

LOCATION:	1 Gorse Bank, Lightwater, Surrey, GU18 5QX,
PROPOSAL:	Erection of a single storey side/front extension and conversion of store.
TYPE:	Full Planning Application
APPLICANT:	Ms A Organ
OFFICER:	Miss Shannon Kimber

This application would normally be determined under the Council's Scheme of Delegation. However, it has been reported to the Planning Applications Committee at the request of Councillor Galliford due to concerns that the development would be overbearing in size and be overdevelopment in Gorse Bank. Councillor Barnett also raised the following concerns: impact on trees; overshadowing; loss of privacy; and, out of character in terms of appearance, resulting in a negative effect on the surrounding area.

RECOMMENDATION: GRANT subject to conditions

1.0 SUMMARY

- 1.1 The application is for a householder development, to extend to the side/front of the existing dwelling, at ground floor level only, to provide additional space. It is considered that the proposal is acceptable in principle; would result in no adverse impact on the character of the surrounding area or the host dwelling; the residential amenities of the occupiers of the neighbouring dwellings; or, the safe operation of the highway network. The application is therefore recommended for approval.

2.0 SITE DESCRIPTION

- 2.1 The application site is a two storey, semi-detached dwelling. It is located to the south-east of the highway, within a cul-de-sac. The surrounding area is predominantly residential.

3.0 RELEVANT HISTORY

- 3.1 81/1045 Phased and comprehensive development for residential purposes with erection of detached, semi-detached and terraced housing, provision of spine road from Red Road, access roads and courts, footways, amenity areas, school site, and services at land north of Red Road, Lightwater.
Approved - 11.11.1983

4.0 THE PROPOSAL

- 4.1 Full planning permission is sought for the erection of a single storey side/front extension. This would be a dual pitched structure with a gable to the side. Further development includes the conversion of the store. The development will provide an enlarged study and a dining room.

- 4.2 The proposed extension will have a width of 2.5 metres, a depth of 3.7 metres, and a maximum height of 5.2 metres, with an eaves height of 2.5 metres.

5.0 CONSULTATION RESPONSES

Environmental Health	Advice provided regarding asbestos disposal. <i>[Officer comment: Whilst this is not a material planning consideration, this information will be added to the decision notice by way of an informative].</i>
Windlesham Parish Council	No objections.

6.0 REPRESENTATION

- 6.1 A total of 8 individual letters of notification were sent out on 21st May 2021 to properties in Gorse Bank and Broom Field. At the time of preparation of this report five representations of objections have been received (representing two addresses). No letters of support have been received. The letters of objection raise the following concerns:

- Close to adjoining properties *[Officer comment: See sections 7.3 and 7.4 of the assessment below].*
- Conflict with local plan *[Officer comment: The relevant sections of the local and national plan are included at the start of sections 7.3, 7.4 and 7.5 of the assessment below].*
- Information missing from plans *[Officer comment: Two comments were received from one address, the first with objection points and a query regarding the plans, the second confirmed that the query had been answered].*
- The existing dwelling extends the full width of the plot and the owner has no access to the side, which borders the rear garden of a neighbouring property *[Officer comment: The existing property at 1 Gorse Bank has no external pedestrian access to the rear, this will not be altered by the proposed development].*
- The boundary wall to the side of the application site may need to be removed to accommodate the extension, this would leave neighbour's rear garden exposed and vulnerable, with open access from street level. If the wall does not need to be removed, building footings may weaken by the development *[Officer comment: The boundary wall is not proposed to be removed. It has also been confirmed via email (received 8th July) that the application is happy to enter into a Party Wall agreement].*
- Works would overhang the boundary and unavoidable builders waste and general debris would fall into the neighbour's garden, causing damage and mess *[Officer comment: Ownership certificate A has been completed for this application. It has also been confirmed via email (received 8th July) that there will be no encroachment. This email also confirms the method of waste removal and that the buildings works can be undertaken with barriers to the scaffolding].*
- There are concerns that the materials under the soffit boards are asbestos *[Officer comment: See section 5.1 and informatives].*

- The development would result in a larger wall (in both height and length) on the boundary which would span the entire width of the neighbour's rear garden. This would be overbearing, overshadow and severely restrict views [*Officer comment: loss of views is not a material planning consideration, see section 7.4 for the overbearing and overshadowing assessment*].
- Loss of privacy during the construction phase, if approved, due to the building being situated in close proximity to bedrooms, with a view that looks directly into them [*Officer comment: See section 7.4*].

7.0 PLANNING CONSIDERATION

7.1 The application site is located within the defined settlement boundary, as set out in the proposals map included in the Core Strategy and Development Management Policies document 2012 (CSDMP). For this proposed development, consideration is given to policies DM9 and DM11 of the CSDMP and the National Planning Policy Framework (NPPF). The Residential Design Guide (RDG) Supplementary Planning Document 2017 as well as the Lightwater Village Design Statement (LVDS) Supplementary Planning Document 2007 also offer relevant advice.

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

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

7.3 Impact on character and appearance of the surrounding area and host dwelling

7.3.1 Para 130 of the National Planning Policy Framework (NPPF) requires good design principles; subparagraphs b and c clarify that a visually attractive extension which is sympathetic to local character should be acceptable. Policy DM9 of the CSDMP states that development will be acceptable where it achieves a high-quality design which respects and enhances the local character in its urban setting, paying particular regard to scale, materials, massing and bulk. Policy DM9 also seeks to protect trees and soft vegetation worthy of protection.

7.3.2 Principle 7.8 of the RDG sets out guidelines for designers detailing that design which positively contributes to the character and quality of the area will be supported. Principles 10.1, 10.2 and 10.3 focus on developments to the front and side of dwellings, and as such, are relevant.

7.3.3 Principle B3 in the LVDS states that extensions should maintain the style, balance and character of the existing building, and be sympathetic to the scale and character of adjoining properties and the streetscene.

7.3.4 The proposed development will appear as a continuation of the existing single storey porch and store to the front of the property. There will be a minimum set back of 4.2 metres from the near-side-edge of the highway. In addition, due to the layout of Gorse Bank, the application site is partially behind communal parking bays and the site is not prominent in the street scene. Whilst it is noted that the proposed development will be visible from the public realm it is not considered to have a significant impact on the street scene or the character of the surrounding residential area.

7.3.5 The application site is a two storey dwelling. The proposed extension will be single storey in nature and is not considered over development of the site. In addition, as the proposal will maintain the pitch of the roof, for both the existing garage and the roof over the main dwelling it is considered sympathetic to the host dwelling. It has been confirmed in the submitted application form that the extension would be finished in external materials

which would match in appearance those used in the existing dwelling. It is not considered that the proposed development would have an unduly dominant impact on the host dwelling.

- 7.3.6 It is noted that there is soft vegetation in close proximity to the application site. There is a mixed hedge in the rear garden of 94 Broom Field. Whilst these plants are visible from the streetscene and make a positive contribution to the character of the area, they are separated from the application site by a 2 metre high boundary wall. As such, it is not considered that the proposed development will result in an adverse impact on the health of plants in neighbouring properties.
- 7.3.7 The proposal will not be considered contrary to the NPPF, Policy DM9 of the CSDMP, principles 7.8, 10.1, 10.2 and 10.3 of the RDG or principle B3 of the LVDS.

7.4 Impact on residential amenity of neighbouring properties

- 7.4.1 Policy DM9 of the CSDMP states that development will be acceptable where the proposal respects the amenities of the occupiers of neighbouring properties and uses. This is supported by para 130(f) of the NPPF, which seeks to create a high standard of amenity for existing and future users. The importance of appropriate design for extensions, so as not to result in a material loss of amenity for the occupiers of neighbouring properties, is set out in principles 8.1 and 10.1 of the RDG.
- 7.4.2 The north-eastern side of the application site shares boundaries with 92, 93 and 94 Broom Field. These dwellings all have a rear to side relationship with the application site. The proposed extension would be sited a minimum of 13 metres from the built form of number 94 and 17.9 metres from the built form of number 92. In addition to these separation distances, the proposed extension would be at an obtuse angle to these two neighbouring properties. As such, it is not considered that the proposal will have an adverse impact on the residential amenities of 92 or 94 Broom Field.
- 7.4.3 To the north-east of the application site is the bungalow of no. 93 Broom Field. This neighbouring property would be most directly affected by the proposed development. An officer site visit was undertaken to this neighbouring property. Both windows on the rear elevation of this bungalow serve habitable rooms (currently used as bedrooms).
- 7.4.4 It is acknowledged that the proposed development would result in an increase in built form up to this neighbour's boundary, with the proposal resulting in an additional 3.7 metres single storey projection along the rear boundary of number 93 and an increase in the height of the roof (from 4 metres to 5.2 metres), with its associated bulk and massing. However, the existing separation distance of 12.6 metres between the built form of this addition and the neighbour's rear wall would be retained and the proposed extension would appear as a subservient addition to the host dwelling being 2.4 metres lower than the dwelling's main ridge. Viewed alongside the main gable end of the dwelling the proposal would therefore not appear dominant or oppressive. For these reasons, the proposal would not result in an adverse overbearing impact on the occupiers of number 93.
- 7.4.5 A loss of light assessment has been conducted for number 93's rear bedroom windows in accordance with figure 8.6 of the RDG. The 25 degrees line, drawn from the mid-point of the two affected windows towards the proposed extension, does not intersect the proposed development. There would therefore be no adverse loss of light to the rear windows of number 93. There is also considered to be no adverse impact upon the light level to this neighbour's garden given the orientation of the dwellings and given the single storey nature of the proposal.

- 7.4.6 Having regard to the overlooking impact to 93 Broom Field there are no windows proposed to the side elevation. In addition, the existing window on the side elevation at first floor level would be removed. As such, it is not considered that the development would lead to an adverse overlooking impact.
- 7.4.7 It is noted that one of the concerns raised by a neighbouring property is overlooking during the construction phase from the scaffolding. Whilst it is acknowledged that there would be some level of disruption and overlooking from scaffolding, this would be a temporary and short-term impact. It is also noted that barriers are proposed by the applicant to the scaffolding to contain builders' waste. These would also screen neighbouring properties during the construction phase. The applicant's mitigation measures to mitigate noise and disturbance are welcomed. Whilst a construction management plan condition would be disproportionate and unreasonable for a householder extension of this size it is, nevertheless, considered appropriate to include advisory informatives relating to working hours and practices.
- 7.4.8 The majority of the proposed development would be screened to the rear by the existing single storey side projection. As this structure would be increasing in height by 1.2 metres, the proposal will be visible from the rear. However, there would be a separation distance of 13.6 metres between the development and the rear boundary of the site. This distance is considered sufficient to avoid any adverse impacts on the residential amenities of the occupiers of the dwelling to the rear.
- 7.4.9 The proposed development will be screened to the south-west by the existing dwelling, as such it will not have a significant impact in this direction. There is no residential dwelling directly to the front of the application site, therefore, there will be no significant impact in this direction either.
- 7.4.10 Subject to the proposed conditions, the proposal will comply with the NPPF, Policy DM9 of the CSDMP, and the RDG.

7.5 Transport and highways considerations

- 7.5.1 Policy DM11 of the CSDMP states that development will be not acceptable were the proposal adversely impacts safe and efficient flow of traffic. All development should ensure safe and well-designed vehicular access, egress and layouts which consider the needs and accessibility of all highway users including cyclists and pedestrians. Principles 6.7 and 6.8 of the RDG sets out the importance of well-designed parking arrangements, without parking visually dominating the streetscene. Surrey County Council recommends 1.5 vehicle parking spaces for a two bedroomed dwelling in a village environment.
- 7.5.2 The proposed development will be erected on part of the existing driveway. However, there is a distance of 2.2 metres between the side elevation of the original dwelling and the boundary wall to the north-east. This width is not considered sufficient for the space to be a usable parking space. Therefore, the proposal will not result in the loss of a vehicle parking space and the existing parking situation will not be altered by this development.
- 7.5.3 It is not considered that the proposed development would have a negative impact on highway safety. The proposal would comply with the NPPF, Policy DM11 of the CSDMP, and the Surrey County Council Vehicular and Cycle Parking Guidance 2012.

7.6 Community Infrastructure Levy

- 7.6.1 The proposed development is not for a net increase in dwellings, nor is it for a residential extension of over 100 square metres, as such the proposal will not be CIL liable.

8.0 POSITIVE/PROACTIVE WORKING AND PUBLIC SECTOR EQUALITY DUTY

- 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 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.
- 8.2 Under the Equalities Act 2010, the Council must have due regard to the need to eliminate discrimination, harassment or victimisation of persons by reason of age, disability, pregnancy, race, religion, sex and sexual orientation. This planning application has been processed and assessed with due regard to the Public Sector Equality Duty. The proposal is not considered to conflict with this Duty.

9.0 CONCLUSION

- 9.1 The proposed development is acceptable in principle. It is not considered to result in an adverse impact on the character of the area, host dwelling or residential amenities of the occupiers of the neighbouring dwellings. The proposal will not have a detrimental impact on highway safety. The proposed development will comply with the NPPF, policies DM9 and DM11 of the CSDMP, the RDG and the LVDS. The application is therefore recommended for conditional approval.

10.0 RECOMMENDATION

GRANT subject to the following conditions:

1. The development hereby permitted shall be begun within three years of the date of this permission.

Reason: To prevent an accumulation of unimplemented planning permissions and in accordance with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51(1) of the Planning and Compulsory Purchase Act 2004.

2. The proposed development shall be built in accordance with the following approved plans:
Site Location Plan, Drawing reference: AD4524 Sheet 1, Received: 14.05.2021
Proposed Block Plan, Floor Plans and Elevations, Drawing reference: AD4524 Sheet 2 Rev B, Received: 08.07.2021
Unless the prior written approval has been obtained from the Local Planning Authority.

Reason: For the avoidance of doubt and in the interest of proper planning and as advised in ID.17a of the Planning Practice Guidance.

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

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

Informative(s)

1. This Decision Notice is a legal document and therefore should be kept in a safe place as it may be required if or when selling your home. A replacement copy can be obtained, however, there is a charge for this service.
2. The applicant is advised that this permission is only pursuant to the Town and Country Planning Act 1990 and is advised to contact Building Control with regard to the necessary consents applicable under the Building Regulations and the effects of legislation under the Building Act 1984.
3. The decision has been taken in compliance with paragraphs 38-41 of the NPPF to work with the applicant in a positive and proactive manner. Further information on how this was done can be obtained from the officer's report.
4. Under The Control of Pollution Act 1974 noisy construction working practices should be limited to:
 - Monday to Friday: 8am to 6pm
 - Saturday: 8am to 1pm
 - At no time on a Sunday or Bank Holiday
5. Removing asbestos is covered by the Special Waste Regulations 1996. Further guidance is provided on removing asbestos cement (PDF) on HSE website and asbestos health and safety on the HSE website.
6. Whilst it would appear from the application that the proposed development is to be entirely within the curtilage of the application site, care should be taken upon commencement and during the course of building operations to ensure that no part of the development, including the foundations, eaves and roof overhang will encroach on, under or over adjoining land.
7. The applicant's attention is drawn to the Party Walls (etc) Act 1996.
8. The applicant is advised that debris netting should be used along the north-eastern edge of any scaffolding erected along the north-eastern boundary of the application site.