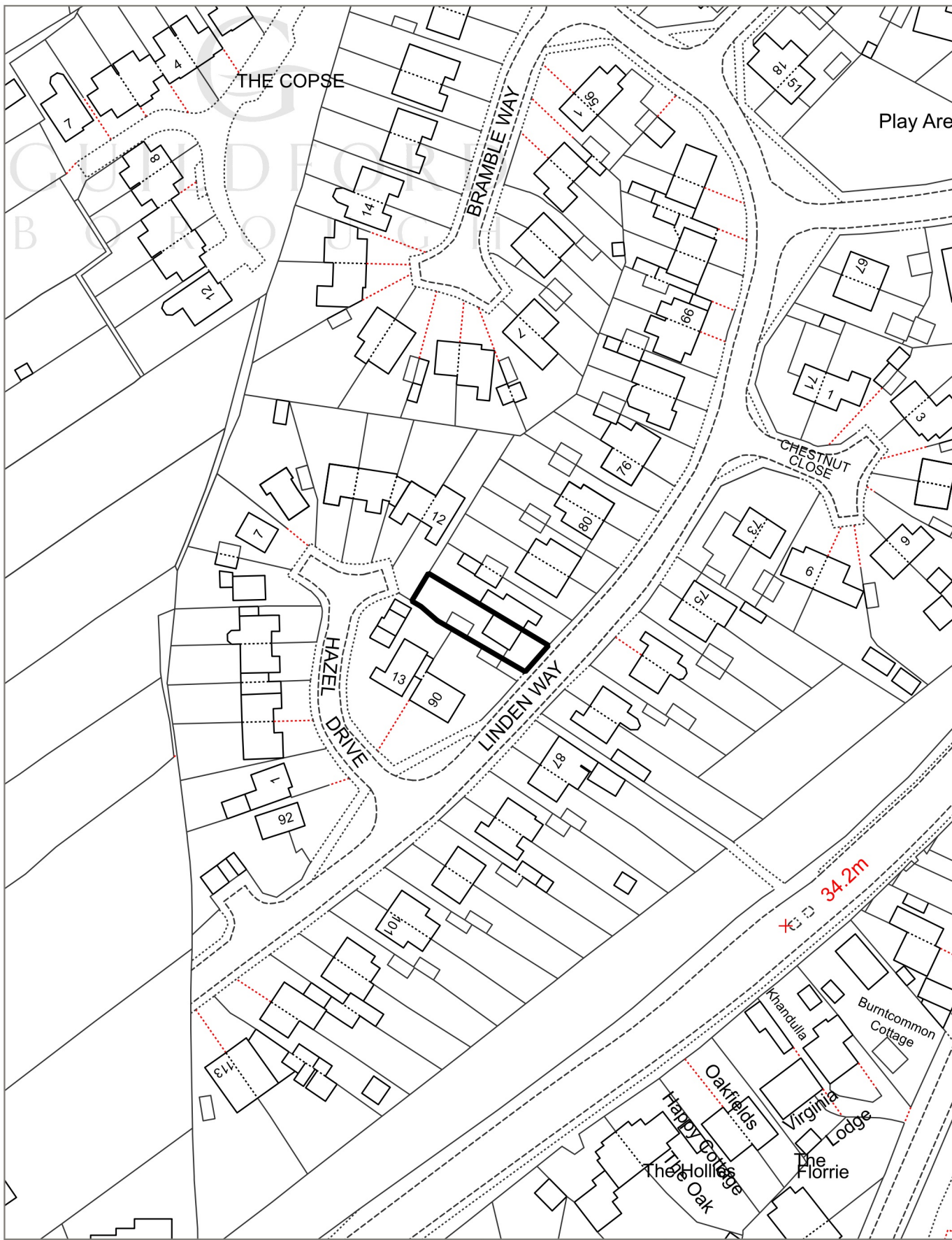


# 24/P/00855 - 88 Linden Way, Ripley, Woking



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Print Date: 22/10/2024



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GUILDFORD  
BOROUGH

24/P/00855 – 88 Linden Way, Ripley, Woking



Not to scale

**App No:** 24/P/00855  
**Appn Type:** Full Application  
**Case Officer:** Chris Gent

**8 Wk Deadline:** 23/10/2024

**Parish:** Send  
**Agent :** Mr Pitters Mciat  
Canopy Planning Services  
Ltd  
5 Palmerston Court  
Palmerston Road  
Sutton  
SM1 4QL

**Ward:** Send & Lovelace  
**Applicant:** Ms Eleanor Costa  
88 Linden Way  
Ripley  
Surrey  
GU23 6LP

**Location:** 88 Linden Way, Ripley, Woking, GU23 6LP

**Proposal:** Two storey side extension, single storey rear extension, first floor rear Juliet balcony and front porch following demolition of existing garage

### **Executive Summary**

#### **Reason for referral**

This application has been referred to the Planning Committee because more than 10 letters of objection have been received, contrary to the Officer's recommendation.

(Officer note: This application was originally referred to a meeting on 11/09/2024 and was deferred due to an equality and diversity issue raised. This issue has now been addressed and the application is now ready to be determined.)

#### **Key information**

The proposal is for a two-storey side extension, single storey rear extension, first floor rear Juliet balcony and front porch following demolition of existing garage

(Officer note: The application description was originally for a two-storey side extension, single storey rear extension, first floor rear Juliet balcony, front porch, rear dormer window, front rooflights and 1m high close boarded fence/sliding gate across the frontage. Since the submission, a Certificate of Lawfulness (ref 24/P/01340) has been submitted for specific elements of the scheme i.e. the rear dormer window, front rooflights and 1m high close boarded fence/sliding gate. The certificate has been granted and these elements have now been removed from this current application. The proposal is now for a two-storey side extension, single storey rear extension, first floor rear Juliet balcony and front porch).

#### **Summary of considerations and constraints**

The proposed two storey side extension's layout, size, form and roof would be an acceptable design approach that would respect the character and scale of the host dwelling. Whilst it is noted that the proposal would lack a 1m gap between the side of the extension and the shared boundary, the property's location at the end of a row of houses is such that this lack of space would not result in any terracing effect.

No objection is raised to the size and design of the proposed single storey rear extension, front porch and first floor rear Juliet balcony.

The proposals would not result in significant additional overlooking/loss of privacy to the neighbouring dwellings, nor would the proposals appear as an overbearing feature or result in significant additional overshadowing.

For these reasons it is concluded that planning permission should be granted subject to conditions.

### **RECOMMENDATION:**

#### **Approve - subject to the following condition(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: 24134/03, 24134/02, 24134/01 received on 30/05/2024 and amended plans 24134/04D, 24134/05D received on 15/10/2024.

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

3. The proposed external facing brick and roofing tiles of the development hereby permitted, shall match in material, colour, size, style, bonding, texture and profile those of the existing building.

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

4. Access to the flat roof area of the single storey rear extension hereby permitted shall be for maintenance or emergency purposes only and the flat roof shall not be used as a balcony, roof garden, patio or similar amenity area.

Reason: In the interests of residential amenity and privacy.

### **Officer's Report**

#### **Site description**

The application site is located within Send inset from the Green Belt and comprises a two-storey semi-detached house. The property is set within a residential locality with the surrounding properties comprising a mix of designs. The dwelling is finished in brick under a concrete tiled roof.

#### **Proposal**

Two storey side extension, single storey rear extension, first floor rear Juliet balcony and front porch

following demolition of existing garage.

### **Relevant planning history**

24/P/01340 – Certificate of Lawfulness for proposed development to establish whether a rear dormer window, front rooflights and 1m high timber fence and sliding gate would be lawful. Approved - 10/10/2024.

### **Consultations**

Send Parish Council - raise objection to the proposal for the following reasons:

- overdevelopment
- insufficient parking provision
- out of character with neighbouring properties
- loss of privacy

### **Third party comments**

16 letters of objection have been received raising the following objections and concerns: (Officer Note: The third-party comments below were received prior to the submission of the certificate of lawfulness application i.e. the application as was originally submitted)

- impact on health and wellbeing
- rear dormer window and front rooflights are not in keeping with other properties in the road/ query whether rear dormer window breaks 45 degrees rule (Officer note: The rear dormer window and front rooflights have been approved under a recent certificate of lawfulness)
- precedent for overdevelopment
- parking issues
- loss of privacy/overlooking
- imposing and oppressive
- concern that first floor Juliet balcony could be changed in the future to allow use of single storey rear extension as a roof terrace
- two storey side extension would result in terracing effect and overdevelopment
- water run-off from downpipes/drainage issues/flood risks
- concern that 1m tall fencing along frontage is out of character and contravenes deeds of covenants (Officer note: The 1m high fencing has been approved under a recent certificate of lawfulness)
- planned 2m fence dividing No's 86 & 88 Linden Way's front gardens would result in loss of sunlight and be overbearing (Officer note: Amended plans have been received (dated 15/10/2024) showing the existing fencing dividing No's 86 & 88 Linden Way's front gardens unchanged)
- noise and disruption during construction (Officer note: Noise and disruption during construction is part of all development work but would be temporary and would not be a reason to withhold planning permission)
- loss of sunlight
- impact on hedgehogs highways
- concerns regarding party wall (i.e. removal of chimney stack)
- concerns that proposal is to create a multi occupational house

In addition to the above, before Planning Committee on 11/09/2024, members will be aware that they received an email from a neighbour which sets out the following concerns:

- impact on health and wellbeing

### **Planning policies**

The following policies are relevant to the determination of this application.

#### **National Planning Policy Framework (NPPF) (revised 19 December 2023)**

Chapter 12. Achieving well-designed and beautiful places

#### **Guildford Borough Local Plan: Strategy and Sites (adopted by Council on 25 April 2019)**

Policy D1: Place shaping

#### **Guildford Borough Local Plan: Development Management Policies (LPDMP) (Adopted on 22 March 2023)**

Policy H4: Housing Extensions and Alterations including Annexes

Policy D4: Achieving High Quality Design and Respecting Local Distinctiveness

Policy D5: Protection of Amenity and Provision of Amenity Space

Policy ID10: Parking Standards for New Development

#### **Send Neighbourhood Development Plan 2019- 2034**

Policy Send 1 - Design

Policy Send 8 – Car parking provision

#### **Supplementary Planning Documents (SPD)**

Residential Extensions and Alterations 2018

Parking Standards for New Development 2023

### **Planning considerations**

- impact on scale and character of the existing dwelling and surrounding area
- impact on neighbour amenity
- parking considerations
- third party objections
- equality, diversity and human rights

#### Impact on scale and character of the existing dwelling and surrounding area

88 Linden Way is a two-storey semi-detached property with a concrete tiled pitched roof and facing brick elevations. It has a driveway which runs along the side of the house to a detached garage at the rear.

The proposal is for the following extensions and alterations:

- two storey side extension following demolition of existing detached garage
- addition of first floor rear Juliet balcony
- single storey rear extension
- front porch

### Two storey side extension

The Council's Residential Extensions and Alterations Supplementary Planning Document advises that all extensions should aim to be subordinate to the main dwelling. It also advises that they should complement the existing property and have a roof form which respects the visual character of the existing property. Given the form of the existing property and gable roof style, the proposed two storey side extension's layout, size, form and roof would be an acceptable design approach that would respect the character and scale of the host dwelling. To ensure the proposed extension would be subservient to the host dwelling, the proposal has been designed with a set down ridge and set back front wall.

Whilst it is noted that the proposal would lack a 1m gap between the side of the extension and the shared boundary, the property's location at the end of a row of houses is such that this lack of space would not result in any terracing effect.

To help the built form integrate with the existing building, the proposal seeks to replicate the design features of the existing house such as a matching eaves level, fenestration arrangements and materials.

### Single storey rear extension, front porch, addition of Juliet balcony at first floor

No objection is raised to the size and design of the proposed single storey rear extension, front porch or to the addition of a first floor rear Juliet balcony.

The proposal therefore complies with Chapter 12 of the National Planning Policy Framework (NPPF) (revised on 19 December 2023), Policy D1 of the Guildford Borough Local Plan: Strategy and Sites, Policies H4, D4 of the Guildford Borough Local Plan: Development Management Policies and the Residential Extensions and Alterations Guide 2018 Supplementary Planning Document.

### Impact on neighbour amenity

Local Plan Policy H4 states that permission will be granted provided that development does not have an unacceptable effect on amenity. Local Plan Policy D5 states that development proposals are required to avoid having an unacceptable impact on the living environment of existing residential properties or resulting in unacceptable living conditions for new residential properties, in terms of privacy and overlooking, visual dominance and overbearing effects of a development, access to sunlight and daylight, artificial lighting, noise and vibration and odour, fumes and dust.

The neighbouring properties most affected by the proposal are 86 Linden Way, 90 Linden Way, 12 Hazel Drive and 13 Hazel Drive.

#### *86 Linden Way*

86 Linden Way forms the other half of the pair of semi-detached houses.

With regard to the proposed single storey rear extension, it was noted during the officer's site visit that No.86 already has an existing single storey extension situated up to the boundary with the application site. The proposed single storey addition would be built to the same distance as the neighbour's extension and as such, would be fully screened behind this built form. As such, it would not adversely affect this neighbour's amenity in terms of a loss of light or an overbearing effect.

The proposed first floor rear Juliet balcony would have a limited projection and therefore raises no issues. It is noted that this is a common relationship in built up residential estates where there is a level of mutual overlooking between properties.

It is noted that concerns have been raised by the occupiers of 86 Linden Way in regard to the single storey extension's flat-roof (located below the Juliet balcony) being used as a roof terrace in the future. To prevent this, a condition could be attached to any permission granted.

Concerns have also been raised in regard to noise and disruption during construction. It should be noted that this is part of all development work but would be temporary and would not be a reason in itself to withhold planning permission.

### *90 Linden Way*

This property comprises a detached two storey dwelling located to the south-west of the application site. The proposed two storey side extension would be situated up to the shared boundary with 90 Linden Way.

Whilst it would result in a degree of overbearing and some loss of light to the section of this neighbour's rear garden closest to it, this would be limited due to the position of this neighbour's existing garage alongside the common boundary. As such, the garage would act as a buffer to the proposed two storey side extension and mitigate its impact. It is not considered therefore that the proposals would cause harm to the living conditions of the occupiers of this property.

There are no overlooking concerns resulting from the development.

### *12 Hazel Drive*

This property is located to the north of the application site and adjoins the rear boundary.

Due to the separation distance and relationship between the application site and this neighbouring property, there are no issues of loss of light, overbearing impact or loss of privacy/overlooking to this building.

### *13 Hazel Drive*

This property is located to the west of the site and adjoins the side boundary of the application site.

The size and siting of the extensions would not cause a detrimental loss of light over this neighbouring property, nor would they appear as an overbearing feature.

The proposal therefore complies with Policy D5: Protection of Amenity and Provision of Amenity Space of the Guildford Borough Council: Development Management Policies (LPDMP).

### Parking considerations

The Send Neighbourhood Development Plan states 'Proposals will only be supported where they provide off-street vehicle parking such that the level of any resulting parking on the public highway does not adversely impact road safety or the movement of other road users. This provision will apply the standards set out in the Surrey County Council 'Vehicular and Cycle Parking Guidance' as a minimum.



The Parking Standards for New Development 2023 SPD states that the expected car parking provision for a 4+ bed house in a village area is 2.5 spaces.

There are currently two on-site parking spaces; one of these is within the existing garage to be demolished. Whilst it is acknowledged that the number of on-site spaces following the garage demolition may not meet the guidance set out in the Parking Standards for New Development 2023, it is noted that the small size of the existing garage is not practical to park a car in. As such, the proposed level of on-site parking would not be dissimilar from the current situation. In addition, there is already an element of on-street parking in the immediate locality and any additional parking overspill in this case would not result in the level of on street parking to increase to such a level that would be harmful. It is noted that there is no restricted parking in the immediate vicinity.

### Third party objections

Two further issues were raised in the letters of objection the first related to the Party Wall Act which is a civil matter and not something for consideration as part of the determination of this application. The second matter raised concerns about multi occupation of the dwelling, planning permission would not be required to change this or any other dwelling to a House in Multiple Occupancy for 3-6 persons and therefore this is not a material consideration for this application. In addition, the Council or Members cannot base a planning decision on what may happen at a site in the future. This would need to be considered (if needed) when the issue arises.

### Equality, diversity and human rights

In reaching its decision on a planning application the Council is required to have regard to the duties contained in section 149 of the Equality Act 2010, known collectively as the public sector equality duty.

Section 149 provides that the Council must have due regard to the need to -

- eliminate discrimination, harassment, victimisation
- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
- foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Officers have had due regard to these matters when assessing this application and have concluded that neither the granting nor the refusal of this application would be likely to have an impact on protected groups and, therefore, that these considerations would not weigh in favour of or against this application.

Consideration has also been given to Articles 1 and 8 of the 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.

### **Conclusion**

The proposed two storey side extension would result in a subordinate addition which would have no adverse impact on the scale and character of the existing dwelling or the surrounding area.

No objection is raised to the size and design of the proposed single storey rear extension, front porch and first floor rear Juliet balcony.

There would be no adverse impact on neighbouring amenity or parking considerations.