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| LOCATION: | The Annexe, 6 Mount Pleasant Close, Lightwater, Surrey, GU18 5TP, |
| PROPOSAL: | Demolition of existing single storey annexe and construction of a two storey attached 3 bed house with associated access and parking. |
| 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 Rebecca Jennings-Evans, on the grounds of overdevelopment, not in keeping with the street scene and failing to comply with the Lightwater Village Design Statement.

RECOMMENDATION: REFUSE

1.0 SUMMARY

- 1.1 The application site is located in Mount Pleasant Close, Lightwater and the surrounding 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 erection of a two storey 3-bed house with associated access and parking, following demolition of existing annexe. The proposal would attach to the main dwelling (which would be retained on a reduced curtilage), forming a pair of semi-detached properties.
- 1.2 The principle of development is considered acceptable. However, the resulting plot would be narrow and appear out of context with the surrounding plot layouts. The lack of front boundary treatment and position of the driveway would appear at odds with other properties in the road and be harmful to the character of the area. In addition, the proposal has failed to mitigate its impact on the Thames Basin Heaths SPA. The proposal is therefore 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 form 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 on this agenda):
- 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.

4.0 THE PROPOSAL

- 4.1 Full planning permission is sought for the erection of a two storey 3-bed dwelling attached to no 6 Mount Pleasant with associated access and parking, following demolition of existing single storey annex. No 6 would be retained in a reduced curtilage.
- 4.2 The proposal would have a hipped roof and measure 6.7m in width, 10.1m in depth, 7.1m in height to the eaves and 8.6m in maximum height. It would be externally finished in brickwork, tiles, and timber to the windows and doors. The proposed layout would comprise the following:

- Ground floor: living room, hall, WC, open plan kitchen / dining area;
 - First floor: three bedrooms, family bathroom, landing.
- 4.3 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.

5.0 CONSULTATION RESPONSES

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| 5.1 | Surrey County Highway Authority | No objections, subject to planning conditions |
| 5.2 | Joint Waste Solutions | Advises regarding the number of bins. |
| 5.3 | Windlesham Parish Council | <p>Notes that they have received correspondence from residents objecting to the application for a number of reasons as follows:</p> <ul style="list-style-type: none"> • 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 3 representations have been received which raise the following issues:
- The erection of a 2-storey house would give the appearance of a bad infill, out of character for this part of the road [See Section 7.4];
 - There are no semi-detached properties in the whole of Mount Pleasant Close so the proposal would be out of keeping with this road [See Section 7.4];
 - The size and scale of the resulting pair of semis would be dominating and fail to be sympathetic to the surrounding properties [See Section 7.4];
 - The separation gap would be too small compared to other properties on the street and the proposal would feel cramped [See Section 7.4];
 - The proposal would result in the loss of a hedge [See Section 7.4];
 - Impact on the residential amenities of the adjacent neighbours in terms of overlooking, loss of light [See Section 7.5];
 - The proposed new drive way and entrance would be badly placed for sight lines for both pedestrians and vehicular traffic [See Section 7.6];
 - Inadequate provision of parking spaces [See Section 7.6];
 - Matters relating to Human Rights [*Officer comment: The planning system by its very nature respects the rights of the individual whilst acting in the interest of the wider community*].

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 site's planning history, including the 2017 and 2018 dismissed appeals (see Annexes A and B, respectively), are also material considerations. Despite being applications for new dwellings, there are some key differences between those proposals and the development hereby being assessed:
- Application 16/0664: gabled roof two storey detached dwelling. This dwelling had limited gaps to its side boundaries which created a cramped appearance. The high ridge emphasised the narrow frontage and added to the appearance that the proposal would be squeezed into the streetscene.
 - Application 17/0707: two storey detached pitched roof dwelling, modest in width and height and retaining side gaps noticeably smaller than the surrounding pattern.

The removal of the existing front boundary treatment to accommodate parking, as well as the plot size and shape is similar on the previous applications.

- 7.3 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

7.4 Principle of development

- 7.4.1 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.
- 7.4.2 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.
- 7.4.3 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.

7.5 Impact on character of area

- 7.5.1 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.
- 7.5.2 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.

- 7.5.3 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.
- 7.5.4 The proposed dwelling would be similar in appearance to the extension granted under permission 20/0347/FFU. Notwithstanding this, the current application aims to create an independent dwelling with all associated residential paraphernalia and this would give rise to a materially different form of development which would be assessed under different tests than a householder extension. As such, little weight is afforded to this permission.
- 7.5.5 This proposal follows a series of refused applications and dismissed appeals for the erection of detached dwellings on site. These applications date 2016 and 2017 and it is noted that the Residential Design Guide was adopted in 2017. Although the RDG was not explicitly referenced in the 2017 application, Policy DM9 of the CSDMP states that development will be expected to incorporate and reflect design and character measures as set out in either general or area specific SPD. As such, the proposal was assessed in light of this SPD as well.
- 7.5.6 The application site is wider than the majority of the surrounding plots and the proposal would comprise the sub-division of the plot. Consequently, the new plot's width would be significantly narrower than those of other plots in the vicinity and appear out of context with the surrounding character. This is noted in para 13 of the 2018 Appeal Decision (Annex B).
- 7.5.7 The streetscene of Mount Pleasant is varied in terms of design, sizes, materials and architectural style. It contains detached bungalows and two storey dwellings and, although some of the latter are linked by their garages, gaps at first storey are retained. The proposal would introduce a semi-detached dwelling and it is considered that this unique form of development would appear at odds with the character of the area. Given its subservient design, the proposed dwelling when seen against the attached property and the resulting pair of semis, by virtue of their different design and size, would appear unbalanced and disjointed. In addition, the proposed dwelling would also appear narrower than the dwellings either side. Consequently, the dwelling would appear visually out of keeping with its surroundings.
- 7.5.8 The proposal would retain a separation distance of about 1.3m to the site's side boundary, similar to the extension approved under 20/0347/FFU. This was granted on the basis that, on balance, although the proposal would result in a spread of two storey development across the plot, space would be retained to the western elevation wherein a gap in built form to the shared boundary would remain. This current proposal would however sub-divide no 6 and therefore this argument would no longer apply. As noted in para 12 of the 2017 Appeal Decision (Annex A) a separation gap less than 2m in width at first floor level would be noticeably narrower than that of the separation between other dwellings within this streetscene and this would be harmful in visual terms.
- 7.5.9 Part of the property's front wall, existing hedgerow and large tree would be removed to provide two parking spaces within the new plot's frontage. The proposed dwelling's frontage would be laid to hardstanding for parking purposes and there is no sufficient space to provide generous soft-landscaping to soften the hard and built up appearance of the proposed frontage. The nearest properties in the road have low walls/fences or vegetation on their front boundaries, rather than parking spaces directly accessed from the road. The narrow width of this plot means that a similar arrangement would be more difficult to accommodate on this plot and, as such, the appearance of the front of the property would be out of keeping with most of the other properties in the road due to the lack of front boundary treatment.

- 7.5.10 Although the applicant argues that these parking arrangements could be achieved under permitted development, as considered by the Inspector on para 15 of the 2017 appeal decision (Annex A), it is unlikely that this would be provided without the need created by the proposed dwelling, as no 6 benefits from sufficient parking spaces. Notwithstanding this, it is considered that the applicant's ability to remove the boundary treatment and lay the drive to gravel under permitted development rights would not justify the approval of a plot sub-division and dwelling that would be harmful to the character of the area.
- 7.5.11 In summary, it is considered that the proposal would result in a very narrow plot that would fail to respond to the size, shape and rhythm of surrounding plot layouts. The proposed dwelling would also fail to reflect the pattern of gaps between development within the road. In addition, the dwelling's frontage would mostly be laid to hard standing for parking purposes and the absence of soft-landscape to enclose this would further exacerbate the cramped nature of the overall dwelling. As such, the proposal would fail to comply with Policies CP2 and DM9 of the CSDMP, the RDG and the LVDS.

7.6 Impact on residential amenity

- 7.6.1 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.
- 7.6.2 As the proposed dwelling would have a similar external appearance as the extension approved under permission 20/0347/FFU, the proposal would not be considered detrimental to the residential amenities of the neighbours to the front, rear and no 4 Mount Pleasant Close.
- 7.6.3 The proposed dwelling would be attached to no 6 Mount Pleasant and project beyond this property's rear elevation by about 2.8m at two storey height and 4m at ground level. No 6's openings closer to the proposal serve a playroom (ground floor, bi-fold doors) and bedroom (first floor window). A loss of light assessment has been undertaken in accordance with Section 8 of the RDG and concluded the dwelling would not cause a material light loss to these openings. The proposal would not contain flank windows facing towards no 6 and would therefore be considered acceptable in respect of overlooking impacts.
- 7.6.4 The proposal would however, as discussed above, project beyond no 6's rear elevation by 2.8m at two storey height and 4m at ground level. No 6's set of bi-fold doors would be at approximately 1.6m from the proposed dwelling and it is considered that, by virtue of its height, the proposal would appear somehow overbearing when seen from these glassed doors and primary amenity area close to them. However, it is not considered that a refusal of the application on these grounds could be sustained. The proposed first floor bedroom window would retain a separation distance of approximately 2.5m to the proposal which would be considered sufficient to mitigate against overbearing impacts, in light of its projection beyond no 6's rear elevation.
- 7.6.5 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. All habitable rooms would be served by windows with adequate outlook and the internal area would be in accordance with the national space standards.
- 7.6.6 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.

7.7 Parking and access

- 7.7.1 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.
- 7.7.2 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.
- 7.7.3 The proposal is therefore in line with Policy DM11 of the CSDMP.

7.8 Impact on infrastructure

- 7.8.1 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.
- 7.8.2 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.
- 7.8.3 As the proposed development would involve the provision of an additional residential unit, the development would be CIL liable. The site falls within the Eastern Charging Zone, for which the charge is £220 per m², for residential development that does not provide its own SANG. As such, an informative has been added to this recommendation, should planning permission be granted for the proposal.
- 7.8.4 It is therefore considered that the proposal would be in accordance with Policy CP12 of the CSDMP.

7.9 Impact on Thames Basin Heaths SPA

- 7.9.1 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.
- 7.9.2 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.
- 7.9.3 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.

- 7.9.4 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).
- 7.9.5 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 £711 which has not been paid by the applicant
- 7.9.6 It is therefore considered that the proposal would fail to comply with Policy CP14B of the CSDMP and with the Thames Basin Heaths 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. However, the proposal would be harmful to the character and appearance of the area (section 7.4 above) and to the Thames Basin Heaths Special Protection Area (SPA) (section 7.8 above). The application is therefore recommended for refusal.

10.0 RECOMMENDATION

REFUSE 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. 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 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.

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 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.
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.