

DESIGN AND ACCESS STATEMENT

The Gatehouse, Warbury Lane, Woking, Surrey GU21 2TX

Page 1 of 9 Date: December 2020

1 INTRODUCTION

1.1 This Design & Access Statement is for a FULL planning application for:

The reconfiguration of the approved residential dwelling PLAN/2019/0290, with the addition of a Gymnasium and Plant Room for renewable power technology equipment.

1.2 This Design & Access Statement supports submitted drawing titles:

- APPROVED / ELEs / PLAN (PLAN/2019/0290 elevations and floor plan)
- PROP / ELEs / C / 01 (Proposed elevations)
- PROP / PLANS / C / 01 (Proposed floor plan and roof plan)
- PROP / SECTION / C / 01 (Proposed floor to ceiling heights)
- SOLAR PANEL INFORMATION
- RECYCLE TANK (rainwater recycling information)
- 1-1250 Location Plan
- 1-500 Block Plan
- 1-200 Site Plan.

2 CONTEXT

2.1 Planning permission was granted for application ref: PLAN/2019/0290 on 7th June 2019 for:

"Replacement residential dwelling. Demolition of the existing residential dwelling after replacement dwelling is constructed."

2.2 Condition 01 of the permission granted for PLAN/2019/0290 stated that:

"The development for which permission is hereby granted must be commenced not later than the expiration of three years beginning with the date of this permission [7th June 2019]."

2.3 On the 17th August 2019 the planning permission for PLAN/2019/0290 was commenced under Section 56 of the Town and Country Planning Act 1990 by the digging of a new access road approved under PLAN/2019/0290.

2.4 Section 56 prescribes the activities that constitute compliance with the conditional requirement of planning permission that development must have begun by a specific date.

2.5 Section 56(4)(c) defines a 'Material Operation' that constitutes the beginning of development to meet a specific time period to activate planning permission. S56(4)(d) states:

"(c) the laying of any underground main or pipe to the foundations, or part of the foundations, of a building or any such trench as is mentioned in para (b)".

2.6 Section 56(4)(d) defines a 'Material Operation' that constitutes the beginning of development to meet a specific time period to activate planning permission. S56(4)(d) states:

"(d) any operation in the course of laying out or constructing a road or part of a road".

2.7 The activity of constructing the new access road allowed the applicant/developer to expose, test and show to the LPA an existing sustainable surface water drainage system that had been installed many years earlier by the previous land owners.

2.8 The LPA had requested, by means of a planning condition applied to permission PLAN/2019/0290, that a surface water drainage system be present on site.

DESIGN AND ACCESS STATEMENT

The Gatehouse, Warbury Lane, Woking, Surrey GU21 2TX

Page 2 of 9 Date: December 2020

3 THE 'RECONFIGURED' PROPOSAL

- 3.1 The reconfigured proposal submitted is a revised floor layout of the approved application PLAN/2019/0290 maintaining the same floor plan area, then adding a gymnasium and renewable energy plant room to house the technology required to control and maintain a multi-system installation.
- 3.2 Figure 1 below shows the approved floor plan layout of 84.5 sqm. Figure 2 shows the proposed reconfiguration floor plan layout of 84.4 sqm.

Figure 1

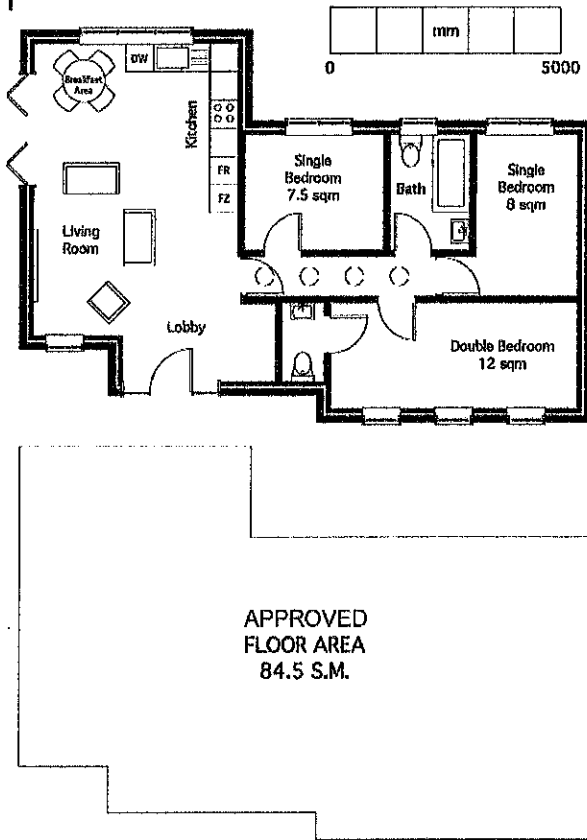
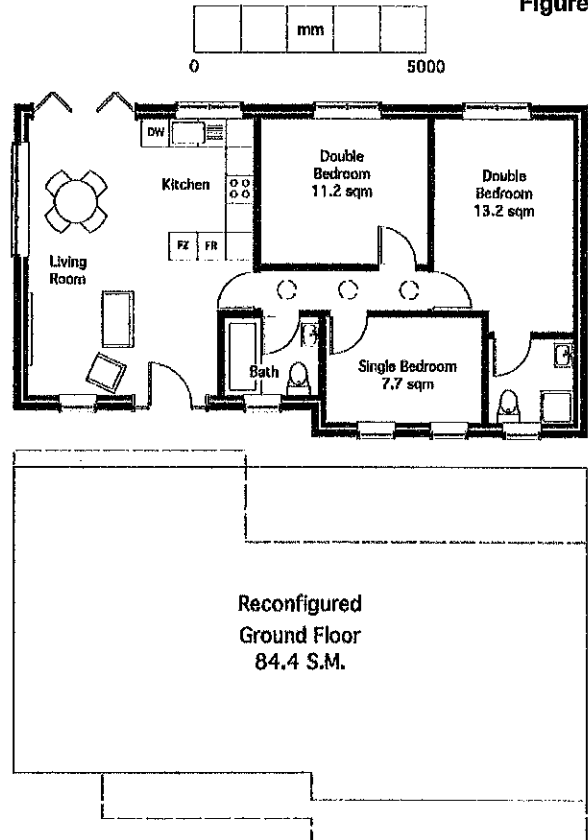


Figure 2



- 3.3 The Applicant's proposed dwelling (The Gatehouse) is located in the Green Belt. The National Planning Policy Framework 2019 (NPPF) states in Section 13, Paragraph 143 that:
- "143. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances."*
- 3.4 Paragraph 144 of the NPPF states that:
- "144. [...] '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.'"*
- 3.5 Regarding the floor layout reconfiguration from Figure 1 to Figure 2 above, there is no harm caused to the Green Belt due to the exceptions listed in the NPPF, Paragraphs 145 which states:
- "145. A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are:"*

DESIGN AND ACCESS STATEMENT

The Gatehouse, Warbury Lane, Woking, Surrey GU21 2TX

Page 3 of 9 Date: December 2020

3.6 The NPPF, Paragraphs 145 (c) states:

“145 (c). the extension or alteration of a building provided that it does not result in disproportionate additions over the size of the original building.”

3.7 The NPPF, Paragraphs 145 (d) states:

“145 (d). the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces.”

3.8 The reconfigured proposed floor layout has an area of 84.4sqm, slightly smaller than the approved floor layout of application PLAN/2019/0290 that has an area of 84.5sqm and meets the exceptions stated in Paragraphs 145(c) and 145(d).

4 THE ‘ADDITIONAL ROOMS’ PROPOSED

4.1 The Applicant requires two additional rooms vital to the habitation of the replacement dwelling. These rooms are a gymnasium and a plant room to house the technology of the renewable energy systems.

4.2 The NPPF, Paragraph 143 states:

“143. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.”

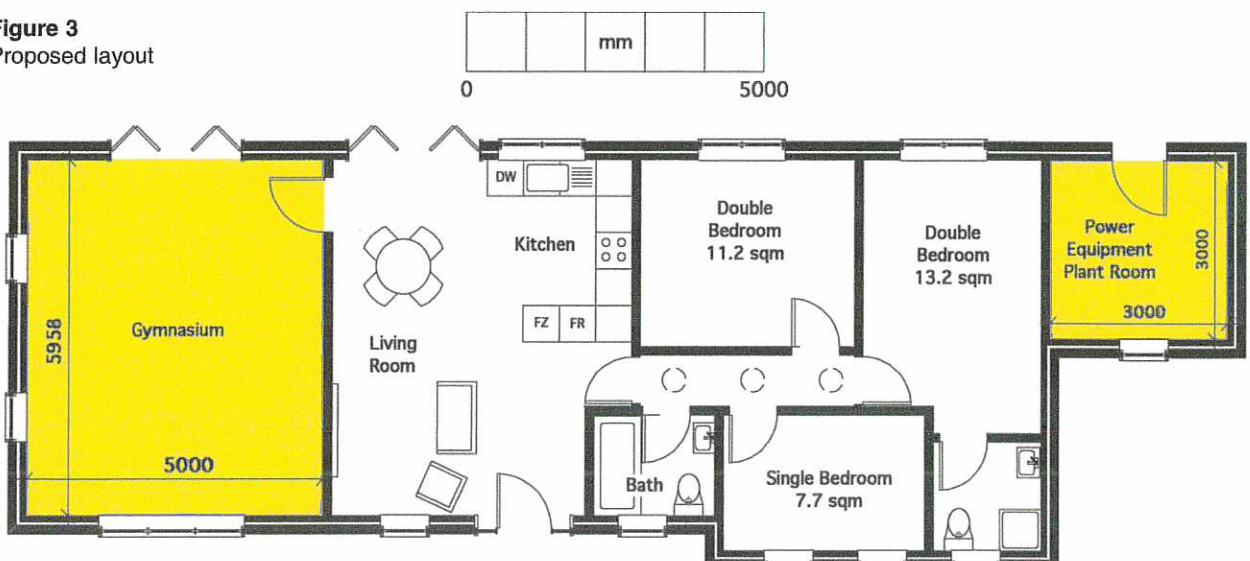
4.3 The Applicant will provide ‘very special circumstances’ to show that the additional rooms are:

- (i) vital for the habitable requirements of the proposed building; and
- (ii) vital for the construction requirements of the proposed building.

4.4 Figure 3 below shows the proposed additional gymnasium and plant room added to the reconfigured 84.4sqm floor plan layout illustrated in Figure 2.

4.5 The gymnasium and plant room have Very Special Circumstances to justify why these rooms are proposed and why planning permission should be granted.

Figure 3
Proposed layout



DESIGN AND ACCESS STATEMENT

The Gatehouse, Warbury Lane, Woking, Surrey GU21 2TX

Page 4 of 9 Date: December 2020

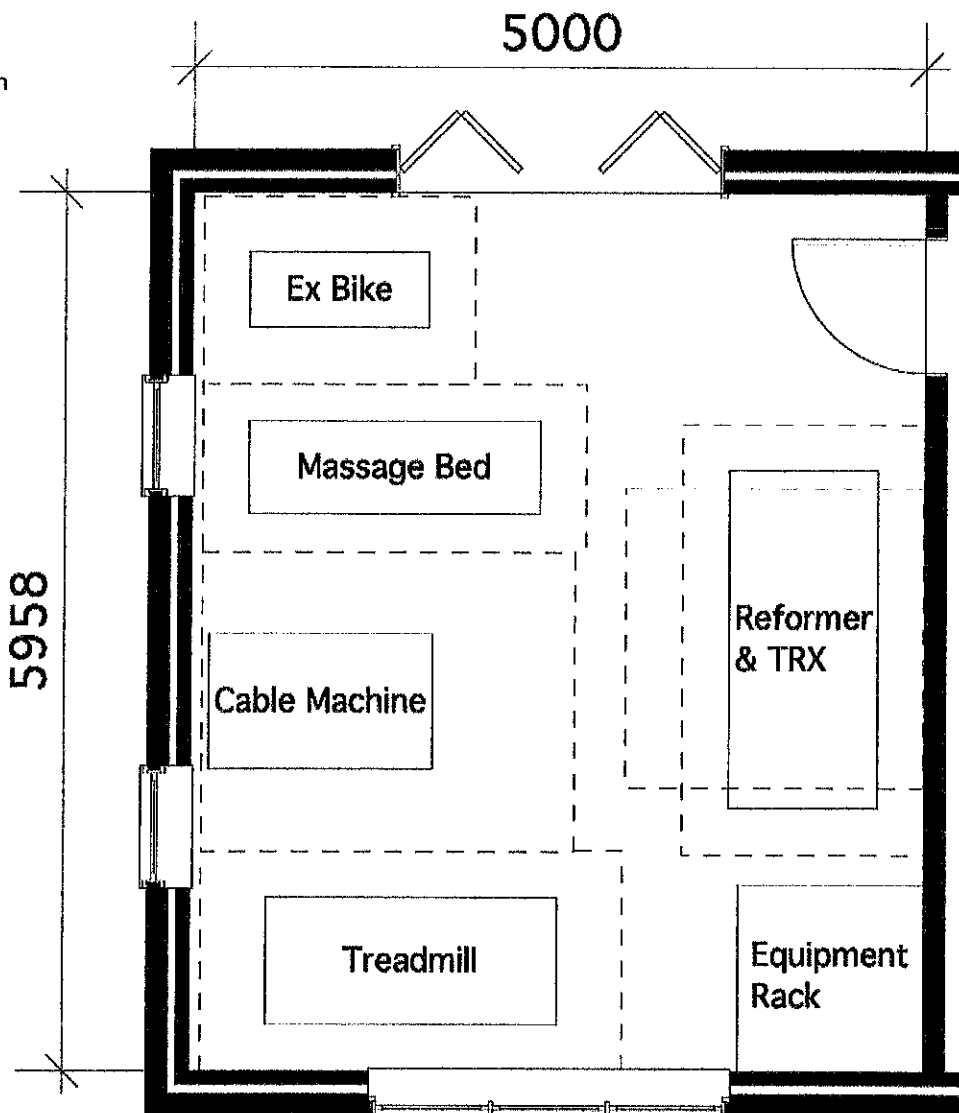
The gymnasium

4.6 The gymnasium internally measures 5000mm x 5958mm creating an area of 29.79 sqm.

4.7 The exercise equipment to be installed in the gymnasium (Figure 4) is a:

- (i) Life Fitness treadmill - Floor area (dashed line) required for safe use: 4.3sqm
- (ii) RS4000 Cyclextreme exercise bike - Floor area (dashed line) required for safe use: 2.4sqm
- (iii) Body Solid cable machine - Floor area (dashed line) required for safe use: 5.2sqm
- (iv) Pilates Reformer D382319 - Floor area (dashed line) required for safe use: 4.8sqm
- (v) Pain relief massage bed - Floor area (dashed line) required for safe use: 3sqm
- (vi) TRX muscle toning machine - Floor area (dashed line) required for safe use: 4.1sqm
- (vii) Equipment storage rack - Floor area (dashed line) required for safe use: 1.6sqm

Figure 4
Gymnasium
floor plan
layout



DESIGN AND ACCESS STATEMENT

The Gatehouse, Warbury Lane, Woking, Surrey GU21 2TX

Page 5 of 9 Date: December 2020

'Very Special Circumstances' for the gymnasium.

- 4.8 The Data Protection Law restricts the Applicant's Agent from making public detailed information about the health of any person connected to the reason for planning permission. The LPA has been provided with letters from the Applicant's wife's consultant that confirm the details of the Applicant's wife's health conditions. The LPA is also restricted in making these letters public. The Applicant's wife does not give her permission to enable him to make the letters public but is willing for the LPA's planning officer to read the information to understand the reasoning for the need to have a gymnasium and to understand that Very Special Circumstances exist.
- 4.9 With the permission of Mrs Hyatt, the Applicant's Agent will only refer to the name of the health condition and the public information provided by the NHS to define the health condition and what symptoms a person with the health condition suffers from.
- 4.10 Mrs Hyatt, the Applicant's wife, has Fibromyalgia.
- 4.11 Mrs Hyatt requires a designated room that can accommodate various exercise machines and equipment to aid pain relief for her condition. This requirement is a health necessity.
- 4.12 The information published by the NHS about Fibromyalgia is:
- (i) Fibromyalgia is a long-term condition that causes pain all over the body;
- Other symptoms are:
- (ii) extreme tiredness (fatigue);
 - (iii) muscle stiffness;
 - (iv) headaches and stomach pains.
 - (v) memory and concentration issues known as 'fibro-fog';
 - (vi) anxiety.
- 4.13 There is NO cure for Fibromyalgia so management of the condition is the only option available and is recommended by doctors to aid a lesser painful life for sufferers.
- 4.14 There are only two management options that can lower the symptoms of Fibromyalgia which are medical pain relief using drugs or a physically active life pain relief using regular and continuous exercise.
- 4.15 Constant pain can cause mental health depression so relying solely on drug relief will cause medical dependency and other drug related illnesses linked to medical addiction.
- 4.16 Physical exercise does not carry any risk of medical drug dependency and keeps the body fit, healthy and strong to be able to tackle and live with this painful condition.
- 4.17 Case law has ruled that any type of physical or mental health condition that requires a sufferer's home to be adapted, changed or enlarged is in itself a definition of a special circumstance. The majority of home owners improve their homes for social, life style or financial reasons that are rarely directly connected to a health condition.
- 4.18 In *AZ v Secretary of State for Communities and Local Government and another* [2012] EWHC 3660 (Admin) and [2014] P.T.S.R. 835 it was held that the applicant, who suffered from chronic anxiety, as well as other health conditions, had very special circumstances to allow planning permission to be granted for a new dwelling on a Green Belt location.

DESIGN AND ACCESS STATEMENT

The Gatehouse, Warbury Lane, Woking, Surrey GU21 2TX

Page 6 of 9 Date: December 2020

- 4.19 Judge Anthony Thornton QC sitting as a High Court judge stated in his ruling (Paragraph 53, Very Special Circumstances) that:

"53. It was always open to a decision-maker considering an application for Green Belt development to grant permission in an exceptional case on the grounds that there were very special compassionate circumstances to justify a departure from Green Belt development.

Thus in South Bucks District Council v Porter (No. 2) [2004] 1 WLR 1953 an Inspector granted planning permission [...] on a Green Belt site on the grounds of chronic ill health [...]

The Inspector's conclusion that the applicant's personal hardship amounted to very special circumstances was upheld by the House of Lords [...]."

- 4.20 Mrs Hyatt, who is the occupant of The Gatehouse, has a medical necessity for a gymnasium room large enough to accommodate various exercise equipment to aid her in managing her chronic health condition Fibromyalgia. With the gymnasium connected to Mrs Hyatt's home, the ability to be able to exercise at any time of the day and in any weather conditions will be advantageous in lowering the need to travel to other locations to exercise and not having to rely on medical drugs to lower pain if exercise facilities are not readily available.
- 4.21 **There is no legal definition of 'very special circumstances'** nor is there any legal template that prescribes how large or small and how many very special circumstances should be considered by the decision maker. The law will allow the presence of just one very special circumstance to permit the granting of permission.
- 4.22 Mrs Hyatt being able to undertake exercise in her home safely, at any time of day or night, to manage her health condition, is a 'very special circumstance' for granting planning permission.

The energy and recycling technology plant room

- 4.23 The plant room internally measures 3000mm x 3000mm creating an area of 9 sqm.
- 4.24 The proposed renewable technology systems proposed for the new dwelling are:
- (i) Solar panels to generate electricity;
 - (ii) Solar panels to heat water;
 - (iii) Ground source heat extraction for under floor heating;
 - (iv) Rechargeable battery banks for non essential internal and external low voltage lighting;
 - (v) 'Grey Water' recycling system to flush toilets and run a washing machine;
 - (vi) Smoke free BIO wood pellet burning internal stove/fire.

'Very Special Circumstances' for the energy equipment plant room.

- 4.25 The granted permission PLAN/2019/0290 for a proposed replacement dwelling included various renewable energy technologies plus water and air recycling systems to achieve maximum levels of efficiency and a very low carbon footprint in connection to energy use and heat loss.

DESIGN AND ACCESS STATEMENT

The Gatehouse, Warbury Lane, Woking, Surrey GU21 2TX

Page 7 of 9 Date: Date: December 2020

- 4.26 Original proposals submitted by the Applicant for The Gatehouse included the energy plant technology located in a basement plant room and water transfer tanks being located in the loft area. However, the LPA refused the original proposal for a basement and higher pitched roof apex which has now created a need to incorporate an integral plant room to the ground floor layout.
- 4.27 A plant room of 9sqm is the minimum size to house all the required technology equipment, provide ventilation to the mechanical elements of the systems that will operate at high temperatures and also remove the noise created by the technology away from the living areas.
- 4.28 There is insufficient space to put the technology into the low pitch, low height loft areas and there is no proposal to create a basement area. There is still a necessity for a room to locate the renewable energy and recycling systems, therefore, a plant room is the best solution submitted by the Applicant.
- 4.29 There is a necessity for the energy and recycling technology to allow the building to function, meet planning conditions for energy efficiency and to use the solar, ground and water resources to their full advantage to provide a sustainable modern residential home. A 'very special circumstance' now exists for the granting of the non habitable plant room.

5 THE ROTATION OF THE APPROVED/PROPOSED BUILDING

- 5.1 The granted permission PLAN/2019/0290 proposed the replacement dwelling's principle elevation to be at a 90 degree angle to the highway. The rear elevation, that would have solar panels installed on it, pointed towards the north and north west directions so did not take full advantage of the sun's position.
- 5.2 By proposing a rotation of the building so the principle elevation points towards the highway at a 40 degree angle and the rear elevation, including the solar panels, points towards the south and south west directions, there would be greater benefit from longer periods of direct sunlight and passive solar heat shining onto the solar panels and also into two bedrooms, the kitchen and the gymnasium.

Figure 5: Approved location of PLAN/2019/0290. The principle elevation does not look towards the highway and the rear solar panels point towards the north and north west directions.

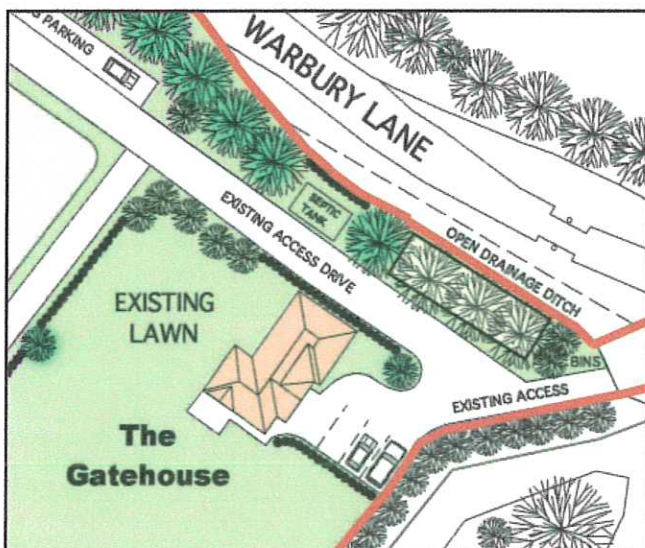
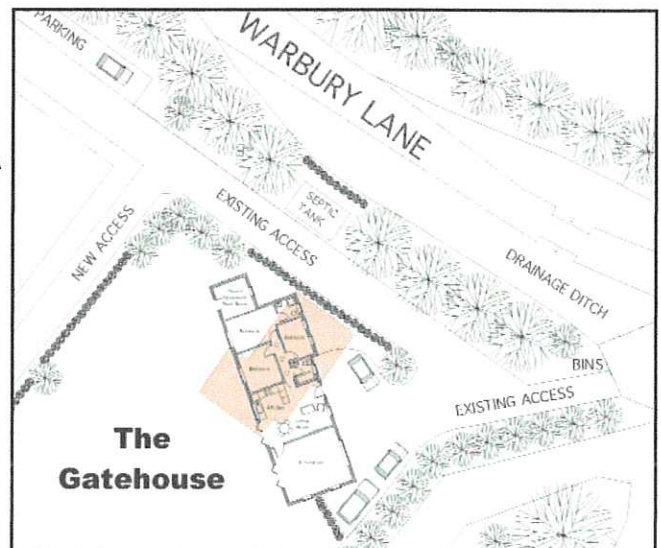


Figure 6: Proposed rotation of the dwelling to look towards the highway and to point the rear mounted solar panels towards the south and southwest directions.



DESIGN AND ACCESS STATEMENT

The Gatehouse, Warbury Lane, Woking, Surrey GU21 2TX

Page 8 of 9 Date: December 2020

6 THE PROPOSED VISUAL DESIGN

- 6.1 Woking LPA Core Strategy Policy CS21 asks that new development is attractive in their own distinct identity and project a positive contribution to the street scene and the character of the area in which the development is situated.
- 6.2 The proposed exterior design and style will be 'in keeping' with the semi-rural local characteristics of the area and neighbouring properties and will not detract from the street scene.
- 6.3 There are minimum floor areas specified in the Government's technical guide: '*Nationally Described Space Standard*' ISBN: 978-1-4098-4567-6 that asks for:
- i A single person bedroom must meet a minimum of 7.5sqm and a minimum width 2.15m;
 - ii A double bedroom must meet a minimum of 11.5 sqm and a minimum room width 2.75m.
- 6.4 The proposed new dwelling meets all the requirements of the Governments '*Nationally Described Space Standard*' guidance.

7 ENERGY EFFICIENCY THROUGH DESIGN

- 7.1 The National Planning Policy Framework supports sustainable design principles with new developments. Woking LPA Core Strategy Policy CS21 requires new developments to incorporate measures to minimise energy consumption, conserve water resources, use the principles of sustainable construction and provide for renewable energy generation in accordance with policy CS22 Sustainable Construction and CS23 Renewable and Low Carbon Energy Generation.
- 7.2 Photovoltaic panels will be integrated into the roof to provide electricity and heat water.
- 7.3 A water tank will be installed underground to collect rainwater and further tanks will be located in the plant room to store 'grey' water for recycling uses such as flushing toilets, running washing machines and watering plants.
- 7.4 New energy efficient gas and electric appliances will be fitted for further energy savings.

8 IMPACT ON THE EXISTING STREET SCENE

- 8.1 The proposed new dwelling is set back from the highway and is shielded with boundary plant/tree shielding.
- 8.2 Woking LPA Core Strategy Policy CS21 requests that landscaping enhances the setting of the development, including the retention of trees of amenity value, and other significant landscaping features that will provide suitable plant boundary shielding.
- 8.3 All existing plant/tree shielding will be maintained with additional shielding added to enhance the visual amenity of the street scene.

9 BUILD QUALITY AND DESIGN

- 9.1 The proposed house will be of traditional construction, erected to a standard that will comply with the Code for Sustainable Homes Level 4 and the Building Research Establishment Environmental Assessment Method (BREEAM) 'Very Good' ratings.

DESIGN AND ACCESS STATEMENT

The Gatehouse, Warbury Lane, Woking, Surrey GU21 2TX

Page 9 of 9 Date: December 2020

10 ENTRANCE AND ACCESS DRIVEWAY

- 10.1 Access into the site will be unaltered from Warbury Lane.
- 10.2 The site is accessed directly from Warbury Lane and has an vehicle entrance refuge. The site gates have a security entrance control system that will be retained.
- 10.3 Proposed off street car parking capacity will cater for six vehicles, the same as the existing parking provision.
- 10.4 A bin storage area will be located adjacent to Warbury Lane to allow unrestricted access by waste collection personnel when waste bins are being emptied.

11 DEMOLITION AND WASTE REMOVAL

- 11.1 The existing building will be 'de-constructed' on site with materials being separated into main categories of: brick; tiles; timber; metal and general waste material.
- 11.2 The material will be removed from the site by 'skip' and 'grab' vehicles by licensed waste carriers Shorts Group Ltd.
- 11.3 The waste material will be transferred from the site to Shorts Group waste recycling processing facility in Ascot, Berkshire.
- 11.4 Waste material created by the construction of the proposed dwelling will be collected in skip containers and removed from the site when full by Shorts Group.
- 11.5 Demolition and construction staff wearing high visibility clothing will patrol the site entrance during waste collection and the delivery of building materials. This is a safety precaution to inform members of the public and passing motorists to be aware of vehicle activity in and out of the site entrance.
- 11.6 The existing building will be demolished after construction of the proposed dwelling is completed as the applicant will require a home during the construction phase.

END