

WA/2021/02666 – Erection of a dwelling following demolition of existing dwelling and associated works (as amplified by ecology report received 13/12/2021) (revision of WA/2020/2127). at Great Oaks Farm COMBE LANE CHIDDINGFOLD GODALMING GU8 4XL

Applicant: A Felton
Parish: Chiddingfold
Ward: Chiddingfold and Dunsfold
Grid Reference: E: 495014
N: 135829
Case Officer: Carl Housden
Neighbour Notification Expiry Date: 01/12/2021
Expiry Date/Extended Expiry Date: 13/10/2021
RECOMMENDATION That permission be **REFUSED**

1. Summary

The application has been brought to the Area Committee at the request of Councillor James.

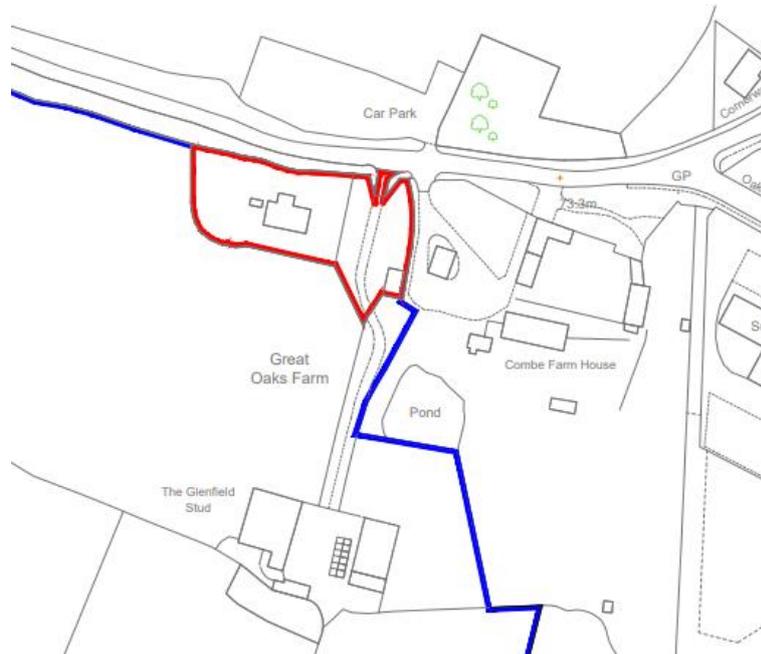
The application seeks permission for the erection of a one and a half storey detached dwelling following the demolition of the existing single storey dwelling. Taking into account the spatial and visual increase in built form compared to the existing dwelling, Officers consider the proposed dwelling to be materially larger and as such inappropriate Green Belt development. The submitted ecology reports in support of the application are also over two years old which means they are out of date and Surrey Wildlife Trust recommends that further surveys are undertaken.

As such the proposed development is recommended for refusal.

2. Site description

The site is located to the south of Combe Lane and within the Green Belt, AONB and AGLV. The site includes an existing single storey dwelling and small outbuilding. The Chiddingfold settlement boundary is situated to the east, however the site appears open and verdant in character with oak trees lining the northern boundary.

3. Location Plan



4. Proposal

Erection of a dwelling following demolition of existing dwelling and associated works.

5. Relevant Planning History

WA/2020/1164	Erection of a barn and stables following demolition of existing barns (revision of WA/2019/1284) (as amended by plan received 05/10/2020 and amplified by emails dated	Full Permission 26/11/2020
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	05/10/2020).	
WA/2019/1059	Certificate of Lawfulness under Section 192 for erection of a single storey extension and alterations to roof space to provide habitable accommodation.	Certificate Granted 11/09/2019

6. Relevant Planning Constraints

Green Belt
AONB and AGLV
Ancient Woodland (50m to the West)
Wealden Heaths I Special Protection Area 5 Km Buffer Zone

7. Relevant Development Plan Policies and Guidance

- Waverley Borough Local Plan (Part 1): Strategic policies and sites (adopted February 2018): SP1, TD1, NE1, NE2, NE3, RE2, RE3, ST1
- Waverley Borough Local Plan 2002 (retained policies February 2018): D1, D4, D6, D7, RD2A

Other guidance:

- The National Planning Policy Framework 2021 (NPPF)
- The National Planning Practice Guidance 2014 (NPPG)
- Residential Extensions Supplementary Planning Document 2010 (SPD)
- Council's Parking Guidelines (2013)
- Surrey Vehicular and Cycle Parking Guidance (2018)
- Surrey Hills AONB Management Plan (2020-2025)
- National Design Guide (2019)

8. Consultations and Town/Parish Council Comments

Chiddingfold Parish Council	No objection.
Surrey Wildlife Trust	Requires further information prior to determination.
Natural England	No comments – refer to standing advice.
Surrey County Council Highways	No objection – subject to conditions.

9. Representations

4 letters have been received expressing support for the following reasons:

- An improvement to the outdated and derelict dwelling and would be in keeping with the village.

Planning Considerations:

10. Impact on the Green Belt

The proposal is for a replacement dwelling which could be appropriate Green Belt development provided the new building is in the same use and not materially larger than the one it replaces, as identified by NPPF paragraph 149(d). Retained Policy RD2A states that as a guideline anything greater than a 10% increase in floor area is likely to be materially larger.

The existing dwelling has a GEA of approximately 104sqm and the replacement dwelling has a GEA of approximately 220sqm, this is equivalent to a 111% uplift in floor area vastly exceeding the policy guidance of 10%. As such from a spatial perspective the proposed dwelling is clearly materially larger.

From a visual perspective the proposed dwelling introduces a larger footprint, taller roof ridge and a significant amount of bulk and mass above the ground floor level including bulky gable features, overhanging first floor and dormers which are not present in the existing single storey dwelling. From a visual perspective the proposed dwelling is clearly materially larger.

From both a visual and spatial perspective the proposed dwelling would be materially larger dwelling and as such would amount to inappropriate Green Belt development that would harm openness. Inappropriate development is, by definition, harmful to the Green Belt carrying substantial weight in the planning balance and should not be approved except in very special circumstances which will be discussed later in the report.

11. Design and impact on visual amenity, AONB and AGLV

The design of the dwelling would be appropriate for the area it is situated within, and the bulk, mass, scale and height would also be appropriate and not amount to overdevelopment of the site.

The proposed replacement dwelling would be of a design, bulk and mass that would not appear as materially harmfully more prominent within the wider streetscene and AONB and AGLV landscape. As such due to the scale of the development the landscape character would be retained in accordance with RE3 of the Local Plan 2018 and paragraph 176 of the NPPF 2021.

12. Impact on residential amenity

Due to the significant separation from surrounding dwellings the proposed replacement dwelling would not cause an overbearing impact, loss of light, outlook or privacy to nearby residences.

13. Effect on Wealden Heaths SPA

The proposed development is for a replacement dwelling that is not likely to result in a significant increase in the number of people permanently residing on the site and therefore would not have a likely significant effect on the integrity of the SPAs in accordance with Policy NE1 of the Local Plan 2018 (Part 1). An appropriate assessment is not therefore required.

14. Impact on Trees

The site is bounded on the northern boundary by four B graded oak trees. An Arboricultural Impact Assessment, 'Arboricultural Method Statement' (26th July 2021) by Challice Consulting 'AR4474: Tree Survey' was submitted in support of the application.

This report confirms that no trees would be removed as a result of the works and retained trees can be afforded an appropriate degree of protection in accordance with the BS 5837 as detailed in the AMS.

As such it is considered that the trees that contribute to the landscape character of the area would not be harmed as a result of the development.

15. Space Standards

The proposed development would exceed the technical housing standards. Furthermore, all internal primary accommodation would be served by unrestricted windows, allowing for light and air to enter and circulate the rooms they serve.

The proposed development would also provide appropriate external private amenity space for future residents.

Therefore, the proposal is considered to be acceptable in terms of the standard of accommodation proposed, in accordance with Policy TD1 of the Local Plan (Part 1) 2018 and the Government Technical Housing Standards – Nationally Described Space Standards 2015.

16. Access and Parking

It is proposed to use the existing site access for the replacement dwelling. The County Highway Authority was consulted regarding the scheme and considered that the proposed development would not result in a significant increase in vehicular trips on the surrounding highway network and as such considered that the proposal would not have a material impact on highway safety.

Waverley Borough Council's Parking Guidelines recommends 2.5 parking spaces for a 3 bed dwelling. The submitted plans demonstrate that dwelling would be allocated two spaces which would fall slightly short of the parking required. On balance this minor shortfall would not be sufficient to warrant a refusal on this basis alone, especially as the County Highway Authority did not object to the parking provision and there being other places to park within the red line to meet the shortfall, for example next to the "existing structure" on plan OV/DB/AF/02.

17. Biodiversity and compliance with Habitat Regulations 2017

The following documents have been submitted in support of the application:

- The Ecology Partnership 'Initial Bat and Barn Owl Survey Report' (May 2019)
- The Ecology Partnership 'Bat Emergence/Re-entry Surveys' (July 2019)
- Challice Consulting 'AR4474: Tree Survey, Arboricultural Impact Assessment, Arboricultural Method Statement' (26th July 2021)

Surrey Wildlife Trust has been consulted regarding the proposal. It is noted that the survey report has identified two roosts within the main dwelling B1 and one roost within an outbuilding B3, both of which would be demolished to facilitate the proposed development. There was also a suspected roost identified in one of the nearby oak trees

However as two years have elapsed the reports are now out of date and it is possible that the status of bat roosts within the development site has changed since the previous survey effort, as bats are highly mobile species. As such Surrey Wildlife Trust recommends that prior to determination of this planning application, all affected buildings are re-surveyed by a suitably qualified ecologist via a walkover survey including an internal inspection, to determine if the status of the site is sufficiently unchanged such that the conclusions from the previous survey remains.

Surrey Wildlife Trust also recommends that an appropriately detailed biodiversity net gain assessment should be submitted prior to determination, however this has not been done. Officers note that the effects of the Environment Act 2021 are not yet in force and as such it would be unreasonable to refuse the application on this basis at this stage.

Further up to date surveys have not been provided by the applicant. It is therefore considered that the proposal could result in harm to protected species, in conflict with Policy NE1 of the Local Plan 2018 (Part 1), Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) and Schedule 2 of the Conservation of Habitats and Species Regulations 2017.

18. Very Special Circumstances

Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

Under WA/2019/1059 a Certificate of Lawfulness under section 192 was granted for single storey extensions and the conversion of roof space to habitable accommodation. Whilst these extensions are unimplemented, they are a material consideration as a fallback position in line with Zurich Assurance Ltd (t/a Threadneedle Property Investments) R v North Lincolnshire Council & Anor 2012 which establishes there should be a “very slight indeed” or merely “an outside chance” for a fall back position to be material considerations. However, it is noted weight applied is entirely up to the decision maker provided they do not fall into Wednesbury Irrationality (Tesco Stores Limited v Secretary of State for the Environment and others [1995] 2 EGLR 147).

While the fallback extensions may not create the highest quality of dwelling, from an analysis of the fallback application Officers are satisfied that there are no technical issues with implementing the application. There is also clearly a desire from the applicant for a larger dwelling at the site. As such, Officers can afford a greater amount of weight to the fall back extension in the planning balance as there is a greater chance that they could be implemented.

The fallback extensions bring the GEA of the existing dwelling to 155sqm. This does not include the floor space for roof conversion as this has generates no additional impact on the Green Belt from the floor area conversion. The demolition of existing outbuildings is another approximate 15sqm however these buildings are very unimposing in stature so have a lesser impact on openness than the dwelling.

With this fall back position in place, the proposed dwelling still amounts to a 41% increase in floor area and as such does not amount to a clear benefit to openness compared to the fall back position as the proposal remains detrimental to openness.

The agent has also referred to other approved cases nearby, namely WA/2014/1222. For the avoidance of doubt and notwithstanding each application should be assessed on their own individual merits, WA/2014/1222 was a redevelopment of previously developed land rather than a replacement dwelling. This in itself is a different Green Belt test. Furthermore under WA/2014/1222 there was a benefit to the openness of the Green Belt which is not the case under WA/2021/02666 where openness is harmed. WA/2014/1222 and WA/2021/02666 are not comparable and the granting of the 2014 application does not justify the granting of this application.

It is also considered that the replacement of the dilapidated dwelling does not amount to very special circumstances, as this dwelling could be replaced whilst also complying with Green Belt policy.

The proposed development is harmful Green Belt development that harms openness. No very special circumstances exist that clearly outweigh the harm. The proposal is therefore contrary to Policy RE2 of the Local Plan 2018, retained Policy RD2A of the Local Plan 2002 and guidance contained within the NPPF 2021.

19. Conclusion

The planning balance assessment concludes that the proposal is not in accordance with the Development Plan due to the proposal being inappropriate Green Belt development which would harm openness and insufficient ecology information being submitted. The benefits of providing a replacement private dwelling would not outweigh these adverse impact. As such, planning permission is recommended for refusal.

Recommendation

That permission be REFUSED for the following reasons:

1. The proposed replacement dwelling would be materially larger than the building it replaces, by virtue of its design, increase in floor area, height, mass and bulk and as such would have a greater impact on the openness of the Green Belt. The proposal therefore represents inappropriate development in the Green Belt. No very special circumstances are considered to exist to outweigh this harm. The proposal is therefore contrary to Policy RE2 of the Local Plan (Part 1) 2018, retained Policy RD2A of the Local Plan 2002 and the NPPF 2021.
2. In the absence of up to date surveys being submitted, it is considered that the proposal could result in harm to protected species. The proposal is in conflict with Policy NE1 of the Local Plan 2018 (Part 1), Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) and Schedule 2 of the Conservation of Habitats and Species Regulations 2017.

Informatives:

1. The plans relevant to this decision are: Unnumbered and Undated Site Location Plan at 1:1250, OV/DB/AF: 01 A, 02, 03 and 04.

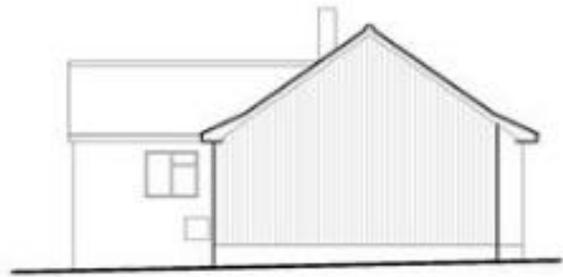
Site Plan



Existing dwelling



North Elevation



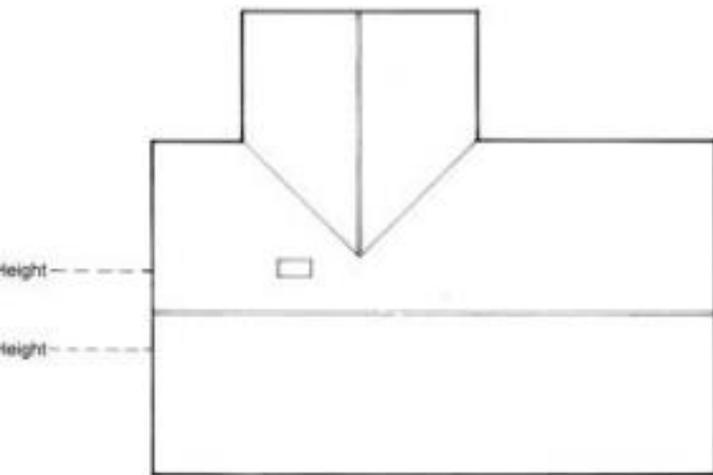
West Elevation



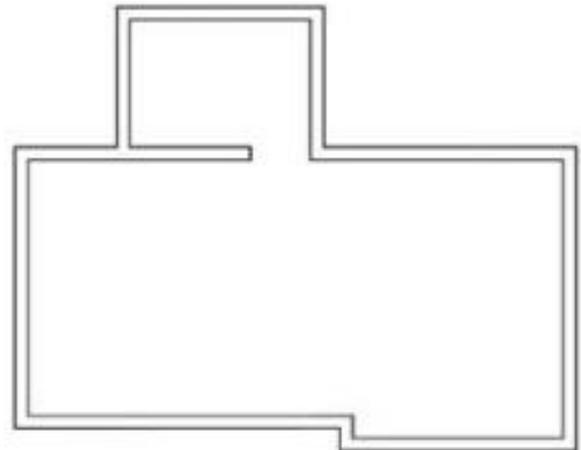
South Elevation



East Elevation



Existing Roof Plan



Existing Floor Plan

Proposed Dwelling

