

## COMMITTEE AGENDA REFERENCE: 5A

<b>APPLICATION REF:</b>	<b>RU.22/0612</b>
<b>LOCATION</b>	36 Queen Marys Drive, Addlestone, Surrey, KT15 3TW
<b>PROPOSAL</b>	Change of use of existing dwelling to 2 flats with associated alterations, including two storey side extension.
<b>TYPE</b>	Full Planning Permission
<b>EXPIRY DATE</b>	06/10/2022
<b>WARD</b>	Woodham & Row Town
<b>CASE OFFICER</b>	Will Rendall
<b>REASON FOR COMMITTEE DETERMINATION</b>	NUMBER OF LETTERS OF REPRESENTATION
<i>If you have questions about this report please contact Ashley Smith, Victoria Gibson or the case officer.</i>	

### 1. SUMMARY OF RECOMMENDATION

<b>It is recommended the Planning Committee authorises the CHDMBC:</b>	
1.	<b>To approve the application subject to the completion of a Unilateral Undertaking and planning conditions</b>
2.	<b>To refuse planning permission at the discretion of the CHDMBC should the Unilateral Undertaking not progress to their satisfaction.</b>

### 2. DETAILS OF THE SITE AND ITS SURROUNDINGS

- 2.1 36 Queen Mary's Drive is a two storey semi-detached property located on the northern side of Queen Mary's Drive, which is made up of buildings of similar styles. Queen Mary's Drive is a Classified D Road, with on street parking available. The existing dwelling is set back from the road with a large driveway, and has a flat roof garage located on the boundary as well as garden space located to the rear.
- 2.2 Neighbouring dwellings include the attached No.34 to the east, whilst located to the west is No.38, which is angled away from the site by approximately 45 degrees. The rear gardens of No.27 and No.25 Wendley Drive adjoin the side boundary of the site to the west. Located to the rear is the rear garden space of No. 23 Wendley Drive which is orientated away from the site by 90 degrees. All neighbouring dwellings are semi-detached.
- 2.3 The site is located within the Urban Area of Addlestone and within 5km of the Thames Basin Heath Special Protection Area (SPA).

### 3. APPLICATION DETAILS

- 3.1 The applicant is applying for a change of use from the existing single dwellinghouse to subdivide into x2 self-contained two-bedroom flats. The application includes a two-storey side extension to the existing building with a length of about 8.8 metres and a pitched roof. Flat A will be located on the ground floor, Flat B the first floor. Both proposed flats will be accessed from the existing front porch.
- 3.2 The proposed change of use includes the subdivision of the rear garden area to provide two separate rear amenities spaces with bin and bicycle storage as part of the application. The existing hardstanding to the front of the property provides off street parking for at least x3 vehicles.
- 3.3 Amended plans were submitted during the consideration of this planning application. This included elevations of the proposed bicycle sheds and bin storage being submitted, along with bicycle storage being relocated to the rear garden space. These amendments were subject to re-consultation for a period of 7 days.

### 4. RELEVANT PLANNING HISTORY

- 4.1 The following history is considered relevant to this application:

Reference	Details
RU.10/0505	Retention of a single storey rear extension incorporating a flat roof, a lantern style rooflight, an additional side window and construction of a porch to the front (Variation to planning permission RU.10/0120) (revised description 8/6/10). Grant Consent – subject to conditions: 16/07/2010.
RU.10/0120	Erection of a single storey rear extension and construction of a porch to the front. (revised description 10.02.10). Grant Consent – subject to conditions: 25/03/2010.

### 5 SUMMARY OF MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

- 5.1 National Planning Policy Framework and Guidance.
- 5.2 The Runnymede 2030 Local Plan was adopted on 16 July 2020 and the policies have to be read as a whole. Any specific key policies will be referred to in the planning considerations.
- 5.3 Supplementary Planning Document (SPD) which might be a material consideration in determination:
  - Runnymede Parking Guidance (November 2022).
  - Runnymede Design Supplementary Planning Document (SPD – July 2021).
  - Thames Basin Heaths Supplementary Planning Document (SPD – April 2021)

## 6. CONSULTATIONS CARRIED OUT

### Consultees responses

Consultee	Comments
<b>Runnymede Drainage Officer</b>	No objection subject to Sustainable Drainage System condition (SuDs)
<b>Surrey County Council Highway Authority</b>	No objection subject to relevant conditions

### Representations and comments from interested parties

- 6.2 9 Neighbouring properties were consulted in addition to being advertised on the Council's website and 13 letters of representation have been received (from 13 separate addresses) in regard to the original scheme, which can be summarised as follows:

Comment	Officer response
Breach in covenant preventing Change of Use	Not a Planning matter
Out of keeping of the area	See "Design Considerations"
Concerns of impact on power/water/sewage	Not a Planning matter
Tenants will care less about the area and neighbours than owner-occupiers	As above
Create a precedent for other conversions	As above
Not enough parking	See "Highway Considerations"
Concerns of the impact on access to the street	As above
Overlooking and privacy concerns	See "Impact on Neighbouring Amenity"
Subdivision of gardens results in overcrowding and increased noise and disturbance	As above
Previous applications at the site have included breaches of Planning Control	Not relevant to the current application

A further 4 letters have been received following the receipt of amended plans (all 4 were from addresses which had previously sent representations), reiterating previous comments referenced above. In addition, that the renotification time was too short as letters were received late due to Postal Strike. Officers note that in practice representations can be received up until the date of the decision, late representations will be given due regard.

## 7. PLANNING CONSIDERATIONS

- 7.1 In the determination of this application regard must be had to the Development Plan and National policy within the National Planning Policy Framework (NPPF). The application site is located within the urban area where the principle of such development is

considered to be acceptable subject to detailed consideration. This must be considered in light of the presumption in favour of sustainable development advocated by the NPPF. The key planning matters are

- Principle of Development
- Design Considerations
- Impact on Neighbouring Amenity
- Provision of a suitable residential environment
- Highways Considerations
- Other Considerations
- Planning Obligations

### **Principle of development**

- 7.2 The application site is located in the urban area, in a relatively sustainable location in walking distances to local amenities, including primary schools and local shops and services. The NPPF (2021) sets out that the planning decisions should support development that makes efficient use of urban land such as this location.
- 7.3 The proposal results in a loss of one two storey dwelling and the creation of two separate flats (net increase of one unit). The principle of the change of use is therefore acceptable in the urban area subject to other considerations, as detailed below.

### **Design Considerations**

- 7.4 Policy EE1 sets out that all development proposals will be expected to achieve high quality and inclusive design which responds to the local context including the built, natural and historic character of the area while making efficient use of land.
- 7.5 The Council's Design Guide (July 2021) provides advice on how extensions to houses should respect the materials, scale, mass and architectural style of the original building. This can be achieved by the roof pitch and eaves of the extension matching that of the original house. The Design Guide further states that extensions should not dominate the original building. They should be smaller and lower than the original building, in order to respect its scale and form.
- 7.6 The NPPF (2021) sets out that there is a clear focus that proposed developments should function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development and are visually attractive as a result of good architecture, layout and appropriate and effective landscaping.
- 7.7 The existing streetscene of Queen Mary's Drive predominantly comprises of two storey semi-detached dwellings of similar designs set back from the streetscene with driveways. Many of the dwellings within the street have added side extensions. This includes the attached No. 34 to the east, as well as No.s 53 and 55 opposite. These side extensions are all of different scales and forms. As such despite the similarity of the original dwellings within the streetscene, the differing scales of the extensions adds some diversity to the character of the area.
- 7.8 The proposed change of use includes a two-storey side extension following the demolition of the existing garage, as well as the subdivision of the garden area, bike stores in each proposed garden area and bin stores proposed to the front. The two storey side extension will be set back from the main frontage of the existing property including a pitched roof with eaves to match the height of the existing eaves and the roof ridge set lower than that of the

existing dwelling. Materials are proposed to match those of the existing dwelling. Therefore, it is considered that the form of the proposed extension to the original dwelling will remain subservient and will be in keeping with the diverse design of the surrounding extensions.

- 7.9 The proposed development also includes the further subdivision of the rear garden area and bike stores to the rear (one for each proposed unit) and a modest bin store to the front. These are small enclosures and whilst the bin stores are to the front, the indicative details show stores some 0.8m in height. Therefore, these are not considered to harm the character of the area. When taken as a whole, the built form associated with the proposed development is considered visually acceptable and would comply with the above policy considerations.

### **Impact on Neighbouring Amenity**

- 7.10 All proposals are expected to provide high standard of amenity for all existing and future users in accordance with paragraph 130 of the NPPF (2021). Policy EE1 sets out that “*all development proposals will be expected to Ensure no adverse impact ...to neighbouring property or uses*”. The Runnymede Design Guide (July 2021) state that extensions should not significantly harm the privacy or outlook of neighbouring properties through overlooking or being over-dominant.
- 7.12 The adjacent properties potentially affected by the proposed development are the attached No.34 to the east, No.38m to the west, and No.27, No.25 and No. 23 Wendley Drive to the north-east.
- 7.13 The nearest neighbouring dwelling to the site is the attached No.34 which forms a pair of semi-detached dwellings with the application site. The proposed extension will be located on the opposite boundary from No.34. Therefore, it is considered this separation distance from the proposed extension will not result in any adverse amenity impact on the attached No.34 in terms of light and/or overbearing impact.
- 7.14 Neighbouring No.38 is angled away from the site by about 45-degrees and maintains a significant separation distance from the proposed extension. The proposed extension does not include any side facing habitable room windows, as such there will be no overlooking into the garden space of neighbouring No.38.
- 7.15 Neighbouring Nos. 23, 25 and 27 Wendley Drive all border the garden area of the site. The existing garden area will be subdivided to provide garden space for both proposed flats. Due to the existing garden area will be continued to be used as a garden (albeit in a subdivided form), it is considered that this change will not result in any adverse change to the existing the relationship with the above neighbouring dwellings.
- 7.16 Additionally, due to the orientation of Nos. 23, 25 and 27 Wendley Drive, it is considered that significant separation distance will be maintained from the proposed side extension. As such there will be no adverse impact on the neighbouring amenity of Nos. 23, 25 and 27. Therefore the amenity criteria as set above.
- 7.17 In terms of the activities associated with the proposed development. It is not considered that the subdivision of one residential house into two self-contained flats would result in a significant increase in noise and disturbance which would have a detrimental impact on the amenities of the occupiers of surrounding properties, also in residential use.

### **Provision of a suitable residential environment**

- 7.18 Policy SL19 of the Local Plan state the expected minimum space standards for new residential units. Policy EE1 also states that no adverse impact on the amenities of the occupiers of the development proposed and provide an appropriate standard of amenity space. The Runnymede Design Guide (July 2021) states that “All dwellings must be designed with high quality internal and external space, in an appropriate layout, to accommodate different lifestyles and a range of private and communal activities.
- 7.19 The above policies require in quantitative terms for the two bedroom flats to have a minimum floorspace of 70 sqm. Flat A will have a floor area of 107 sqm, whilst Flat B will have a floorspace of about 71 sqm. Both units would be dual aspect and afford suitable levels of lighting and outlook (front and rear facing habitable room windows). Whilst unit A, the ground floor flat would overlook the shared parking area to the front, it would afford good levels of outlook onto its own private rear garden area.
- 7.20 Externally sufficient garden spaces provided with both flats (about 63 sqm for Flat A and 65 sqm for Flat B), it is considered that the adequate amenity space has been provided. The proposed development is therefore considered to comply with the above policy considerations.
- 7.21 To ensure that there is adequate amenity provided for the occupants for Flat A, it is recommended that a condition be secured for details a landscaped “privacy strip” between front facing windows and the parking area to create a “buffer” and provide some degree of privacy and general landscaping to assist the amenities of the occupiers of this flat.

#### **Highway Considerations**

- 7.22 Policy SD4 of the Local Plan states that the Council will support development proposals which maintain or enhance the efficient and safe operation of the highway network.
- 7.23 The Runnymede Borough Parking Guidance Supplementary Planning Document neither expresses a maximum nor minimum standard for residential development. This is to enable development proposals to respond fully and flexibly to the characteristics of their location, taking account of the availability of alternative means of travel in the area, car parking issues in the locality and to make the most efficient use of land. As set out above this site is located in a relatively sustainable location.
- 7.24 The proposal results in the loss of one family house, and the formation of x2 two bedroom units. It is not considered that the proposed development would result in significant increase in vehicles coming to and from the site which would materially affect highway safety or capacity issues. In terms of parking, the existing hardstanding to the front of the dwelling can accommodate off street parking for x3 vehicles, this is as existing. This is considered to provide suitable off-street parking for the number and size of the units proposed (i.e., at least x1 off road parking space per two bedroom flat)
- 7.25 Highway Authority have been consulted about the application and they have raised no objection to the application on highways safety grounds. However, they recommend a condition for a fast electric vehicle charging socket prior to first occupation of the proposal and the secure parking of bicycles within the site that should be retained and maintained

#### **Other Considerations**

- 7.26 The Council’s Drainage Officer has recommended a Sustainable Urban Drainage condition be applied to any planning permission to ensure that flood risk from surface water does not increase elsewhere. However, the proposal is not located in an area of high flood risk, and

in terms of built form are modest extensions. Therefore, such a condition is not considered either reasonable or necessary.

### **Planning Obligations**

- 7.28 The site falls within 5km of the Thames Basin Heaths SPA, therefore Policies EE9 and EE10 apply. All new net residential developments within this zone of influence are considered likely to have a significant effect on the SPA in terms of recreational impacts from new residents and should therefore contribute to the provision of avoidance measures. One option is a contribution from developers to go towards mitigation in the form of the provision of Suitable Accessible Natural Greenspace (SANG) and Strategic Access Management and Monitoring (SAMM) in accordance with the Councils Adopted SPD. The applicant has agreed to pay towards SAMM/SANGs. This would be £767.98 towards SANG and £306 towards SAMM.
- 7.30 In this case the applicant not yet completed a legal agreement to secure SAMM/SANG. As such it is recommended that any approval is subject to a completed legal agreement. Subject to securing the SAMM and the relevant SANG contributions by way of a Unilateral Undertaking, it is considered that the proposal would address the impacts of the development the impact arising from the development on the Thames Basin Heath Special Protection Area in accordance with the Council's policies and the NPPF in compliance with Policies EE10.

## **8. COMMUNITY INFRASTRUCTURE LEVY (CIL)**

- 8.1 The Council has adopted CIL which came into effect on the 1<sup>st</sup> March 2021. Development which is liable for CIL will be charged at the agreed CIL charge rate, subject to the exemptions/reliefs set out in the CIL Regulations.

## **9. EQUALITY AND HUMAN RIGHTS CONSIDERATIONS**

- 9.1 Consideration has been given to Articles 1 and 8 of the First Protocol of the European Convention on Human Rights. It is not considered that the decision would result in a violation of any person's rights under the Convention.

Consideration has been given to s149 of the Equality Act 2010 (as amended), which has imposes a public sector equality duty that requires a public authority in the exercise of its functions to have due regard to the need to:

- (a) Eliminate discrimination, harassment, victimisation and any other conduct prohibited by the Act
- (b) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
- (c) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

It is considered that the decision would have regard to this duty.

## 10. CONCLUSIONS

- 10.1 The development has been assessed against the following Development Plan policies – EE1, EE9, EE10, SD3, SD4 of the Runnymede 2030 Local Plan, the policies of the NPPF, guidance in the PPG, and other material considerations including third party representations. It has been concluded that the development would not result in any harm that would justify refusal in the public interest. The decision has been taken in compliance with the requirement of the NPPF to foster the delivery of sustainable development in a positive and proactive manner.

## 11. FORMAL OFFICER RECOMMENDATION

***The CHDMBC be authorised to grant planning permission subject to the completion of a Section 106 legal agreement under the Town and Country Planning Act 1990 (as amended) to secure the following obligations:***

- SANG £767.98
- SAMM £306

***And the subject to the following planning conditions:***

### 1. Full application (standard time limit)

The development for which permission is hereby granted must be commenced not later than the expiration of three years beginning with the date of this permission.

Reason: To comply with Section 51 of Part 4 of the Planning and Compulsory Purchase Act 2004.

### 2. List of approved plans

The development hereby permitted shall not be carried out except in complete accordance with the following approved plans: Location Plan – received 12/04/2022, P3601 Rev: A (Site Plan) – received: 05/10/2022, P3602 Rev: A (Proposed Floor Plans) – received 05/10/2022, P3604 Rev: A (Proposed Elevations) – received 05/10/2022

Reason: To ensure high quality design and to comply with Policy EE1 of the Runnymede 2030 Local Plan and guidance in the NPPF.

### 3. External material (materials to match)

The development hereby permitted shall be completed with external materials of a similar appearance to those used in the construction of the exterior of the existing building to which it is attached.

Reason: To ensure high quality design and to comply with Policy EE1 of the Runnymede 2030 Local Plan and guidance within the NPPF.

### 4. Electric vehicle charging points (per dwelling)

An electric vehicle charging point shall be provided for each dwelling. As a minimum, the charge point specification shall be 7kW mode 3 with type 2 connector. The charging points shall be retained for the lifetime of the development.

Reason: To ensure sustainable design and to comply with Policy SD7 of the Runnymede 2030 Local Plan and guidance in the NPPF.

### **5. Cycle storage**

Prior to first occupation of the development, cycle storage shall be provided in accordance with the details shown on the approved plans. Such storage should be safe, secure and lit.

Reason: To encourage active and sustainable travel and to comply with Policy SD3 of the Runnymede 2030 Local Plan and guidance within the NPPF.

### **6. Bin store provision**

Prior to the first occupation of the development the refuse and recycling storage shall be provided in accordance with the details shown on the approved plans.

Reason: In the interests of amenity, to provide adequate refuse and recycling facilities and provide satisfactory form of development and to comply with Policy EE1 of the Runnymede 2030 Local Plan and guidance within the NPPF.

### **7. Privacy Strip**

Prior to the first occupation of the proposed ground floor flat. Details of a landscaped privacy strip between the front ground floor habitable room windows and the driveway shall be submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the proposed details prior to first occupation and shall be retained unless otherwise agreed in writing.

Reason: In the interests of amenity of occupants and to comply with Policy EE1 of the Runnymede 2030 Local Plan and guidance within the NPPF.

### **Recommendation Part B:**

The CHDMBC be authorised to refuse planning permission should the S106 not progress to their satisfaction or if any significant material considerations arise prior to the issuing of the decision notice that in the opinion of the CHDMBC would warrant refusal of the application. Reasons for refusal relating to any such matter are delegated to the CHDMBC.