

LOCATION:	45 Windsor Road, Chobham, Woking, Surrey, GU24 8LD
PROPOSAL:	Erection of a single storey front/side extension, erection of a single storey rear extension and alterations to rear fenestration
TYPE:	Full Planning Application
APPLICANT:	Mr Eugene Flynn
OFFICER:	Shannon Kimber

An application of this type would usually be determined under the Council's Scheme of Delegation. However, this application has been reported to the Planning Applications Committee at the request of Councillor Tedder

RECOMMENDATION: GRANT, subject to conditions

1.0 SUMMARY

- 1.1 The application is for the erection of a single storey front/side extension, erection of a single storey rear extension and enlargement of existing driveway. During the submission amended plans were received to delete the rear terrace. It is considered that the proposal is acceptable in principle. It would not result in an adverse impact on the character of the surrounding area nor 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 contains a detached, two storey dwelling and is used as a single family dwelling. It is located to the west of the highway. There is a Grade II listed building opposite the application site. The surrounding area is predominantly residential. The site is within the settlement of Chobham (which is washed over by Green Belt).

3.0 RELEVANT HISTORY

- 3.1 98/0276 Erection of a first floor rear extension.
Approved 21.04.1998
- 3.2 01/0492 Erection of a two storey side/rear extension and associated alterations following demolition of existing single storey rear extension and detached garage.
Approved 19.07.2001
- 3.3 The application site has its permitted development rights intact, however, owing to the above approved extensions any future rear developments would be attached to an existing two storey side and rear extension, and as the whole resulting addition is considered, any future rear extension would fail to comply with the permitted development legislation.

4.0 THE PROPOSAL

- 4.1 Full planning permission is sought for the erection of a single storey front/side extension, erection of a single storey rear extension and alterations to the rear

fenestration.

4.2 The proposed single storey front/side extension would have a width of 4.4 metres, a forward projection by 3.5 metres, and a maximum height of 3.9 metres with an eaves height of 2.8 metres.

4.3 The proposed single storey rear extension would have a width of 9.5 metres, a depth of 6 metres, a maximum height of 3.4 metres (to the apex of the roof lanterns) and a height of 3 metres to the flat roof section.

4.4 This application has been amended from the original proposal in the following ways:

- The use of the flat roof over the proposed rear extension as a roof terrace is no longer proposed.
- The windows on the rear elevation at first floor level would be French doors with Juliette balconies.
- The enlargement of the existing driveway has been removed from the proposed development.

5.0 CONSULTATION RESPONSES

5.1 Surrey County Council Highways No objects raised to the amended scheme.

5.2 Chobham Parish Council Raised objections for the following reasons:

- Unneighbourly form of development by reason of overlooking and loss of privacy from the first floor roof terrace with unacceptable noise too. Acoustic barriers and fencing would not mitigate the harm *[Officer comment: The terrace has been deleted from the scheme]*
- To note: a concern raised by a neighbour regarding the proposed dropped kerb being directly over an access chamber for the fibre optic cable network *[Officer comment: This is not a planning matter. An informative could be added if minded to approve].*

6.0 REPRESENTATION

6.1 Letters were sent all adjoining neighbouring properties on 19/05/2022. Following the receipt of amended plans, further re-notifications letter were sent out on the 28/07/2022 and the 08/08/2022 to all neighbours and contributors.

6.2 At the time of preparation of this report 4 letters of representation have been received from 2 different addresses. These objections have been summarised below:

- Information missing from plans [*Officer Comment: Amended plans have since been received*];
- Loss of privacy and overlooking of private amenity areas and habitable rooms [*Officer Comment: See section 7.4*];
- Unneighbourly and negative impact on residential Amenity [*Officer Comment: See section 7.4*],
- Proximity to boundary [*Officer Comment: See section 7.4*],
- Proposed roof terrace would be too large, and noise nuisance from gatherings. Application site has a large garden and does not need a roof terrace [*Officer Comment: This has been deleted from the proposal*];
- Potential loss of light/shadowing, and a detrimental impact on residential visual amenity if privacy screens were proposed [*Officer Comment: As above, given that the terrace has been deleted. See section 7.4*];
- Proposed dropped kerb would be directly over an access chamber on the newly installed European fibre optic cable network [*Officer Comment: See paragraph 4.4c above*].

7.0 PLANNING CONSIDERATION

7.1 The application site is located within the settlement of Chobham (which is washed over by Green Belt), 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, DM11 and DM17 of the CSDMP, the Residential Design Guide (RDG) Supplementary Planning Document 2017 and the NPPF. The proposal is not CIL liable.

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

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

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 DM17 of the CSDMP states that development should take into account the individual significance of any Heritage Asset.

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. Principle 7.9 focuses on window design and principles 10.1, 10.2 and 10.4 focus on front and rear extensions, and as such, are relevant.

- 7.3.3 The proposed extension to the rear would be screened from the public realm by the existing built form. The proposed front extension would be set back from the front boundary by 15.7 metres. As such, the proposed development would not result in a significant impact on the character of the surrounding area.
- 7.3.4 Both the front and rear extensions would be single storey structures. Neither extension would project beyond the existing side elevations. The proposed front extension would not project forward of the existing front-most elevation. In addition, the roof over this front extension would have a crown roof design. This design results in the eaves height matching those of the existing single storey enclosed porch, the reduced bulk as the crown roof design does not result in an overly high roof, and the pitch of the roof would match that of the roof over the existing dwelling. As such, the development would not be considered to dominate the host dwelling.
- 7.3.5 It is acknowledged that the proposed development to the rear would be a significant extension. The width of this extension would match the width of the existing dwelling, and external pedestrian access to the rear would also be retained. The flat roof design of the rear extension reduces the bulk of built form, and thereby lessens the impact of this element of the development. Due to the size of the application plot, there is sufficient rear garden space kept for the future occupiers of the site. On consideration, the design of the proposed rear extension would be acceptable as it would be subordinate to the main dwelling
- 7.3.6 One of the dwellings opposite the application site, Fowlers Well Farm House, is a Grade II listed building. Whilst the curtilage of this dwelling is opposite the application site, the main dwelling is screened by vegetation surrounding the Chobham Club as well as the boundary to Fowlers Well Farm House. There would be a minimum separation distance of 28.6 metres between the curtilages of these two dwellings. Due to the separation distance and intervening features, it is considered that the proposal would not result in a significant or harmful impact on the setting of this heritage asset.
- 7.3.7 In character terms, the proposal would not be contrary to the NPPF, Policies DM9 and DM17 of the CSDMP or the RDG.

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 127(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, 8.2, 8.3 and 10.1 of the RDG.
- 7.4.2 Planning permission is required for both the front and rear extension as neither would comply with the permitted development legislation.
- 7.4.3 47 Windsor Road:
This is the neighbouring property to the north of the application site. The proposed rear extension would result in built form projecting 9.3 metres beyond the rear elevation of no. 47. However, due to the flat roof design, the rear extension would have a height of 3 metres, as such, the proposed extension would protrude 1 metre higher than the existing 2 metre high boundary fence. The proposed development would be sited 1.5 metres from the shared boundary with no. 47, and there would be a separation distance of 4.4 metres from the built form of this neighbouring property. As such, it is considered that the proposed rear extension would not result in an adverse overbearing impact on the occupiers of this neighbouring property.
- 7.4.4 On the rear elevation of no. 47, closest to the application site, there is a bay window with French doors serving a lounge, which also has a side facing window. A loss of

light assessment has been conducted for this lounge, in accordance with figure 8.7 of the RDG. The 60 degree line, drawn from the mid-point of the French windows would not intersect the proposed rear extension. Whilst it is acknowledged that the proposed rear extension would result in some overshadowing of the private amenity space to the rear of number 47, due to the modest height of the proposal, it is considered not to result in such an adverse impact.

- 7.4.5 There is a proposed window to the original side elevation at ground floor level. This element of the works would not require planning permission. In addition, as the window would face the 2 metre high boundary fence, there would be no significant alteration to the existing pattern of overlooking. Replacing the existing rear facing windows at first floor level with doors and Juliette balconies/safety barriers, would also not require planning permission. In any event, the French doors would be flush with the existing windows which they would replace, as such the existing level of overlooking would not be significantly altered. To be clear, the proposed alteration to the fenestration would not alter the existing floor area. There is no standing area provided by the Juliette balconies. The proposed Juliette balcony would act as a safety rail and would remove access to the flat roof over the rear extension. Planning permission would be required for the flat roof was used as a balcony/terrace in the future. To ensure control is retained, a condition is recommended to preclude the space being used as such.
- 7.4.6 The proposed front/side extension would be screened to the north and from 47 Windsor Road by the existing built form. As such, there would be no significant impacts in these directions.
- 7.4.7 41 and 43 Windsor Road:
The building to the south-east of the application site houses two businesses at ground floor level (41 and 43 Windsor Road) with two residential units over (41A and 41B). This building is set 12.3 metres further forward in its plot than the application dwelling. As such, the front elevation of number 45 is sited behind the rear elevation of this neighbouring building. Due to the projection of the application building, the proposed French doors and Juliette balconies would not have views towards the private amenity area directly to the rear of number 41 and the level of overlooking to this property would be limited.
- 7.4.8 The proposed rear extension would be sited 15.7 metres behind the rear elevation of the neighbouring building to the south. This significant separation distance would be considered sufficient to mitigate any adverse overbearing or overshadowing impacts resulting from the proposed rear extension occurring on the occupiers of this neighbouring property.
- 7.4.9 The submitted plans show a window proposed to the existing side elevation at ground floor level, facing the rear garden of this neighbouring property, however this would not require planning permission as it is considered not to be development.
- 7.4.10 There is no window proposed to the side elevation of the single storey front/side extension. As such, there would be no adverse overlooking impacts to the private rear garden of this neighbouring building. The proposed front/side extension would have a height of 2.8 metres adjacent to the boundary, with a crown roof design which pitches away from the boundary, and would be sited next to the 1.8 metre high, close boarded timber fence. Therefore, it is considered that this element of the proposed development would not result in an adverse overbearing impact in this direction. As the application is sited to the north-west of this neighbouring building, the proposed development would not result in an adverse overshadowing impact.
- 7.4.11 Due to the single storey scale and separation distance from the front and rear boundaries, the proposed development would not result in a significant impact on the residential amenities of the occupiers in either of these directions. It is therefore considered that the proposal would 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 street scene. Surrey County Council recommends a minimum of two vehicle parking spaces for a dwelling with four bedrooms in a suburban environment.
- 7.5.2 The proposed development would not alter the number of bedrooms at the property, nor would it impact upon the existing hardstanding for parking on-site. It is considered that this element of the development would not result in an adverse impact on highway safety. The application is also supported by Surrey County Council.

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 It is considered that the proposal is acceptable in principle. It would result in no adverse impact on the character of the surrounding area and the host dwelling, the setting of the listed building, the residential amenities of the occupiers of the neighbouring dwellings and the proposal would have no adverse highway impacts. The proposed development would comply with the NPPF, policies DM9, DM11 and DM17 of the CSDMP and the RDG. The application is therefore recommended for 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 development hereby permitted shall be built in accordance with the following approved plans:
Site Location, Drawing reference: 6612068, Received 11.05.2022
Block Plan, Drawing reference: 6612068, Received 11.05.2022
Proposed Floor Plans, Drawing reference: 6612068 Rev 3, Received 08.08.2022
Proposed Elevations, Drawing reference: 6612068 Rev 3, Received 08.08.2022
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.

4. The roof areas of the proposed single storey rear extension hereby permitted shall not be used as a balcony, roof garden or similar amenity area without the grant of planning permission from the Local Planning Authority.

Reason: To ensure that the development does not affect the amenity of existing properties by overlooking and to accord with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

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. The applicant is expected to ensure the safe operation of all construction traffic in order to prevent unnecessary disturbance obstruction and inconvenience to other highway users. Care should be taken to ensure that the waiting, parking, loading and unloading of construction vehicles does not hinder the free flow of any carriageway, footway, bridleway, footpath, cycle route, right of way or private driveway or entrance. Where repeated problems occur the Highway Authority may use available powers under the terms of the Highways Act 1980 to ensure the safe operation of the highway.
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