

LOCATION: SHATIN, WESTWOOD ROAD, WINDLESHAM, GU20 6LP
PROPOSAL: Detached two storey dwelling including parking area following demolition of existing dwelling and outbuildings. (Additional info rec'd 07/03/2017)
TYPE: Full Planning Application
APPLICANT: Mr O'Hare
OFFICER: Ross Cahalane

The 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 Cllr Valerie White.

1.0 SUMMARY

- 1.1 This application seeks planning permission for the erection of a detached two storey dwelling including parking area following demolition of existing dwelling and outbuildings. The proposal forms a revision of the refused SU/2016/1020 replacement dwelling scheme that included a basement which has now been removed, with further reductions in roof volume and height.
- 1.2 This report concludes the current proposal would now not have a materially greater impact on the openness of the Green Belt than the existing development and as such is not inappropriate development in the Green Belt. The proposal is also considered to have no adverse impact upon the character of the surrounding area, residential amenities, mature trees, legally protected species or local infrastructure. On this basis the application is recommended for approval.

2.0 SITE DESCRIPTION

- 2.1 The 0.97ha application site is to the north of the settlement of Windlesham and also within the Metropolitan Green Belt. The application property comprises of a two storey detached dwelling located on the western side of Westwood Road. Neighbouring properties in the area vary in design, age and type.

3.0 RELEVANT PLANNING HISTORY

- 3.1 BGR/4818 Erect one house and garage
Granted (implemented)
- 3.2 SU/1986/1089 Two storey side extension
Granted (implemented)
- 3.3 SU/1999/0917 Erection of a rear conservatory
Granted (implemented)

- 3.4 SU/2013/0456 Application for a Lawful Development Certificate for the proposed erection of a dormer window, loft conversion, 2 storey extension, 3 single storey extensions and the erection of a porch.

Agreed (not implemented)

- 3.5 SU/2013/0817 Application for a Lawful Development Certificate for the proposed erection of a dormer window, loft conversion, 2 storey extension and 4 single storey extensions

Agreed (not implemented)

- 3.6 SU/2014/0421 Application for a Lawful Development Certificate for the proposed erection of a detached pool/gym building

Agreed (not implemented)

- 3.7 SU/2014/0416 Application for a Lawful Development Certificate for the proposed erection of a detached double garage.

Decision: Agreed (not implemented)

- 3.8 SU/2016/1020 Detached two storey dwelling including basement and parking areas following demolition of existing dwelling and outbuildings

Refused for the following reason:

The proposed development, by reason of the cumulative impact arising from the proposed increase in footprint, volume and height over the existing dwelling on the site, would result in a materially larger dwelling than the one it replaces which is an inappropriate form of development in the Green Belt and would be prejudicial to its openness. There are no very special circumstances to outweigh the inappropriateness and harm to the Green Belt. The proposal is therefore considered to be contrary to the objectives of Chapter 9 of the National Planning Policy Framework 2012.

4.0 THE PROPOSAL

- 4.1 Permission is sought for the erection of a detached two storey dwelling including parking area following demolition of existing dwelling and outbuildings.

- The proposed dwelling would consist of a crown roof hipped at the sides, and would have a maximum depth of approx. 16.6m, maximum width of approx. 21m, eaves height of approx. 7.6m and maximum roof height of 8.2m.

The proposal would utilise the existing vehicular access but would include a parking and turning area to the north and northwest of the main dwelling.

- 4.2 This proposal seeks to overcome refusal SU/2016/1020. This refusal included a basement which has now been removed. The applicant states that reductions in bulk from the refused 16/1020 scheme would be achieved through the lowering of the maximum height from that of the 16/1020 scheme and the replacement of its roof structure with an open structured mock pitch. The current proposed dwelling would be 0.9m higher in maximum roof height

than the dwelling proposed for demolition, and would be approx. 0.4m lower than the maximum height of the replacement dwelling refused under 16/1020. The applicant states that the dwelling will be lowered further by reducing ground levels by a further 0.5m, so that the dwelling will only appear 0.4m higher than the existing dwelling to be demolished.

5.0 CONSULTATION RESPONSES

- 5.1 Surrey County Council Highways No objection or requirements to make.
- 5.2 Surrey Wildlife Trust Awaiting comments *[See Section 7.7]*
- 5.3 Council's Arboricultural Officer No objection, subject to condition *[See Section 7.8]*
- 5.4 Windlesham Parish Council No objections, however, comment that the footprint be checked as it is located in green belt land. *[See section 7.3]*

6.0 REPRESENTATION

- 6.1 At the time of preparation of this report no representations have been received.

7.0 PLANNING ISSUES

- 7.1 The application site falls within the Metropolitan Green Belt, detached from the settlement area of Windlesham as outlined in Policy CP1 of the Surrey Heath Core Strategy & Development Management Policies 2012 (CSDMP). Policies DM9, DM11 and CP14A of the CSDMP are material considerations in the determination of this application. The National Planning Policy Framework (NPPF) is also a material consideration to the determination of this application.
- 7.2 The issues to be considered are:
- Impact on the Green Belt;
 - Impact on the character of the surrounding area;
 - Impact on residential amenities of neighbouring properties;
 - Impact on ecology;
 - Impact on trees; and,
 - Impact on local infrastructure

7.3 Impact on the Green Belt

7.3.1 The Government attaches great importance to Green Belts, stating that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open, and that the essential characteristics of Green Belts are their openness and their permanence (Paragraph 79 of the NPPF refers). Paragraph 89 of the NPPF also states that the local planning authority should regard the construction of new buildings as inappropriate in the Green Belt, but lists exceptions to this. The sole exception relevant to this application is:

“the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces”

7.3.2 The following table indicates the differences in floor area, footprint, volume and height in comparison with the existing dwelling and refused scheme (the figures in brackets show the respective percentage uplifts to the original dwelling):

	Existing	Refusal	Proposed
Floor area (m ²)	466.3	853.8 (83.1%)	569.2 (22.07%)
Footprint (m ²)	279.3	284.6 (1.9%)	284.6 (1.9%)
Volume (m ³)	1,334.6	2,071.8 (55.4%)	1,798.6 (34.77%)
Height (m)	7.3	8.6	8.2

7.3.3 Although the NPPF does not contain specific percentage figures for replacement buildings in the Green Belt, as was the case in the determination of the 16/1020 scheme it is considered that the proposed 22.07% above-ground floor area increase arising from the replacement dwelling would not be materially larger than the floor area of the existing dwelling.

7.3.4 It is also acknowledged that floor area is only one indicator of size and as such it is also relevant to assess footprint, height, design, bulk and mass and the position of the dwelling within the plot. The submitted site plans indicate that the existing dwelling and two small outbuildings to the front (approx. 10 sq. m) and side (approx. 17 sq. m) have a combined footprint of 289.3 sq. m. However, the outbuilding at the front with a footprint of was demolished at time of site visit. Therefore the existing footprint and remaining outbuilding to the side is considered to be 279.3 sq. m as outlined in the table above. Such a minimal footprint increase of 1.9% is not considered to amount to a materially larger increase.

7.3.5 The proposed 0.9m total height increase in the context of the existing dwelling's height of 7.3m is not considered to amount to a material increase, and the proposed 0.5m reduction in ground level adds further weight in favour of this height increase.

7.3.6 It is considered that the current proposed volume increase of 34.77% above that of the existing dwelling would still form a significant increase. However, when balanced with the proportionate height increase as outlined above, the proportionate 22.07% floorspace increase and minimal 1.9% footprint increase, the overall additional impact upon the openness of the Green Belt arising from the replacement dwelling is not considered to be materially greater.

- 7.3.7 It is noted that further development could be undertaken to the existing dwelling under permitted development rights as outlined under some previous lawful development certificates for extensions and outbuildings. However, given that the existing dwelling is unoccupied and appears to be in some state of disrepair, in this instance it is considered that although technically possible, there is no real likelihood that the fallback position arising from the abovementioned consented extensions and outbuildings will actually be implemented. In any event, although very limited weight can be attached to this fallback position, the overall current proposed footprint, floorspace, volume and height increases above the existing dwelling are not considered to form a materially greater impact upon the openness of the Green Belt, as already outlined above.
- 7.3.8 It is stated in the Planning Statement that should permission be granted for the replacement dwelling, the Council would have the opportunity to control future buildings site by removing permitted development rights which would be beneficial in terms of protecting the visual amenities of the Green Belt. It is considered necessary and reasonable to impose a planning condition removing permitted development rights both for outbuildings in relation to the existing dwelling and extensions, alterations, and outbuildings to the proposed replacement dwelling, so that the openness of the Green Belt can be maintained.
- 7.3.9 In light of all the above considerations, the principle of the proposed development within the Green Belt is acceptable.

7.4 Impact on the character of the surrounding area

- 7.4.1 Policy DM9 (Design Principles) of the CSDMP continues to promote high quality design that respects and enhances the local environment, paying particular regard to scale, materials, massing, bulk and density. The National Planning Policy Framework seeks to secure high quality design, as well as taking account of the character of different areas.
- 7.4.2 The proposed external design replicates that of the refused 16/1020 scheme in which the design in itself was considered acceptable notwithstanding the Green Belt objection, with the only changes arising from the height reductions and the removal of the fully subterranean basement. The proposed siting of the dwelling and associated access and parking is also the same as the previous scheme. However, a proposed materials schedule and landscape masterplan has now also been submitted.
- 7.4.3 The proposed dwelling would be visible from public vantage points near to the vehicular entrance area. However, the proposal would retain significant separation distances from the site boundaries. As such, it is considered that although the proposed roof forms and fenestration design forming an international neo classical style would vary significantly from the simpler post-war architecture of the existing dwelling, it would not give rise to adverse harm to the character of the surrounding area. Additionally, the proposed significant distances to the site boundaries would be sufficient to avoid a cramped or overdeveloped appearance.
- 7.4.4 The proposed external face and feature bricks, slate roof tiles and stone detailing are considered to be acceptable in appearance and would be appropriate to the design of the dwelling. The proposed landscape masterplan outlines retention of mature trees along the site boundaries with additional planting within the site, along with appropriate gravel permeable material for the driveway.

7.4.5 Therefore, in accordance with Policy DM9 (Design Principles) of the CSDMP the proposed development would sufficiently respect the character of the site and the surrounding area.

7.5 Impact on residential amenities of neighbouring properties

7.5.1 Policy DM9 (Design Principles) states that the amenities of the occupiers of the neighbouring properties should be respected by proposed development. The thrust of one of the core planning principles within the NPPF is that planning should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings.

7.5.2 It is considered that although the front elevation of the proposed replacement dwelling would be angled slightly towards the detached dwelling of 'Badger's Crossing' to the northeast, the dwelling would be sited at sufficient distance of at least approx. 12m from its garden boundary (measured from the proposed dwelling northeast corner) and approx. 32m from the nearest neighbouring elevation to avoid adverse harm to amenity in terms of loss of light, outlook, privacy or overbearing impact.

7.5.3 It is considered that the proposal as a whole would be sited at sufficient distance from other neighbouring boundaries and elevations to avoid adverse harm to residential amenity, in compliance with Policy DM9.

7.6 Impact on highway safety

7.6.1 Policy DM11 (Traffic Management and Highway Safety) states that development which would adversely impact the safe and efficient flow of traffic movement on the highway network will not be permitted unless it can be demonstrated that measures to reduce and mitigate such impacts to acceptable levels can be implemented.

7.6.2 The proposal would not involve a new or altered vehicular access, and would provide significant turning areas and off-street parking spaces. The County Highway Authority (CHA) has been consulted and has raised no objections on safety, capacity or policy grounds. The Local Planning Authority is therefore satisfied that the proposal would not conflict with the aims of Policy DM11.

7.7 Impact on ecology

7.7.1 Policy CP14A seeks to conserve and enhance biodiversity within Surrey Heath, and states that development that results in harm or loss of features of interest for biodiversity will not be permitted.

7.7.2 The proposal is supported by a bat survey and a Phase 1 ecological survey which states that no evidence was found of the presence of bats or any other protected species of plants or animals or their potential habitats. Therefore, no further mitigation work or surveys were recommended. Surrey Wildlife Trust has been consulted but no response has been received at time of preparation of this report. However, it is noted that the same surveys were submitted under the recent 16/1020 scheme, whereby the Trust commented that the ecological appraisal would indicate that there appears to be no significant risk posed to legally protected species by the proposed building development.

7.7.3 On the basis that the Trust still considers that the submitted ecology information adequately demonstrates that there is no significant risk to legally protected species, no objections are raised on ecology grounds. If the Trust subsequently raises objection, an update will be provided and a reason for refusal may be proposed.

7.8 Impact on trees

- 7.8.1 The same arboricultural impact assessment as submitted under 16/1020 has been provided, as the current proposal involves no additional footprint or hardstanding increase or amendment. The report outlines that six trees are to be removed towards the northern site boundary, none of which have been categorised as being of high quality. A landscape masterplan has now also been submitted outlining hard surfacing specification and species type.
- 7.8.2 The Council's Tree Officer has been consulted and has raised no further objection, subject to a condition requiring compliance with the Arboricultural Report and provision of photographs from the retained consultant to the Council's Arboricultural Officer recording all aspects of tree and ground protection measures having been implemented in accordance with the arboricultural report. As such, subject to compliance with this condition it is considered that the proposal would not give rise to adverse impact upon surrounding mature trees.

7.9 Impact on local infrastructure

- 7.9.1 Surrey Heath's Community Infrastructure Levy (CIL) Charging Schedule was adopted by Full Council on the 16th July 2014, and came into effect on the 1st December 2014. An assessment of CIL liability has therefore been undertaken. Surrey Heath charges CIL on residential and retail developments where there is a net increase in new build Gross Internal Area (GIA) of more than 100 sq. m, and in calculating GIA chargeable area the definitions in the RICS Code of Measuring Practice, 6th Edition (2007) are relied upon.
- 7.9.2 The proposed development is CIL liable, as the calculated new build GIA would be over 100 sq. m. The additional information form indicates that the applicant intends to apply for the self-build exemption, and the requisite exemption form has now been received. An advisory informative will be added.

8.0 ARTICLE 2(3) DEVELOPMENT MANAGEMENT PROCEDURE (AMENDMENT) ORDER 2012 WORKING IN A POSITIVE/PROACTIVE MANNER

- 8.1 In assessing this application, officers have worked with the applicant in a positive and proactive manner consistent with the requirements of paragraphs 186-187 of the NPPF. This included:
- 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.

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 Information Plan (Drawing No. 16 - P1344 - 201); Proposed elevations (Drawing No. 16 - P1344 - 202); Proposed streetscene (Drawing No. 16 - P1344 - 202); Proposed Section (Drawing No. 16 - P1344 - 213); - all received on 27 January 2017;
Proposed floor plans (Drawing No. 16 - P1344 - 202) - received on 02 February 2017;
Landscape Masterplan (Drawing No. 41 - received on 07 March 2017), 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 Schedule received on 07 March 2017.

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 development hereby permitted shall be carried out wholly in accordance with the submitted arboricultural details that have been approved in writing by the local planning authority. No development shall commence until photographs have been provided by the retained Consultant and forwarded to and approved by the Council's Arboricultural Officer; these should record all aspects of tree and ground protection measures having been implemented in accordance with the Arboricultural Report. The tree protection measures shall be retained until completion of all works hereby permitted, unless otherwise agreed in writing with the LPA.

Reason: To preserve and enhance the visual amenities of the locality in accordance with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order) no further extensions to the dwelling hereby approved or additions to the roof shall be erected under Schedule 2, Part 1, Class A or Class B of that Order; and no buildings, enclosures, pools or containers incidental to the enjoyment of a

dwelling house shall be erected under Schedule 2, Part 1, Class E of that order; 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, DM1 and DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

6. The development hereby permitted shall not be constructed until any additional outbuildings constructed after the date of this permission have been demolished and all resultant debris removed from the site, unless otherwise agreed in writing with the Local Planning Authority. Reason: To enable the Local Planning Authority to retain control over the enlargement of the development, in order to preserve the openness of the Green Belt, in accordance with the National Planning Policy Framework.

Informative(s)

1. CIL Liable CIL1
2. Form 1 Needs Submitting CIL2