

LOCATION:	Valley End Farm, Brick Hill, Chobham, Woking, Surrey, GU24 8TE,
PROPOSAL:	Erection of single storey side extension and construction of an outdoor swimming pool to the rear.
TYPE:	Full Planning Application
APPLICANT:	Mr and Mrs James Palmer
OFFICER:	Rowan Speed

This application would normally be determined under the Council's Scheme of Delegation. However, it has been called-in by Cllr Wheeler due to Green Belt concerns.

RECOMMENDATION: GRANT, subject to conditions

1.0 SUMMARY

- 1.1 This application seeks full planning permission for the erection of a single storey side extension and construction of outdoor swimming pool to the rear.
- 1.2 The principle of development is considered acceptable. For the reasoning explained in this report, the extension is not a disproportionate addition over and above the size of the original dwellinghouse (i.e. as built in 2017). Additionally, the swimming pool would cause no harm to the openness of the Green Belt. Therefore, the proposal is not inappropriate development within the Green Belt. The development would also cause no adverse harm to the character of the area, is acceptable in terms of the residential amenity impacts and there would be no adverse highway impacts.
- 1.3 The proposal is therefore recommended for approval, subject to planning conditions.

2.0 SITE DESCRIPTION

- 2.1 The application site is a large, detached two-storey dwelling located to the south of Chertsey Road, on the edge of Brick Hill, within the Green Belt. The dwelling is set back from the front boundary of the site and is screened by trees and other vegetation. It is accessed via electric entry gates and has a large driveway and informal parking area at the front of the dwelling.
- 2.2 There are a number of trees located within and close proximity to the application site, none of which are protected under a Tree Preservation Order but there is a pocket of woodland to the east of the site. The land is open beyond all other boundary with land associated with Coworth Park School located to the western side boundary and the rear.
- 2.3 The host dwelling is a replacement dwelling that was permitted by 13/0155 and amended by 16/0675, with construction of the dwelling being completed in 2017.

3.0 RELEVANT HISTORY

- 3.1 11/0858 – Certificate of Lawful Development for the proposed erection of a two storey rear extension, a single storey side extension, a single storey rear extension and a part side, part rear extension (Agreed 24.01.2012).
- 3.2 13/0067 – Erection of part two storey, part single storey dwellinghouse following the demolition of existing dwellinghouse (Granted 06.12.2013).
- 3.3 13/0155 – Erection of a part two storey, part single storey dwellinghouse following the demolition of existing dwellinghouse (Granted 20.12.2013).
- 3.4 14/0049 – Erection of a part two storey, part single storey dwellinghouse with basement following the demolition of existing dwellinghouse. Refused 17.04.2014 on Green Belt grounds but subsequently allowed on appeal in October 2014.
- 3.5 15/0011 – Certificate of Lawful Proposed Development for the erection of a single storey outbuilding to provide triple garage, a swimming pool and associated accommodation (Agreed 08.06.2015, implemented).
- 3.6 16/0675 – Erection of a two storey dwellinghouse with accommodation in the roof following the demolition of existing dwelling (Granted 25.11.2016). This permission relates to the dwelling on site which was completed in 2017. Permitted development rights were removed under condition 4:

“Notwithstanding the provisions of Classes A, B, and E of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2005 (or any Order revoking and re-enacting that Order) no further extensions, garages or other buildings shall be erected without the prior approval in writing of the Local Planning Authority.

Reason: To enable the Local Planning Authority to retain control over the enlargement, improvement or other alterations to the development in the interests of visual and residential amenity and to accord with Policies CP1 and DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.”

4.0 THE PROPOSAL

- 4.1 The application seeks full planning permission for the erection of a single storey side extension and construction of an outdoor swimming pool to the rear.

The proposed extension would measure approximately 6.6 metres in depth, 11.9 metres in width and would have a flat roof with a maximum height of 2.8 metres, with a canopy extending from the front, rear and eastern sides of the roof to a maximum depth of 1.4 metres. It would be connected to the western end of the host dwelling via a link measuring 2.3 metres in depth and 2.5 metres in width. This would also a flat roof. The proposed external materials would be a smooth concrete finish with timber cladding and screening. The extension would provide a sun room along with a store, WC and shower to be used in association with the outdoor swimming pool proposed to the rear.
- 4.2
- 4.3 The outdoor swimming pool would be located to the rear of the proposed side extension. It would measure approximately 7 metres in width and be 19 metres long with a depth of 1 to 2.35 metres in depth. The tiles around the pool would be anti-slip ivory porcelain tiles with the pool tiles being mixed light blue mosaic. Under Class E GPDO rights, condition 4 of 16/0675 (see paragraph 3.6 above) only removed permitted development rights for buildings and did

not expressly preclude a swimming pool. However, for the avoidance of doubt the applicant has included the swimming pool as part of the submission, rather than the alternative of an application for a certificate of proposed lawful development.

5.0 CONSULTATION RESPONSES

5.1 Chobham Parish Council Objects for the following reasons:

- The proposed extension by reason of its size, spread and significant width represents a disproportionate addition, failing to preserve the openness of the Green Belt (NPPF) [*Officer comment: This is addressed further in section 7.3 below*].
- The existing replacement dwelling already constitutes a materially larger dwelling than the one it replaced (NPPF) [*Officer Comment: To comply with the NPPF the only assessment is whether the extension is a disproportionate addition to the original dwelling i.e. that means the replacement dwelling built in 2017. Further explanation is given in section 7.3 below*]

6.0 REPRESENTATION

6.1 In total, 4 neighbour notification letters were sent on 15th September 2022 and 20th October 2022 (amended description). At the time of preparation of this report no letters of representation have been received.

7.0 PLANNING CONSIDERATION

7.1 The application site is located outside the defined settlement boundary, as set out in the proposals map included in the Core Strategy and Development Management Policies Document 2012 (CSDMP) and is within the Green Belt. For the proposed development, consideration is given to policy DM9 and DM11 of the CSDMP and the National Planning Policy Framework (NPPF) and guidance within the Residential Design Guide (RDG) Supplementary Planning Document 2017.

7.2 The main issues to be considered in the assessment of this application are:

- Impact on the Green Belt;
- Impact on the character and appearance of the area; and,
- Impact on residential amenity

Other considerations include:

- Transport and highways considerations
- Community Infrastructure Levy

7.3 Impact on the Green Belt

7.3.1 Paragraph 149 of the NPPF states that local planning authorities should regard the construction of new buildings as inappropriate in the Green Belt. Limited exceptions to this are given in bullet points a) -g) of this paragraph. Exception c) states that the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building. Annex 2 of the NPPF defines the 'Original Building' as a building as it existed on 1st July 1948 or, if constructed after 1st July 1948, as it was built originally.

- 7.3.2 The primary consideration in Green Belt terms is whether the proposed side extension is a disproportionate addition over and above the size of the original dwelling. The existing dwelling is a replacement dwelling approved under planning application 13/0155 and completed under 16/0675 and this is considered the 'original building' for the purposes of assessing any subsequent applications (as defined by Annex 2 of the NPPF). The floorspace of the original building is 696 m² and this dwelling has not been extended further since it was originally constructed. The proposed single storey side extension would add approximately 87.7 m² of external floor area to the dwelling. Therefore, the extension would result in an increase in floorspace of approximately 12.6% compared to the original dwelling, with an increase in volume of 10.5%. This is well below the 30% increase that is generally seen as an acceptable threshold. Visually, whilst the extension would spread development to the west, the proposed extension would also appear subordinate to the size of the original dwelling. As such the proposed side extension is not a disproportionate addition to the original dwelling and so this proposal is not inappropriate development in the Green Belt.
- 7.3.3 Paragraph 150 of the NPPF states that certain other forms of development, listed a) – f), are also not inappropriate in the Green Belt providing that they preserve its openness and do not conflict with the purposes of including land within it. This includes b) engineering operations. The construction of the outdoor swimming pool is an engineering operation. The proposed swimming pool would be open, sunken and subterranean and would not result in any additional volume above ground level. The addition of tiling around the pool would be no more than a hard surface and not represent built form to increase the pool's presence. Moreover, there would be no ancillary pool house or infrastructure. There would therefore be no impact upon Green Belt openness, and, by association, no conflict with the purposes of including land within it.
- 7.3.4 Taking the above into account, the extension and swimming pool would not be inappropriate development in the Green Belt, complying with the NPPF.

7.4 Impact on the character and appearance of the area

- 7.4.1 Policy DM9 of the CSDMP requires development to be of high quality design. It should respect and enhance the local, natural and historic character of the environment, be it in an urban or rural setting, paying particular regard to scale, materials, massing, bulk and density. High quality hard and soft landscaping should be provided, where appropriate, and trees and other vegetation worth retention should be protected. Development is also expected to incorporate and reflect design and character measures as set out in the Borough's supplementary planning documents.
- 7.4.2 The RDG provides further guidance on extensions and alterations to the dwellinghouse. In particular, Principle 10.1 states that extensions will be expected to be subordinate and consistent with the form, scale and architectural style and materials of the original building. Principle 10.3 states that side extensions should remain sympathetic and subservient to the main building and not project beyond the building line of the street, and important gaps between buildings should be maintained.
- 7.4.3 The proposed single storey side extension would have a flat roof and is considered to be modest in size when compared with the footprint of the host dwelling. It would be set back approximately 4.5 metres from the front elevation and appears as a subservient addition to the main building. Whilst the materials it would be constructed from would not match the existing dwellinghouse, in this instance it is considered that they would not result in a harmful impact on the host dwelling and are therefore acceptable.
- 7.4.4 The proposed extension would have a flat roof measuring a maximum of 2.8 metres in height and it would be mostly shielded from public view due to the 2 metre high fence located on the boundary of the application site. Therefore, whilst some views of the development may be

possible from Chertsey Road over the existing fence, given the modest height of the extension it is considered that it would not result in an overly prominent feature within the street scene as to result in a harmful impact on the character of the area.

- 7.4.5 The swimming pool is considered to be of an appropriate form and design and it would not result in harm to the character of the host dwelling. Furthermore, given it would be flush with the ground level, the pool would not be visible from the street scene or result in a harmful impact on the character of the area.
- 7.4.6 There are a number of trees very close to the application site, none of which are protected under a Tree Preservation Order and there is a pocket of woodland to the east of the application site. The extension and pool would be located outside of the root protection area of the closest trees located on the western boundary. The Council's Arboricultural Officer has been consulted on the application and given the location of the development to the west of the existing dwelling he has no objection to the proposal. Therefore, the proposal is acceptable in terms of its impact on trees.
- 7.5.7 In light of the above, the proposal would not result in a harmful impact on the character of the area and as such is in accordance with the NPPF, policy DM9 of the CSDMP and principles 10.1 and 10.3 of the RDG.

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. Principle 10.1 of the RDG advises that householder extensions should not materially erode neighbour amenities. Paragraph 8.3 of RDG advises regarding privacy matters and Principle 8.1 goes on to say that developments which have significant adverse effects on the privacy of neighbouring properties will be resisted. Furthermore, Principle 8.3 states that development should not result in occupants of neighbouring dwellings suffering from a material loss of daylight and sun access.
- 7.6.2 The proposed development would be sited a minimum of 6 metres from the western side boundary, 44 metres from the rear boundary and 22 metres from the front boundary of the application site. The application site is neighboured by a school and its playing fields and there are no residential properties in close proximity. Therefore, no objections are raised on residential amenity grounds.
- 7.6.3 Given the above, the proposal is in accordance with the NPPF, policy DM9 of the CSDMP and principles 8.1, 8.3 and 10.1 of the RDG.

7.6 Other matters

- 7.6.1 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. The application site is access via electric entry gates of Chertsey Road and has a large driveway and informal parking area to the front of the property, as well as a double and single garage. These parking and access arrangements would be unaffected by the proposed development. Therefore, the proposal is in line with Policy DM11 of the CSDMP.
- 7.6.2 The proposal is not 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 1 or more of the following:-

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. The side extension would not be a disproportionate addition over and above the size of the original dwelling (i.e. as built 2017) by reason of its floor area, volume, siting and height. The swimming pool causes no harm to Green Belt openness. The proposal is therefore not inappropriate development in the Green Belt. Furthermore, the proposal would not result in harm to the character of the area nor impact on the residential amenities of neighbouring properties. The proposal would have no adverse highways impacts. 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 proposed development shall be built in accordance with the following approved plans:
- Site Location Plan, drawing no. 02-00 (received 12.09.2022)
 - Proposed Block Plan, drawing no. 02-11 (received 12.09.2022)
 - Proposed Ground Floor Plan, drawing no. 03-10 (received 12.09.2022)
 - Proposed Roof Plan, drawing no. 03-11 (received 12.09.2022)
 - Proposed Ground Floor Plan Tree Reference, drawing no. 03-12 (received 12.09.2022)
 - Proposed Site Elevations, drawing no. 05-21 (received 12.09.2022)
 - Pool Details, drawing no. 04-30 Rev A (received 17.11.2022)

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 as outlined in the materials section of the submitted application form and detailed in the submitted materiality sheet, reference 419-100-00 (received 12.09.2022)

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 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."
4. 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.