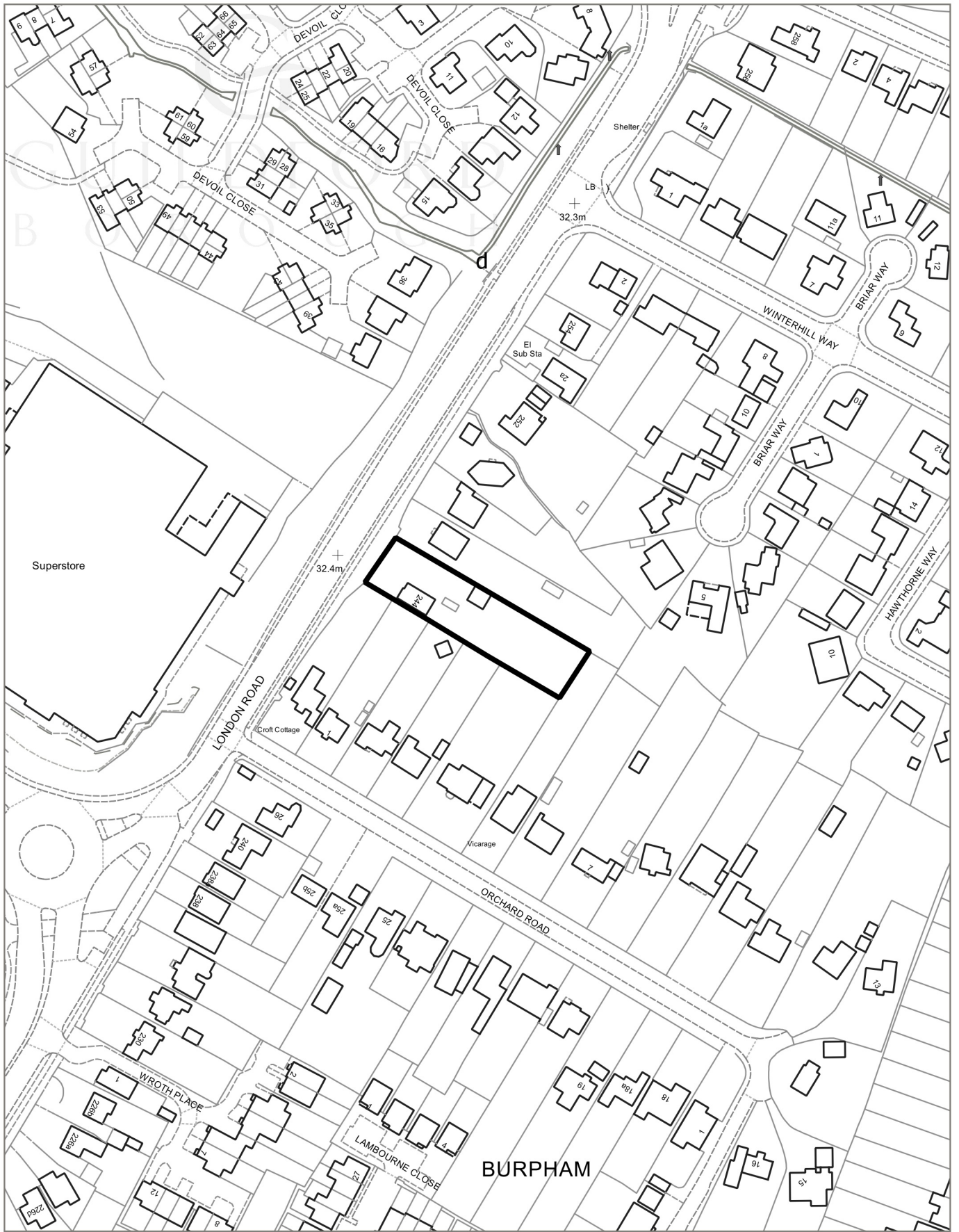


20/P/00353 - 244 London Road, Guildford



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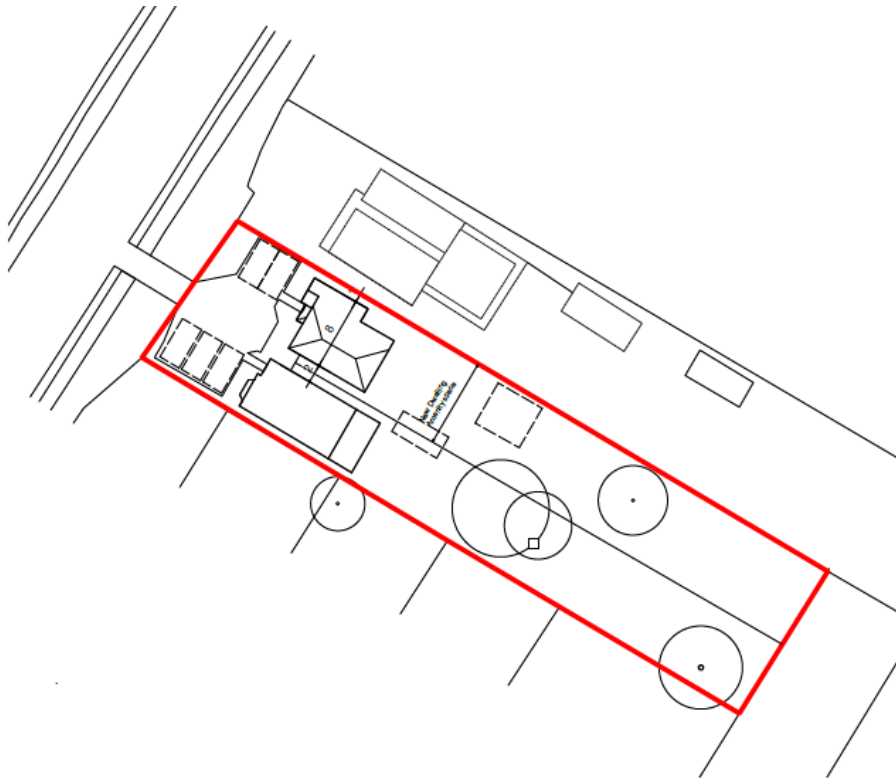


Not to Scale



GUILDFORD
BOROUGH

20/P/00353 – 244 London Road, Guildford



Not to scale



App No: 20/P/00353 **8 Wk Deadline:** 17/07/2020
Appn Type: Full Application
Case Officer: Margarita Romanovich
Parish: Burpham **Ward:** Burpham
Agent : Mr Badosz **Applicant:** Mr & Mrs Stiff
D&M Planning Ltd
1A High Street
Godalming
GU7 1AZ

Location: 244 London Road, Guildford, GU4 7LD
Proposal: Erection of a detached three-bedroom dwelling.

Executive Summary

Reason for referral

The application has been called to the planning committee by Councillor George Potter who believes that the principle of development has been incorrectly established due the fact that sufficient housing supply within the borough is already provided for by the Local Plan. It has also been noted that the proposal may not reflect the spatial character of the locality and may be out of character with the neighbouring properties, may increase the risk of flooding and result in a significant burden to the sewerage system contrary to saved policies H1 and H4 of the Local Plan 2003 and policies B-FD4, B-FD1 and B-T1 of the Burpham Neighbourhood Plan 2015-2035. Cllr Potter also believes that if the application is to be approved, a Construction Transport Management Plan should be secured by conditioned.

Key information

This application is for the erection of a new detached house in the garden area of No.244 London Road.

Width: 8m

Depth: 9.5m with a single storey front projection increasing the depth to 10.9m

height: 7.4m

The application site is located within the urban area of Guildford, on the east side of London Road in Burpham. The application site also lies within the SPA buffer zone of 400m to 5km.

The surrounding area is characterised by a mixture of dwelling types, styles and sizes that were constructed largely during the early to mid 20th Century. While there is some variation in the appearance of the properties, the prevailing character of the local area is of traditionally styled residential dwellings.

Summary of considerations and constraints

The site is in a sustainable location within the urban area where the principle of new residential development is acceptable. While the Council has a five year housing land supply, this does not preclude sustainable development in the urban area.

The new dwelling would be of a traditional appearance with a pitched roof and in-keeping with the predominant scale, proportions and height of the existing buildings in the locality. Sufficient gaps would be retained to the sides of the new dwelling.

The proposal would not result in detrimental impact on the residential amenities of the adjacent neighbouring properties, would provide adequate living conditions and would not result in any parking or highways issues.

The application site is located within the Flood Zone 1 and is more than 20 metres from the water course. There is no in principle objection to additional residential dwellings in Flood Zone 1. The addition of just one additional residential dwelling is not considered to overload the existing water and sewerage infrastructure. Thames Water have confirmed that there is sufficient sewerage capacity to cater for an additional dwelling.

Subject to a legal agreement to secure the necessary financial contributions to mitigate against the impact of the proposal on the Thames Basin Heaths Special Protection Area, the application is recommended for approval.

RECOMMENDATION:

(i) That a S106 agreement be entered into to secure:

A SANGS contribution and an Access Management and Monitoring Contribution in accordance with the adopted tariff of the SPA Avoidance Strategy to mitigate against the impact on the Thames Basin Heaths Special Protection Area

(ii) That upon completion of (i) above, the application be determined by the Planning Development Manager.

Approve - subject to the following condition(s) and reason(s) :-

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51(1) of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plans: 01 Rev A received on 24/06/2020.

Reason: To ensure that the development is carried out in accordance with the approved plans and in the interests of proper planning.

3. No development above slab level shall take place until details and samples of the proposed external facing and roofing materials including colour and finish have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details and samples.

Reason: To ensure that the external appearance of the building is satisfactory.

4. No development above slab level shall take place until an energy statement shall be submitted to and approved in writing by the Local Planning Authority. This shall include details of how energy efficiency is being addressed, including benchmark data and identifying the Target carbon Emissions Rate TER for the site or the development as per Building Regulation requirements (for types of development where there is no TER in Building Regulations, predicted energy usage for that type of development should be used) and how a minimum of 20 per cent reduction in carbon emissions against the TER or predicted energy usage through the provision of appropriate renewable and low carbon energy technologies on site and / or in the locality of the development and / or improvements to the energy performance of the building. The approved details shall be implemented prior to the first occupation of the development and retained as operational thereafter.

Reason: To reduce carbon emissions and incorporate sustainable energy in accordance with the Council's Sustainable Design and Construction SPD 2011.

5. The development hereby permitted must comply with regulation 36 paragraph 2(b) of the Building Regulations 2010 (as amended) to achieve a water efficiency of 110 litres per occupant per day (described in part G2 of the Approved Documents 2015). Before occupation, a copy of the wholesome water consumption calculation notice (described at regulation 37 (1) of the Building Regulations 2010 (as amended)) shall be provided to the planning department to demonstrate that this condition has been met.

Reason: To improve water efficiency in accordance with the Council's Supplementary Planning Guidance 'Sustainable Design and Construction' 2011.

6. The development hereby approved shall not be first occupied unless and until space has been laid out within the site in accordance with the approved plans, Drawing No.01 Rev A, for vehicles to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the parking and turning areas shall be retained and maintained for their designated purposes.

Reason: The above condition is required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users.

7. The development hereby approved shall not be occupied unless and until the approved dwelling is provided with a fast charge socket - 7 kw Mode 3 with Type 2 connector - 230v AC 32 Amp single phase dedicated supply, which shall thereafter be 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.

8. The first floor window in the south-western elevation of the development hereby approved shall be glazed with obscure glass and permanently fixed shut, unless the parts of the window/s which can be opened are more than 1.7 metres above the floor of the room in which the window is installed and shall thereafter be permanently retained as such.

Reason: In the interests of residential amenity and privacy.

Informatives:

1. If you need any advice regarding Building Regulations please do not hesitate to contact Guildford Borough Council Building Control on 01483 444545 or buildingcontrol@guildford.gov.uk.
2. This statement is provided in accordance with Article 35(2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. Guildford Borough Council seek to take a positive and proactive approach to development proposals. We work with applicants in a positive and proactive manner by:
 - Offering a pre application advice service
 - Where pre-application advice has been sought and that advice has been followed we will advise applicants/agents of any further issues arising during the course of the application
 - Where possible officers will seek minor amendments to overcome issues identified at an early stage in the application process

However, Guildford Borough Council will generally not engage in unnecessary negotiation for fundamentally unacceptable proposals or where significant changes to an application is required.

- Pre-application advice was not sought prior to submission and, minor alterations were required to overcome concerns, these were sought and the applicant agreed to the changes.
3. The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders. (Highways Act 1980 Sections 131, 148, 149).
 4. It is the responsibility of the developer to ensure that the electricity supply is sufficient to meet future demands and that any power balancing technology is in place if required. Please refer to:
<http://www.beama.org.uk/resourceLibrary/beama-guide-to-electric-vehicle-infrastructure.html> for guidance and further information on charging modes and connector types.

Officer's Report

Site description.

The application site is located within the urban area of Guildford, on the east side of London Road in Burpham. The application site also lies within the SPA buffer zone of 400m to 5km.

The existing property is a detached two-storey dwelling that benefits from a large rear and side garden.

The surrounding area is characterised by a mixture of dwelling types, styles and sizes that were constructed largely during the early to mid 20th Century. While there is some variation in the appearance of the properties, the prevailing character of the local area is of traditionally styled residential dwellings.

Proposal.

Erection of a detached three-bedroom dwelling (as amended by plans received on 24/06/20).

An amended plan has been received showing the extent of the outdoor amenity area for the new dwelling and that 3 off-street car parking spaces would be retained for the existing dwelling.

Relevant planning history.

Reference:	Description:	Decision Summary:	Appeal:
18/P/01323	Single storey rear extension and changes to fenestration following demolition of existing conservatory	Approve 28/08/2018	N/A
17/P/00611	Erection of a two storey, 3 bedroom detached dwelling with access and parking together with a single storey rear extension and alterations to the existing dwelling following the demolition of the existing outbuildings.	Withdrawn 15/05/2017	N/A
14/P/02128	Erection of three four-bedroom detached houses with associated access, parking and landscaping, and the retention of the existing house at 244 London Road.	Refuse 04/02/2015	DISM 22/09/2015
13/P/01190	Erection of three 4-bedroom detached houses and one 3-bed detached house with associated access, parking and landscaping, and the retention of the existing house at 244 London Road (amended plans received 16.09.13).	Refuse 06/12/2013	DISM 31/03/2014

13/P/00488 Erection of four 4-bedroom detached Withdrawn N/A
houses with associated access, parking 16/05/2013
and landscaping, and the retention of
the existing house at 244 London Road.

Consultations.

Statutory consultees

County Highway Authority: No Objection. Relevant conditions and informatives have been recommended.

Natural England: No comments to make on this application, as long as the relevant avoidance and mitigation measures specified in the Appropriate Assessment are secured and that as long the applicant is complying with the requirements of Guildford's Avoidance and Mitigation Strategy for the Thames Basin Heaths SPA (through a legal agreement securing contributions to Suitable Alternative Natural Greenspace (SANG) and Strategic Access Management and Monitoring (SAMM)).

Thames Water: Confirm that there is sufficient sewerage capacity to cater for an additional dwelling. No objections have been raised.

Internal consultees

Head of Environmental Health and Licensing: No response received.

Recycling and Waste Projects Officer: No objection.

Amenity groups/Residents associations

Burpham Neighbourhood Forum: Raise an objection.

- lack of foul sewerage infrastructure [Officer Note: The proposal is for one additional dwelling which would not have an impact on the existing sewerage infrastructure. Thames Water have confirmed that there is sufficient capacity in the network to accommodate the proposal];
- the site is in a Flood Risk area [Officer Note: The site is located in Flood Zone One where new residential development is acceptable];
- soak away for surface water is unrealistic;
- limited gaps to the side boundaries;
- out-of-character;
- not in line with the Burpham Neighbourhood Plan requirements;
- inaccuracies in the design and access statement; and
- construction Management Plan should be conditioned.

Third party comments:

None received.

Planning policies.

National Planning Policy Framework (NPPF):

Chapter 2: Achieving sustainable development

Chapter 5. Delivering a sufficient supply of homes

Chapter 12. Achieving well-designed places

Chapter 14. Meeting the challenge of climate change, flooding and coastal change

South East Plan 2009:

NRM6 Thames Basin Heath Special Protection Area

Guildford Borough Local Plan 2015-2034:

The Guildford borough Local Plan: strategy and sites was adopted by Council on 25 April 2019. The Plan carries full weight as part of the Council's Development Plan.

The Council is able to demonstrate a five year housing land supply with an appropriate buffer. This supply is assessed as 6.84 years based on most recent evidence as reflected in the GBC LAA (2019). In addition to this, the Government's recently published Housing Delivery Test indicates that Guildford's 2019 measurement is 83%. For the purposes of NPPF footnote 7, this is therefore greater than the threshold set out in paragraph 215 (45%). Therefore, the Plan and its policies are regarded as up-to-date in terms of paragraph 11 of the NPPF.

Policy H1: Homes for all of the draft local plan is relevant for this development

Policy D1: Place Shaping

Policy D2 Sustainable design, construction and energy

Policy ID3: Sustainable transport for new developments

Policy P5: Thames Basin Heaths SPA

Guildford Borough Local Plan 2003 (as saved by CLG Direction 24 September 2007):

G1 General Standards of Development

G5 Design Code

H4 Housing in Urban Areas

NE4 Species Protection

Burpham Neighbourhood Plan 2015-2035:

Policy B-FD1: General Development Standards

Policy B-FD2: Dwelling Mix

Policy B-FD4: Water Supply & Sewerage Infrastructure

Policy B-T1: Parking Standards

Supplementary planning documents:

Residential Design Guide (2004)

Vehicle Parking Standards (2006)

Sustainable Design and Construction (2011)

Planning Contributions SPD (2017)

Thames Basin Heath SPA Avoidance Strategy (2017)

Planning considerations.

The main planning considerations in this case are:

- the principle of development
- the impact on the scale and character
- the impact on neighbouring amenity
- living environment
- the impact on highways and parking
- sustainable development
- flood risk
- Thames Basin Heath Special Protection Area (TBHSPA) and Appropriate Assessment (AA)
- legal agreement requirements

The principle of development

The NPPF 2019 sets out the government's aim to significantly boost the supply of housing with housing applications considered in the context of the presumption in favour of sustainable development.

Paragraph 68 of the NPPF states that small and medium sized sites can make an important contribution to meeting the housing requirement of an area, and are often built-out relatively quickly.

To promote the development of a good mix of sites local planning authorities should support development of windfall sites through their policies and decisions giving great weight to the benefits of using suitable sites within existing settlements for homes and encouraging the sub-division of large sites where this could help to speed up the delivery of homes. As the site is located in a sustainable location in the urban area, the principle of a new residential dwelling here is acceptable.

While it is noted that the Council does have a five year housing land supply, this does not preclude the sustainable redevelopment of appropriate sites, which the application plot is considered to be.

The impact on the scale and character

The application site is situated in a suburban location that is made up primarily of residential properties. London Road is a busy, category A class road that links Burpham with the junction with the A3. The local area is made up of a mixture of dwelling types, styles and sizes that were constructed largely during the early to mid 20th Century. While there is some variation in the appearance of the properties, the prevailing character of the local area is of traditionally styled residential dwellings.

The plot is a garden/outdoor amenity area for the existing dwelling, No.244 London Road. The proposed dwelling would be located to the side of the existing dwelling. It would follow and would not extend beyond the existing building line. A gap of 1 metre would be left to each side of the new dwelling. In terms of scale, the proposal would be in-keeping with the predominant scale, proportions and height of the existing buildings in the locality. In terms of design, the proposed dwelling would be of traditional appearance with a pitched roof. The proposal is deemed to be consistent with policy B-FD 1 of the Neighbourhood Plan as the scale, height and massing of the dwelling would relate sympathetically to the surrounding area; and make efficient use of land while respecting the predominant character of the surrounding area;

The quality and finish of the external materials would be very important in ensuring a high quality final appearance which does not detract from the surroundings. As such, a condition is recommended to ensure that samples of the proposed materials are submitted to the Local Planning Authority for approval.

As such, by virtue of the acceptable layout, scale and design, the proposal is considered to reflect the prevailing spatial character of the locality.

The impact on neighbouring amenity

The neighbouring properties most affected are the host dwelling, No.244 London Road situated to the south-west of the location of the proposed dwelling and No.246 London Road situated to the north-east of the application site.

The proposed dwelling would not extend beyond the front or rear elevations of these dwellings and, as such, is not considered to result in loss of light or overbearing on these neighbouring properties.

There is a new upper-floor window serving a bathroom proposed to the side elevation of the new dwelling facing No.244 London Road and rooflights to the side roof slopes facing No.246 London Road. There are existing upper-floor windows in the side elevation of No.244 London Road that the new window would face. As such, to protect the privacy of the occupants of No.244 London Road, a condition will be added requiring the upper-floor window serving a bathroom proposed to the side elevation of the new dwelling to be obscure-glazed and non-opening (below 1.7m). Given the high location of the proposed rooflights, they are not considered to result in loss of privacy.

Living Environment

Paragraph 127 (f) of the NPPF states that planning policies and decisions should ensure that developments should create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.

Policy D1 (4) of the Local Plan 2015-2034 requires that all new development is expected to have regard to and perform positively against the recommendations set out in the latest Building for Life guidance and conform to the nationally described space standards as set out by the Ministry of Housing, Communities and Local Government (MHCLG).

The proposed dwelling would exceed the minimum requirements for a 3 bed/4 person dwelling in terms of gross internal area, as laid out in the Technical housing standards (2015).

In addition, the new dwelling would benefit from an adequate outdoor amenity area.

There would be adequate space within the plots for appropriate refuse/recycling bins to serve the dwellings.

It is noted that the host dwelling would be left with a sizeable rear garden and its amenity would not be adversely impacted by the development.

The impact on highways and parking

The Burpham Neighbourhood Plan requires 2 off-street car parking spaces for 3 bedroom units and 3 off-street car parking spaces for 4 or more bed houses.

The new dwelling would be a 3 bedroom unit and would feature 2 off-street car parking spaces.

The existing dwelling comprises a 4 bedroom unit, which would have 3 off-street car parking spaces.

No changes are proposed to existing access.

The County Highway Authority has assessed the proposed development and raise no objection in terms of parking and highway safety. Relevant conditions have been recommended.

The Highways Authority have recommended the submission of a Construction Transport Management Plan. It is not considered necessary to impose this condition, since the development is for the erection of just one new residential unit and the site features adequate access and space to store construction materials.

Sustainable development

The Council's Sustainable Design and Construction SPD 2011 and Policy D2 of the Emerging Local Plan require that all dwellings achieve as a minimum a water efficiency standard of 110 litres per occupant per day and a 20 percent reduction in carbon emissions through the use of on site low and zero carbon technologies and/or fabric improvements. These will be secured by condition.

Flood Risk

The site is located in flood zone one which has a less than a 1 in 1,000 annual probability of river or sea flooding. There are no in principle objections to the provision of additional dwellings in flood zone one and there is no evidence to suggest that the proposal would increase the risk of flooding to neighbouring land or properties.

The addition of just one additional residential dwelling is not considered to overload the existing water and sewerage infrastructure. Indeed, a response from Thames Water has been received which confirms that there is sufficient sewerage capacity to cater for an additional dwelling.

As such, the proposal is considered to be acceptable in this regard.

Thames Basin Heath Special Protection Area (TBHSPA) and Appropriate Assessment (AA)

The proposed development may adversely impact the TBHSPA due to the net increase in residential units at the site. The Council's adopted TBHSPA Avoidance Strategy 2017 requires a SANG contribution and an Access Management (SAMM) contribution to avoid any adverse impact in line with the tariff within the annual updating of off-site contributions document.

As part of the application process the Council has undertaken an Appropriate Assessment (AA), which concluded that the development would not affect the integrity of the European site either alone or in combination with other plans and projects in relation to additional impact pathways subject to the application meeting the mitigation measures set out in the TBHSPA Avoidance Strategy. Natural England has been consulted on the AA and they confirm they are happy with the conclusions of the AA.

The applicant has agreed to secure the required contributions through a S106 legal agreement.

Legal agreement requirements

The three tests as set out in Regulation 122 require S106 agreements to be:

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development.

As the application would result in the net gain of one new residential unit, in order for the development to be acceptable in planning terms, a S106 agreement is required as part of any subsequent planning approval to secure a financial contribution towards a SANG and SAMM, in line with the Guildford Borough Council TBHSPA Avoidance Strategy 2017. This strategy has been formally adopted by the Council. In line with this strategy and the requirements of Regulation 63 of the Habitats Regulations 2017, a S106 agreement is required to ensure that the additional residential units proposed by this development would not have any likely significant effect on the TBHSPA. In this instance the applicant has agreed to enter into a s.106 agreement to secure the financial contributions.

In conclusion, if the application was deemed to be acceptable, the Council is of the opinion that the legal agreement would meet the three tests set out above.

Conclusion

The proposed development would respect the character and appearance of the surrounding area and would not result in a detrimental impact on residential amenities of the neighbouring properties or any parking or highways issues. It is therefore recommended to approval subject to a Section 106 agreement.