development hereby permitted shall be begun within 6 months of the date of this permission with demolition works in strict accordance with the approved details.

Reason: To secure the breach of planning control and in the interests of local amenity.

2. The building works, hereby approved, shall be constructed in external fascia materials; brick, tile, bonding and pointing, 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.

3. The proposed development shall be built in accordance with the following approved plans: 18036-02 rev B, 18036-04 rev B and 18036-05 rev B 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.

4. Before first occupation of the development hereby approved the two dormer windows and the roof light in the southern roof elevation facing number 41 Frimley Road shall be completed in obscure glazing and any opening shall be at high level only (greater than 1.7m above finished floor level) and retained as such at all times.

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. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order), no further additions to the roof shall be erected under Schedule 2, Part 1, Class B of that Order without the prior approval in writing of the Local Planning Authority.

Reason: To enable the Local Planning Authority to retain control over the enlargement of the development in the interests of local amenity.

Informative(s)

1. Building Regs consent req'd DF5
2. Decision Notice to be kept DS1
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. Further information on how this was done can be obtained from the officer's report.