

Application Number and Registration Date	MO/2018/0389 (Variance of Conditions) 07-Mar-2018
Applicant	Mr B Mudgal
Case Officer	Mrs Sue James
Amendments /amplifications	Amended by plans received on 19/04/2018.
Committee Date	6 June 2018
Ward(s)	Westcott
Proposal	Variation of Condition 10 of approved Planning Permission MO/2012/0657 for the change of use and conversion of existing stable building to residential use to form a one-bedroom dwelling, to allow a new window and new store/plant room in accordance with drawing number 005.
Site Description	Little Acre, Milton Street, Westcott, Dorking, Surrey, RH4 3PX

RECOMMENDATION: Approve subject to conditions

Summary

Permission is sought to vary condition 10 of planning permission MO/2012/0657 for the change of use and conversion of an existing stable building to residential use to form one dwelling. The application before the Committee seeks permission to substitute drawing number 001 with drawing number 005 to allow an additional window to be inserted into the elevation facing the road and the erection of a small extension on the northern side elevation to form an outside store room. Drawing 001 was submitted under non-material amendment application MO/2012/0657/1 and replaces drawing 4401/ST.02 submitted under MO/2012/0657 (original permission).

The principle of the change of use and conversion of the stable building has been established under planning consent MO/2012/0657 and therefore cannot be re-considered under the current application. Permission MO/2012/0657 has been implemented and the

conversion works are in progress. An initial notice was received on 25/06/2015 and all pre-commencement conditions were discharged on 21/10/2015.

1. Development Plan

- 1.1. The application site lies within the Metropolitan Green Belt, an Area of Outstanding Natural Beauty, an Area of Great Landscape Value and within the Milton Street Conservation Area.

2. Relevant Planning History

MO/2012/0657	Change of use and conversion of existing stable building to residential use to form a one-bedroom dwelling.	Approved. 09/10/2012
MO/2012/0657/UU	Application to discharge a legal obligation relating to payment of tariffs attached to planning permission MO/2012/0657.	Approved. 13/05/2015
MO/2012/0657/1	Non-material amendment to allow infill of roof overhang on south and west elevations.	Approved. 20/12/2017
MO/2017/2006	Application to remove condition 7 of MO/2012/0657 in order to allow development to proceed without compliance with BREEAM certification.	Approved. 04/01/2018

3. Description of Development

- 3.1. The application site is located on the eastern side of Milton Street to the rear of Carpenters. The stable building is an L-shaped building of brick construction with a low pitched roof covered in clay tiles. Planning permission was granted in 2012 under MO/2012/0657 for the conversion of the stable building to form a dwelling. The pre-commencement conditions have been discharged and the conversion work is in progress.
- 3.2. The current application seeks permission for an additional window to be inserted into the elevation facing the road and the erection of a small extension on the northern side elevation to form an outside store/plant room.
- 3.3. The application as originally submitted also sought permission to glaze in the rear lean-to timber canopy. Following concerns raised by the Council, the applicant has removed this part of the proposal from the application, submitting a revised drawing received on 19/04/2018. This revised drawing also shows the additional window on the west elevation reduced in scale from the originally proposed three light casement window to a two light casement window, following concerns raised by the Council's Historic Environment Officer, as the room already has a large window on the southern elevation.



4. **Consultations**

- 4.1. **SCC Highways**: As it is not considered that the likely net additional traffic generation, access arrangements and parking would have a material impact on the safety and operation of the public highway, the Highway Authority was not consulted on this application.
- 4.2. **Historic Environment Officer** - *I have concerns about some elements of this request to amend the design of the approved conversion scheme for the stable block. The building is located within the Milton Street Conservation Area and is fairly prominent in views, including that from the adjacent public footpath.*

The building is simple and the aim, as I recall, of the decision to approve the conversion to residential was that this simplicity be retained and that the building did not look like a new house set back in the open fields around the settlement.

I do not have a problem with the proposed side store as this would be boarded and unglazed, or with the additional window on the west elevation (although this should be reduced in size to a two light casement as it serves a small room that already has a large window). However, it is also proposed to glaze in the rear lean-to on the east elevation. Effectively, this will amount to adding a glass conservatory to the simple 'stable-like' building. Such an addition would be an anomaly and would be at odds with the rest of the building's character. The glass room would be visible in public views, particularly as the glass reflects light during the day and allows light to shine out at dusk and after dark. This light would be inappropriate in the rural location and so would cause harm to the setting of the conservation area.

I would not have the same strength of objection of the lean-to were enclosed with solid walls and perhaps a modest window or two, but I do have a problem with full glazing

for the reasons outlined above. The harm caused is contrary to the NPPF as it is not balanced by any public benefit. Harm to the conservation area character is also contrary to legislation and policy advice.

5. Representations

5.1. Four letters of representation received raising the following summarised concerns:

- That the proposed works should be considered in context with the unique history and character of Milton Street as the dwellings all formed part of the Bury Hill House estate. Seven of the dwellings in Milton Street are listed and each has historic relevance to the former estate.
- No information has been provided about the proposed plant room, the specification of its machinery and an assessment of noise emissions.
- The impact on the adjacent property Little Brook should be particularly taken into consideration as it is a listed building.
- The proposed store room/plant room could lead to requests to add extra rooms to the property.
- The glazing in of the area at the rear would be visible from the public footpath to the south of the site. This would be detrimental to the rural character of the area and views from the footpath.
- The land at the rear of the site was used for grazing as a paddock. Would like assurance that this land does not become urbanised, with flower beds, etc.

5.2. One letter was received in support of the application.

5.3. One letter received from the Westcott Village Association recommending that the proposed works be looked at closely to ensure the development conforms to relevant policies, as the site is in a sensitive area.

6. Main Planning Policies

6.1. Government Guidance

National Planning Policy Framework

Section 9: Protecting Green Belt

Section 12: Conserving and enhancing the historic environment

6.2. Mole Valley Core Strategy

CS13 – Landscape Character

CS14 – Townscape, Urban Design and the Historic Environment

6.3. Mole Valley Local Plan

ENV22 – General Development Control Criteria

ENV23 – Respect for Setting

ENV39 – Development in Conservation Areas

RUD19 – Re-use and Adaptation of Rural Buildings

Appendix 6 – Conservation Area Descriptions: Milton Street

- 6.4. Westcott Neighbourhood Development Plan
WNDP1 – Size, Architectural Style and Character of Housing Development
WNDP2 - Infill and redevelopment

7. Main Planning Issues

- 7.1. The main planning issues for consideration are the impact of the proposed additional window and addition of the proposed store room/plant room on the character of the building and on the character of the area, and the impact of the proposals on neighbouring amenities.

The impact of the proposed works on the character of the building and on the character of the area

- 7.2. It is considered that the insertion of an additional window on the west elevation would not alter the fundamental character of the building. It is small in scale and is in keeping with the proportions of the other windows. As stated above, the proposed window has been reduced in scale to a two light casement window following concerns raised by the Historic Environment Officer. It is not considered that the additional window would cause harm the character of the conservation area or to the setting of the adjacent listed building named Little Brook.
- 7.3. The proposed store room/plant room on the north elevation would house the plant from the air source heat pump that would be installed in the open air adjacent to the north facing wall of the dwelling. One of the planning conditions (condition 6) attached to permission MO/2012/0657 for the conversion and change of use of the building required the energy use of the dwelling to be met by at least 10% renewable energy. It was proposed to install an air source heat pump to meet this requirement and condition 6 was discharged formally in October 2015.
- 7.4. The proposed store room would have an external floor area of 6.9 square metres and a maximum height of 3 metres and an eaves height of 2.8 metres. It would only be accessible via an external door and not from within the dwelling. It would sit entirely under the roof of the dwelling and would appear as subordinate to the existing building. It would be brick-built with the upper elevations clad in dark stained timber shiplap boards to match the rest of the dwelling and the house named Carpenters to the west of the site. There would be no glazed openings.
- 7.5. It is considered that the proposed store would retain the essential simplicity of the building and its rural character. It would not be visible from the public footpath to the south. It would be set back from the west elevation facing the road by 6.7 metres and could not be considered to be prominent on the street scene. It is not considered that it would cause harm to the character of the conservation area or the wider landscape character in the context of the Area of Outstanding Natural Beauty. Neither is it considered that it would harm the setting of the listed building to the north named Little Brook.
- 7.6. It is considered that given its modest size, the addition of a store room/plant room on the side of the dwelling that would be used essentially in association with the air source heat pump and would not form an extension to the habitable accommodation, is not contrary to policy RUD19. A planning condition can be imposed restricting the use to storage and plant only and removing permitted development rights for the insertion of windows to the store room.

The impact on the amenities of the neighbouring properties

- 7.7. The two neighbouring dwellings most likely to be impacted by the proposed works are the adjacent dwelling to the north, Little Brook, and the adjacent dwelling to the west, Carpenters.
- 7.8. The proposed additional window to the western elevation would face towards Carpenters. There would be a separation distance of approximately 28 metres between the two properties which is considered sufficient to avoid any overlooking or a loss of privacy from the proposed window to the occupants of Carpenters. The proposed plant/store room would not be readily visible from Carpenters.
- 7.9. The proposed plant/store room would be located on the side elevation adjacent to the boundary with Little Brook to the north. It would be situated approximately 1.8 metres from the boundary fence, and close to a large outbuilding at Little Brook that is situated against the boundary fence. The dwelling at Little Brook is sited to the north west of Little Acre and there is a separation distance of approximately 19 metres between the nearest point of the dwelling at Little Brook and the location for the plant/store room. Little Brook is sited on lower ground than Little Acre.
- 7.10. Regarding the air source heat pump and the issue of noise, an air source heat pump can be installed at a domestic property under permitted development rights as long as it is not sited within 1 metre of the boundary of the property, set out in the Town and Country Planning (General Permitted Development) Order 2015 (as amended), Part 14 Renewable Energy, Class G. In this case, there would be a gap of more than 1 metre from the air source heat pump to the site boundary. It is not considered necessary to request a noise assessment in relation to the air source heat pump.
- 7.11. Due to the separation distance between the dwellings it is not considered that the proposed store/plant room would cause harm to the amenities of the occupants of Little Brook in terms of outlook or privacy.

Conclusion

- 7.12. It is considered that the proposed additional window and plant/store room would not harm the character of the building or the character of the area in the context of the Milton Street Conservation Area and the wider landscape character in context of its setting within the Area of Outstanding Natural Beauty. The proposed works would not cause harm to the amenities of neighbouring dwellings.
- 7.13. The proposals therefore accord with NPPF sections 9 and 12, MV Local Plan policies ENV22, ENV23, ENV39 and RUD19, Core Strategy policies CS13 and CS14, and Westcott NDP policies WNDP1 and WNDP2.

8. Recommendation

Permission be GRANTED subject to the following conditions:

1. The development hereby permitted shall be carried out and completed in all respects strictly in accordance with the submitted documents and plan numbers 005 and 004-1, dated 19/04/2018, contained within the application and no variations shall take place.

Reason: To accord with the terms of the submitted application and to ensure minimal impact on local amenity and the environment in accordance with Mole Valley Core Strategy policy CS14 and Mole Valley Local Plan policy ENV22.

2. Notwithstanding the provisions of the Town and Country (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no extensions within Schedule 2, Part 1, Classes A, B, or C to any dwelling hereby permitted shall be erected.

Reason: To control any subsequent enlargements in the interests of the visual and residential amenities of the locality, in accordance with Mole Valley Local Plan policy ENV22 and policy CS14 of the Mole Valley Core Strategy and to restrict the enlargement of dwellings in this rural area in accordance with Mole Valley Local Plan policy RUD7.

3. 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, glazed openings, or roof lights other than those expressly authorised by this permission shall be constructed.

Reason: To control any subsequent enlargements in the interests of the visual and residential amenities of the locality in accordance with Mole Valley Local Plan policy ENV22 and policy CS14 of the Mole Valley Core Strategy and to restrict the enlargement of dwellings in this rural area in accordance with Mole Valley Local Plan policy RUD7.

4. No part of the plant/store room hereby permitted shall be used for habitable accommodation.

Reason: To prevent the plant/store room being converted into living accommodation in conflict with Mole Valley Local Plan policy RUD9.

5. Notwithstanding the provisions of the Town and Country (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no building or enclosure, swimming or other pool, within Schedule 2, Part 1 Class E, shall be carried out on the land the subject of this planning permission.

Reason: To protect the character and amenities of this rural area, in accordance with the advice contained in the National Planning Policy Framework and Mole Valley Local Plan policy RUD19.

6. The residential curtilage of the property shall be defined as shown on the site plan submitted under MO/2012/0657 and received on 1st July 2012.

Reason: To minimise the area used as formal garden area on this site which lies within a rural area in which a policy of restraint is applied in accordance with policy RUD19.

7. The precautionary measures detailed in the submitted Azur Ecology report (dated 25th September 2012), and the enhancement recommendations contained within this document, shall be adhered to in full, unless otherwise agreed, in writing, by the Local Planning Authority.

Reason: To safeguard and enhance the ecological interest of the site in accordance with Mole Valley Core Strategy policy CS15 and the advice within Section 11 of the NPPF.