

COMMITTEE AGENDA REFERENCE: 5C

APPLICATION REF:	RU.22/1838
LOCATION	51 Egham Hill, Egham, Surrey, TW20 0ER
PROPOSAL	Construction of a detached dwelling with associated amenity following the demolition of the existing detached bungalow.
TYPE	Full Planning Permission
EXPIRY DATE	25/01/2023
WARD	Egham Town
CASE OFFICER	Will Rendall
REASON FOR COMMITTEE DETERMINATION	Called in by ward member on the grounds of potential impact on parking provision (Cllr I Mullens).
<i>If you have questions about this report please contact Ashley Smith, Victoria Gibson or the case officer.</i>	

1. SUMMARY OF RECOMMENDATION

It is recommended the Planning Committee authorises the CHDMBC:	
1.	Grant Consent - subject to conditions

2. DETAILS OF THE SITE AND ITS SURROUNDINGS

- 2.1 The application site relates to a detached bungalow located on a plot adjacent to Egham Hill (A30) road. The site at present contains garden space, no vehicular access and pedestrian access from Egham Hill.
- 2.2 Adjacent to the site to the east is a private access track for a number of dwellings including No.33 and No.35 Egham Hill. Located to the rear is garden space of No.33. Towards the west is the garden areas of 8 Furzedown Close.

3. APPLICATION DETAILS

- 3.1 The applicant is applying for full planning permission for a detached dwelling, built in a chalet bungalow style (single storey with roof accommodation above), following the demolition of the existing dwelling.
- 3.2 The proposed dwelling would have no vehicular access and will only have pedestrian access. There is however a parking space owned by the applicant located up the private track

adjacent to the site. The plans submitted include cycle and refuse storage as part of the application.

- 3.3 Amended plans have been submitted which change the existing floor plans from showing two bedrooms to four bedrooms. This was after a site visit where the case officer noted that there were four bedrooms within the dwelling.

4. RELEVANT PLANNING HISTORY

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

Reference	Details
RU.22/0557	Construction of a pair semi-detached dwellings with associated amenity following the demolition of the existing detached bungalow (Amended description and plans). Full Planning Permission – Refused 07/07/2022
RU.20/0697	Demolition of existing bungalow and replace with row of 3no. 2 bedroom terrace cottages – Full Planning Permission – Withdrawn 08/07/2022
RU.19/0995	Demolition of existing bungalow and replace with new block of 6 x apartments – Full Planning Permission – Withdrawn 09/10/2019

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 SPDs which might be a material consideration in determination:
- Runnymede Design Supplementary Planning Document (SPD) – July 2021
 - Runnymede Parking Guidance Supplementary Planning Document (SPD) – November 2022

6. CONSULTATIONS CARRIED OUT

Consultees responses

Consultee	Comments
Runnymede Contaminated Land Officer	<p><i>No objection subject to recommended conditions</i></p> <ul style="list-style-type: none"> • The land is affected by contamination, however as this is small development standard conditions are recommended.

Runnymede Arboricultural Officer	<p><i>No objection subject to conditions</i></p> <ul style="list-style-type: none"> • There are trees within the site and on adjacent properties which may be affected by the application – therefore it is recommended that prior to commencement details of tree protection must be submitted.
Surrey County Council Highways	<p><i>No objection raised; conditions recommended</i></p> <ul style="list-style-type: none"> • A Construction Transport Management Plan should be submitted and approved before commencement of development. • Secure Parking of bicycles within the site should be retained and maintained in accordance with the approved plans.

Representations and comments from interested parties

6.2 22 Neighbouring properties were consulted in addition to being advertised on the Council’s website and 9 letters of representation have been received from 7 different addresses in regard to the submitted planning application, as summarised below-

Comment	Officer response
Concerns of loss of light on neighbouring dwelling	See “Impact on Neighbouring Amenity”
Close to neighbouring boundaries – lack of separation distance to the boundaries	As above
Increase of height over the existing dwelling could result in overshadowing	As above
Rear first floor window could result in overlooking – this should be condition to be obscure glazed and non-opening	As above
Potential noise and disturbance from student occupants	It is not considered that the proposed development would result in increased noise and disturbance above and beyond that which could lawfully take place at this site.
The proposal will be forward of the building line of the surrounding area.	See “Design Considerations”
Layout is cramped and contrived.	As above
Increase from two bedrooms to five	An error on the plans was identified where the existing floor plan showed two bedrooms rather than four.

Could be used to house students as a House of Multiple Occupancy (HMO)	Noted- however a Planning Application would be required for more than six residents as this would be a Large HMO
The Plans show that a reception room on the ground floor has an ensuite and therefore this could be converted to a bedroom	Noted, as above
A condition should be secured to prevent further extensions and alteration (such as additional storeys), as well as subdivision.	The replacement dwelling would not benefit from Class AA Additional Storeys, due to being constructed after 28/10/2018. Subdivision would require a Full Planning Application.
Lack of parking – only existing provision is for one vehicle in the adjoining unmade road. Other vehicles will have to park in nearby roads	See “Highway Considerations”
Lack of vehicular access is problematic for the construction, as well as deliveries and weekly collections of refuse	As above
Due to the busy nature of the road it is unlikely that vehicular activities at the site can be safe	As above

7. PLANNING CONSIDERATIONS

7.1 In the determination of this application regard must be had to the Development Plan and National policy within the 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 Suitable Residential Environment
- Highway Considerations
- Other Considerations
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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 local shops and services. The NPPF (2021) sets out that planning decisions should support development that makes efficient use of urban land such as this location.

- 7.3 The proposal results in the replacement of one single storey dwelling with a single storey dwelling with roof accommodation (chalet bungalow). As there is no net loss of residential units, the principle of development is acceptable, 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 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.
- 7.6 The proposed dwelling would occupy a greater footprint than the existing dwelling, with the proposed having a footprint of about 122 sqm, whilst the existing has 90 sqm. Therefore, the proposed dwelling would slightly increase the spread of the development on the site.
- 7.7 The dwelling would be located close to the boundary of the site, with the porch of the replacement dwelling set back by about half a metre from the streetscene. The main part of the dwelling is set back between 1.7 metres and 2 metres from the streetscene. The established building line of the surrounding area is varied. It is noted that the building line of dwellings on the southern side (dwellings adjacent to the application site) of Egham Hill are significantly set back further than the proposed dwelling. However due to the varied building line in the wider area. (Including Nos 58-52 (evens) which are positioned at a similar distance from the streetscene as the proposal), it is considered that the layout of the dwelling would not be out of character with the wider area.
- 7.8 The proposed replacement dwelling would result in an uplift in the height of about 2 metres (at its greatest extent due to the sloped nature of the plot) compared to the existing dwelling (which has a height of about 5 metres). The resultant height of the dwelling would be about 7 metres at its greatest extent. Due to the proposed dwelling being located close to the streetscene, this uplift in height would be notable from the streetscene, particular given that the dwelling is located in a prominent position beside the junction of Egham and Middle Hill. It is however considered, that given the fact that the dwelling is surrounded by a number of two storey dwellings, that the scale and form of the replacement dwelling is acceptable with the surrounding area.
- 7.9 The proposed materials include brick, timber cladding on the dormers and dark grey slate roof tiles. This design is comparable to some of the materials of other dwellings within the streetscene. However, no details of the colour of the proposed brick have been submitted. As such a condition requiring material samples to be submitted before above ground construction is recommended.
- 7.10 The proposed development also includes modest bike and bin storage in the front garden area. These storage units will have a height of about 1.4 metres and will be sensitively designed, being constructed out of timber cladding. 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

- 7.11 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 dwellings most likely to be potentially affected by the proposed development are No.33 Egham Hill, (which is located to the south-east of the site and it’s garden areas located directly to the rear of then site) and No.8 Furzedown Close, which is located to the south-west of the proposed replacement dwelling.
- 7.13 The proposed replacement dwelling would be located close to the boundary with No.33 Egham Hill. However, due to the proposal being located northwards of the neighbouring No.33, it is considered that there would be no adverse loss of light or overshadowing of No.33 Furthermore, in terms of the potential impact on No.8 Furzedown Close, the proposed dwelling is located on lower ground than this neighbouring dwelling. These considerations offset the fact that the replacement dwelling will be built closer to the boundary compared to the existing dwelling. Consequently, it is considered that there will be no adverse impact on light or overshadowing on the two nearest neighbouring dwellings nor overbearing impact.
- 7.14 The proposal includes a rear dormer window at first floor level. The plans do not indicate whether this window will be obscurely glazed, but it will serve the first floor landing (therefore not a habitable room). Given the short separation distance of about 3 metres from the proposed dwelling to the garden space of No.33 to the rear, it is considered that there would be some overlooking into this garden area from such window. Accordingly, it is recommended that a condition be secured that this window will be obscurely glazed, and PD rights removed for Class B and C (dormers and roof lights) in the rear elevation to prevent the further insertion of windows over and above what has been shown on the plans. As such it is considered that this overcomes the previous application’s refusal reason for loss of amenity to No.33. Additionally, the rear dormer is significantly distanced from No.8 Furzedown Close.
- 7.15 The rear of the proposed development also contains a number of rooflights. Given these will be located high up in the rooms they are located in, it is not considered that they will offer any significant overlooking into the amenity areas of neighbouring dwellings.

The provision of a suitable residential environment

- 7.16 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. Additionally, paragraph 130 of the NPPF states that developments should have a high standard of amenity for future users.
- 7.17 It is considered that the proposed replacement dwelling provides suitable internal floorspace for dwelling of this size (approx. 148 sqm), along with suitable outlook and access to daylight. The proposed development also retains suitable amenity space for a dwelling of this size consistent with the space standards set out in policy SL19 of the local plan.

Highway Considerations

- 7.18 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. Paragraph 110 of the NPPF states that appropriate opportunities to promote sustainable transport modes should be taken up.
- 7.19 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.
- 7.20 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 one space is provided for the site, located up the adjacent unmade road. It is noted that the proposed dwelling is in a relatively sustainable location, within walking distance to local amenities and Egham Station.
- 7.21 Highway Authority have been consulted about the application and they have raised no objection to the application on highways safety ground. They have however recommended a condition for a Construction Transport Management Plan, to avoid adverse impacts on highway safety during the construction period. They have also recommended a condition requiring the applicant to fully provide, retain and maintain the proposed secure bicycle storage.

Other Considerations

7.22 *Trees*

Policy EE9 of the Local Plan states that trees considered to make a significant contributions to their surroundings should be protected. Located at the front of the site is a prominent Chusan Palms as well as a large Ash tree located on the west side of the site. The Council's Arboricultural Officer was consulted on the application and have raised no objection and has recommended conditions related to tree protection. They have stated that no tree removal is necessary to implement the proposal. However, to ensure that the Chusan Palms is maintained, and that the no adverse damage is made to the root protection area of the adjacent ash a condition requiring a Tree Survey, Arboricultural Method Statement and Tree Protection Plan to be submitted prior to commencement is recommended.

7.23 *Contaminated Land.*

Policy EE2 of the Local Plan states that any development proposals on land that is affected by contamination, the applicant will be required to submit and implement a scheme of remediation. The Council's Contaminated Land Officer has been consulted on the scheme and has identified that land that the proposal will be sited on has the potential to be contaminated and therefore has recommended conditions requiring details to be submitted of a protective membrane and if contamination is found during construction, work will stop immediately, and a site investigation shall be carried out.

7.24 *Sustainability*

Policy SD7 relates to sustainable design. The proposal includes the provision of the secure storage of cycles and storage of waste. Furthermore, there is no evidence that the proposal will materially adversely affect biodiversity within the site or the wider area.

- 7.25 Policy SD8 relates to renewable energy. No renewable energy statement has been submitted as part of this application. However, Policy SD8 only requires this for major developments. Given that the proposal is a replacement dwelling and not a major development, it is not a policy requirement for a renewable energy statement to be submitted.

8. PLANNING OBLIGATIONS/COMMUNITY INFRASTRUCTURE LEVY (CIL)

- 8.1 The proposal is CIL liable but would attract an exemption if the applicant claims a self-build exemption.

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 imposed 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, EE2, EE9, SD4, SL19 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 following planning conditions:

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: Site Location Plan, Existing and Proposed Block Plans (received - 05/12/2022), Proposed Block Plan (received - 30/11/2022), Proposed Plans (received – 30/11/2022), Existing and Proposed Street Views (received – 30/11/2022), Proposed Plans - Waste & Recycling Storage and Cycle Storage (received – 30/11/2022), Topographical Survey - Proposed Dwelling (received – 30/11/2022).

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 materials (details required)

Before the above ground construction of the development hereby permitted is commenced, details of the materials to be used in the external elevations shall be submitted to and approved by the Local Planning Authority and no variations in such materials when approved. Development shall be carried out in accordance with the approved details.

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

4. Construction Transport Management Plan

No development shall commence until a Construction Transport Management Plan has been submitted to and approved in writing by the Local Planning Authority, to include details of:

- (a) parking for vehicles of site personnel, operatives and visitors
- (b) loading and unloading of plant and materials
- (c) storage of plant and materials
- (d) programme of works (including measures for traffic management)
- (e) provision of boundary hoarding behind any visibility zones

Only the approved details shall be implemented during the construction of the development.

Reason: The above condition is required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users. The above condition is also required in recognition of Section 9 'Promoting Sustainable Transport' in the National Planning Policy Framework 2021.

5. Tree Protection

Prior to the commencement of any works hereby approved, including demolition, and before any equipment, machinery or materials are brought on to the site, the following information shall be submitted and approved in writing by the local planning authority- Tree Survey, Arboricultural Method Statement and Tree Protection Plan. The information must be in accordance with British Standard 5837:2012 - Trees in relation to design, demolition, and construction.

The works shall be carried out in accordance with the approved protection plan and method statement. The protective measures shall remain in place until all works are complete and all machinery and materials have finally left site. Nothing shall be stored or placed in any area fenced in accordance with this condition, nor shall any fires be started, no tipping, refuelling, disposal of solvents or cement mixing carried out and ground levels within those areas shall not be altered, nor shall any excavation or vehicular access, other than that detailed within the approved plans, be made without the written consent of the LPA.

There shall be no burning within six metres of the canopy of any retained tree(s). Where the approved protective measures and methods are not employed or are inadequately employed or any other requirements of this condition are not adhered to, remediation measures, to a specification agreed in writing by the LPA, shall take place prior to first occupation of the development, unless the LPA gives written consent to any variation.

Reason: To ensure the retention of trees in the interests of the visual amenities of the area and to accord with Policy EE11

6. Land Contamination (1)

No development shall take place until details have been submitted to and approved in writing by the Local Planning Authority of the ground gas protective membrane (regarding ground gas migration pathways) which shall be laid under the floor of the extension hereby approved. The approved details shall be fully implemented and retained for the life of the development.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors in accordance with guidance in the NPPF

7. Land Contamination (2)

In the event that contamination is found at the site during the construction of the extension hereby approved, work shall stop immediately, a site investigation carried out by a competent person and a report shall be submitted in writing to the Local Planning Authority for Approval. No further works shall be undertaken unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and

ecological systems and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors in accordance with guidance in the NPPF

8. Cycle storage

The development hereby approved shall not be first occupied unless and until the following facilities have been provided in accordance with the approved plans for:

The secure parking of bicycles within the development site, and thereafter the said approved facilities shall be provided, retained and maintained to the satisfaction of the Local Planning Authority.

Reason: The above condition is required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users. The above condition is also required in recognition of Section 9 'Promoting Sustainable Transport' in the National Planning Policy Framework 2021.

9. 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.

10. Obscure glazing

Before the first occupation of the dwelling hereby permitted, the dormer window in the rear south-eastern elevation shall be fitted with obscured glazing (at Pilkington Glass Level 4 or equivalent) and any part of the window that is less than 1.7 metres above the floor of the room in which it is installed shall be non-opening and fixed shut. The window shall be permanently retained in that condition thereafter.

Reason: To avoid overlooking into the adjoining property and to comply with Policy EE1 of the Runnymede 2030 Local Plan and guidance within the NPPF.

11. Restricted Permitted Development Rights

Notwithstanding the provisions of Classes B and C of Schedule 2, Part 1 and of the Town and Country Planning (General Permitted Development) Order 2015 (as amended), or any orders amending or re-enacting that Order with or without modification, no development following within the descriptions of Classes B and C shall be constructed or carried out, without the prior written permission of the Local Planning Authority.

Reason: To ensure that a satisfactory form of development takes place and to protect the amenities of occupiers of adjoining properties and the surrounding area and to comply with Policy EE1 of the Runnymede 2030 Local Plan and guidance within the NPPF.