**Application No:** 2015/2995  
**Application Type:** FULL  
**Case Officer:** Tom Scriven  
**Ward:** Hersham South  
**Expiry Date:** 20/10/2015  
**Location:** 66 Cranley Road Hersham Walton-on-Thames Surrey KT12 5BS  
**Proposal:** Detached two storey house with rooms in the roof space, integral garage and new access following demolition of existing house  
**Applicant:** Mr & Mrs N Poyet  
Mr Robert Taylor  
Bespoke Planning & Design Ltd  
8 Jaguar Lane  
Bracknell  
Bracknell Forest  
RG12 9PE  
**Agent:** Mr Robert Taylor  
Bespoke Planning & Design Ltd  
8 Jaguar Lane  
Bracknell  
Bracknell Forest  
RG12 9PE  
**Decision Level:** If Permit – Sub Committee  
If Refuse – Sub Committee  
**Recommendation:** Permit  

**Representations:** Nineteen letters of objection were received from 16 separate properties in relation to the application the contents of which can be summarised as follows:  
- Impact on trees  
- Height, mass and bulk  
- Proximity to side boundaries  
- Siting to far forward  
- Out of character  
- Restrictive covenant relating to height  
- Plans copied from another design  
- Traffic impact of two large developments taking place at the same time  
- Loss of privacy  
- Inaccurate site plan  
- Precedent  
- Street scene misleading  

One letter of support was received in relation to this application the contents of which can be summarised as follows:  
- Good design

***This application qualifies for public speaking***

**Report**

**Description**

1. The application site relates to a two storey detached dwelling of hipped roof design located to the south of Cranley Road in close proximity to the junction with Eriswell Road. It is within HER05 (Burwood Park) within the Council’s Design and Character SPD. This area is characterised by structural landscaping including hedges, embankments and verges and provides an almost rural character and sense of containment. Dwellings are generally two storey but also occasional single storey detached houses, sitting within well-landscaped semi-wooded plots and often only glimpsed from the road. The site is located within a designated special low density residential area.

**Constraints**

2. The relevant planning constraints are:
- Special low density residential area
- Thames Basin Heath Buffer Zone

**Policy**

3. In addition to the National Planning Policy Framework, the National Planning Practice Guidance and the Technical housing standards - nationally described space standards the following local policies and guidance are relevant to the determination of this application:

**Core Strategy 2011**

CS1 - Spatial Strategy
CS2 – Housing provision, location and distribution
CS5 – Hersham
CS15 – Biodiversity
CS17 – Local Character, Density and Design
CS25 – Travel and Accessibility

**Development Management Plan 2015**

DM1 – Presumption in favour of sustainable development
DM2 – Design and amenity
DM6 – Landscape and trees
DM7 – Access and parking
DM8 – Refuse, recycling and external plant
DM10- Housing
DM21 – Nature conservation and biodiversity

**Design & Character SPD 2012**

**Developer Contributions SPD 2012**

4. **Relevant Planning History**

<table>
<thead>
<tr>
<th>Reference</th>
<th>Description</th>
<th>Decision</th>
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<tbody>
<tr>
<td>1998/0583</td>
<td>Part two storey/part first floor side extension and single storey rear extension</td>
<td>Granted</td>
</tr>
<tr>
<td>1978/0101</td>
<td>Erection of a detached two storey house with integral garage Approval of detached house re Outline Application 65/10916</td>
<td>Granted</td>
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</tbody>
</table>

5. A replacement dwelling was recently approved at the adjacent site No.64 under permission 2015/1044 (subsequently varied under permission 2015/1983). Works have commenced on site.

**Proposal**

6. This is a planning application for a detached two storey house with rooms in the roof space, integral garage and new access following demolition of existing house.

7. Amended plans were accepted which included a small reduction in the height of the proposal along with changes to the internal layout.

**Consultations**

8. Surrey County Council Highways - Based upon the information supplied the Highway Authority has identified that the development is on a private street and would have negligible impact on the surrounding public highway network, consequently they have raised no objections. The
development is considered to be in accordance with policy CS25 of the Core Strategy and DM7 of the Development Management Plan.

9. Trees – The Council’s Tree Officer has raised no objection to the proposal subject to conditions relating to tree protection and a pre-commencement inspection.

Positive and Proactive Engagement

10. In assessing this application, officers have worked with the applicant in a positive and proactive manner consistent with the requirements of 186-187 of the NPPF by making available pre-application advice to seek to resolve problems before the application was submitted and to foster the delivery of sustainable development.

11. No formal pre-application advice was sought prior to the submission of this application.

Planning Considerations

12. The main planning considerations in the determination of this application are:

- Principle of the development
- Design considerations, impact on the street scene and character of the area
- Impact on neighbouring amenity
- Provisions of a suitable residential environment
- Impact on trees and other environmental considerations
- Highway safety and parking
- Financial considerations

Principle of the development

13. The proposed development is for a replacement dwelling located relatively on the existing footprint of the dwelling it would replace. The proposal largely represents development on previously developed land within the urban area. Accordingly the principle of the proposed development is acceptable subject to other material planning considerations.

Design considerations, impact on the street scene and character of the area

14. The proposed dwelling would be of a substantial size, spreading the level of the built form across a large proportion of the site. However it is noted that new and replacement dwellings within Burwood Park are generally of a substantial size, this is particularly evident at a number of sites along Cranley Road including the adjacent dwelling at No.64 which is currently under construction. These replacement dwellings are in a mostly neo-classical vernacular, with habitable accommodation within the roof space. The proposed dwelling is therefore considered to be reflective of the character of the area.

15. The dwelling would have a centrally sited front and rear gable end with maximum ridge height of approximately 10m and whilst this is towards the upper end of property heights, it would not be out of character in an area where the majority of proposals are for dwellings between 9-10m in height. In addition to this the ridge height falls to approximately 8.9m for the majority of the width of the dwelling with a hipped roof design. The replacement dwelling would be set in a similar position in its plot to the existing dwelling with a minimum retained set back from the road of some 16m to the front gable. This would appear relatively in line with the adjacent dwellings with the remainder of the proposal set back approximately 1.4m from the front gable end. The proposal would retain a separation distance of approximately 3.2m to the west side boundary and 6.7m to the east side boundary. This is considered to be acceptable in terms of ensuring an adequate separation distance that would not significantly impact upon the character of the park given the tapering of the ridge height to the side boundary and the use of a hipped roof design. In view of above the proposed development is considered to be in keeping with the character and appearance of this part of Cranley Road.
Impact on neighbouring amenity

16. The neighbouring properties potentially affected by the proposals are No.64 Cranley Road (currently under construction) and No.16 Eriswell Road, located to the west and east of the site respectively. In addition to the above there is the potential for an impact upon No.18 Eriswell Road and No.8 Eriswell Crescent located to the rear of the site.

17. In relation to No.64 the proposal would not breach the 45 degree angle to the nearest rear facing habitable room window of the dwelling currently under construction. This dwelling will benefit from side facing windows at ground floor level, however these would serve non-habitable rooms and as such it is not considered that the proposal would have a significant impact upon this dwelling in terms of loss of light or overbearing impact. A side facing window is proposed at first floor level, however this would serve a non-habitable room and as such could be conditioned to be obscure glazed and fixed shut. The proposal does include 4 high level side facing roof lights which would face towards the boundary with this neighbour. However these are sited some 12m from the boundary and would be 1.8m above the finished floor level. As such it is not considered that these rooflights would result in any significant impact upon this neighbour in terms of loss of privacy. It is not considered reasonable to impose a condition regarding obscure glazing on these rooflights as they would not adversely impact upon neighbouring amenity.

18. With regards to No.16 Eriswell Road the proposed dwelling would be sited some 20m from the nearest rear facing habitable room window of this neighbour. In addition there is significant mature screening on the boundary with this neighbour which is shown to be retained as part of this proposal. Given the large retained separation distance it is not considered that the proposal would result in a significant impact upon neighbouring amenity in terms of loss of light or overbearing impact. There is one side facing window at first floor level, however this would serve a non-habitable room and as such could be conditioned to be obscure glazed and fixed shut. The proposed side facing roof lights would be 1.8m above the finished floor level and as such would not result in overlooking to this neighbour. In addition they are sited a minimum of some 15.5m from the boundary with this neighbour and as such there are no concerns with regards to overlooking or loss of privacy. It is not considered reasonable to impose a condition regarding obscure glazing on these rooflights as they would not adversely impact upon neighbouring amenity.

19. In relation to No.8 Eriswell Crescent the proposal would be sited approximately 28.6m from the boundary with this neighbour and some 74m from the rear elevation of the dwelling itself. Whilst the proposal would introduce a rear facing window at second floor level, given the retained separation distance it is not considered that this would result in a significant loss of privacy.

20. In terms of No.18 Eriswell Road the proposal would retain a separation distance of approximately 27.3m to the boundary with this neighbour. These properties are located perpendicular to one another and it is not considered there would be any intervisibility between habitable rooms. In addition given the large retained separation distance and the mature screening to be retained on this boundary it is not considered that the proposal would result in a significant loss of privacy to the private outdoor amenity space of this neighbour.

Provision of a suitable residential accommodation

21. The proposed new dwelling would provide generous and spacious accommodation throughout with suitable outlook, natural lighting and ventilation. The proposed garden area is considered of an acceptable size, commensurate to the size of the dwelling proposed. There would be ample space in the garage or to the rear/side of the site to store the necessary refuse/recycling.

Impact on tree and other environmental considerations

22. There are a number of good quality trees on the site. Having reviewed the information submitted the Council’s Tree Officer is satisfied that subject to conditions relating to tree
protection. It is considered that the proposed development would retain all trees that are or are capable of making a significant contribution to the character and amenity of the area as required by policy DM6.

23. A Bat Survey has been submitted as part of the application. The survey notes that there is a bat roost located within the existing dwelling which will be lost due to the demolition of the existing property. As such the demolition of the dwelling would result in the loss of this roost. Therefore mitigation is required in terms of the supervision of the roof strip by a licensed ecologist to ensure bats are not harmed during the demolition process. In addition new bat boxes or access tiles would need to be installed on the new dwelling to mitigate against the loss of the bat roost. As such the proposal is considered acceptable subject to the imposition of a condition relating to the carrying out of the required mitigation.

24. The proposed development is for a replacement dwelling and thus would not result in any further impact on the Thames Basin Heath Special Protection area.

Highway safety and parking

25. In terms of highway safety, the proposed development includes the repositioning of the access towards the centre of the site. This would afford similar visibility to the existing access. The proposal would not increase the number of units on site and therefore is not considered to raise any issues in terms of highway safety or capacity grounds. There is adequate space within the proposed garage and driveway to provide off street parking suitable for a dwelling of this size.

Financial considerations

26. The proposed development is liable for the Community Infrastructure Levy (CIL). The applicant has provided the relevant liability forms required to pay this development in accordance with these regulations.

Matters Raised in Representations

27. The material planning issues have been fully assessed in the planning considerations above.

28. A restrictive covenant relating to the height of the property was mentioned by a number of neighbours. This is a Civil matter between the parties concerned and as such is not a material planning consideration.

29. A large number of the objections make reference to a copyright and intellectual property issue regarding the proposed floor plans. This is a legal matter between the parties concerned and is not a material consideration in the determination of this application.

30. Concern was raised regarding the potential traffic and noise disturbance from two developments taking place at the same time. Whilst this may result in additional visits to the site the highway authority have raised no concern with regards to the highway implications of the proposal. The parking of vehicles on a private road is again a civil matter between the parties concerned.

31. It was advised that the site plan includes the front verge which does not fall within the ownership of the property. As such there was concern that the plan inaccurately shows the distance to the front boundary. Land ownership is not a material consideration and would again be a civil matter between the parties concerned. The proposal has been considered in relation to the distance from Cranley Road and in relation to the building line of other properties in relation to Cranley Road. As such it is not considered that this prejudices the determination of the application.

32. Some concern was raised with regards to the potential for the setting of a precedent. Every application is considered on its own merits in relation to its own particular constraints along
with the character of the street scene and wider area. As such the granting of permission does not set a precedent.

33. Concern was raised with regards to the street scene which a neighbour considered misleading. The street scene provided is adequate to consider the application and is not considered to prejudice the determination of the application.

Conclusion

34. On the basis of the above, and in light of any other material considerations, the proposal is considered to be in accordance with the development plan. Accordingly, the recommendation is to grant permission.

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<td>Neighbour Notifications</td>
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<td>Site Visit Notes</td>
<td>01/10/15 TS</td>
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Recommendation: Grant Permission

Conditions/Reasons

1  TIME LIMIT (FULL APPLICATION)
The development hereby permitted shall be begun before the expiration of three years from 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 be carried out in strict accordance with the following list of approved plans: Proposed Site Plan P-003 Rev P1 and Tree Protection Plan 8755/02 Rev A received on 04 August 2015 and Proposed Floor Plans & Elevations P-003 Rev P2.

Reason: To ensure that the development is carried out in a satisfactory manner.

3  MATERIALS SAMPLES
NO DEVELOPMENT SHALL TAKE PLACE UNTIL SAMPLES OF THE MATERIALS TO BE USED ON THE EXTERNAL FACES AND ROOF OF THE BUILDING HAVE BEEN SUBMITTED TO AND APPROVED IN WRITING BY THE BOROUGH COUNCIL. DEVELOPMENT SHALL BE CARRIED OUT IN ACCORDANCE WITH THE APPROVED DETAILS.

Reason: To ensure that a satisfactory external appearance is achieved of the development in accordance with Policy DM2 of the Elmbridge Development Management Plan 2015. It is considered necessary for this to be a pre-commencement condition because the use of satisfactory external materials goes to the heart of the planning permission.

4  OBSCURE GLAZING
The first floor windows on the side elevations of the development hereby permitted shall be glazed with obscure glass and fitted with non-opening principal lights, and subsequently maintained in this form. Such glass shall be sufficiently obscure to prevent loss of privacy. The affixing of an obscure film will not be sufficient.

Reason: To preserve the reasonable privacy of neighbouring residents in accordance with Policy DM2 of the Elmbridge Development Management Plan 2015.
TREE PROTECTION AND PRE-COMMENCEMENT INSPECTION

No development shall take place until tree protection measures are installed and any further information provided in accordance with the submitted arboricultural information. The applicant shall arrange a pre-commencement meeting after the installation of the tree protection between the Borough Council and the applicant’s project arboriculturist to allow inspection and verification of the protection measures.

Reason: This permission is only granted on the basis that the trees would remain on site to mitigate the impact of the development and to preserve and enhance the visual amenities of the locality in accordance with Policy DM6 of the Elmbridge Development Management Plan 2015.

TREE PROTECTION

In this condition ‘retained tree’ means an existing tree, which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from the first occupation of the development.

a) no retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be pruned other than in accordance with the approved plans and particulars, without the written approval of the Borough Council. Any pruning shall be carried out in accordance with British Standard 3998 (tree work) and in accordance with any supplied arboricultural method statement.

b) if any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the Borough Council.

c) tree protection shall be maintained in-situ and not moved or removed until all construction has finished and equipment, materials, or machinery are removed from site.

d) any arboricultural protection information and plans submitted as part of the application, and listed in the approved plans condition, shall be implemented and adhered to at all times during the construction process unless otherwise agreed in writing with the Borough Council. This shall include any requirement for arboricultural supervision and site monitoring. This condition may only fully be discharged on completion of the development subject to satisfactory written evidence of contemporaneous supervision and monitoring of tree protection throughout construction by the appointed arboriculturist.

Reason: This permission is only granted on the basis that the trees would remain on site to mitigate the impact of the development and to preserve and enhance the visual amenities of the locality in accordance with Policy DM6 of the Elmbridge Development Management Plan 2015.

BIODIVERSITY MITIGATION MEASURES

The mitigation of any impacts on the biodiversity, including protected species should be carried out in accordance with Table 6 within paragraph 17 Conclusions and Recomendations of the Bat Presence/Likely-absence Survey, prepared by Arbtech, received on 04/08/2015.

SITE LOCATION PLAN
(Scale 1/250)

SITE AREA: 2025 SQM / 0.20 HECTARE
SITE REF: E: 509588; / N: 164209