Erection of a retaining wall following demolition of the existing retaining wall to provide five car parking spaces at Loneside, 41 Petworth Road, Haslemere

Parish: Haslemere
Ward: Haslemere East and Grayswood
Case Officer: Daniel Holmes

Neighbour Notification Expiry Date 06/08/2019
Extended expiry date 28/01/2020

RECOMMENDATION That, subject to conditions, permission be GRANTED

1. **Summary**

The application has been brought before the Planning Committee at the request of a Ward Member for further consideration of the practicality of the use of spaces. The proposed changes would be acceptable with regards to visual amenity and would not harm residential amenity. Furthermore, the County Highway Authority have reviewed the proposal on safety grounds and are raising no objection. The proposal would therefore provide enhanced parking for the flats and therefore the application is recommended for approval.

2. **Location**
3. **Site Description**

The application site measures 0.08 hectares and is located to the immediate south of Petworth Road, within the settlement boundary of Haslemere.

Loneside is a large detached residential building, occupied by five independent flats. The building is of arts and crafts design and is constructed from facing bricks and hanging tiles, which sit under a pitched clay tiled roof. The area is residential in character. Surrounding properties are mostly large detached brick and tile dwellings with generous gardens. The site slopes up considerably from north to south. There is a steep access ramp to the rear of the site.

4. **Proposal**

Planning permission is sought for;

- The erection of a retaining wall to form five off street parking spaces, following the demolition of the existing retaining wall;
- Erection of a dropped curb along Petworth Road allowing for access to each of the five proposed parking spaces.

5. **Proposed Site Plan**
6. Proposed Sections

7. Proposed Elevation
8. **Proposed Visibility Splay**

9. **Relevant Planning History**

<table>
<thead>
<tr>
<th>Reference</th>
<th>Proposal</th>
<th>Decision</th>
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<tbody>
<tr>
<td>WA/2012/1160</td>
<td>Erection of extension to existing dormer and alterations to existing fire escape door</td>
<td>Full Permission (04/09/2012)</td>
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10. **Planning Policy Constraints**
11. **Development Plan Policies and Guidance**

In accordance with the NPPF due weight has been given to the relevant policies in the Development Plan according to the level of consistency with the NPPF. The relevant Policies (all of which can be given full weight) in the development plan are:

**Local Plan, Part 1, Strategic policies and sites (adopted February 2018):**
- SP1 – Presumption in Favour of Sustainable Development
- SP2 – Spatial Strategy
- TD1 – Townscape and Design
- NE1 – Biodiversity and Geological Conservation
- NE2 – Green and Blue Infrastructure
- CC1 – Climate Change
- CC2 – Sustainable Design and Construction

**Local Plan 2002 (retained policies February 2018):**
- D1 – Environmental Implications of Development
- D3 – Resources
- D4 – Design and Layout
- D7 – Trees, Hedgerows and Development
- D8 – Crime Prevention
- D9 – Accessibility
- M1 – The Location of Development
- M2 – The movement Implications of Development
- M14 – Car Parking Standards

**Guidance:**
- The National Planning Policy Framework 2019 (NPPF)
- The National Planning Practice Guidance 2014 (NPPG)
- Surrey Vehicular and Cycle Parking Guidance (2012)
- Council’s Parking Guidelines (2013)
- Haslemere Design Statement (2012)

12. **Consultations and Parish Council Comments**

<table>
<thead>
<tr>
<th>Haslemere Parish Council</th>
<th>Objection on the following grounds;</th>
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<td>• Loss of visual character</td>
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13. **Representations**

12 letters have been received raising objection from 5 addresses on the following grounds:

- The proposal length of the dropped kerb and the consequent sloping of the footpath towards the highway would produce a slip hazard.
- There are no details of the transition from the car park to the different level of the driveway to Petworth Court.
- A 2m high vertical retaining wall of railway sleepers will on its own not be structurally adequate. There is no submission of any soil investigations to determine the structural design parameters and feasibility for the retaining wall.
- The retaining wall does not accord with good design principles where no attempt has been made to reproduce the natural appearance of the existing embankment.
- Removal of the mirror that acts as a safety measure, with no indication of a facility to replace it.
- Uncertainty regarding measures to adequately conceal the bins.
- Concerns regarding the safety of the scheme.
- Concerns regarding lack of street lighting.
- The loss of mature and established hedges, banks and walls.
- The scheme will spoil the semi-rural nature of this section of Petworth Road.

1 letter has been received neither raising objection nor expressing support, on the following grounds:

- Hopeful the proposal would improve the current situation. However, the proposed parking spaces may continue to block the view of 39 Petworth Road.
• Concerns regarding the positioning of the bins in relation to number 39 Petworth Road.

1 letter has been received expressing support, on the following grounds:
• The scheme would improve the existing situation

14. Planning Considerations

15. Principle of Development

The site is within the developed area of Haslemere wherein the principle of alterations is acceptable subject to residential and visual amenity impact.

The Haslemere Design Statement states that generic design guidelines in the statement apply and specifically that any alterations to buildings should complement the existing detail, materials and built form of the houses.

16. Design and impact on visual amenity

Policy TD1 of the Local Plan 2018 (Part 1) requires development to be of high quality design and to be well related in size, scale and character to its surroundings. Retained Policies D1 and D4 of the Local Plan 2002 are attributed substantial and full weight respectively due to their level of consistency with the NPPF 2019.

The proposal includes the construction of a retaining wall to replace an existing retaining wall and section of hedging, set further back from the existing pavement and the highway verge to accommodate a single file parking arrangement forming five off street parking spaces. Whilst these changes would be visible within the street scene, they would not appear incongruous or out of character with the immediate area. Furthermore the original proposal to use railway sleepers has been revised to now propose a stone finish which would be a higher quality solution.

The proposed wall would be of an appropriate scale and design with materials similar to that used at ‘Collards’, approximately 120 metres north-west of the site.

The Council’s Tree and Landscape Officer has assessed the site and has identified that the length of bank and hedging to be removed is approximately 18m in length. It consists of the historic lane side bank and a mix of a predominantly native selection of tree/shrub species on the top with ivy and assorted herb layer clothing the bank below.
The extent of vegetation removal and replacement with a hard boundary retaining wall that will extend from the built form immediately adjacent to the pavement and form a continuous length of hard boundary would have some negative impact on the streetscene and local landscape character.

However, officers are mindful that the hedgerow is not protected and could be removed without the benefit of planning permission and therefore its long term management cannot be guaranteed. In this instance it is reasonable to secure replacement planting via condition. On this basis there is no objection to the loss of the existing hedgerow as a result of the proposal.

Therefore acceptable and in accordance with Policies TD1 of the Local Plan (Part 1) 2018, and Retained policies D1 and D4 of the Local Plan 2002.

17. **Impact on residential amenity**

Policy TD1 of the Local Plan 2018 (Part 1) seeks to ensure that new development is designed to create safe and attractive environments that meet the needs of users and incorporate the principles of sustainable development. Retained policies D1 and D4 of the Local Plan 2002 are given substantial and full weight respectively due to their consistency with the NPPF 2019.

Officers do not consider that the proposed driveway access would have any material harm upon the residential amenity of neighbouring properties in terms of loss of light, over-looking, noise or disturbance.

The proposed development would not result in harm to the residential amenity of neighbouring properties in accordance with Policy TD1 of the Local Plan (Part 1) 2018 and retained Policies D1 and D4 of the Local Plan 2002.

Therefore the proposal would be acceptable and in accordance with Policies TD1 of the Local Plan (Part 1) 2018, D1 and D4 of the Local Plan 2002 and the Residential Extensions SPD.

18. **Impact on Parking and Highway Considerations**

Policy ST1 of the Local Plan 2018 (Part 1) states that development schemes should be located where it is accessible by forms of travel other than by private car; should make necessary contributions to the improvement of existing and provision of new transport schemes and include measures to encourage non-car use. Development proposals should be consistent with the Surrey Local Transport Plan and objectives and actions within the Air Quality Action Plan. Provision for car parking should be incorporated into proposals and new and improved means of public access should be encouraged.
Having assessed the revised plans the Highway Authority is satisfied that five parking bays can be accommodated, with acceptable visibility splays to be provided (suitable for parallel parking) and the current footway width to be retained. The retaining wall at the eastern end would be splayed back to enhance visibility. These works must be delivered through a mini S278 agreement (to allow for the dropped kerb. The County Highway Authority’s Structural Engineer will also need to give technical approval for the detailed design and construction details of the retaining wall and arrangements for the temporary support to the land while the wall is being built. A condition is recommended to ensure also that the S278 process is followed.

It is noted that there were a number of objections from the public regarding the safety of the scheme. The proposed development has been considered by the County Highway Authority who have visited the site and assessed the application on safety, capacity and policy grounds. The proposed scheme would allow vehicles to be parked clear of the highway, keeping the footway unobstructed for pedestrians. They recommend that any concerns raised can be covered by conditions, and subject to compliance with such conditions, the proposal would be acceptable. Officers also consider the view that the proposed scheme would be an improvement in highway safety terms compared to the existing situation.

The proposal would therefore accord with Policy ST1 of the Local Plan (Part 1) 2018.

19. **Biodiversity**

Officers note that the extent of vegetation removal required for the erection of a retaining wall would not be enough to warrant a full ecological survey. Officers are mindful that the hedgerow is not protected and can be removed without the benefit of planning permission. As such, officers consider by way of condition a method restricting the timings of hedge clearance to coincide with the bird nesting season of early March to August inclusive. In addition, officers consider that whilst the hedgerow would not be of a species, form or condition within the landscape context that would make them a material constraint on the proposal, they do provide some contribution to the rural character of the area. Therefore officers consider it appropriate that a condition for mitigation planting commensurate to the setting should be complied with.

Subject to compliance there is no objection to the loss of the existing hedgerow as a result of the proposal.
The application property does not fall within a designated SPA, SAC, SNCI or SSSI. It is not within 200m of ancient woodland or water, and is not an agricultural barn. Having regard to this, and the completed biodiversity checklist, it is considered that a biodiversity survey is not required in this instance.

20. Parish Council / Third Party Representations

In response to a number of comments raised by Haslemere Town Council and neighbouring residents regarding safety, the parking would now be slightly closer to the building at Loneside which allows for a wider pedestrian footpath. This element of the scheme has been assessed by Surrey CC Highways and has been discussed, above in section 18.

In response to the comments raised by Haslemere Town Council regarding the loss of visual amenity, the proposal is similar to that used at ‘Collards’, approximately 120 metres north-west of the site. The proposed railway sleepers have been changed to stone (plans submitted 29/11/2019) to match the existing retaining wall and instead of tarmac as a surface treatment a fine gravel will be used, similar to that used at ‘Collards’.

It is noted that one objection was made regarding the structural integrity of the proposed retaining wall. This has been considered above.

An objection was made regarding the bin store. This has now been omitted from the proposal and the bin arrangement remains as existing.

An objection was made regarding the removal of the safety mirror. Surrey CC Highways do not allow new mirrors to be put on the highway. This is because, rather than improving safety, a mirror could increase safety risks, which include;

- reflect light and interfere with a driver's vision
- reduce the ability to judge an oncoming vehicle’s speed
- create an unreasonable dependence on the mirror
- if dirty, distorts or restricts the view
- be an easy target for vandals

Surrey CC Highways have assessed this element of the scheme and subject to compliance of Conditions regarding visibility splays the information submitted, along with the comments from Surrey County Highways Authority has been reviewed and the proposal would be acceptable in this regard.
21. **Conclusion**

22. Taking into consideration the scale and form of the development, the erection of a retaining wall would be acceptable and would not result in any material harm to the character and appearance of the area. It would have an acceptable impact on the highway. The planning balance assessment concludes that the proposal is in accordance with the Development Plan, as such, planning permission is recommended for approval.

**Recommendation**

That permission be GRANTED subject to the following conditions:

1. **Condition**
   The plan numbers to which this permission relates are 17074-005, 2018-03-349-001E, 2018-03-349-002E, 2018-03-349-003K and 2018-03-349-004K. The development shall be carried out in accordance with the approved plans. No material variation from these plans shall take place unless otherwise first agreed in writing with the Local Planning Authority.

   **Reason**
   In order that the development hereby permitted shall be fully implemented in complete accordance with the approved plans and to accord with Policy TD1 of the Local Plan 2018 (Part 1) and retained Policies D1 and D4 of the Local Plan 2002.

2. **Condition**
   No variation of the type and colour of the external materials to be used in the construction of the development as shown on the approved deposited plan shall be made without the prior written consent of the Local Planning Authority.

   **Reason**
   In the interest of the amenities of the area, in accordance with Policy TD1 of the Local Plan 2018 (Part 1) and retained Policies D1 and D4 of the Local Plan 2002.

3. **Condition**
   No part of the development shall be commenced unless and until the proposed vehicular accesses to Petworth Road have been constructed and provided with visibility splays in accordance with the approved
plans (Drawing No.17074-005) and thereafter the visibility splays shall be kept permanently clear of any obstruction over 0.6 metres high.

In order that the development should not prejudice highway safety nor cause inconvenience to other highway users, in recognition of Section 9 "Promoting Sustainable Transport" in the National Planning Policy Framework 2019 and Policy ST1 of Waverley Borough Council's Local Plan 2018.

4. Condition
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. 2019-03-349-003 Rev K) for vehicles to be parked and to enter and leave the site. Thereafter the parking areas shall be retained and maintained for their designated purpose.

In order that the development should not prejudice highway safety nor cause inconvenience to other highway users, in recognition of Section 9 "Promoting Sustainable Transport" in the National Planning Policy Framework 2019 and Policy ST1 of Waverley Borough Council's Local Plan 2018.

5. Condition
The permission hereby granted shall not be construed as authority to erect a structure without a detailed design assessment. The applicant is advised that a detailed design must be approved from Surrey County Council Structures Team before any works are carried out on any footway, footpath, carriageway, or verge.

Reason
In order that the development should not prejudice highway safety nor cause inconvenience to other highway users, in recognition of Section 9 "Promoting Sustainable Transport" in the National Planning Policy Framework 2019 and Policy ST1 of Waverley Borough Council's Local Plan 2018.

6. Condition
The development hereby approved shall not be occupied unless and until the proposed vehicular/pedestrian access to Petworth Road as shown on the approved drawings has been designed/constructed and provided with visibility splays in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority, and thereafter the visibility splays shall be kept permanently clear of any obstruction between 0.6m and 2.0m above ground level.
Reason
In order that the development should not prejudice highway safety nor cause inconvenience to other highway users, in recognition of Section 9 "Promoting Sustainable Transport" in the National Planning Policy Framework 2019 and Policy ST1 of Waverley Borough Council's Local Plan 2018.

7. Condition
No development shall commence on site until a scheme for the landscaping and replacement tree planting of the site, including the retention of existing landscape features, has been submitted to and approved in writing by the local planning authority. Landscaping schemes shall include details of hard landscaping, planting plans, written specifications (including cultivation and other operations associated with tree, shrub, and hedge or grass establishment), schedules of plants, noting species, plant sizes and proposed numbers/densities and an implementation programme. All hard and soft landscaping work shall be completed in full accordance with the approved scheme, prior to occupation or use of the approved development or in accordance with a programme agreed in writing with the local planning authority. All new tree planting shall be positioned in accordance with guidelines and advice contained in the current British Standard 5837, Trees in relation to construction. Any trees shrubs or plants planted in accordance with this condition which are removed, die or become damaged or become diseased within five years of planting shall be replaced within the next planting season by trees, and shrubs of the same size and species.

Reason
In the interests of the character and amenities of the area and to accord with Policies D1, D4, D7 of the Waverley Local Plan (2002) and Policies RE3, NE1 and NE2 of the Waverley Borough Local Plan 2018.

Informatives

1. The permission hereby granted shall not be construed as authority to carry out any works on the highway. The applicant is advised that prior approval must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, or verge to form a vehicle crossover to install dropped kerbs. www.surreycc.gov.uk/roads-and-transport/permits-and-licences/vehicle-crossovers-or-dropped-kerbs
2. The applicant is advised that as part of the detailed design of the highway works required by the above conditions, the County Highway Authority may require necessary accommodation works to street lights, road signs, road markings, highway drainage, surface covers, street trees, highway verges, highway surfaces, surface edge restraints and any other street furniture/equipment.

3. The permission hereby granted shall not be construed as authority to carry out any works on the highway or any works that may affect a drainage channel/culvert or water course. The applicant is advised that a permit and, potentially, a Section 278 agreement must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. All works on the highway will require a permit and an application will need to be submitted to the County Council's Street Works Team up to 3 months in advance of the intended start date, depending on the scale of the works proposed and the classification of the road. Please see http://www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/the-traffic-management-permit-scheme. The applicant is also advised that Consent may be required under Section 23 of the Land Drainage Act 1991. Please see www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/flooding-advice.

4. The developer would be expected to agree a programme of implementation of all necessary statutory utility works associated with the development, including liaison between Surrey County Council Streetworks Team, the relevant Utility Companies and the Developer to ensure that where possible the works take the route of least disruption and occurs at least disruptive times to highway users.

5. The permission hereby granted shall not be construed as authority to obstruct the public highway by the erection of scaffolding, hoarding or any other device or apparatus for which a licence must be sought from the Highway Authority Local Highways Service.

6. "IMPORTANT" This planning permission contains certain conditions precedent that state 'before development commences' or 'prior to commencement of any development' (or similar). As a result these must be discharged prior to ANY development activity taking place on site. Commencement of development without having complied with these conditions will make any development unauthorised and possibly subject to enforcement action such as a Stop Notice. If the conditions have not been subsequently satisfactorily discharged within the time
allowed to implement the permission then the development will remain unauthorised.

7. There is a fee for requests to discharge a condition on a planning consent. The fee payable is £116.00 or a reduced rate of £34.00 for household applications. The fee is charged per written request not per condition to be discharged. A Conditions Discharge form is available and can be downloaded from our web site. Please note that the fee is refundable if the Local Planning Authority concerned has failed to discharge the condition by 12 weeks after receipt of the required information.

8. The Council confirms that in assessing this planning application it has worked with the applicant in a positive and proactive way, in line with the requirements of Paragraph 38 of the National Planning Policy Framework 2019.