

22/P/00956 – 12A Worplesdon Road, Guildford, GU2 RW



Not to scale

App No: 22/P/00956
Appn Type: Full Application
Case Officer: James Amos

8 Wk Deadline: 26/07/2022

Parish: Stoughton
Agent: Mr Griffiths
ALG Planning + Development
24 Heatherfield
Petersfield
GU31 5RY

Ward: Stoughton
Applicant: Mr Schiavo
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Location: 12A Worplesdon Road, Guildford, GU2 9RW

Proposal: Erection of an extension at first floor level to create a two bed self-contained residential unit including a side Juliet balcony and changes to lower ground floor rear fenestration following demolition of existing rear element.

Executive Summary

Reason for referral

This application has been referred to the Planning Committee by Councillor Pauline Searle.

Key information

The application seeks planning permission for the erection of an extension at first floor level to create a two bed self-contained residential unit including a Juliet balcony to the flank elevation and changes to lower ground floor fenestration at the rear following demolition of existing rear element. The site is located within the Guildford Urban Area.

Summary of considerations and constraints

The proposed extension would be located at the rear of the property and would not be visible from the front. The extension would be located above the existing ground floor projection and would replace a temporary timber structure. The extension would be provided with a crown topped pitched roof.

The impact of the proposed development on neighbouring properties is considered acceptable and would not result in an overbearing impact, overshadowing or a loss of privacy.

Taking the above into consideration, officers are satisfied that the proposal would not have an adverse effect on the scale and character of the existing property or have a detrimental impact on the character of the street scene and surrounding area.

RECOMMENDATION:

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: 2022 01, 2022 02, 2022 05 and 2022 06 received on 15/08/2022 and 2022 03, 2022 04, 2022 07, 21-127-PL-02-B and 21-127-PL-03-C received on 13/09/2022.

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 shall commence 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 shall take place until details for the storage of waste on the premises, including the design and position of storage facilities for bins and recycling have been submitted to and approved in writing by the local planning authority. The approved details shall be implemented prior to the first occupation of the development and thereafter maintained for the duration of the development.

Reason: In the interests of residential and visual amenity, and to encourage waste minimisation and recycling of domestic refuse, in the interests of sustainable development.

5. The development hereby permitted shall not be occupied until bird nesting and roosting boxes have been installed on the building or in any trees on the site in accordance with details which shall have been submitted to and approved in writing by the local planning authority.

Reason: In order to preserve and enhance the natural environment including protected species

6. The development hereby approved shall not be first occupied unless and until facilities for the secure, covered parking of bicycles and the provision of a charging point for e-bikes by said facilities have been provided within the development site in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority and thereafter the said approved facilities shall be provided, retained and maintained to the satisfaction of the Local Planning Authority.

Reason: This condition is required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users and are in recognition of Section 9 “Promoting Sustainable Transport” in the National Planning Policy Framework 2021.

7. 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 'Climate Change, Sustainable Design, Construction and Energy' SPD 2020.

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

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 the application was acceptable as submitted.
2. 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

Officer's Report

Site description.

The site contains a three storey building which makes up a row of three shop fronts on Worplesdon Road in the northern side of the Guildford Urban Area. There are no planning constraints on site, and it is located within the 400m - 5km SPA buffer zone.

Proposal.

Erection of an extension at first floor level to create a two bed self-contained residential unit including a side Juliet balcony and changes to lower ground floor rear fenestration following demolition of existing rear element.

Relevant planning history.

Reference:	Description:	Decision Summary:	Appeal:
22/W/00021	Prior notification under Schedule 2, Part 3, Class G of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) for a proposed change of use of ancillary Use Class E floor area at first and second floor levels to Use Class C3 and the creation of a single, split level independent flat.	Approve 29/04/2022	N/A
20/P/00471	Proposed change of use of ground floor from bank (class use A2 financial and professional services) to hot food takeaway (class use A5); addition of door on the rear elevation and installation of extract duct within existing chimney.	Approve 25/06/2020	N/A
11/P/00861	Replacement fascia and projecting signs.	Approve 04/07/2011	N/A

Consultations.

Statutory consultees

County Highway Authority: No concerns raised however have requested that cycle parking be provided should the application be approved.

Thames Water: No comments regarding the planning application

Internal consultees

Environmental Health: Concerns have been raised regarding odour control. The officer has requested a condition be included regarding ventilation should be included should the application be approved.

Third party comments:

5 letters of representation have been received raising the following objections and concerns:

- Parking Concerns
- Concerns on location of bins
- Concerns regarding AC of restaurant
- Concerns regarding odour
- Concerns regarding waste from construction
- Concerns regarding noise from construction (*Officer Note: This proposal is for a single dwelling and any issues around construction noise would be dealt with under Environmental Protection Act 1990*)
- Concerns regarding overlooking
- Loss of light concerns
- Concerns regarding noise

(Officer Note: Many of the concerns are related to the nearby restaurant. Concerns regarding waste and parking at the restaurant separate concerns unrelated to this application).

Planning policies.

National Planning Policy Framework (NPPF) 2021:

Chapter 2: Achieving sustainable development.

Chapter 4: Decision Making

Chapter 5: Delivering a sufficient supply of homes.

Chapter 11: Making effective use of land.

Chapter 12: Achieving well-designed places.

Guildford Borough Local Plan: Strategy and Sites, 2015-2034:

The Council is able to demonstrate a five year housing land supply with an appropriate buffer. This supply is assessed as 6.44 years based on most recent evidence as reflected in the GBC LAA (2021). In addition to this, the Government's recently published Housing Delivery Test indicates that Guildford's 2021 measurement is 144%. For the purposes of NPPF footnote 7, this is therefore greater than the threshold set out in paragraph 215 (75%). Therefore, the Plan and its policies are regarded as up to date in terms of paragraph 11 of the NPPF.

Policy S1: Presumption in favour of sustainable development

Policy H1: Homes for all.

Policy H8: Extensions to dwellings in the Urban Area

Policy D1: Place shaping.

Policy D2: Climate Change, sustainable design, construction and energy

Policy ID3: Sustainable transport for new developments.

Policy ID4: Green and blue infrastructure

Policy P5: Thames Basin Heath Special Protection Area

Guildford's Local Plan Development Management Policies (LPDMP) 2023

Guildford's Local Plan Development Management Policies (LPDMP) was adopted by the Council on 22 March 2023. This now forms part of the statutory development plan, and the policies are given full weight.

Policy D4: Achieving High Quality Design and Respecting Local Distinctiveness

Policy D5: Protection of Amenity and Provision of Amenity Space

Policy ID10: Parking Standards

Southeast Plan 2009:

NRM6 Thames Basin Heath Special Protection Area

Supplementary planning documents:

Climate Change, Sustainable Design, Construction and Energy SPD 2020

Planning Contributions SPD 2017

Thames Basin Heaths Special Protection Area Avoidance Strategy 2017 SPD

Residential Design Guide SPD 2004

Parking Standards for New Development SPD 2023

Other relevant material considerations

National Design Guide Planning Practice Guidance (PPG)

Technical Housing Standards - nationally described space standard (DCLG 2015)

Planning considerations.

The main planning considerations in this case are:

- the principle of development
- the impact on the scale and character of the existing site/building and character of the area
- impact on neighbouring amenity
- amenity and living standards of future occupiers.
- highway/parking
- refuse storage.
- Climate Change and Sustainability
- Biodiversity
- Thames Basin Heath Special Protection Area (SPA) mitigation
- legal agreement requirements (SANG/SAMM)

Principle of development

The proposal relates to a three storey building which is currently a retail unit at ground floor level, and a dwelling on the first and second level following a prior approval application 22/W/00021 which was approved.

The principle of a new dwelling within the urban area is acceptable under saved policy H4 of the Guildford Borough Local Plan 2003 which states that permission will be granted for such development provided that it:

- is in scale and character with the area.
- has no unacceptable effect on the amenities enjoyed by the occupants of buildings in terms of privacy and access to sunlight and daylight.
- has no unacceptable effect on the existing context and character of the adjacent buildings and immediate surrounding.

The site also sits within the SPA buffer 400m - 5km buffer zone and as such assuming the application is acceptable a SANG/SAMM contribution will be required.

Impact on the scale and character of the existing site / building and character of the area

The proposal would extend the first floor of the rear of the building which as existing is commercial in appearance, as opposed to the front and side of the building which appears more domestic in scale. The rear of the property features a flat roofed first floor rear element atop the existing flat roof brick ground floor element. The existing structure which is finished in timber appears out of character with the rest of the building, does not match any of the surrounding buildings in regard to design or materials and is of a much smaller scale at odds with the scale of the rest of the building.

The proposed extension would replace the existing structure which is finished in timber with a brick finished extension matching that of the existing ground floor element in regard to the materials used and depth. The proposed would add a pitched roof which would have a ridge height slightly greater than that of the existing first floor element.

This would as such be more in keeping with the style of the building.

The proposed extension would increase the scale of the building, albeit only to a moderate level, would not alter the ground floor and would only extend the ridge height from the existing rear by 0.8 metres which would still be set much lower than the roof of the main building. The proposed extension would on the most part fill out the area above the ground floor to create a first floor structure that would be more in keeping and cohesive with the existing building. Furthermore, the pitched roof design would be more residential in appearance and in keeping than the existing rear element which would serve to outline the change of use previously approved from business to residential.

As such given the extent of the changes proposed and the more sympathetic design, it is considered that the proposal would not appear detrimental to the existing building or surrounding area in regard to scale and character. As such the proposal would be in compliance with Policy D1 of the Guildford Borough Local Plan Strategy and Sites.

Impact on neighbouring amenity

The proposal would be set away from the neighbouring flats at Francis Court which surround the property. The flank wall of the proposal would be approximately 10 metres from Francis Court and the rear would be approximately 6.5 metres. It is also noted that the change in roof height is only modest. As such there are no overshadowing concerns related to the proposed works. Regarding the north side property 12b Worplesdon Road, the property is a business unit with no rear windows. As such there are no overshadowing concerns related to the proposed works.

In regard to overlooking, the bedroom and lounge windows proposed would all face north-west which would not overlook anything other than the rear of the neighbouring business units. As a result, there are no overlooking concerns in this direction. A tall window and Juliet balcony is proposed on the southeast facing elevation. However, this would serve a hallway and as such is

not a detrimental overlooking concern. Three rooflights are proposed in the south-east facing roof slope. However, given the height of these windows above internal floor level, there would be no overlooking concerns.

The dwelling is located in the centre of the Guildford Urban Area by the busy Worplesdon Road and as such is in an already fairly noisy area of Guildford. Furthermore, there are flats in the surrounding area with as many and more people in a similar small square area of space. As such the proposed additional flat would not result in a significant increase in noise or activity in the area and as such is acceptable.

Some concerns regarding odour have been raised as the site is adjacent to a restaurant. The Environmental Health Officer has requested a condition regarding additional information to be submitted regarding ventilation. This will be included should the application be approved.

As such the proposal would be in compliance with Policy G1 of the Saved Local Plan

The amenity and living standards of future occupiers.

Para 130(f) of the NPPF states that planning decision should 'create places that are safe, inclusive and accessible and which promote health and wellbeing, with a high standard of amenity for existing and future users...'

Policies H1 and D1 of the Local Plan: Strategy and Sites, 2015-2034 state that 'all new development is expected to have regard to and perform positively against the recommendation 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 (MCHLG).'

These space standards require that, in order to provide one bed spaces, a single bedroom has a floor area of least 7.5sqm and is at least 2.15m wide. Further any double bedroom is required to have a floor area of at least 11.5 square metres, with one double being at least 2.75 metres wide and every other double is at least 2.55 metres wide.

The proposed dwelling would have 2 bedrooms, a double and single bedroom, suitable as a 3 person dwelling across a single storey. The dwelling would meet the minimum space standards for a dwelling of this size. Whilst there a home office is proposed, it's floor area would be too small to be used as a single bedroom and as the dwelling is only one storey it's siting opposite the bedrooms is not unusual and as such it is not considered likely to be used as an additional bedroom.

The general layout and overall general amenity of the proposal should also be considered.

Saved Policy H4 seeks to permit housing in urban areas provided that amongst other things the proposed residential development has no unacceptable effect on the amenities enjoyed by the occupants of buildings in terms of privacy and access to sunlight and daylight. In addition, the National Design Guide Planning Practice Guidance notes advises that well-designed homes should provide a good standard and quality of internal space. This includes room sizes, sunlight, daylight and ventilation amenity and privacy amongst other things.

All habitable rooms would be provided with good size windows and thus would receive adequate daylight.

The existing building and flat does not have a garden and no amenity space is proposed for the additional flat. However, the site is located in the centre of Guildford and, like many flats in town centres, private outdoor amenity space is not generally expected and as such the lack of access to a private amenity area would not have a detrimental impact on living standards.

Highway/parking considerations

The site is in the Guildford urban area and within an accessible location served by frequent buses and also within walking distances of the railway and bus stations, as well as the amenities and employment opportunities that the town presents.

The Council's SPD on Vehicle Parking Standards would require a maximum of one space per one-bed unit and 1.5 spaces for the two-bed unit. However, the SPD goes on to say that these maximum residential standards should be applied to development proposals above a threshold of fifteen dwellings or more, given the public transport accessibility, high car ownership and residential characteristics of the Borough. Below the fifteen dwelling threshold the standard would be advisory, although for such developments, applicants will be expected to demonstrate that there will be no adverse impact on the surrounding area.

No details of off street parking have been provided however given the location of the site in the centre of the urban area, close proximity to a bus stop as well as the provision of bicycle storage this is not considered necessary in this instance.

The Highways Authority has commented that the proposed development will have no detrimental impact on parking or highway safety. They have requested further details of bicycle storage through a condition which will be included should the application be approved.

Refuse/bin storage

Bin storage information has been provided as well as refuse collection points. These are easily accessible and as such are considered acceptable.

Sustainability

In order for the development to comply with Policy D2 of the New Local Plan and the Climate Change, Sustainable Construction and Energy SPD 2020, the new dwelling would need to achieve a 20% reduction in carbon emissions through the use of renewable energy.

Policy D2 states that proposals for zero carbon development are strongly supported. The proposal requires that applications for development, including refurbishment, conversion and extensions to existing buildings should include information setting out how sustainable design and construction practice will be incorporated including (where applicable) measures that enable sustainable lifestyles for the occupants of the buildings, including cycle parking areas amongst other things.

As the proposal involves the conversion of an existing building, in this particular instance, it is not considered to be reasonable to impose the standard requirement relating to a 20% reduction in carbon emissions.

Regardless the applicant has provided a climate change questionnaire and full Energy & Sustainability Assessment which outlines how the proposed will reduce carbon emissions by 39.4%. The assessment also includes measures of water and waste management to best support sustainability. As such this assessment and the measures outlined will be conditioned.

The proposal would also provide secure parking of bicycles within the development site and this would encourage sustainable transport which is one of the many sustainable measures that can be included in developments to enable sustainable lifestyles for the occupants of the buildings according to the Climate Change, Sustainable Design, Construction and Energy SPD 2020 and policy D2 of the LPSS.

Biodiversity

Policy ID4 of the LPSS, 2015-2034, requires a net gain in biodiversity to be achieved in connection with any new development.

The proposed works extend above the existing ground floor and would be in a built up area of the Guildford Urban Area. As such the erection of an additional flat would not result in a loss of biodiversity.

Whilst there is not a loss of biodiversity there is no example of a net gain as such a condition will be included should the application be approved for the addition of bird and bat boxes at the site. This amount of net gain is considered appropriate for a development of this scale.

Thames Basin Heaths 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.

In line with standing advice from Natural England, 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.

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 1 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. The contributions are required to improve existing SANGS and ensure they are maintained in perpetuity; the SANGS is existing infrastructure which is to be improved to ensure that they have suitable capacity to mitigate the impact of the residential development.

In conclusion, the Council is of the opinion that the legal agreement would meet the three tests set out above.