

LOCATION:	93 Worsley Road, Frimley, Camberley, Surrey, GU16 9BB,
PROPOSAL:	Erection of detached three bedroom dormer bungalow dwelling with access off Dunbar Road and associated car parking and landscaping.
TYPE:	Full Planning Application
APPLICANT:	Mr & Mrs Bell
OFFICER:	Mr Ross Cahalane

The application would normally be determined under the Council's Scheme of Delegation, however, it has been called in for determination by the Planning Applications Committee at the request of Cllr Sashi Mylvaganam due to concerns about overdevelopment and fitting in with the current streetscene.

RECOMMENDATION: REFUSE

1.0 SUMMARY

- 1.1 This application seeks planning permission for the erection of a detached three bedroom dormer bungalow dwelling with access off Dunbar Road and associated car parking and landscaping. It is considered that the proposal would be a sustainable form of development in terms of its location in a settlement area and as such, no objection is raised to the principle of development at this site.
- 1.2 However, it is considered that the chalet bungalow design of the proposed dwelling, along with its plot layout and siting in close proximity to the side and rear boundaries, would give rise to an unacceptably cramped, contrived and incongruous addition to the surrounding streetscene, forming poor relationships with the surrounding dwellings and plots which would be harmful to the established pattern, scale, and appearance of development. As such the proposal would fail to respect and improve the character and quality of the area including the Post War Council Estates Character Area, of which it is located within, and fail to provide a satisfactory visual transition to the adjoining Post War Open Estates Character Area.
- 1.3 In terms of neighbouring amenity, the proposed dwelling would lead to an un-neighbourly and overbearing impact on No. 95 Worsley Road. It is also considered that the proposed dwelling would lead to unacceptably adverse impact on the amenity of No. 93 Worsley Road in terms of loss of light and overbearing impact. The proposed first floor side bedroom window of No. 22 is also considered to lead to unacceptably adverse impact upon 22 Morton Close in terms of loss of privacy. The proposal is therefore recommended for refusal.

2.0 SITE DESCRIPTION

- 2.1 The application property comprises a semi-detached two storey dwelling located on the eastern side of Worsley Road on a corner plot adjacent to the junction with Dunbar Road, within the settlement area of Frimley Green. The site steeply declines to the rear, with a brick wall and closeboard fencing above along the side boundary with Dunbar Road. The surrounding area is residential in character, comprising of two storey semi-detached, detached and maisonette properties, many with similar post-war red brick architectural appearance.

- 2.2 A two storey detached dwelling has recently been approved (ref: 19/0042) to the rear of No. 91 Worsley Road, directly across from the current proposal site. This dwelling is now substantially complete.
- 2.3 The application site currently forms part of the rear garden residential curtilage of No. 93 Worsley Road, which is one half of a pair of semi-detached properties within the Post-War Council Estates Character Area (as defined under the Western Urban Area Character Supplementary Planning Document). This dwelling is part of a regimented post-war layout built in the 1950s, with properties facing a crescent-shaped green. Dunbar Road forms a link road uphill to a large open-market residential estate built in the late 1970s/early 1980s, and is subsequently within the Post-War Open Estates housing character area.

3.0 RELEVANT PLANNING HISTORY

- 3.1 20/0385/FFU Single storey side extension following demolition of garage.
Decision: Granted (19 June 2020 – implemented)

No. 91 Worsley Road (the opposite corner plot)

- 3.2 17/0553 Erection of pair of two bedroom semi-detached dwellings with access off Dunbar Road, associated landscaping and retention of No 91 Worsley Road on a reduced curtilage
Decision: Refused (15 August 2017 - appeal dismissed 05 October 2018)
- 3.3 19/0042 Erection of a two storey detached 4 bedroom dwelling with access off Dunbar Road, associated landscaping and retention of 91 Worsley Road on a reduced curtilage.
Decision: Granted (19 June 2020 – implemented)

4.0 CONSULTATION RESPONSES

- 4.1 County Highway Authority No objection, subject to conditions [See Section 7.6]
- 4.2 Council Joint Waste Solutions Team No objection, subject to waste storage requirements to be provided for the proposed dwelling.

5.0 THE PROPOSAL

- 5.1 Permission is sought for the erection of a detached three bedroom dormer bungalow dwelling with access off Dunbar Road and associated car parking and landscaping.
- The proposed dwelling would consist of a pitched roof with side hips and a smaller front and rear gable form, and would a width of approx. 11.4m, maximum depth of approx. 7.3m, single storey eaves height of approx. 3.8m and maximum ridge height of approx. 6.8m.
 - The proposal would provide a new vehicular access off Dunbar Road to provide two off-street parking areas, with the existing boundary wall with closeboard fencing above retained at each side.
 - Amended site and block plans have been received to show the correct footprint of the nearby new dwelling to the rear of 91 Worsley Road.

6.0 REPRESENTATION

6.1 At the time of preparation of this report, two objections have been received, raising the following concerns:

- Overlooking from first floor window
- Obscure glass could easily be changed in future

[Officer comment: See Section 7.5]

- Inadequate parking provision
- Concerns over additional off road parking - new property built opposite, this potential development, plus existing residents from Worsley Road and Dunbar Road already using this road.

[Officer comment: See Section 7.6]

7.0 PLANNING ISSUES

7.1 The application site is located in Frimley, a settlement area as outlined in the Surrey Heath Core Strategy & Development Management Policies 2012 (CSDMP). The site is also within the Post-War Council Estates Character Area as defined under the Western Urban Area Character Supplementary Planning Document (WUAC). The proposal is considered against the principles of Policies CP1, CP2, CP3, CP6, DM9 and DM11 of the CSDMP, the WUAC and the National Planning Policy Framework (NPPF). The Residential Design Guide (RDG) SPD was adopted in 2017 to form an additional material consideration.

7.2 The main issues to be considered are:

- The principle of the development;
- The impact on the character of the area;
- The impact on residential amenities;
- The impact on highway safety;
- The impact on local infrastructure;
- The impact on Thames Basin Heaths SPA, and;
- Other matters

7.3 Principle of the development

7.3.1 At the heart of the NPPF is a requirement to deliver a wide choice of quality homes, and to boost significantly the supply of housing. Within the settlement area such as where this site is located, the principle of residential development is acceptable. As set out in the updated 5 Year Housing Land Supply Paper (August 2020), Surrey Heath now does not currently have a 5-year housing land supply as required by the NPPF, and can currently demonstrate a 4.85 year supply.

7.3.2 It is considered that the proposal would be a sustainable form of development in terms of its location in a settlement area and as such, no objection is raised to the principle of development at this site.

7.4 Impact on character of the surrounding area

7.4.1 The application site currently forms part of the residential curtilage of No. 93 Worsley Road which is one half of a pair of semi-detached properties, within the Post-War Council Estates Character Area. This dwelling is part of a regimented post-war layout built in the 1950s with properties facing a crescent-shaped green. Dunbar Road forms a link road uphill to a large open-market residential estate built in the late 1970s/early 1980s and is subsequently within the Post-War Open Estates housing character area. There is a noticeable visual gap between the two estates and character areas arising from the deep rear gardens of the corner dwellings of No. 91 and 93 Worsley Road.

7.4.2 Policy DM9 (Design Principles) promotes high quality design that respects and enhances the local environment, paying particular regard to scale, materials, massing, bulk and density. Guiding Principle PC1 of the Post-War Council Estates Character Area (as defined under the WUAC) advises that new development should pay particular regard to the following criteria:

(a) Maintenance of space between, and around buildings. Particular attention should be paid to maintaining side gardens and gaps between the side elevations of buildings.

(b) Continued use of red brick materials and designs that reflect the simple post war architecture

(c) Consist principally of 2 storey detached buildings set in individual plots enclosed by red brick front walls

(d) Provision of space to enable the retention and provision of trees and mature vegetation.

(e) New plots to reflect the rhythms of the existing plots in the estates. The shape and size of the rectangular plots is a distinctive characteristic of the character Area.

(f) Creation of attractive roofscapes

Guiding Principle PC1 (a) is directly replicated by Guiding Principle P01 (a) of the Post-War Open Estates character area to the north of the application site. Also of note is Guiding Principle P01 (b), which advises that new development should use designs that reflect the post war architecture. Particular attention should be paid to existing building proportions, materials, colours, gabling and window design.

7.4.3 Guiding Principle PC2 of the WUAC (for Post-War Council Estates) advises that development which results in the loss of gaps between buildings, the creation of a terracing effect and loss of views to rear landscapes will be strongly resisted. Guiding Principle PC4 advises that development that erodes the integrity of the post war architectural design will be unacceptable. Development should reflect the estate's original ridgeline heights, building lines, architectural detailing, materials and colours.

7.4.4 The RDG provides further guidance relating to the design of residential developments. In particular, Principle 6.6 sets out that new residential development will be expected to respond to the size, shape and rhythm of surrounding plot layouts. Proposals with plot layouts that are out of context with the surrounding character will be resisted. Principle 7.4 advises that new residential development should reflect the spacing, heights and building footprints of existing buildings. Principle 7.5 advises that proposals to introduce roof forms on residential development that diverge from the prevailing character of residential development will be resisted unless it can be demonstrated that the proposals would make a positive contribution to the streetscape.

7.4.5 A two storey detached dwelling has recently been approved (ref: 19/0042) to the rear of No. 91 Worsley Road (directly across from the current proposal site), and is now substantially complete. It is accepted that this recently approved development is a material planning consideration. The Design and Access Statement (DAS) argues that No. 93 Worsley Road, and particularly the land to the rear, shares many similarities with the aforementioned site at No.91. However, the depth the existing plot of No. 93 facing Dunbar Road becomes narrower to the rear than the No. 91 plot, due to the irregular garden boundary with the adjoining dwelling No. 95. The DAS also argues that the current proposed design reflects a characteristic detached chalet dwelling, carefully positioned and articulated to fit well on the plot as a backland or infill development, to avoid any jarring effects within the street scene or surrounding area. Full render is proposed for the external walls. However, this design approach again differs from the new dwelling at No. 91, which is two storey with full gable ends to reflect the immediate roof forms, and also has a mix of red brick and render.

7.4.6 It also noted that the current proposed dwelling would comprise a lower chalet style design including dormers and hipped roof forms at each side. The proposal would also be noticeably set back from the recently extended side elevation building line of No. 93 Worsley Road, to provide off-street parking directly in front. However, this proposed siting and layout

of the dwelling leads to a close proximity of approx. 1.5m – 3.2m at the rear with the rear garden side boundary of No. 95. This requires provision of the primary garden area to the side towards No. 22 Morton Close and it is accepted that its size would reflect the size of this neighbouring garden. The DAS also argues that the proposed garden area is in excess of the proposed dwelling footprint and the RDG guidance for amenity areas.

- 7.4.7 However, having regard to the wider established plot rhythms of the surrounding character areas, along with the newly created plot opposite with a primary garden area at the rear, it is considered that the layout of the proposed plot and the siting of the proposed dwelling would give rise to an unacceptably cramped, contrived and incongruous addition to the surrounding streetscene. This is due to the close proximity of the dwelling to the rear garden of No. 95 Worsley Road, necessitating the siting of the main private amenity area off the side elevation, which does not follow the established rear garden layouts of the surrounding area. It is considered that this siting and layout would form poor relationships with the surrounding plots and would fail to respect their pattern of development, failing to therefore achieve a successful visual transition between the two WUAC character areas.
- 7.4.8 Furthermore, although the proposed dwelling includes front and rear gable forms, it is considered that its overall chalet bungalow design, including dormer windows and fully rendered walls, is another indicator that the proposed design is contrived, as it would appear out of place with the immediate two storey full-gabled dwellings containing brick elevations and simpler post-war fenestration.
- 7.4.9 In light of all the above, the proposed development is considered to be contrary to the design requirements of Policy DM9 of the CSDMP, guiding principles PC1(a), PC1(e), PO1(a) and PO1(b) of the WUAC and Principle 6.6 of the RDG.

7.5 Impact on amenities of neighbouring properties and future occupiers

- 7.5.1 Policy DM9 of the CSDMP states that the amenities of the occupiers of the neighbouring properties should be respected by proposed development. Principle 8.1 of the RDG advises that new residential development should be provided with a reasonable degree of privacy to habitable rooms and sensitive outdoor amenity spaces. Developments which have a significant adverse effect on the privacy of neighbouring properties will be resisted. Paragraphs 8.5-8.6 of the RDG advises that although there is no right to a view, residents should be able to enjoy good quality outlook to the external environment from habitable rooms, without adjacent buildings being overbearing or visually intrusive. Para 8.12 further advises that potential design solutions to prevent material loss of daylight to neighbouring windows and overshadowing of habitable external spaces include ensuring that a 25 degrees vertical line of sight, taken from a point 2m above the floor at the building façade, is not obstructed.
- 7.5.2 The proposed side elevation of the dwelling would be sited approx. 9m – 11m from the rear elevations of No. 93 Worsley Road. This proposed elevation contains no upper floor openings facing No. 93. The proposed cross-section shows that there would be no breach of the 25 degree line of sight from the main dwelling rear elevation kitchen window. However, the implemented 20/0385/FFU extension is not included, which contains a ground floor rear elevation bedroom window projecting approx. 1.3m beyond the main dwelling. The proposed dwelling would be sited across this bedroom window, at a significantly greater land level and in breach of the abovementioned 25 degree vertical line of sight. Given this along with the site orientation, it is considered that the proposed dwelling would lead to unacceptably adverse impact on the amenity of No. 93 in terms of loss of light and overbearing impact, contrary to Policy DM9 of the CSDMP and Paragraphs 8.5, 8.6 and 8.12 of the RDG.
- 7.5.3 The proposed dwelling rear elevation would be sited approx. 1.5m – 3.2m from the rear garden side boundary of No. 95 Worsley Road (adjoining No. 93). It is noted that the Inspector commented that the 17/0553 proposal at No. 91, with first floor rear elevation obscure-glazed windows, would not lead to adverse harm to the adjoining dwelling of No. 89 in terms of loss of privacy, perceived or otherwise. Given the similarity in relationships and

sizes of the windows, the two proposed first floor rear elevation obscure-glazed windows (serving a bathroom and a secondary high-level light source to a bedroom) are considered acceptable.

- 7.5.4 No. 93 contains a rear conservatory, outlined on the proposed block plan but not included on the proposed site plan. The corner of the proposed dwelling would be sited approx. 10m to the northeast of the midpoint of this conservatory, and the proposed site section shows that the existing steeply inclining land level to the rear will be reduced by between approx. 0.3m – 1.1m to facilitate the dwelling. This would mean that the proposed rear gable facing the garden of No. 95 would be approx. 5.7m above adjacent ground level, with the side eaves towards the conservatory reducing to approx. 3.2m. No. 95 has a dense tree line within and along its boundary and. However, the proposed dwelling would still protrude above this tree line and given its length and proximity to the garden boundary of No. 95, it is considered that the impact on the current and future enjoyment of this neighbour's garden would be unacceptably un-neighbourly and overbearing, contrary to Policy DM9 of the CSDMP and Paragraphs 8.5 and 8.6 of the RDG.
- 7.5.5 The proposed side elevation of the dwelling would be sited approx. 6.7m from the rear garden side boundary of the two storey link-detached dwelling No. 22 Morton Close. The ground level rises noticeably towards this neighbour. Given this land level change along with the site orientation, it is considered that the proposal would not lead to adverse harm to the amenity of No. 22 in terms of loss of light, outlook or overbearing impact. However, a first floor clear-glazed bedroom window is proposed on the side elevation facing this neighbour. Despite the land-level change, this window would be noticeably above the fenced boundary. As such, this proximity and relationship with No. 22 is considered to lead to unacceptably adverse impact upon this neighbour in terms of loss of privacy, contrary to Policy DM9 of the CSDMP and Principle 8.1 of the RDG.
- 7.5.6 It is considered that the proposed development would be sited at sufficient distance from other neighbouring boundaries and elevations to avoid material harm to residential amenity.
- 7.5.7 It is considered that sufficient internal living space and outlook would be provided for future occupiers of the proposed dwelling. The proposed primary amenity area for the dwelling would be to its side towards the northeast. Principle 8.4 of the RDG advises that that outdoor private amenity spaces facing predominantly north, such as the proposal site, should have a minimum size of 65 sq m for 2/3 bed dwellings. The proposed usable primary amenity area would be approx. 84 sq m and based on the proposed land level reductions, it is considered that the existing hard boundary along the Dunmar Road streetscene would provide sufficient privacy for future occupiers to meet the RDG guidance.

7.6 Impact on highway safety

- 7.6.1 Policy DM11 (Traffic Management and Highway Safety) 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 and mitigate such impacts to acceptable levels can be implemented.
- 7.6.2 The proposal would involve a new vehicular access off Dunbar Road to provide two off-street parking spaces in the drive. The County Highway Authority (CHA) has been consulted and has raised no objections on highway safety, policy or capacity grounds. The CHA has recommended planning conditions requiring implementation of satisfactory pedestrian intervisibility splays, along with provision of electric vehicle charge sockets. The proposed off-street parking is considered sufficient for the three bedroom dwelling proposed. The Local Planning Authority is therefore satisfied that the proposal would not conflict with the aims of Policy DM11.

7.7 Impact on local infrastructure

- 7.7.1 Surrey Heath's Community Infrastructure Levy (CIL) Charging Schedule was adopted by Full Council on 16 July 2014. As the CIL Charging Schedule came into effect on 01 December 2014, an assessment of CIL liability has been undertaken. Surrey Heath charges

CIL on residential developments involving one or more new dwellings through new build. As the proposal includes a new dwelling, the development is CIL liable. CIL is a land charge that is payable at commencement of works. An informative advising of this would be added.

7.8 Impact on Thames Basin Heaths SPA

7.8.1 All of Surrey Heath lies within 5km of the Thames Basin Heaths SPA. The Thames Basin Heaths Special Protection Area Avoidance Strategy SPD 2012 states that no new residential development is permitted within 400m of the SPA. The application site is not within 400m of the SPA but all new development is required to either provide SANG on site (for larger proposals) or for smaller proposals such as this one, provided that sufficient SANG is available and can be allocated to the development, a financial contribution towards SANG provided, which is now collected as part of CIL. There is currently sufficient SANG available.

7.8.2 In addition to the financial contribution towards the mitigation on likely effects of the proposed development on the TBH SPA in terms of SANG, Policy CP14B requires that all new residential development contributes toward SAMM (Strategic Access Management and Monitoring) measures. As this is not included within CIL, a separate financial contribution towards SAMM is required. In this instance a payment of £711 is needed. At time of preparation of this report has been paid by the applicant.

7.9 Other matters

7.9.1 Although the proposal would occupy a sustainable location, that matter alone does not mean it would constitute 'sustainable development' as couched in the NPPF when assessed against its three economic, social and environmental strands. Moreover, whilst the NPPF is a material consideration, it does not alter the statutory status of the development plan as the starting point for decision making. Even in the circumstance that some of its policies are judged to be out of date for the purposes of the NPPF, they may still carry weight. Therefore, notwithstanding the engagement of paragraph 11 d) of the NPPF owing to the lack of a 5 year housing supply, it is considered that the proposal would give rise to significant harm and that the contribution of one dwelling to the Borough's housing supply would not outweigh this harm.

8.0 WORKING IN A POSITIVE/PROACTIVE MANNER

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

- a) Provided or made available pre application advice to seek to resolve problems before the application was submitted and to foster the delivery of sustainable development;
- b) Provided feedback through the validation process including information on the website, to correct identified problems to ensure that the application was correct and could be registered.

9.0 CONCLUSION

9.1 The proximity of the proposed dwelling to the side and rear boundary, the layout of its primary amenity area along with its chalet bungalow design, would give rise to an unacceptably cramped, contrived and incongruous addition to the surrounding streetscene, forming poor relationships with the surrounding plots and failing to respect their pattern of development. In terms of neighbouring amenity, this would also lead to an un-neighbourly and overbearing impact on No. 95 Worsley Road. The proposed dwelling would also lead to unacceptably adverse impact on the amenity of No. 93 Worsley Road in terms of loss of light and overbearing impact. The proposed first floor side bedroom window of No. 22 would also lead to unacceptably adverse impact upon 22 Morton Close in terms of loss of privacy.

10.0 RECOMMENDATION

REFUSE for the following reasons:

1. The proposed dwelling, by reason of its proximity to the side and rear boundary and its design including chalet bungalow roof form and the layout of its primary amenity area, would give rise to an unacceptably cramped, contrived and incongruous addition to the surrounding streetscene, forming poor relationships with the surrounding dwellings and plots which would be harmful to the established pattern, scale, and appearance of development. As such the proposal would fail to respect and improve the character and quality of the area including the Post War Council Estates Character Area, of which it is located within, and fail to provide a satisfactory visual transition to the adjoining Post War Open Estates Character Area. This would be contrary to the design requirements of Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012, guiding principles PC1(a), PC1(e), PO1(a) and PO1(b) of the Western Urban Area Character Supplementary Planning Document 2012, Principles 6.6 and 7.5 of the Residential Design Guide Supplementary Planning Document 2017 and the National Planning Policy Framework.
2. The proposed dwelling, by reason of its bulk and proximity at a higher land level to the ground floor rear bedroom window of No. 93 Worsley Road, would lead to unacceptably adverse impact on the amenity of this neighbour in terms of loss of light and overbearing impact, contrary to the amenity requirements of Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012, Principle 8.1 of the Residential Design Guide Supplementary Planning Document 2017 and the National Planning Policy Framework.
3. The proposed dwelling, by reason of the size, height and proximity of its first floor side bedroom window facing the rear garden of No. 22 Morton Close, would lead to unacceptably adverse impact on the amenity of this neighbour in terms of overlooking, contrary to the amenity requirements of Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012, Principle 8.1 of the Residential Design Guide Supplementary Planning Document 2017 and the National Planning Policy Framework.
4. The proposed dwelling, by reason of its height and projection along the rear garden side boundary of No. 95 Worsley Road, would lead to an unacceptably un-neighbourly and overbearing impact upon current and future users of this garden, contrary to Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012, Paragraphs 8.5 and 8.6 of the Residential Design Guide Supplementary Planning Document 2017 and the National Planning Policy Framework.
5. 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 to mitigate against the new dwelling proposed, contrary to the requirements of the Surrey Heath Borough Council's Thames Basin Heaths Special Protection Area Avoidance Strategy Supplementary Planning Document 2019.

Informative(s)

1. The applicant is advised that if this application had been acceptable in all other respects, the scheme would be Liable to the Community Infrastructure Levy (CIL) Schedule which came into effect on 1st December 2014. Therefore, if this decision is appealed and subsequently granted planning permission at appeal, this scheme will be liable to pay the Council's CIL upon commencement of development.