

LOCATION:	107 College Ride, Bagshot, Surrey, GU19 5ET
PROPOSAL:	Erection of rear dormer window; and insertion of front skylight windows.
TYPE:	Full Planning Application
APPLICANT:	Mr Joad
OFFICER:	Melissa Turney

This application would normally be determined under the Council's Scheme of Delegation. However, it has been called-in by Cllr White due to concerns that the proposal is not in keeping with the existing row of cottages, overlooking and light issues.

RECOMMENDATION: GRANT, subject to conditions

1.0 SUMMARY

- 1.1 This application seeks planning permission for the erection of a rear dormer window and insertion of front skylight windows.
- 1.2 The principle of the development is considered acceptable. For the reasons explained in this report, the development results in no harm to the character of the area and is acceptable in terms of the residential amenity impacts.
- 1.3 The proposal is therefore recommended for approval, subject to planning conditions.

2.0 SITE DESCRIPTION

- 2.1 The proposal site consists of a semi-detached two storey dwelling located within the settlement area of Bagshot. The site benefits from a rear garden and off-street parking to the front of the dwellinghouse. The neighbours to either side are residential.

3.0 RELEVANT HISTORY

- 3.1 11/0521 Erection of an outbuilding to the rear. (Retrospective). Granted
- 3.2 20/0171/FFU Erection of a single storey rear extension. Granted and implemented
- 3.3 20/0708/NMA Application for a non-material amendment to planning permission 20/0171 to allow for the insertion of a ground floor window to the side elevation. Granted.
- 3.4 22/0432/CES Application for a certificate of lawful development (proposed) rear dormer, front porch and rooflights. Granted.

4.0 THE PROPOSAL

- 4.1 Planning permission is sought for an erection of rear dormer window and insertion of front skylight windows.
- 4.2 The rear flat roof dormer would have a depth of 4.7m, a width of 3.3m and height of 2.1m. It would enlarge the dormer beyond the roof plane of the main dwelling and over the two storey pitched roof projection (bedroom 2) by a depth of 1.5m. This dormer requires planning permission because of this projection beyond the main roof slope.
- 4.3 Two rooflights are proposed in the front elevation and would protrude forward of the roof slope by a maximum of 0.4m. These rooflights are known as 'Velux mini dormers'
- 4.4 The proposed plans also include a front porch. However, the porch has been granted under application 22/0432/CES and does not form part of this assessment.

5.0 CONSULTATION RESPONSES

- 5.1 Windlesham Parish Council Objection:
- Overdevelopment
 - Concerns over parking
 - Out of character for the area
- 5.2 County Highways Authority No comments or requirements to make.

6.0 REPRESENTATION

- 6.1 A total of 4 individual letters were sent to surrounding properties on 11th October 2022. At the time of preparation of this report 2 letters of representation has been received in support of the application with the reasons summarised below:
- The windows in the rear would overlook all the rear gardens which are currently private [*Officer comments: Addressed within section 7.5 of this report*]
 - Out of keeping with the old Victorian style semi [*Officer comments: Addressed within section 7.4 of this report*]
 - Reduce light into living room [*Officer comments: Addressed within section 7.5 of this report*]
 - No building works before 8am and after 5pm Monday-Friday [*Officer comments: This is Control of Pollution Act 1974 and does not fall within the planning remit*]
 - Netting to be placed around all the scaffolding to limit the amount of dust and debris [*Officer comments: Due to the scale of the development a condition requiring this or a construction management plan would be unreasonable*]
 - Any skips to be placed on the hedged side of 107s driveway to limit dust and damage [*Officer comments: Due to the scale of the development a condition requiring this, or a construction management plan would be unreasonable. Any damage would be a civil matter*]

The applicant has submitted a rebuttal statement against the objection received.

7.0 PLANNING CONSIDERATION

7.1 The site lies in the urban settlement where development is acceptable in principle. In considering this proposal regard has been had to the National Planning Policy Framework (NPPF), the National Design Guide (NDG), Policies DM9 and DM11 of the Surrey Heath Core Strategy and Development Management Policies Document 2012 (CSDMP) and guidance within the Surrey Heath Residential Design Guide Supplementary Planning Document 2017 (RDG). The proposal is not CIL liable.

7.2 The principle of the development is acceptable, therefore, the main issues to be considered within this application are:

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

7.3 As noted in the planning history above, the site has recently been granted a Certificate of Lawfulness for front porch, a rear dormer and rooflights. The dormer and rooflights proposed with this submission are a different design and do not fall under permitted development. As mentioned above the front porch shown on the plans is the same as the certificate and does not form part of this application. As such this report only considers the impacts of the rear dormer and roof lights, that require planning permission due to the additional depth beyond the roof plane of the main dwelling.

7.4 Impact on the character and appearance of the area

7.4.1 The NPPF and Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies Document (CSDMP) 2012 seek to secure high quality design. Development should respect and enhance the character of the local environment and be appropriate in scale, materials, massing, bulk and density. Principle 10.5 of the RDG seeks to ensure that roof alterations are sympathetic and subservient to the design of the main building. It seeks to ensure that dormers do not dominate the roof stating that dormers must be set back from the sides and ridgeline of the roof and not occupy more than half the width and depth of the roof slope.

7.4.2 However, materially, regard must be had to what could otherwise be undertaken under permitted development (PD) and this proposal must be compared against this PD fall-back when assessing the harm. The proposed PD dormer, if built, would already dominate the rear roof slope of the dwelling. By comparison, this submission would enlarge the size of the PD dormer by only an additional depth of 1.5metres over the existing two storey pitched roof extension. In the officer's opinion, this additional depth does not significantly change the dormer's dominance within the context of the main building.

7.4.3 Furthermore, this enlarged size would not have any wider harm to the character of the area. Whilst it would extend over the existing two storey projection, the side elevation of the dormer would be set in from the host dwelling's flank elevation, which retains the eaves of the host dwelling. The section that would extend over the existing two storey projection is set back approximately 18m from the edge of the highway and the dormer would not be conspicuous within the streetscene. Additionally, due to the location of the dormer being set behind the existing two-storey pitched roof projection, visually when viewed from the dwelling's rear garden and neighbours' gardens it would not be overly visible.

7.4.4 The proposed rooflights would protrude forward 0.4m from the roof slope, it is not considered these would dominate the front roof slope to result in harm to the character of the area.

7.5 Impact on residential amenity

- 7.5.1 Paragraph 130 of the NPPF states that planning decisions should create places with a high standard of amenity for existing and future users. Policy DM9 states that development will be acceptable where it respects the amenities of the occupiers of neighbouring properties and uses. It is necessary to take into account matters such as overlooking, overshadowing, loss of light and an overbearing or unneighbourly built form. Principle 8.1 of the RDG states that developments which have a significant adverse effect on the privacy of neighbouring properties will be resisted.
- 7.5.2 The proposed rear dormer would be set at a high level within the rear roof slope. The existing dwelling has existing first floor rear windows which have existing views towards the application site rear garden and neighbouring gardens. This relationship is common within built up areas. While the proposal would add additional glazing at a higher level, it is considered to result in a similar relationship to the existing first floor rear windows. Therefore, the privacy of neighbouring properties would not be unduly compromised compared to the existing situation. Furthermore, compared to the permitted development dormer, there would be similar levels of view.
- 7.5.3 Concerns have been raised over loss of light to the neighbour's flank window at no. 105 which serves a lounge. From a review of the planning history, it is likely that this is a secondary window serving an open plan lounge/dining area. There is existing boundary fence between the neighbour and the application dwelling. As a result, this window slightly protrudes above this existing boundary treatment as such it is considered that this window has limited outlook and restriction of daylight. When applying the 25 degrees vertical angle from the midpoint of the neighbour's flank ground floor window, the existing dwelling already intrudes the 25 degrees. Due to the existing situation the proposal would not appear overbearing or intrusive and would not result in a significant increase in loss of outlook or light compared to the existing situation. Accordingly, it is considered that no objection could be sustained.
- 7.5.4 The proposed rooflights on the front elevation are a sufficient distance away from the nearest neighbours, to prevent unacceptable levels of overlooking.
- 7.5.5 It is therefore considered that the proposal would not result in unacceptable level of overlooking or material loss of privacy to neighbours. As such, the development complies with the NPPF, Policy DM9 of the CSDMP and the RDG.

7.6 Parking and highways considerations

- 7.6.1 The application would result in an additional bedroom and be a 3-bedroom dwelling. The existing driveway to the front of the site would provide at least 2 off street parking, which would comply with the SCC parking requirements. The proposal therefore complies with DM11 of the CSDMP.

7.0 POSITIVE/PROACTIVE WORKING AND PUBLIC SECTOR EQUALITY DUTY

- 7.1 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) 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.

8.0 CONCLUSION

9.1 The development has no adverse impact on the character and appearance of the host dwelling or local area, nor on the amenities of the adjoining residents, subject to the recommended conditions. The development therefore complies with the CSDMP, the RDG and the NPPF.

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:

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PPL002 Received 12.09.2022

PL004 Received 12.09.2022

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.

Informative(s)

1. 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.
2. 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.
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.