

SCHEDULE "B" TO THE AGENDA FOR THE  
EASTERN PLANNING COMMITTEE  
16TH SEPTEMBER 2009

Applications not subject to public speaking.

Background Papers (DoP&D)

Background papers (as defined by Section 100D(5) of the Local Government Act 1972) relating to this report are listed under the "Representations" heading for each planning application presented, or may be individually identified under a heading "Background Papers".

The implications for crime, disorder and community safety have been appraised in the following applications, but it is not considered that any consideration of that type arises unless it is specifically referred to in a particular report.

B1	WA/2009/0954 S Birth 03/07/2009	<u>Erection extensions and alterations (revision of WA/2009/0332). (As amended by letter dated 24.08.2009 and plans received 25.08.09) at Mulberry Croft, 9 Littleford Lane, Shamley Green, GU5 0RH</u>
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Grid Reference:	E: 503673	N: 144786
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Parish:	Wonersh
Ward:	Blackheath and Wonersh
Case Officer:	Mrs J Dawes

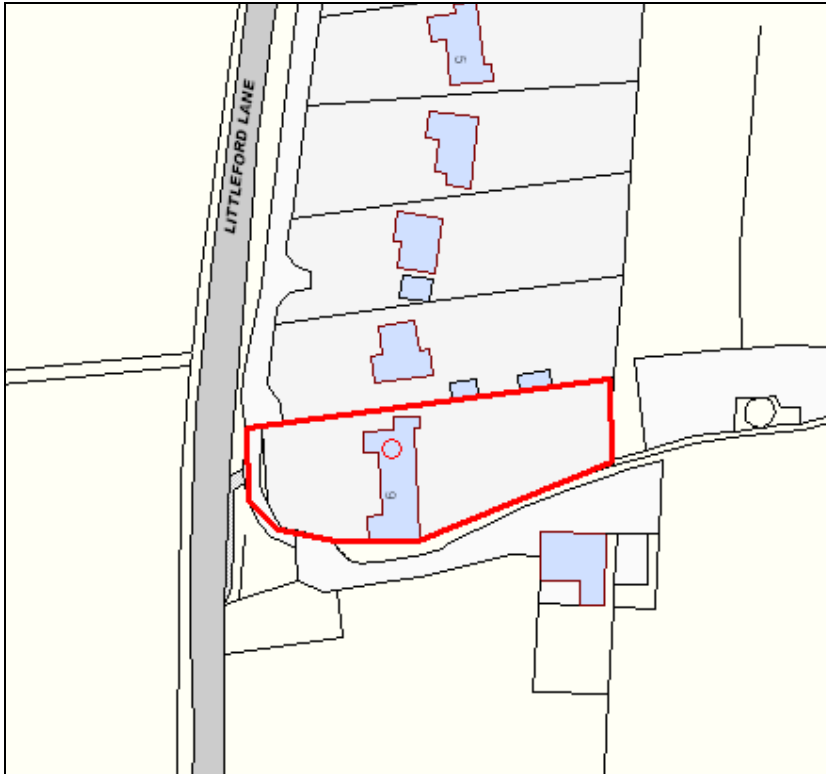
8 Week Expiry Date	28/08/2009
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Neighbour Notification Expiry Date	07/08/2009
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Neighbour Notification Amended/Additional Expiry Date	
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RECOMMENDATION	That permission be <b>REFUSED</b>
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## Location or Layout Plan



## Introduction

This application has been brought before the Area Committee at the request of the Local Member.

## Site Description

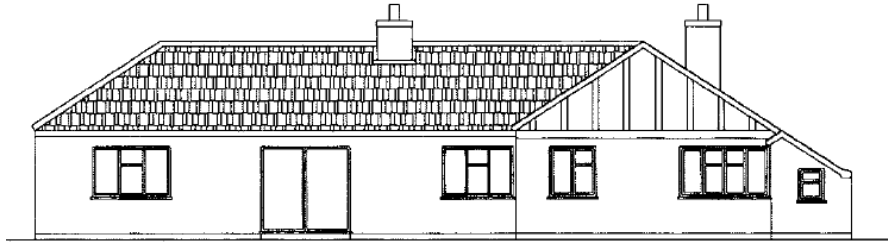
The application property lies at the end of a row of properties set on elevated land to the east of Littleford Lane. The site lies in a rural location with a paddock immediately to the south and west. The existing property is predominantly single storey with limited first floor accommodation within the roof space.

## Proposal

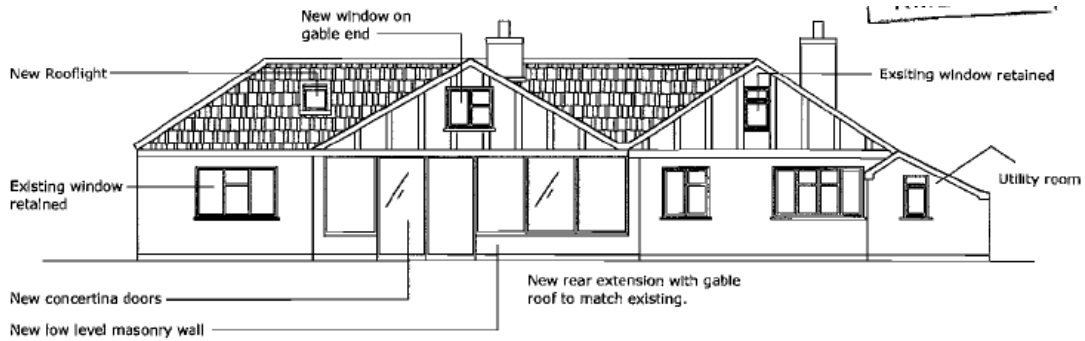
This application seeks permission for a number of extensions, including a new extension across the rear of part of the property, extending to a depth of 2.5m. A new utility extension is also proposed in the north-eastern corner of the property and a new bedroom is proposed within the roof space, facilitated by a new rear gabled roof extension.

# Elevations

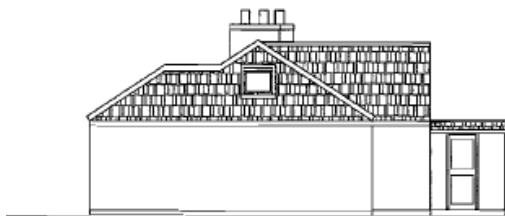
## Existing and proposed rear and flank elevations



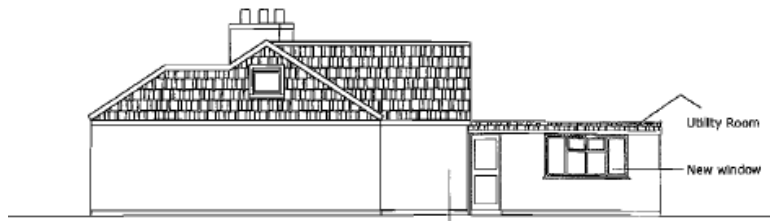
Rear Elevation - As Existing



Rear Elevation as Proposed



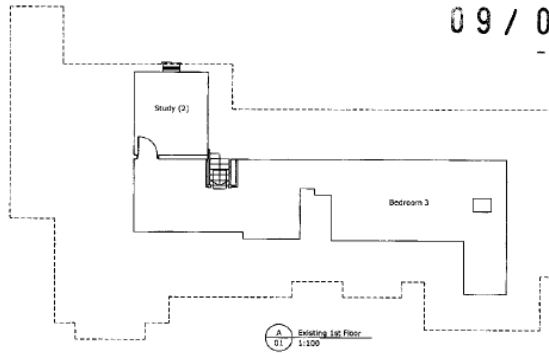
Right Hand Flank Elevation as Existing



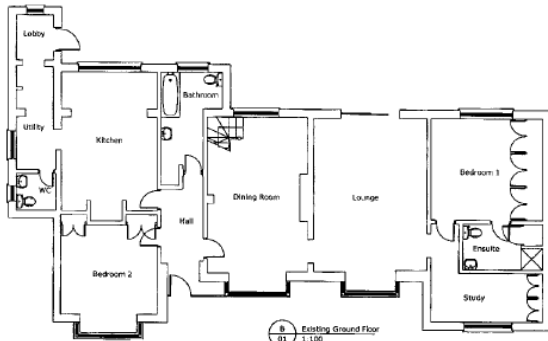
Right Hand Flank Elevation as Proposed

**Existing Floor Plans**

09 / 09 5  
- 3 JUL

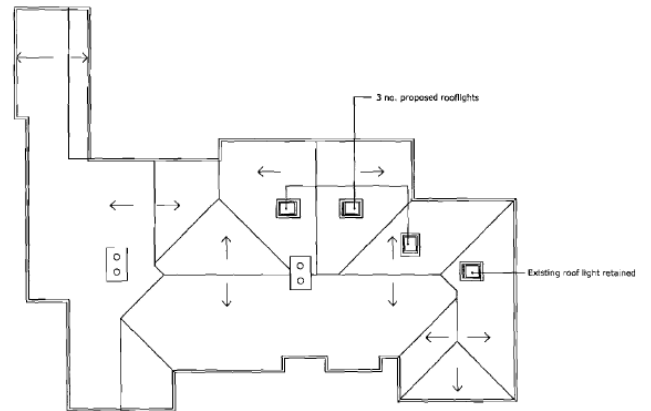


A Existing 1st Floor  
01 1:100



B Existing Ground Floor  
01 1:100

**Proposed Floor Plan and Roof Plan**



Roof Plan - As Proposed

Photographs of rear elevation



### Relevant Planning History

WA/2009/0332	Erection of extension and alteration to roof (as amplified by letter dated 30.3.09 and plans date stamped 31.3.09 and as amplified by letters dated 16.4.09 and 29.4.09)	Refused 5/5/09
WA/2008/2181	Erection of extensions and an outbuilding	Invalid 29/1/09
WA/1996/0266	Erection of extensions and alterations	Permitted 21/05/96
WA/1994/0876	Erection of a single storey extension	Permitted 09/08/94
HM/R18532	Erection of private garage	Approve 19/06/70

### Planning Policy Constraints

Green Belt – outside any settlement

Surrey Hills AONB & AGLV

Adjoining sites and area of High Archaeological Potential

Blackheath, Shamley Green and Wonersh Village Design Statement

### Development Plan Policies and Proposals

Policies C1, C3, RD2, D1, D4 and HE14 of the Waverley Borough Local Plan 2002

Policies SP5 and C3 of the South East Plan 2009

### Consultations and Parish Council Comments

Wonersh Parish Council – No objections, but asks that you note that this property is in Blackheath ward. A further comment requests that the application be considered by Eastern Planning Committee.

County Highway Authority: – No objections

### Representations

One letter of support, which states that the proposals will enable the applicant to live in his home and cope with the traumatic injuries suffered in his car accident in 2003. It is not considered that the proposals breach any planning rules or would impact in any way on neighbouring properties. It is noted that the Parish Council supports the proposals and trust that Waverley will do likewise.

### Supporting Statement

The application has been accompanied by a detailed Design and Access Statement and additional information regarding the particular health issues of the applicant to support the proposed development. Five letters of support from local residents have also been submitted, together with a letter of support from the applicants' medical advisor, which is attached as an appendix to this report. The agents indicate that the proposed alterations will provide:

- A single storey extension with pitched roof to the rear to provide a physiotherapy area;
- A single storey side extension to provide a toilet and utility room;
- Conversion of existing roof to form a carers suite within the roof space.

It is further stated that all of the proposals are directly related to the needs of the applicant following a serious road traffic accident.

The reason for the proposed works have been to address the onward treatment and mobility requirements of the applicant. The proposed alterations to the house have all been designed to allow wheelchair access around the home and the provision of a small amount of accommodation for a carer.

The agents contend that the design of the extensions is sympathetic in scale, massing and materials with the existing house in order that the extensions appear subservient and proportionate to the main dwelling. It is further put forward that the property is set at a lower level than the land to the south as identified in the submitted cross section and visualisation.

The applicants' agents argue that although the property has been extended previously it still only has an area of some 160 – 170 sq m and given its single storey nature is only a modest property. The agent believes that the proposals which include a utility of 13 sq m and a rear extension of 19sq m would remain proportionate and comply with the requirements of Policy RD2.

It is also put forward that the special personal circumstances of the applicant represent a material consideration in this case. The applicant, Mr Birth, was involved in a serious road traffic accident, which has resulted in a number of medical conditions, including epilepsy, some restricted movements and a reduction in balance and sense of co-ordination and perception. The applicants' senses have also been affected, including his speech and vision and he is in constant pain in his face. Memory has been affected as has his cognition and range of movement. The applicant also suffers from mental exhaustion and fatigue.

The injuries sustained by the applicant have left him with several debilitating symptoms and illnesses that have affected all aspects of his life and have effectively stripped him of his independence. Mr Birth requires constant care, which is currently provided by his wife. However, to aid treatment and rehabilitation, a support worker is required. Physiotherapy, occupational therapy and speech and language therapy sessions will be undertaken to address the functional restrictions. Appliances, aids and equipment to aid the applicants' mobility, personal care, security and exercise regime will also be provided.

The agent acknowledges that the previous refusal was based on Green Belt grounds and the conflict with Policy RD2. However it is argued that RD2 has as a guideline the 40% criteria and that the effect of the proposal on the rural character of the area in general should also be considered. Whilst recognising that the relatively small extensions when taken with previous extensions would exceed the 40% guideline, this is a matter of policy and does not render the proposed development harmful per se. The agent contends that the policy is written to allow larger increases provided the proposal would avoid harm to the rural character of the area. Furthermore, it is

put forward that this revised application clearly identifies that the proposal would not impact on either the rural character of the area or the overall scale of development on this relatively large site.

It is further argued that much of the additional floor area of the 1996 extension was contained within the detached garage which the agent indicates was converted, and that this area should be discounted.

The proposed extensions would enable the applicants to live in their home of a number of years in a quiet rural location ideally suited to the applicants' recuperation. The proposal would protect the rural character of the area and the Green Belt and would comply with the requirements of PPG2 and Policies RD2 and C1.

#### Determining Issues

- Principle of development
- Comparison to the previous application
- The impact on the Green Belt and compliance with Policy RD2
- The impact on the landscape
- Design
- The impact on neighbours' residential amenities
- Whether there are any very special circumstances to justify the development that outweigh the harm by reason of inappropriateness

#### Planning Considerations

##### Principle

This site lies within the Green Belt beyond any defined settlement boundary where there is a presumption against inappropriate development or that, which would materially detract from the openness of the area. In accordance with Policy C1 of the Local Plan, inappropriate development will not be permitted unless very special circumstances exist. In all circumstances, any development which would materially detract from the openness of the Green Belt will not be permitted. Any development that takes place in the Green Belt must be acceptable in terms of its layout, scale, impact, height, form and siting in accordance with Policy D4.

The site is within the designated AONB and AGLV where development will be expected to respect or enhance the existing landscape by appropriate design.

Policies do allow for limited extension to existing dwellings, which are assessed against Policy RD2 of the Local Plan 2002.

##### Comparison with the previous application

Additional supporting information has accompanied this application referred to above. In addition the agents have indicated that the depth of the utility has been reduced slightly, (by 0.3m) and 3D images have been produced to indicate in their view the limited impact of the proposal. In a further response to officer concern, amended plans have been received showing the removal of the rear quiet room. However, It is not considered that such additional information overcomes the planning objections to the proposal.

### Impact on the Green Belt and compliance with Policy RD2

In respect of Green Belt policy, there is a presumption against inappropriate development, which is, by definition, harmful to the openness of the Green Belt. Extensions to existing dwellings may not necessarily be inappropriate provided that they are not disproportionate to the size and scale of the original dwelling, in accordance with Policy RD2 a) of the Waverley Borough Local Plan 2002. For the purposes of Policy RD2, the original dwelling is considered to be the property as it existed at 31st December 1968.

Officers calculate that the original property had a floor area of approximately 108.5 sq m. The dwelling has been extended on two previous occasions. In 1994 a single storey rear extension was added, resulting in an increase in floor area of 14 sq m. In 1996, permission was granted for a small porch and an extension to the southern end of the property following the demolition of a detached single garage, resulting in a net increase of 43 sq m. The current property has already been extended by approximately 53.6%, and has a floor area of 166.7 sq m. The property has, therefore, already been extended beyond the guideline limit indicated in Policy RD2.

The applicants' agents acknowledge that the original house had a floor area of 108.5 sq m, and that it now provides a floor area of some 160 – 170 sq m. However, it is argued by the applicants that the majority of floor area provided by the 1996 extension was the existing floor area of the converted detached garage and that therefore the property has only been extended by some 18 sq m in the 1994 and 1996 extensions. Whilst officers accept that a detached garage existed at the site, for the purposes of Policy RD2 this is not considered to form part of the original habitable floor area of the property. Furthermore, the detailed report permitting the 1996 extension made it clear that the proposed extension followed the demolition of the existing garage.

This further application would provide an additional 32.3 sq m at ground floor, which would result in a 83.4% increase. Whilst the applicant has amended the current plans to remove the rear quiet room at ground floor level, in response to officer concerns relating to the scale of development, the proposal still clearly represents a disproportionate form of extension, contrary to Policy RD2. Officers' have not calculated the amount of first floor accommodation. However, it is material to note that the original dwelling did not have any first floor habitable accommodation. Indeed, it was noted during the consideration of the 1996 application that the floor space within the gabled rear extension was used for storage and was accessed via a loft hatch. Whilst a small area of the roof may now provide a study area this cannot be considered as original and therefore has not been included in any calculation, either original or existing. Whilst the use of the existing roof may provide opportunities for additional floor space, this proposal seeks further extensions to the roof to facilitate this conversion, which would increase the floor area even more. It is also arguable that the entire area of roof formed as part of the 1996 extension should be included as additional cumulative floor space. Clearly this would dramatically increase the size and scale of the dwelling when compared with the original over and above that reported above.

In view of the above, the proposal represents a disproportionate form of development, over and above the size of the original dwelling, contrary to Policy RD2 (a) of the Local Plan. The proposal is therefore, a form of inappropriate development

in the Green Belt, contrary to PPG2 and Policy C1 of the Waverley Borough Local Plan.

#### The impact on the landscape

The site lies within the AONB and AGLV. The AONB have the highest status of protection in relation to landscape and scenic beauty, and should be given great weight in planning policies and development control decisions. The size and scale of the proposed extensions represent a sizable extension to a dwelling, which is inappropriate to the countryside within a landscape of national importance. It is considered that the proposals would fail to conserve or enhance the natural beauty of the area. The proposals therefore conflict with Policy C3 of the Waverley Borough Local Plan.

#### Design

The proposed extensions have been designed so as to be in keeping with the architectural style of the original dwelling. The style and materials used are consistent with the original property in accordance with the Womersley Village Design Statement.

#### The impact on neighbour's residential amenity

It is considered that the proposals would not have any adverse impact on the amenities of adjoining occupiers. It is noted that the neighbour immediately to the north of the site has a garage adjacent to the proposed extension.

#### Very Special Circumstances

Officers have carefully considered the difficult and tragic circumstances of the applicant. Whilst officers sympathise with the applicant and his family, members will be aware that Government Guidance within PPS1 indicates that personal circumstances will rarely outweigh the more permanent considerations since the harm caused by the latter will exist long after the personal circumstances cease to be material.

It is considered that this proposal would, when considered cumulatively with previous extensions, result in a significant form of development, clearly disproportionate to the size and scale of the original dwelling, contrary to Local Plan policies. The property has already been substantially extended and it is not clear why some of the existing floor space within the existing dwelling could not be adapted to cater for the needs of the applicant. Whilst officers have sympathy with the applicants' situation, in accordance with government guidance, this can only be afforded limited weight compared with a proposal that constitutes inappropriate development, which is by definition harmful to the openness of the Green Belt. In accordance with the provisions of PPG2, this harm carries substantial weight.

#### Conclusions

In view of the above it is considered that the very special circumstances put forward to justify the development do not outweigh and justify the setting aside of the planning policies designed to protect the Green Belt and the wider landscape character of the AONB and AGLV. Therefore the recommendation is to refuse planning permission.

## **Recommendation**

That permission be **REFUSED** for the following reasons:

1. Reason

The proposal conflicts with national, strategic and local planning policy advice regarding Green Belts set out in Policy C1 of the Waverley Borough Local Plan 2002 and Policy SP5 of the South East Plan 2009. There is a general presumption against inappropriate development and development which adversely affects the openness of the Green Belt. The proposed development does not comply with the requirement of those policies.

2. Reason

The site lies within the Surrey Hills Area of Outstanding Natural Beauty within which the area's distinctive landscape character and natural beauty is to be conserved and enhanced. The proposal is inconsistent with this aim and conflicts with the national, strategic and local policy guidance and advice set out in Policy C3 of the Waverley Borough Local Plan 2002 and Policy C3 of the South East Plan 2009.

3. Reason

The site lies within an Area of Great Landscape Value within which the landscape character is to be conserved and enhanced. The proposal is inconsistent with this aim and conflicts with national, strategic and local policies set out in Policy C3 of the Waverley Borough Local Plan 2002.

4. Reason

The proposal by reason of its size, scale and cumulative floor area conflicts with the policy relating to the extension of dwelling houses in this area as set out in Policy RD2 of the Waverley Borough Local Plan 2002 and would be disproportionate to the size of the original dwelling.

5. Reason

In considering this application, the Council took into account the special circumstances submitted by the applicants. Notwithstanding these the Council did not consider that there were circumstances of such weight to justify setting aside the policy objections identified. The development is considered to conflict with Policies C1, C3 and RD2 of the Waverley Borough Local Plan 2002.

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