

COMMITTEE AGENDA REFERENCE: 5C

APPLICATION REF:	RU.23/1078
LOCATION	10 Larchwood Drive, Englefield Green, Surrey, TW20 0SH
PROPOSAL	Double storey side extension and change of use from a single dwelling into a HMO (Sui Generis).
TYPE	Full Planning Permission
EXPIRY DATE	06/10/2023
WARD	Englefield Green West
CASE OFFICER	Catrin Davies
REASON FOR COMMITTEE DETERMINATION	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

It is recommended the Planning Committee authorises the HoP:	
A	The HoP be authorised to grant planning permission subject to the completion of a Section 106 Legal Agreement (S106) under the Town and Country Planning Act 1990 (as amended) and conditions as recommended in section 11 of this report. AND
B	The HoP be authorised to refuse planning permission should the S106 not progress to his satisfaction or if any significant material considerations arise prior to the issuing of the decision notice that in the opinion of the HoP would warrant refusal of the application. Reasons for refusal relating to any such matter are delegated to the HoP.

2. DETAILS OF THE SITE AND ITS SURROUNDINGS

2.1 The application site is an end of terraced property located on the western side of Larchwood Drive. The application site is within a prominent located as it is on the junction between Larchwood Drive and Sycamore Walk. The site has an existing garage to the rear. Larchwood Drive is characterised by terraced and semi-detached property all of a similar design and style. There is a clear and distinct character to the area with a set building line.

2.2 The site is within:

- Thames Basin Heath SPA 5km buffer zone
- Englefield Green Village Neighbourhood Plan (Historic Core Character Area)

3. APPLICATION DETAILS

- 3.1 The application involves the construction a two storey side extension. With reference to the below planning history the extensions are identical to those approved under (now expired) planning permission RU.17/1073
- 3.2 The proposed extensions would facilitate the change of use to an 8 bedroom House of Multiple Occupancy (Sui Generis use). Plans have been amended since the initial submission, to reduce the number of bedrooms down from 9 to 8. 3 bedrooms are proposed to have en-suite bathrooms and there are a further x2 bathrooms. A kitchen and living area are also proposed.

4. RELEVANT PLANNING HISTORY

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

Reference	Details
RU.17/1073	Two storey side and rear extension- Grant Consent - subject to conditions- 21/08/2017
RU.06/1331	Erection of part single storey, part two storey side extension- 23/01/2007

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
- 5.4 This site falls within the designated Englefield Green Neighbourhood Area. The Englefield Green Village Neighbourhood Forum have submitted a Neighbourhood Plan and in October 2023 the Council's Decision Statement was published. Planning Policy Guidance indicates that where a Local Planning Authority has issued its Decision Statement, the policies can be given significant weight in decision-making, so far as they are material to an application. The documents listed below are therefore given significant weight to this application.
- Englefield Green Village Neighbourhood Plan
 - Englefield Green Village Design Codes

6. CONSULTATIONS CARRIED OUT

Consultees responses

Consultee	Comments
SCC County Highway Authority	No objection subject to conditions
Englefield Green Village Neighbourhood Forum	Objects on the grounds that the proposal is contrary to Local Plan Policy SL21 and on highway grounds.

Representations and comments from interested parties

6.2 Five Neighbouring properties were consulted in addition to being advertised on the Council's website. Following this x24 letters of representation have been received from individual addresses, comments made can be summarised as:

- Impact on the street scene
- HMO negatively impacting the character of the area/loss of services/impact on school
- Highways impact
- Concerns about the lack of parking
- Concerns about anti-social behaviour/noise/verbal abuse
- There are too many HMO's in the area
- Contradicts policy SL21 as there would be a loss of residential property
- Impact on drainage within the area
- Impact on neighbouring amenity
- Does not meet fire safety regulations
- The bin/recycling is inadequate
- There is not a requirement for another HMO

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 the proposed use
- Design Consideration
- Highways
- Residential amenity of future occupiers
- Neighbouring amenities
- Residential Amenity

- Ecology and Biodiversity
- Thames Basin Heaths Special Protection Area
- Other matters

Principle of the proposed use

- 7.2 There is no adopted Local Plan policy which specifically relates to the consideration of applications for HMO accommodation. Policy SL21 of the Local Plan deals with the presumption against the loss of *residential*. The building stills remains in a form residential use, it may not be a single dwelling house but it is still a form of residential accommodation. Accordingly, the proposal is consistent with this policy. Therefore, whilst the letters of representation and comments from Englefield Green Village Neighbourhood are noted regarding the intensification of HMOs in the area, and the potential loss of dwelling homes there is no in 'in principle' objections to the proposed use.
- 7.3 Indeed, planning permission is not required to change the use of a dwelling house to an HMO for up to six people, such a change could be done under pemritetd development. This application seeks permission for an HMO for eight occupants, i.e. two additional bedrooms above that which could be undertaken without the need for planning permission. This fallback position is a strong material consideration, as whilst planning permission is being sought for the proposal as a whole, it is the additional two bedrooms (and the extension to the property) for which planning permission is for all intent and purposes required.

Design Consideration

- 7.4 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).
- 7.5 The proposed front/side extension is set back from the front building line and whilst the height of the extension matches that of the existing dwelling, as this is set back from the main two storey front articulation the extension does not dominate the existing dwelling. In terms of the wider streetscene, the two storey proposal would respect the existing building line. The proposed extension would be close to the side boundary of the property, however the proposal is on a corner plot and the road to Sycamore Walk provides suitable separation distance between properties. Therefore the proposed extensions are considered to be visually acceptable to the building and wider streetscene. The extensions are proposed to facilitate the proposed change of use, however given the house will remain as one property it is not considered that the proposal would have a detrimental impact on the character and appearance of the area. The proposal is considered to comply with EE1 of the Runnymede Local Plan, as well a Policy ND5 of the draft Neighbourhood Plan and policy HO.05 of the draft Englefield Green Design Code

Highways

- 7.6 The proposal is within a sustainable location, within walking distance to local amenities and services. 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". 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 change of use from a dwelling house to an HMO would result in a significant additional increase in vehicular movements which would give rise to cumulative impact upon highway capacity. Nor does the proposal raise any implications in terms of highway safety. The highway authority has raised no objections to this proposal subject to conditions.

7.7 Turning to parking provision. 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 remains in a sustainable location where there is less need to rely on a private vehicle. The proposal includes a garage. This is the existing parking arrangement for the dwelling house. Whilst the change of use could give rise to more occupiers living independently from each other the site remains one in a sustainable location. As such 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.

7.8 The proposal includes space within the rear garden for a cycle store for at least 8 cycles and therefore complies with policy SD4 of the Runnymede Local Plan. This can be secured by way of recommended condition.

Residential amenity of future occupiers

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 of 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 Policy EE1 requires a good standard of external and internal amenity space for future occupiers. In October 2018 the government introduced new minimum bedroom sizes for HMOs. These are: Room used for sleeping by 1 adult: No smaller than 6.51 m². Room used for sleeping by 2 adults: No smaller than 10.22 m². The applicant has specified the number of tenants as 8. Each bedroom complies the room size regulations. All habitable rooms would have windows and outlook onto the rear garden and front area respectively. While the proposal would cover an area of the garden there is considered sufficient space remaining that occupants would still have access to external amenity space. Therefore, and very much on balance, the proposal would provide an acceptable standard of amenity for future occupiers.

Neighbouring amenities

7.9 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.

- 7.10 The properties most impact by the proposal are No.8 and No.12. As the application site is a corner plot there would be meaningful separation distance between the extension and No.8. Regarding No.12 which lies to the west the proposed side extension would not extend any closer No.12 than the existing dwelling. It is therefore considered the proposal has an acceptable impact on neighbouring amenities and complies with EE1 of the Runnymede Local Plan and Policy ND1 of the Englefield Green Village Neighbourhood Plan.
- 7.11 In terms of the potential impact on neighbouring amenity, regarding noise and disturbance, it is not considered that the activities associated with a HMO for up to eight people would give rise to amenity issues. The use proposed use would not result in a significant increase in activities above and beyond what could take place without the need for planning permission. Certainly, and with reference to some of the letters of representations made against this proposal, there is nothing to indicate that potential future residents would result in any increased anti-social issues. For these reasons the proposal is considered to comply with EE1 of the Runnymede Local Plan and Policy ND1 of the Englefield Green Village Neighbourhood Plan.

Ecology and Biodiversity

- 7.12 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”.
- 7.13 Given the existing residential use of the site there is nothing to indicate there are any ecological/ biodiversity features which need to be protected or mitigated as part of this proposal. Biodiversity net gains is a requirement of local and national planning permission and given the nature of this proposal it is considered that this can be secured via recommended condition.

Thames Basin Heaths Special Protection Area

- 7.14 Policy EE10 (Thames Basin Heaths Special Protection Area) and the Thames Basin Heaths Special Protection Area Supplementary Planning Document (SPD- April 2021) states that additional development beyond the 400m Special Protection Area exclusion zone, but built within 5km of the Special Protection Area boundary will need to put in place adequate measures to avoid and mitigate potential effects on the Special Protection Area Adequate measures includes contributions to Suitable Alternative Natural Green Space (SANG) and make a financial contribution to Strategic Access Management and Monitoring (SAMM) at the Special Protection Area.
- 7.15 The first payment is towards the provision of a Suitable Alternative Natural Greenspace (SANG). The second is towards the Strategic Access Management and Monitoring funds. In accordance with the Council adopted SPD for this area a financial contribution of £7,860,45 is required towards SANG and a further £3,574,57 towards SAMM. The applicant has agreed to enter into a legal agreement to secure this mitigation.

Other matters

- 7.16 Regarding the letters received many concerns raised have been discussed above. Regarding the matter of fire safety this is not a planning matter and therefore falls outside the scope of this assessment.

8. PLANNING OBLIGATIONS/COMMUNITY INFRASTRUCTURE LEVY (CIL)

- 8.1 The application is not liable for CIL.

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

- 10.2 In summary there are no policies within the Local Plan, or other policy guidance which, in principle, prevents or restricts the use of such a property as a House of Multiple Occupancy. The proposal is considered to be visually appropriate, is not considered to raise any highway safety issues and having regard for the site's sustainable location the level of parking is considered appropriate for this proposal. It is considered that this application would provide a suitable level of residential amenity and is not considered to raise any issues in terms of detrimental impact on neighbouring properties. It is not considered that the proposal raises any other issues and as such is recommended for approval.

The development has been assessed against the following Development Plan policies – SL21, EE1, SD7, EE9, EE10 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

Recommendation Part A:

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

2. Planning Obligations of:

(i) SANG AND SAMM

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:

C01 Rev A received 24/10/2023 (amended plan)

C02 Rev A received 24/10/2023 (amended plan)

C03 Rev A received 24/10/2023 (amended plan)

C04 received 24/10/2023

C06 received 24/10/2023

Location 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. HMO bedrooms

The development hereby approved shall be an HMO of no more than 8 persons.

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.

4. 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.

5. Biodiversity

Prior to commencement of works above ground level details of the measures to improve and enhance biodiversity at the site shall be 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 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.

6. Cycle Storage

The development hereby approved shall not be first occupied unless and until each of the proposed dwelling rooms have been provided with bicycle parking in a robust, secure enclosure, for a minimum of 8 spaces, in accordance with the approved plan 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 and policy SD3 and SD4 of the Runnymede Local Plan.

Recommendation B:

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