

LOCATION: 31 CHERTSEY ROAD, WINDLESHAM, GU20 6EW
PROPOSAL: Erection of two storey building comprising 1 x four bedroom and 1 x three bedroom dwellings in a semi-detached arrangement following demolition of existing bungalow and outbuildings.
TYPE: Full Planning Application
APPLICANT: Mr Earley
OFFICER: 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 Tedder, on the grounds of overdevelopment and parking.

RECOMMENDATION: REFUSE

1.0 SUMMARY

- 1.1 Full planning application is sought for the erection of a two storey building comprising 1xfour bedroom and 1xthree bedroom dwellings in a semi-detached arrangement with associated parking and access, following demolition of existing bungalow and outbuildings
- 1.2 The principle of the development is considered acceptable. However, by reason of its height, bulk and depth, in combination with the unrelieved hardstanding to the front, the proposal would lead to a contrived form of development, at odds with the character of the area. Furthermore, it is considered that the proposal would give rise to overbearing impacts when seen from the study window at no 29. In addition, the proposal would provide insufficient parking spaces within the plot. The application is therefore recommended for refusal.

2.0 SITE DESCRIPTION

- 2.1 The application site is located on the northern side of the Chertsey Road. The existing site comprises a detached bungalow with driveway to the east side of the dwelling. A detached garage is also set behind the existing bungalow to the north east corner. The site is loosely rectangular and is narrowest to the front (the south side) at approximately 16.5m and splays outward to the rear increasing to approximately 21.5m at its widest points. The site also shares common boundaries with residential properties to the east, west and north. The highway marks the southern edge of the site.
- 2.2 The site lies within the settlement area of Windlesham. The site is generally level from east to west but rises from the highway (south to north) by approximately 1m up to the bungalow itself.

3.0 RELEVANT PLANNING HISTORY

- 3.1 17/0753 Erection of a two storey building with accommodation in the roofspace, to comprise 3 x four bedroom dwellings in a terrace arrangement with associated parking and access, following demolition of existing bungalow and outbuildings. Refused in 2018 for the following summarised reasons:

1 . The proposed development, by reason of its height, bulk and depth, necessitating the use of crown roof forms and the projection of this form in closer proximity to Chertsey Road with unrelieved hard standing to the front, comprising the proposed parking area, would lead to a cramped, contrived and unacceptably over dominant / incongruous impact upon the appearance of the surrounding street scene on this immediate side of Chertsey Road. The proposal fails to respect and improve the character and quality of the area.

2 . The proposed development, by reason of its height, bulk, depth and close proximity to a ground floor east facing window, which serves a study, at number 29 Chertsey Road, would lead to unacceptable overbearing impact and overshadowing of this window/room.

3 . This reason for refusal related to the financial contributions associated with the proposal.

4.0 THE PROPOSAL

- 4.1 Full planning permission is sought for the erection of a two storey building comprising 1xfour bedroom and 1xthree bedroom dwellings in a semi-detached arrangement with associated parking and access, following demolition of existing bungalow and outbuildings.
- 4.2 The proposed building would be sited approximately 9.8m behind the front boundary and off street parking for 4 no vehicles would be provided towards the front of the building, alongside with soft landscaping.
- 4.3 The proposed design would comprise a central gable feature to the front elevation with hipped roof. It would measure 16m in width, 11.9m in depth, 5.9m in height to the eaves and 8.5m in maximum height. No details regarding the proposed materials have been provided.
- 4.4 Overall, the proposed development is similar to that refused under 17/0753 and this report therefore focuses on the differences between both schemes. These comprise removing 2 no residential units and alterations to the shape of the roof (the flat section was removed and replaced with 3 no rear facing gabled projections). It is however noted that the overall width, depth, height to the eaves and ridge height remained as previously refused.

5.0 CONSULTATION RESPONSES

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| 5.1 | Surrey County Highway Authority | No objections, subject to planning conditions. |
| 5.2 | Windlesham Parish Council | Objects to the proposal, on the grounds of overdevelopment, access and inadequate parking. |

6.0 REPRESENTATION

- 6.1 At the time of preparation of this report 4 no written representations have been received which raise the following issues:
- The proposal would constitute overdevelopment of the plot and give rise to an increased built up feeling on the road
 - The proposal would not provide adequate landscaping;
 - Impact on the residential amenity in terms of overlooking, light loss increase in noise
 - Increase in traffic and lack of provision of appropriate vehicle parking spaces
 - The proposal fails to provide affordable housing.
- 6.2 The following matters have also been raised, however they do not constitute material planning considerations and therefore weight has not been afforded to the following:
- Loss of private views;
 - The proposal would impact on the foundations of adjoining properties.

7.0 PLANNING ISSUES

- 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 Windlesham Neighbourhood Plan 2018- 2028 (WNP) 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;
 - 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 new development will come forward largely through redevelopment of previously developed land in the western part of the Borough. 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 3 no additional dwellings 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.

7.4 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 recommends that new residential development responds to the size, shape and rhythm of surrounding plot layouts. Principle 7.1 states that setbacks in new developments should complement the streetscene and allow for suitable landscaping and open space. Principle 7.4 advises that new residential development should reflect the spacing, heights and building footprints of existing buildings.
- 7.4.3 Since determining 17/0753, the Council adopted the Windlesham Neighbourhood Plan and, given that each application is assessed against current policy, this document constitutes a material consideration. Policy WNP1.2 prioritises development of two and three bedroom dwellings. Policy WNP2.1 states that proposals for new housing development should respond positively to and protect the built and natural character features of their setting within the village, while Policy WNP3.1 supports good quality design.
- 7.4.4 Average spacing between the principal roofs within this immediate streetscape average at 3m (nos 25 and 27 approx. 3.1m, 29 and the application site approx.

5.7m, the application site and number 33 approx. 2.7m, nos 35 and 37 approx. 3.7m, nos 37 and 39 approx. 2.7m). While it is accepted that the wider streetscape is not as spacious as the immediate street scene, it is considered that the immediate context in which any proposal sits is the most sensitive. Indeed the current scheme would provide spacing of approximately 2.2m between number 29 and the proposed building and approximately 1.7m between the proposed building and number 33 at the closest two storey heights. These would be the same distances as the previously refused scheme and it is not considered that the hipped roof shape as now proposed (instead of pitched) would overcome previous concerns regarding the harm to the character of the area arising from the reduced spacing between dwellings (Principles 6.6 and 7.4 of the RDG).

- 7.4.5 Principle 7.4 of the RDG sets out that new residential development should reflect the heights and building footprints of existing buildings. The proposed semi-detached houses would be two-storey with third storey accommodation within the roof space for Plot 2. The revised scheme removed the flat roof and would now comprise 3 no rear gable projections and one flat roof dormer. Although it is considered that this would give rise to a somehow contrived roof form and unattractive rear elevations, however this would not be visible within the streetscene and therefore would be acceptable. Hipped roofs are present within the streetscene, similar to gabled ends and therefore the proposal would not introduce any roof form diverging from the prevailing character.
- 7.4.6 The proposed parking area would be located to the front and thus highly prominent in the street scene. Principle 6.7 of the RDG advises that parking layouts should be high quality and should be softened with generous soft landscaping and that no design should group more than 3 parking spaces together without intervening landscaping. Principle 6.8 further advises that where front of plot parking is proposed, this should be enclosed with soft landscaping and not dominate the appearance of the plot or the street scene with extensive hard surfacing. The revised proposal does not comprise material changes to the parking layout and proposed landscaping scheme. Although some planting is proposed to the front and sides, the amount is limited at the sides at just over 0.45m in width. Given this prominent location and extent of unrelieved hardstanding comprising the proposed access, visibility splay and main parking area, it is considered that the development is visually dominated by hardstanding and parked cars contrary to Principles 6.7 and 6.8 of the RDG.
- 7.4.7 In conclusion, although the number of residential units has been reduced on site, the matter of fact is that the proposed building would be of the same scale of that previously refused and the associated parking area is also virtually identical. It is acknowledged that the roof shape has changed and whereas this would benefit the proposal, it nonetheless retains limited spacing to the side and an expanse of hardstanding to the front for car parking, with insufficient side landscaping.
- 7.4.8 It is therefore considered that reason for refusal 1 has not been overcome. The proposal is considered to result in a cramped, contrived and incongruous development, disrupting the existing character of this part of the road, out of keeping with the adjoining properties. The proposal therefore fails 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, Principles 6.6, 6.7, 6.8 and 7.4 of the Residential Design Guide Supplementary Planning Document SPD 2017 and Policy WNP2.1 of the Windlesham Neighbourhood Plan 2018-2028.

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. Principle 8.1 states that new developments which have a significant adverse effect on the privacy of neighbouring properties will be resisted. Principle 8.3 goes on to say that developments should not result in the occupants of neighbouring dwellings suffering from a material loss of daylight. Principle 8.4 sets out the minimum outdoor amenity size standards for houses whereas Principle 7.6 recommends that as a minimum new residential developments should comply with the national internal space standards.
- 7.5.2 The proposed siting, width, depth and height of the building would be identical to the previous refusal. Although the roof shape has changed, it is not considered that this would be so significant as to materially change the conclusions of the previous assessment.
- 7.5.3 In short, given the proposal's projection beyond no 33's rear elevation, separation distance to their common boundary and to this dwelling it is not considered that these neighbours would be adversely impacted upon by the proposal. Likewise, while first floor flank windows are proposed facing this neighbour, given that these are primary windows, a planning condition could be imposed to restrict openings and glazing.
- 7.5.4 The remainder of the neighbouring properties are well separated and therefore unlikely to be adversely affected by the proposal. Likewise the sizes of the proposed gardens all have a minimum of 10m in length and, although concerns have been raised regarding noise, it is not considered that the provision of one additional garden would give rise to noise levels out of keeping with a built up, residential area.
- 7.5.5 Reason for refusal 2 of previous application 17/0753 refers to overshadowing and overbearing impacts on a ground floor window flank window at no 29, which constitutes the primary source of light for this room.
- 7.5.6 In order to demonstrate that the proposal would be acceptable with regards to overshadowing, the applicant has submitted a Light Analysis. This report concluded that technical analysis of the proposal demonstrates that this would accord with the 'Site Layout planning for daylight and sunlight: A guide to good practice' by the Building Research Establishment Second Edition 2011 in respect of the effect upon overshadowing to the study window at no 29. As such, the proposal would be considered acceptable with regards to overshadowing.
- 7.5.7 Turning into overbearing, although the hipped roof design would reduce the bulk of development close to this property this would however be limited and, furthermore, it is noted that the eaves were retained to the same height as the previous scheme. In addition, this current proposal retained the limited separation distance to no 29, as well as the same 8.5m height ridge height and height to the eaves. As

such, it is still considered that the proposal would appear unneighbourly when seen viewed from this study room at no 29 Chertsey Road.

- 7.5.8 While a first floor flank window is proposed facing this neighbour, given that this would not be a primary window, a planning condition could be imposed to restrict openings and glazing.
- 7.5.9 In summary, albeit the details submitted with this proposal demonstrate that the study window at no 29 would not be adversely affected by overshadowing, given the similarities in terms of scale between both proposals, it is not considered that the proposed scheme has overcome the concerns previously raised with regards to overbearing. As such, the proposal would be contrary to 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 proposed development has been considered by the County Highway Authority who having assessed the application, consider this to be acceptable, subject to planning conditions regarding access, reinstatement of the existing access, provision of on-plot parking and of electrical vehicle charging points. The Authority further considers that a Construction Transport Method Statement Plan should be submitted prior to commencement of works.
- 7.6.3 Consideration is however afforded to Policy WNP4.2 of the Windlesham Neighbourhood Plan, which provides guidance regarding the number of off-street parking spaces. This policy states that new residential development should provide, where space permits, on plot parking for 3 no vehicles for a 3+ bed roomed dwelling. The proposal would provide one 3-bed dwelling and one 4-bed dwelling and the proposed site plan shows provision for 4 no vehicle parking spaces, which would fall short of the 6 no required by this Policy. The proposal would therefore be considered contrary to Policy WNP4.2 of the Windlesham Neighbourhood Plan and to 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 As the proposed development would involve the provision of additional residential units, the development would be CIL liable. The site falls within the Eastern Charging Zone. As such, an informative has been added to this recommendation, should planning permission be granted for the proposal.
- 7.7.4 It is therefore considered that the proposal would be in accordance with Policy CP12 of the CSDMP.

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 is now collected as a part of CIL. There is currently sufficient SANG available and this development would be CIL liable, so a contribution would be payable on commencement of development.
- 7.8.4 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, however this has not been sought as the application is recommended for refusal on other grounds.
- 7.8.5 It is therefore considered that the proposal complies with Policy CP14B of the CSDMP and with the Thames Basin SPA Avoidance Strategy SPD.

8.0 POSITIVE/PROACTIVE WORKING

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

a) 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.

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

9.0 CONCLUSION

9.1 The revised scheme has failed to overcome the reasons for refusal of previous application 17/0753. It is considered that the proposal would result in significant harm to the character and appearance of the area (see Section 7.4) as well as to residential amenities of the residents at no 29 (see Section 7.5). In addition, the proposal would fail to provide appropriate on-plot parking for the proposed residential units, as discussed in Section 7.6. As such, the proposal is recommended for refusal.

10.0 RECOMMENDATION

REFUSE for the following reason(s):-

1. The proposed development, by reason of its height, bulk and depth in close proximity to Chertsey Road with unrelieved hardstanding to the front, comprising the proposed parking area, would lead to a cramped, contrived and unacceptably over dominant / incongruous impact upon the appearance of the surrounding street scene on this immediate side of Chertsey Road. The proposal fails to respect and improve the character and quality of the area contrary to Policies DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012, Principles 6.6, 6.7, 6.8 and 7.4 of the Residential Design Guide Supplementary Planning Document 2017, Policies WNP 2.1 and 2.2 of the Windlesham Neighbourhood Plan 2018-2028 and the National Planning Policy Framework.
2. The proposed development, by reason of its height, bulk, depth and close proximity to a ground floor east facing window, which serves a study, at number 29 Chertsey Road, would lead to unacceptable overbearing impact of this window/room contrary to Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.
3. Windlesham village, including Chertsey Road, suffers from existing traffic congestion and a lack of off-street parking. The level of parking proposed is insufficient to meet the needs of the 3 and 4 bed dwellings and could exacerbate existing parking problems by resulting in overspill parking onto local roads and, by association, may rise to conditions prejudicial to highway safety and the free flow of traffic contrary to Policies CP11 and

DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012 and Policy WNP4.2 of the Windlesham Neighbourhood Plan 2018-2028.

4. 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 in relation to the provision of contribution towards 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 (2019).