

WA/2019/0939 - Erection of extension and alterations to part of the building to provide 4 flats with associated parking following demolition of extension (as amended by plans received 05/03/2020, 19/10/2020 and 28/10/2020 and as amplified by ecology information received 04/12/2020) at 13 Church Street, Godalming GU7 1EL

Committee Meeting Date: Central 18/11/2020

Ward: Godalming Central and Ockford

Case Officer: Rebecca Clarke

Extended Expiry Date: 17/07/2019

Extended Neighbour Notification Expiry Date: 11/11/2020

RECOMMENDATION That, subject to conditions, permission be GRANTED

Summary

This application has been brought before the Eastern Committee at the request of Councillors Follows and Rosoman.

Permission is sought for the erection of a two storey extension to the rear of the site, following demolition of an existing single storey extension, and conversion of part of the application building to provide for 4 residential flats. This would include 1 x 2 bed unit and 3 x 1 bed units. An existing retail unit to the front of the building would be reduced, but retained as part of the proposal. A total of 4 parking spaces would be provided to the rear of the site.

The site falls in the developed area of Godalming, within the Town Centre, as well as the Godalming Centre Conservation Area. The application building is two-storeys to the street frontage (retail at ground floor with storage space above), with a single storey storage area to the rear. The surrounding area features a mixture of retail, commercial and residential units.

As the proposal would retain the retail element, no objection is raised in this regard. The Council's Heritage Officer has confirmed that, subject to conditions to ensure high quality design and materials, there would be no harm to the Conservation Area. It is acknowledged that a number of objections have been raised by local residents; however Officers have carefully considered the likely impact to residential amenity and are satisfied that, subject to conditions, the impact would not result in a level of harm to warrant a material objection.

1. Location Plan



1. Site Description

The application site is located on the corner of Church Street and Cow Lane, to the western end of Godalming High Street. It comprises a two storey building with single storey rear extension. The building features a retail unit at ground floor level with ancillary storage space to the rear and at first floor. The surrounding area comprises a mixture of retail, commercial and residential units.

2. Proposal

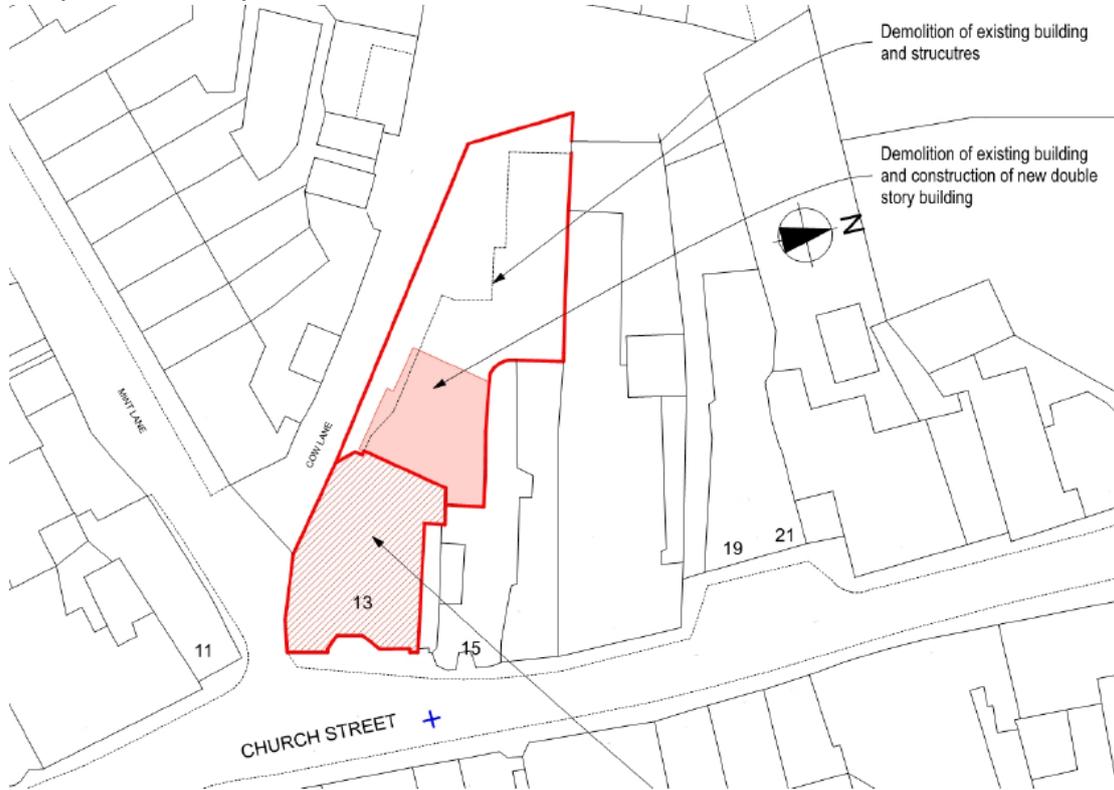
Permission is sought for the following:

- Erection of a two storey rear extension following demolition of existing single storey rear extension to provide for 2 residential flats.
- Conversion of existing first floor to residential to provide for 2 residential flats
- Retention of ground floor retail unit
- Provision of 4 parking spaces to the rear of the site

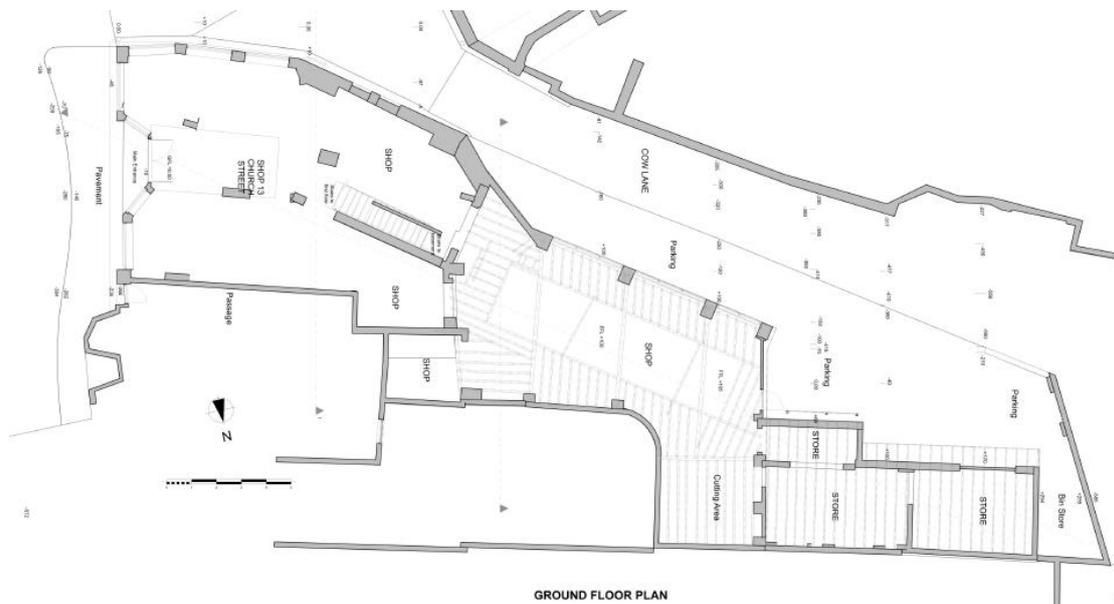
In total, the proposal would provide for 4 residential flats – 3 x 1 bed units and 1 x 2 bed unit.

Proposed Plans

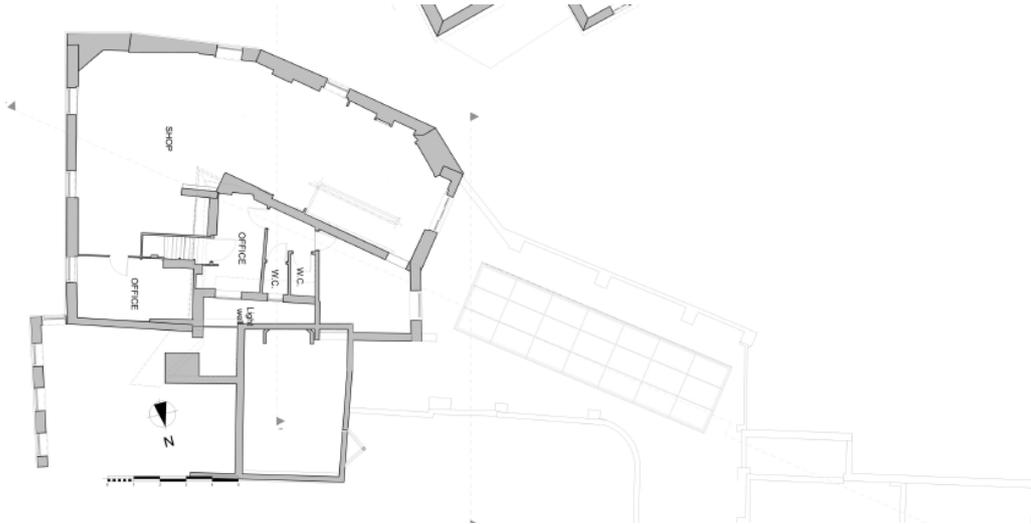
Proposed block plan



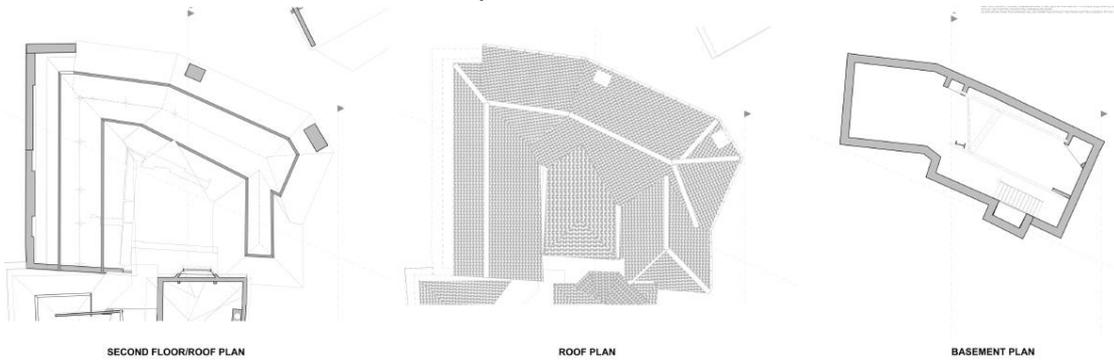
Existing floorplans



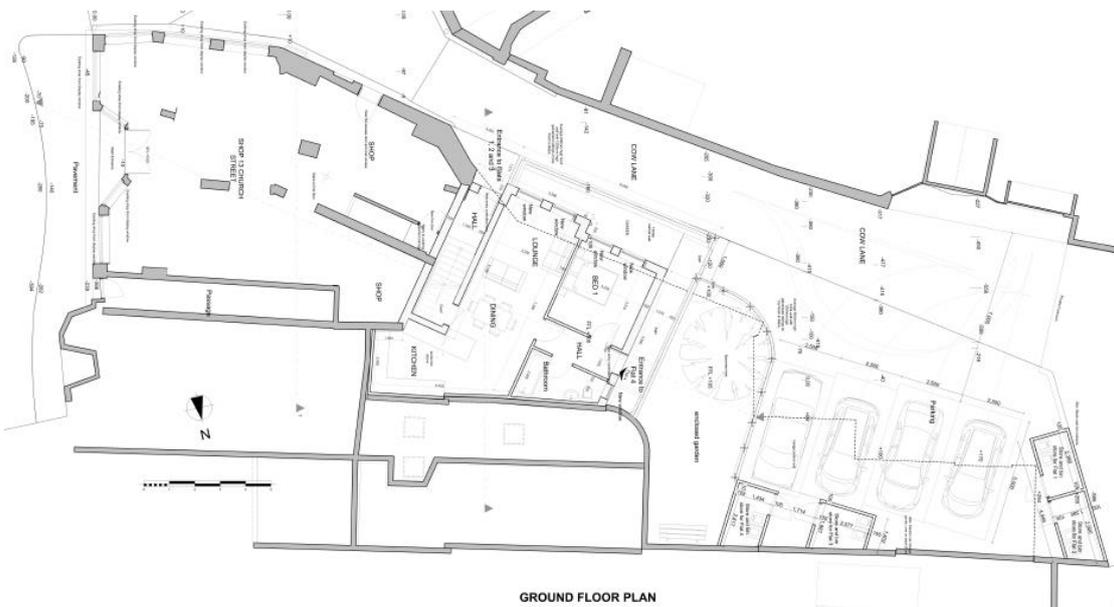
First floor

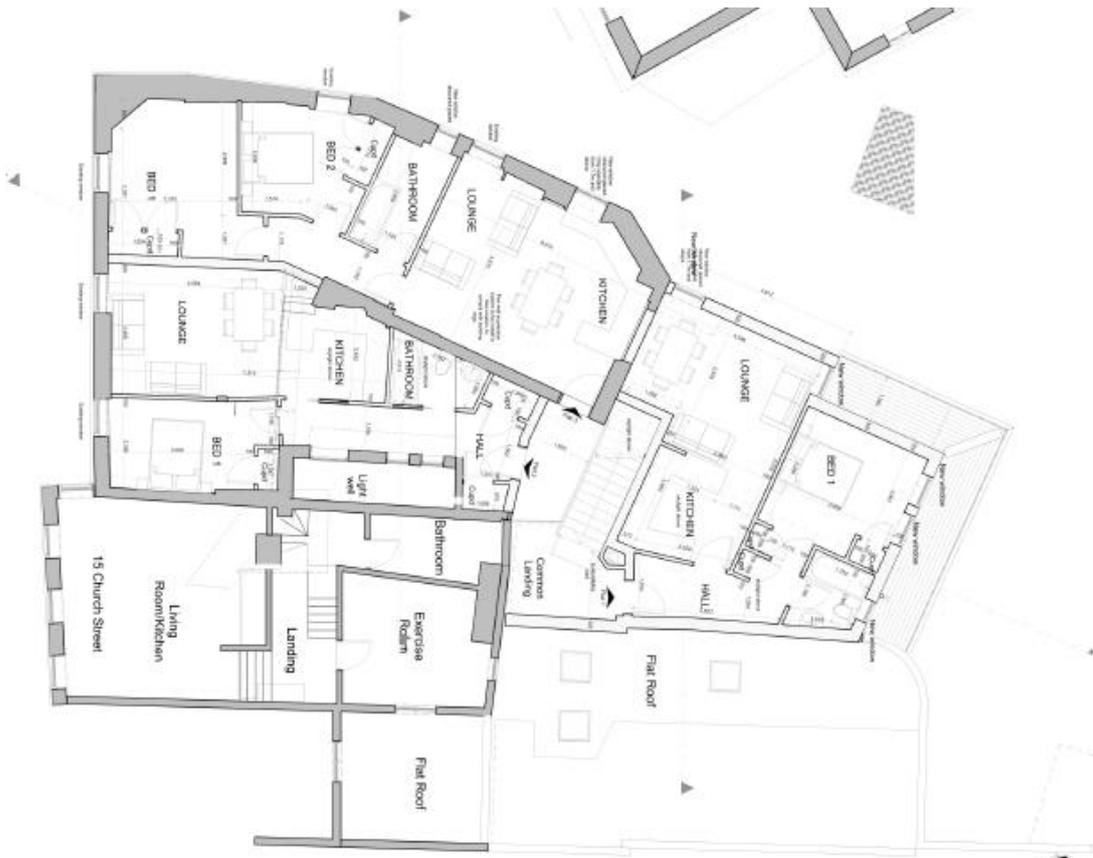


Basement, second floor and roof plans



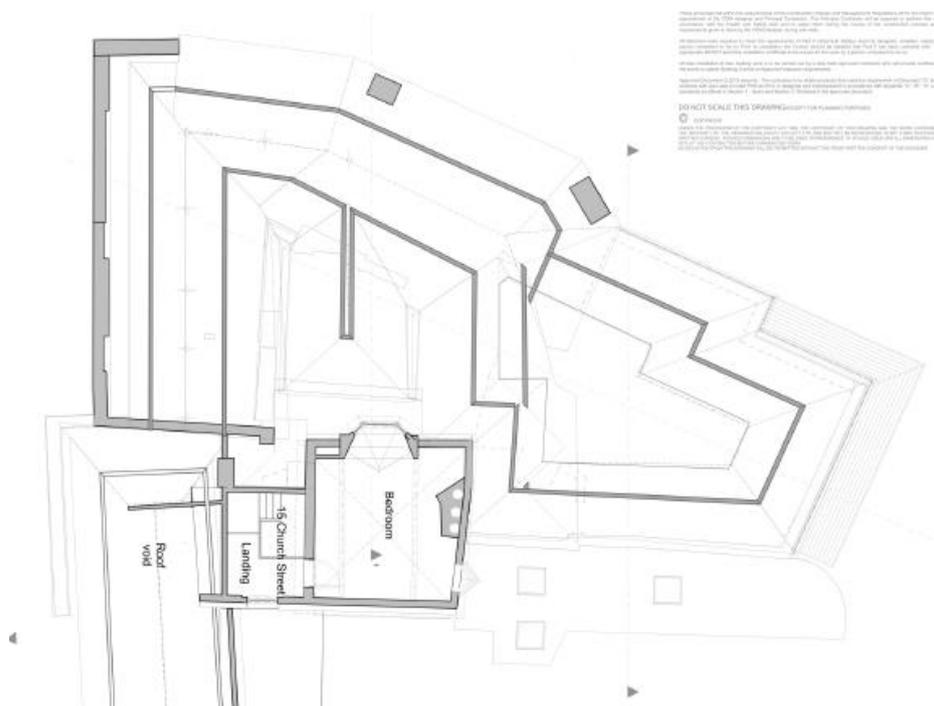
Proposed floorplans





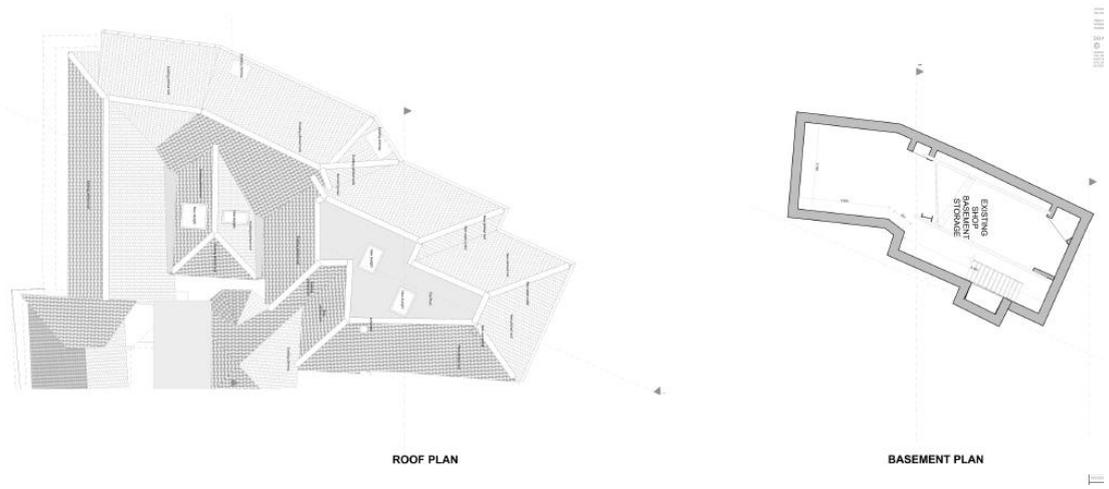
FIRST FLOOR PLAN

Second floor plan

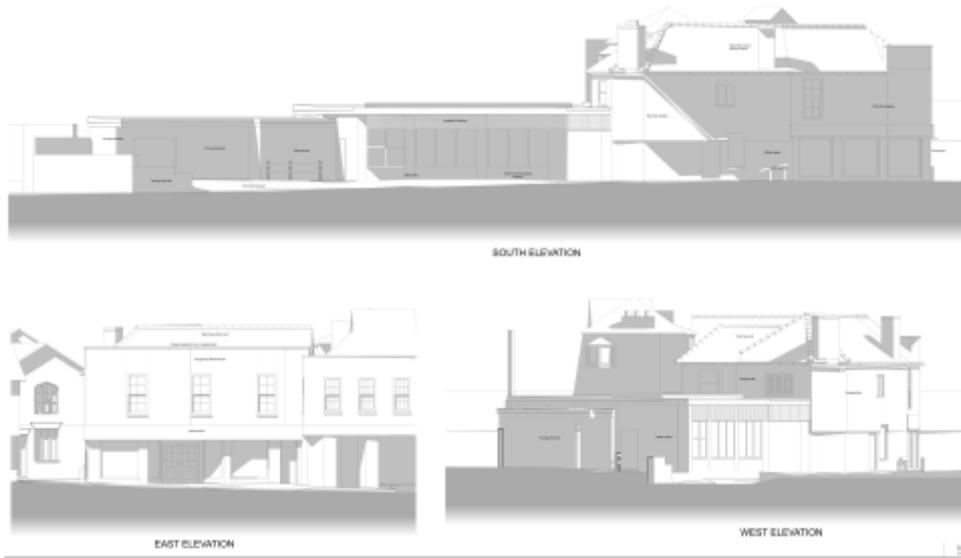


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Existing elevations



Proposed elevations





3. Relevant Planning History

No relevant recent planning history

4. Planning Policy Constraints

Developed area of Godalming
 Town Centre Area
 Godalming Centre Conservation Area
 Adjacent Listed Buildings
 Area of High Archaeological Potential
 AQMA Buffer Zone
 Ancient Woodland 500m Buffer Zone
 Wealden Heaths I SPA 5km Buffer Zone

5. Development Plan Policies and Guidance

The relevant development plan policies comprise:

- Waverley Borough Local Plan, Part 1, Strategic policies and sites (adopted February 2018): SP1, SP2, ST1, TD1, HA1, ALH1, TCS1, EE2
- Godalming Neighbourhood Plan (made August 2019): GOD5, GOD6, GOD11, GOD14
- Waverley Borough Local Plan 2002 (retained policies February 2018): D1, D4, D7, HE3, HE8, HE14, TC2, TC3

In accordance with the National Planning Policy Framework (NPPF) due weight has been given to the relevant policies in the above plans.

Other guidance:

- National Planning Policy Framework (2019)
- National Planning Practice Guidance (2014)
- Council's Parking Guidelines (2013)
- Residential Extensions SPD (2010)
- Vehicular and Cycle Parking Guidance (Surrey County Council 2018)
- Waverley Local Plan Strategic Highway Assessment (Surrey County Council, 2016)
- Godalming Conservation Area Appraisal (2013)
- National Design Guide (2019)

6. Consultations and Town/Parish Council Comments

County Highway Authority	No objection
Godalming Town Council	None received
County Archaeologist	No objection
Council's Environmental Services – Air Quality	No objection
Surrey Wildlife Trust	No objection
Council's Waste & Recycling Co-ordinator	Details provided on bin requirements
Utility companies – Thames Water, Southern Water, South East Water	None received

7. Representations

In accordance with the statutory requirements and the “Reaching Out to the Community – Local Development Framework – Statement of Community Involvement – August 2019” the application was advertised in the newspaper, a site notice was displayed at the site and neighbour notification letters were sent out.

22 letters have been received raising objection on the following grounds:

- Impact to neighbouring buildings – light, overbearing impact, overlooking, along with vibration, damp penetration etc. as a result of demolition.
- Sunlight studies are not correct
- Amendments to secure obscure glazing to sash windows are not acceptable as the windows can be opened

- Site notice was not displayed
- Noise impacts from nearby Public House to future residents
- It would not accord with the Council's Residential Extensions SPD
- Ability to implement permitted development rights should not be used as a bargaining chip for obtaining planning permission.
- It would not accord with Technical Space Standards
- Use of private land for swept path analysis for proposed parking spaces
- Increased traffic
- Lack of parking availability – the flats will likely have more than 1 car each.
- Poor design and unacceptable visual impact
- Overdevelopment of the plot
- Inadequate amenity space
- Poor arrangement of the bin stores
- Impact on the retail element
- Impact on Conservation Area
- Plans are not accurate and do not show neighbouring windows
- Query where construction traffic would park and how deliveries would take place given the narrow nature of Mint Street and Cow Lane.

2 letters have been received neither raising objection nor expressing support, making the following general comments:

- Some local residents have not been notified of the application
- The Godalming Trust Planning sub-committee has commented that the proposal is considered to be an improvement to Mint Street/Cow Lane but a loss of a great business, which is sadly not a reason to object.

Planning Considerations

8. Principle of development

Policy SP1 of the Local Plan (Part 1) 2018 states that when considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development.

9. Retail element

Policy TCS1 of the Local Plan 2018 states that the Primary Shopping Areas will be the main focus, particularly at ground level for A1 retail uses. Where planning permission is required, these sites will be protected unless it can be determined that a change of use would not have a significant harmful effect on the frontage, viability or vitality of the centre. Whilst Primary and Secondary

frontages will be defined in Local Plan Part 2, the Central Shopping Areas defined within the saved policies of the Local Plan 2002 will be regarded as the primary frontages. This site falls within the Central Shopping Area and is therefore treated as a Primary Frontage.

The proposal would retain an active shop front within Class A1 use and retail space at ground floor level. This is considered to be in line with Policy TCS1.

However, it is acknowledged that the proposal would result in the loss of a substantial amount of retail storage space. The Agent has confirmed to Officers that, as a result of the proposal, there would be an intention to improve the storage arrangements in the existing basement. The proposal would result in the removal of the internal stairway from ground to first floor, which would aid in providing floorspace for the shop floor in this area. The Agent has confirmed that the unit would be utilised as a retail space with stock being ordered in as and when it is needed, for a collection or delivery based approach, rather than having extra stock stored on the premises. Given this modern ability to order any required stock quickly, the Agent has set out that the existing rear retail area would not be required and the retail area to be retained would be able to continue to operate without it.

The Council's Economic Development Project Officer has commented that the application building is a "key anchor shop" on Church Street which is of a substantial size with a number of employees. It is considered that the premises helps to draw customers to the quieter end of Godalming Town Centre, which helps this area to thrive. It is a long standing and viable business in a Town Centre location, and the Council's Economic Development Project Officer is of the opinion that a reduction in the size of retail space could be detrimental to the ability of a business like this to operate. The Borough contains a number of smaller sized empty shops, in part due to the current Covid-19 crisis, but there are not many with this type of space.

Officers have carefully considered the likely impact that the proposal will have and are of the view that the retail element would be able to continue. Whilst noting the comments of colleagues in the Economic Development Team, Officers acknowledge that the proposal would more than likely result in the existing business no longer being able to use the unit. This is unfortunate, however it is considered that the development would not preclude a new business taking over the retail space. Many businesses now take the approach to order in stock as and when it is needed for collection or delivery, and use of the remaining retail space in this manner would ensure that the frontage, viability and vitality of the Town Centre would continue. In this regard, officers consider that the proposal would accord with Policy TCS1 of the Local Plan 2018 (Part 1).

10. 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 would involve the demolition of an existing single storey extension and replacement with a two storey extension. This would obviously add bulk and massing to the building, however officers consider that, in and of itself, this additional built form would not result in material harm to the streetscene. It would be seen as a continuation of the existing two storey building to the site's frontage and there are many examples of two storey development in the locality.

Materials, as mentioned further in the 'heritage' section of this report, would be of great importance in ensuring that it would be suitable for the character and visual appearance of the locality. It is noted that Third Party comments have referred to materials not being in keeping with the surrounding buildings and character of the area. Whilst it is acknowledged that the proposed brickwork would differ from the tile hanging on the host building, it is nevertheless considered that the quality of materials could be adequately controlled by means of a planning condition on any grant of permission. Subject to this, no objection is raised with regard to materials.

The proposal would feature areas of flat roof. However, these areas would not be materially visible from the streetscene as the crown pitch roof would appear as a pitch from the ground level.

The proposal sets out that there would be bin stores provided to the rear of the site. Whilst these are shown on elevation plans, it is considered that further detail in relation to their material and appearance would be required to be submitted as part of a planning condition on any grant of permission. No objection is raised with regard to the principle of the provision of such stores and, subject to condition, Officers consider that there would be no likely material visual harm.

Subject to conditions, Officers consider that, on balance, the proposal would be visually acceptable and would accord with Policy TD1 of the Local Plan 2018 (Part 1) and Policies D1 and D4 of the Local Plan 2002.

11. Impact on residential amenity

Policy TD1 of the Local Plan 2018 (Part1) 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.

The surrounding area comprises a mixture of retail, commercial and residential buildings. As the application building does not comprise a residential dwelling, the Council's Residential Extensions SPD would not strictly apply. However, the planning matters set out within this document would nevertheless all be relevant to assess.

- Overlooking/loss of privacy

The proposal would utilise existing openings at ground floor and first floor levels on the eastern and southern elevation of the two storey building to be retained and converted. There would also be two new windows installed on the southern elevation of the existing building at first floor level. The windows on the eastern elevation at first floor level would serve habitable rooms and would face out onto the High Street. A road would separate this elevation and the building opposite, and officers are satisfied that this would be an acceptable relationship.

The windows on the eastern elevation at first floor level would serve a mixture of habitable and non-habitable rooms. The two new windows proposed in this elevation would both be obscurely glazed and the window serving a kitchen diner would be non-opening up to 1.7m. The two existing openings would serve a bedroom and lounge area, and would face out onto Cow Lane and Mint Street. Nos 1 and 2 Mint Street would be the nearest neighbouring properties in this direction. Views out of the proposed bedroom window would be set at an angle to the openings in the eastern elevation of No.2 Mint Street. Whilst it is acknowledged that views between the windows and neighbouring buildings would be possible, Officers are mindful of the fact that these windows are existing windows and therefore such views exist at present. It is considered that it would be unreasonable to require existing windows to be obscurely glazed or fixed shut. A residential use would result in people permanently residing in the building and use at all hours, which could result in a greater overlooking impact.

It is not for Officers to assess whether the application site would benefit from any permitted development rights for a change of use to residential as part of this application. However, Officers note that permitted development rights to

enable a residential use could be applicable to the application site and Officers would need to consider these factors in the planning balance.

With regard to potential overlooking of outdoor amenity space serving properties along Mint Street, it is considered that any views afforded from windows in the development would be set at an angle and would not be direct on. It is not uncommon for such views to exist in built up areas which feature residential units. Having regard to these factors, no material objection is raised in this regard.

- Overbearing

It is noted that the two storey element would be a prominent addition and would be viewable from neighbouring properties. The right to a view is not a material planning matter, however officers have carefully considered whether the proposal would be of a scale to materially undermine neighbouring amenities.

At the closest point, the two storey element would be approximately 5m away from No. 2 Mint Street. However, this neighbouring property is set at an angle to the application site and the neighbouring building therefore does not run parallel. Views of the development would be possible from the rear of this neighbouring property. However, taking the juxtaposition into account, along with there being a single lane road (Cow Lane) in between, it is considered that, on balance, the proposal would not result in scale of overbearing impact to warrant an objection to be raised. The distance and juxtaposition of the two storey element to other properties along Mint Street is considered to be such that there would be no material harm.

The main neighbouring property which would need to be considered in terms of likely overbearing impact is that of No.15 Church Street. At first floor level, the neighbouring window serves a room used for exercise. This is considered to not be a habitable room, and furthermore there are two openings serving the room. As such, at this level, whilst the development would appear prominent from the rear window, no overbearing impact would, in Officers' opinion, be justified. The neighbouring property is split across several levels and at second floor level there is a bedroom. This benefits from a single rear window. Similarly to the first floor level, the proposed development would appear as a prominent addition. However, at this level, the roof of the proposed development would be pitched away from the neighbouring property. On balance, whilst the size and prominence of the development is noted, it is considered that the likely overbearing impact would not be of a scale to materially undermine neighbouring amenity such to warrant an objection.

- Loss of light

The application is supported by a Light Study to show the likely impact to neighbouring properties in Church Street. Having regard to the orientation of the application building, Officers would not raise a material objection with regard to the likely impact on light levels for other neighbouring buildings.

Having regard to the submitted plans indicating a 45° line from closest neighbouring windows, it is acknowledged that there would be an impact on light levels reaching the adjacent neighbouring building. At first floor level, as previously stated, the neighbouring room serves as an exercise room and this room benefits from two openings. Whilst the primary opening for light purposes would be the rear opening; on balance and having regard to it being a non-habitable room, no material objection is raised in respect of the reduction in light levels for this room. The neighbouring room at second floor level is a habitable room (bedroom), served only by one rear opening. There would be an impact on light levels for this neighbouring room and this must be considered in the planning balance.

- Noise impacts

The introduction of a residential use would result in people permanently residing on the site, which could introduce additional noise to the area. However, the area contains a mixture of uses which all generate noise and the number of units would not be such that any increase in noise would likely be materially harmful to surrounding occupiers. No objection is raised on this basis.

12. Heritage

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in considering applications which affect Listed Buildings, Local Planning Authorities must have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in considering applications within a Conservation Area, Local Planning Authorities must pay special attention to the desirability of preserving, or enhancing the character and appearance of the area.

Paragraphs 193, 194, 195 and 196 of the NPPF are of particular relevance and are provided below:

193. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
194. Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:
- a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional;
 - b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional⁶³.
195. Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:
- a) the nature of the heritage asset prevents all reasonable uses of the site; and
 - b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
 - c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and
 - d) the harm or loss is outweighed by the benefit of bringing the site back into use.
196. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

The application of the statutory duties within section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 combined with the guidance contained in the NPPF means that when harm is identified, whether that be less than substantial or substantial harm, it must be given considerable importance and weight.

Policy HA1 of the Local Plan (Part 1) 2018 outlines that the Council will ensure that the significance of heritage assets are conserved or enhanced to ensure the continued protection and enjoyment of the historic environment.

Retained Policy HE3 of the Local Plan 2002 is afforded significant weight owing to its consistency with the NPPF 2019. Retained Policy HE8 of the Local Plan 2002 is afforded substantial weight due to its level of consistency with the NPPF and seeks to ensure that the development preserves or enhances the character of Conservation Areas.

The site is attached to a Grade II Listed Building (Nos 15 & 15a Church Street) and there are a number of Listed Buildings in close proximity to the site which form part of the Godalming High Street. The ones closest to the application site, which have their setting falling in the Conservation Area are Nos 6, 8, 11, 15, 15 and 17 Church Street and No.1 Mint Street. The application building itself is considered to be a non-designated Heritage Asset and the site falls within the Godalming Centre Conservation Area.

Godalming Town Conservation Area is orientated around the development of the historic market town. Church Street in particular is formed of characterful low scale historical buildings (17th century timber framed as well as 18th and 19th century buildings), which do not overshadow the street, yet at the same time offers a sense of enclosure.

No.13 has a 19th century façade which appears to have unified two earlier buildings. At one point the building was one of six public houses within Church Street, but it closed in 1956 and since then it has undergone significant alterations including the replacement of the domestic ground floor with the present commercial shopfront. Despite its alteration, the older part of the building contributes positively to the conservation area, not least in views along Mint Street. In particular, it forms part of the context of numerous listed buildings as well as the attractive but unlisted mid-19th century terrace in Mint Street and that of the late 19th century in Cow Lane. For the reasons above it is considered to be a non-designated heritage asset.

The closest listed buildings are all set within the Conservation Area and date from 17th century to the 19th century and consist of materials and styles consistent with the character and appearance of the conservation area. This includes timber framing, red brick in Flemish bond, painted brick and sash windows.

The Council's Heritage Officer has commented that the existing built form to the rear of the application site are clearly ad-hoc additions which do not positively contribute to the character and appearance of the conservation

area. Therefore an extension which responds to the character of the area is considered acceptable in principle.

The Council's Heritage Officer is of the opinion that the proposed scheme appears to be an appropriate response to the site's constraints. It would be consistent with the size, scale and massing of other buildings within the conservation area. By not deviating from materials used within the conservation area but differing from the host building the extension would be distinguishable as a new element, whilst harmonising with the host building and surrounding area. The flat roof element would not be perceptible from the public realm and therefore would be acceptable in heritage terms, although the roof junctions would require more detail to be provided. The first floor of the south elevation would be pretty sparse in comparison to the ground floor; however, it is considered that this would be to prevent overlooking and therefore could be subject to detailing and materials. As such, no concerns are raised in this regard.

It is commented that, for the brickwork, stretcher bond should be avoided. Although of a differing style, the proposed bin stores appear to be the most appropriate solution for the site, however details would need to be provided in relation to the proposed materials and this could be subject to a planning condition. No concern is raised by the Council's Heritage Officer in regard to the alterations proposed to the fenestration of the non-designated heritage asset.

As it would be vital that no harm comes to the significance of the heritage assets, conditions have been recommended in relation to the details and materials of the proposal. Subject to these conditions being imposed on any grant of permission, no concern is raised and it is considered that the proposal would not result in any harm to the heritage assets. As no harm has been identified, it is not necessary to weigh up the public benefits against any identified harm. The proposal would therefore be in accordance with Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas Act 1990, Policy HA1 of the Local Plan (Part 1) 2018 and retained Policies HE3 and HE8 of the Local Plan 2002.

13. Highways

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.

The County Highway Authority has reviewed the proposal and has commented that the proposal is unlikely to have a material impact on highway safety issues. Whilst it is noted that a number of third party comments have been received raising objection in relation to highway and traffic related matters, the County Highway Authority has not raised any concern with regard to these matters.

A condition has been recommended in relation to securing a Construction Transport Management Plan prior to the commencement of development. This would be of great importance given the location of the site and the road network.

Parking

The NPPF supports the adoption of local parking standards for both residential and non-residential development. The Council has adopted a Parking Guidelines Document which was prepared after the Surrey County Council Vehicular and Cycle Parking Guidance in January 2012. Policy ST1 of the Local Plan (Part 1) 2018 states that development schemes should have appropriate provision for car parking. Development proposals should comply with the appropriate guidance as set out within these documents.

The proposal would provide four parking spaces to the rear of the site, one for each residential flat. This would accord with the Council's Parking Guidelines which set out a requirement, within a Town Centre location as this is, of 1 space per 1-bed and 2-bed unit. The County Highway Authority has commented that the site is in a sustainable location with links to Godalming train station, local bus services and local amenities, therefore the proposed level of parking is considered to be acceptable.

Swept path analysis has been submitted with the application and this has been updated at the request of the County Highway Authority in the course of the assessment of the proposal. However, the County Highway Authority has reviewed the plans and is satisfied that the swept path drawings in relation to the proposed parking spaces are now acceptable and vehicles would be able to access them using the highway only.

A condition has been recommended by the County Highway Authority in relation to securing details for the secure parking of bicycles.

Subject to the imposition of conditions, no objection is raised in relation to highway safety, traffic or parking matters. The proposal is therefore considered to accord with Policy ST1 of the Local Plan 2018 (Part 1) and the Council's Parking Guidelines.

14. Standard of accommodation

Policy TD1 of the Local Plan (Part 1) 2018 seeks to maximise the opportunity to improve the quality of life, health and well-being of current and future residents through the provision of appropriate private, communal and public amenity space, appropriate internal space standards for new dwellings, on site playspace provision, appropriate facilities for the storage of waste and private clothes drying facilities.

The Government Technical Housing standards – nationally described space standards (2015) (NDSS) requires dwellings to meet certain internal space standards in order to ensure that an appropriate internal standard of accommodation has been provided for future occupiers. Until the Council has a Local Plan Policy in respect of these standards, they should only be given limited weight and used as guidance to inform the decision on this proposal.

Unit No.	Type	Floorspace (m ²)	NDSS	Compliance?
Flat 1	1 bed, 2 person	47.1	50	No – by 2.9m ²
Flat 2	1 bed, 2 person	49.2	50	No – by 0.8m ²
Flat 3	2 bed, 4 person	62.8	70	No – by 7.2m ²
Flat 4	1 bed, 2 person	55.6	50	Yes

As set out above, 3 of the 4 units do not accord with the NDSS. The discrepancy varies for each of the units, with Flat 3 showing the greatest discrepancy. It is noted that whilst the submitted plans indicate double bedrooms, the size of the flat would comply with the floorspace guidelines for a 2 bed, 3 person unit (61m² requirement). Overall, having regard to the scale of the discrepancies, the limited weight to be given to compliance with the NDSS at this time, and the sustainable location of the units within the centre of Godalming Town Centre, it is considered that, on balance, it would not justify a reason for refusal.

Whilst it would be beneficial for the units to benefit from amenity space, given the location of the units and access to public amenity space no objection is raised in this regard. There is no requirement for on-site playspace having regard to the nature of the development, and provision for waste is discussed

in a separate section of this report. The units would be provided with openings to provide outlook and light for habitable rooms.

Overall, and on balance, no objection is raised by Officers with regard to the standard of accommodation.

15. Archaeology

Retained Policies HE14 and HE15 of the Local Plan 2002 require that appropriate desk based or field surveys should be submitted with an application and appropriate measures taken to ensure any important remains are preserved. These policies are afforded full weight owing to their consistency with the NPPF.

The site lies within the designated Area of High Archaeological Potential for the historic centre of Godalming. This area is likely to contain evidence relating to the origins and development of the town from the medieval period onwards.

In accordance with policy HE14 and the NPPF 2019, the application is supported by a comprehensive desk based archaeological assessment prepared by the Heritage Collective. This assessment has consulted all currently available sources, including the Surrey Historic Environment Record, in order to characterise the archaeological potential of the site. The report confirms that the site has a high potential for archaeological remains dating from the Saxon and medieval periods, and also suggests that burials may be present associated with the Saxon cemetery at Priory Orchard, although the suggested southern limit of the burial ground lies to the north of the Church Street site.

The County Archaeologist has commented that it is therefore clear from the report that further archaeological investigations would be required. Normally the first stage of work would be a trial trench evaluation of the site; however in this case the area of the proposed extension would be largely beneath existing buildings and so this course of action would not be appropriate. It is advised that a programme of archaeological monitoring should be carried out in order to identify and record any archaeological remains that may be present both during the removal of the current foundations and during any intrusive excavations that maybe required in order to construct the new build. This would require the attendance of a suitably qualified professional archaeologist to observe ground works in order to identify and record any archaeological remains that may be revealed.

A condition has been recommended by the County Archaeologist to secure such works and, subject to its imposition on any grant of permission, no archaeological concern is raised. The proposal is considered to accord with Policy HE14 of the Local Plan 2002 in this regard.

16. Effect on the SPA

The site falls within the Wealden Heaths 5km Buffer Zone and the proposal would result in an increase in people (permanently) on the site. However, Natural England's guidance confirms that for developments within 400m-5km of the Wealden Heaths SPA, of less than 20 dwellings, they would be unlikely to require mitigation, an Appropriate Assessment or Natural England formal consultation. Such development can be permitted without likely significant effects on the SPA. Taking this into account, it is considered that the proposal would not have a likely significant effect upon the integrity of the SPA in accordance with Policy NE1 of the Local Plan 2018 (Part 1). An appropriate assessment is not therefore required.

17. Air Quality

The site is located close to the Godalming Air Quality Management Area (AQMA). However, the Council's Environmental Health Officer considers that the proposal would be unlikely to have a significant impact on local air quality. It has been commented that the proposal would provide an opportunity to support users of lower emission vehicles and enable charging in convenient locations.

The submission sets out that an electric vehicle charge point would be provided for each dwelling and it is recommended that this is secured by a planning condition on any grant of permission. Subject to this and other recommended conditions in relation to dust and burning of waste, no objection is raised on the basis of air quality and Officers consider the proposal to be in accordance with Policy D1 of the Waverley Borough Local Plan 2002.

18. Refuse and recycling

The Council's Waste and Recycling Co-ordinator has commented that there appears to be no provision made for food waste and that collection crews would not likely be able to collect the bins from the bin enclosures shown on the submitted plans owing to there being parked vehicles in front. It is advised that residents present their bins at the kerbside (either Church Street or Cow Lane) on collection days. Full details of the requirements for refuse and recycling bins have been provided by the Council's Waste and Recycling Co-ordinator and these will be highlighted to the Applicant. Furthermore, details of

storage for food waste and appearance of bin stores could be secured by means of a planning condition attached to any grant of permission.

19. Biodiversity

Policy NE1 of the Local Plan (Part 1) 2018 states that the Council will seek to conserve and enhance biodiversity. Development will be permitted provided it retains, protects and enhances biodiversity and ensures any negative impacts are avoided or, if unavoidable, mitigated.

Further, Circular 06/2005 states 'It is essential that the presence or otherwise of protected species and the extent that they may be affected by the proposed development, is established before planning permission is granted.'

The application is supported by a Bat Report and a Bat Roost Assessment Report Addendum.

Surrey Wildlife Trust notes that the Addendum Report confirms that an inspection of the buildings was undertaken in November 2020. An internal inspection revealed bat droppings in the roof void, which has been confirmed as belonging to Brown Long eared-bats. No further evidence of bats was found within the buildings. The building was characterised as being a transitional/night roost, used by one individual.

Surrey Wildlife Trust has commented that good practice guidance sets out that confirmed Bat roosts should be subject to a suite of surveys to characterise the Bat roost, the number of which is dependent on the specific circumstances of a building and determined by a suitably qualified professional, but would be expected to be undertaken across the survey season. The submitted report sets out at paragraph 5.23 that the Applicant's Ecologist is confident as to the characterisation of the roost, given limited evidenced of presence in 2020, no presence in 2019 and the urban location of the building.

Surrey Wildlife Trust has confirmed that it is for the applicant to take on the inherent liability that, should any further surveys as part of the Natural England Licence process identify additional roosts/types/species using the building, it may be difficult to accommodate required mitigation or compensation within the permitted development design.

Based on this Surrey Wildlife Trust is of the view that, if the Applicant's Ecologist is confident as to the roost characterisation of the building and that only one transitional/night roost of an individual Brown long-eared species is

present, any grant of planning permission should be subject to the following requirement:

- Either - obtain a European Protected Species (EPS) licence from Natural England following the receipt of planning permission and prior to any works which may affect bats commencing and to;
- Undertake all the actions which will be detailed in the Method Statement which will be required to accompany the licence application, based on the mitigation, compensation and enhancement actions presented within paragraphs 5.24-5.26 of Bat Roost Assessment Report Addendum

Or –

- To undertake works under the brief of a Registered Consultant who holds a Low Impact Class Licence for bats

Surrey Wildlife Trust has also commented that the applicant should be reminded that the loss of a Bat roost would be a criminal offence, and it would be for the Council to consider whether a British Standard BS42020 model condition (as set out below) would be required if permission were to be granted

“The following works [... state the specific works or activity likely to cause harm to particular protected species... and as identified in planning / drawing / specification X...] shall not in any circumstance commence unless the local planning authority has been provided with either

- a) A licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 authorising the specified activity / development to go ahead; or
- b) A statement in writing from Natural England to the effect that it does not consider that the specified activity / development will require a licence”

Having regard to the above, no objection is raised with regard to ecology matters subject to conditions being imposed on any grant of permission. Subject to this, the proposal is considered to accord with Policy NE1 of the Local Plan 2018 (Part 1).

20. Response to Third Party comments

The third party comments are noted by Officers and the majority of comments raised relate to matters which have been discussed in relevant sections of this report.

However, Officers would make the following additional comments:

- A white site notice was displayed at the site, and residents have been notified and given sufficient time to comment on the application.
- Officers consider the submitted documentation to be sufficient to enable the application to be reviewed and an officer recommendation to be put forward.

21. Conclusion

In terms of the benefits of the proposal, the development would provide dwellings in a sustainable location.

In isolation, the proposal is considered to be of an acceptable design which would not result in any material harm to the streetscene and, subject to conditions, the proposal is considered to be acceptable in terms of parking, impact on the Conservation Area, Archaeology and Ecology. As set out within relevant sections of this report, Officers have also, on balance, considered that the proposal would not warrant material objections being raised with regard to the standard of accommodation to be provided or in respect of overbearing impact to residential amenity. Furthermore, having regard to there being no policy specification for the size of a 'viable' retail unit, Officers raise no material objection to the loss of retail/storage space to the rear of the building.

It does remain, however, that there would be a likely impact to neighbouring amenity in terms of light levels serving a bedroom in No.15 Church Street and to privacy from use of existing windows in the building to No.2 Mint Street.

These factors have all been carefully considered by Officers, however, and very much on balance, Officers view is that the planning benefits would outweigh the planning harm in this instance.

Recommendation

That permission be GRANTED subject to the following conditions:

1. Condition

The plan numbers to which this permission relates are:

L-1559 -

20B (existing ground floor)

21B (existing first floor)

22B (existing basement and roof)

24B (existing elevations)

28B (existing sections AA - BB - CC)

50C (proposed ground floor)

51E (proposed first and second floor)

52C (proposed basement and roof)

53C (proposed south east & west elevations)

54C (proposed north elevation)

55C (sqm areas)

56C (proposed sections AA - BB - CC)

58 (location plan)

59 (block plan)

TK02 (swept path analysis)

TK03 (swept path analysis)

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 Waverley Borough Local Plan 2002.

2. Condition

No development shall take place until samples of the materials to be used in the construction of the external surfaces and areas of hard surfacing of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason

In the interest of the character and amenity of the area in accordance with Policy TD1 of the Local Plan 2018 (Part 1) and retained Policies D1 and D4 of the Waverley Borough Local Plan 2002. This is a pre commencement condition as it goes to the heart of the permission.

3. Condition

Before relevant works begins, drawings to a scale not smaller than 1:5 fully describing the following details must be approved in writing by the local planning authority. The works must not be executed other than in complete accordance with these approved details:

a) New/and/or/replacement windows, external doors, roof lights. These drawing must show:

- materials;
- decorative/protective finish;
- cross section of frame, transom, mullions, glazing bars etc;
- formation of openings including reveals, heads, sills, arches, lintels etc;
- method of opening; and
- method of glazing including the obscure glazing

b) Roof details including sections through:

- roof ridge;
- valleys;
- eaves; and
- flat roof perimeters

c) Railings

Reason

In the interests of preserving the character and appearance of the Conservation Area in accordance with Policy HA1 of the Local Plan 2018 (Part 1), Policy HE8 of the Local Plan 2002, Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the NPPF 2019.

4. Condition

Before relevant works begins, a specification of the brickwork including material, colour, face bond and jointing/pointing profile, must be approved in writing by the Local Planning Authority. The development shall be carried out in strict accordance with the approved details.

Reason

In the interests of preserving the character and appearance of the Conservation Area in accordance with Policy HA1 of the Local Plan 2018 (Part 1), Policy HE8 of the Local Plan 2002, Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the NPPF 2019.

5. Condition
Before relevant works begins, samples or specifications of external materials and surface finishes, including rainwater goods, must be approved in writing by the local planning authority.

Reason

In the interests of preserving the character and appearance of the Conservation Area in accordance with Policy HA1 of the Local Plan 2018 (Part 1), Policy HE8 of the Local Plan 2002, Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the NPPF 2019.

6. 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 for vehicles to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the parking area shall be retained and maintained for their designated purpose.

Reason

In order that the development should not prejudice highway safety nor cause inconvenience to other highway users, in accordance with Policy ST1 of the Local Plan 2018 (Part 1) and the NPPF 2019.

7. Condition
No development shall commence until a Construction Transport Management Plan, to include details of:
- (a) parking for vehicles of site personnel, operatives and visitors
 - (b) loading and unloading of plant and materials
 - (c) storage of plant and materials
 - (d) provision of boundary hoarding behind any visibility zones
 - (e) measures to prevent the deposit of materials on the highway
- has been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented during the construction of the development.

Reason

In order that the development should not prejudice highway safety nor cause inconvenience to other highway users, in accordance with Policy ST1 of the Local Plan 2018 (Part 1) and the NPPF 2019. This is a pre commencement condition as it goes to the heart of the permission.

8. Condition

The development hereby approved shall not be first occupied unless and until each of the proposed dwellings are provided with a fast charge socket (current minimum requirements - 7 kw Mode 3 with Type 2 connector - 230v AC 32 Amp single phase dedicated supply) in accordance with a scheme to be submitted and approved in writing by the Local Planning Authority and thereafter retained and maintained to the satisfaction of the Local Planning Authority.

Reason

To support users of lower emission vehicles in accordance with Policy ST1 of the Local Plan 2018 (Part 1) and the NPPF 2019.

9. Condition

The development hereby approved shall not be first occupied unless and until facilities for the secure, covered parking of bicycles within the development site, have been provided 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

In order that the development should not prejudice highway safety nor cause inconvenience to other highway users, in accordance with Policy ST1 of the Local Plan 2018 (Part 1) and the NPPF 2019.

10. Condition

The development shall not commence unless and until the Local Planning Authority has been provided with either

- A European Protected Species (EPS) licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 authorising the development to go ahead. The development shall be carried out in strict accordance with all actions detailed in the Method Statement, which will be required to accompany the licence application, based on the mitigation, compensation and enhancement actions presented within paragraphs 5.24 - 5.26 of Bat Roost Report Addendum

Or

- A statement in writing from Natural England to the effect that it does not consider that the development will require a licence.

Reason

To safeguard the ecological interest of the site in accordance with Policy NE1 of the Local Plan 2018 (Part 1) and Regulation 55 of The

Conservation of Habitats and Species Regulations 2017. This is a pre commencement condition as it goes to the heart of the permission.

11. Condition

No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a Written Scheme of Investigation which has been submitted to and approved in writing by the Planning Authority. Works shall be carried out in strict accordance with the approved details.

Reason

In the interests of preserving the archaeology of the site in accordance with Policy HE15 of the Waverley Borough Local Plan 2002. This is a pre commencement condition as it goes to the heart of the permission.

12. Condition

There shall be no burning of any waste or other materials on the site during the demolition and construction phases.

Reason

To protect local air quality in accordance with Policy D1 of the Local Plan 2002 and the NPPF 2019.

13. Condition

Best Practice Measures, as detailed in the Waverley Borough Council's Construction Code of Practice for Small Developments in Waverley, shall be employed to minimise the emission of dust during the demolition and construction phases.

Reason

To protect local air quality in accordance with Policy D1 of the Local Plan 2002 and the NPPF 2019.

14. Condition

Prior to the commencement of development, details of the connection to services shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in strict accordance with the approved details.

Reason

To ensure acceptable drainage of the site and to avoid adverse environmental impact upon the community, to accord with Policy CC4 of the Local Plan 2018 (Part 1) and retained Policies D1 and D4 of the

Waverley Borough Local Plan 2002. This is a pre commencement condition as the matter goes to the heart of the permission.

15. Condition

Prior to the first occupation of the units hereby permitted, full details of the proposed refuse, recycling and food waste storage areas to serve each unit shall be submitted to and approved in writing by the Local Planning Authority. The details shall include location, dimensions, design, material and collection points. The stores shall be provided on site prior to the first occupation of the units in strict accordance with the approved details and thereafter shall be retained.

Reason

To ensure that appropriate refuse and recycling facilities are provided for the future occupants of the site, having regard to Policy TD1 of the Local Plan 2018 (Part 1) and retained Policies D1 and D4 of the Local Plan 2002.

16. Condition

The first floor windows in the southern elevation of the building, serving a bathroom and kitchen area for Flat No.3 and a Lounge/dining area for Flat No.1, shall be formed of obscure glazing such to the extent that intervisibility is excluded and shall be retained. In addition, the first floor windows in the southern elevation of the building serving the kitchen area for Flat No.3 and the lounge/dining area for Flat No.1 shall be fixed shut below 1.7m from finished floor level

Reason

In the interest of neighbouring amenity, in accordance with Policy TD1 of the Local Plan 2002 and retained Policies D1 and D4 of the Waverley Borough Local Plan 2002.

17. Condition

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no windows/dormer windows or other openings other than those expressly authorised by this permission shall be constructed in the building without the written permission of the Local Planning Authority.

Reason

In the interest of neighbouring amenity, in accordance with Policy TD1 of the Local Plan 2002 and retained Policies D1 and D4 of the Waverley Borough Local Plan 2002.

18. Condition

Prior to first occupation, a strategy for the provision of the highest available headline speed of broadband provision to future occupants of the site shall first be submitted to and approved in writing by the Local Planning Authority. The strategy shall take into account the timetable for the delivery of "superfast broadband" (defined as having a headline access speed of 24Mb or more) in the vicinity of the site (to the extent that such information is available). The strategy shall seek to ensure that upon occupation of a dwelling, the provision of the highest available headline speed of broadband service to that dwelling from a site-wide network is in place and provided as part of the initial highway works and in the construction of frontage thresholds to dwellings that abut the highway. Unless evidence is put forward and agreed in writing by the Local Planning Authority that technological advances for the provision of a broadband service for the majority of potential customers will no longer necessitate below ground infrastructure, the development of the site shall be carried out in accordance with the approved strategy.

Reason

To ensure suitable provision for all potential occupiers in accordance with Policy CC2 of the Local Plan 2018 (Part 1) and paragraph 112 of the NPPF.

19. Condition

The dwelling shall be completed to meet the requirement of 110 litres of water per person per day.

Reason

To ensure sustainable construction and design in accordance with Policy CC2 of the Waverley Local Plan Part 1 (2018).

Informatives

1. "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

2. 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.

3. Community Infrastructure Levy (CIL)

The development hereby permitted is CIL liable.

'CIL Form 6: Commencement Notice' must be received by the Council prior to the commencement of development. Commencement of development is defined in Regulation 7 of the CIL Regulations 2010 (as amended).

Failure to adhere to the CIL Regulations and commencing work without notifying the Council could forfeit any rights you have to exemptions, payment by instalments and you may also incur surcharges.

For further information see our webpages (www.waverley.gov.uk/CIL) or contact CIL@waverley.gov.uk

4. This permission creates one or more new units which will require a correct postal address. Please contact the Street Naming & Numbering Officer at Waverley Borough Council, The Burys, Godalming, Surrey GU7 1HR, telephone 01483 523029 or e-mail waverley.snn@waverley.gov.uk For further information please see the Guide to Street and Property Naming on Waverley's website.
5. The applicant is reminded that it is an offence to disturb protected species under the Wildlife and Countryside Act 1981. Should a protected species be found during the course of the works, the applicant should stop work and contact Natural England for further advice on 0845 600 3078.
6. 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 or to install dropped kerbs. Please see

www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/vehicle-crossovers-or-dropped-kerbs.

7. The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders. (Highways Act 1980 Sections 131, 148, 149).
8. It is the responsibility of the developer to ensure that the electricity supply is sufficient to meet future demands and that any power balancing technology is in place if required. Please refer to: <http://www.beama.org.uk/resourceLibrary/beama-guide-to-electric-vehicle-infrastructure.html> for guidance and further information on charging modes and connector types.
9. 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.