

COMMITTEE AGENDA REFERENCE: 5C

APPLICATION REF:	RU.23/0974
LOCATION	72 Spring Rise, Egham, Surrey, TW20 9PS
PROPOSAL	Construction of a two-storey 3-bedroom dwelling and alterations to the existing dwelling at No 72 following removal of lean to structures of No 72.
TYPE	Full Planning Permission
EXPIRY DATE	04/09/2023
WARD	Egham Town
CASE OFFICER	Catrin Davies
REASON FOR COMMITTEE DETERMINATION	Called In by Cllr Mullens on the grounds that concerns are raised that the development may not comply with the Council's Parking Standards SPD.
<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 HoP:	
1.	To grant permission subject to conditions

2. DETAILS OF THE SITE AND ITS SURROUNDINGS

- 2.1 The site was previously the side garden of no.72 Spring Rise. Along with its adjoining neighbours at no.70, the semi-detached houses have been separated from their respective side gardens and sold separately. The application site slopes significantly from the front boundary to the rear garden by 3.40m.
- 2.2 The residential Spring Rise area is predominantly characterised by 2 storey detached houses with driveways as well as single storey bungalows, detached and semi-detached with front and side extensions also set back from the road. Roof types differ from mansard roofs with dormer windows, some with cat-slide-type features to simple pitched and flat roofs. Several properties along the road have off street parking paved drives, however most of the dwellings do not have off street parking and park on the street.

3. APPLICATION DETAILS

- 3.1 It is proposed to demolish the existing ancillary workshop extension and the dilapidated lean-to structure belonging to the existing semi-detached 2-storey dwelling at No. 72 Spring Rise and erect a new detached 2-storey 3-bedroom house on the adjacent land. The proposal would also involve alterations to No.72 including new roof lights and windows on the rear elevation with internal alterations.

4. RELEVANT PLANNING HISTORY

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

Reference	Details
RU.23/0523	The construction of a two storey dwelling following demolition of existing single storey lean-to-structures (part of No 72 Spring Rise) and new wall to No.72- Withdrawn Decision

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:
- Green and Blue Infrastructure (November 2021)
 - Runnymede Parking Guidance (November 2022)
 - Runnymede Design Guide

6. CONSULTATIONS CARRIED OUT

Consultees responses

Consultee	Comments
SCC Highways	No objection subject to conditions
Contaminated Land Officer	No objection

Representations and comments from interested parties

6.2 Seven neighbouring properties were consulted in addition to being advertised on the Council's website and three letters of representation have been received, which can be summarised as follows:

- Neighbouring amenity concerns
- Concern the property will be rented.
- Parking and traffic concerns
- Construction causing parking and traffic issues.
- Objecting to alterations to the existing house and the new house form one application

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
- Residential amenity of future occupiers
- Residential amenity of neighbouring properties
- Highway considerations
- Ecology and biodiversity

Principle of Development

7.2 The site is within an established residential area within proximity to local amenities and for those reasons is considered to be a sustainable location therefore the principle is considered acceptable.

Design Considerations

7.3 Policy EE1 seeks attractive and resilient places that make a positive contribution to the landscape setting, paying respect to layout, form, and scale. Policy EE1 (Townscape and Landscape Quality), seeks to create high quality and inclusive design which responds to local context. Regard should also be had to the Runnymede Design Guide SPD. The NPPF further strengthens the importance of good design to create 'high quality, beautiful and sustainable buildings, and places' (para. 126, NPPF)

Layout

7.4 No.72 and No.70 do not fall within the existing building line of their neighbours' terraced houses as they protrude further forward and given that are two storeys with the neighbouring

terrace bungalows, they are a prominent feature along the road. The proposed building would have a single storey projection which follows the existing building line of No.72 and 70, however the two-storey element is stepped in back from the front elevation. This layout ensures that as you approach Spring Rise the prominent feature remains the existing house with the single storey projection only partially visible due to the land level changes.

Form and scale

- 7.5 The proposal is for a two-storey dwelling however the two storey element is stepped in from the front elevation which reduces its prominence within the street scene. In addition, the proposal would have a ridge height which is lower than No.72 which again reduces its mass and bulk when viewed from the street scene.

Architectural Design

- 7.6 The proposal would be constructed of materials similar to the existing house which does ensure the houses assimilate. The proposal does involve a green roof, the rationale behind this approach is that due to the land level differences the green roof above the single storey front projection would be read as a continuation of the front garden to offer greater visual amenities. While it is acknowledged that this is a contemporary approach due to the land level changes this is considered to be a response to the local context.
- 7.7 The proposed new dwelling is therefore considered to have an acceptable design which complies with policy EE1.
- 7.8 The proposal alterations to No.72 are at the rear of the property and will not be seen from the street scene and therefore comply with EE1.

Provisions of suitable residential environment

- 7.9 Policy EE1 sets out that “all development proposals will be expected to ensure no adverse impact on the occupiers of the development proposed”. The Runnymede Design SPD 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. Accommodation must be designed to provide suitable levels of natural daylight and sunlight to new and existing properties ...”. The document also provides further guidance on such matters including noise and pollution. All proposals are expected to provide high standard of amenity for all existing and future users in accordance with paragraph 130 of the National Planning Policy Framework (NPPF).
- 7.10 The proposed dwellings meet the minimum gross internal floor areas as stated within policy SL19. Regarding layout the dwelling would have a lounge, kitchen three bedrooms and three bathrooms. Each habitable room being served by at least one window. The Design SPD states, “rear gardens should contain functional space, allowing activities and uses to take place”. The proposal does include sufficient outdoor amenity space for future residents.
- 7.11 The proposal would result in alterations to No.72 the existing dwelling, this includes internal alteration, with additional windows on the rear elevation and rear roof slope. This results in the existing living room having outlook and light from the rear elevation as well as the side elevation. Previously the existing living room only had outlook and light from the side window. This is considered to be an amenity improvement as the rooms would now receive more light and outlook than the existing. The proposal complies with EE1.

Residential amenity of neighbouring properties

- 7.12 Policy EE1 sets out that “all development proposals will be expected to ensure no adverse

impact ...to neighbouring property or uses". The Council's Design SPD also provides advice on the impact of development to residential amenity of neighbouring property stating that amenity includes privacy, outlook, overlooking, daylight, overshadowing and the visual dominance of the proposed development. The neighbouring properties most impact by the proposal are No.72 and No.74 Spring Rise.

- 7.13 Regarding No.72 which lies to the west. This is the existing dwelling. The proposed front projection is stepped in from the shared boundary by 2m and as it is single storey is not considered to result in overbearing or overshadowing. No.72 has an existing window on the side elevation this would have views onto the proposed green roof. A condition is recommended to ensure the green roof cannot be used as a balcony or terrace. Therefore, the window would overlook green amenity space and given this cannot be utilised as private amenity space it is not considered that this would result in any overlooking or privacy concerns.
- 7.14 The proposal would result in built form adjacent to the existing ground floor side window, this is considered to have an impact on the amount of light received and outlook which is a negative of the scheme. However due to the internal changes and the construction of additional windows, there are several windows which now serve this room, therefore while the side window would be impacted this would not result in material planning harm due to the additional windows on the rear elevation which provide additional light and another outlook. A mechanism to secure the insertion of these windows is currently being discussed with the applicant and an update will be provided in the addendum report. The proposal would result in the ground floor extending approx. 3.8m from No.72's existing ground floor this would not breach the 60 degree visibility splay but there would be a slight breach of the 45 degree visibility splay. However due to the proposed roof light on the projecting rear roof slope the room is considered to receive adequate light. The first floor would extend 5.8m from the first floor of No.72 however No.72 does not have any first-floor rear windows. The proposal complies with EE1.
- 7.15 It is acknowledged the proposal significantly reduces the garden land of No.72. However, the site has been legally subdivided therefore irrespective of planning permission the garden land of No.72 has been divided. Therefore, the reduction in garden land is not considered a planning considerations.
- 7.16 Regarding No. 74 which lies to the east. No.74 is a bungalow which is oriented at an angle. The proposed single storey front projection and two storey built form is stepped in from the shared boundary by approx. 2m which is considered meaningful. It is acknowledged that there is a single storey element of the proposal which does run along the shared boundary, however this would be partially mitigated through boundary screening and No.74 is sited so there would be an approx. separation distance of 1m from the shared boundary. Whilst there are two-bedroom windows proposed in the rear elevation there would be no direct overlooking with any views of the neighbours garden being at an oblique angle which is common in an urban environment. It is for these reasons the proposal is considered to have an acceptable impact on No.74 and would not result in material planning harm. The proposal complies with EE1.
- 7.17 There is considered meaningful separation distance from the properties to the south to ensure their amenities are safeguarded. The proposal complies with EE1.

Highways

- 7.18 Policy SD4 states "The Council will support development proposals which maintain or enhance the efficient and safe operation of the highway network and which take account of

the needs of all highway users for safe access, egress and servicing arrangements". For properties outside of a town centre Runnymede Parking Guidance Supplementary Planning Document (November 2022) suggests that 2 off-street parking spaces should be provided for a 3-bed property.

- 7.19 However, as paragraph 4.10 of the Parking Guidance states "*The parking guidance included in this SPD expresses neither 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*". The proposal is within a sustainable location being approx. 840m from Egham train station and approx. 260m from the town centre. The existing dwelling does not include any off-street parking, nor do several properties along the street, this is due to the land level changes along Spring Rise. Given the site's context and sustainable location it is considered that the proposal complies with the Parking Guidance, which allows flexibility subject to site specific considerations with no maximum or minimum standard.
- 7.20 Paragraph 111 of the National Planning Policy Framework states "Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe". It is not considered that the proposal would impact highway safety nor impact the road network as such the proposal cannot be refused on Highway Grounds. SCC Highways have been consulted and raised no objection subject to conditions. SCC Highway have confirmed that they do not believe the proposal would result in a highway safety concern.
- 7.21 The proposal includes space within the front garden for a cycle store. The refuse would be similar to the existing. Bins would be stored within the front garden and transferred to Spring Rise on collection day and this is considered suitable.

Ecology and Biodiversity

- 7.22 Policy SD7, EE9 and EE11 deal with sustainability and biodiversity and sets out that development proposals should demonstrate that consideration has been undertaken to maintain and protect the existing biodiversity on site and also demonstrate net gains in biodiversity. The Green and Blue Infrastructure Supplementary Planning Document (SPD) provides further guidance on sustainability and biodiversity and states "development, at whatever scale, can contribute towards delivery of a high quality multi-functional green and blue infrastructure network by providing, protecting, maintaining and enhancing green and blue infrastructure assets".
- 7.23 The proposed development biodiversity enhancement. These are stated within the Design and Access statement and include new trees and new planting. This is considered satisfactory to comply with policy SD7, EE9 and EE11. However, a condition is recommended requiring further details regarding the biodiversity enhancement on site as well and details regarding the green roof.

8. PLANNING OBLIGATIONS/COMMUNITY INFRASTRUCTURE LEVY (CIL)

- 8.1 In line with the Council's Charging Schedule the proposed development would now be CIL liable. The applicant has submitted the required forms.

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, SD7, EE9 and EE11 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 HoP be authorised to grant planning permission 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:

871-000-L-X01 F Existing Elevations West and South East

871-000-L-000 C Location and Block Plan_B

871-000-L-001 C Existing Ground Floor Plan

871-000-L-R01 D Existing Roof Plan

871-000-L-T01 D Existing Topographical Survey

871-100-L-001 J Proposed Ground Floor Plan

871-100-L-101 F Proposed First Floor Plan

871-100-L-R01 B Proposed Roof Plan

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

3. Materials

The development hereby permitted shall be constructed entirely of the materials as stated in the submitted valid planning application form.

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

4. Balconies

Notwithstanding the provisions of Classes A, 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, the flat roof area of the front projection hereby approved shall not be used as a balcony, roof terrace, sitting out area or similar amenity area, nor shall any railings or other means of enclosure be erected on top of, or attached to, the side of the extension without the grant of further specific permission from the Local Planning Authority.

Reason: In the interests of the amenities of the occupiers of adjoining residential properties and to comply with Policy EE1 of the Runnymede 2030 Local Plan and guidance within the NPPF.

5. Landscaping

- a. No above ground development shall take place until full details of both hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority (LPA) and these works shall be carried out as approved prior to the first occupation of the development. This scheme shall include indications of all changes to levels, hard surfaces, walls, fences, access features, minor structures, the existing trees and hedges to be retained, together with the new planting to be carried out and details of the measures to be taken to protect existing features during the construction of the development.
- b. All hard and soft landscaping works shall be carried out in accordance with the approved details. Arboricultural work to existing trees shall be carried out prior to the commencement of any other development; otherwise all remaining landscaping work and new planting shall be carried out prior to the occupation of any part of the development or in accordance to the timetable agreed with the LPA. Any trees or plants, which within a period of five years of the commencement of any works in pursuance of the development die, are removed, or become seriously damaged or defective, shall be replaced as soon as practicable with others of

similar size and species, following consultation with the LPA, unless the LPA gives written consent to any variation.

Reason: To preserve and enhance the character and appearance and biodiversity of the surrounding area and to comply with Policies EE1, EE9 and EE11 of the Runnymede 2030 Local Plan and guidance within the NPPF.

6. Biodiversity

The above ground construction of the development hereby approved shall not commence until details of the measures to improve and enhance biodiversity at the site have been submitted to and approved in writing by the Local Planning Authority. Such details as shall be approved shall be fully implemented prior to the first use or occupation of the development.

Reason: To enhance the biodiversity of the site and to comply with Policies EE9, EE11 and EE12 of the Runnymede 2030 Local Plan and guidance within the NPPF.

7. Cycle Storage

The development hereby approved shall not be first occupied unless and until the proposed dwelling has been provided with parking for a minimum of 2 bicycles in a robust, secure enclosure in accordance with a plan to be submitted to and approved in writing by the Local Planning Authority and thereafter 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 required in recognition of Section 9 'Promoting Sustainable Transport' in the National Planning Policy Framework 2021.