

# Public Document Pack



## TO THE CHAIRMAN AND MEMBERS OF THE **PLANNING COMMITTEE**

You are hereby summoned to attend a meeting of the Planning Committee to be held on Tuesday, 8 December 2020 at 7.00 pm. The meeting will be held virtually and webcast live through the Council's website in accordance with the Coronavirus Act 2020 and The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 (S.I.2020 No. 392).

The agenda for the meeting is set out below.

RAY MORGAN  
Chief Executive

NOTE: Filming Council Meetings

Please note the meeting will be filmed and will be broadcast live and subsequently as an archive on the Council's website ([www.woking.gov.uk](http://www.woking.gov.uk)). The images and sound recording will also be used for training purposes within the Council. By joining the meeting remotely you are consenting to being filmed.

## **AGENDA**

### **PART I - PRESS AND PUBLIC PRESENT**

1. Election of Vice-Chairman

To elect a vice-chairman for the remainder of 2020/21.

1a. Minutes

To approve the minutes of the meeting of the Planning Committee held on 10 November 2020 as published.

2. Apologies for Absence

3. Declarations of Interest

- (i) To receive declarations of disclosable pecuniary and other interests from Members in respect of any item to be considered at the meeting.
- (ii) In accordance with the Members' Code of Conduct, any Member who is a Council-appointed Director of a Thamesway Group company will declare a non-pecuniary interest in any item involving that Thamesway Group company. The interest will not prevent the Member from participating in the consideration of that item.
- (iii) In accordance with the Officer Procedure Rules, any Officer who is a Council-appointed Director of a Thamesway Group company will declare an interest in

any item involving that Thamesway Group company. The interest will not prevent the Officer from advising the Committee on that item.

4. Urgent Business

To consider any business that the Chairman rules may be dealt with under Section 100B(4) of the Local Government Act 1972.

**Matters for Determination**

5. Planning and Enforcement Appeals (Pages 5 - 6)

6. Planning Applications (Pages 7 - 10)

**Section A - Applications for Public Speaking**

6a. 2020/0801 Land to the north of Old Woking Road and east of Station Approach, West Byfleet (Pages 13 - 146)

**Section B - Application reports to be introduced by Officers**

6b. 2020/1017 1-11 Guildford Road and RSP House, Victoria Road (Pages 149 - 164)

6c. 2020/0606 8 Randolph Close, Woking (Pages 165 - 178)

6d. 2019/1168 23 Bentham Avenue, Sheerwater (Pages 179 - 206)

**Section C - Application Reports not to be introduced by officers unless requested by a Member of the Committee**

6e. ENF/18/00130 1 Hermitage Bridge Cottages (Pages 209 - 218)

6f. ENF/18/00021 Land adjacent to Hoe Stream and west of Smarts Heath Road (Pages 219 - 228)

AGENDA ENDS

Date Published - 30 November 2020

For further information regarding this agenda and arrangements for the meeting, please contact Becky Capon on 01483 743011 or email [becky.capon@woking.gov.uk](mailto:becky.capon@woking.gov.uk)



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## PLANNING COMMITTEE – 8 DECEMBER 2020

### PLANNING AND ENFORCEMENT APPEALS

The Committee is requested to:

#### **RESOLVE:**

That the report be noted.

**The Committee has authority to determine the above recommendation.**

#### **Background Papers:**

Planning Inspectorate Reports

#### **Reporting Person:**

Peter Bryant, Head of Legal and Democratic Services

#### **Date Published:**

30 November 2020

### APPEALS DECISION

#### 2019/1028

Application for erection of a 1 ½ storey detached dwelling (4x bed) on land south of Ivydene and associated vehicular access, parking and landscaping (Amended Plans) at Land South Of Ivydene Knaphill Woking Surrey GU21 2TA.

Refused by Planning Committee  
25 February 2020.  
Appeal Lodged  
1 July 2020.  
Appeal Allowed  
4 November 2020.

#### 2018/1169

Application for proposed change of use and subdivision of existing building (A1, A2 and ancillary office use) to form 8x self-contained flats (7x one bed and 1x studio) and erection of a second floor roof extension, two storey rear extension and first floor rear extension following demolition of parts of existing building and formation of roof terrace, balconies and new window and door openings, alterations to external finishes and associated bin storage, landscaping and cycle storage (Amended Plans received 03/06/2019) at 29 Eve Road Woking Surrey GU21 5JS.

Refused by Planning Committee  
3 June 2020.  
Appeal Lodged  
13 August 2020.  
Appeal Dismissed  
4 November 2020.

#### 2019/0508

Application for Retrospective Section 73 application to vary condition 2 (approved drawings) and condition 3 (approved materials) of PLAN/2018/0365 (Retrospective application for amendments to PLAN/2017/0409 (Proposed erection of a two storey rear extension, first floor western flank elevation window, single storey side extension, front infill porch extension and replacement of existing flat roof over garage with 2x

Refused by Planning Committee  
24 September 2019.  
Appeal Lodged  
22 January 2020.  
Appeal Allowed  
5 November 2020.

hipped gables roof, front extension to the garage and garage conversion to habitable accommodation (Amended description)) relating to a single-storey infill extension between the approved side extension and the approved rear extension)) at Mapledown Wych Hill Lane Woking Surrey GU22 0AH.

2019/1211

Application for removal of Condition 5 of PLAN/2002/0698 (Erection of a replacement dwelling) at Wentworth House Rough Road Brookwood Woking Surrey GU22 0RB.

Refused by Delegated authority  
3 June 2020.  
Appeal Lodged  
9 July 2020.  
Appeal Allowed  
6 November 2020.

2020/0302

Application for erection of a single storey rear extension at Kingsdown Sutton Green Road Sutton Green Guildford Surrey GU4 7QD.

Refused by Delegated Powers  
9 June 2020.  
Appeal Lodged  
5 October 2020.  
Appeal Dismissed  
11 November 2020.

2020/0007

Application for subdivision of the plot to erect a new dwelling and erection of a two-storey front extension and single-storey rear extension to the existing dwelling; following demolition of the existing dwelling's two-storey side extension. (Amended drawings) at Spindleberry 6 Friars Rise Woking Surrey GU22 7JL.

Refused by Planning Committee  
3 June 2020.  
Appeal Lodged  
13 August 2020.  
Appeal Allowed  
24 November 2020.

2020/0057

Application for part two storey/part single storey side extension following demolition of existing garage. Single storey rear extension following demolition of existing rear conservatory at Hampshire House Knowl Hill Woking Surrey GU22 7HL.

Non-determination within the prescribed time frame.  
Appeal Lodged  
24 September 2020.  
Appeal Allowed  
25 November 2020.

2019/1266

Application for erection of a first floor side extension and part two storey, part single storey side extension and alterations to fenestration following demolition of existing garages at Dovers Cottage Barrs Lane Knaphill Woking Surrey GU21 2JN.

Refused by Delegated Powers  
21 April 2020.  
Appeal Lodged  
10 July 2020.  
Appeal Dismissed  
25 November 2020.

2019/1246

Application for erection of a two storey side extension and single storey rear extension. Erection of a front porch at St Olives Thornash Way Horsell Woking Surrey GU21 4UN.

Refused by Delegated Powers  
27 February 2020.  
Appeal Lodged  
10 July 2020.  
Appeal Dismissed  
25 November 2020.

## PLANNING COMMITTEE AGENDA

### PLANNING APPLICATIONS AS AT 8<sup>TH</sup> DECEMBER 2020

This report contains applications which either fall outside the existing scheme of delegated powers or which have been brought to the Committee at the request of a Member or Members in accordance with the agreed procedure (M10/TP 7.4.92/749). These applications are for determination by the Committee.

This report is divided into three sections. The applications contained in Sections A & B will be individually introduced in accordance with the established practice. Applications in Section C will be taken in order but will not be the subject of an Officer's presentation unless requested by any Member.

**The committee has the authority to determine the recommendations contained within the following reports.**

Key to Ward Codes:

BWB = Byfleet and West Byfleet  
GP = Goldsworth Park  
HO = Horsell  
KNA = Knaphill  
PY = Pyrford

C = Canalside  
HE = Heathlands  
HV = Hoe Valley  
MH = Mount Hermon  
SJS = St. Johns





# Major Applications Index to Planning Committee

08 December 2020

<u>ITEM</u>	<u>LOCATION</u>	<u>APP. NO.</u>	<u>REC</u>	<u>WARD</u>
0006A	Land To The North Of Old Woking Road And East Of Station Approach, West Byfleet , Woking, Surrey, KT14 6NG	PLAN/2020/0801	LEGAL	BWB
0006B	1-11 Guildford Road And, RSP House Victoria Road , Woking, GU22 7PX	PLAN/2020/1017	PER	MH
0006C	8 Randolph Close, Woking, Surrey, GU21 2NF	PLAN/2020/0606	PER	KNA
0006D	23 Bentham Avenue, Sheerwater, Woking, Surrey, GU21 5LF	PLAN/2019/1168	REF	C
0006E	1 Hermitage Bridge Cottages, Hermitage Road, St Johns, Woking, GU21 8XP	ENF/2018/00130	ADA	HE
0006F	Land adjacent to Hoe Stream and west of Smarts Heath Road, Woking	ENF/2018/00021	ENF	HE

**SECTION A - 6A**

**SECTION B - 6B-6D**

**SECTION C - 6E-6F**

**PER - Grant Planning Permission**

**LEGAL - Grant Planning Permission Subject To Compliance Of A Legal Agreement**

**REF - Refuse**

**ENF - Enforce**

**ADA - Authorise direct action**



**SECTION A**

**APPLICATIONS ON WHICH  
PUBLIC ARE ELIGIBLE  
TO SPEAK**

**(Note: Ordnance Survey Extracts appended to the reports are for locational purposes only and may not include all current developments either major or minor within the site or the area generally)**



# Land to the north of Old Woking Road and east of Station Approach, West Byfleet, Woking


## PLAN/2020/0801

Section 73 application for variation of conditions 04 and 05 (approved plans/documents) of PLAN/2017/0128 dated 21.12.2017 (Outline planning application (all matters reserved except for access) for demolition of all buildings on the site and retail and leisure led mixed use redevelopment comprising up to 5,000 sqm GIA of retail and leisure uses (Use Classes A1/A2/A3/A4/A5), up to 2,000 sqm GIA of commercial use (Use Class B1a), up to 20,500sq m GIA residential (or maximum of 255 units) (Use Class C2/C3 or C3), up to 300 sqm GIA of community use (Use Class D1), together with the provision of basement space, car and cycle parking, highway works, public realm improvements and associated works) to reconfigure the upper floor layout of Block B to provide an H shaped form, make changes to Classes A1-A5, B1(a), C3 and C2 floorspace parameters, reduce the minimum parameter of basement floorspace and amend the level of the basement AOD, reduce the minimum parameter of residential car parking spaces (no change to the amount of public parking), increase the maximum storeys (whilst maintaining the maximum height AOD), introduce second vehicular access point onto Madeira Road, amend the layout of private amenity space and increase balcony locations and reflect amendments to the Use Classes Order that came into force on 1 September 2020.

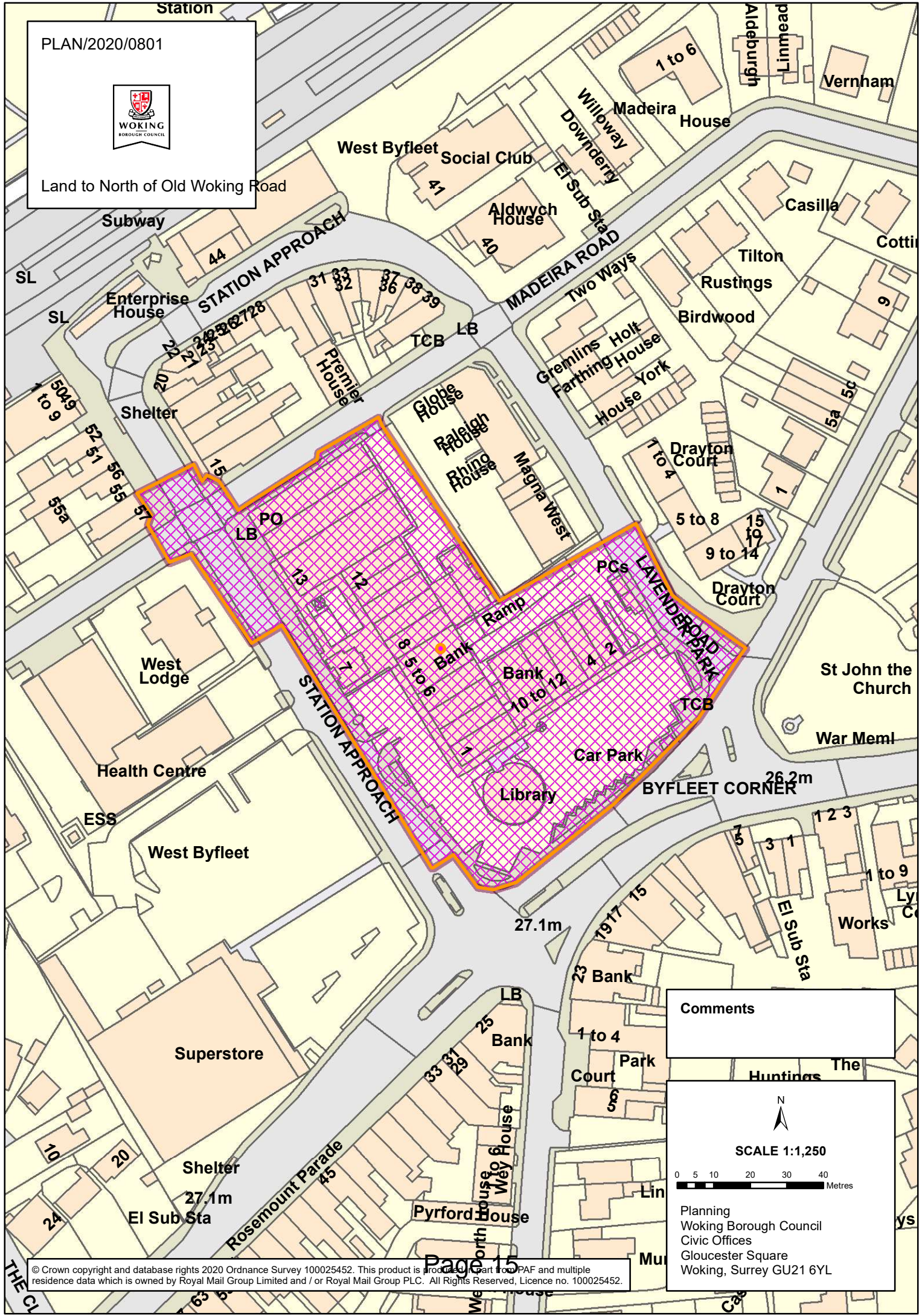





PLAN/2020/0801



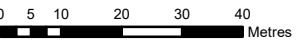
Land to North of Old Woking Road



Comments



SCALE 1:1,250



Planning  
Woking Borough Council  
Civic Offices  
Gloucester Square  
Woking, Surrey GU21 6YL





## 8 DECEMBER 2020 PLANNING COMMITTEE

6a PLAN/2020/0801

WARD: BWB

**LOCATION:** Land to the north of Old Woking Road and east of Station Approach, West Byfleet , Woking, Surrey, KT14 6NG

**PROPOSAL:** Section 73 application for variation of conditions 04 and 05 (approved plans/documents) of PLAN/2017/0128 dated 21.12.2017 (Outline planning application (all matters reserved except for access) for demolition of all buildings on the site and retail and leisure led mixed use redevelopment comprising up to 5,000 sqm GIA of retail and leisure uses (Use Classes A1/A2/A3/A4/A5), up to 2,000 sqm GIA of commercial use (Use Class B1a), up to 20,500sq m GIA residential (or maximum of 255 units) (Use Class C2/C3 or C3), up to 300 sqm GIA of community use (Use Class D1), together with the provision of basement space, car and cycle parking, highway works, public realm improvements and associated works) to reconfigure the upper floor layout of Block B to provide an H shaped form, make changes to Classes A1-A5, B1(a), C3 and C2 floorspace parameters, reduce the minimum parameter of basement floorspace and amend the level of the basement AOD, reduce the minimum parameter of residential car parking spaces (no change to the amount of public parking), increase the maximum storeys (whilst maintaining the maximum height AOD), introduce second vehicular access point onto Madeira Road, amend the layout of private amenity space and increase balcony locations and reflect amendments to the Use Classes Order that came into force on 1 September 2020.

**APPLICANT:** Retirement Villages Group Ltd

**OFFICER:** Benjamin Bailey

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### **ENVIRONMENTAL IMPACT ASSESSMENT**

The application is supported by an Environmental Statement (ES) Supplement, which has been prepared pursuant to The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended). The ES Supplement has had regard to aspects of the environment likely to be affected by the proposed development and includes an assessment of the likely extent and significance of the potential environmental effects. An updated assessment of cumulative effects arising from the proposed development, in-combination with the regeneration of Sheerwater, the development at Broadoaks (both under construction) and extant planning permissions at the McLaren Technology Centre, is presented within Chapter 8 of the ES Supplement.

### **REASON FOR REFERRAL TO COMMITTEE**

Although applications for the variation of planning conditions would ordinarily be determined under delegated powers this application has been referred to the Planning Committee for determination by the Development Manager due to the Major nature of the development proposed, including that an ES Supplement has been submitted with the application.

### **SUMMARY OF PROPOSED DEVELOPMENT**

This application proposes minor but material amendments to the approved, extant, outline planning permission PLAN/2017/0128 through the variation of conditions attached to that permission. The full list of revisions are set out under ‘Proposed Development’.

Although the application is in outline (as per PLAN/2017/0128) the Parameter Plans submitted, and which are sought to be varied, provide the framework within which future detailed design can be brought forwards. Along with the Design Code (also sought to be varied) the Parameter Plans form a ‘control’ document, which any future reserved matters application(s) would need to comply with.

The Parameter Plans outline how the parameters for the proposed development are to be defined. Specifically the parameters outlined establish the minimum and maximum floor areas proposed for each use, the minimum and maximum dimensions of the main plots of development proposed (including heights above ground level) and the pedestrian movement routes through the site. The parameter plans are intended to strike a balance between providing flexibility to allow the development to evolve during the preparation of future reserved matters application(s), whilst providing sufficient design detail against which to appropriately determine the application and set a defined framework for determination of future reserved matters application(s).

### **PLANNING STATUS**

- Urban Area
- West Byfleet District Centre
- Primary Shopping Area (Partial)
- Proximity of Conservation Areas (Station Approach & Byfleet Corner/Rosemount Parade)
- Proximity of Statutory Listed Building (Church of St John the Baptist - Grade II)
- Adjacent to Area of High Archaeological Potential
- Thames Basin Heaths Special Protection Area (TBH SPA) Zone B (400m - 5km)

### **RECOMMENDATION**

**Grant** outline planning permission subject to:

- (i) Planning conditions set out in the report; and
- (ii) Section 106 Legal Agreement to:
  - Control the nature of the development and its occupation, including restrictions on age (i.e. 60+ years), requirement for care, necessity for health assessment and provision of personal care (including a requirement for future residents to secure the provision of at least a basic care package, including minimum hours of personal care each week) in respect of the primary resident of each C2 unit, the provision of access to communal facilities for future residents and of a staffed reception / management suite and office to provide day to day assistance for residents of the C2 units and

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to coordinate and organise the provision of personal care to each primary resident; including liaison with the Care Agency (registered with the Care Quality Commission), details of the operation of the management company to be established to manage the C2 units and communal facilities and that permanent residential staff accommodation must not be provided;

- Secure the provision of public access to the new public square at all times and in perpetuity (as per PLAN/2017/0128); and
- Secure replacement public car parking spaces for public access at agreed times and in perpetuity (as per PLAN/2017/0128).

### **SITE DESCRIPTION**

The site is relatively centrally located within West Byfleet District Centre, between West Byfleet railway station, approximately 100 metres to the north, and Old Woking Road. Owing to its central location, the site forms the main shopping/commercial area of West Byfleet District Centre, comprising 18 commercial units, a library, and a surface level public car park. The site also contains Sheer House, a vacant 7-storey office building which is served by a decked car parking area accessed/egressed via a ramp from Lavender Park Road. Both Sheer House, and the single storey 'L' shaped commercial parade, originate from the 1960s having been constructed using a reinforced concrete frame. Vehicular access to the surface level public car park is achieved from Lavender Park Road with vehicular egress onto Station Approach. A further 'service' vehicular access/egress exists onto Madeira Road. The site itself does not contain any heritage assets and falls wholly within Flood Zone 1 (low risk). As of Autumn 2020 the site has very largely been enclosed by hoarding (erected as 'permitted development' under the provisions of Part 4, Class A of the GPDO). The demolition of Sheer House and the commercial units is progressing as 'permitted development', following application PLAN/2020/0753 establishing that prior approval was not required for those works.

### **RELEVANT PLANNING HISTORY**

PLAN/2020/0753 - Prior Notification for the demolition and safe removal of waste of the 7-storey office building (Sheer House) and 18 commercial units.  
Prior Approval Not Required (23.09.2020)

PLAN/2020/0713 - EIA Screening Opinion request for works including the soft strip, asbestos removal and demolition of the 7 storey Sheer House and shopping arcade.  
EIA Screening Opinion Issued - Not EIA Development (08.09.2020)

PLAN/2020/0619 - EIA Scoping Opinion in respect of a proposed section 73 application to vary conditions 04 and 05 of outline planning permission reference PLAN/2017/0128 to enable the reconfiguration of Block B to a "H" shape, relocate a core of Block B, provide a pedestrian bridge link between Blocks A and C, provide balconies on all facades of Blocks A, B and C and make changes to the basement level, land use parameters, car parking and timescales.  
EIA Scoping Opinion Issued (27.08.2020)

PLAN/2017/0128 - Outline planning application (all matters reserved except for access) for demolition of all buildings on the site and retail and leisure led mixed use redevelopment comprising up to 5,000 sqm GIA of retail and leisure uses (Use Classes A1/A2/A3/A4/A5), up to 2,000 sqm GIA of commercial use (Use Class B1a), up to 20,500sq m GIA residential (or maximum of 255 units) (Use Class C2/C3 or C3), up to 300 sqm GIA of community use (Use Class D1), together with the

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provision of basement space, car and cycle parking, highway works, public realm improvements and associated works (amended plans relating to north-west corner of Building B1).

Outline planning permission granted subject to conditions and S106 legal agreement (21.12.2017)

### **PROPOSED DEVELOPMENT**

This application seeks planning permission to amend the extant, approved outline planning permission through the variation of a number of conditions attached to PLAN/2017/0128 to facilitate minor, although material, changes to the proposed development.

The applicant (Retirement Villages Group Ltd) states that the amendments sought under this application are primarily to enable the applicant to occupy the site and bring forward a high quality extra care retirement living scheme on the site and deliver the significant regeneration and place-making benefits associated with it. The applicant also states that other notable land use amendments include a reduction in the minimum parameters of office and retail floorspace to reflect changes in market demand since the extant planning permission was granted on 21 December 2017 and that, notwithstanding this, the proposals still seek to deliver retail and food/drink premises to enhance West Byfleet as a District Centre, continue to deliver community space in the form of a library or community hall, and the existing quantum of public car parking will remain. Alongside this the applicant states that there will be opportunities for the public to use some of the facilities associated with the extra care retirement living scheme, including a wellness centre and restaurant.

The amendments sought by the applicant are, in summary:

- Reconfiguration of the upper floor layout of Block B to provide an 'H' shaped form (in lieu of the approved 'C' shaped form);
- Reduction in the minimum parameter of Class A1-A5 floorspace to 1,500 sq.m;
- Reduction in the minimum parameter of Class B1a floorspace to 0 sq.m;
- Reduction in the minimum parameter of Class C3 floorspace to 0 sq.m;
- Increase in the maximum parameter of Class C2 floorspace to 20,500 sq.m (or maximum of 220 units);
- Reduction in the minimum parameter of basement floorspace and amendment to the level of the basement AOD;
- Reduction in the minimum parameter of residential car parking spaces (no change to the amount of public parking);
- Increase in the maximum storeys (whilst maintaining the maximum height Above Ordnance Datum (AOD));
- Introduction of second vehicular access point onto Madeira Road;
- Amendments to the layout of private amenity space and increase in potential balcony locations; and
- Acknowledgement of amendments to The Town and Country Planning (Use Classes) Order 1987 (as amended) which came into force on 1 September 2020.

The applicant contends that the above amendments will result in the following benefits:

- The creation of a sustainable, inclusive mixed community and regeneration of a key site within West Byfleet District Centre;

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- Increased provision of Class C2 accommodation to meet the needs of older people and other vulnerable groups in the local area;
- Delivery of restaurant and wellness centre for use by residents and members of the wider public;
- Delivery of retail, food and drink, and community uses to enhance the vitality of West Byfleet District Centre and provide active frontages;
- Enlivening of the facades and increased natural surveillance through the introduction of residential accommodation fronting Madeira Road and Lavender Park Road;
- Increased provision of dual-aspect apartments;
- Improved accessibility to the site in the form of a new vehicular access point from Madeira Road and the subsequent separation of private and public car parking;
- Improved pedestrian environment including provision of a new public square at the heart of the site with improved linkages through the site;
- Improved unit typologies to address the HAPPI (Housing our Ageing Population for Innovation) principles;
- Significant improvements to private amenity space with the introduction of balconies and terraces throughout the development;
- A reduction in the volume of the permitted basement, reducing the quantum of heavy goods vehicle movements during the course of construction;
- Highways improvements including the installation of a raised table at the junction of Madeira and Station Approach, three new on-street loading bays and a raised table at the junction of Lavender Park Road and Camphill Road.

### *Layout*

The changes to the layout of the proposed buildings can be summarised as:

- Re-configuration of Block B from the approved broadly 'C' shape to an 'H' shape (at upper levels). This would not exceed the vertical heights permitted under the approved development but would sit outside the approved horizontal parameter. This would increase separation distances to the adjacent buildings (i.e. to Globe House and Magna West);
- Extension of the core located in element 'B2' of Block B upwards by one floor;
- A reduction in the volume of the basement;
- Introduction of additional massing and form at the top of the northern core in Block A to facilitate the provision of a stair lift and lift access for escape from the large roof terrace;
- Additional massing to the southern core in Block A;
- Introduction of a glass box pavilion on the top of the first floor terrace of Block C to provide a vertical feature link between the podium garden areas and the communal / bistro at ground floor level below;
- Additional roof terraces included to maximise opportunities for secure communal gardens and landscape terraces; and
- Introduction of balconies throughout the development to provide every apartment with private amenity space.

For the avoidance of any doubt, where there are additions to massing the additions are largely isolated and the approved maximum AOD height of the relevant building is not exceeded. Where there are increases in storey heights again the approved maximum height AOD of the relevant building is not exceeded with changes to floor-

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to-floor heights made to increase the number of overall storeys. The Parameter Plans identify the design changes set out above in diagrammatic format.

### *Access / Transport*

The access arrangements will remain as per the approved development with the exception of:

- The introduction of a second vehicular access from Madeira Road to allow two separate accesses servicing the public car park and residential car park;
- The reduction in vehicular parking numbers to reflect increase in quantum of C2 use, with a minimum of 157 spaces including spaces for public use in a separate area;
- Minor changes to location of servicing entrances (i.e. to bin stores/plant etc) and communal residential (C2) pedestrian entrances.

### *Parameter Plans*

The applicant also seeks revisions to the approved Parameter Plans to reflect the proposed amendments. These changes are summarised in the following table:

Parameter Plan No.	Parameter Plan Title	Proposed Revisions
01	Horizontal Limit of Deviation (Ground Floor)	<p>No change to this parameter plan, however, other background information has been altered to this and all other parameter plans as follows:</p> <ul style="list-style-type: none"> <li>• Name of adjoining property has been updated; Roxburghe House now known as 'Magna West'.</li> <li>• The dotted line which indicates 'Illustrative building line (above)' has been updated to show the proposed altered massing and arrangement of Blocks B and A.</li> <li>• The Ordnance Survey (OS) plan does not show new extension or proposed extensions to Globe House.</li> </ul>
02	Horizontal Limit of Deviation (Typical Floor)	<ul style="list-style-type: none"> <li>• Block B has been reconfigured from a broadly 'C' shape to more of an 'H' shape (above podium level) with the linking element between blocks B1 and B2 moved away from the north-eastern boundary towards the south-western boundary, creating two (as opposed to the approved single) podium gardens on either side.</li> <li>• A minimum set back of 9 metres from the edge of the podium along the north-eastern boundary has been shown.</li> <li>• The linking element between B1 and B2 will not exceed the approved vertical heights parameter but does sit outside the approved horizontal parameter.</li> <li>• This change of shape to Block B (above podium level) has been shown on all parameter plans.</li> </ul>

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03	Horizontal Limit of Deviation (Top Floor)	<p><b>Block B:</b></p> <ul style="list-style-type: none"> <li>• <b>B2</b> - The massing of the top floor of Block B2 has been increased horizontally to the north-east to allow the stair and lift core to extend to this floor. Further massing has been shown therefore to link the core to the top floor element which fronts Station Approach. This increased mass is shown as being recessed from the lower floors on each side, 2 metres min. from the south-eastern elevation and 5 metres min. from the north-western elevation. This additional area will not extend north-eastwards beyond the north-eastern facade of the 'linking' element of Block B.</li> <li>• <b>B1</b> - The recess to the elevation fronting Station Approach at 5th floor is now shown as being 3.5 metres rather than 4 metres. This is to suit structural stacking requirements of floors below.</li> </ul> <p><b>Block A:</b></p> <p>The massing on the top floor of Block A has been increased in two places. In both locations the massing sits below the maximum AOD of the approved development:</p> <ul style="list-style-type: none"> <li>• At 8th and 7th floors a portion of massing extends horizontally to a maximum of 9 metres eastwards from the outer edge of the element of top floor located at the junction of Station Approach and Old Woking Road. This element is recessed from both the new public square and Old Woking Road by a minimum of 2 metres and maximum of 4 metres.</li> <li>• At the north-eastern tip of Block A it has been necessary to extend the core upwards by one floor to provide necessary fire escape from the roof terrace at 6th floor. The maximum width of this element would be 14 metres and would recess back from the new public square elevation by a minimum of 2 metres and a maximum of 4 metres.</li> </ul>
04	Minimum and Maximum Building Heights	<p><b>Block B:</b></p> <ul style="list-style-type: none"> <li>• The roof plan has been amended to accommodate the core within B2 as described in parameter plan 03.</li> <li>• The roof plan has been altered to show the alternative 'H' shape plan of Block B (above podium level) as described in parameter plan 02.</li> </ul> <p><b>Block A:</b></p> <ul style="list-style-type: none"> <li>• An additional element of 7 storeys is shown to accommodate the vertical extension to the core towards the north-eastern 'tip' of the block, as</li> </ul>

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		<p>described in parameter plan 03. A greater area of top floor (which is now at 8 storeys) is shown as described in parameter plan 03.</p> <ul style="list-style-type: none"> <li>• An increase of one storey (to 8 storeys) is shown at the south-western end of the block (corner of Station Approach and Old Woking Road). This additional storey does not exceed the maximum AOD of the approved development, it is not a full floor plate and is confined to the south-west corner of the block and is achieved by reducing the floor to floor heights at ground and top floor as allowed in the approved parameter plans.</li> </ul> <p><b>Block C:</b></p> <ul style="list-style-type: none"> <li>• A single storey element has been shown on top of the single storey podium at the base of Block C. It has been located a minimum of 6 metres from the boundary with the adjoining property 'Magna West'.</li> </ul> <p><b>Upper Ground Floor - Block B and C:</b></p> <ul style="list-style-type: none"> <li>• An upper ground floor has been inserted into Block B, increasing the number of storeys by one floor. It should be noted however that the height of the podium garden is the same as the approved AOD. Also of note is that the top floors of Block B are the same height as the approved maximum AOD's. The insertion of the upper ground floor has been achieved by reducing the floor to ceiling heights of the ground floor from 5.5 metres to 3.9 metres (minimum) along Station Approach and Madeira Road and by maintaining a lower finished floor level (at lower ground) rather than ramping up from Madeira Road (as had been shown in the illustrative scheme accompanying the approved application).</li> </ul>
05	Land use Ground	<ul style="list-style-type: none"> <li>• Parameter Plan 05 has been replaced by three new parameter plans; numbers 05a, 05b and 05c. This has been done to clarify land use at the levels: Lower Ground, Ground and Upper Ground.</li> <li>• An upper ground level has been inserted under the first floor podium of Block B. This has been achieved by reducing the floor to floor heights in this ground floor area. These floor to floor dimensions have been reduced from 5.5 metres to a height more suitable to the context. A public car park is shown at the upper ground level along with extra care residential use (C2) fronting Madeira Road and the new public</li> </ul>



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		<p>square.</p> <ul style="list-style-type: none"> <li>• An upper ground level is also shown within part of Block C.</li> <li>• Ground level is now located in Blocks A, C and B2 only. Land use changes have been updated to show some extra care residential along Lavender Park Road (within Block C).</li> <li>• By limiting the amount of dig at the northern part of the site the levels now show a lower-ground level set to the floor level of Madeira Road. These plans shows the area of the private parking that is not within the basement along with the retail units along Station Approach that step up from Madeira Road towards the public square.</li> <li>• There is no longer a mezzanine level indicated above the retail units along Station Approach. This area has now been allocated as the upper ground floor.</li> </ul>
06	Land use First Floor	<ul style="list-style-type: none"> <li>• Land use at first floor is now entirely use class C2 (extra care retirement community).</li> </ul>
07	Land use Typical Upper Floor	<ul style="list-style-type: none"> <li>• Change of use from approved classes C2/C3 to show only class C2 (extra care retirement community) use on a typical floor.</li> </ul>
08	Access	<ul style="list-style-type: none"> <li>• Two separate vehicle entrances shown to car parks along Madeira Road.</li> <li>• Amendments to servicing accesses to take account of level changes within site.</li> <li>• Entrances to class C2 (extra care retirement community) shown separately from those of mixed uses.</li> </ul>
09	Pedestrian Movement	<ul style="list-style-type: none"> <li>• A new optional connection at ground level of Block A is proposed as a 'tertiary route'. This will increase pedestrian permeability of the new public square to Old Woking Road and to the entrance of the class C2 (extra care retirement community).</li> </ul>
10	Public Open Space	<ul style="list-style-type: none"> <li>• No change</li> </ul>
11	Topography Basement and Lower Ground	<ul style="list-style-type: none"> <li>• Two areas of maximum limit of AOD are shown but slightly amended in shape across the middle of the site. The deepest proposed basement area has been swapped and is now to the southern part of the site closest to the Old Woking Road.</li> <li>• The volume of basement area within this parameter plan has decreased from the approved plans.</li> </ul>
12	Private Amenity Space	<p><b>Block A</b></p> <ul style="list-style-type: none"> <li>• The communal residential amenity has been amended to reflect the changes</li> </ul>

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		<p>to the massing at the top floor as per parameter plan 03. The amenity area has been extended to the north-eastern tip of Block A.</p> <p><b>Block B</b></p> <ul style="list-style-type: none"> <li>The communal residential amenity space to the podium level of Block B has been divided by the movement of the central 'linking' element to create two amenity spaces instead of one.</li> </ul> <p><b>Block C</b></p> <ul style="list-style-type: none"> <li>The amount of possible area for communal residential amenity space has been increased at the base of Block C (i.e. at podium level).</li> </ul> <p><b>All blocks</b></p> <ul style="list-style-type: none"> <li>Potential balcony locations have been increased across all blocks.</li> </ul>
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### *Design Code*

The applicant also seeks revisions to the approved Design Code to reflect the proposed amendments, provided in the form of a Design Code Addendum submitted as part of the application. These changes are set out in the following table:

Design Code Section	Proposed Revisions
01 Gaps between buildings	<ul style="list-style-type: none"> <li>No change</li> </ul>
02 Top floor set back	<ul style="list-style-type: none"> <li>No change</li> </ul>
03 Ground floor colonnade	<ul style="list-style-type: none"> <li>No change</li> </ul>
04 Building A – Northeast corner	<ul style="list-style-type: none"> <li>No change</li> </ul>
05 Order	<ul style="list-style-type: none"> <li>No change</li> </ul>
06 Gaps & Recesses	<ul style="list-style-type: none"> <li>No change</li> </ul>
07 Solid to glazed ratio	<ul style="list-style-type: none"> <li>Facade principles established in Design Code 07 are acknowledged in floors above ground level to residential uses. However, the solid to void ratio at ground floor level to non-residential facades may be higher than 30-40% reflecting the non-residential use.</li> <li>Winter gardens and/ or inset balconies are to be coordinated with the overall facade grid principle.</li> </ul>
08 Depth and texture	<ul style="list-style-type: none"> <li>Facades may include integrated inset balconies and/or winter gardens, with setting out to be coordinated with the overall facade grid principle.</li> </ul>
09 Primary building material	<ul style="list-style-type: none"> <li>No change</li> </ul>
10 Secondary building material	<ul style="list-style-type: none"> <li>No change</li> </ul>

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11 Public square character & uses	<ul style="list-style-type: none"> <li>• Active frontages to include Old Woking Road and Corner of Lavender Park Road.</li> <li>• Wording enhanced to include art feature, provision of suitable lighting, features and elements and inclusion of wayfinding elements as feature through the square or used between paving surface.</li> </ul>
12 Hard landscape materials	<ul style="list-style-type: none"> <li>• No change</li> </ul>
13 Landscape	<ul style="list-style-type: none"> <li>• Placing and species of trees in public square under review.</li> </ul>
14 Tree strategy	<ul style="list-style-type: none"> <li>• Additional potential tree species added</li> <li>• Reference to pleached trees added</li> </ul>
15 Residential balconies	<ul style="list-style-type: none"> <li>• No change</li> </ul>
16 Communal entrances	<ul style="list-style-type: none"> <li>• No change</li> </ul>

### *Changes to Use Classes Order*

Since the approval of PLAN/2017/0128 (on 21 December 2017) major changes to The Town and Country Planning (Use Classes) Order 1987 (as amended) have come into force, as of 1 September 2020. These changes remove, inter alia, former Use Classes A1, A2, A3, B1a and D1 (D1 in respect of clinics, health centres, crèches, day nurseries, day centres) and subsume all uses within these former use classes into the new single Use Class E (Commercial, business and service uses); movement from one use to another within the same use class is not development for planning purposes, and does not require planning permission (i.e. movement between any of the uses within the new Use Class E, for example). Former use classes A4 and A5 have also been removed and uses within these classes are now *Sui Generis* uses (i.e. they do not now fall within any use class), meaning changes to and from these uses is development for planning purposes, thus requiring planning permission. The residential (C classes) use classes remain unchanged. Uses falling within former class D1 now fall within either class F.1 (Learning and non-residential institutions) or F.2 (Local community uses) respectively. The following table summarises the preceding:

Use	Use class up to 31 August 2020	Use class from 1 September 2020
Shop	A1	E
Financial and professional services (not medical)	A2	E
Café or restaurant	A3	E
Pub or drinking establishment	A4	Sui generis
Take Away	A5	Sui generis
Office use other than within Class A2	B1a	E
Residential institutions	C2	C2
Dwelling houses	C3	C3
Clinics, health centres, creches, day nurseries, day centre	D1	E
Schools, non-residential education and training centres, museums, public libraries, public halls, exhibition halls, places of worship, law courts	D1	F.1

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Hall or meeting place for the principal use of the local community	D2	F.2
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\* Note: Only use classes relevant to the application are shown

For context it is helpful to quote some of the background and reasoning for these changes to use classes, as stated by Government within the Explanatory Memorandum to The Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 (i.e. those regulations which made the changes) as follows (in italics):

*The current Use Classes Order was introduced in 1987 and has been amended a number of times since. However, the government considers that it requires a complete overhaul to better reflect the diversity of uses found on high streets and in town centres and to provide the flexibility for businesses to adapt and diversify to meet changing demands. This is particularly important at the present time as town centres seek to recover from the economic impact of Coronavirus. Modern high streets and town centres have changed so that they now seek to provide a wider range of facilities and services, including new emerging uses, that will attract people and make these areas viable now and in the future.*

*They create a new broad 'Commercial, business and service' use class (Class E) which incorporates the previous shops (A1), financial and professional services (A2), restaurants and cafes (A3) and offices (B1) use classes. Uses such as gyms, nurseries and health centres (previously in use classes D1 Non-residential institutions and D2 Assembly and leisure) and other uses which are suitable for a town centre area are also included in the class. This new class allows for a mix of uses to reflect changing retail and business models. It therefore, recognises that a building may be in a number of uses concurrently or that a building may be used for different uses at different times of the day. Changes to another use, or mix of uses, within this class do not require planning permission. Bringing these uses together and allowing movement between them will give businesses greater freedom to adapt to changing circumstances and to respond more quickly to the needs of their communities.*

*The 'Learning and non-residential institutions' use class (F1) incorporates those uses from the former D1 Non-residential institutions use class which are more likely to involve buildings which are regularly in wider public use such as schools, libraries and art galleries.*

*The 'Local community' use class (F2) groups together those uses from the former D2 use class which provide for group activities of a more physical nature – swimming pools, skating rinks and areas for outdoor sports. It also includes the use of buildings where this is principally by the local community.*

### **CONSULTATIONS**

**Historic England:** To summarise our previous position [in respect of PLAN/2017/0128]: we identified the potential for harmful impacts to the significance of St Johns Church and to the adjacent conservation areas as a result of the height and massing of the proposed development. In order to help mitigate these impacts, we advised that a stepped profile to the heights of blocks should be provided, so that they were lower where they were nearest to the historic shopping parades. This

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would help to retain more of the open spacious views of the church and respect the established historic townscape.

This advice however, was not taken on board in the consented scheme as it was argued that the quantum of development must remain broadly as proposed in order for the development to be viable.

The current Section 73 application proposes some additions to the massing of the blocks of development, however the overall height approved under the previous scheme is not exceeded. Your Authority will need therefore need to determine whether: the proposed changes cause any additional harm to heritage assets over and above that which we identified in the previous consented scheme; you are satisfied that there is a clear and convincing justification for any harm and there sufficient public benefits that weigh in favour of the scheme, as required by paragraphs 190, 194 and 196 of the National Planning Policy Framework (NPPF).

We advise that paragraphs 190, 194 and 196 of the NPPF should inform your decision as to whether all harm has been avoided or minimised; that there is a clear and convincing justification for the harm that remains; and the public benefits of the proposal outweigh what we assess to be less-than-substantial harm.

**Natural England (second response):** So long as applicant is required to comply with the requirements of Woking's Avoidance and Mitigation Strategy for the Thames Basin Heaths SPA (through a legal agreement securing contributions to Suitable Alternative Natural Greenspace (SANG) and Strategic Access Management and Monitoring (SAMM)), then Natural England has no objection to this application. Natural England has not assessed this application for impacts on protected species.

**Environment Agency:** This planning application is for development we do not wish to be consulted on.

**National Grid Asset Protection Team:** No comments received.

**County Archaeologist (Surrey CC):** Having reviewed the updated information I can confirm I have no change to make to my comments on PLAN/2017/0128.

**County Highway Authority (Surrey CC):** No objection subject to conditions (Conditions 23 – 33 Incl. refer).

**Runnymede Borough Council:** No comments received.

**Elmbridge Borough Council:** No objection.

**Guildford Borough Council:** No comments received.

**Lead Local Flood Authority (LLFA) (Surrey CC):** Under local agreements, the statutory consultee role under surface water drainage is dealt with by Woking Borough Council's Flood Risk Engineering Team.

**Surrey Wildlife Trust:** The Ecological Appraisal (dated September 2020, author RPS Group Ltd) appears appropriate in scope and methodology and does not identify any additional significant ecological constraints at the development site. The report indicates that roosting bats are also not a constraint for development following updated surveys. I therefore advise that the proposed amendments to conditions 4

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and 5 do not appear to result in any additional ecological constraints to development, over and above those issues raised in my consultation response to outline application PLAN/2017/0128 dated 2nd May 2017.

**Thames Water Utilities Ltd:** Thames Water confirms the foul water condition referenced can be discharged based on the information submitted. Thames Water confirms the surface water condition referenced can be discharged based on the information submitted.

*(Officer Note: No details pursuant to the foul water and surface water conditions attached to PLAN/2017/0128 have been included as part of the present application. In any case the previous conditions will be re-attached to the present application, if granted)*

**Arboricultural Officer:** If there are no changes to the site boundary, then the arb[oricultural] addendum provided is acceptable.

**Historic Buildings Advisor:** Generally I do not consider the proposed changes will impact on nearby conservation areas or other Heritage Assets, with one exception. This is the adding of another storey to the block on the south west corner of the scheme. The original scheme had six stories above the ground floor zone while the proposal shows seven floors. They claim the height of the block will not change but there will be a perception of increased height from the locally listed buildings in the adjacent Conservation Area.

**Environmental Health:** I refer to my comments in respect of the scoping report, dated July 2020, for this site when I confirmed that the comments and recommended conditions submitted by Euan Tapper on 20 April 2017 still applied.

**Contaminated Land Officer:** The same contamination condition as PLAN/2017/0128 is requested.

**Drainage and Flood Risk Team:** No objection subject to conditions (Conditions 06, 07 and 08 refer).

**West Byfleet Neighbourhood Forum:** No comments received.

### **REPRESENTATIONS**

x639 neighbour notification letters of the application have been sent out, in addition to the application being advertised on the Council's website and by statutory press (published in the 1 October 2020 edition of the Woking News and Mail newspaper) and site notices. Due to the relatively large size of the site a full set of site notices have been posted at x3 separate locations around the site (on Lavender Park Road, Old Woking Road and Station Approach).

In response to the consultations undertaken **x22 letters of representation (x20 in objection and x2 neutral) have been received**. It should be noted that x1 party has submitted x2 separate letters, and another party x4 separate letters, of representation; the provided total of x22 includes these separate letters having been counted individually. The points raised in the representations received is given below:

#### Design/character/heritage

- Over development

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- Out of character
- Sheer house is being demolished and should not be replaced by buildings which are higher than those already approved in the existing planning consent
- Is much higher and no longer in keeping with the surrounding buildings in the village
- Too high
- Too dominant and inappropriate in a village environment
- Any increase in the number of storeys would inevitably have a negative impact with further loss of light, especially for those residents in close proximity
- The design must not impinge on the views and outlook of the important heritage asset of St John's Church – a Grade II listed building
- West Byfleet is a village, not a town
- Public space will be dark and uninviting
- Daylight has not been taken into account
- Loss of trees – their removal will be detrimental to the street scene and local amenity
- Change to the shape from a C shape to an H shape is very unclear in the documentation
- No elevations are provided for review and comparison with the approved outline permission  
*(Officer Note: The Parameter Plans are the 'control' document in this respect, although the submitted Addendum Design & Access Statement contains some comparative massing sections)*
- The current permission and the new s73 outline application do not meet the requirements of Policy CS20 of the Woking Core Strategy (2012), Policies BE3 and BE4 of the West Byfleet Development Plan and Paragraph 194 of the National Planning Policy Framework
- Block A is not at all sympathetic to the Conservation zone's character and, with its height, nor anything else in the West Byfleet District Centre
- Staggered elevation on Old Woking Road would make the village centre feel less oppressive

### Parking

- Includes reduction in parking spaces for the public  
*(Officer Note: This is not the case)*
- Present retail parking was established when Sheer House was developed in the 60's, surely an increase in number is required now due to greater private car usage
- Residential parking - at 90 spaces - is well below the minimum residential standard set by Woking BC
- Majority of retired residents will inevitably be car owners and there will consequently be further congestion with on street parking
- Clarification is needed on what alternatives will be provided for public parking when the existing are not available during the development
- Must be an allowance for visitors parking
- No detail on the distribution of 1, 2 or 3 or more bedroom apartments is supplied, so it is not possible to calculate the number of spaces required according to WBC Planning parking space policy  
*(Officer Note: The housing mix (i.e. proportion of 1, 2 and 3 bedroom apartments) would be considered at reserved matters stage)*

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- Any deviation from the parking standards would be age discrimination, especially as no evidence for lower car use has been provided for older people - may constitute discrimination under the Equality Rights Act 2010
- Application falls short of Policies BE6 and CE6 of the West Byfleet Development Plan in respect of parking
- Elderly residents need wider parking bays for ease of access to their vehicles  
*(Officer Note: The layout of car parking would be considered at reserved matters stage)*
- Some residents may need daily, or even more frequent visits from care workers and having an allocated parking space they can use would be very useful  
*(Officer Note: The potential allocation of car parking spaces would be considered at reserved matters stage)*
- Will there be dedicated parking spaces for the retail/commercial units?  
*(Officer Note: The layout of car parking would be considered at reserved matters stage)*
- Will the Council increase the size of the restricted parking zone in West Byfleet?  
*(Officer Note: Any such action would need to be implemented by the County Highway Authority (Surrey CC))*

### Local services

- No mention of how local services (e.g. the Health Centre) are expected to cope with the additional residential units present in the modified application
- Services are likely to be stretched with the Octagon Development on the Broadoaks site and this will add further strain
- A lot of additional elderly care homes being built in and around West Byfleet - although means already stretched schools do not have to accommodate more children - it disproportionately increases the demand on the village's already very stretched doctors surgeries
- Will there be manned CCTV cameras? Will this be sufficient to prevent antisocial behaviour?  
*(Officer Note: Details of potential CCTV provision would be considered either at Reserved Matters stage or pursuant to condition (i.e. a condition attached at Reserved Matters stage). The urban design of the proposed development has been evolved to avoid any potentially problematic areas in respect of anti-social behaviour and provide much more passive surveillance and activity, including residential activity, than currently exists on the site)*

### Retail/office

- Do not share WBCs vision for West Byfleet to become the second centre for the Borough  
*(Officer Note: This is already the position of the hierarchy of centres as defined within the Woking Core Strategy (2012))*
- Reduction in retail space from 3,200 sq.m to 1,500 sq.m
- With increased in population as a result of this development and the Octagon development would have thought that there would be a requirement to maintain a larger retail presence than being proposed to create a heart to the village
- Retail space needs to be easily accessible to preserve access for people with reduced mobility and parents pushing prams



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*(Officer Note: This would be considered at reserved matters stage)*

- Many of the retail units have been changed to communal shared areas for the new residents – these communal areas do not need to go at ground level
- West Byfleet is struggling at the moment with one chemist, no post office and just one bank
- If people are going to be working from local offices rather than travelling into London would it not be wise to ensure some remain in West Byfleet and a provision made for this in this new development?
- Application does not meet the requirements of Policy CS3 of the Woking Core Strategy (2012)
- Whilst in the current economic climate the complete elimination of all office space from the development is understandable, many offices have been lost to permitted development rights leaving hardly any office space left in the main district centre outside of Woking Town Centre
- Conditions should be added that ensures any Class E space and possibly some of the Class F use space in the development is able to support Class E(c) use as well in the future
- West Byfleet desperately needs amenities such as a post office, boots the chemist, a bakery, fishmongers, green grocers, hardware store, a bank, library, gym, etc.

### Process/administrative

- Insufficient public consultation - details should have been sent to all West Byfleet Residents and not just those within a few hundred metres of the site  
*(Officer Note: Public consultation (i.e. neighbour notification letters, site and press notices (including press notices published on the Council's website)) has been undertaken in the usual manner in accordance with the Council's adopted procedures)*
- Object to any changes to planning conditions without consultation  
*(Officer Note: Public consultation (i.e. neighbour notification letters, site and press notices (including press notices published on the Council's website)) has been undertaken in the usual manner in accordance with the Council's adopted procedures)*
- It would not be unreasonable for WBC to host a communication exercise to talk through these changes
- The levels of documentation WBC are expecting already busy home owners to trawl through is unreasonable
- The Statement of Community Involvement is not representative and therefore misleading
- Will impact the value of my property  
*(Officer Note: Potential impact upon property values does not constitute a material planning consideration)*

### **RELEVANT PLANNING POLICIES**

National Planning Policy Framework (NPPF) (2019)

Section 2 - Achieving sustainable development

Section 4 - Decision-making

Section 5 - Delivering a sufficient supply of homes

Section 6 - Building a strong, competitive economy

Section 7 - Ensuring the vitality of town centres

Section 8 - Promoting healthy and safe communities

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Section 9 - Promoting sustainable transport  
Section 11 - Making effective use of land  
Section 12 - Achieving well-designed places  
Section 14 - Meeting the challenge of climate change, flooding and coastal change  
Section 15 - Conserving and enhancing the natural environment  
Section 16 - Conserving and enhancing the historic environment

### South East Plan (2009) (saved policy)

NRM6 - Thames Basin Heath Special Protection Areas

### Woking Core Strategy (2012)

CS1 - A spatial strategy for Woking Borough  
CS3 - West Byfleet District Centre  
CS7 - Biodiversity and nature conservation  
CS8 - Thames Basin Heaths Special Protection Areas  
CS9 - Flooding and water management  
CS10 - Housing provision and distribution  
CS11 - Housing mix  
CS12 - Affordable housing  
CS13 - Older people and vulnerable groups  
CS15 - Sustainable economic development  
CS16 - Infrastructure delivery  
CS18 - Transport and accessibility  
CS19 - Social and community infrastructure  
CS20 - Heritage and conservation  
CS21 - Design  
CS22 - Sustainable construction  
CS24 - Woking's landscape and townscape  
CS25 - Presumption in favour of sustainable development

### Development Management Policies Development Plan Document (DM Policies DPD) (2016)

DM1 - Green infrastructure opportunities  
DM2 - Trees and landscaping  
DM5 - Environmental pollution  
DM6 - Air and water quality  
DM7 - Noise and light pollution  
DM8 - Land contamination and hazards  
DM16 - Servicing development  
DM17 - Public realm  
DM20 - Heritage assets and their settings

### The West Byfleet Neighbourhood Development Plan (2017) (WBNDP):

BE1 - Development character  
BE2 - New housing quality  
BE3 - District Centre development character  
BE4 - Sheer House complex ("SHC") development  
BE5 - Older people accommodation  
BE6 - Residential parking provision  
CE1 - District Centre development  
CE2 - Retail space  
CE3 - Sheer House complex (SHC) mixed use development  
CE4 - Business continuity  
CE5 - Public amenity provision

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CE6 - Sheer House complex (SHC) parking provision  
I1 - District centre parking provision  
I2 - Pedestrian and cycle facilities  
I3 - Wastewater and sewerage infrastructure  
OS3 - Trees and hedges  
OS5 - Access  
S&C4 - Library facilities  
S&C5 - Community facilities parking provision  
S&C6 - CIL Projects

Emerging Site Allocations Development Plan Document (SA DPD) (as amended by the Schedule of Proposed Main Modifications to the Regulation 19 consultation document, dated September 2020)

UA42 - Land at Station Approach, West Byfleet, KT14 6NG

Supplementary Planning Documents (SPD's)

Design (2015)  
Outlook, Amenity, Privacy and Daylight (2008)  
Parking Standards (2018)  
Affordable Housing Delivery (2014)  
Climate Change (2013)

Supplementary Planning Guidance (SPGs):

Heritage of Woking (2000)  
Byfleet Corner/Rosemount Parade and Station Approach, West Byfleet Conservation Areas Character Appraisal and Design Guidance

Other Material Considerations

National Design Guide (2019)  
Planning Practice Guidance (PPG) (online resource)  
Woking Character Study (2010)  
Thames Basin Heaths Special Protection Area Avoidance Strategy  
Woking Borough Council Strategic Flood Risk Assessment (November 2015)  
Community Infrastructure Levy (CIL) Charging Schedule (2015)

### **PLANNING ISSUES**

01. This application proposes minor but material amendments to the approved, extant, outline planning permission PLAN/2017/0128 (hereafter referred to as the approved development) through the variation of conditions attached to that permission as set out under the 'Proposed Development' section previously.
02. Whilst condition 01 of the approved development requires the submission of the first reserved matters application for approval to the Local Planning Authority within three years of the date of that permission (i.e. to be submitted by 21 December 2020) by virtue of the provisions of Section 93D of The Business and Planning Act 2020 (which makes modifications to the T&CPA 1990, largely as a consequence the COVID-19 pandemic) the time limit for submission of the first reserved matters application for approval has been automatically extended in this instance to 1 May 2021.
03. This report will therefore be largely limited to the consideration of the consequent proposed changes to the approved development having regard to the approved development, which remains extant (subject to the submission of

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the first reserved matters application to the LPA by 1 May 2021), and the key planning issues detailed below. As such the only matters which can be considered as part of this application are the resulting impacts of the proposed changes to the approved development. Other matters which have already been established, such as the principle of development and residential density, are not issues which can be re-considered as part of this application. In respect of some planning issues (i.e. impact upon heritage assets) a greater level of background detail will be set out to establish the context for the approved development, particularly for the benefit of those Members who did not sit on the Planning Committee at the time the approved development was resolved to be granted in September 2017 (and which was subsequently granted in December 2017 following completion of the S106 Legal Agreement).

### **Policy framework for the consideration of the application**

04. Applications submitted under section 73 of The Town and Country Planning Act 1990 (as amended) (T&CPA 1990), as this application has been, must be considered against the Development Plan and material considerations, under section 38(6) of the 2004 Act, and conditions attached to the existing planning permission. Local Planning Authorities (LPAs) should, in making their decisions, focus their attention on national and Development Plan policies, and other material considerations which may have changed significantly since the original grant of permission. The PPG also states that in deciding an application under section 73, the LPA must only consider the disputed condition(s) that are the subject of the application - it is not a complete re-consideration of the application.
05. Any permission granted under section 73 takes effect as a new, independent planning permission. The new permission sits alongside the original permission, which remains intact and un-amended. It is open to the applicant to decide whether to implement the new permission or the one originally granted (i.e. PLAN/2017/0128).
06. The PPG is clear that a decision notice describing the new permission should clearly express that it is made under section 73 and that it should set out all of the conditions imposed on the new permission, and, for the purpose of clarity restate the conditions imposed on earlier permissions that continue to have effect.
07. At its meeting of 26 September 2017 the Planning Committee resolved to grant outline planning permission for the approved development subject to the recommended conditions and the prior completion of a S106 Legal Agreement. The approved development was subsequently the subject of third party request(s) to call in for determination by the (then) Secretary of State for Communities and Local Government. The Secretary of State decided not to call in the application, being content that it should be determined by the Local Planning Authority, in a decision dated 13 December 2017.
08. The Planning Committee resolution of 26 September 2017 delegated authority to the (then) Development Manager to determine, in the event that the West Byfleet Neighbourhood Development Plan (2017 - 2027) (hereafter referred to as the WBNDP) was adopted by the Council prior to the completion of the S106 Legal Agreement, whether the adoption materially alters the consideration of the application, and consequently the recommendation, and whether either to

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issue the decision or refer the application back to the Planning Committee accordingly.

09. The WBNDP was formally adopted by the Council following a decision by elected Members during the Council meeting of 7 December 2017. The WBNDP was afforded significant weight in the preparation of the Planning Committee report, and the recommendation within, for the approved development. On 14 December 2017 the (then) Development Manager decided that the adoption of the WBNDP would not have altered the recommendation for the approved development. Following the completion of the S106 Legal Agreement the planning permission for the approved development was issued on 21 December 2017. For this reasoning the weight to be afforded to the policies within the WBNDP does not alter between the approved development and the present application as the WBNDP was adopted planning policy at the point the planning permission for the approved development was issued.
10. Since planning permission for the approved development was issued SPD Parking Standards (2018) has been adopted by the Council (on 5 April 2018) and is a material consideration in the determination of planning applications, although does not form part of the Development Plan, rather informing the application of Policy CS18 of the Woking Core Strategy (2012).
11. The emerging Site Allocations DPD is now at a more advanced stage (i.e. a public consultation on the Schedule of Main Modifications began on 18 September 2020 and has been extended until 14 December 2020 due to the COVID-19 pandemic) than at the time the approved development was determined, and therefore attracts significant weight in Development Management decisions at the present time. The following tables provide comparisons between the minimum and maximum parameters of the approved development and the proposed amended development:

**Approved development:**

Land Use	Minimum Parameter (sq.m)	Maximum Parameter (sq.m)
Residential (C3) (*)	16,700 (or 208 units)	20,500 (or 255 units)
Retirement / Extra Care (C2/C3 Use)	0	10,250 (**)
Retail / Restaurants (A1 – A5 Uses)	3,000	5,000
Commercial (B1(a))	145	2,000
Community Use (D1)	200	300
Basement	6,000	8,000
Total floorspace (excluding basement)	20,045	27,800
Car Parking (no. of spaces) (***)	190 spaces	247 spaces

**Please Note**

All areas GIA

(\*) Doesn't include ancillary residential spaces at basement level

(\*\*) Could only be brought forward if residential (C3) parameter is reduced

(\*\*\*) Car parking to be provided in basement. Listed spaces include re-provision of existing surface public parking spaces

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### Proposed amended development:

Land Use	Minimum Parameter (sq.m)	Maximum Parameter (sq.m)
C2 - accommodation GIA	17,000 (180 units)(*)	20,500 (220 units)
C2 - shared amenities and back of house GIA	900	1,400
Retail, Food and Drink, (Use Class E), Drinking Establishments and Hot food Takeaway (Sui Generis)	1,500	3,000
Community Facility (Use Class F.1\F.2), Public toilet	330	430
Subtotal floor space excluding parking GIA	19,730	25,330
Parking (public and private)	157 (incl. min 67 public spaces)	200 spaces
Total floor space including parking, all floors including basement GIA	23,730	33,330
Basement area (included within the above total, providing parking, amenity and back of house) GIA	2,000	4,500

#### Please Note

All areas GIA

(\*) Does not include ancillary residential spaces at basement level.

12. Having regard to the preceding the main planning considerations in determining this section 73 application are:
- Principle of development
  - Transport and accessibility
  - Impact upon the character of the area
  - Impact upon built heritage
  - Arboriculture and landscaping
  - Impact upon existing residential amenity
  - Amenities of future occupiers
  - Thames Basin Heaths Special Protection Area (TBH SPA)
  - Biodiversity and protected species
  - Archaeology (below ground heritage)
  - Land contamination
  - Flooding and water management
  - Affordable housing
  - Energy and water consumption:
  - Socio-economic effects

### Principle of development

13. Although the principle of (re)development of the site has already been established by approved development it is useful to re-iterate the general Development Plan context for West Byfleet District Centre, particularly for the benefit of those Members who did not sit on the Planning Committee when PLAN/2017/0128 was considered in 2017.

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14. Policy CS1 of the Woking Core Strategy (2012) sets out that the Core Strategy will make provision for the delivery of the following scale of uses between 2010 and 2027;
- 4,964 net additional dwellings, with an overall affordable housing provision target of 35%
  - 28,000 sq.m of additional office floorspace and 20,000 sq.m of warehousing floorspace.
  - 93,900 sq.m of additional retail floorspace.

and that “most of the new development will be directed to previously developed land in the town, district and local centres, which offers the best access to a range of services and facilities. The scale of development that will be encouraged in these centres will reflect their respective functions and nature (and that) development located in the District, Local and Neighbourhood Centres to provide housing, jobs and convenient access to everyday shops, services and local community facilities will also be encouraged. This must be well designed to enhance their unique and distinctive characters and attractiveness. Uses that will provide convenient access to the everyday needs of the community, including jobs and housing will be encouraged at the District and Local Centres but at a scale that will not compromise their character and/or functionality”.

15. The Council is now at an advanced stage in the examination of its Site Allocations DPD to facilitate the delivery of the requirements of the Woking Core Strategy (2012), which should therefore be afforded significant weight at the present time. The emerging Site Allocations DPD seeks to allocate a wider site, of which this site forms a large part, under Policy UA42 (Land at Station Approach, West Byfleet) for mixed use development to comprise of community (including retained or replacement Library), offices, retail (including replacement supermarket store) and residential development including affordable housing. The allocation is a clear indication of the Council’s commitment to enable positive action to regenerate West Byfleet District Centre, which is reinforced by the grant of outline planning permission for the approved development, which this application seeks to vary.
16. Policy CS3 of the Woking Core Strategy (2012) relates specifically to West Byfleet District Centre and states that:

*“high density mixed-use development will be encouraged within West Byfleet District Centre as indicated on the Proposals Map. All new development should be well designed and integrated, and enhance local character. The Council will facilitate the delivery of the following specific proposals at the district centre. The timetable set out to deliver the proposals is indicative and any proposal which brings forward the redevelopment of the district centre in a comprehensive manner will be considered on its merits”.*

17. The indicative development types and amounts set by Policy CS3 are:
- Housing = 170 units (2010-2027)
  - Employment = 1,000 – 1,500 sq.m of additional office floorspace to be provided as part of mixed-use developments
  - Retail = Potential for up to 13,000 sq.m of additional Class A floorspace including 12,500 sq.m of A1 retail made up of 10,500 sq.m of comparison and 2,000 sq.m of convenience floorspace

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18. Policy CS3 sets out that “town centre and residential uses will be acceptable in principle subject to the following requirements (relevant to the current proposal)
- A1 retail uses will be focused in the Primary Shopping area
  - In the Primary Shopping area residential and office development should be provided above ground floor level in order to retain active frontages
  - The Council will safeguard office floorspace within West Byfleet District Centre and support office redevelopment where it does not result in an overall loss of office floorspace
  - The Council recognises the importance to the well-being of the community of adequate community facilities and social and community infrastructure and will seek to safeguard existing facilities and promote new ones where appropriate, as set out in policy CS19
19. Policy CE1 (District Centre Development) of the WBNDP states that “development within the District Centre which supports its vitality and viability will be supported”.
20. The proposed changes to floorspace for differing uses, in comparison to the approved development, which this application seeks to vary, will now be considered in turn:

### Principle of increased amount of class C2 floorspace

21. The approved development included flexibility in the order that up to 10,250 sq.m of the residential floorspace could be provided for retirement / extra-care use (Use Class C2 / C3) (with the maximum residential (Use Class C3) parameter reduced accordingly). The approved development means that the principle of class C2 accommodation on this site has already been established.
22. The present application seeks to increase the maximum parameter of class C2 floorspace to 20,500 sq.m (GIA) (or maximum of 220 units), and decrease the minimum parameter of C3 floorspace to 0 sq.m in order to facilitate the refocussing of the residential element of the proposals on the provision of extra care retirement living.
23. The Planning Statement submitted with the application states (at paragraphs 3.1 and 3.2) that:

*“The amendments to the approved scheme are sought to enable the residential component of the development to be brought forward entirely in the form of an extra care retirement community, whereas in the approved scheme there was the option for a retirement community to be part of the development alongside general purpose residential development.*

*An extra care retirement community provides accommodation and care to older people, enabling them to live as independently as possible supported by extensive shared facilities and amenities. Unlike in a care home, residents lease or rent their own apartment which is fully self-contained. The extensive care, support and other services and amenities are far in excess of what is provided in sheltered housing or retirement housing, meaning that people are more actively supported to live healthy*



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*and engaged lives.”*

24. The Operator Statement appended to the submitted Planning Statement states that:

*“RVG’s retirement communities almost all fall within Use Class C2 (as assessed by the relevant local planning authority at the time consent was granted) and this is the case for all recent proposals for which planning consent has been sought. They provide accommodation and care to people in need of care and function as single planning units where extensive communal facilities providing amenity and service as well as care to residents are intrinsic to the whole. Each unit of accommodation within the development is inextricably linked to the communal facilities and to each other. The classification of RVG’s developments has been confirmed without exception by several appeal inspectors over recent years.”*

25. The Operator Statement appended to the submitted Planning Statement states (at paragraph 9) that:

*“Occupation of the proposed development will be limited to individuals or couples where at least one person is aged 65+. Younger partners or spouses will be permitted. Where a younger partner or spouse is predeceased having lived within the community with their older partner, they will be free to stay irrespective of their age.”*

26. The Operator Statement appended to the submitted Planning Statement also states (at paragraphs 10, 11 and 12) that:

*“In addition to health and wellbeing services focussing on prevention and keeping people fit, healthy and engaged, **high quality care is a core element of RVG’s proposition for its retirement community at West Byfleet.** The core components of the care provision are personal care delivered on a domiciliary basis and 24/7 emergency call-out. Both will be provided by RVG’s quality-assured care partner, which will be registered with the Care Quality Commission for the provision of personal care as a minimum.*

*The **care agency will operate from premises within the development,** meaning its people will be a constant and familiar presence within the community and able to provide services flexibly and efficiently. Their on-site care offices will provide the opportunity to meet residents to discuss their needs, space for confidential consultations and treatment, administrative, training and storage space. **Whilst no staff will live on-site provision may be made for staff to sleep on-site during an on-call night shift.** Most planned care will be provided to residents within their homes in the retirement community, so the care agency offices will be conveniently located for service provision to all.*

*As part of the sales/rental qualification process, **potential residents will undertake a healthcare assessment involving the care agency.**”*  
(emphases added)

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27. National planning policy requires local authorities to meet the specific accommodation needs of older people and other vulnerable groups. It is important that the Council provides increased housing choices in terms of specialist accommodation, and appropriate dwellings that are suitably located close to public transport and other key local services. In addition, offering attractive alternative housing choices for older people and other vulnerable groups would assist the Council in freeing-up family sized homes that are currently under occupied.
28. The Planning Practice Guidance (PPG) states that:
- “There are different types of specialist housing designed to meet the diverse needs of older people, which can include:....*
- Extra care housing or housing-with-care: This usually consists of purpose-built or adapted flats or bungalows with a medium to high level of care available if required, through an onsite care agency registered through the Care Quality Commission (CQC). Residents are able to live independently with 24 hour access to support services and staff, and meals are also available. There are often extensive communal areas, such as space to socialise or a wellbeing centre. In some cases, these developments are known as retirement communities or villages - the intention is for residents to benefit from varying levels of care as time progresses”.*
29. The growing elderly population can often benefit from a higher level of on-site support and the isolation of the growing elderly population is not conducive to social inclusion, balanced communities and sustainable development. It is therefore important for these types of development to be located in accessible areas, close to main facilities and public transport routes to best cater for residents, staff and visitors, and promote social inclusion; this site is a location which overwhelmingly meets those criteria. Policy CS13 of the Woking Core Strategy (2012) states that *“the Council will support the development of specialist accommodation for older people and vulnerable groups in suitable locations...[and that] new specialist accommodation should be of high quality design, including generous space standards and generous amenity space. At least 50% of schemes should have two bedrooms (unless the development is entirely for affordable units when a smaller percentage may be more appropriate). Bed-sit development will be discouraged”.* The proportion of one and two bedroom apartments would be considered at reserved matters stage although Policy CS13 nonetheless provides in-principle support for the provision of specialist accommodation.
30. Policy BE5 (Older people accommodation) of the WBNDP also states that *“the development of residential accommodation for older people will be supported, subject to it complementing local character and being in close proximity to, and easily accessible to/from, the West Byfleet District Centre”.*
31. The site is located within a highly sustainable location centrally within West Byfleet District Centre, which is second only to Woking Town Centre in terms of the hierarchy of centres within the Borough, is close to key services and public transport routes and would promote social inclusion. The amended proposed development retains the key principles of the approved development in improving the pedestrian environment and providing a mix of retail and

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community uses, to contribute positively to the vitality and the resident and visitor experience of West Byfleet District Centre.

32. The applicant states that they have an established track record of operating retirement villages in locations across the UK for 40+ years, providing quality accommodation to create sustainable communities. Whilst the specific layout of the residential units and communal areas would be considered at reserved matters stage, the applicant states that their indicative unit typologies are developed to address the HAPPI (Housing for our Ageing Population Panel for Innovation) principles to ensure high quality accommodation, which include the following:
- Space and flexibility;
  - Daylight in the home and in shared spaces;
  - Balconies and outdoor space;
  - Adaptability and 'care ready' design;
  - Positive use of circulation space;
  - Shared facilities and 'hubs';
  - Plants, trees, and the natural environment;
  - Energy efficiency and sustainable design;
  - Storage for belongings and bicycles; and
  - External shared surfaces and 'home zones'.
33. The applicant states that wellness and spa facilities would be provided on the site as part of the package offered to residents (details of which would be considered at reserved matters stage). Whilst the primary users of these facilities would be those residing in the extra care retirement accommodation, the applicant states that they would also be opened to the public to offer wider community benefits and facilitate intergenerational engagement.
34. The site forms part of a wider site allocated under Policy UA42 (Land at Station Approach, West Byfleet) of the emerging Site Allocations DPD (hereafter referred to as emerging SA DPD) for mixed use development to comprise of community (including retained or replacement Library), offices, retail (including replacement supermarket store) and residential development including affordable housing. The emerging SA DPD identifies an anticipated residential yield of 208 units on the 'wider' site. Although falling within class C2 the provision of retirement / extra-care accommodation would nonetheless represent residential development and the maximum of 220 units proposed would exceed, albeit slightly, the anticipated residential yield set out by the emerging SA DPD, such that the amended proposed development would make efficient use of land within a very sustainable location within the built-up Urban Area.

### Reduction in commercial (office) floorspace

35. The amended proposed development seeks to reduce the minimum level of office (i.e. formerly falling within Class B1a – now falling within the new Class E) floorspace to 0 sq.m. The approved development allowed for a minimum of 145 sq.m, and a maximum of 2,000 sq.m, office floorspace to be provided.
36. Policy CS3 of the Woking Core Strategy (2012) sets out an indicative development types amount within the District Centre of West Byfleet of

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between 1,000 - 1,500 sq.m of additional office floorspace and states that “*the Council will safeguard office floorspace within West Byfleet District Centre and support office redevelopment where it does not result in an overall loss of office floorspace*”. Policy CE3 (Sheer House Complex (SHC) Mixed Use Development) of the WBNDP also states that:

*Any proposed redevelopment of the SHC should be a mixed use scheme to provide office accommodation (unless it can be demonstrated it would not be viable to do so)...*

37. The Planning Committee report for the approved development stated (at paragraph 26) that:

*Overall, whilst the proposal would not accord with the office floorspace element of Policy CS3 of the Core Strategy and Policy CE3 of the emerging WBNDP, this matter will be considered in the planning balance at the conclusion of the report.*

38. The overall benefits of the approved development were considered to outweigh this Development Plan conflict in positively determining PLAN/2017/0128. The approved development allows for a minimum of 145 sq.m of office use, and this approved, extant position therefore forms the ‘baseline’ for justification of further reduction.
39. Planning assessment of this proposed reduction is heavily affected by the amendments to The Town and Country Planning (Use Classes) Order 1987 (as amended) brought into force by The Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020, on 1 September 2020. These recent changes should be afforded significant weight. Government has seen fit to remove, inter alia, former Use Class B1a and subsume uses within that former use class into the new Class E (Commercial, business and service uses); this means that movement between use as a shop, to provide financial and professional services (not medical), café or restaurant or for office purposes is not development for planning purposes, and does not require planning permission. These changes rather reduce the weight which can be afforded to the relevant policies of the Woking Core Strategy (2012) and West Byfleet Neighbourhood Development Plan in respect of protecting office (former class B1a) provision.
40. The applicant states that the local office market is currently facing significant challenges, with adjacent buildings including Globe House, and former Roxburghe House, having utilised permitted development rights to convert from office to residential use. The applicant also states that West Byfleet District Centre also suffers from competition from nearby Woking Town Centre.
41. Market evidence regarding the local office market has been prepared by Hurst Warne, a firm of local Chartered Surveyors and commercial property consultants, which the applicant has submitted as an appendix to the Planning Statement. This Retail and Office Market Report (dated September 2020) states that, despite having a well-connected train station and a reasonably sized village centre, West Byfleet is a tertiary office market characterised by a very limited stock of aging office buildings and a small, very local tenant base. It is primarily a location that commuters commute from, as opposed to commuting to. The report sets out that West Byfleet has a very small office stock totalling

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approximately 70,000 sq.ft (i.e. circa 6,503 sq.m), mainly in buildings developed between 30 and 40 years ago, and, as such, the office occupier base in West Byfleet is limited to a small number of local occupiers, most of which have been in West Byfleet for several years. The report states that new occupiers very rarely move into West Byfleet with letting activity comprising a churn of the existing tenant base, with a recent loss being Impact Food Group who, despite viewing all the available options in West Byfleet, eventually opted to move to Woking Town Centre in a mid-priced suite of approximately 4,000 sq.ft (i.e. circa 371 sq.m) which suited their business model better.

42. The Retail and Office Market Report states that the nearest office market of scale, with an office stock of 3 million sq.ft (i.e. circa 278,709 sq.m) and a very established corporate tenant base, is Woking. The following table (extracted from the report) illustrates contrasts between the two markets which are only 4 miles apart:

	Office Stock (sq ft)	Existing Supply	Office Vacancy	Active Demand (sq ft)	2020 Take-Up (sq ft)	5-year average Take-Up (sq ft)	Prime Rent achieved (psf)
West Byfleet	70,000	22,963	32%	222,563	0	5,400	£24.50
Woking	3,000,000	115,771	3.8%	15,500	68,777	79,700	£36.00

43. The Retail and Office Market Report also sets out that the following tables (again, extracted from the report) further demonstrate the difference in office stock; Woking currently has 115,000 sq.ft (i.e. circa 10,683 sq.m) of building refurbishments underway with Space, a brand new building of 85,000 sq.ft (i.e. circa 7,896 sq.m) having been delivered last year. This contrasts with West Byfleet, where the last new office building of note was delivered around 20 years ago with no new development since then. The report sets out that there is one refurbishment underway at Enterprise House which will provide 11,500 sq.ft (i.e. circa 1,068 sq.m) and that the only letting in West Byfleet in the last 12 months was to a company called Spectrum Brands who moved from 11,500 sq.ft (i.e. circa 1,068 sq.m) in Enterprise House to 4,000 sq.ft (i.e. circa 371 sq.m) in Rosemount House, also in West Byfleet, thus demonstrating a typical West Byfleet office move – a downsizing local occupier moving to cheaper accommodation.

	Woking (sq.ft)	West Byfleet (sq.ft)
Grade A	163,540	0
Grade B	79,419	22,963
Total	244,959	22,963
Under Construction/Refurbishment	115,771	11,547
Under Offer	0	0

*Schedule of Supply West Byfleet and Woking 5,000 sq ft+*

44. The Retail and Office Market Report states that, the experience of Hurst Warne, coupled with the evidence provided by the statistical analysis, demonstrate that there is very little demand for office development of any scale in West Byfleet, that the West Byfleet office stock is dated because office developers have chosen not to build any new office buildings over the last 20 years for two main reasons; (i) the level of occupier demand and (ii)

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development not being viable because of the limited level of rent achievable. The report concludes that office occupiers tend to gravitate towards the stronger markets where they have a better choice of stock and better access to retail and transport amenities, which helps recruitment and retention of staff, and that most occupiers will also pay premium rents to achieve these factors, putting locations like West Byfleet at a disadvantage.

45. The applicant also states that, furthermore, the proposed operation of the amended proposed development as an extra care retirement community, in addition to the retail and other elements of the amended proposed development, would generate a need for jobs which will create opportunities for local employment across a range of backgrounds. The extra care retirement community residents are also likely have a greater 'dwell' time (particularly during weekday daytime hours), than residents of more 'conventional' (i.e. class C3) housing who may be more likely to commute to work in other locations during the working day for example. This 'dwell' of future occupiers will add additional activity, and spend, to West Byfleet District Centre, thus contributing towards its continued vitality and viability. These factors should be weighed against the reduction in office floorspace (i.e. of 145 sq.m) in comparison to the minimum parameter of the approved development.
46. Overall, having regard to all of the preceding factors, and given the associated employment benefits provided by the amended proposed development of the site to provide C2 accommodation, it is considered that sufficient justification has been provided in respect of the proposed reduction in commercial (office) floorspace.

### Reduction in retail floorspace

47. The amended proposed development seeks to reduce the minimum level of Classes A1-A5 floorspace (now split across the new Class E and Sui Generis uses) to 1,500 sq.m. The approved development allowed for a minimum of 3,000 sq.m, and a maximum of 5,000 sq.m, of Classes A1-A5 floorspace to be provided. Under the amendments to The Town and Country Planning (Use Classes) Order 1987 (as amended) brought into force by The Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020, on 1 September 2020, the new Use Classes into which this element of the amended proposed development would fall are as follows:
  - Former Classes A1 / A2 / A3 – Use Class E; and
  - Former Classes A4 / A5 – Sui Generis.
48. The site falls within West Byfleet District Centre, which is second only to Woking Town Centre in the hierarchy of centres within Woking Borough, as defined by the Woking Core Strategy (2012). The function of West Byfleet District Centre is stated within the reasoned justification text to Policy CS1 of the Woking Core Strategy (2012) as being "*the second largest centre in the Borough with a primary role to serve the needs of Byfleet, West Byfleet, Pyrford, some small centres just outside the Borough Boundary and the rural hinterland surrounding it*". Policy CS3 of the Woking Core Strategy (2012) sets out indicative development types and amounts of development for West Byfleet District Centre, including potential for up to 13,000 sq.m of additional Class A floorspace.

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49. In terms of retail the Planning Committee report for the approved development stated (at paragraph 28) that:

*Whilst the proposal could result in the loss of 200 sq.m of retail floorspace in comparison to the existing situation it is considered that the provision of the proposed public square, which would promote daytime and evening activity, and likely increase subsequent 'dwell' time, civic pride, and greatly enhance the pedestrian experience of the site, would considerably outweigh this potential loss in terms of ensuring the overall vitality and viability of the overall District Centre.*

50. The approved development allowed for a reduction of 200 sq.m of retail (former classes A1 - A5) floorspace in comparison to the existing situation, and this approved, extant position therefore forms the 'baseline' for justification of further reduction.

51. Policy CE2 (Retail Space) of the WBNDP states that:

*Proposed development within the District Centre that results in the loss of retail (Class A1) space through the change of use of ground floor shops will only be supported where it is demonstrated the proposal will not have significant harmful effects on the primary shopping area or on the vitality and viability of the District Centre. Proposals that include a predominance of smaller retail units of up to 200 sq m will be supported.*

52. Policy CE3 (Sheer House Complex (SHC) Mixed Use Development) of the WBNDP states that:

*Any proposed redevelopment of the SHC should be a mixed use scheme to provide...no less retail space than existing, unless it can be demonstrated the loss of retail (Class A1) space through the change of use of ground floor shops will not have significant harmful effects on the primary shopping area or on the vitality and viability of the District Centre.*

53. As was the case with the planning assessment of the proposed reduction in commercial (office) floorspace assessment of the retail floorspace reduction is again heavily affected by the amendments to The Town and Country Planning (Use Classes) Order 1987 (as amended) brought into force by The Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020, on 1 September 2020. These recent changes should be afforded significant weight. Government has seen fit to remove, inter alia, former Use Classes A1, A2, A3 and B1a and subsume uses within those former use classes, inter alia, into the new Class E (Commercial, business and service uses); this means that movement between use as a shop, to provide financial and professional services (not medical) and café or restaurant or for office purposes is not development for planning purposes, and does not require planning permission. These changes rather reduce the weight which can be afforded to the relevant policies of the Woking Core Strategy (2012) and West Byfleet Neighbourhood Development Plan in respect of protecting retail (i.e. former Use Class A1) provision.

54. The applicant states that the retail environment has faced significant challenges since the grant of outline planning permission for the approved development in December 2017, and continues to do so. As per the office element market

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evidence regarding the local office market has been prepared by Hurst Warne, a firm of local Chartered Surveyors and commercial property consultants, which the applicant has submitted as an appendix to the Planning Statement. This Retail and Office Market Report (dated September 2020) states that West Byfleet is very much a village type location in respect of its retail offerings; in respect of the main parades along Old Woking Road and Station Approach, it is clear that many of the occupiers are local business rather than the larger chains seen in Woking for example, with the exception of Waitrose, Costa Coffee and Tesco Express. Within the District Centre are estate agents, hairdressers and beauty salons, opticians, medical practices, a butcher, restaurants and coffee shops, and other independent niche retailers. The report states that levels of vacancy have always been limited but that should be counteracted by the fact that demand is also fairly limited so keeping a balance between these two factors is critical going forward.

55. The Retail and Office Market Report states that West Byfleet is an affluent area and that residents generally try and support their local retailers, with frustration from the community regarding the loss of the banks in the village, and now the Post Office, with residents now having to travel further afield for these services. Nearby smaller village retail areas include Pyrford where there is again a mix of local occupiers including a vet, wine store, hairdressers, butcher and Co-op, and slightly further out in New Haw again with a Co-op, hairdressers, estate agents and similar smaller independent retailers.
56. The report sets out that it is very important to tailor the retail offering within the development to likely occupier demand, and also to the types of uses which would be most readily used by the community, as these are the businesses which will stand a much higher chance of success. The report also states that it is critical that a balance is struck between providing an opportunity for West Byfleet District Centre to grow sustainably whilst not creating too much retail floorspace which ends up proving difficult to let and sitting empty, and that any retail units are geared towards the independent retailer and the smaller end of the market, as it is likely that these will let more readily, and of course be more financially viable to a tenant; larger units of 1,500+ sq.ft (i.e. circa 139 sq.m) are unlikely to attract occupiers as quickly, unless there was a good pre-let enquiry from a convenience store operator within the development.
57. The report sets out that there is little space within West Byfleet currently available to let to a non-specific retail occupier, which also tallies with the experience of Hurst Warne in Woking Town Centre, where reasonable levels of demand have been seen from the smaller, independent businesses who do not want to pay the higher rents in the covered shopping centres; therefore, it is a possibility that areas on the outskirts of Woking, such as West Byfleet, may well be of consideration to occupiers unable to find suitable space in Woking, assuming of course that there are not too many competing traders locally (potential competition between retailers is not a planning consideration).
58. The Retail and Office Market Report concludes that the overall scale and quantum of retail floorspace now being proposed by the amended proposed development, which includes a reduction to a minimum parameter of 1,500 sq.m, is more appropriate to the West Byfleet retail market and the largely local and independent nature of occupier it attracts and that the approved development of 3,000 sq.m (the minimum retail parameter of PLAN/2017/0128)



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would have created a significant overprovision of retail space, resulting in higher and longer-term levels of vacancy.

59. In light of the preceding the applicant considers that the proposed reduction in the minimum parameter of retail floorspace would not harm the vitality and viability of West Byfleet District Centre, particularly given that the amended proposed development proposes to provide ancillary restaurant and wellness facilities, open to members of the public as well as future residents, which will assist in regenerating West Byfleet District Centre. Details of such ancillary restaurant and wellness facilities would be considered at reserved matters stage however, on the basis that these facilities would be open to members of the public and provide facilities which members of the public would genuinely desire to visit, there is considered to be no barrier as to why the provision of such facilities, although performing a function primarily ancillary to the extra care residential provision proposed, cannot be afforded some weight against the proposed reduction in retail floorspace, and hence 'offset' some of this reduction. The applicant considers that the proposals accord with Development Plan policy as justification has been provided as to why the reduction in retail floorspace would not have significant harmful effects on the primary shopping area.
60. The amended proposed development would retain the proposed new public square, and the associated benefits stated within paragraph 28 of the Planning Committee report for the approved development, all of which weigh heavily in favour of the amended proposed development.
61. The amended proposed development also seeks to reduce the depth of the retail units fronting Station Approach; this is supported by part of Policy CE2 (Retail Space) of the WBN DP, which states "*proposals that include a predominance of smaller retail units of up to 200 sq m will be supported*".
62. Overall, having regard to all of the preceding factors, and given that the amended proposed development proposes to provide ancillary restaurant and wellness facilities, open to members of the public as well as future residents, it is considered that sufficient justification has been provided in respect of the proposed reduction in retail floorspace.

### Community floorspace

63. The site contains an existing library, a form of social and community infrastructure. Policy CS3 of the Woking Core Strategy (2012) states, inter alia, that:

*The Council recognise the importance to the well-being of the community of adequate community facilities and social and community infrastructure and will seek to safeguard existing facilities and promote new ones where appropriate, as set out in policy CS19.*

64. Policy CS19 of the Woking Core Strategy (2012) states, inter alia, that:

*The loss of existing social and community facilities or sites will be resisted unless the Council is satisfied that:*

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- *there is no identified need for the facility for its original purpose and that it is not viable for any other social or community use, or*
- *adequate alternative facilities will be provided in a location with equal (or greater) accessibility for the community it is intended to serve*
- *there is no requirement from any other public service provider for an alternative social or community facility that could be met through change of use or redevelopment.*

*The provision of new community facilities will be encouraged in locations well served by public transport, pedestrian and cycle infrastructure.*

65. Policy CE5 (Public Amenity Provision) of the WBN DP states:

*To be supported, proposals for the redevelopment of the SHC must, subject to viability, provide opportunity for the continuing provision of the following: the **public library**; the Post Office; dispensing chemists; public toilets. The provision of new public pedestrian space ('public realm') will be supported. (emphasis added)*

66. Policy S&C4 (Library Facilities) of the WBN DP states:

*Proposals for the enhancement of library facilities and the provision of additional community facilities will be supported.*

67. The approved development included Community use (former Class D1) floorspace between parameters of 200 sq.m (minimum) and 300 sq.m (maximum), which could include a replacement library (subject to Surrey CC as library operator). The amended proposed development increases the provision of community use floorspace slightly (in the minimum scenario) to between 330 sq.m (minimum) and 430 sq.m (maximum) (former class D2 is now Classes F.1/F.2), which again could include a replacement library (subject to Surrey CC as library operator). This represents a minor additional benefit of the amended proposed development in comparison to the approved development.

### Regenerative benefits

68. The amended proposed development retains the provision of the previously approved new high quality public square measuring a minimum of 1,288 sq.m in area and which would be at the centre of West Byfleet District Centre, offering substantial opportunity for daytime and evening use which would activate this new public space.
69. Whilst the application is in outline the parameter ground floor land use plan ensures that active uses are provided, as far as practicable (i.e. with the exception of servicing access to bin stores etc), at ground floor level, particularly in order to activate both the new public square and the pedestrian realm along Station Approach and Old Woking Road. As per the approved development the public square would provide a very significant new 'urban' space within the centre of West Byfleet which would not only be activated by ground floor level uses, with potential for 'spill out' into the perimeters of the square for the placing of restaurant/cafe tables etc, but would also be capable of use for community purposes and events such as seasonal/Christmas markets, outdoor films and public events as well as providing an attractive space for people to meet and socialise day-to-day. The resulting retail

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floorspace would also be re-provided within modern units and would benefit from much greater connection to public realm and the pedestrian experience than the existing site.

70. As per the approved development the layout of the amended proposed development would provide a clear and legible 'civic gateway' into the public square from the Old Woking Road / Station Approach side with the St John the Baptist Church spire framed by the building blocks and serving to 'anchor' the public square in the opposing direction through the gap between blocks A and C.
71. Overall, as per the approved development, clearly Policy CS3 of the Woking Core Strategy (2012) envisages significant change for West Byfleet District Centre during the current Development Plan period to 2027. Whilst the proposal would not accord with the office floorspace element of Policy CS3 of the Woking Core Strategy (2012) and Policy CE3 of the WBNDP, it is considered that sufficient justification has been provided in respect of the proposed elimination of the approved minimum parameter of 145 sq.m of office use.
72. Similarly it is considered that sufficient justification has been provided for the proposed reduction of 1,500 sq.m in retail floorspace in comparison to the approved minimum parameter. The principle of the retail, community and residential elements (albeit residential now within class C2) of the amended proposed development are considered to be acceptable and accord with the overarching objectives of Policy CS3 of the Woking Core Strategy (2012) and Policies CE2 and CE3 of the WBNDP although would be subject to further scrutiny, in respect of layout, appearance etc, at reserved matters stage. As with the approved development the regenerative benefits of the new public square and enhanced civic edges are considered to remain very significant public benefits of the amended proposed development which would greatly enhance the pedestrian experience of the site and have overarching benefits for the vitality and viability West Byfleet District Centre as a whole.

### **Transport and accessibility**

73. The NPPF promotes sustainable transport (Section 9), stating that significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. Paragraph 108 of the NPPF states that decisions should take account of whether:
  - a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;
  - b) safe and suitable access to the site can be achieved for all users; and
  - c) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.
74. Paragraph 109 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

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75. Paragraph 111 of the NPPF states that all developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed. These requirements are reflected within Policy CS18 of the Woking Core Strategy (2012). The application has been submitted with a Transport Statement (dated September 2020), together with a Draft Residential Travel Plan and Draft Commercial Travel Plan, both of which have been amended during the course of the application (to versions dated November 2020) in order to take into account comments raised by the Surrey CC Travel Plan Officer.

### Vehicular access arrangements

76. The approved development included the closure of existing vehicular accesses on Lavender Park Road and Station Approach along with modifications to the access on Madeira Road. The proposals associated with the amended proposed development include all of the previously approved vehicular access changes together with the creation of a second access on Madeira Road; it is proposed that separate vehicular accesses on Madeira Road are used for the public and private elements of the car park; the applicant states that this arrangement will enable separate access control systems to be implemented which could be beneficial, for example when the public car park needs to be closed, whilst still retaining access to the private car park.
77. The proposed additional vehicular access will necessitate changes to the on-street parking along Madeira Road with the loss of 3 standard spaces. In this regard the submitted Transport Statement sets out that the amended proposed development will offset the loss of these on-street spaces within the replacement public car park, with the previously approved car club space located on Madeira Road immediately west of the proposed access. As such, the proposals to create the additional vehicular access on Madeira Road would not adversely impact on the availability of public car parking, with fewer manoeuvres associated with on-street parking spaces and separate access to the private and public car parks likely to benefit the flow of traffic along Madeira Road.

### Trip generation

78. The submitted Transport Statement sets out that the amended proposed development would result in fewer overall trips than with the approved development insofar that there would be fewer residential units, all of which would be extra care retirement homes, and reduced levels of commercial floorspace.
79. The following tables, extracted from the Transport Statement, provide a summary of the estimated number of trips associated with the approved development and the estimated number of trips associated with the amended proposed development, based on trip rates from the TRICS database considering all multimodal surveys in the Residential Retirement Living Category in England outside Greater London undertaken since January 2016. The data demonstrates that there would be considerably fewer trips on the highway and transport network associated with the amended proposed development when compared to the approved development. Whilst there would be a slightly greater level of total arrivals (31, compared to 26) during the AM

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Peak the total departures during the AM Peak would be much reduced (35, as opposed to 117), as would both the total arrivals (43, as opposed to 117), and the total departures (39, as opposed to 57) during the PM Peak. As such further highway capacity assessments are not required as the trip generation would be reduced in comparison to the approved development.

<b>Trips by Mode (Approved, extant Residential based on 255 Units)</b>				
	<b>AM Peak</b>		<b>PM Peak</b>	
	<b>Arrive</b>	<b>Depart</b>	<b>Arrive</b>	<b>Depart</b>
Car Driver	16	71	70	34
Passenger	1	4	3	2
Cyclists	1	2	2	1
Pedestrians	2	9	9	5
Public transport	7	31	30	15
<b>Total</b>	<b>26</b>	<b>117</b>	<b>117</b>	<b>57</b>

<b>Trips by Mode (Proposed Residential based on 220 Units)</b>				
	<b>AM Peak</b>		<b>PM Peak</b>	
	<b>Arrive</b>	<b>Depart</b>	<b>Arrive</b>	<b>Depart</b>
Car Driver	16	20	21	16
Passenger	5	9	1	0
Cyclists	0	0	0	0
Pedestrians	7	5	10	15
Public transport	2	1	7	5
<b>Total</b>	<b>31</b>	<b>35</b>	<b>43</b>	<b>39</b>

### Car parking

80. Policy CS18 of the Woking Core Strategy (2012) highlights the Council's commitment to sustainable transport modes. With this in mind new development is steered to urban locations, such as the site (within West Byfleet District Centre) that are served by a range of sustainable transport options.
81. SPD Parking Standards (2018) requires a maximum of 1 car parking space per 1 or 2 bed self-contained unit, or individual assessment, in the case of sheltered accommodation, and a maximum of 1 car space per 2 residents or individual assessment justification in the case of care / nursing homes. SPD Parking Standards (2018) does not specifically cater for extra care housing as proposed; nonetheless the preceding are considered the most comparable uses listed.
82. Policy BE6 (Residential Parking Provision) of the WBNDP states that:
 

*Proposals for residential development must provide for a safe environment through the provision of off-road parking. Residential development should seek to meet the following minimum parking standards:*

  - 1 bedroom property: 1 car space,
  - 2-3 bedroom property: 2 car spaces,
  - 4+ bedroom property: 3 car spaces,

*unless it can be clearly demonstrated that alternative requirements are necessary due to the nature and accessibility of residential development or the availability of public transport.*
83. Policy I1 (District Centre Parking Provision) of the WBNDP also states:

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*Relevant proposals for development within the District Centre must include provision of parking spaces for shoppers, retailers and residents and must demonstrate that they will not result in on-street parking to the detriment of highway safety or adverse impact on the character of the area.*

84. The approved development parameters are set out in the following table in respect of parking provision. The approved development forms the 'baseline' for justification of further reduction.

### Approved development

Land use	Minimum parameter	Maximum parameter
Residential (C2/C3)	210 units	255 units
Car parking	190 (incl. 67 public)	247 spaces (incl. 67 public)
Parking ratio (per unit)	0.58 (123 private spaces)	0.70 (180 private spaces)

### Amended proposed development

Land use	Minimum parameter	Maximum parameter
Residential (C2)	180 units	220 units
Car parking	157 (incl. 70 public)	200 spaces (incl. 70 public)
Parking ratio (per unit)	0.48 (87 private spaces)	0.59 (130 private spaces)

85. The submitted Transport Statement sets out that the proposed quantum of replacement public car park spaces is broadly the same as per the approved development, with additional spaces to compensate for the reduced on-street parking provision on Madeira Road, as a result of the additional vehicular access, and that these spaces will be available for the general public to use with access taken from Madeira Road, and a charge applied as per existing.
86. As was the case with the approved development the housing mix of apartments (i.e. ratio of one bedroom and two bedroom apartments etc.) would be considered at reserved matters stage. In comparison to the approved development the minimum ratio of residential parking per unit would reduce from 0.58 to 0.48, assuming both the minimum 180 units and 157 parking spaces (incl. 70 public) came forwards at reserved matters stage. In comparison to the approved development the maximum ratio of residential car parking per unit would also reduce from 0.70 to 0.59, assuming both the maximum parameter of 220 units and 200 spaces (incl. 70 public) came forwards at reserved matters stage.
87. Clearly, in the event that the minimum number of units (180), and the maximum number of car parking spaces (200 (incl. 70 public)), were to come forwards at reserved matters stage, the residential parking ratio would 'increase' to 0.72 spaces per unit.
88. In respect of residential parking it must also be noted that the approved development included either solely class C3 units, or a combination of class C2/C3 units, whereas the amended proposed development includes solely class C2 units. Furthermore occupation of the residential component of the amended proposed development (class C2) would be subject to restrictions

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(secured through S106 Legal Agreement) in terms of age (i.e. 60+ years), necessity for health assessment, and a requirement for a minimum level of personal care. Residents would also benefit from a car club membership with a new space proposed on Station Approach.

89. Planning permission was recently granted in Old Woking (Ref: PLAN/2020/0304) for a housing scheme of a similar typology to that proposed (i.e. an older/more vulnerable population with varying levels of care needs). The approved parking ratio for that development was 0.52 spaces per unit. In terms of access to day-to-day services and facilities, and access to sustainable modes of transport, that approved development was in a less sustainable location than this development. Whilst the exact parking ratio would be ascertained at reserved matters stage it is considered, having regard to all factors including the approved development, that the minimum and maximum parameters of parking to serve the residential component of the amended proposed development are acceptable.
90. The overall parking strategy would retain active frontages at ground floor level to both the new public square and Station Approach, ensuring the provision of a high quality pedestrian environment as per the approved development.

### Alternative modes of transport

91. The NPPF advises that the transport system needs to be balanced in favour of sustainable transport modes, giving people a real choice about how they travel.

### *Walking*

92. As was the case at the time the approved development was granted there is a good network of footways in the vicinity which includes footways adjacent to roads, formal and informal crossings and footways connecting the site with the surrounding area, public transport opportunities and nearby retail, residential and commercial development. The amended proposed development would include highway works to improve the pedestrian environment in the immediate vicinity of the site.

### *Cycling*

93. As was the case at the time the approved development was granted, and, as per walking, the wider West Byfleet area is well connected in terms of cycling. A number of the streets in the local area are considered suitable for cycling being relatively level, with cycle infrastructure including a shared footway/cycleway along the northern side of Parvis Road east of Camphill Road and the Saturn Trail situated north of the railway line.

### *Bus*

94. As was the case at the time the approved development was granted the closest bus stop is located on Station Approach, north of Madeira Road (circa 70 metres), and is served by buses on routes 436 / 437 and 456. Buses on routes 436 / 437 operate between Woking Railway Station and Brooklands via Maybury, Sheerwater, West Byfleet and Byfleet with 26 journeys made Monday through Friday, 22 journeys made on Saturday and 10 journeys made on Sundays. Buses on Route 456 operate on a circa 60 minute frequency running

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between Staines and Woking.

### *Rail*

95. As was the case at the time the approved development was granted West Byfleet Railway Station is located less than 100 metres north of the site. There are eight services departing per hour at West Byfleet railway station on a typical weekday including (i) two services per hour to Woking (ii) four services per hour to London Waterloo and (iii) two services per hour to Alton.
96. It is clear therefore that the site remains well served by alternative modes of transport to the private vehicle.

### Traffic conditions

97. Survey data from the site and adjacent highway network was submitted with the approved planning application, which also made reference to data from the Department for Transport (DfT) website, with traffic flows factored to the opening year of 2023 and design year of 2028 based on TEMPRO growth factors.
98. The submitted Transport Statement states that surveys have not been undertaken to inform this section 73 application as a result of the nature of the changes and resultant scale being overall less than the approved development, and also due to the ongoing COVID-19 pandemic which has affected travel patterns. Nonetheless the Transport Statement includes data from the DfT website which demonstrates that there have not been any material changes in traffic conditions along the A245 Parvis Road since 2012, with flows lower than the peak of over 30,000 vehicles recorded in 2003.

### Servicing

99. The approved development included the provision of three new on-street loading bays; at the southern end of Lavender Park Road, on Station Approach to the south of Madeira Road and on Station Approach north of the junction with Old Woking Road by extending the nearside lane north.
100. This section 73 application retains all three loading bays approved under the approved development, and which will be delivered as part of the Section 278 Agreement (under the Highways Act 1980) with the County Highway Authority (Surrey CC). It must be noted that the overall quantum of development is less than the approved development with fewer (maximum) residential units and reduced retail/office floorspace. Condition 26 of the approved planning permission required the submission and approval of a Delivery Management Plan setting out how deliveries and refuse collection associated with the site will be managed; this condition will be carried forwards to this application, if granted.
101. The precise details of the location/layout etc of residential and commercial refuse/recycling bin stores would be considered at reserved matters stage although the Parameter Plans and Design Code set out the key provisions to enable the delivery of a successful strategy in this respect.



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### Travel Plans

102. This section 73 application has been submitted with a Draft Residential Travel Plan and Draft Commercial Travel Plan, both of which have been amended during the course of the application (to versions dated November 2020) in order to take into account comments raised by the Surrey CC Travel Plan Officer.
103. The Draft Residential Travel Plan sets out that although some future residents may work, the majority will not with trips primarily undertaken for recreational or leisure purposes. The primary objective of both the Draft Commercial and Residential Travel Plans is to set out a long term strategy to facilitate and encourage travel to the site by sustainable modes, focusing on advising residents/employees of the benefits of using alternative modes and promoting the use thereof, including raising awareness and increasing the attractiveness of alternative modes of transport available and in particular the benefits associated with walking and cycling for short journeys, introducing a package of physical and management measures that will facilitate travel by sustainable modes and reducing unnecessary or unsustainable use of the private vehicle to and from the site. The provision of cycle parking etc. would be considered at reserved matters stage.

### **Impact upon the character of the area**

104. The site is located within the centre of West Byfleet, forming the core retail area fronting onto Station Approach and Old Woking Road and presenting inactive elevations to Madeira Road and Lavender Park Road. Smaller scale retail development lies to the north-west, south-west and south-east alongside a Waitrose supermarket to the south-west. Residential development lies predominantly to the east and provides the general wider context of West Byfleet, interspersed with green space. West Byfleet Railway Station is approximately 100 metres to the north.
105. The site occupies an area of land within the District Centre, which has been modified through extensive development over the passage of time. The existing buildings on the site have little or no relationship to the street due to their set back position from the street and footway and the depth of surface level car parking between the street and the buildings.
106. The existing ground level falls gently, by approximately 2.4 metres, from a height of +27.1 AOD (Above Ordnance Datum) at Old Woking Road to +24.7 AOD at the junction of Madeira Road and Station Approach. The design of the existing Sheer House complex is very much of its 1960s time, having a bold, brutalist and modular appearance, and a rigid geometric layout. The core office block is surrounded by lower secondary elements, comprising retail units and car parking decks, all deferring to the core office block. In terms of hard and soft landscaping of the existing site there is currently nothing of note to soften the brutalist design of the Sheer House complex and public realm is very limited due to the predominance of surface car parking, prominent servicing areas and the general landscape of the existing site showing vehicular priority, which is somewhat exacerbated by convoluted pedestrian access points.
107. The zone of visibility for the existing site is relatively limited, despite the height of the Sheer House office building. The close urban grain of West Byfleet, combined with the presence of mature trees within the streetscape/landscape,

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public parks, private gardens and golf courses and the very gently undulating landform within the vicinity obscure long views towards the site.

108. One of the core principles of planning as identified in the NPPF is securing high quality design. Policy CS21 of the Woking Core Strategy (2012) states that new development should respect and make a positive contribution to the street scene and the character of the area within which it is located. Policy CS24 of the Woking Core Strategy (2012) states that all development proposals are required to provide a positive benefit in terms of landscape and townscape character and local distinctiveness. Policy DM17 of the Development Management Policies DPD (2016) states that development should create or contribute to a safe, attractive, high quality, inclusive and legible public realm which positively contributes to local character and encourages social interaction. The Woking Character Study (2010) and SPD Design (2015) also provide design considerations.
109. Chapter 8 of SPD Design (2015) sets out that, within West Byfleet District Centre, there is scope for new and improved public spaces as the evolution of the centre has led to removal of public spaces and quality deteriorating and that the provision of new public space would significantly improve the centre. The SPD goes on to state that in West Byfleet the Sheer House site occupies a significant proportion of the District Centre and, in its current form, has a negative impact on the character of the area.
110. SPD Design (2015) sets out that, where possible, proposals should aim to re-establish a perimeter block format, building footprints should not be oversized, private space and servicing should not address a public streetscape, new development should take account of any opportunities to provide new pedestrian public space and that proposed uses should enhance the designated centre and not diminish current vehicular parking numbers. Whilst Chapter 8 of the SPD looks in detail at West Byfleet it should also be noted that the SPD states West Byfleet “*is used here as a case study to explain the issues and opportunities faced in suburban centres*”. Although an indicative potential layout of new development at Sheer House is shown this is used as an example of development in suburban centres and is not, in itself, a planning policy for the site.
111. In terms of scale SPD Design (2015) states that new proposals should accommodate medium scale buildings (circa 5 - 6 storeys) in a clear block structure with good public space. The provision of successful external spaces has social, economic and environmental benefits for new developments and centres as a whole.
112. Policy BE3 (District Centre Development Character) of the WBNDP sets out that:

*Development within the District Centre (as defined in Figure 14) should reflect local character and proposals should demonstrate how they will conserve and, where possible, enhance, local heritage assets, with particular regard to Conservation Areas and their settings.*
113. Policy BE4 (Sheer House Complex (“SHC”) Development) of the WBNDP sets out that:

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*The redevelopment of the SHC will be supported, provided the redevelopment of the site will have a positive effect on the area's townscape character and adjacent Conservation Areas. Development proposals should clearly demonstrate how the scheme will achieve high quality and inclusive design that creates a sense of place and a high quality public realm based on the principles set out in the Design SPD, and in the local character assessment within the Neighbourhood Plan.*

114. However the preceding planning policy and other material considerations must be considered in the context of the approved planning permission for the site, which this section 73 application seeks only to vary. As set out at the start of this report this section 73 application does not represent an opportunity for re-consideration of the principle of development, which has been established by the approved planning permission, which remains extant. Nor does this section 73 application represent an opportunity for the re-consideration of the layout and scale of the different blocks of development, which again have been established by the approved planning permission.
115. The Parameter Plans and Design Code, both of which are sought to be varied under this section 73 application, set out a number of urban design principles for the proposed development and which would guide the design of the development at reserved matters stage. The Design Code sets out a number of mandatory requirements that are included to control urban design and architectural or landscaping details which are considered important to delivering a successful masterplan. Additional information is also included as discretionary elements which are desirable but offer flexibility for deviations.
116. The number, layout and arrangement of the five main building blocks, three of which would be interconnected, and which are arranged around a public square and a podium level roof garden, remains unaltered from the approved development. The five main building blocks would range in height and provide a high level of enclosure to the external spaces and a strong articulation to the surrounding built form and spaces within the centre of West Byfleet. The main square would form a significant new public space central to the District Centre whilst the roof gardens and podiums (Blocks B and C) would be allocated for private residential amenity.

### Parameter Plans

117. As with the approved development parameter plans set the limits of horizontal deviation for each of the buildings proposed, setting out the minimum dimensions of distances between buildings, and the size of open spaces, including the public square and communal amenity spaces. The limits of horizontal deviation allow for flexibility regarding the extent of each plot of development, architectural expression, and the need to cater for end user requirements through the refinement of proposals as part of the detailed design stage and submission of reserved matters application(s) and have been defined through the consideration of urban design principles within the site, the relationship of the proposed development with adjacent buildings and the need to create suitable pedestrian permeability through the site.
118. The proposed revisions to the approved, extant Parameter Plans are summarised in the 'Proposed Development' section towards the beginning of this report.

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### *Block B*

119. The most significant physical revision sought is the re-configuration of Block B, above podium level, from the approved broadly 'C' shape to more of an 'H' shape, through relocating the linking element between blocks B1 and B2 away from the north-eastern boundary (with Globe House and Magna West) towards the south-western boundary (with Station Approach), thus creating two podium gardens on either side, as opposed to the approved singular podium garden - presenting to Station Approach. A minimum set back of 9.0m from the edge of the podium along the north-eastern boundary (with Globe House and Magna West) is proposed. This relocated linking element will not exceed the approved vertical heights parameter but would sit outside of the approved horizontal parameter.
120. It is clear that the proposed revision to the massing of Block B, whilst bringing the relocated central, linking element in question closer to the Station Approach frontage, would nonetheless retain a relatively significant level of set-back from this frontage, thereby preserving the original design intent to present a lower 'podium' height to this section of the Station Approach frontage. Furthermore the taller elements of Block B, situated to either side of the relocated central, linking element in question, would remain unaltered in their approved maximum vertical height parameters, therefore largely screening the relocated central, linking element from wider views, notwithstanding that the relocation of this central, linking element is not considered harmful in design and character terms.
121. It is also noted that, taking into account the overall width of Station Approach, and therefore the achievable angle of view of pedestrians from ground level, the relocation of this central, linking element is unlikely to be significantly more perceptible in views from ground level along Station Approach than the approved development.
122. The massing of the top floor of Block B2 is proposed to be increased horizontally to the north-east to enable the stair and lift core to extend to this floor; further massing is therefore proposed to link the core to the top floor element which fronts Station Approach; this increased massing would not exceed the approved maximum height parameter of the tallest element of Block B (that element on the corner of Station Approach and the new public square). Also this increased mass is shown as being recessed from the lower floors on each side; 2.0m minimum from the south-eastern elevation (fronting the new public square) and 5.0m minimum from the north-western elevation (facing into Block B) and is shown not to extend any further to the north-east beyond the north-eastern elevation of the (relocated) linking element of Block B. Given the recessing of this increased massing from the south-eastern and north-western elevations, and that it would not exceed the approved maximum height parameter of the adjacent element of Block B2, the design and character implications would not be significant. Precise massing and architectural design would be considered at reserved matters stage within the requirements of the control documents.
123. The recess to the elevation of Block B1, at the corner of Station Approach and Madeira Road, at fifth floor level is proposed at 3.5m, in comparison to the approved 4.0m, in order to suit structural stacking requirements of floors below. Whilst the recess would be 500mm less than approved the retained 3.5m

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recess is nonetheless considered sufficient so as to not dilute the original design intent of stepping this corner of Block B1 down, and setting this taller element back.

124. An upper ground floor is proposed within Block B, thus increasing the number of storeys by one floor. The insertion of the upper ground floor is proposed to be achieved by reducing the floor to ceiling heights of the ground floor from 5.5m to 3.9m (minimum) along Station Approach and Madeira Road and by maintaining a lower finished floor level (at lower ground) rather than ramping up from Madeira Road. However it must be noted that the height of the podium garden would remain the same as the approved AOD (i.e. Maximum AOD of +32.800 and Minimum AOD of +30.800) and that the top floors of Block B would also remain at the approved maximum height AODs; thus there would be no increase in the approved maximum height of the building envelope. How the additional storey would express externally would be considered at reserved matters stage within the requirements of the control documents.

### *Block A*

125. The massing on the top floor of Block A is proposed to be increased in two places although in both locations the massing would sit below the approved maximum building height (i.e. AOD). At eighth and seventh floors a portion of massing is proposed to extend horizontally, to a maximum of 9.0m to the north-east, from the outer edge of the element of top floor located at the corner of Station Approach and Old Woking Road. This increased massing would remain recessed from both the elevation fronting the new public square, and that fronting Old Woking Road, by a minimum of 2.0m and a maximum of 4.0m. Towards the north-eastern 'tip' of Block A it is also proposed to extend the core upwards by one floor to provide necessary fire escape from an area proposed as roof terrace (to be considered at reserved matters stage). The maximum width of this increased element of massing would be 14.0m and it would recess back from the elevation fronting the new public square by a minimum of 2.0m, and a maximum of 4.0m. Given the recessing of these increased elements of massing from the elevations fronting the new public square and Old Woking Road, and that they would not exceed the approved maximum height parameter of Block A, the design and character implications would not be significant. Precise massing and architectural design would be considered at reserved matters stage within the requirements of the control documents.
126. An increase of one storey (to eight storeys) is proposed at the south-western end of Block A (at the corner of Station Approach and Old Woking Road) although remains below the approved maximum height parameter and is achieved by reducing the floor to floor heights at ground and top floor as allowed in the approved parameter plans. How the additional storey would express externally would be considered at reserved matters stage within the requirements of the control documents. Within Block A an additional element of seven storeys is shown to accommodate the vertical extension to the core towards the north-eastern 'tip' of the block. A greater area of top floor (which is now proposed at eight storeys) is shown as previously described.

### *Block C*

127. As with Blocks A and B an increase of one storey (to six storeys) is proposed towards the north-western end of the block although remains below the

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approved maximum height parameter and is achieved by reducing floor to floor heights. How the additional storey would express externally would be considered at reserved matters stage within the requirements of the control documents. The lower 'podium' element of Block C remains very largely at a single storey, except as discussed below, and wholly within the approved minimum and maximum height parameters. A single storey element is proposed on top of the lower 'podium' element of Block C, being located at minimum of 6.0m from the boundary with the adjoining property Magna West. This single storey element would be set well away from the sides of this lower 'podium' and thus would not give rise to significant design and character implications, likely being largely unappreciable from ground level. Precise massing and architectural design of this element would be considered at reserved matters stage within the requirements of the control documents.

128. Overall the amendments sought to the approved massing are largely isolated, recessed back from the predominant relevant elevations and do not exceed the approved maximum vertical heights parameters of the relevant blocks. It is considered, subject to detailed assessment of precise massing and architectural design at reserved matters stage and within the requirements of the control documents, that the amendments to massing would not result in character harm over and above the approved development. Whilst the provision of an additional storey would increase the perceived height of the blocks this additional storey would be contained within the approved maximum vertical height parameters (i.e. would not extend above the approved maximum heights of the relevant block) and the manner in which the additional storey would express externally would be considered at reserved matters stage within the requirements of the control documents.

### **Impact upon built heritage**

#### *Background*

129. The site is located adjacent to both the Station Approach Conservation Area and the Byfleet Corner/Rosemount Parade Conservation Area and is also located within close proximity to the Grade II Statutory Listed Church of St John the Baptist.

130. Section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990 states that:

*in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall 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*

131. Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990 states that:

*in the exercise, with respect to any buildings or other land in a conservation area, of any functions under or by virtue of any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area*

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132. The Glossary to the NPPF provides a number of definitions with regard to assessing the impact upon heritage assets:

*Heritage asset: A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. It includes designated heritage assets and assets identified by the local planning authority (including local listing);*

*Setting of heritage asset: The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surrounding evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral; and*

*Significance (for heritage policy): The value of a heritage asset to this and future generations because of its heritage interest. The interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting. For World Heritage Sites, the cultural value described within each site's Statement of Outstanding Universal Value forms part of its significance"*

133. It is one of the core principles of the NPPF that heritage assets should be conserved in a manner appropriate to their significance. Chapter 16 of the NPPF, at paragraph 190, sets out that local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal. Paragraphs 193-202 of the NPPF set out the framework for decision making in planning applications relating to heritage assets and this application takes account of the relevant considerations in these paragraphs.
134. Paragraph 197 of the NPPF states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application and that "*in weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset*".
135. In terms of heritage impacts it is the degree of harm, rather than the scale of development which must be assessed. Harm may arise from works to the asset itself or from development within its setting. The application proposes no works to heritage assets and therefore the only heritage harm that may potentially arise would be as a consequence of development within the setting of the nearby heritage assets, which comprise two Conservation Areas, including the Locally Listed buildings within, and a Grade II Listed building.
136. The impact upon heritage assets of the approved maximum parameters were comprehensively assessed under the approved development. Having regard to the existence of the approved planning permission, which remains extant, it is

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necessary to consider only the changes sought under this section 73 application in terms of impact upon the settings of built heritage assets.

### *Conservation Areas (CA)*

137. West Byfleet did not exist until the construction of the railway station in 1887. The area was originally developed for high quality housing, but many properties were shortly redeveloped to provide shops and commercial premises during the early Edwardian period. Both Conservation Areas comprise a mixture of uses with mainly retail uses on the ground floor with office or residential use above.
138. Historically, the site and the land between it and the railway station was a possible recreation ground called Lavender Park which was later developed as the Station Approach Shopping Parade and some four larger villas by the start of the First World War. Some of the villas were redeveloped in the 1960s with the Sheer House office block, shopping parades, library and car park.
139. The Byfleet Corner/Rosemount Parade Conservation Area is located along the main Old Woking Road through West Byfleet. The Byfleet Corner Parade dates from the late 19th Century and is a good example of the late Victorian period which has largely survived intact. The Rosemount Parade, which was so named because it was built on the grounds of 'Rosemount House' is from 1907 and later. W.G Tarrant of Byfleet was involved in the earlier parts of this development. The parade was originally tree lined.
140. The Station Approach Conservation Area is located within the centre of West Byfleet in front of the railway station. It was constructed prior to World War I and was also designed by W.G Tarrant. Both parades of shops have a strong 'Arts & Crafts' influence with a high standard of architectural design. The Station Approach parade in particular contains many original interesting features and detailed elements such as the colonnade along the western frontage. Many shops still retain their original Edwardian shop fronts.
141. The simple street pattern of the Byfleet Corner/Rosemount Parade CA is largely formed by the continuous retail frontages of the Rosemount Parade & Byfleet Corner Shopping Parades which follow the Old Woking Road together with St. John The Baptists Church, which stands in isolation at the junction of Parvis Road and Camphill Road. The purpose built parades generally demonstrate regular narrow shop frontage widths of about 6 metres. However, the buildings at the end of the parades have frontages up to 17 metres. Building frontages are largely continuous and directly abut the pavement. A parade of buildings along Rosemount Parade; No.23 and Nos.29 - 75 are all Locally Listed and make an important contribution to the character of the CA.
142. The Station Approach CA comprises the street block formed by part of Madeira Road and the curved section of Station Approach, which forms a horse shoe shape, together with Nos.49 - 57 Station Approach which are also included within the CA. Shop frontages are narrow with widths at about 5 - 7 metres and the buildings form one continuous frontage which directly abuts the pavement. The Locally Listed parade of buildings along Station Approach, comprising of Nos.15 - 39, make an important contribution to the character of the CA.
143. The most significant landmark within the Byfleet Corner/Rosemount Parade CA is St John the Baptists Church which forms an important view from Byfleet



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Corner. The large gable on the bank at the junction with Pyrford Road forms a secondary landmark. The predominant building form in both CAs is that of purpose built shopping parades with continuous building frontages. These are generally 2½ to 3 stories under a steep pitched roof, with individual shop units at the ground floor and accommodation to upper floors (originally intended for residential use, many are now in office use). Although the parades were constructed as a single development, they were specifically designed in an 'Arts and Crafts' style to have the appearance of a collection of individual cottage scale buildings.

144. Buildings are constructed from red/orange facing bricks, some are white painted rough cast render all over or just at the second floor. Certain gable ends use eclectic timber frames painted black with rendered infills with tile hanging also commonly used on gable ends. Both CAs are predominately in retail and commercial use with residential and office use above.
145. The pavements within the CAs are generally wide at between 3 - 5 metres with frontages directly joining the pavement without any intervening boundary. Both CAs are urban in character. Whilst within the Byfleet Corner/Rosemount Parade CA the St John the Baptists Church forms a significant area of open space all around the church there are no areas of open space within the Station Approach CA.
146. Both CA's are surrounded by built up areas. The existing complex on the site is a large incongruous 1960s development between both CAs which impacts upon the whole area and, together with Waitrose car park, forms a large void within the West Byfleet District Centre. Adjacent to the Station Approach CA there is unsympathetic architecture from the early 1980's.
147. The site and the properties to the east (Magna West and Globe House) form a group of later buildings on the north side of Old Woking Road, and south side of Madeira Road, which are excluded from both Conservation Areas. By reason of their larger scale and footprint, looser layout and appearance, the group is clearly distinguishable from the older Conservation Area buildings. The broad setting for this part of both Conservation Areas therefore, comprises predominantly modern, fairly large scale, urban development. To an extent, it helps to define the historic area and shows the continued evolution of the West Byfleet District Centre, but otherwise makes a very limited contribution to the significance of the heritage assets.
148. With regard to the site specifically, the mixed use Sheer House development includes a collection of interconnecting concrete buildings and structures comprising 18 retail units in two parades, five floors of offices rising up from these parades (forming a maximum height of seven storeys) and a raised parking deck for circa 75 cars. A further area of surface car parking is located around the circular form library. The limited articulation in the form of the existing buildings, its brutalist appearance and the raised decking are not sympathetic and, overall, are considered to have a negative impact upon the setting of both Conservation Areas.
149. In granting outline planning permission for the approved development it was noted that the approved development would be predominantly five and six storeys in height, stepping up to seven storeys at the corner of Old Woking Road and Station Approach and stepping down to four storeys at the corner of

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Madeira Road and Station Approach, as such, being significantly larger in scale than the built form being replaced or any other buildings on the south side of Old Woking Road or north side of Madeira Road. It was also noted that the part of Block B nearest to the Station Approach CA boundary to the north would be approximately 9.0m taller than the existing building at this point and that the height of Block B would also increase more steeply across its Madeira Road elevation. It was also noted that Block A would incur within closer proximity to the Rosemount Parade/Byfleet Corner CA than the existing Sheer House built form and would represent a significant increase in height at this point.

150. However, in granting outline planning permission for the approved development, it was considered that the mass of the proposed buildings, through application of the parameter plans and design code at reserved matters stage, would be capable of being well articulated and predominantly constructed in brick as opposed to the existing concrete, that steps in the roof height would also assist in reducing the perceived mass of the buildings and elevation detailing would be capable of creating rhythm and interest which would help to break down the visual bulk of the buildings. It was considered that the appearance of the proposed buildings, if not their scale and height, would represent a considerable improvement compared with the existing buildings.
151. In granting outline planning permission for the approved development it was not considered that the proposed development would interrupt views into either the Station Approach or Rosemount Parade/Byfleet Corner Conservation Areas, so as to obscure the definition of the historic fabric, because the broad setting of these two Conservation Areas makes a limited contribution to the significance of these heritage assets. Nevertheless, given its greater height and scale, the contrast with the buildings within the Conservation Areas was noted to be amplified.
152. In granting outline planning permission for the approved development it was noted that the existing site is prominent in views out of the Rosemount Parade/Byfleet Corner Conservation Area from the footway along the southern side of Old Woking Road although that only oblique views, or views from within vehicles travelling along Old Woking Road, enable the site and the Rosemount Parade/Byfleet Corner Conservation Area to be viewed together; beyond defining its extent, such views do little to reveal the significance of the heritage asset. It was noted that the increased height and scale, and closer proximity of the new buildings, particularly Block A, would intensify the contrast between new and old and it would be a more striking presence in views from Old Woking Road and Pyrford Road although this would be offset, to a degree, by the improved appearance of the new buildings, the restoration of active street frontages, traditional pavement tree planting and would be seen in the context of the broad and highly engineered character of this section of Old Woking Road.
153. In granting outline planning permission for the approved development it was also noted that the site is prominent in views out of the Station Approach Conservation Area, particularly looking south along Station Approach towards Old Woking Road, in which the site and the CA are able to be viewed together; beyond defining its extent however they do little to reveal the significance of the heritage asset. It was noted that the increased height and scale, and closer proximity of the new buildings, particularly Block B, would intensify the contrast

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between new and old and it would be a more striking presence in views from Station Approach and Madeira Road although this would be offset, to a degree, by the improved appearance of the new buildings, traditional pavement tree planting along Station Approach, the reintroduction of a perimeter block and establishment of a strong building line along Station Approach.

154. Overall, in granting outline planning permission for the approved development, it was considered that the approved development would not introduce modern development into a view where none existed previously and the approved development was considered to cause less than substantial harm to the significance of the heritage assets of both the Station Approach and Rosemount Parade/Byfleet Corner Conservation Areas as a result of the amplified contrast in scale and mass with the buildings in these Conservation Areas, and as a consequence of the height and spread of development across the site, particularly along the Old Woking Road and Madeira Road frontages. As such, the approved development led to a degree of conflict with the built heritage policies of the Development Plan and provisions of the NPPF. Whilst the degree of harm was considered to be less than substantial, great weight was attached to the conservation of designated heritage assets and that harm was weighed against the public benefits of the extant proposal, which were considered to outweigh the harm identified.

### *Church of St John the Baptist*

155. The Church of St John the Baptist is Grade II Listed (first listed in 1984) and dates from 1910 by W.D Caroe. The Church is constructed in knapped flint with random stone blocks and stone dressings below a plain tiled roof with a wood shingled bell turret and spire to the west end. The church adopts a cruciform plan and a twentieth century vestry/church hall exists to the north-east corner. The Church forms a key focal point in views looking east down Old Woking Road and as an important wider local landmark within West Byfleet. Some of the significance of the Church of St John the Baptist is derived from its spacious and relatively isolated setting, and its visual dominance as the most important landmark, which largely persists today as a result of the open and low rise development on the southern edge (Old Woking Road) of the site.
156. In granting outline planning permission for the approved development it was considered that, whilst 'framing' the view of St John the Baptist Church between Block A and the opposing built form on the southern side of Old Woking Road when approaching from the west, the height and massing of Block A would nonetheless be visually dominant in this view. It was also considered that, although views of the Church itself, and the silhouette of its spire, would not be obscured from this view, the height and massing of Block A would nonetheless compete with the Church within this view. Whilst the existing surface car park and circular form library on the site are identified as later additions to the setting of St John the Baptist Church, the proposed development, particularly Block A, was identified to enclose the more distant open and spacious views of the Church achieved from the west. However it was also considered, as the Church is approached at a closer distance from the west, that the immediate setting of this listed building would be preserved and, because the open space to its front and sides would be retained, the harm to the setting in views from the west would be less than substantial.
157. In granting outline planning permission for the approved development, and

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even though the harm identified was less than substantial, it was considered that the approved development would fail to preserve the setting of the Grade II Listed Building of St John the Baptist Church. This harm was afforded considerable importance and weight. Nonetheless, when weighed against the public benefits of the approved development, this harm was considered to outweigh the harm identified. In concluding on the potential effect on the significance of nearby heritage assets, it must be borne in mind that setting itself is not a heritage asset, nor is it a heritage designation, rather it is what it contributes to an asset's significance, or the ability to appreciate that significance, which is of importance.

### *Block B*

158. The most significant physical revision sought is the re-configuration of Block B, above podium level, from the approved broadly 'C' shape to more of an 'H' shape, through relocating the linking element between blocks B1 and B2 away from the north-eastern boundary (with Globe House and Magna West) towards the south-western boundary (with Station Approach), thus creating two podium gardens on either side, as opposed to the approved singular podium garden - presenting to Station Approach. A minimum set back of 9.0m from the edge of the podium along the north-eastern boundary (with Globe House and Magna West) is proposed. This relocated linking element will not exceed the approved vertical heights parameter but would sit outside of the approved horizontal parameter.
159. It is clear that the proposed revision to the massing of Block B, whilst bringing the relocated central, linking element in question closer to the Station Approach frontage, would nonetheless retain a relatively significant level of set-back from this frontage, thereby preserving the original design intent to present a lower 'podium' height to this section of the Station Approach frontage. Furthermore the taller elements of Block B, situated to either side of the relocated central, linking element in question, would remain unaltered in their approved maximum vertical height parameters, therefore largely screening the relocated central, linking element from wider views, notwithstanding that the relocation of this central, linking element is not considered harmful in design and character terms.
160. Given the screening afforded by the taller elements of Block B, which would remain unaltered in their approved maximum vertical height parameters, there would be no material implications, over and above the approved development, upon the setting of the adjacent Station Approach Conservation Area and the locally listed buildings contained within.
161. The massing of the top floor of Block B2 is proposed to be increased horizontally to the north-east to enable the stair and lift core to extend to this floor; further massing is therefore proposed to link the core to the top floor element which fronts Station Approach; this increased massing would not exceed the approved maximum height parameter of the tallest element of Block B (that element on the corner of Station Approach and the new public square). Also this increased mass is shown as being recessed from the lower floors on each side; 2.0m minimum from the south-eastern elevation (fronting the new public square) and 5.0m minimum from the north-western elevation (facing into Block B) and is shown not to extend any further to the north-east beyond the north-eastern elevation of the (relocated) linking element of Block B. Given the

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recessing of this increased massing from the south-eastern and north-western elevations, and that it would not exceed the approved maximum height parameter of the adjacent element of Block B2, together with the visual and spatial separation of this element from the nearby Conservation Areas and St John the Baptists Church, it is not considered that this revision would cause any harm to the settings of designated heritage assets over and above the approved development.

162. The recess to the elevation of Block B1, at the corner of Station Approach and Madeira Road, at fifth floor level is proposed at 3.5m, in comparison to the approved 4.0m, in order to suit structural stacking requirements of floors below. Whilst the recess would be 500mm less than approved the retained 3.5m recess is nonetheless considered sufficient so as to not dilute the original design intent of stepping this corner of Block B1 down, and setting this taller element back where close to the Station Approach Conservation Area, thus causing no harm to the setting of this designated heritage asset over and above the approved development.

### *Block A*

163. The massing on the top floor of Block A is proposed to be increased in two places although in both locations the massing would sit below the approved maximum building height (i.e. AOD). At eighth and seventh floors a portion of massing is proposed to extend horizontally, to a maximum of 9.0m to the north-east, from the outer edge of the element of top floor located at the corner of Station Approach and Old Woking Road. This increased massing would remain recessed from both the elevation fronting the new public square, and that fronting Old Woking Road, by a minimum of 2.0m and a maximum of 4.0m. Towards the north-eastern 'tip' of Block A it is also proposed to extend the core upwards by one floor to provide necessary fire escape from an area proposed as roof terrace (to be considered at reserved matters stage). The maximum width of this increased element of massing would be 14.0m and it would recess back from the elevation fronting the new public square by a minimum of 2.0m, and a maximum of 4.0m. Given the recessing of these increased elements of massing from the elevation fronting Old Woking Road, and that they would not exceed the approved maximum height parameter of Block A, it is not considered that these revisions would cause any harm to the settings of designated heritage assets, in particular the Rosemount Parade/Byfleet Corner CA and St John the Baptist Church over and above that caused by the approved development.

### *Block C*

164. A single storey element is proposed on top of the lower 'podium' element of Block C, being located at minimum of 6.0m from the boundary with the adjoining property Magna West. This single storey element would be set well away from the sides of this lower 'podium', and be screened from surrounding built heritage assets by existing built development and by the buildings proposed themselves. Taking into account these factors this revision is not considered to impact upon the setting of nearby built heritage assets.

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### *Increased storey heights*

165. It is proposed to increase the number of storeys by one to all building blocks; this has been achieved without increasing the approved maximum height of the relevant building envelopes through the reduction of floor to ceiling heights at certain levels (for example to provide an upper ground floor level within Block B). It must be noted that there would be no increase in the approved maximum height of the building envelopes however the additional storey would likely manifest externally (the manner of which to be considered at reserved matters stage and in line with the control documents) and thus result in an increased perception of height. In respect of the settings of nearby built heritage assets this increased perception of height would be most readily apparent along the elevation of Block A fronting Old Woking Road, and those elevations of Block A 'turning the corner' into Station Approach and Lavender Park Road; in this regard there would be an additional, albeit relatively minor impact in comparison to the approved development, upon the settings of the Byfleet Corner and Rosemount Parade CA, and upon the setting of St John the Baptist Church. The increased perception of height would also be most readily apparent, in context with the Station Approach CA, along the elevation of Block B fronting Madeira Road, and that elevation of Block B 'turning the corner' into Station Approach.
166. As previously set out, in granting outline planning permission for the approved development, it was considered that the approved development would cause less than substantial harm to the significance of nearby designated built heritage assets, including the Station Approach and Rosemount Parade/Byfleet Corner CAs and St John the Baptist Church. As such, the approved development led to a degree of conflict with the built heritage policies of the Development Plan and provisions of the NPPF.
167. Within a 2019 appeal decision, on an unrelated site outside of the Borough, (Ref: APP/P0119/W/17/3189592) an Inspector stated that "*whilst at times the exercise of identifying the degree of harm within the category of less than substantial harm can appear like trying to count how many angels can dance on the head of a pin, it does have value when applying the statutory duty and Framework paragraphs 193, 194 and 196*".
168. The provision of an additional storey to all blocks, albeit within the approved maximum heights of the building envelopes, would slightly increase, by reason of an increased perception of height, the level of harm to the setting of nearby built heritage assets over and above that of the approved development however it is considered that the amended proposed development would still result in less than substantial harm, albeit slightly more elevated in that scale, to the significance of the designated heritage assets of nearby designated built heritage assets, including the Station Approach and Rosemount Parade/Byfleet Corner CAs and St John the Baptist Church.
169. This less than substantial harm should nonetheless be afforded great weight in line with Paragraph 193 of the NPPF, although should be weighed against the public benefits of the proposal, including the benefit of providing housing, in line with Paragraph 196 of the NPPF. The public benefits of the amended proposed development, key in which is the provision of a new public square, the provision of housing within a very sustainable location, provision of new retail units and much improved pedestrian environment to the site, which forms a large and

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centrally located site within West Byfleet District Centre (second only to Woking Town Centre in the hierarchy of centres within the Borough) remain very much as per the approved development. To all of the benefits of the amended proposed development, it is considered that more than considerable weight should be afforded. They represent public benefits as referred to within Paragraph 196 of the NPPF, which in the circumstances of this application, are considered to significantly and demonstrably outweigh the considerable weight and importance that is attached to the less than substantial heritage harm identified.

170. As with the approved development consideration has also been given to the listed buildings at Broadoaks, the Old Avenue Conservation Area, the Woodlands Avenue Conservation Area and the Basingstoke Canal Conservation Area. Due to combined factors of distance and visual divorcement from the site as a consequence of intervening built development, infrastructure and tree cover, the site is not considered to form part of the setting of any of these designated heritage assets, nor contribute towards their significance and it is concluded that their characters will be preserved.
171. As with the approved development whilst the amended proposed development would be appreciable from the Birchwood Road Conservation Area to the north, the maximum height of the amended proposed development would remain as per the approved development on the site in this view, and would only be seen in context with the intervening West Byfleet railway station, whereby the impact is considered to be neutral, that the amended proposed development would preserve the setting of the Birchwood Road Conservation Area.

### **Arboriculture and landscaping**

172. Policy DM2 of the Development Management Policies DPD (2016) states that development proposals should allow for the retention of the best tree specimens, should not result in the loss of trees or groups of trees of significant amenity value and that trees to be retained will be required to be adequately protected to avoid damage during construction. Policy CS21 of the Woking Core Strategy (2012) also requires the retention of any trees of amenity value.

173. Policy OS3 (Trees and Hedges) of the WBNDP sets out that:

*Development proposals should retain mature trees wherever possible and the proposed removal of any trees or hedges should be justified. Where a development proposal seeks to justify the removal of a tree or a hedge, it should demonstrate appropriate replacement with a similar variety within the development site to provide the best mitigation of impact on local character and the natural environment. This is a particularly important requirement where trees are removed and replacements need to be located to maintain the integrity of wildlife corridors.*

174. The application has been submitted with an Addendum to the Arboricultural Impacts Assessment (dated 10 September 2020) together with the Arboricultural Impacts Assessment (AIA) (dated 24 August 2016) which was submitted as part of the approved development. The Addendum to the Arboricultural Impacts Assessment sets out that though there are minor changes from the layout on which the original Arboricultural Impacts

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Assessment was based the impact will be identical to the approved development in that all the on-site trees will require removal with no off-site trees impacted. It is noted that the original tree survey took place in 2016 and is thus now over four years old, such that there is potential for the tree survey information to be of reduced relevance. However, as set out in the Addendum to the Arboricultural Impacts Assessment there is no value in updating the tree survey as this would not alter tree removal or retention within the site and any change in the condition of off-site trees would not be of any relevance given off-site trees would not be impacted. It is clear therefore that there are no arboriculture impacts over and above those of the approved development. The Arboricultural Officer raises no objection on this basis.

175. As the case with the approved development new tree planting is required within the Design Code. Whilst the ability for new tree planting to provide long-term compensation for all proposed tree removal would be dependent upon species selection, planting location and subsequent aftercare, subject to due consideration being afforded to these factors, and in particular if species selection increases local diversity, ultimately the development has potential to deliver a tree stock of enhanced resilience and local significance than is currently present.
176. In granting outline planning permission for the approved development the existing trees on the site were not deemed of significant enough value to constrain the layout of the approved development and the potential retention of existing trees was considered to compromise the approved development both in terms of urban design and the provision of a good quality public square. As with the approved development new tree planting would be capable of mitigating the loss of trees in the medium to long term. Detailed landscaping would be considered at reserved matters stage.

### **Impact upon existing residential amenity**

177. Policy CS21 of the Woking Core Strategy (2012) states that proposals for new development should achieve a satisfactory relationship to adjoining properties, avoiding significant harmful impact in terms of loss of privacy, light, or an overbearing effect due to bulk, proximity or outlook. Further, more detailed guidance is provided within SPDs Outlook, Amenity, Privacy and Daylight (2008) and Design (2015).
178. The neighbouring amenity impacts of the approved maximum parameters were comprehensively assessed under the approved planning application. Whilst additional storeys are proposed these do not exceed the approved maximum height parameters such that their provision would not have implications for potential loss of daylight, sunlight or overbearing effect over and above the approved development. Any potential privacy implications will be considered later in this report. Having regard to the existence of the approved development it is necessary to consider only the effect of the changes sought under this application in neighbouring amenity terms.
179. The proposed re-configuration of Block B, above podium level, from the approved, extant broadly 'C' shape to more of an 'H' shape, through relocating the linking element between blocks B1 and B2 away from the north-eastern boundary (with Globe House and Magna West) towards the south-western boundary (with Station Approach) would result in the element of Block B closest



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to the common boundaries with Globe House and Magna West reducing from the approved maximum height parameter of +39.375 AOD to +32.800 AOD. This would have clear benefits to those apartments contained within Globe House and Magna West in respect of reducing potential loss of daylight and sunlight, and overbearing effects, in comparison to the approved development.

180. Whilst the podium element of Block B, which would remain adjacent to the common boundaries with Globe House and Magna West, would be two storeys, as opposed to the approved single storey, its maximum height (where closest to the common boundaries) would be reduced and the vast proportion of the lower ground and upper ground levels below the podium would contain car and cycle parking, thus presenting no overlooking concerns towards the rear of Globe House and Magna West. Whilst part of the upper ground level of Block B would contain extra care residential (fronting Madeira Road) the primary outlook of these units would be across Madeira Road. The (relocated) linking element between blocks B1 and B2 would be a minimum of 9.0m from the north-eastern edge of the podium and maintain the minimum and maximum height parameters of the approved linking element, which would have been located closer to these common boundaries. For these reasons it is clear that the amended proposed development represents an improvement in respect of the resulting relationship with apartments contained within Globe House and Magna West in comparison to the approved development.
181. Whilst the relocated linking element between Blocks B1 and B2 would move closer to the Station Approach frontage it would nonetheless retain a relatively significant level of set-back from this frontage, 'across the street' from which are located only non-residential uses. The single storey element atop the podium level of Block C would be situated a minimum of 6.0m away from that elevation of the podium closest to the common boundary with adjacent Magna West. Given the single storey height of this element (above podium level), combined with its set-back from the respective elevation, this element would not give rise to significantly harmful impact upon apartments within Magna West although its precise scale and appearance would be considered at reserved matters stage.
182. The massing of the top floor of Block B2 is proposed to be increased horizontally to the north-east to enable the stair and lift core to extend to this floor; further massing is therefore proposed to link the core to the top floor element which fronts Station Approach; this increased massing would not exceed the approved maximum height parameter of the tallest element of Block B (that element on the corner of Station Approach and the new public square), would be recessed from the lower floors on each side, including by 2.0m minimum from the south-eastern elevation (fronting the new public square) and 5.0m minimum from the north-western elevation (facing into Block B) and is shown not to extend any further to the north-east beyond the north-eastern elevation of the (relocated) linking element of Block B. Taking into account these combined factors, together with the significant separation distances, and screening afforded by intervening Blocks A and C, this proposed revision is not considered to give rise to significantly harmful impact, by reason of potential loss of daylight, sunlight or overbearing effect, to existing nearby residential uses.
183. Whilst the recess to the elevation of Block B1, at the corner of Station Approach and Madeira Road, at fifth floor level is proposed to be reduced to 3.5m, in comparison to the approved 4.0m, this 500mm reduction is minor and

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would not give rise to significantly harmful neighbouring amenity implications in comparison to the approved development by reason of potential loss of daylight, sunlight or overbearing effect to nearby residential uses, which are situated at upper floor levels within properties on the opposite side of Madeira Road.

184. The massing on the top floor of Block A is proposed to be increased in two places although in both locations the massing would sit below the approved maximum building height (i.e. AOD). At eighth and seventh floors a portion of massing is proposed to extend horizontally, to a maximum of 9.0m to the north-east, from the outer edge of the element of top floor located at the corner of Station Approach and Old Woking Road. However this increased massing would remain recessed from both the elevation fronting the new public square, and that fronting Old Woking Road, by a minimum of 2.0m and a maximum of 4.0m. Towards the north-eastern 'tip' of Block A it is also proposed to extend the core upwards by one floor to provide necessary fire escape from an area proposed as roof terrace (to be considered at reserved matters stage). Whilst residential uses exist at upper levels of buildings fronting the opposite (i.e. south-east) side of Old Woking Road such residential uses were tested under the approved development in respect of potential loss of daylight and sunlight. Given the retained levels of separation, the recessing back from the Old Woking Road elevation and that this increased massing would sit below the approved maximum building height, there would be no significantly harmful neighbouring amenity implications in comparison to the approved development by reason of potential loss of daylight, sunlight or overbearing effect to residential uses at upper floors in this area.
185. The provision of an additional storey to all blocks, albeit within the approved maximum heights of the building envelopes, is proposed. Windows and other openings would thus occur one storey higher than would be the case under the approved development. Whilst this is the case SPD Outlook, Amenity, Privacy and Daylight (2008) sets out, within table 1, recommended minimum separation distances for achieving privacy. With the exception of those levels below the podium element of Block B (where two storeys are now proposed as opposed to the approved one) all other elements of the approved development were at three storeys and over, with the impact upon the privacy of neighbouring and nearby residential occupiers having been considered acceptable in granting outline planning permission. SPD Outlook, Amenity, Privacy and Daylight (2008) sets recommended minimum separation distances for three and over storeys, with no greater standards stipulated above three storey level. For this reason the increased storey heights would remain compliant with the SPD and therefore give rise to no greater levels of potential overlooking or loss of privacy than the approved development.
186. Whilst amendments are also sought to enable an increased extent of residential balconies (either recessed, semi-recessed or projecting), to be provided across all elevations of all blocks with the exception of the south-east elevation of Block C, there is no in-principle objection to this, in respect of potential loss of privacy or overlooking to existing properties, for the preceding reasoning. The precise siting and design of residential balconies would be considered at reserved matters stage.

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### *Operational impacts*

187. In addition to the impact of the built development, the amended proposed development has the potential to impact upon residential amenities through operational impacts, both during construction and post completion/occupation. As was the case under the approved development, subject to detailed design at reserved matters stage, and suitable mitigation where required, the on-site operation of the uses and any fixed plant is not considered to result in any significantly harmful impacts upon existing occupiers of nearby residential properties or the proposed residential units within the development itself.
188. As for the construction phase, the amended proposed development has the potential to give rise to noise and disturbance through activities on the site including site preparation, ground works, foundation works and superstructure works. There is also potential for the amended proposed development to result in vibration disturbance to the surrounding properties from hydraulic breaking of the existing surfaces and from compaction of materials during development. The development is likely to result in construction noise being clearly audible from a number of surrounding properties and many of these are also likely to be subject to vibration. It is also noted that the scale of the development means these impacts are likely to persist for some period of time. The impacts are, however, temporary and are capable of mitigation through the submission of a Construction Environmental Management Plan. These impacts can also be controlled through the Control of Pollution legislation. As with the approved development it is therefore concluded that, whilst the proposed development would result in temporary harm to the amenities currently enjoyed by the nearby residential properties, these temporary impacts should not be a barrier to development progressing.

### *Air quality impacts*

189. Air quality impacts were considered under the approved development, including dust effects during the construction phase, and the air quality impacts during the operational phase, of the approved development. Impacts during the construction of the approved development, such as dust generation and plant vehicle emissions, were predicted to be of short duration and only relevant during the construction phase. The results of the risk assessment of construction dust impacts undertaken within the ES for the approved development, using the IAQM (Institute of Air Quality Management) dust guidance, indicated that, subject to the implementation of the highly-recommended mitigation measures described in the IAQM construction dust guidance, the residual dust effects during the construction phase should be reduced to a level categorised as “*not significant*”. Given the relatively minor nature of the changes sought in comparison to the approved development this previous assessment remains valid.
190. In terms of the operational impact of the proposed development upon the surrounding area the ES for the approved development detailed that atmospheric dispersion modelling was undertaken and that the operational impact of the proposed development upon existing receptors in the local area was predicted to be ‘negligible’, taking into account the changes in pollutant concentrations and absolute levels. Using the criteria adopted for that assessment together with professional judgement, the ES for the approved development concluded that the overall impact upon the area as a whole would

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be 'negligible'. Taking into account the reduced trip rates which the submitted Transport Statement concludes would arise from the amended proposed development (as previously set out), in comparison to the approved development, this assessment remains valid, with air quality impacts of the operation of the amended proposed development reduced in comparison to the approved development.

191. The approved development included assessment of the suitability of air quality at the site for introducing new occupants; pollutant concentrations at the facades of proposed residential receptors were predicted to be well within the relevant health-based air quality objectives. Taking into account the reduced trip rates which the submitted Transport Statement concludes would arise from the amended proposed development (as previously set out), in comparison to the approved development, this assessment remains valid, with future occupants being exposed to acceptable air quality, and the site deemed suitable for its proposed use in this respect.

### *Noise and vibration*

192. The ES submitted with the approved development concluded that, with appropriate mitigation, plant utilisation and working methods, and provided that standard control measures are implemented (through a Contractor's Construction Noise Management Plan or similar), noise generation due to construction works would result in 'minor adverse' effects and that traffic generation due to construction works would result in a 'negligible' effect. Given the relatively minor nature of the changes sought in comparison to the approved development this previous assessment remains valid, and it is further noted that the reduced extent of the basement dig is likely to result in a reduced level of vehicle movements during site works in comparison to the approved development.
193. As with the approved development mechanical and electrical plant on the development, and within all plant areas of the development, would be selected, installed, operated and maintained such as to minimise any distinct characteristics of its noise emissions, such as tonal or impulsive content. Plant would be designed such as to ensure that the resulting cumulative rating level at the nearest noise sensitive receptor does not exceed British Standard 4142:2014 '*Methods for rating and assessing industrial and commercial sound*'. This matter is capable of being controlled through a combination of scrutiny at reserved matters stage and via planning conditions.

### **Amenities of future occupiers**

194. Because the application is in outline form the final internal room/residential unit layouts of the proposed buildings are not yet known. As part of the approved development sample testing at the lower residential levels (i.e. first to third floors) at what were considered to represent 'pinch points', where daylight and sunlight availability is likely to be most restricted, was undertaken to establish the worst case daylight and sunlight levels to the proposed residential accommodation. The assessment demonstrated that good levels of daylight would be capable of being achieved, subject to detailed consideration at reserved matters stage, to proposed residential units such that a good standard of amenity would be secured to future residential occupiers. Given the relatively minor nature of the changes sought in comparison to the approved

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development this previous assessment remains valid. There would also be an opportunity at reserved matters stage to test the levels of daylight and sunlight to the proposed residential accommodation once final internal room/residential unit layouts are known.

195. The external communal residential amenity space to the podium level of Block B is proposed to be divided through the relocation of the central linking element in order to create two communal amenity spaces, as opposed to the approved singular space. These areas would remain large; that fronting Station Approach a minimum width of 34.0m and that fronting the common boundaries with Globe House and Magna West of similar width and of a minimum depth of 9.0m. These two areas would total around 1,000 sq.m to serve Block B. The amount of possible area for external communal residential amenity space at podium level is also proposed to be increased within Block C, providing circa 250 sq.m. As per the approved development Block A would benefit from an area of external communal residential amenity space at roof level, albeit this is proposed to be amended to reflect the changes to the massing at the top floor of Block A as previously set out. The external amenity area is also proposed to be extended to the north-eastern 'tip' of Block A. Block A would thus benefit from circa 500 sq.m external communal amenity space.
196. The levels of sunlight to these external communal amenity areas were assessed under the approved development and found to be acceptable. Given the relatively minor nature of the changes sought in comparison to the approved development this previous assessment remains valid although detailed design of these external communal amenity areas would be considered at reserved matters stage, with the identification of differing uses to these areas (i.e. potential open seating areas, areas for growing vegetables, covered areas etc) influenced by sunlight levels and times.
197. Amendments are also sought to enable an increased extent of residential balconies (either recessed, semi-recessed or projecting), to be provided across all elevations of all blocks with the exception of the south-east elevation of Block C. The Addendum Design and Access Statement submitted with the application states that "*the minor amendments propose the inclusion of a balcony to all dwellings which will either be an in-set design or projecting*". The precise siting and design of residential balconies would be considered at reserved matters stage. Indicative internal layouts for 1 bedroom and 2 bedroom residential units are provided within the Addendum Design and Access Statement, showing good sized units which are well laid out and providing private balconies.
198. Overall it is considered that sufficient areas of external communal and private amenity space are capable of being provided although the provision of such would be considered at reserved matters stage.

### **Thames Basin Heaths Special Protection Area (TBH SPA)**

199. The Thames Basin Heaths Special Protection Area are internationally important and designated for their interest as habitats for ground nesting birds. Policy CS8 of the Woking Core Strategy (2012) requires all new residential development within the 400m-5km zone (i.e. Zone B) to make a financial contribution towards the provision of Suitable Alternative Natural Greenspace (SANG) and the Strategic Access Management and Monitoring (SAMM) to

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avoid adverse effects.

200. Since adoption of the Community Infrastructure Levy (CIL) on 1 April 2015 the SANG element of the contribution is encompassed within CIL although the SAMM element is required to be secured outside of CIL.

201. The Thames Basin Heaths Special Protection Area Avoidance Strategy states (at paragraph 1.24) that:

*“Reflecting the precautionary principle and the need to consider the in combination effects of development, this strategy applies to proposals for 1 or more net new dwelling units falling within Use Class C3 (residential development). Also proposals for one or more net new units of staff residential accommodation falling within with Use Classes C1 and C2.”*

202. The submitted Planning Statement states (at paragraphs 3.1 and 3.2) that:

*“The amendments to the approved scheme are sought to enable the residential component of the development to be brought forward entirely in the form of an extra care retirement community, whereas in the approved scheme there was the option for a retirement community to be part of the development alongside general purpose residential development.*

*An extra care retirement community provides accommodation and care to older people, enabling them to live as independently as possible supported by extensive shared facilities and amenities. Unlike in a care home, residents lease or rent their own apartment which is fully self-contained. The extensive care, support and other services and amenities are far in excess of what is provided in sheltered housing or retirement housing, meaning that people are more actively supported to live healthy and engaged lives.”*

203. The Operator Statement appended to the submitted Planning Statement states that:

*“RVG’s retirement communities almost all fall within Use Class C2 (as assessed by the relevant local planning authority at the time consent was granted) and this is the case for all recent proposals for which planning consent has been sought. They provide accommodation and care to people in need of care and function as single planning units where extensive communal facilities providing amenity and service as well as care to residents are intrinsic to the whole. Each unit of accommodation within the development is inextricably linked to the communal facilities and to each other. The classification of RVG’s developments has been confirmed without exception by several appeal inspectors over recent years.”*

204. Whilst the application is in outline, and residential unit layouts would be considered at reserved matters stage, it is nonetheless clear from the submitted Planning Statement, and the indicative typical unit layouts contained within the Addendum Design and Access Statement, that each residential unit would be fully self-contained. As individual elements it would not be unreasonable to consider each of the separate units of accommodation as

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dwellings; they would have the form, function and facilities associated with a dwelling. However the residential component of the development proposed would comprise more than the provision of individual units, but rather the collection of a number of units, the occupation of which would be subject to restrictions (secured through S106 Legal Agreement) in terms of age (i.e. the primary resident of each C2 unit would be 60+ years), necessity for health assessment, and a requirement for a minimum of a basic care package including minimum hours of personal care per week. Occupiers would also have access to communal facilities, and there would be a staffed reception / management suite and office to provide day to day assistance for residents of the C2 units and to coordinate and organise the provision of personal care; including liaison with the care agency (which would be registered with the Care Quality Commission); again secured through S106 Legal Agreement.

205. For this reasoning the residential component of the proposed development is considered to fall within Use Class C2; that is a residential institution in the context of the Use Classes Order. It would not include any permanent residential staff accommodation (again precluded through S106 Legal Agreement) and thus no SAMM contribution would be required.

### **Biodiversity and protected species**

206. The NPPF states that the planning system should contribute to and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible. Circular 06/05 - Biodiversity and Geological Conservation also requires the impact of a development on protected species to be established before planning permission is granted and in relation to habitat types of principal importance to assess the impact of development upon these as part of the planning application process; this approach is reflected within Policy CS7 of the Woking Core Strategy (2012).
207. The application has been submitted with an Ecological Appraisal dated September 2020. Whilst the approved development was submitted with an Ecological Appraisal and bat emergence surveys, these were completed in 2016 such that it was necessary for these to be updated due to the passage of time. The Ecological Appraisal sets out that an updated Phase 1 Habitat Survey was undertaken in August 2020 which identified that the site consists of buildings and hardstanding with some broadleaved trees and introduced scrub which was considered to be of limited ecological value and had limited potential to support any protected or notable habitats or species. The Ecological Appraisal identifies that building ledges and flat roofs, and the trees on site, offer some potential suitable habitat for nesting birds, providing mitigation measures in this respect (i.e. clearance/demolition outside of the bird nesting season – that is, undertaken between October and mid-February).
208. The Ecological Appraisal identifies that a bat dusk emergence survey was carried out in August 2020 and that no bat roosts were identified during the bat emergence survey undertaken on the two buildings on site identified as having low bat roost potential, and that no bats were recorded commuting or foraging within the site during the bat survey. The Ecological Appraisal identifies that none of the trees on site have potential roost features which could support roosting bats.
209. The Ecological Appraisal recommends that all new tree and scrub planting on

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site is native and/or wildlife friendly, where possible and that bird boxes should be installed on retained trees or buildings on site to enhance nesting sites for bird species. Measures for the enhancement of biodiversity would be considered at reserved matters stage and the landscape and public realm strategy, which remains very largely as per the approved development, presents an opportunity to enhance the biodiversity and habitat value of the site by providing tree, shrub and herbaceous planting including good species diversity and plants for pollinators and to connect into the wider green infrastructure of the area.

210. Overall, as was the case with the approved development, the amended proposed development would result in the loss of no existing biodiversity assets, and would provide opportunity to enhance biodiversity in accordance with Policy CS7 of the Woking Core Strategy (2012) and the NPPF.

### **Archaeology (below ground heritage)**

211. Paragraph 189 of the NPPF requires that “*where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation*”. This approach is reflected within Policy CS20 of the Woking Core Strategy (2012). The site is immediately adjacent to an identified Area of High Archaeological Potential, which is based on the recovery of Iron Age/Roman pottery and a medieval agricultural implement, and may therefore be an indication of settlement activity or may represent an 'occasional' find.
212. The County Archaeologist (Surrey CC) has considered the amended proposed development and confirmed that they have no change to make to their previous comments on the approved development, whereby they recommended that further archaeological work should be undertaken, including an archaeological evaluation and a trial trenching exercise, which will aim to establish rapidly what Archaeological Assets are, and may be, present. This would then inform further study work if required to ensure that archaeological remains are not damaged. As per the approved development this can be secured through planning condition.

### **Land contamination**

213. Paragraph 170 of the NPPF requires the planning system to contribute to and enhance the natural and local environment by, inter alia, remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate. Paragraph 178 of the NPPF requires planning policies and decisions to ensure that a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination (including risks arising from natural hazards or former activities such as mining), and any proposals for mitigation including land remediation (as well as potential impacts on the natural environment arising from that remediation); that, after remediation, as a minimum, land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990 and that adequate site investigation information, prepared by a competent person, is available to inform those assessments. Paragraph 179 of the NPPF states that, where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the



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developer and/or landowner. Policy DM8 of the DM Policies DPD (2016) also relates to, inter alia, land contamination.

214. The approved development established that there are potential contamination sources on the site, primarily associated with historical operations. The Contaminated Land Officer raises no objection subject to the same contaminated land condition being attached, as per the approved development.

### **Flooding and water management**

215. Paragraphs 155-165 (inclusive) of the NPPF relate to planning and flood risk. Policy CS9 of the Woking Core Strategy (2012) states that the Council will determine planning applications in accordance with the guidance contained within the NPPF, that the Council expects development to be in Flood Zone 1 and that the Council will require all significant forms of development to incorporate appropriate sustainable drainage systems (SUDS) as part of any development proposals.
216. The application has been submitted with a Flood Risk Assessment (FRA) dated September 2020, which identifies that the site is located entirely within Flood Zone 1 (low risk), in which all forms of development are appropriate, that there is no historical evidence of flooding at the site, that the majority of the site is at negligible to low risk of surface water flooding although there are localised sections within the application area which are at medium to high risks of surface water flooding. In respect of flooding from other sources the FRA concludes that the risk from groundwater flooding, and flooding as a result of infrastructure and reservoir failure, is low.
217. The application has also been submitted with a Drainage Design Philosophy Report, dated September 2020, which identifies that, in respect of surface water drainage design, the development is proposed to include environmentally beneficial technologies such as green and brown roof surfacing and permeable paving, with the benefits of adopting such technologies being habitat creation, improvements to the quality and quantity of surface water drainage runoff, and a reduction in the effect of local surface water flooding. The final surface water drainage strategy would be considered at reserved matters stage.
218. The Drainage and Flood Risk Engineer acts as the Lead Local Flood Authority (LLFA) within Woking Borough under arrangements with Surrey CC, and raises no objections in terms of drainage and flood risk subject to recommended conditions 6, 7 and 8.

### **Affordable housing**

219. Policy CS12 of the Woking Core Strategy (2012) states that:

*“all new residential development on previously developed (brownfield) land will be expected to contribute towards the provision of affordable housing in accordance with the following criteria...on sites providing 15 or more dwellings, or on sites of over 0.5ha (irrespective of the number of dwellings proposed), the Council will require 40% of dwellings to be affordable.”*

220. SPD Affordable Housing Delivery (2014) states that (at paragraph 5.1):

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*“Policy CS12 applies to all types of residential development sites including change of use (conversion), mixed use sites that incorporate an element of residential development, older persons housing such as sheltered and extra care schemes and any other development where there is a net increase in the number of **Class C3** residential units on the site. (emphasis added)*

*The Council will not seek an affordable housing contribution from specialist, non-Class C3 residential developments such as traveller accommodation (a sui generis use), **any C2 uses** such as nursing/residential care homes as on-site provision is often not suitable and as the Council wishes to encourage the provision of these specialist forms of accommodation where an identified need exists” (emphasis added)*

221. The submitted Planning Statement states (at paragraphs 3.1 and 3.2) that:

*“The amendments to the approved scheme are sought to enable the residential component of the development to be brought forward entirely in the form of an extra care retirement community, whereas in the approved scheme there was the option for a retirement community to be part of the development alongside general purpose residential development.*

*An extra care retirement community provides accommodation and care to older people, enabling them to live as independently as possible supported by extensive shared facilities and amenities. Unlike in a care home, residents lease or rent their own apartment which is fully self-contained. The extensive care, support and other services and amenities are far in excess of what is provided in sheltered housing or retirement housing, meaning that people are more actively supported to live healthy and engaged lives.”*

222. The Operator Statement appended to the submitted Planning Statement states that:

*“RVG’s retirement communities almost all fall within Use Class C2 (as assessed by the relevant local planning authority at the time consent was granted) and this is the case for all recent proposals for which planning consent has been sought. They provide accommodation and care to people in need of care and function as single planning units where extensive communal facilities providing amenity and service as well as care to residents are intrinsic to the whole. Each unit of accommodation within the development is inextricably linked to the communal facilities and to each other. The classification of RVG’s developments has been confirmed without exception by several appeal inspectors over recent years.”*

223. Whilst the application is in outline, and residential unit layouts would be considered at reserved matters stage, it is nonetheless clear from the submitted Planning Statement, and the indicative typical unit layouts contained within the Addendum Design and Access Statement, that each residential unit would be fully self-contained. As individual elements it would not be

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unreasonable to consider each of the separate units of accommodation as dwellings; they would have the form, function and facilities associated with a dwelling. However the residential component of the development proposed would comprise more than the provision of individual units, but rather the collection of a number of units, the occupation of which would be subject to restrictions (secured through S106 Legal Agreement) in terms of age (i.e. the primary resident of each C2 unit would be 60+ years), necessity for health assessment, and a requirement for a minimum of a basic care package including minimum hours of personal care per week. Occupiers would also have access to communal facilities, and there would be a staffed reception / management suite and office to provide day to day assistance for residents of the C2 units and to coordinate and organise the provision of personal care; including liaison with the care agency (which would be registered with the Care Quality Commission); again secured through S106 Legal Agreement.

224. For this reasoning the residential component of the proposed development is considered to fall within Use Class C2; that is a residential institution in the context of the Use Classes Order. The residential component of the development would consist of an extra care development of up to 220 units comprising of apartments (Use Class C2) and associated communal facilities. Parts of the residential component of the development could not be implemented independently, the communal facilities and extra care are integral to this element of the development. In this regard it is considered that the residential component of the development would not provide fifteen or more dwellings but rather result in the provision of an extra care development of up to 220 units comprising of apartments (Use Class C2) and associated communal facilities. There is therefore no requirement for the provision of affordable housing from the proposed development as a consequence of Policy CS12 of the Woking Core Strategy (2012), nor SPD Affordable Housing Delivery (2014), which informs the application of Policy CS12.

### **Energy and water consumption**

225. The Planning and Energy Act 2008 allows LPAs to set energy efficiency standards in their Development Plan policies that exceed the energy efficiency requirements of the Building Regulations. However, such policies must not be inconsistent with relevant national policies for England. A Written Ministerial Statement to Parliament, dated 25 March 2015, set out the Government's expectation that such policies should not be used to set conditions on planning permissions with requirements above the equivalent of the energy requirement of Level 4 of the (now abolished) Code for Sustainable Homes - this is approximately 19% above the requirements of Part L1A of the Building Regulations. This is now reiterated in Planning Practice Guidance (PPG) on Climate Change, which supports the NPPF. Therefore, whilst Policy CS22 of the Woking Core Strategy (2012) sought to achieve zero carbon standards (as defined by the Government) from 2016, standards have been 'capped' at a 19% uplift in Part L1A Building Regulations standards in accordance with national planning policy and national zero carbon buildings policy.
226. The LPA requires all new residential development to achieve as a minimum the optional requirement set through Building Regulations for water efficiency, which requires estimated water use of no more than 110 litres/person/day.
227. Policy CS22 of the Woking Core Strategy (2012) also requires that new non-

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residential developments of this scale comply with BREEAM 'Very Good' standards. Policy CS23 of the Woking Core Strategy (2012) asks applicants to take appropriate steps to encourage the development of standalone renewable energy installations.

228. An Energy Report was submitted in support of the approved development, presenting an outline assessment examining the possible design options and technologies to reduce energy consumption and CO2 emissions, concluding that more than 19% reduction of carbon dioxide emissions would be capable of being achieved. A letter of reliance has been submitted with this section 73 application, identifying that there are no changes to the energy strategy outlined in the Energy Report submitted with the approved application as a result of the proposed amendments, and therefore the conclusions of the Energy Report submitted with the approved application with regards to energy remain valid. This matter would be subject to further assessment and consideration at reserved matters stage.

### **Socio-economic effects**

229. The effects of the proposed development on employment and economic activity (during both construction and operational phases), the increased number of homes for older people, supporting social interaction and cohesion and access to public amenity space are considered in Chapter 7 of the Environmental Statement (ES) Supplement. This report is only intended to provide a summary/planning assessment of the application and therefore it is not necessary to replicate all of the information provided in this section of the ES here.
230. The ES Supplement also assesses the effect of the proposed development in respect of the increased demand for health care infrastructure. The ES Supplement establishes that, in the 'worst case' context, the residential component of the proposed development is estimated to result in a net uplift of approximately 350 residents. Where it is assumed that all residents are new to the proposed development from outside of the local impact area, this would generate demand equivalent to circa 0.19 GPs based on 1,800 patients per GP, and is considered to be the maximum additional demand generated given that those residents of the proposed development will receive medical care through private professionals within their home setting.

	<b>Minimum parameters</b>	<b>Maximum parameters</b>
Number of Residents (Extra Care – Class C2)	285	350
Additional GP Requirement (1 GP per 1,800 patients)	0.16	0.19

231. In terms of the facilities provided within the proposed development, the applicant has confirmed that there will be a 24 hour emergency response team based on site. These 'healthcare leads' will be Care Quality Commission (CQC) registered and able to carry out additional duties. The healthcare leads will liaise with the local GP practice(s), the district nurse and weekly visiting nurses in order to reduce the impact of the extra care facilities on local GP surgeries.

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232. In addition, the proposed development will offer on-site domiciliary care through a partner company to provide personal care to residents. This will reduce the number of residents having to relocate into local care homes as the proposed development will be able to offer bespoke care packages to enable residents to remain independent. A proportion of those occupying the extra care retirement housing will have moved within the local area, therefore serving to free up space within GP practices.
233. The ES Supplement sets out that there are seven GP surgeries within a 2-mile radius of the site, the closest of which is located within the West Byfleet Health Centre ('Wey Family Practice'), which neighbours the site. The ES Supplement sets out that, while the majority of GP surgeries are over-capacity in terms of the recommended 1,800 patients per GP ratio, Sheerwater Health Centre and the New Ottershaw Surgery (1.2 miles and 1.9 miles from the site respectively) appear to have surplus capacity for a respective additional 1,433 and 812 patients against the benchmark.
234. The ES Supplement concludes that, based on the level of medical care which will be provided within the proposed development, which will be administered by private healthcare professionals within the residents' home setting, it is anticipated that the likely worst case effect of Scenario 2 (i.e. maximum parameters) on healthcare infrastructure within the neighbourhood area would be minimal and that, due to the local geographies of demand, the district and regional level are not relevant to the effect of the proposed development in respect of the increased demand for health care infrastructure.

### **Local Finance Considerations**

235. The residential component of the proposed development would fall within Use Class C2; that is a residential institution in the context of the Use Classes Order. It would therefore not be Community Infrastructure Levy (CIL) liable.
236. The retail elements of the proposed development would be CIL Liable although this liability would be assessed at reserved matters stage.

### **CONCLUSION**

237. Overall, as per the approved development, clearly Policy CS3 of the Woking Core Strategy (2012) envisages significant change for West Byfleet District Centre during the current Development Plan period to 2027.
238. There would be an advantage to the future residents of the development as the specialist housing (class C2) would provide for a range of lifestyle facilities for social, cultural, educational and recreational activity. There would be access to a range of services and care that can respond flexibly to the needs of future residents. There would be advantages to health providers as the care needs of future residents can be changed dependant on circumstances which can facilitate earlier discharge from hospitals as support in the home can be easily organised, this has obvious cost advantages. Care provision at this point can also reduce the need for admissions to hospital and other pressures on GP and A&E services. The provision of specialist housing on this scale would likely have a material role in freeing up under occupied family housing, facilitating downsizing, bringing this family housing back onto the market. Given the reasonable scale of this development the benefits derived from the occupation

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of the proposed development in this manner should be afforded significant weight.

239. In respect of the specialist housing (use class C2) the S106 Legal Agreement would control the nature of the development and its occupation, including restrictions on age, requirement for care, necessity for health assessment and provision of personal care (including a requirement for future residents to secure the services of a care agency, require a basic care package), the provision of access to communal facilities for future residents, details of the operation of the management company and that no permanent residential staff accommodation would be provided. These matters are required to ensure the development provides extra care accommodation within class C2.
240. Whilst the proposal would not accord with the office floorspace element of Policy CS3 of the Woking Core Strategy (2012) and Policy CE3 of the WBNDF, it is considered that sufficient justification has been provided in respect of the proposed elimination of the approved minimum parameter of 145 sq.m of office use.
241. Similarly it is considered that sufficient justification has been provided for the proposed reduction of 1,500 sq.m in retail floorspace in comparison to the approved minimum parameter. The principle of the retail, community and residential elements (albeit residential now wholly within class C2) of the amended proposed development are considered to be acceptable and accord with the overarching objectives of Policy CS3 of the Woking Core Strategy (2012) and Policies CE2 and CE3 of the WBNDF although would be subject to further scrutiny, in respect of layout, appearance etc, at reserved matters stage. As with the approved development the regenerative benefits of the new public square and enhanced civic edges are considered to remain very significant public benefits of the amended proposed development which would greatly enhance the pedestrian experience of the site and have overarching benefits for the vitality and viability of West Byfleet District Centre as a whole.
242. The amendments sought to the approved massing are largely isolated, recessed back from the predominant relevant elevations and do not exceed the approved maximum vertical heights parameters of the relevant blocks. It is considered, subject to detailed assessment of precise massing and architectural design at reserved matters stage and within the requirements of the control documents, that the amendments to massing would not result in character harm over and above the approved development. Whilst the provision of an additional storey would increase the perceived height of the blocks this additional storey would be contained within the approved maximum vertical height parameters (i.e. would not extend above the approved maximum heights of the relevant block) and the manner in which the additional storey would express externally would be considered at reserved matters stage within the requirements of the control documents.
243. In respect of built heritage the adjustments to massing are not considered to have harmful implications as to the settings of nearby built heritage assets. The provision of an additional storey to all blocks, albeit within the approved maximum heights of the building envelopes, would slightly increase, by reason of an increased perception of height, the level of harm to the setting of nearby built heritage assets over and above that of the approved development however it is considered that the amended proposed development would still

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result in less than substantial harm, albeit slightly more elevated in that scale, to the significance of the designated heritage assets of nearby designated built heritage assets, including the Station Approach and Rosemount Parade/Byfleet Corner CAs and St John the Baptist Church.

244. This less than substantial harm should nonetheless be afforded great weight in line with Paragraph 193 of the NPPF, although should be weighed against the public benefits of the proposal, including the benefit of providing housing, in line with Paragraph 196 of the NPPF. The public benefits of the amended proposed development, key in which is the provision of a new public square, the provision of housing within a very sustainable location, provision of new retail units and much improved pedestrian environment to the site, which forms a large and centrally located site within West Byfleet District Centre (second only to Woking Town Centre in the hierarchy of centres within the Borough) remain very much as per the approved development. To all of the benefits of the amended proposed development, it is considered that more than considerable weight should be afforded. They represent public benefits as referred to within Paragraph 196 of the NPPF, which in the circumstances of this application, are considered to significantly and demonstrably outweigh the considerable weight and importance that is attached to the less than substantial heritage harm identified.
245. Subject to recommended conditions and S106 Legal Agreement the amended proposed development is considered to be acceptable in respect of all other material planning considerations. There would be no greater conflict with policies within the Development Plan, and the provisions of the NPPF, over and above those that arose in respect of the approved development. It is therefore recommended that planning permission be granted subject to recommended conditions and S106 Legal Agreement.

### **BACKGROUND PAPERS**

Letters of representation  
Consultee responses  
Site & Press Notices  
PLAN/2017/0128 File

### **RECOMMENDATION**

**Grant** outline planning permission subject to:

- (i) Planning conditions set out in the report; and
- (ii) Section 106 Legal Agreement to:
  - Control the nature of the development and its occupation, including restrictions on age (i.e. 60+ years), requirement for care, necessity for health assessment and provision of personal care (including a requirement for future residents to secure the provision of at least a basic care package, including minimum hours of personal care each week) in respect of the primary resident of each C2 unit, the provision of access to communal facilities for future residents and of a staffed reception / management suite and office to provide day to day assistance for residents of the C2 units and to coordinate and organise the provision of personal Care to each primary resident; including liaison with the Care Agency (registered with the Care

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Quality Commission), details of the operation of the management company to be established to manage the C2 units and communal facilities and that permanent residential staff accommodation must not be provided;

- Secure the provision of public access to the new public square at all times and in perpetuity (as per PLAN/2017/0128); and
- Secure replacement public car parking spaces for public access at agreed times and in perpetuity (as per PLAN/2017/0128).

### Conditions

#### Time Limits

01. Application for the approval of the first reserved matters must be made to the Local Planning Authority not later than 1 May 2021, and application for approval of all remaining reserved matters must be made not later than 1 May 2023.

Reason: To comply with the provisions of Section 92(2) of The Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

02. The development hereby permitted must be begun not later than two years from the date of approval of the first reserved matters.

Reason: To comply with the provisions of Section 92(2) of The Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

#### Reserved Matters

03. Details of the appearance, landscaping, layout and scale (“the reserved matters”) must be submitted to and approved in writing by the Local Planning Authority before any development begins and the development must be carried out as approved.

Reason: To comply with Article 6 of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

04. All Reserved Matters applications must comply with the following floorspace schedule and approved parameter plans and design code:



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### Floorspace schedule:

<b>Land Use</b>	<b>Minimum Parameter (sq.m)</b>	<b>Maximum Parameter (sq.m)</b>
C2 - accommodation GIA	17,000 (180 units)(*)	20,500 (220 units)
C2 - shared amenities and back of house GIA	900	1,400
Retail, Food and Drink, (Use Class E), Drinking Establishments and Hot food Takeaway (Sui Generis)	1,500	3,000
Community Facility (Use Class F.1\F.2), Public toilet	330	430
Subtotal floor space excluding parking GIA	19,730	25,330
Parking (public and private)	157 (incl. public spaces)	200 spaces
Total floor space including parking, all floors including basement GIA	23,730	33,330
Basement area (included within the above total, providing parking, amenity and back of house) GIA	2,000	4,500

### Please Note

All areas GIA

(\*) Does not include ancillary residential spaces at basement level.

### Site Location Plan

AABA9010-1301 Rev - (Site Location Plan - As Existing), dated 25-08-20

### Parameter Plans

BA9010-2400 Rev - (Parameter Plan 01 Horizontal Limit of Deviation (Ground Floor)), dated 09-09-20

BA9010-2401 Rev - (Parameter Plan 02 Horizontal Limit of Deviation (Typical Floor)), dated 09-09-20

BA9010-2402 Rev - (Parameter Plan 03 Horizontal Limit of Deviation (Top Floor)), dated 09-09-20

BA9010-2403 Rev A (Parameter Plan 04 Minimum & Maximum Building Heights), dated 06-11-20

BA9010-2404 Rev - (Parameter Plan 05a Land Use (Lower Ground)), dated 09-09-20

BA9010-2405 Rev A (Parameter Plan 05b Land Use (Ground)), dated 11-11-20

BA9010-2406 Rev A (Parameter Plan 05c Land Use (Upper Ground)), dated 11-11-20

BA9010-2407 Rev - (Parameter Plan 06 First Floor), dated 09-09-20

BA9010-2408 Rev - (Parameter Plan 07 Land Use (Typical)), dated 09-09-20

BA9010-2409 Rev A (Parameter Plan 08 Access), dated 11-11-20

BA9010-2410 Rev - (Parameter Plan 09 Pedestrian Movement), dated 09-09-20

BA9010-2411 Rev - (Parameter Plan 10 Public Open Space), dated 09-09-20

BA9010-2412 Rev A (Parameter Plan 11 Topography (Basement & Lower Ground)), dated 11-11-20

BA9010-2413 Rev - (Parameter Plan 12 Private Amenity Space), dated 09-09-

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### Design Code

Design Code Addendum, dated September 2020 by PRP Architects (Ref: BA9010) (31pp)

Each Reserved Matters submission must include a statement of compliance against each of the Parameter Plans and the individual sections of the Design Code. The development must be implemented only in accordance with such details as approved.

Reason: For the avoidance of doubt and to ensure that the development accords with the outline planning permission.

### Approved Plans and Documents

05. The development hereby permitted must be carried out only in accordance with the following approved plans and documents:

#### Site Location Plan

AABA9010-1301 Rev - (Site Location Plan - As Existing), dated 25-08-20

#### Parameter Plans

BA9010-2400 Rev - (Parameter Plan 01 Horizontal Limit of Deviation (Ground Floor)), dated 09-09-20

BA9010-2401 Rev - (Parameter Plan 02 Horizontal Limit of Deviation (Typical Floor)), dated 09-09-20

BA9010-2402 Rev - (Parameter Plan 03 Horizontal Limit of Deviation (Top Floor)), dated 09-09-20

BA9010-2403 Rev A (Parameter Plan 04 Minimum & Maximum Building Heights), dated 06-11-20

BA9010-2404 Rev - (Parameter Plan 05a Land Use (Lower Ground)), dated 09-09-20

BA9010-2405 Rev A (Parameter Plan 05b Land Use (Ground)), dated 11-11-20

BA9010-2406 Rev A (Parameter Plan 05c Land Use (Upper Ground)), dated 11-11-20

BA9010-2407 Rev - (Parameter Plan 06 First Floor), dated 09-09-20

BA9010-2408 Rev - (Parameter Plan 07 Land Use (Typical)), dated 09-09-20

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BA9010-2411 Rev - (Parameter Plan 10 Public Open Space), dated 09-09-20

BA9010-2412 Rev A (Parameter Plan 11 Topography (Basement & Lower Ground)), dated 11-11-20

BA9010-2413 Rev - (Parameter Plan 12 Private Amenity Space), dated 09-09-20

### Design Code

Design Code Addendum, dated September 2020 by PRP Architects (Ref: BA9010) (31pp)

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Reason: For the avoidance of doubt and to ensure that the development accords with the outline planning permission.

### Surface water drainage (SuDS)

06. ++ Concurrently with the submission of any reserved matters application of the development hereby permitted, details of a scheme for disposing of surface water by means of a sustainable drainage system must be submitted to and approved in writing by the Local Planning Authority in accordance with the Maximum discharge rate shown on drawing 18806-RPS-xx-00-PR-D-00300 P02 contained within Appendix A of the Drainage Design Philosophy report by RPS (4 September 2020). The scheme must be implemented in full in accordance with the approved details prior to first occupation. The submitted details must:

- provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site for the critical storm durations for the corresponding design event including the incorporation of SuDS and the measures taken to prevent pollution of the receiving groundwater and/or surface waters; This must also include the following information:
  - Limits the surface water discharge rate from the site as shown drawing 18806-RPS-xx-00-PR-D-00300 P02 within Appendix A of the submitted drainage philosophy addendum dated 4 September 2020;
  - Demonstration that the proposed surface water drainage system does not surcharge in for the 1 in 1 critical storm duration, Flood in the 1 in 30 critical storm duration or the 1 in 100 critical storm duration for the proposed agreed discharge rates through detailed modelling; and
  - Demonstration that any flooding that occurs when taking into account climate change for the 1 in 100 storm event in accordance with NPPF is safe, does not flood any buildings or leave the site via overland flow routes.
- include a timetable for its implementation; and
- provide a detailed management and maintenance plan for the lifetime of the development which must include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

Reason: To ensure that the development achieves a high standard of sustainability and addresses surface water.

07. ++ Prior to the commencement of development, construction drawings of the surface water drainage network, associated sustainable drainage components, flow control mechanisms and a construction method statement ensuring no overland flow routes, uncontrolled discharge or sediment leave the site boundary during construction must be submitted and agreed in writing by the Local Planning Authority. The scheme must then be constructed as per the agreed submitted drawings and calculations. Alteration(s) to the agreed drainage scheme must not occur without prior written approval from the Local Planning Authority.

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Reason: To ensure that the development achieves a high standard of sustainability and addresses surface water.

08. ++ Prior to first occupation, a verification report, appended with substantiating evidence demonstrating the agreed/approved construction details and specifications have been implemented, must be submitted and approved in writing by the Local Planning Authority. This report must include photographs of excavations and soil profiles/horizons, any installation of any surface water structure and control mechanism demonstrating the surface water drainage system has been constructed in accordance with the approved details.

Reason: To ensure that the development achieves a high standard of sustainability and addresses surface water.

### Use of piling

09. ++ Piling must not take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the Local Planning Authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to impact on local underground sewerage utility infrastructure.

10. ++ Piling using penetrative methods is not permitted other than with the prior written approval of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development must be carried out in accordance with the approved details.

Reason: To prevent both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels water pollution.

### Energy and water consumption

11. ++ As part of the Reserved Matters applications for any part of the development containing non-residential development, a sustainability strategy including pre-assessment checklist detailing a method of achievement of at least BREEAM 'very good' (or equivalent) for any non-residential development must be submitted to the Local Planning Authority for approval. Development in that phase must not take place until the sustainability strategy has been approved in writing by the Local Planning Authority. The development must be carried out in accordance with the approved sustainability strategy.

Unless otherwise a first agreed in writing by the Local Planning Authority, no non-residential building shall be occupied until a BREEAM Assessor provided letter confirming the non-residential unit meets at least BREEAM rating "Very Good" has been submitted to and approved in writing by the Local Planning

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Authority. Proof of the final Certificate issued by BREEAM must be submitted to the Local Planning Authority within 6 months of the first occupation of the relevant non-residential building certifying that at least BREEAM rating “Very Good” has been achieved for this development (or such equivalent national measure of sustainable building which replaces that scheme).

Reason: To ensure that the development achieves a high standard of sustainability and makes efficient use of resources in accordance with Policy CS22 of the Woking Core Strategy (2012) and SPD Climate Change (2013).

12. ++ As part of the Reserved Matters applications for any part of the development containing residential development, written evidence must be submitted to and approved in writing by the Local Planning Authority demonstrating that the residential elements of the development will:
- a. Achieve a minimum of a 19% improvement in the dwelling emission rate over the target emission rate, as defined in the Building Regulations for England Approved Document L1A: Conservation of Fuel and Power in New Dwellings (2013 edition). Such evidence must be in the form of a Design Stage Standard Assessment Procedure (SAP) Assessment, produced by an accredited energy assessor; and,
  - b. Achieve a maximum water use of no more than 110 litres per person per day as defined in paragraph 36(2b) of the Building Regulations 2010 (as amended), measured in accordance with the methodology set out in Approved Document G (2015 edition). Such evidence must be in the form of a Design Stage water efficiency calculator.

Development must be carried out wholly in accordance with such details as may be agreed and these details must be permanently maintained unless otherwise first agreed in writing by the Local Planning Authority.

Reason: To ensure that the development achieves a high standard of sustainability and makes efficient use of resources in accordance with Policy CS22 of the Woking Core Strategy (2012) and SPD Climate Change (2013).

13. ++ The residential elements of the development hereby permitted must not be first occupied until written documentary evidence has been submitted to and approved by, the Local Planning Authority demonstrating that the development has:
- a. Achieved a minimum of a 19% improvement in the dwelling emission rate over the target emission rate, as defined in the Building Regulations for England Approved Document L1A: Conservation of Fuel and Power in New Dwellings (2013 edition). Such evidence must be in the form of an As Built Standard Assessment Procedure (SAP) Assessment, produced by an accredited energy assessor; and
  - b. Achieved a maximum water use of 110 litres per person per day as defined in paragraph 36(2b) of the Building Regulations 2010 (as amended). Such evidence must be in the form of the notice given under Regulation 37 of the Building Regulations.

Such details as may be agreed must be permanently maintained unless

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otherwise first agreed in writing by the Local Planning Authority.

Reason: To ensure that the development achieves a high standard of sustainability and makes efficient use of resources in accordance with Policy CS22 of the Woking Core Strategy (2012) and SPD Climate Change (2013).

### Acoustic performance for residential / details of extraction, plant and machinery

14. ++ As part of any reserved matters applications for any part of the development where residential development is proposed to be situated immediately above any non-residential development full details of the measures to be undertaken to ensure the acoustic performance of the relevant party ceilings/floors and walls must be submitted for approval to the Local Planning Authority. Development in that phase must not take place until the measures have been approved in writing by the Local Planning Authority. The development shall be carried out and thereafter retained in accordance with the approved details prior to the first occupation of the development.

Reason: To protect the environment and amenities of residential occupants of the proposed development.

15. ++ Prior to the commencement of the residential elements of the development hereby permitted full details of a scheme for ensuring the internal noise levels within the proposed residences achieve a satisfactory standard must be submitted to and approved in writing by the Local Planning Authority. The approved scheme must be carried out concurrently with the development of the residential units and must be completed fully in accordance with the approved details. The development must thereafter be permanently retained and maintained in accordance with the approved details unless otherwise first agreed in writing by the Local Planning Authority.

Reason: To protect the environment and amenities of residential occupants of the proposed development.

16. ++ As part of any reserved matters applications for any part of the development where Class E / Sui Generis development (inclusive) is proposed full details of the measures to be undertaken to control emissions from the premises must be submitted for approval to the Local Planning Authority. The measures shall be implemented fully in accordance with the approved scheme prior to the first occupation of the development (or commencement of the relevant Class E / Sui Generis (inclusive) use). All equipment installed as part of the scheme must thereafter be permanently operated and maintained in accordance with the approved details and retained as such thereafter.

Reason: To protect the environment and amenities of the occupants of both existing neighbouring properties and future residential properties within the proposed development from nuisance arising from noise, fumes, smell, smoke or other emissions.

17. ++ Fixed plant and equipment associated with air moving equipment, compressors, generators or plant or similar equipment must not be installed until details, including acoustic specifications, have been submitted to and approved in writing by the Local Planning Authority. All fixed plant and equipment installed as part of the scheme must thereafter be permanently

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operated and maintained in accordance with the approved details and retained as such thereafter.

Reason: To protect the environment and amenities of the occupants of both existing neighbouring properties and future residential properties within the proposed development from noise and disturbance.

### Construction Management

18. ++ Development pursuant to this planning permission must not take place until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP must accord with and give effect to the principles for such a Plan proposed in the Environmental Statement submitted with application PLAN/2017/0128. The CEMP must include as a minimum the following matters:

- Contractors' access arrangements for vehicles, plant and personnel including the location of construction traffic routes to, from and within the site, details of their signing, monitoring and enforcement measures, along with location of parking for contractors and construction workers;
- Delivery and collection times for demolition and construction;
- Hours of working on the site;
- Dust management - measures to control the emission of dust/dirt during demolition and construction including wheel washing in accordance with the Mitigation During Construction outlined within Section 12 (Air Quality) of the submitted Environmental Statement;
- Measures to control noise and vibration during demolition and construction and the use of best practical means to minimise noise and vibration disturbance from works in accordance with the Mitigation Measures outlined within Section 13 (Noise and Vibration) of the submitted Environmental Statement;
- Measures to prevent ground and water pollution from contaminants on site/a scheme to treat and remove suspended solids from surface water run-off during construction;
- Soil management measures;
- Identification of areas/containers for the storage of fuels, oils and chemicals;
- Details of any temporary lighting to be used for demolition/construction purposes;
- Site fencing/hoarding and security measures;
- The prohibition of burning of materials and refuse on site;
- Management of materials and waste;
- External safety and information signing and notices;
- Liaison, consultation and publicity arrangements including dedicated points of contact and contact details;
- Complaints procedures, including complaints response procedures;
- Access and protection arrangements around the site for pedestrians, cyclists and other road users including temporary routes;
- Procedures for interference with public highways, permanent and temporary realignment, diversions and road closures; and
- Construction management plan for surface water run-off during the construction period.

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Reason: To ensure the proposed development does not prejudice the amenities of occupiers of adjoining residential properties and in the interests of highway and pedestrian safety and to protect the environmental interests and the amenity of the area.

19. ++ Development pursuant to this planning permission must not commence until a Construction Transport Management Plan (CTMP) 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) programme of works (including measures for traffic management);
- (e) provision of boundary hoarding behind any visibility zones;
- (f) HGV deliveries and hours of operation;
- (g) vehicle routing;
- (h) measures to prevent the deposit of materials on the highway;
- (i) before and after construction condition surveys of the highway and a commitment to fund the repair of any damage caused;
- (j) on-site turning for construction vehicles; and
- (k) proposals to minimise the movement of heavy goods vehicles associated with the construction of the development during the hours when children arrive at and depart the schools located along Camphill Road and Old Woking Road

has been submitted to and approved in writing by the Local Planning Authority. Only the approved details must be implemented during the construction of the development.

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highways users.

### On and off site drainage works

20. ++ Development pursuant to this planning permission must not commence until a drainage strategy detailing any on and/or off site drainage works, has been submitted to and approved by, the Local Planning Authority in consultation with the sewerage undertaker. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed.

Reason: To ensure that sufficient capacity is made available to cope with the new development and in order to avoid adverse environmental impact upon the community.

### Contamination

21. ++ Development pursuant to this planning permission must not commence until a scheme to deal with contamination of the site has been submitted to and approved in writing by the Local Planning Authority.

- (i) The above scheme must include :-
  - (a) a contaminated land desk study and suggested site assessment methodology;
  - (b) a site investigation report based upon (a);



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- (c) a remediation action plan based upon (a) and (b);
  - (d) a "discovery strategy" dealing with unforeseen contamination discovered during construction;
  - and (e) a "validation strategy" identifying measures to validate the works undertaken as a result of (c) and (d)
  - (f) a verification report appended with substantiating evidence demonstrating the agreed remediation has been carried out
- (ii) Unless otherwise first agreed in writing by the Local Planning Authority, the development must be carried out and completed wholly in accordance with such details and timescales as may be agreed.

Reason: To ensure that a satisfactory strategy is put in place for addressing contaminated land before development commences and to make the land suitable for the development without resulting in risk to construction workers, future users of the land, occupiers of nearby land and the environment generally.

### Archaeology

22. ++ Development pursuant to this planning permission must not commence 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. Unless otherwise first agreed in writing by the Local Planning Authority the development must be carried out and completed wholly in accordance with such details and timescales as may be agreed.

Reason: To enable the site to be investigated for archaeological purposes.

### Highways

23. ++ The development hereby permitted must not be first occupied or first opened for trading unless and until the proposed modified access to Madeira Road has been constructed and provided with visibility zones in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority and thereafter the visibility zones must be kept permanently clear of any obstruction over 1.05m high.

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users.

24. The development hereby permitted must not be first occupied or first opened for trading or residential occupation unless and until existing accesses from the site to Lavender Park Road and Station Approach have been permanently closed and any kerbs, verge, footway, fully reinstated.

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users.

25. ++ The development hereby permitted must not be first occupied or first opened for trading unless and until space has been laid out within the site in accordance with a scheme to be first submitted to and approved in writing by the Local Planning Authority for vehicles and cycles to be parked and for the

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loading and unloading of vehicles and for vehicles to turn so that they may enter and leave the site in forward gear. All cycle parking must be secure, covered and lit. Thereafter the parking / loading and unloading / turning areas must be retained and maintained for their designated purposes.

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users.

26. ++ The development hereby permitted must not be first occupied or first opened for trading unless and until a scheme specifying arrangements for deliveries to and removals from the site, to include details of:

- (a) The types of vehicles to be used and hours of their operation;
- (b) The design of delivery areas within the development site; and
- (c) The dimensions and layout of lorry parking areas and turning spaces

have been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved details must be implemented prior to the first occupation or first opening for trading of the development hereby permitted.

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users.

27. ++ The development hereby permitted must not be not be first occupied or first opened for trading unless and until the following facilities have been provided in accordance with a scheme or schemes to first be submitted to and approved in writing by the Local Planning Authority and in broad alignment with the plan numbered/titled 2020-3861-DWG-209 (Proposed Highway Layout), dated 11.11.20 for:

- (a) A new car club bay on Madeira Road, a raised junction at the Madeira Road/Station Approach crossroads, a new loading bay on Station Approach;
- (b) A raised crossing at Lavender Park Road/Camphill Road junction, closure and reinstatement of the existing access to the site on Lavender Park Road, and formation of a new loading bay on Lavender Park Road;
- (c) Closure and reinstatement of the existing access on Station Approach, and formation of a new loading bay on Station Approach; and
- (d) If not already provided by other developments installation of microprocessor optimised vehicle actuation (MOVA) upgrade to the A245 Old Woking Road - Parvis Road / Station Approach / Pyrford Road / Camphill Road traffic signal junction, including recalibrating the signal controller with current traffic survey movement data in accordance with details to first be submitted to and approved in writing by the Local Planning Authority.

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users.

28. ++ Prior to the occupation of the development Travel Plan(s) must be submitted for the written approval of the Local Planning Authority in accordance with the sustainable development aims and objectives of the National Planning Policy Framework (NPPF), Surrey County Council's "Travel Plans Good Practice

## 8 DECEMBER 2020 PLANNING COMMITTEE

Guide” and the Draft Commercial Travel Plan (dated November 2020) and Draft Residential Travel Plan (dated November 2020), both prepared by TTP Consulting. The approved Travel Plan(s) must be implemented prior to occupation and for each and every subsequent occupation of the development and thereafter maintained and developed to the satisfaction of the Local Planning Authority.

Reason: In order that the development should reduce reliance upon the private car.

29. ++ The development hereby permitted must not be first occupied or first opened for trading unless and until a Car Parking Management plan, to include details of:

- (a) Car park operation/split according to land use;
- (b) Car park monitoring and information displays/signage; and
- (c) The dimensions and layout of on-site and off-site car parking provision for future occupiers

have been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved details must be implemented prior to first occupation and permanently maintained.

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users.

30. ++ No part of the development shall be first occupied unless and until the proposed vehicular access to Madeira has been constructed and provided with visibility zones in accordance with the approved plans and thereafter the visibility zones must be kept permanently clear of any obstruction over 0.6m high.

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users.

31. ++ No part of the development shall be first occupied unless and until the proposed highway improvements have been carried out to make the north-eastern access on Madeira Road one-way, and to retain the pedestrian refuge and move the proposed loading bay south, in accordance with a scheme to first be submitted to and approved in writing by the Local Planning Authority.

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users.

32. ++ The development hereby permitted shall not be first occupied unless and until the proposed alterations to the existing on street parking bays and parking restrictions on Madeira Road and the associated Traffic Regulation Orders (TROs) have been designed and implemented at the applicant's expense, in accordance with a scheme to first be submitted to and approved in writing by the Local Planning Authority.

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users.

## 8 DECEMBER 2020 PLANNING COMMITTEE

33. The development hereby permitted shall not be first occupied unless and until at least 20% of the available parking spaces are provided with a fast charge socket (current minimum requirement: 7kw Mode 3 with Type 2 connector – 230 v AC 32 amp single phase dedicated supply) in accordance with a scheme to first be submitted to and approved in writing by the Local Planning Authority.

Reason: In order that suitable provision for electric vehicle charging points is made in accordance with SPDs Parking Standards (2018) and Climate Change (2014) and the NPPF.

### Ecology

34. The development hereby permitted must be undertaken in accordance with the Mitigation Measures specified within Section 5 (Mitigation and Enhancement) of the Ecological Appraisal, dated September 2020 by RPS (Ref: ECO01171) unless otherwise first agreed in writing by the Local Planning Authority.

Reason: In accordance with the terms of the application and to ensure the provision of suitable ecological mitigation as specified in the application.

35. ++ As part of the landscaping reserved matters a scheme of biodiversity enhancement of the site must be submitted to the Local Planning Authority for approval. The scheme of biodiversity enhancement must include details of the features to be created and managed for species of local importance and be in accordance within Section 5 (Mitigation and Enhancement) of the Ecological Appraisal, dated September 2020 by RPS (Ref: ECO01171). The scheme must be carried out prior to the first occupation of any part of the development or otherwise in accordance with a programme first agreed in writing with the Local Planning Authority.

Reason: To ensure the provision of suitable biodiversity enhancement of the site.

36. ++ Prior to the commencement of the development hereby permitted the developer must submit a report to the Local Planning Authority detailing the outcomes of their further investigations in terms of the options for ensuring business continuity as outlined within paragraph 19 of the Statement of Intent prepared by Turley and dated June 2017.

Reason: To facilitate business continuity (and in particular the provision of prescriptions and health aids to local residents) so far as practicable during the construction phase of the development.

### **Informatives**

01. With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be

## 8 DECEMBER 2020 PLANNING COMMITTEE

required. The contact number is 0800 009 3921.

02. There are public sewers crossing or close to the development. In order to protect public sewers and to ensure that Thames Water can gain access to those sewers for future repair and maintenance, approval should be sought from Thames Water where the erection of a building or an extension to a building or underpinning work would be over the line of, or would come within 3 metres of, a public sewer. Thames Water will usually refuse such approval in respect of the construction of new buildings, but approval may be granted for extensions to existing buildings. The applicant is advised to visit [thameswater.co.uk/buildover](http://thameswater.co.uk/buildover)
03. Thames Water would recommend that petrol/oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of petrol/oil interceptors could result in oil-polluted discharges entering local watercourses.
04. The applicant is advised to contact Thames Water Developer Services on 0800 009 3921 to discuss the details of the piling method statement prior to submission to the Local Planning Authority pursuant to the planning condition.
05. The applicant is advised that, with regard to water supply, the development comes within the area covered by the Affinity Water Company. For information the address to write to is - Affinity Water Company The Hub, Tamblin Way, Hatfield, Herts, AL10 9EZ - Tel - 0845 782 3333.
06. For the avoidance of doubt, the following definitions apply to the above condition relating to contaminated land:

Desk study- This shall include: -

- (i) a detailed assessment of the history of the site and its uses based upon all available information including the historic Ordnance Survey and any ownership records associated with the deeds.
- (ii) a detailed methodology for assessing and investigating the site for the existence of any form of contamination which is considered likely to be present on or under the land based upon the desk study.

Site Investigation Report: This shall include: -

- (i) a relevant site investigation including the results of all sub-surface soil, gas and groundwater sampling taken at such points and to such depth as the Local Planning Authority may stipulate.
- (ii) a risk assessment based upon any contamination discovered and any receptors.

Remediation action plan: This plan shall include details of: -

- (i) all contamination on the site which might impact upon construction workers, future occupiers and the surrounding environment;
- (ii) appropriate works to neutralise and make harmless any risk from contamination identified in (i)

Discovery strategy: Care should be taken during excavation or working of the site to investigate any soils which appear by eye or odour to be contaminated or of different character to those analysed. The strategy shall include details of:

- 
- (i) supervision and documentation of the remediation and construction works

## 8 DECEMBER 2020 PLANNING COMMITTEE

- to ensure that they are carried out in accordance with the agreed details;
- (ii) a procedure for identifying, assessing and neutralising any unforeseen contamination discovered during the course of construction
  - (iii) a procedure for reporting to the Local Planning Authority any unforeseen contamination discovered during the course of construction

Validation strategy: This shall include : -

- (i) documentary evidence that all investigation, sampling and remediation has been carried out to a standard suitable for the purpose; and
- (ii) confirmation that the works have been executed to a standard to satisfy the planning condition (closure report).

All of the above documents, investigations and operations should be carried out by a qualified, accredited consultant/contractor in accordance with a quality assured sampling, analysis and recording methodology.

- 07. The permission hereby granted must not be construed as authority to obstruct the public highway by the erection of scaffolding, hoarding or any other device or apparatus for which a licence must be sought from the Highway Authority Local Highways Service.
- 08. The permission hereby granted must not be construed as authority to carry out any works on the highway or any works that may affect a drainage channel/culvert or water course. The applicant is advised that a permit and, potentially, a Section 278 agreement must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. All works on the highway will require a permit and an application will need to be submitted to the County Council's Street Works Team up to 3 months in advance of the intended start date, depending on the scale of the works proposed and the classification of the road. Please see <http://www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/the-traffic-management-permit-scheme>.
- 09. The applicant is also advised that Consent may be required under Section 23 of the Land Drainage Act 1991. Please see [www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/floodingadvice](http://www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/floodingadvice).
- 10. The applicant is advised that a standard fee may be charged for input to, and future monitoring of, any Travel Plan.
- 11. The applicant is advised that as part of the detailed design of the highway works required by the above condition(s), the County Highway Authority may require necessary accommodation works to street lights, road signs, road markings, highway drainage, surface covers, street trees, highway verges, highway surfaces, surface edge restraints and any other street furniture/equipment.
- 12. The applicant would be expected to instruct an independent transportation data collection company to undertake the monitoring survey. This survey should conform to a TRICS Multi Modal Survey format consistent with the UK Standard for Measuring Travel Plan Impacts as approved by the Highway Authority. To ensure that the survey represents typical travel patterns, the organisation taking

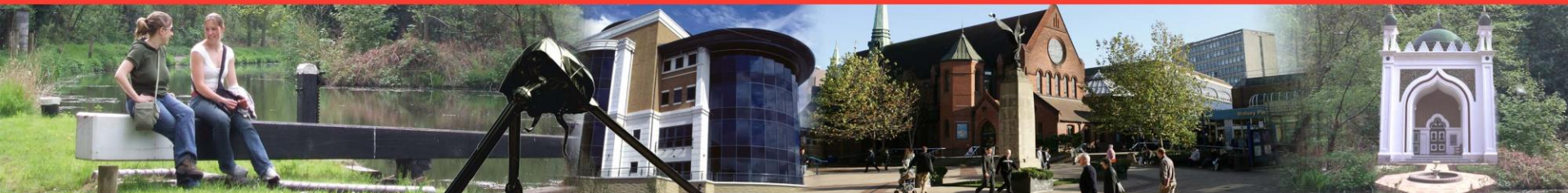
## 8 DECEMBER 2020 PLANNING COMMITTEE

ownership of the Travel Plan will need to agree to being surveyed only within a specified annual quarter period but with no further notice of the precise survey dates. The applicant would be expected to fund the survey validation and data entry costs.

13. This decision notice must be read together with the associated S106 Legal Agreement.







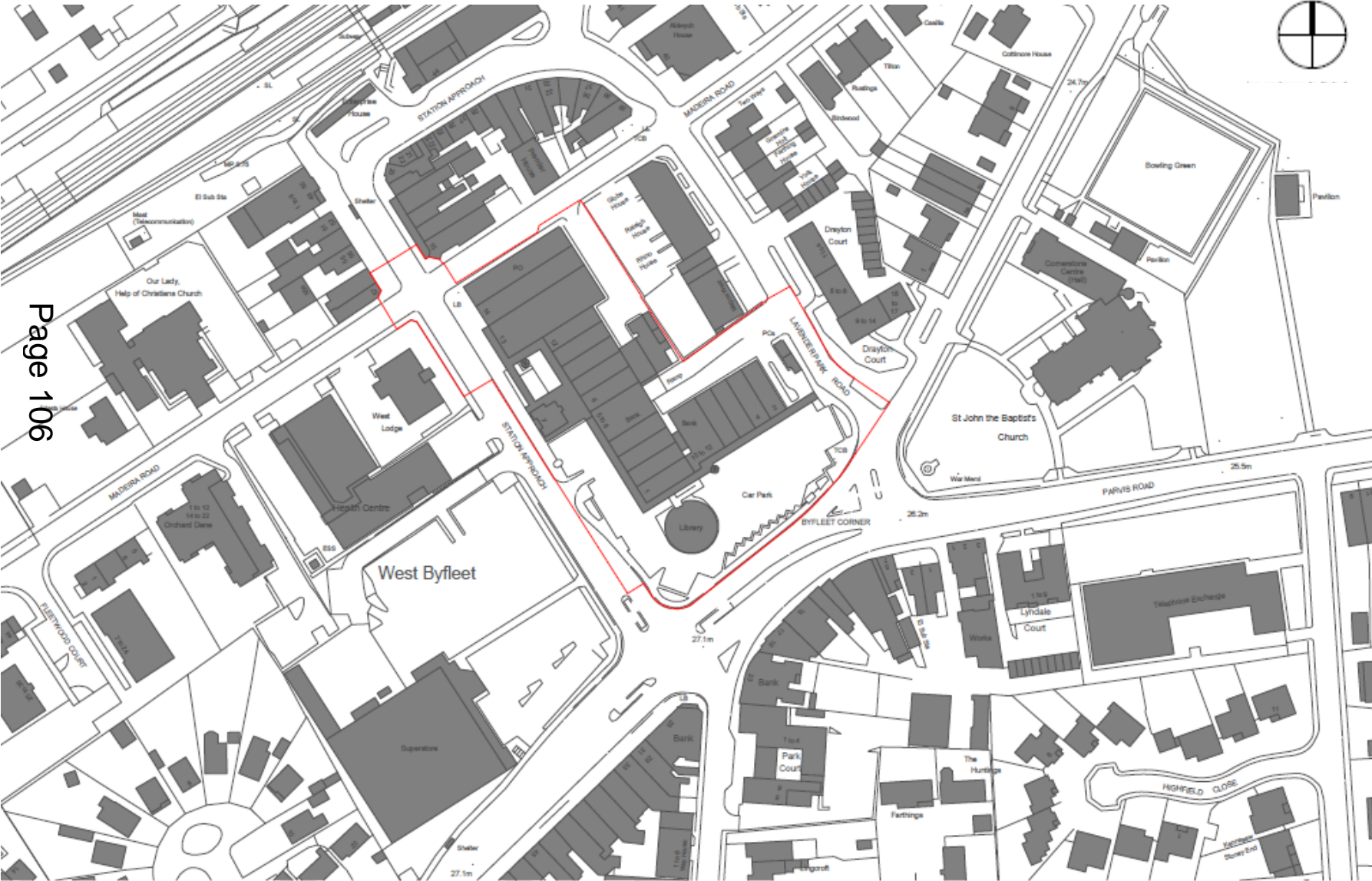
## ITEM 6a – PLAN/2020/0801

# Land to the north of Old Woking Road & east of Station Approach, West Byfleet, Woking, KT14 6NG

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Section 73 application for variation of conditions 04 and 05 (approved plans/documents) of PLAN/2017/0128 dated 21.12.2017 (Outline planning application (all matters reserved except for access) for demolition of all buildings on the site and retail and leisure led mixed use redevelopment comprising up to 5,000 sqm GIA of retail and leisure uses (Use Classes A1/A2/A3/A4/A5), up to 2,000 sqm GIA of commercial use (Use Class B1a), up to 20,500sq m GIA residential (or maximum of 255 units) (Use Class C2/C3 or C3), up to 300 sqm GIA of community use (Use Class D1), together with the provision of basement space, car and cycle parking, highway works, public realm improvements and associated works) to reconfigure the upper floor layout of Block B to provide an H shaped form, make changes to Classes A1-A5, B1(a), C3 and C2 floorspace parameters, reduce the minimum parameter of basement floorspace and amend the level of the basement AOD, reduce the minimum parameter of residential car parking spaces (no change to the amount of public parking), increase the maximum storeys (whilst maintaining the maximum height AOD), introduce second vehicular access point onto Madeira Road, amend the layout of private amenity space and increase balcony locations and reflect amendments to the Use Classes Order that came into force on 1 September 2020.

# Site Location Plan – PLAN/2020/0801



# Site Photographs – PLAN/2020/0801



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# Site Photographs – PLAN/2020/0801



# Site Photographs – PLAN/2020/0801



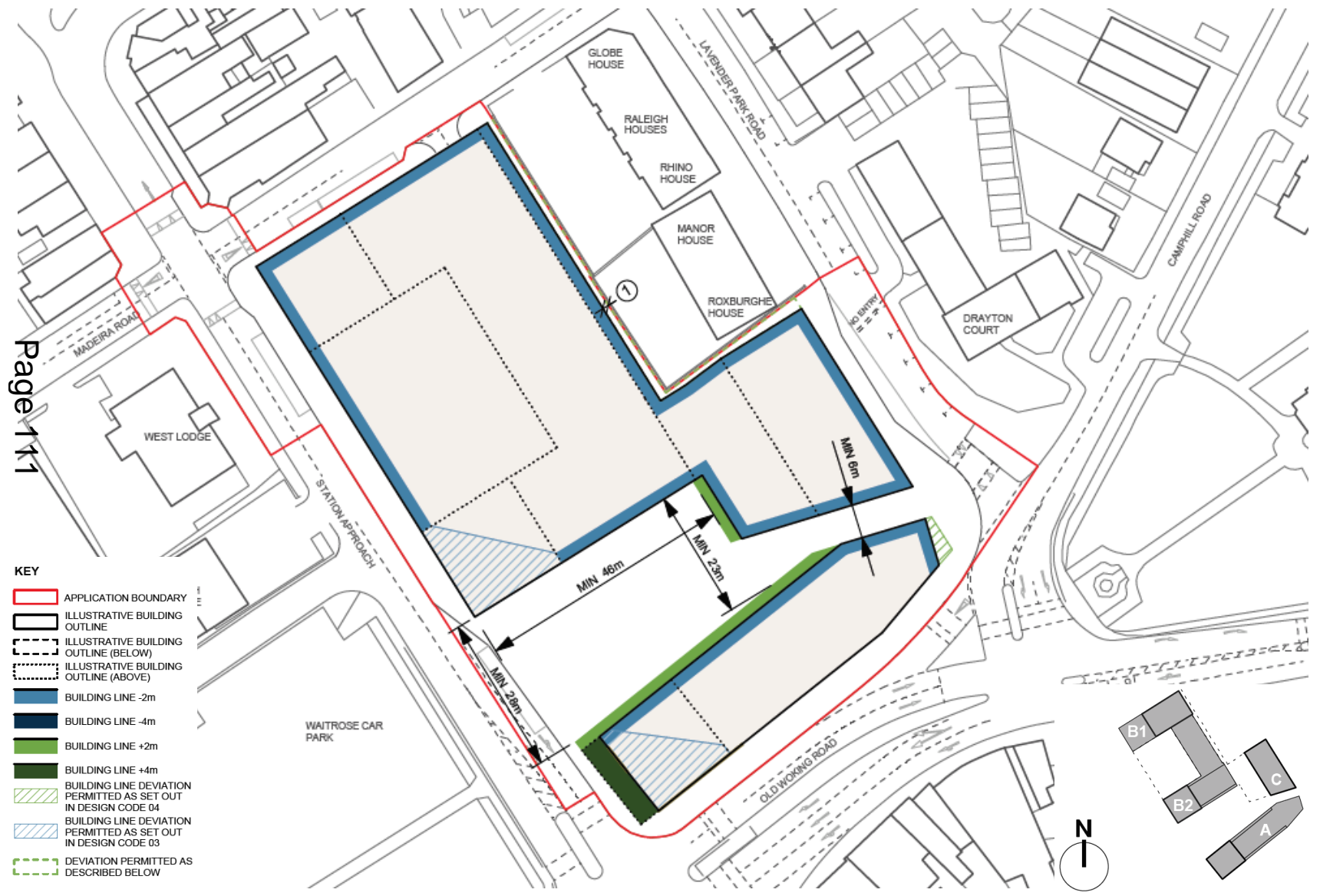
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# Site 'Birds Eye' View – PLAN/2020/0801



Slide 8 **Approved Parameter Plan 01: Horizontal Limit of Deviation (Ground Floor) – PLAN/2020/0801**

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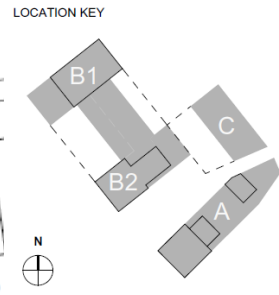


# Slide 9 Proposed Parameter Plan 01: Horizontal Limit of Deviation (Ground Floor) – PLAN/2020/0801

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- KEY**
- APPLICATION BOUNDARY
  - ILLUSTRATIVE BUILDING OUTLINE
  - ILLUSTRATIVE BUILDING OUTLINE (BELOW)
  - ILLUSTRATIVE BUILDING OUTLINE (ABOVE)
  - BUILDING LINE -2m
  - BUILDING LINE -4m
  - BUILDING LINE +2m
  - BUILDING LINE +4m
  - BUILDING LINE DEVIATION PERMITTED AS SET OUT IN DESIGN CODE 04
  - BUILDING LINE DEVIATION PERMITTED AS SET OUT IN DESIGN CODE 03
  - DEVIATION PERMITTED AS DESCRIBED BELOW



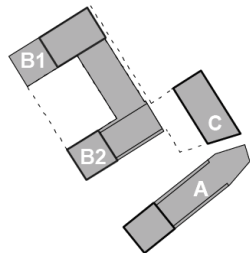


# Approved Parameter Plan 02: Horizontal Limit of Deviation (Typical Floor) – PLAN/2020/0801

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- KEY**
- APPLICATION BOUNDARY
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  - ILLUSTRATIVE BUILDING OUTLINE (BELOW)
  - ILLUSTRATIVE BUILDING OUTLINE (ABOVE)
  - BUILDING LINE -2m
  - BUILDING LINE -3m
  - BUILDING LINE +1m
  - BUILDING LINE +2m
  - BUILDING LINE +3m
  - BUILDING LINE DEVIATION PERMITTED AS SET OUT IN DESIGN CODE 04



# Slide 11 Proposed Parameter Plan 02: Horizontal Limit of Deviation (Typical Floor) – PLAN/2020/0801

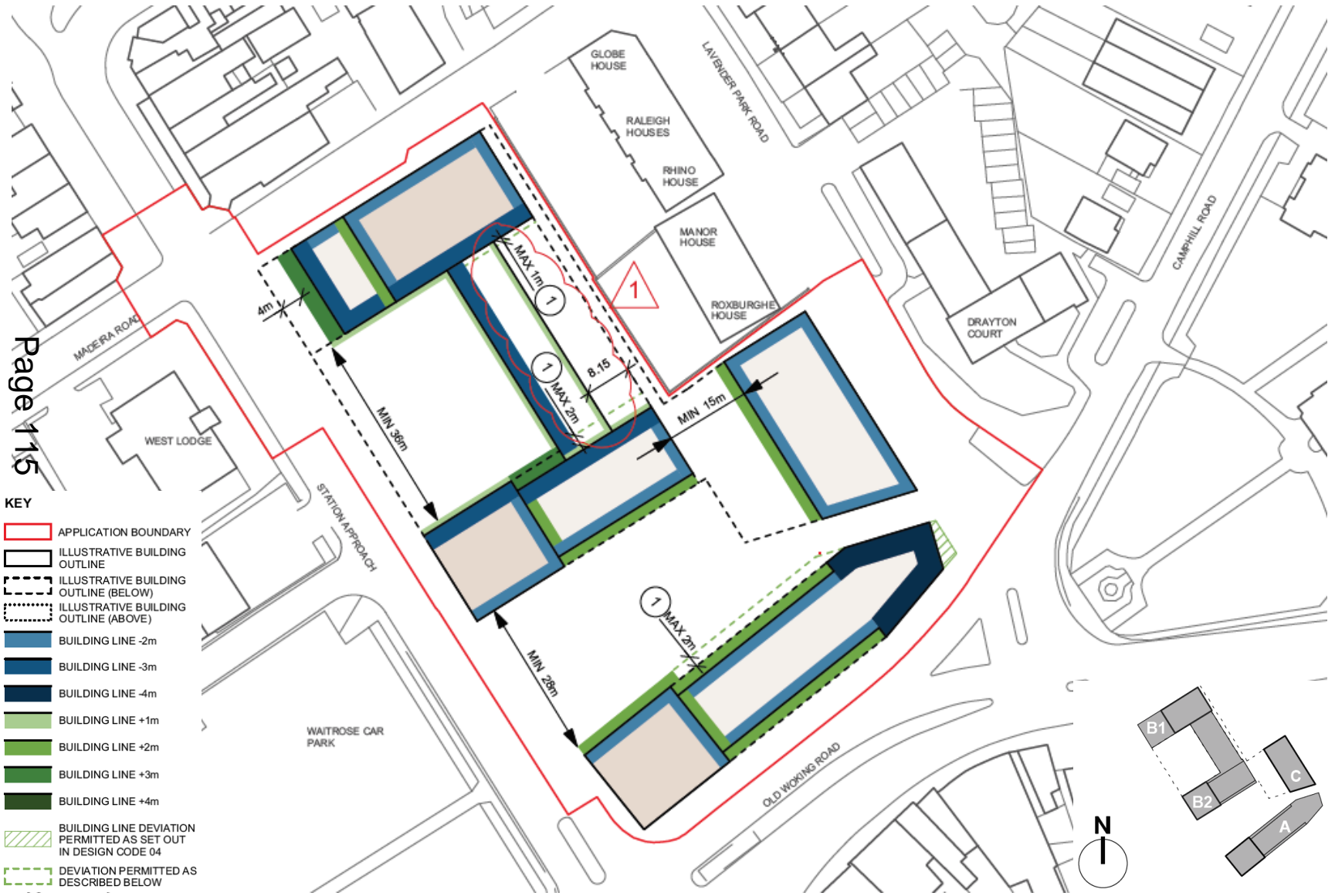
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# Slide 12 Approved Parameter Plan 03: Horizontal Limit of Deviation (Top Floor) – PLAN/2020/0801

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- KEY**
- ▭ APPLICATION BOUNDARY
  - ILLUSTRATIVE BUILDING OUTLINE
  - ILLUSTRATIVE BUILDING OUTLINE (BELOW)
  - ILLUSTRATIVE BUILDING OUTLINE (ABOVE)
  - BUILDING LINE -2m
  - BUILDING LINE -3m
  - BUILDING LINE -4m
  - BUILDING LINE +1m
  - BUILDING LINE +2m
  - BUILDING LINE +3m
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  - BUILDING LINE DEVIATION PERMITTED AS SET OUT IN DESIGN CODE 04
  - DEVIATION PERMITTED AS DESCRIBED BELOW

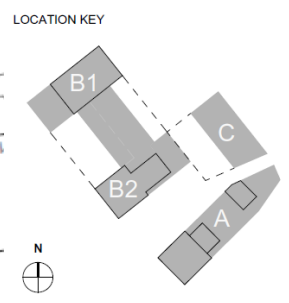


# Slide 13 Proposed Parameter Plan 03: Horizontal Limit of Deviation (Top Floor) – PLAN/2020/0801

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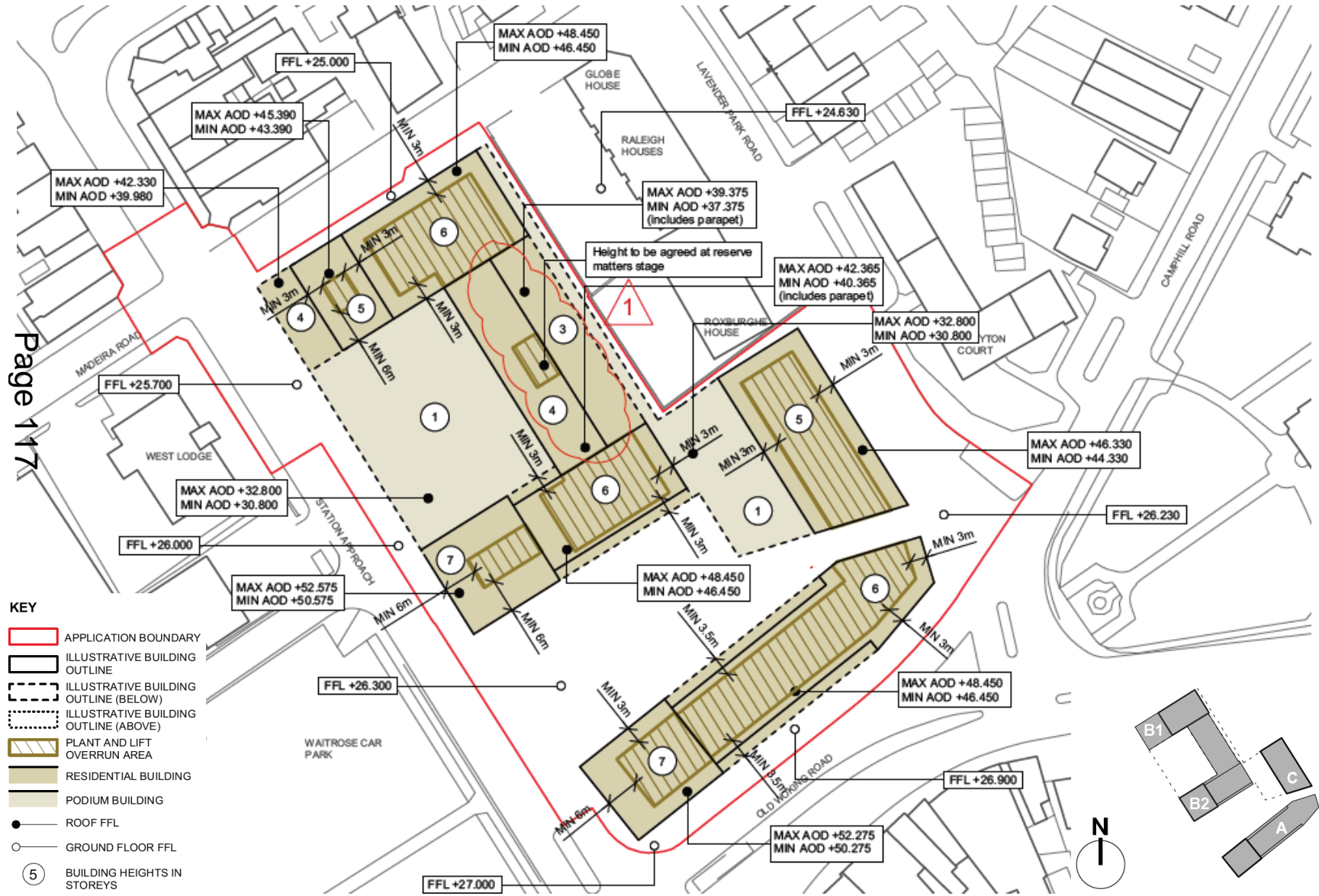


- KEY**
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  - ILLUSTRATIVE BUILDING OUTLINE (BELOW)
  - ILLUSTRATIVE BUILDING OUTLINE (ABOVE)
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  - BUILDING LINE -3m
  - BUILDING LINE -4m
  - BUILDING LINE +1m
  - BUILDING LINE +2m
  - BUILDING LINE +4m
  - BUILDING LINE DEVIATION PERMITTED AS SET OUT IN DESIGN CODE 04
  - DEVIATION PERMITTED AS DESCRIBED BELOW



# Approved Parameter Plan 04: Minimum & Maximum Building Heights – PLAN/2020/0801

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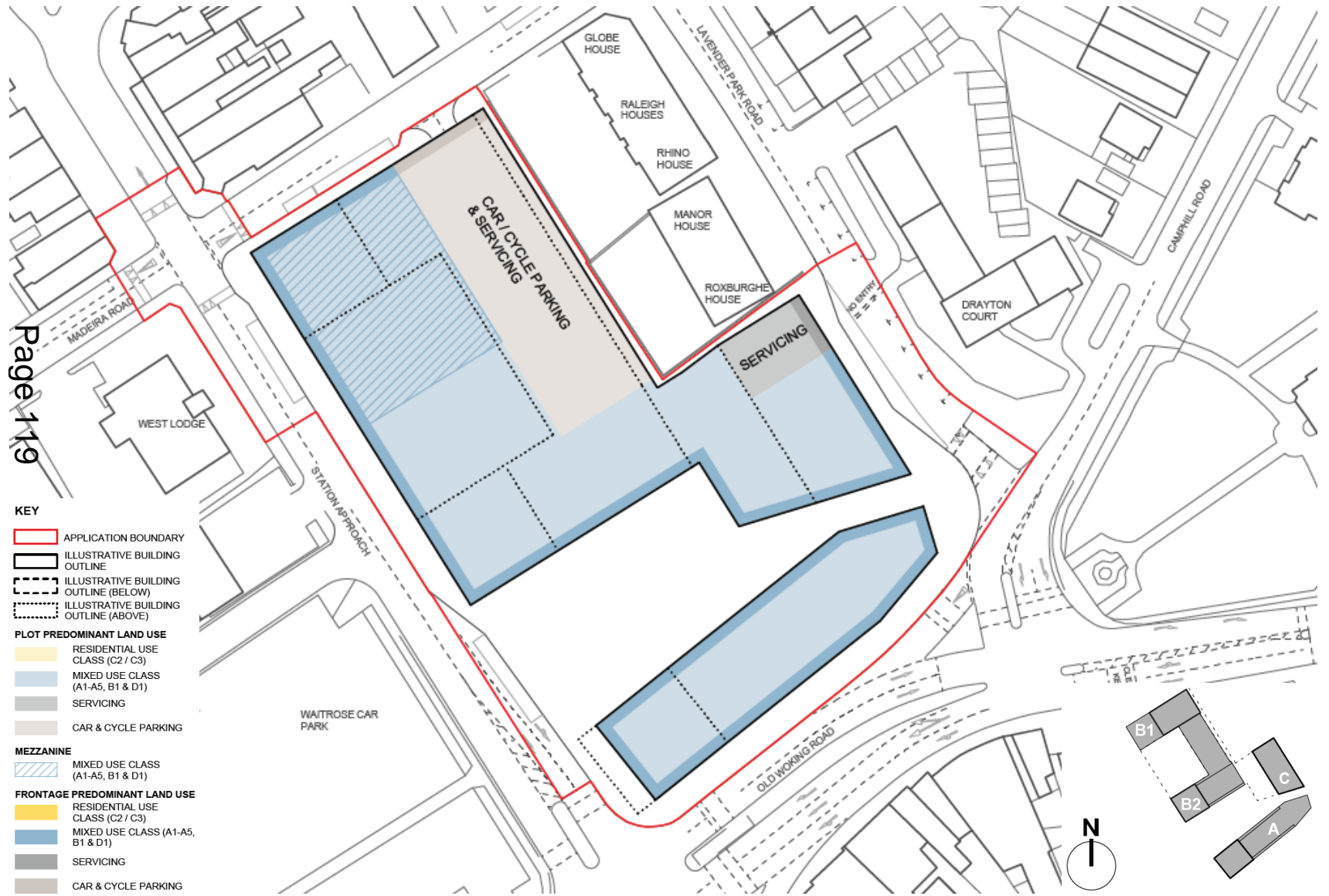


# Proposed Parameter Plan 04: Minimum & Maximum Building Heights – PLAN/2020/0801

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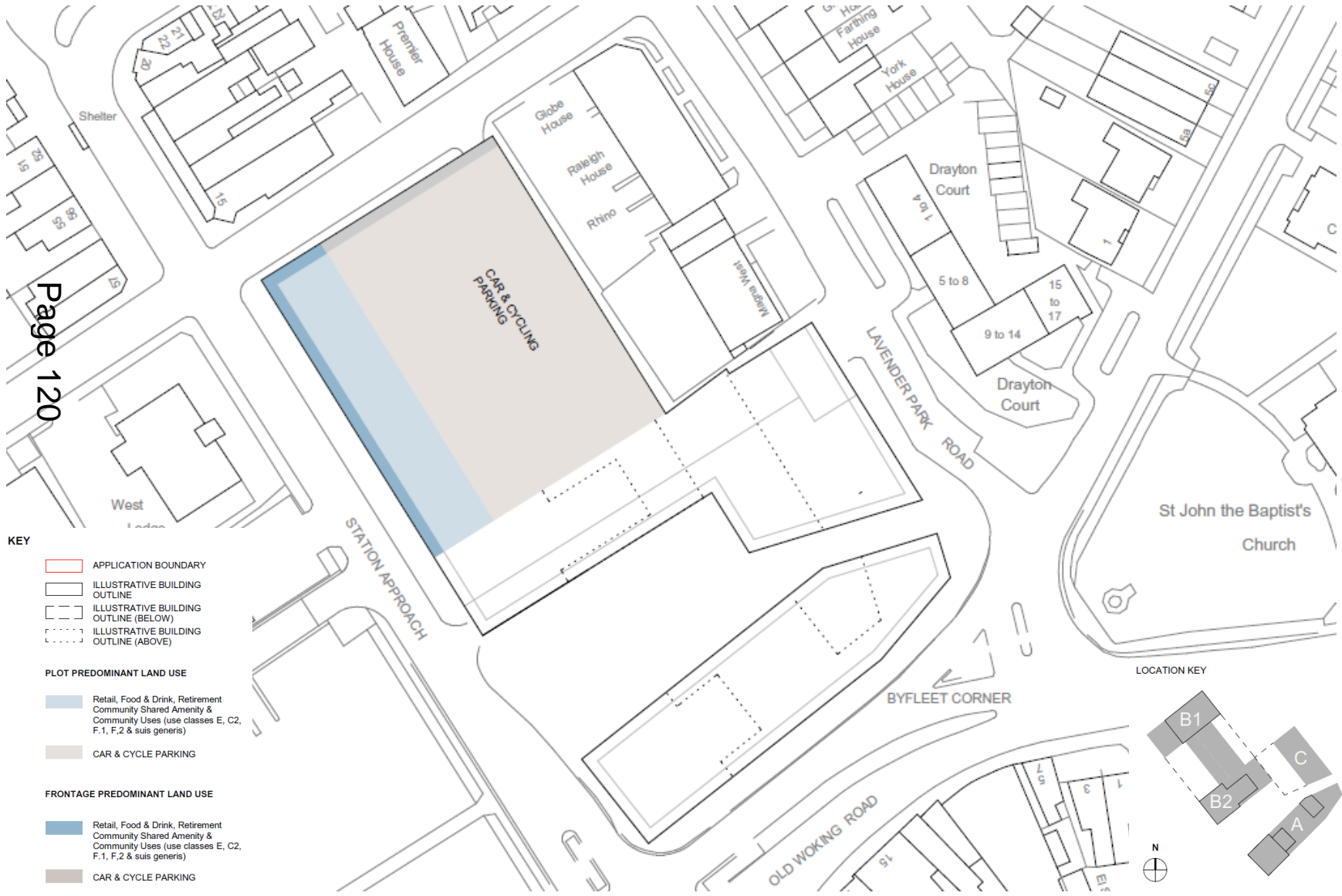
# Approved Parameter Plan 05: Land Use (Ground Floor) – PLAN/2020/0801



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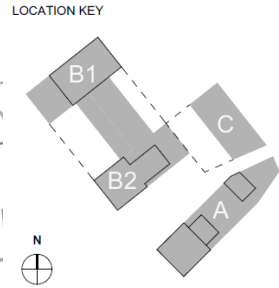
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  - ILLUSTRATIVE BUILDING OUTLINE (BELOW)
  - ILLUSTRATIVE BUILDING OUTLINE (ABOVE)
- PLOT PREDOMINANT LAND USE**
- RESIDENTIAL USE CLASS (C2 / C3)
  - MIXED USE CLASS (A1-A5, B1 & D1)
  - SERVICING
  - CAR & CYCLE PARKING
- MEZZANINE**
- MIXED USE CLASS (A1-A5, B1 & D1)
- FRONTAGE PREDOMINANT LAND USE**
- RESIDENTIAL USE CLASS (C2 / C3)
  - MIXED USE CLASS (A1-A5, B1 & D1)
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  - CAR & CYCLE PARKING

# Proposed Parameter Plan 05a: Land Use (Lower Ground Floor) – PLAN/2020/0801



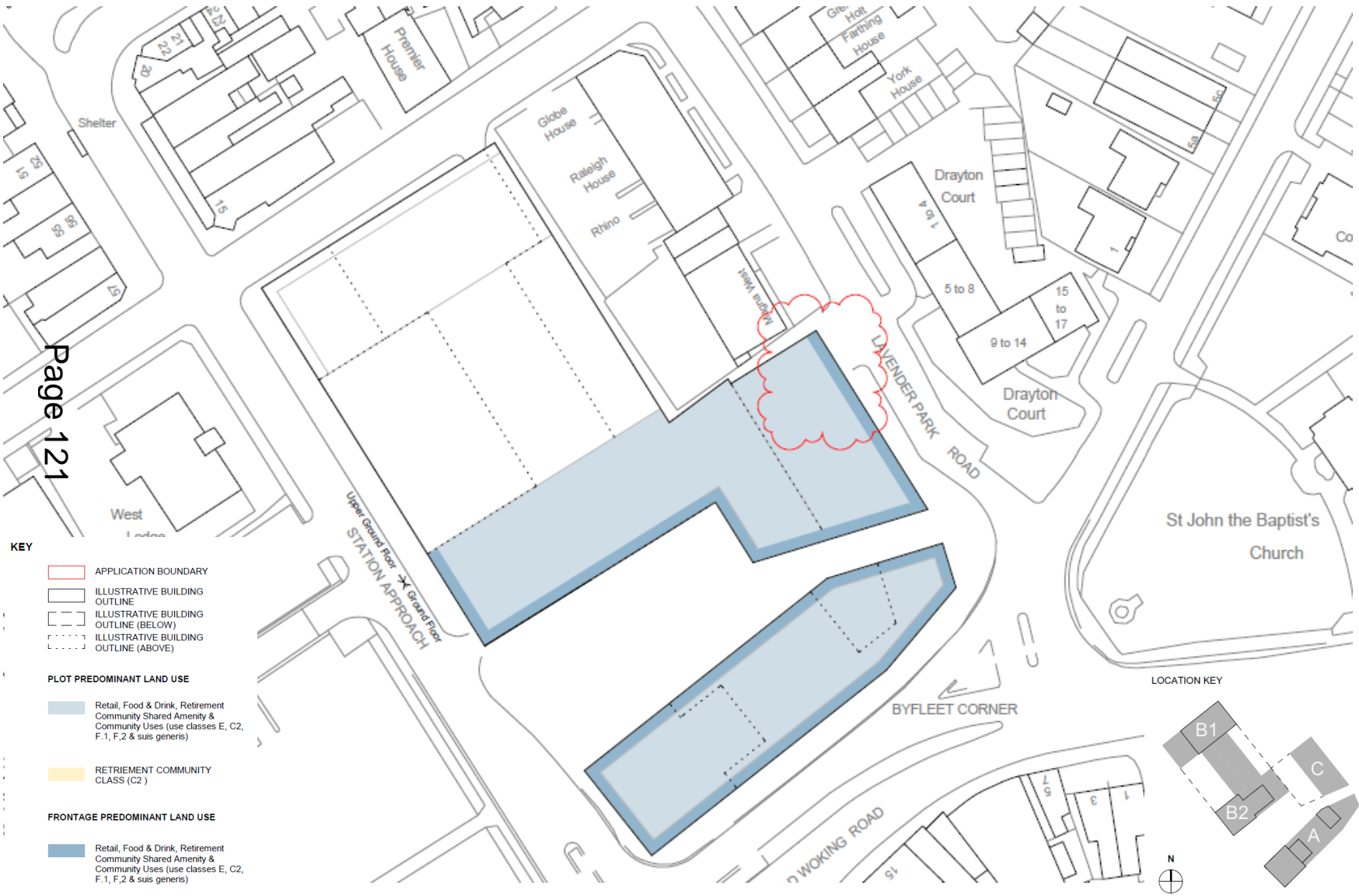
Page 120

- KEY**
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  - ILLUSTRATIVE BUILDING OUTLINE (BELOW)
  - ILLUSTRATIVE BUILDING OUTLINE (ABOVE)
- PLOT PREDOMINANT LAND USE**
- Retail, Food & Drink, Retirement Community Shared Amenity & Community Uses (use classes E, C2, F.1, F.2 & suis generis)
  - CAR & CYCLE PARKING
- FRONTAGE PREDOMINANT LAND USE**
- Retail, Food & Drink, Retirement Community Shared Amenity & Community Uses (use classes E, C2, F.1, F.2 & suis generis)
  - CAR & CYCLE PARKING



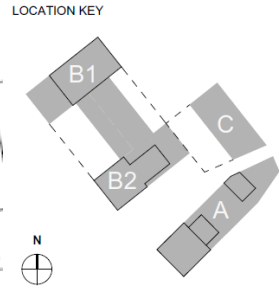


# Proposed Parameter Plan 05b: Land Use (Ground Floor) – PLAN/2020/0801

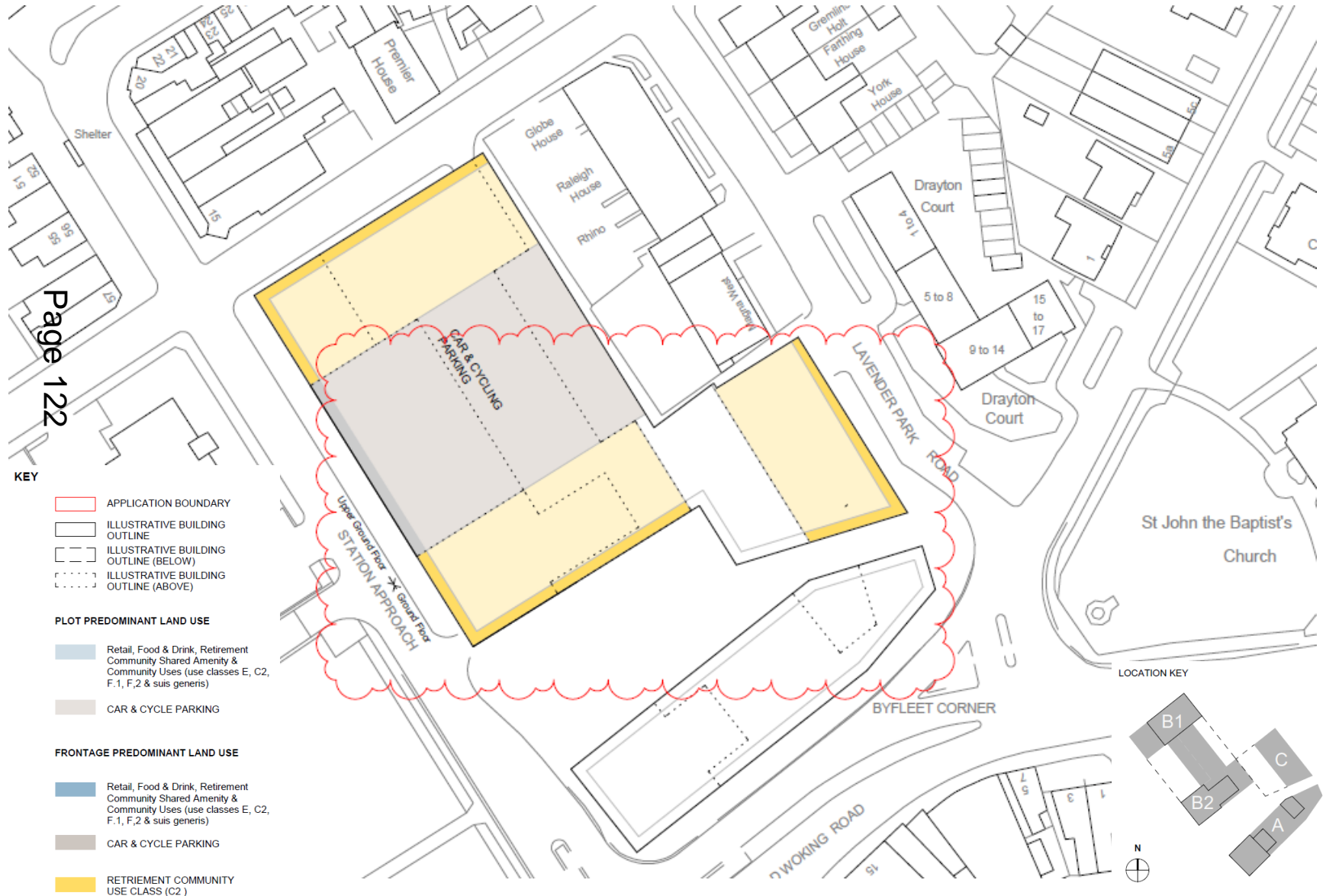


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- KEY**
- APPLICATION BOUNDARY
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  - ILLUSTRATIVE BUILDING OUTLINE (BELOW)
  - ILLUSTRATIVE BUILDING OUTLINE (ABOVE)
- PLOT PREDOMINANT LAND USE**
- Retail, Food & Drink, Retirement Community Shared Amenity & Community Uses (use classes E, C2, F.1, F.2 & suis generis)
  - RETIREMENT COMMUNITY USE CLASS (C2)
- FRONTAGE PREDOMINANT LAND USE**
- Retail, Food & Drink, Retirement Community Shared Amenity & Community Uses (use classes E, C2, F.1, F.2 & suis generis)
  - RETIREMENT COMMUNITY USE CLASS (C2)



# Proposed Parameter Plan 05c: Land Use (Upper Ground Floor) – PLAN/2020/0801

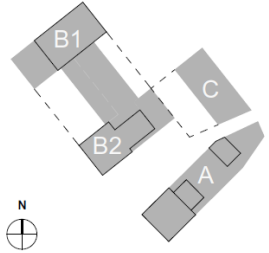


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**KEY**

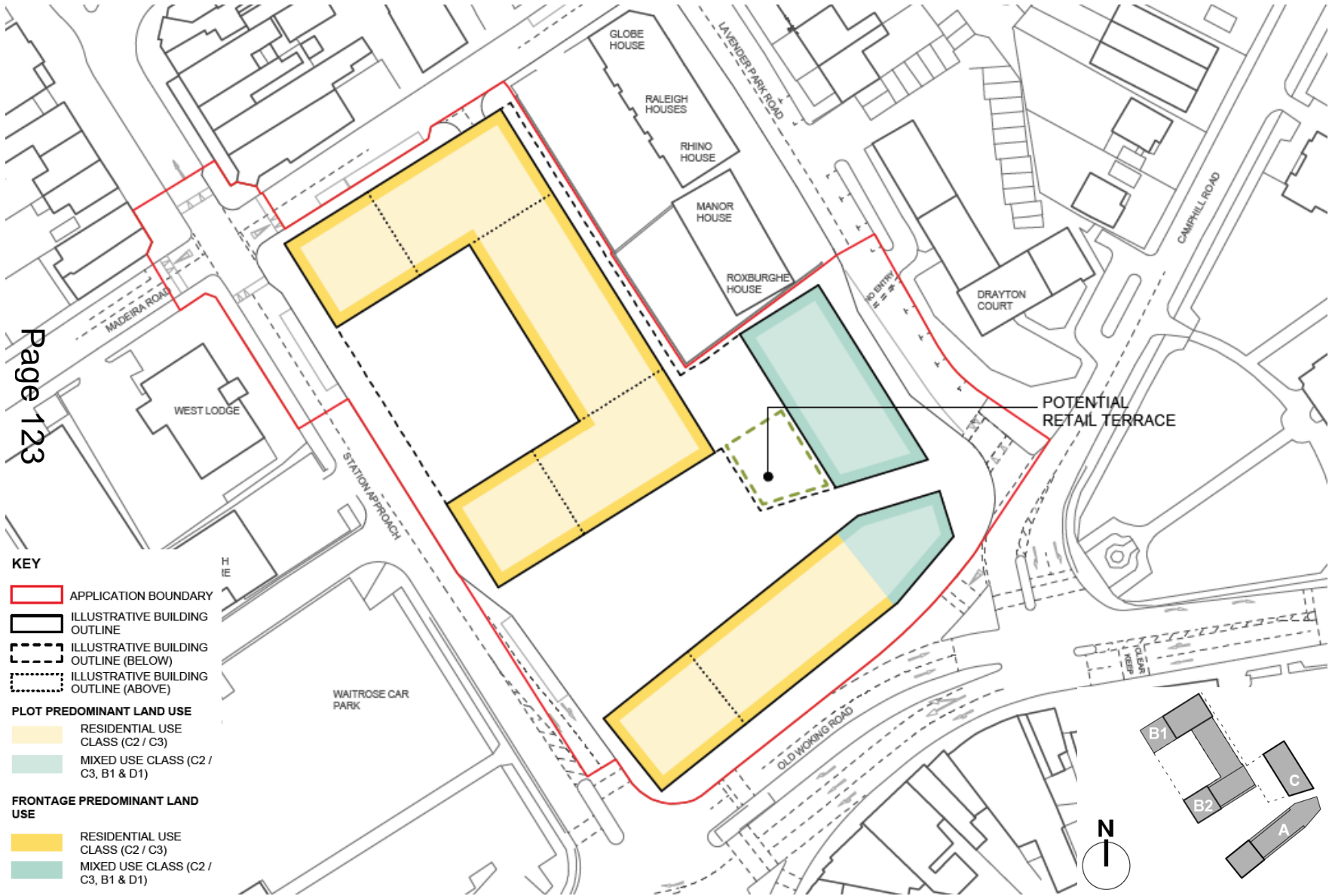
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- PLOT PREDOMINANT LAND USE**
- Retail, Food & Drink, Retirement Community Shared Amenity & Community Uses (use classes E, C2, F.1, F.2 & suis generis)
  - CAR & CYCLE PARKING
- FRONTAGE PREDOMINANT LAND USE**
- Retail, Food & Drink, Retirement Community Shared Amenity & Community Uses (use classes E, C2, F.1, F.2 & suis generis)
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  - RETIEMENT COMMUNITY USE CLASS (C2)

LOCATION KEY

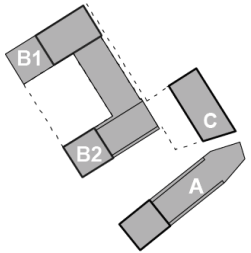


# Approved Parameter Plan 06: Land Use (First Floor) – PLAN/2020/0801

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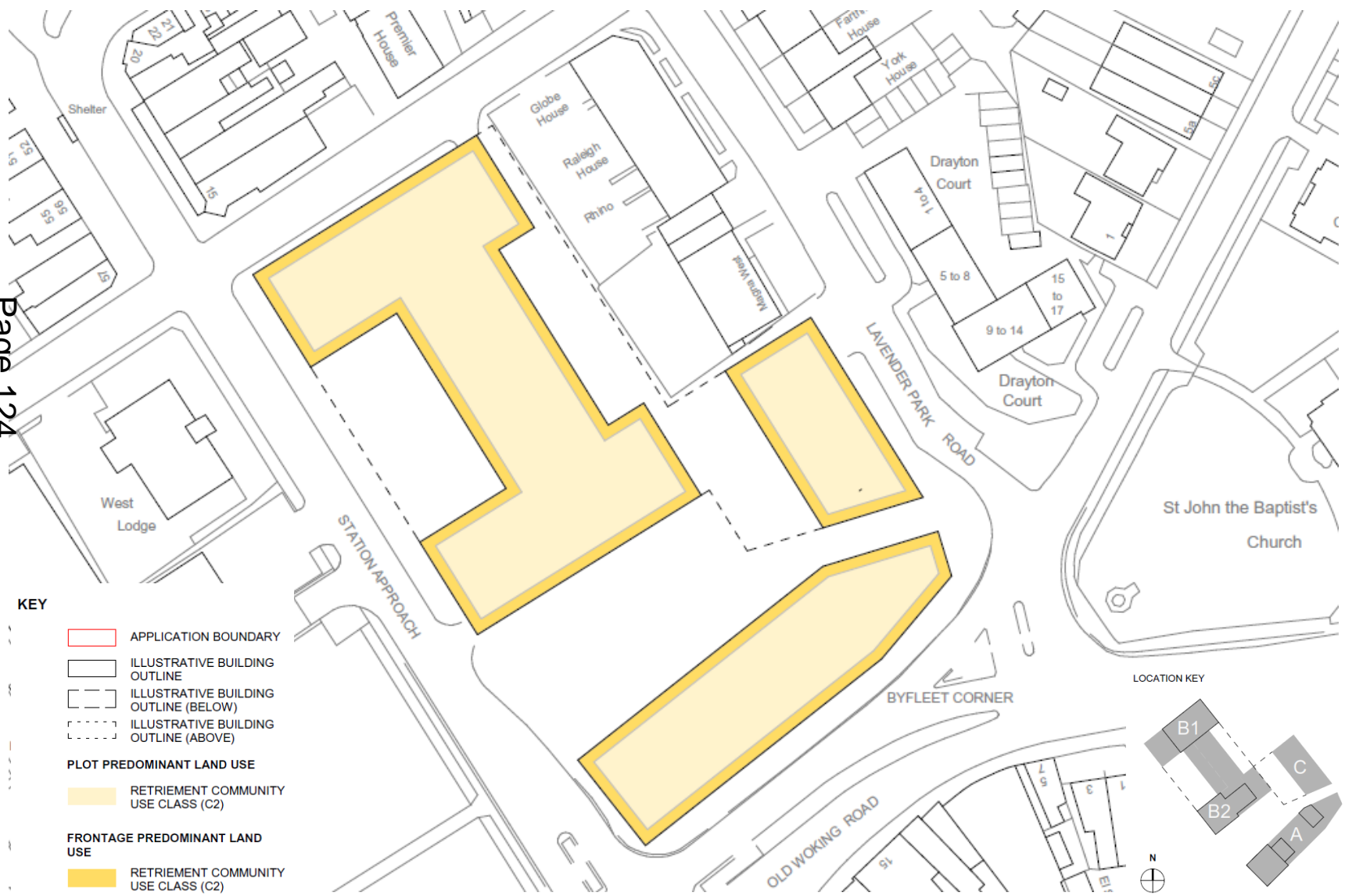


- KEY**
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  - ILLUSTRATIVE BUILDING OUTLINE (BELOW)
  - ILLUSTRATIVE BUILDING OUTLINE (ABOVE)
- PLOT PREDOMINANT LAND USE**
- RESIDENTIAL USE CLASS (C2 / C3)
  - MIXED USE CLASS (C2 / C3, B1 & D1)
- FRONTAGE PREDOMINANT LAND USE**
- RESIDENTIAL USE CLASS (C2 / C3)
  - MIXED USE CLASS (C2 / C3, B1 & D1)



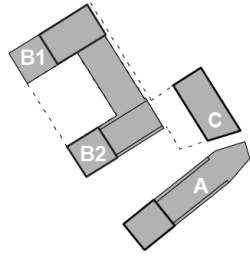
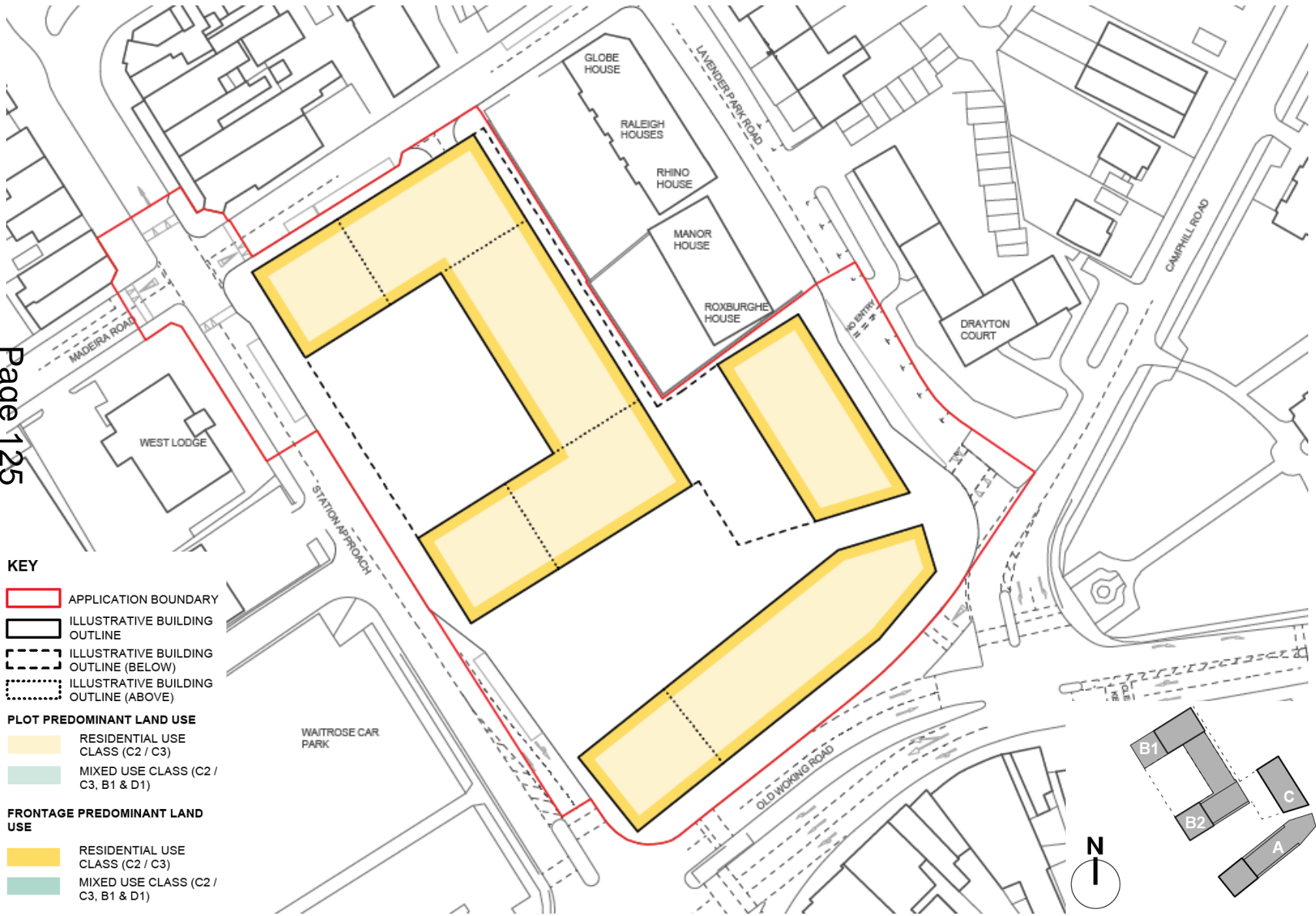
# Proposed Parameter Plan 06: Land Use (First Floor) – PLAN/2020/0801

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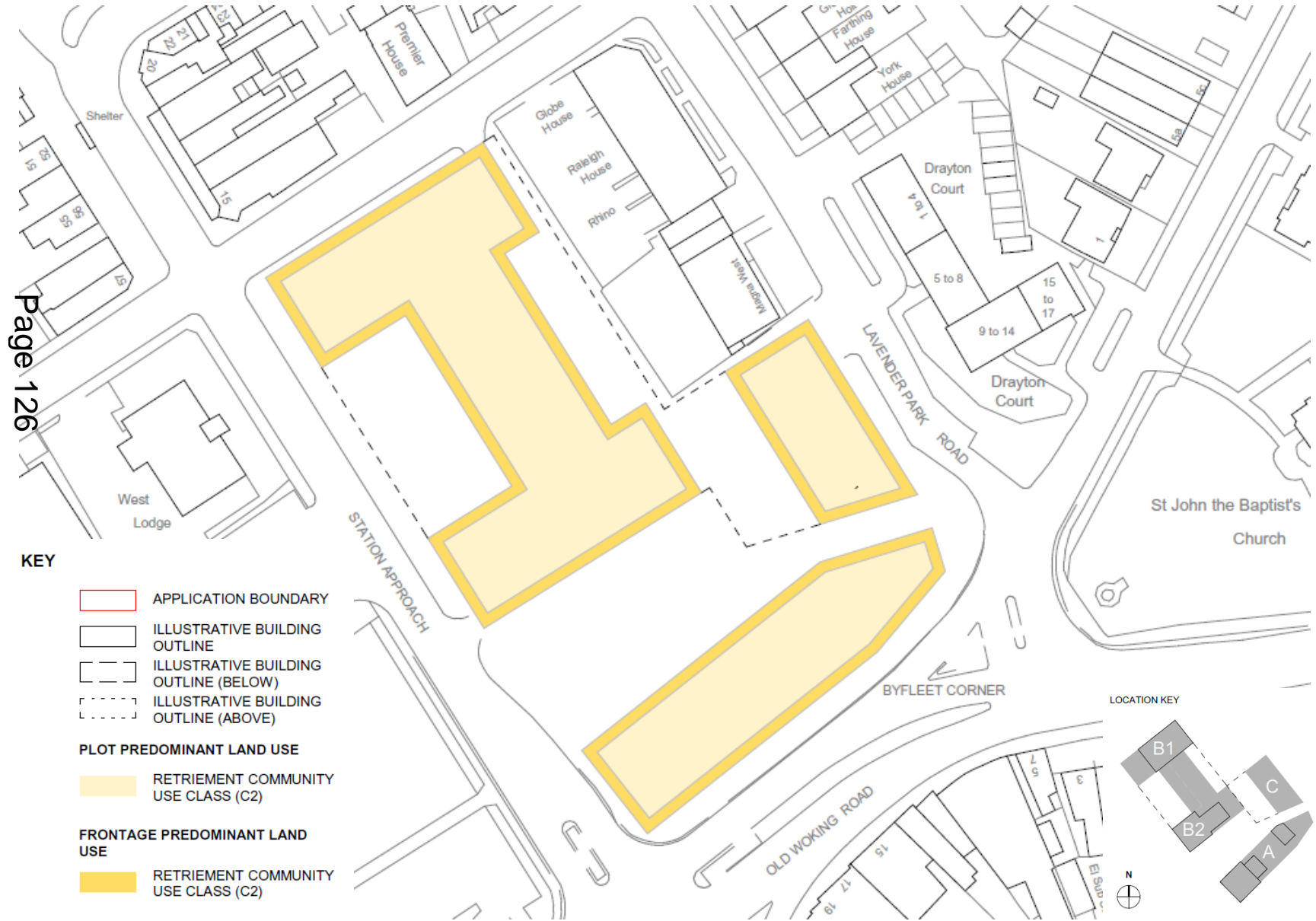


# Approved Parameter Plan 07: Land Use (Typical Floor) – PLAN/2020/0801

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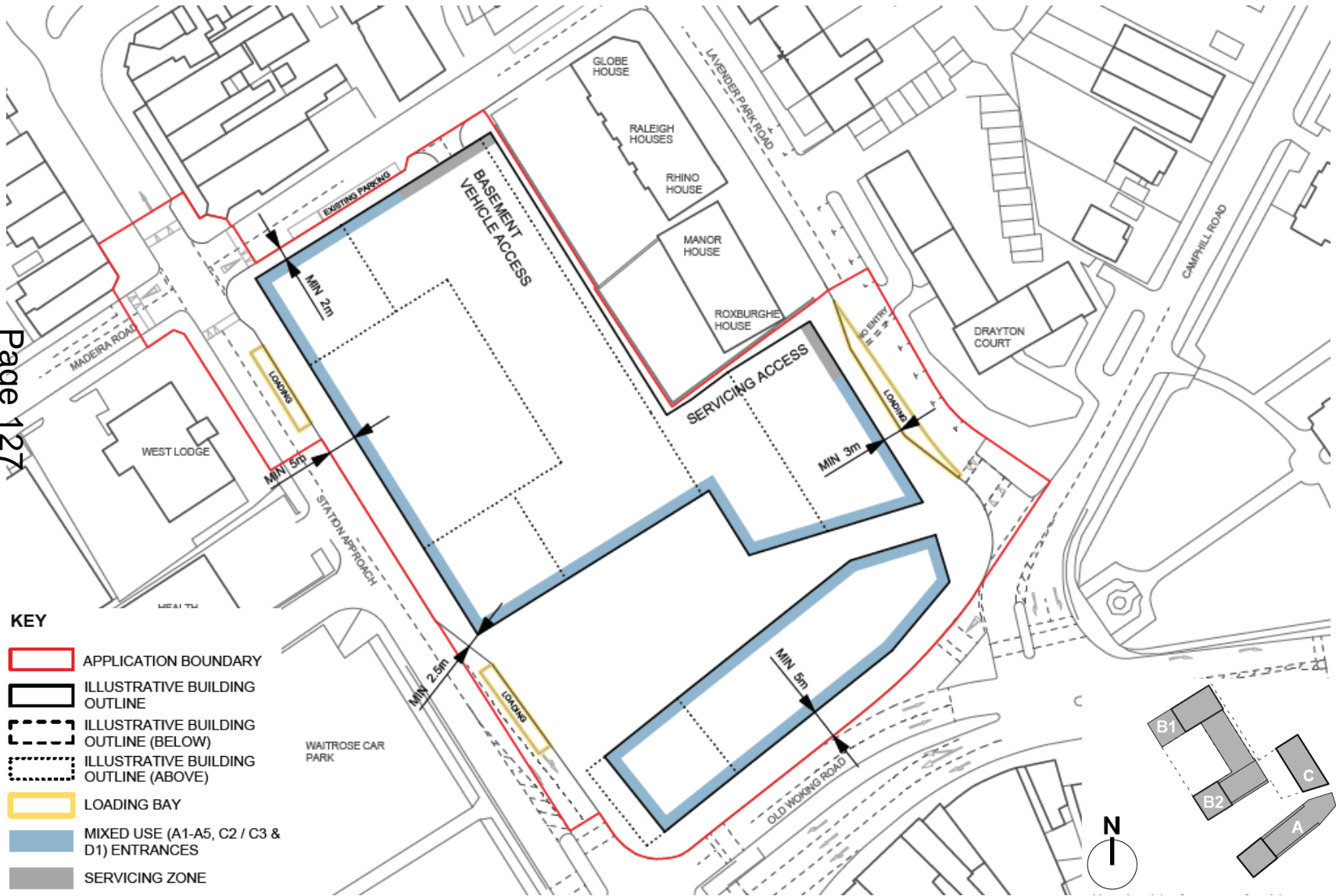
# Proposed Parameter Plan 07: Land Use (Typical Floor) – PLAN/2020/0801



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# Approved Parameter Plan 08: Access – PLAN/2020/0801

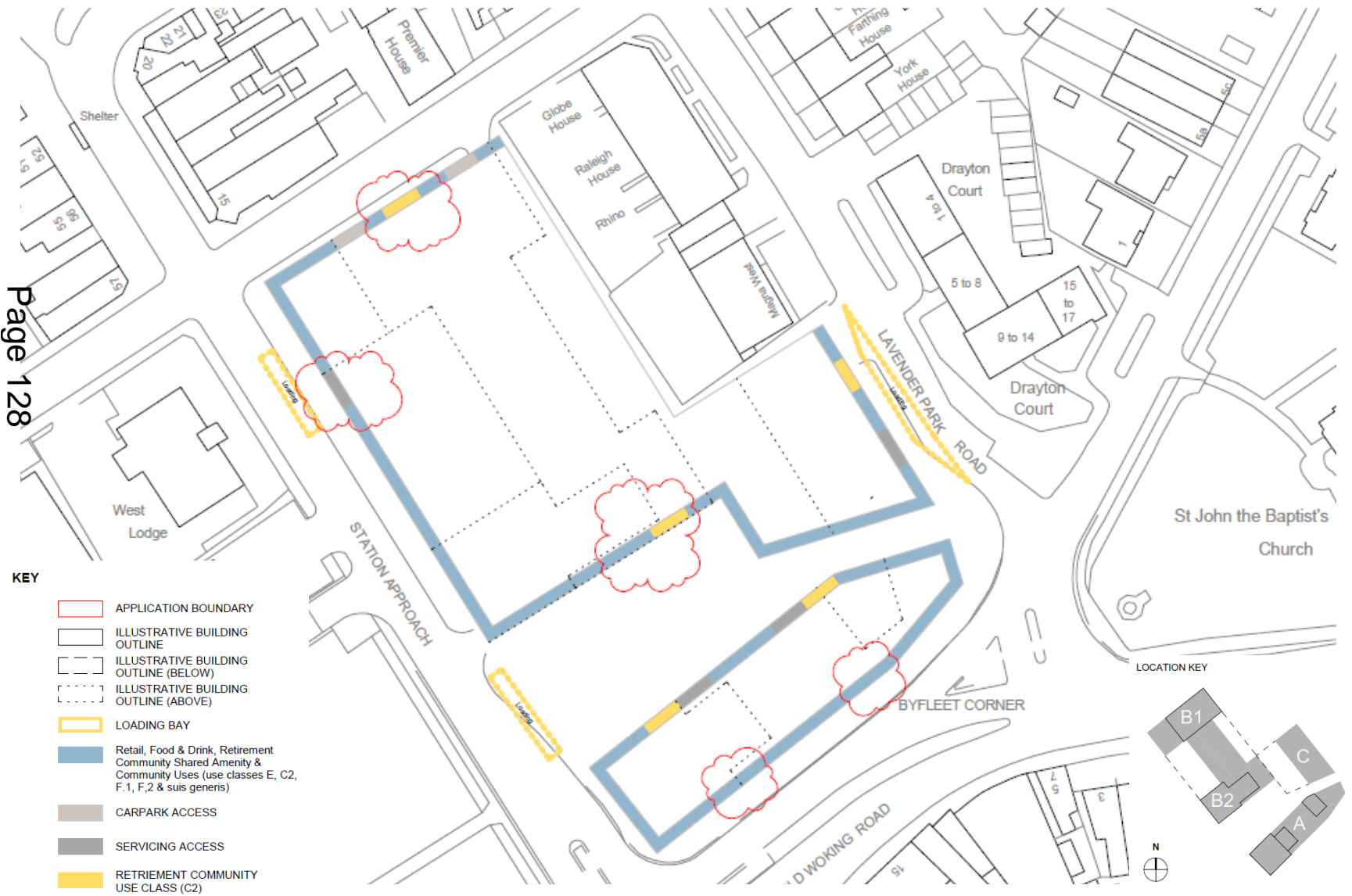
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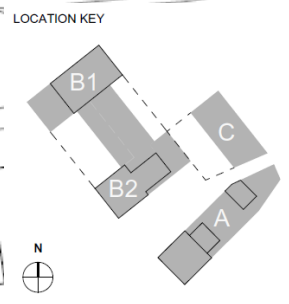
- KEY**
- APPLICATION BOUNDARY
  - ILLUSTRATIVE BUILDING OUTLINE
  - ILLUSTRATIVE BUILDING OUTLINE (BELOW)
  - ILLUSTRATIVE BUILDING OUTLINE (ABOVE)
  - LOADING BAY
  - MIXED USE (A1-A5, C2 / C3 & D1) ENTRANCES
  - SERVICING ZONE

# Proposed Parameter Plan 08: Access – PLAN/2020/0801

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- KEY**
- APPLICATION BOUNDARY
  - ILLUSTRATIVE BUILDING OUTLINE
  - ILLUSTRATIVE BUILDING OUTLINE (BELOW)
  - ILLUSTRATIVE BUILDING OUTLINE (ABOVE)
  - LOADING BAY
  - Retail, Food & Drink, Retirement Community Shared Amenity & Community Uses (use classes E, C2, F.1, F.2 & suis generis)
  - CARPARK ACCESS
  - SERVICING ACCESS
  - RETIREMENT COMMUNITY USE CLASS (C2)





# Approved Parameter Plan 09: Pedestrian Movement – PLAN/2020/0801

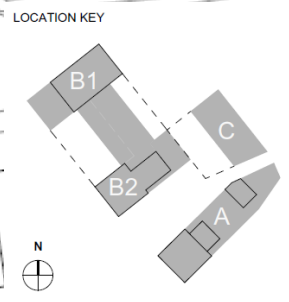


# Proposed Parameter Plan 09: Pedestrian Movement – PLAN/2020/0801

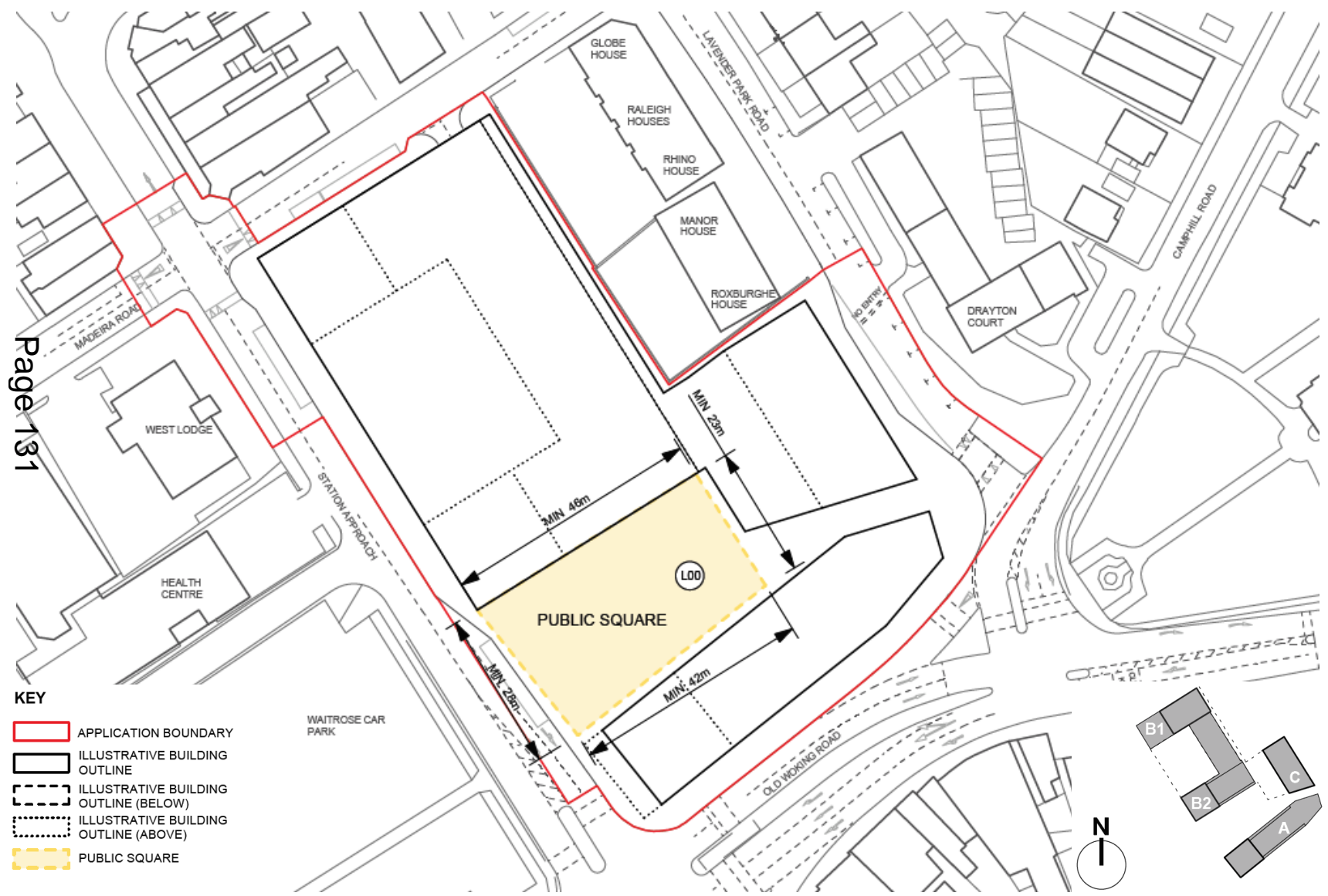


Page 130

- KEY**
- APPLICATION BOUNDARY
  - ILLUSTRATIVE BUILDING OUTLINE
  - ILLUSTRATIVE BUILDING OUTLINE (BELOW)
  - ILLUSTRATIVE BUILDING OUTLINE (ABOVE)
  - PEDESTRIAN ZONE
  - PEDESTRIAN CROSSING (EXISTING)
  - PEDESTRIAN CROSSING (PROPOSED)
  - ↔ PRIMARY ROUTE
  - ↔ SECONDARY ROUTE
  - ↔ TERTIARY ROUTE
  - ↔ OPTIONAL ACCESS

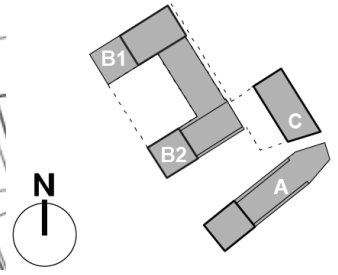


# Approved Parameter Plan 10: Public Open Space – PLAN/2020/0801



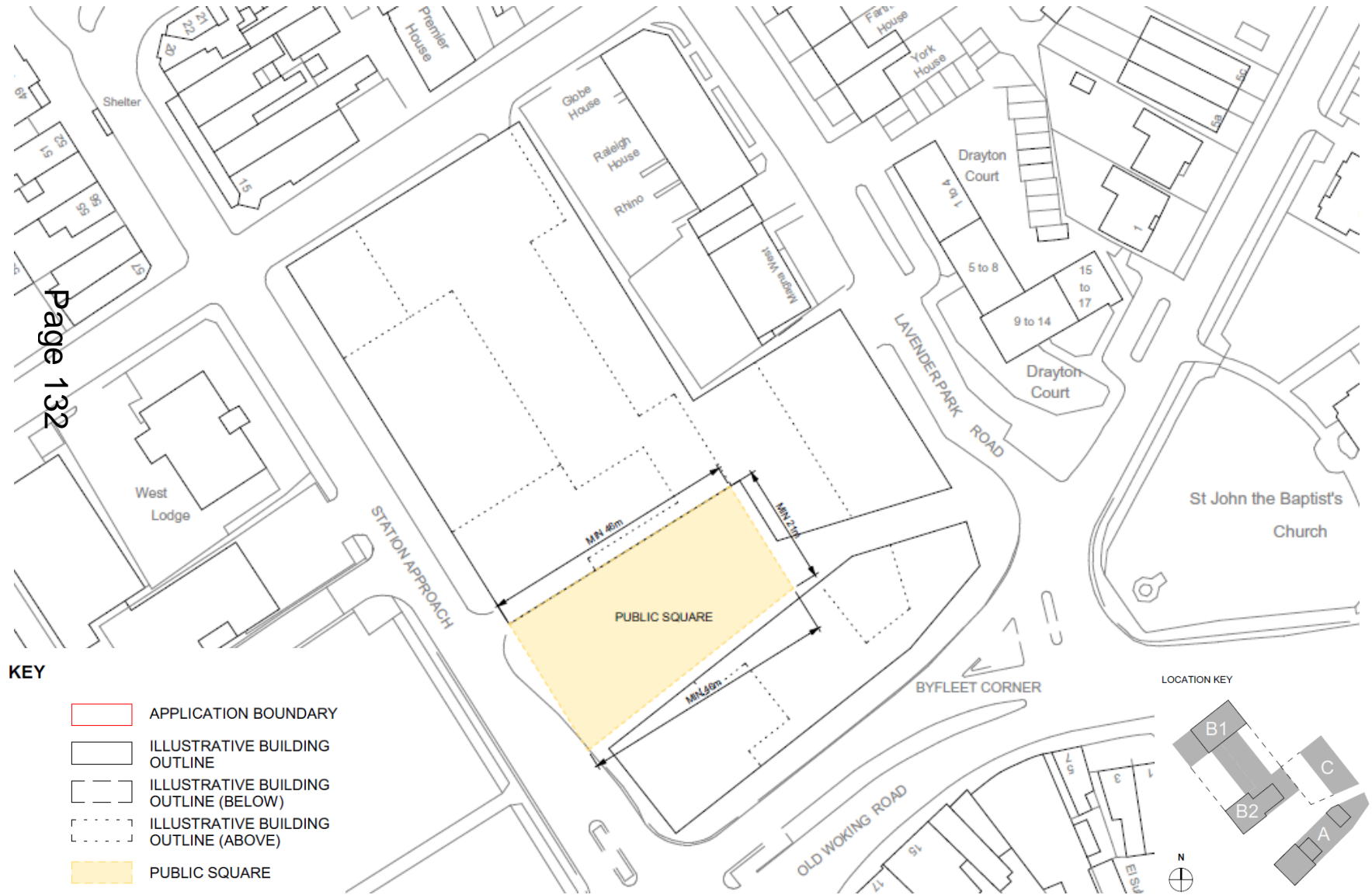
Page 131

- KEY**
- APPLICATION BOUNDARY
  - ILLUSTRATIVE BUILDING OUTLINE
  - ILLUSTRATIVE BUILDING OUTLINE (BELOW)
  - ILLUSTRATIVE BUILDING OUTLINE (ABOVE)
  - PUBLIC SQUARE

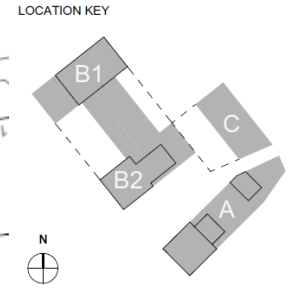


# Proposed Parameter Plan 10: Public Open Space – PLAN/2020/0801

Page 132



- KEY**
- APPLICATION BOUNDARY
  - ILLUSTRATIVE BUILDING OUTLINE
  - ILLUSTRATIVE BUILDING OUTLINE (BELOW)
  - ILLUSTRATIVE BUILDING OUTLINE (ABOVE)
  - PUBLIC SQUARE

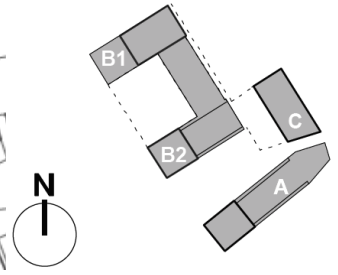


# Approved Parameter Plan 11: Topography (Basement) – PLAN/2020/0801

Page 133



- KEY**
- APPLICATION BOUNDARY
  - ILLUSTRATIVE BUILDING OUTLINE
  - ILLUSTRATIVE BUILDING OUTLINE (BELOW)
  - ILLUSTRATIVE BUILDING OUTLINE (ABOVE)
- AOD LEVELS**
- +21.500m AOD  
LIMIT OF DEVIATION: +/- 1M
  - +23.500m AOD  
LIMIT OF DEVIATION: +/- 1M
- HORIZONTAL DEVIATION**
- HORIZONTAL DEVIATION TO OWNERSHIP BOUNDARY

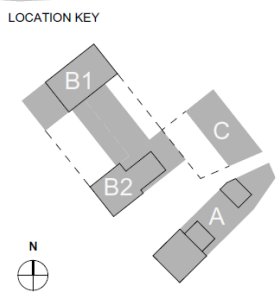


# Proposed Parameter Plan 11: Topography (Basement & Lower Ground) – PLAN/2020/0801



Page 134

- KEY**
- APPLICATION BOUNDARY
  - ILLUSTRATIVE BUILDING OUTLINE
  - ILLUSTRATIVE BUILDING OUTLINE (BELOW)
  - ILLUSTRATIVE BUILDING OUTLINE (ABOVE)
- AOD LEVELS**
- +22.600m AOD  
LIMIT OF DEVIATION: +/- 1M
  - +24.000m AOD  
LIMIT OF DEVIATION: +/- 1M
- HORIZONTAL DEVIATION**
- HORIZONTAL DEVIATION TO OWNERSHIP BOUNDARY

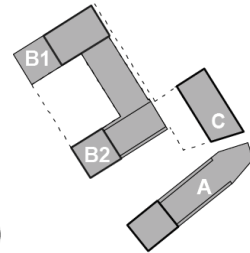


# Approved Parameter Plan 12: Private Amenity Space – PLAN/2020/0801

Page 135

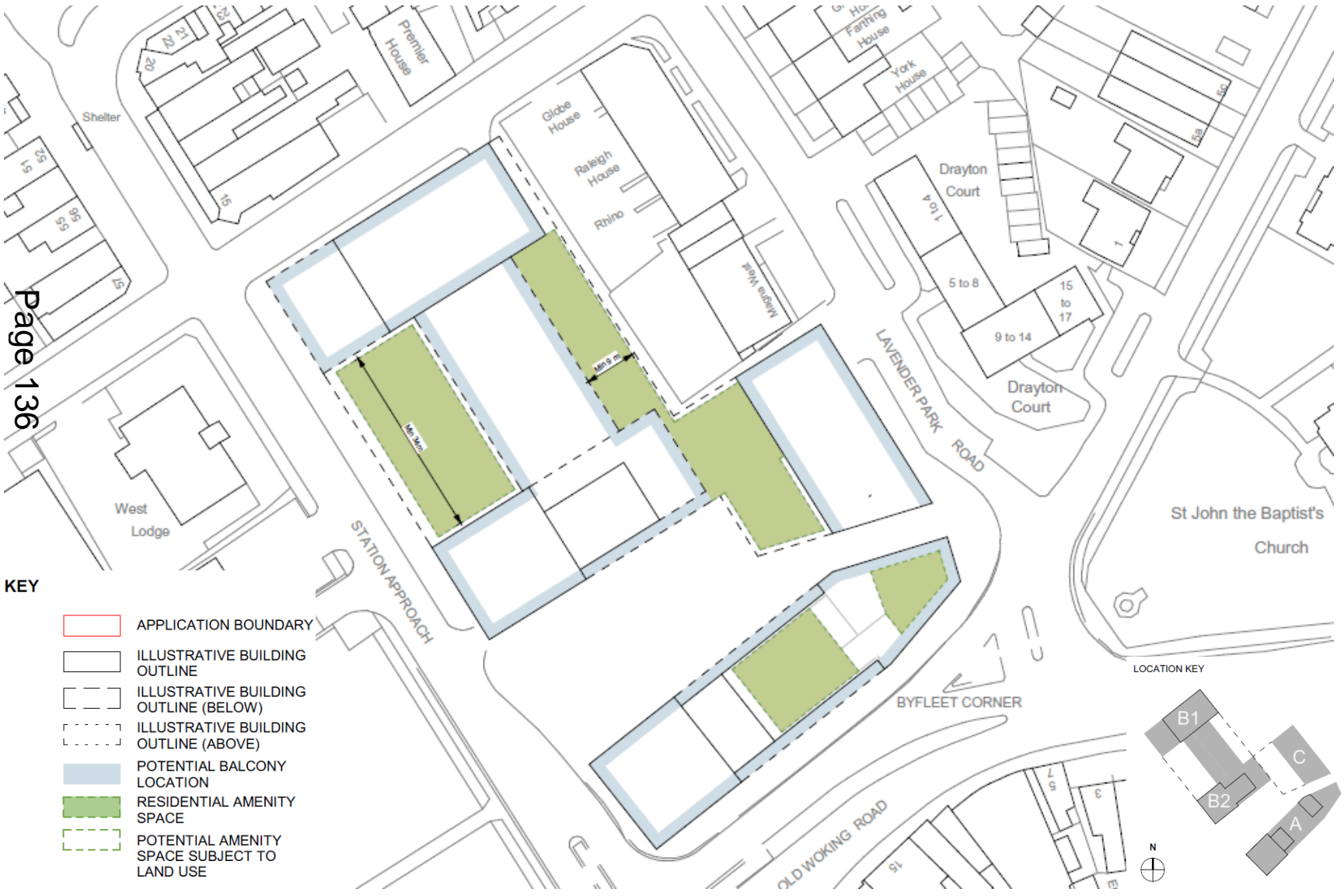


- KEY**
- APPLICATION BOUNDARY
  - ILLUSTRATIVE BUILDING OUTLINE
  - ILLUSTRATIVE BUILDING OUTLINE (BELOW)
  - ILLUSTRATIVE BUILDING OUTLINE (ABOVE)
  - POTENTIAL BALCONY LOCATION
  - RESIDENTIAL AMENITY SPACE
  - POTENTIAL AMENITY SPACE SUBJECT TO LAND USE



# Proposed Parameter Plan 12: Private Amenity Space – PLAN/2020/0801

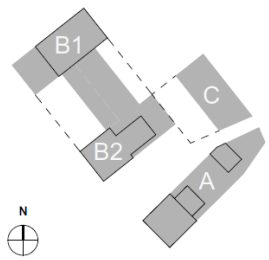
Page 136



**KEY**

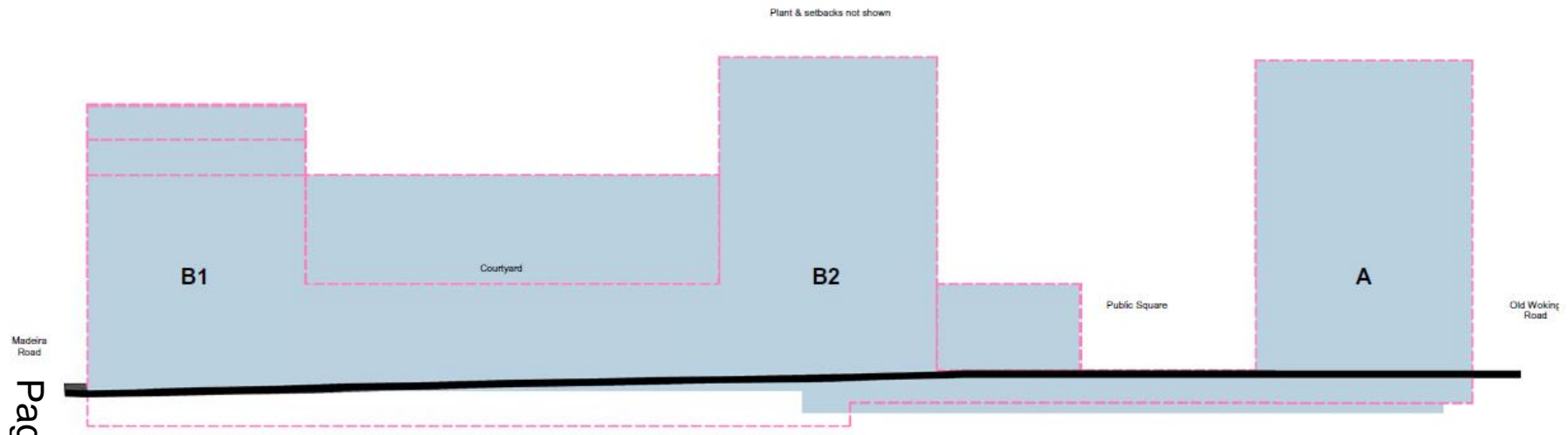
- APPLICATION BOUNDARY
- ILLUSTRATIVE BUILDING OUTLINE
- ILLUSTRATIVE BUILDING OUTLINE (BELOW)
- ILLUSTRATIVE BUILDING OUTLINE (ABOVE)
- POTENTIAL BALCONY LOCATION
- RESIDENTIAL AMENITY SPACE
- POTENTIAL AMENITY SPACE SUBJECT TO LAND USE

LOCATION KEY

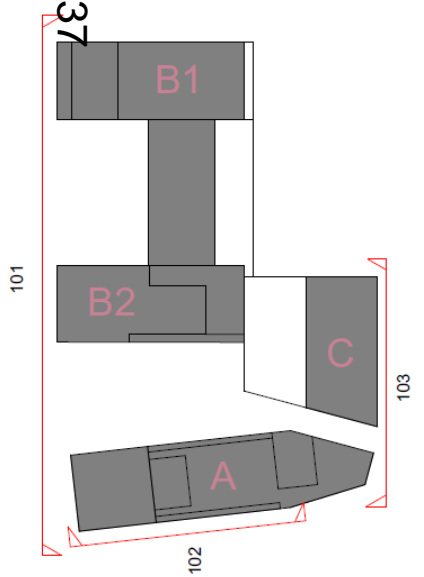




# Comparative Massing (Approved vs Proposed) – PLAN/2020/0801



Elevation 101 - SW- Block B along Station Approach

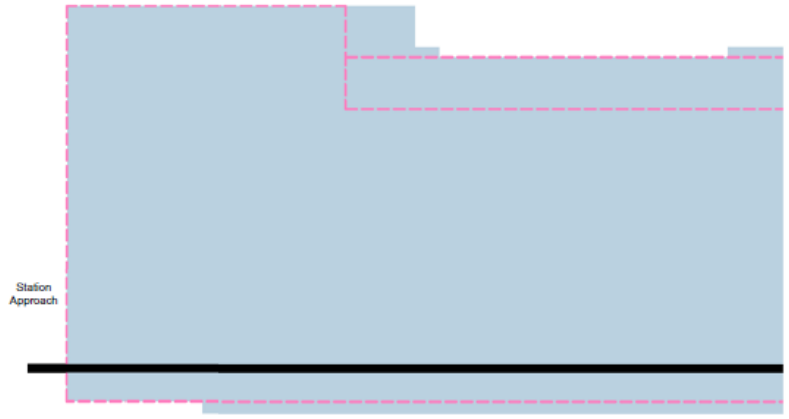


### Key

- Consented Parameters Massing
- Proposed Parameter Massing

### Notes:

- Levels shown to parapet height of 1m + Maximum AOD
- Setbacks and plant screening not shown
- Oblique angles to elevations not shown



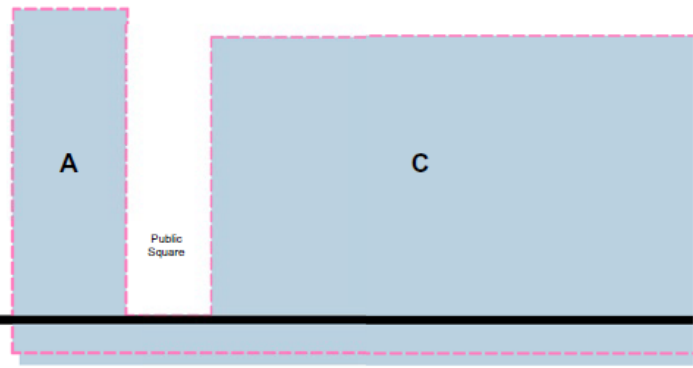
Elevation 102 -SE- Block A along Old Woking Rd

Page 37

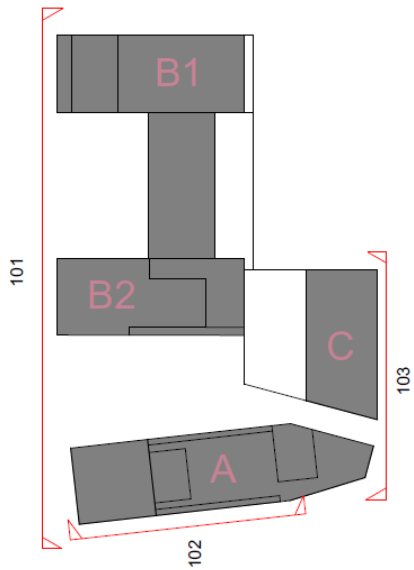
# Comparative Massing (Approved vs Proposed) – PLAN/2020/0801

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Plant & setbacks not shown



Elevation 103 -NE- Block C along Lavender Park Rd



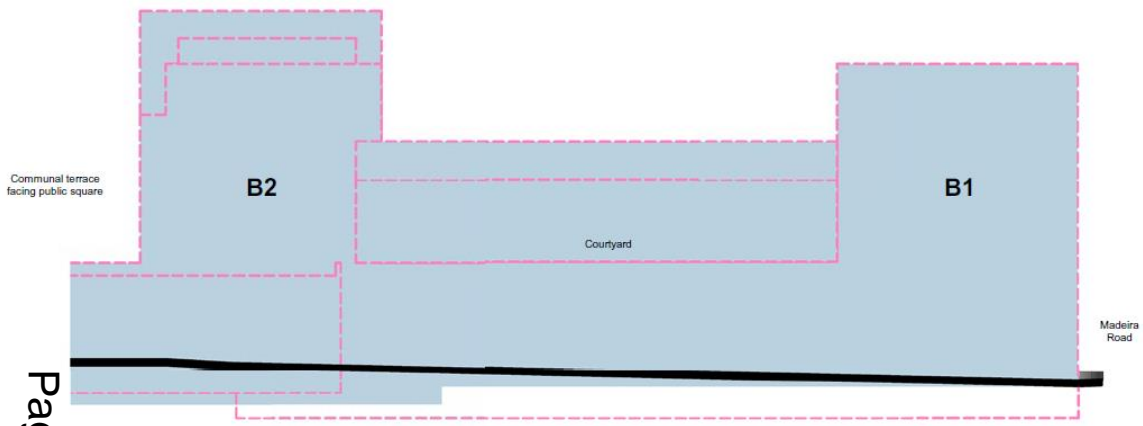
### Key

- Consented Parameters Massing
- Proposed Parameter Massing

### Notes:

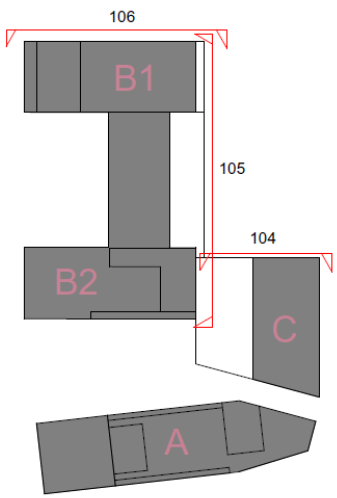
- Levels shown to parapet height of 1m + Maximum AOD
- Setbacks and plant screening not shown
- Oblique angles to elevations not shown

# Comparative Massing (Approved vs Proposed) – PLAN/2020/0801



Elevation 105 - SW- Block B facing Raleigh, Rhino House, Manor & Roxburghe House

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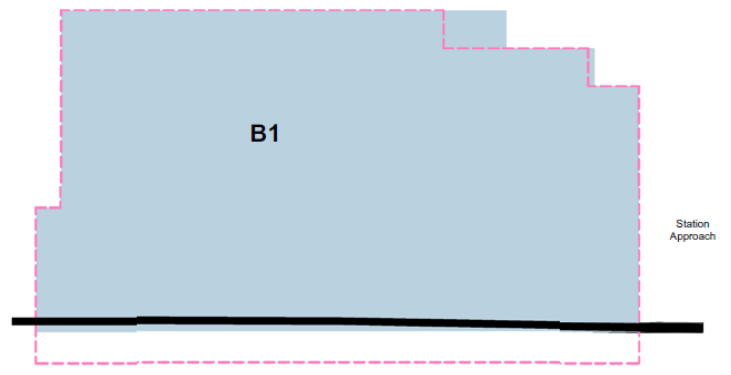


### Key

- Consented Parameters Massing
- Proposed Parameter Massing

### Notes:

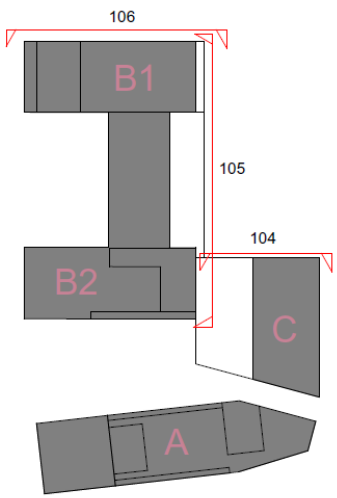
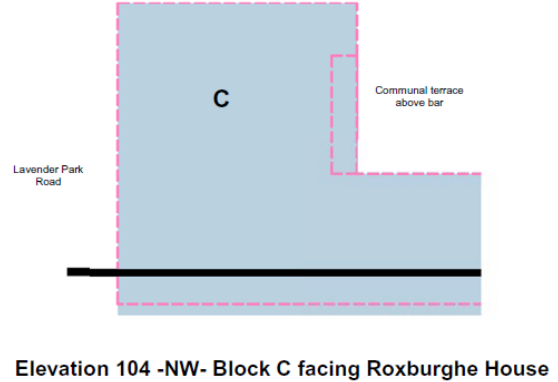
- Levels shown to parapet height of 1m + Maximum AOD
- Setbacks and plant screening not shown
- Oblique angles to elevations not shown



Elevation 106 -NW- Block B1 Madeira Rd

# Comparative Massing (Approved vs Proposed) – PLAN/2020/0801

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### Key

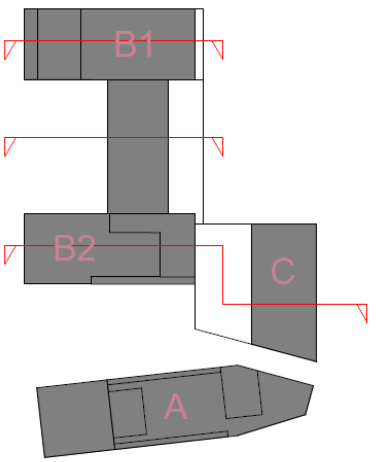
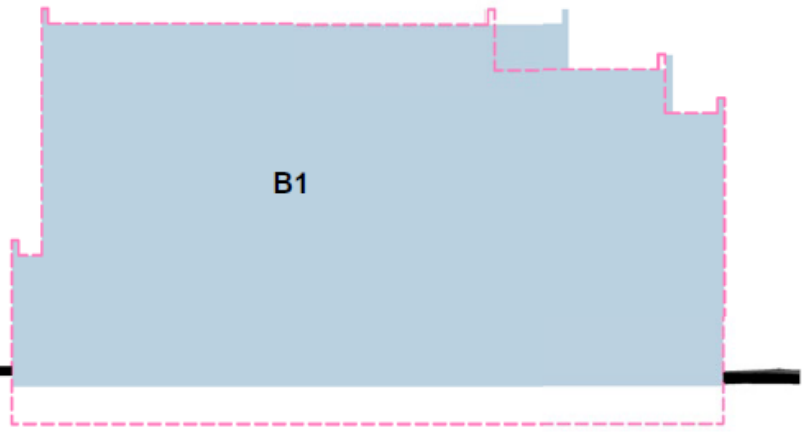
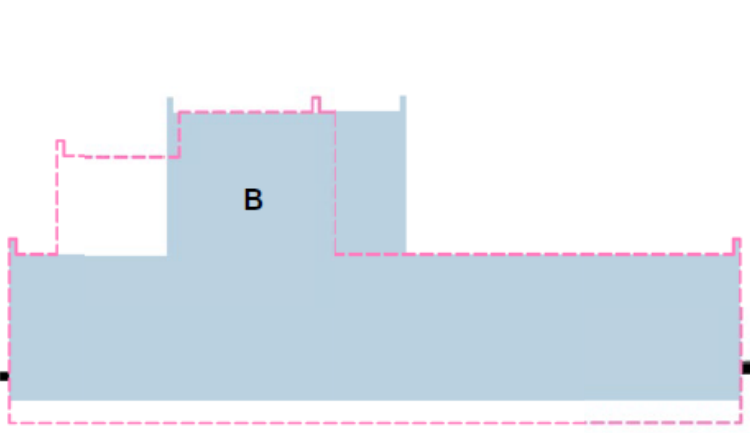
- Consented Parameters Massing
- Proposed Parameter Massing

### Notes:

- Levels shown to parapet height of 1m + Maximum AOD
- Setbacks and plant screening not shown
- Oblique angles to elevations not shown

# Comparative Massing (Approved vs Proposed) – PLAN/2020/0801

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Section B

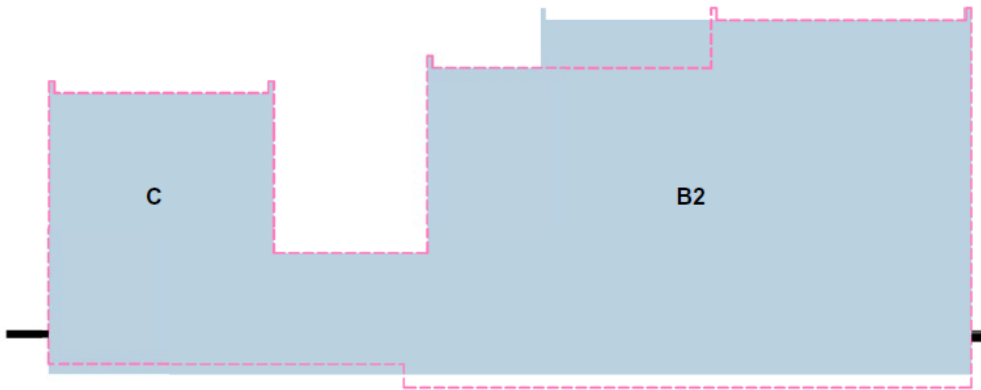


### Key

- Consented Parameters Massing
- Proposed Parameter Massing

### Notes:

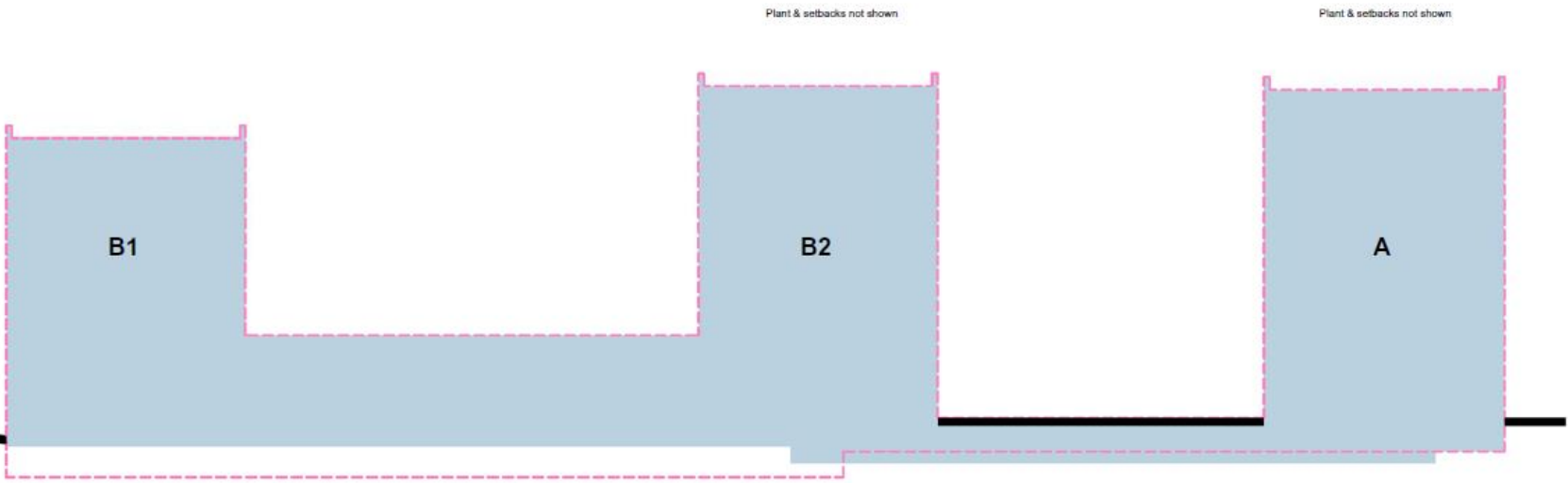
- Levels shown to parapet height of 1m + Maximum AOD
- Setbacks and plant screening not shown
- Oblique angles to elevations not shown



Section B2-C



# Comparative Massing (Approved vs Proposed) – PLAN/2020/0801

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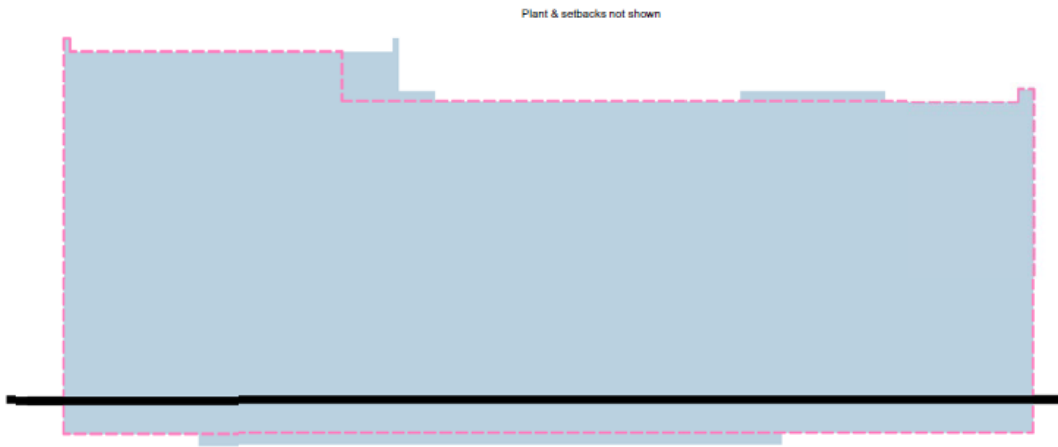
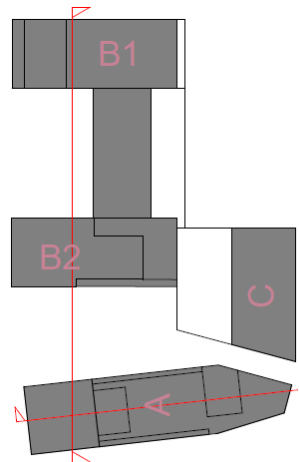
Section A-B1-B2

### Key

-  Consented Parameters Massing
-  Proposed Parameter Massing

### Notes:

- Levels shown to parapet height of 1m + Maximum AOD
- Setbacks and plant screening not shown
- Oblique angles to elevations not shown



Section A

# Illustrative Scheme (Masterplan) – PLAN/2020/0801

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# Approved Development – PLAN/2020/0801

Land Use	Minimum Parameter (sq.m)	Maximum Parameter (sq.m)
Residential (C3) (*)	16,700 (or 208 units)	20,500 (or 255 units)
Retirement / Extra Care (C2/C3 Use)	0	10,250 (**)
Retail / Restaurants (A1 – A5 Uses)	3,000	5,000
Commercial (B1(a))	145	2,000
Community Use (D1)	200	300
Basement	6,000	8,000
Total floorspace (excluding basement)	20,045	27,800
Car Parking (no. of spaces) (***)	190 spaces	247 spaces

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## Please Note

All areas GIA

(\*) Doesn't include ancillary residential spaces at basement level

(\*\*) Could only be brought forward if residential (C3) parameter is reduced

(\*\*\*) Car parking to be provided in basement. Listed spaces include re-provision of existing surface public parking spaces



# Proposed Amended Development – PLAN/2020/0801

Land Use	Minimum Parameter (sq.m)	Maximum Parameter (sq.m)
C2 - accommodation GIA	17,000 (180 units)(*)	20,500 (220 units)
C2 - shared amenities and back of house GIA	900	1,400
Retail, Food and Drink, (Use Class E), Drinking Establishments and Hot food Takeaway (Sui Generis)	1,500	3,000
Community Facility (Use Class F.1\F.2), Public toilet	330	430
Subtotal floor space excluding parking GIA	19,730	25,330
Parking (public and private)	157 (incl. min 67 public spaces)	200 spaces
Total floor space including parking, all floors including basement GIA	23,730	33,330
Basement area (included within the above total, providing parking, amenity and back of house) GIA	2,000	4,500

Please Note

All areas GIA

(\*) Does not include ancillary residential spaces at basement level.

# Changes to Use Classes Order – PLAN/2020/0801

Use	Use class up to 31 August 2020	Use class from 1 September 2020
Shop	A1	E
Financial and professional services (not medical)	A2	E
Café or restaurant	A3	E
Pub or drinking establishment	A4	Sui generis
Take Away	A5	Sui generis
Office use other than within Class A2	B1a	E
Residential institutions	C2	C2
Dwelling houses	C3	C3
Clinics, health centres, creches, day nurseries, day centre	D1	E
Schools, non-residential education and training centres, museums, public libraries, public halls, exhibition halls, places of worship, law courts	D1	F.1
Hall or meeting place for the principal use of the local community	D2	F.2

\* Note: Only use classes relevant to the application are shown

**SECTION B**

**APPLICATIONS WHICH WILL BE  
THE SUBJECT OF A PRESENTATION  
BY OFFICERS**

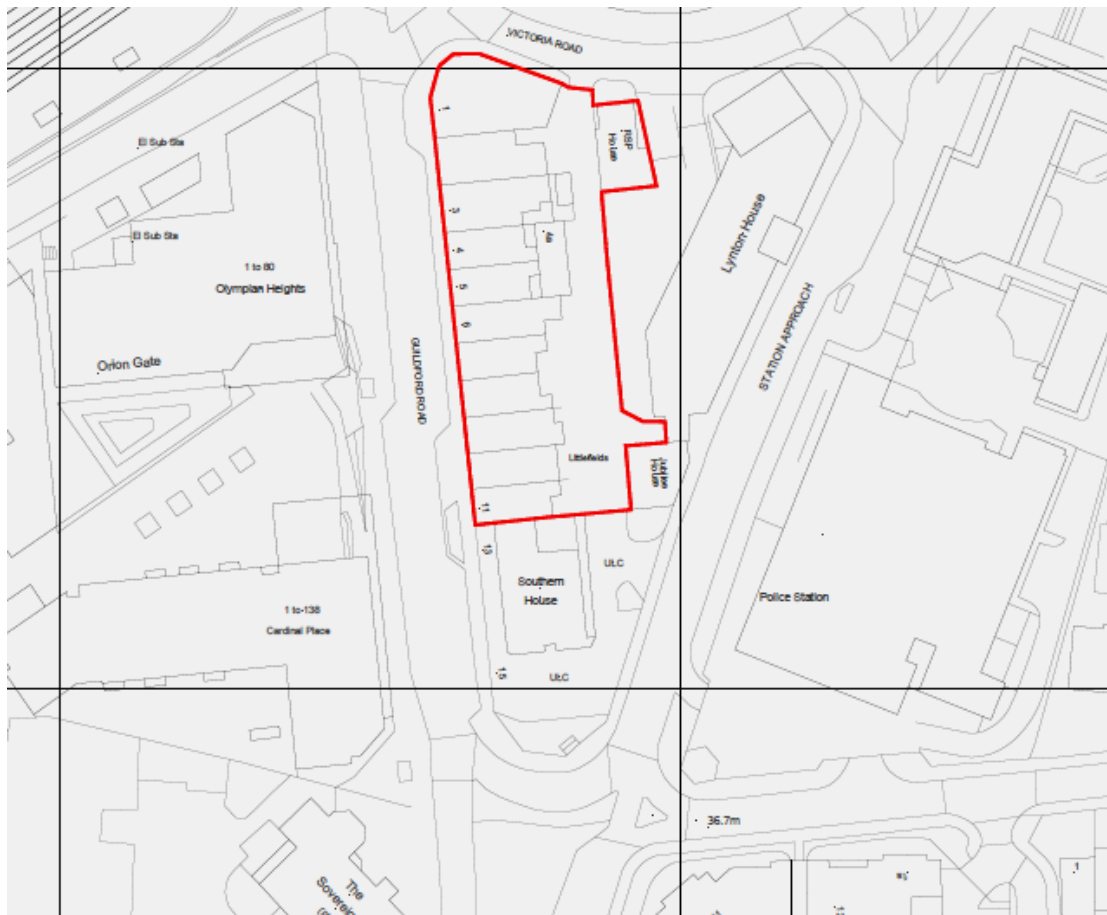
**(Note: Ordnance Survey Extracts appended to the reports are for locational purposes only and may not include all current developments either major or minor within the site or area generally)**



# 1-11 Guildford Road And RSP House Victoria Road, Woking

## PLAN/2020/1017

Prior Approval for the demolition of No's 1-11 Guildford Road and RSP House, Victoria Road.

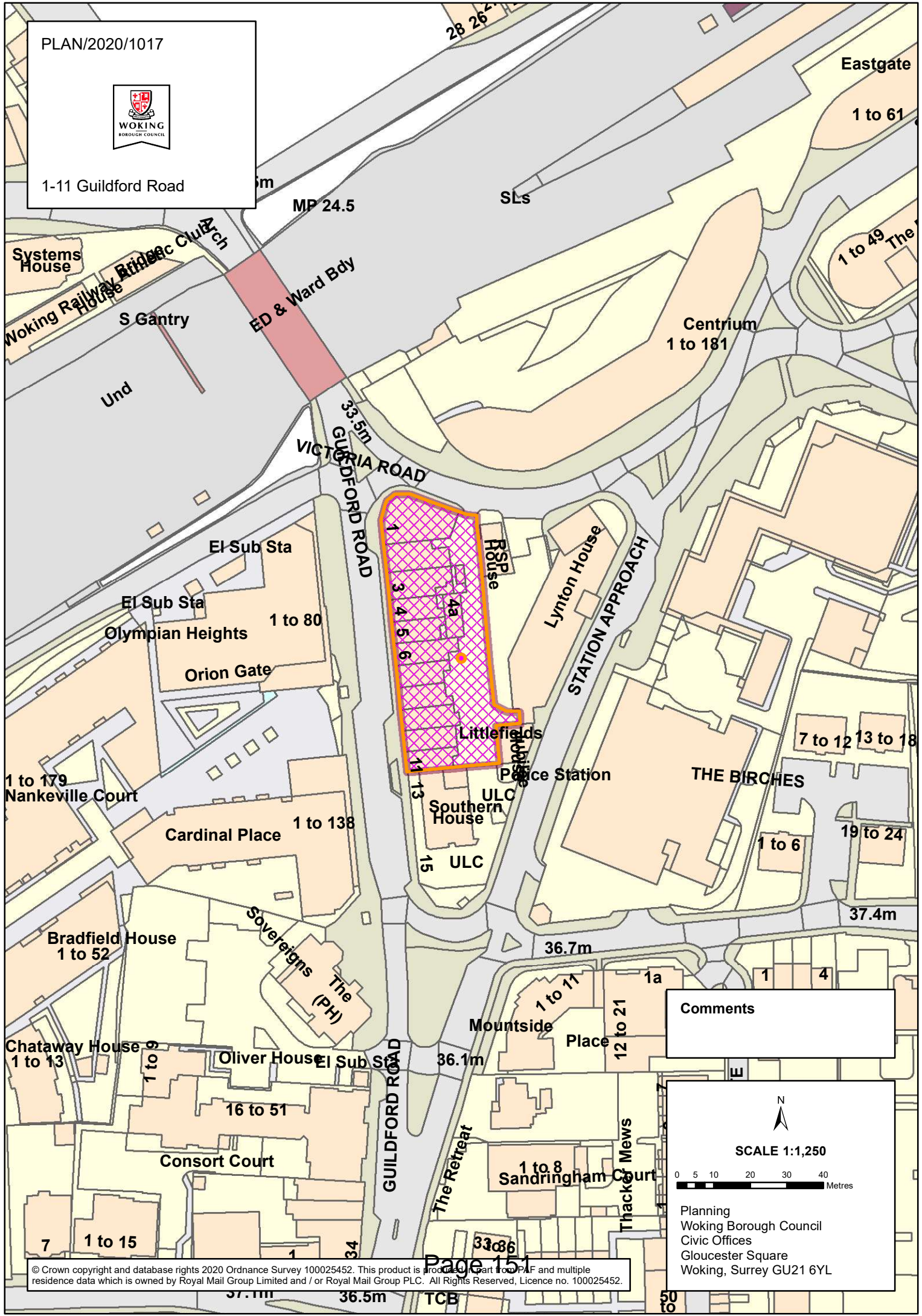




PLAN/2020/1017



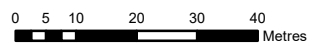
1-11 Guildford Road



Comments



SCALE 1:1,250



Planning  
Woking Borough Council  
Civic Offices  
Gloucester Square  
Woking, Surrey GU21 6YL





6b PLAN/2020/1017

WARD: MH

**LOCATION:** 1-11 Guildford Road and RSP House Victoria Road, Woking, GU22 7PX

**PROPOSAL:** Prior Approval for the demolition of No's 1-11 Guildford Road and RSP House, Victoria Road.

**APPLICANT:** Woking Borough Council

**OFFICER:** David Raper

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**REASON FOR REFERRAL TO COMMITTEE:**

Woking Borough Council is the applicant. The application therefore falls outside of the scheme of delegated powers.

**SUMMARY OF PROPOSED DEVELOPMENT**

The application seeks Prior Approval for the demolition of No's 1-11 Guildford Road and RSP House on Victoria Road in Woking Town Centre under the provisions of, Class B (demolition of buildings) Part 11, Article 3, Schedule 2 of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

The application was received on 13/11/2020 and the Local Planning Authority (LPA) has 28 days in which to make a decision as to whether the Prior Approval of the authority will be required as to the method of demolition and any proposed restoration of the site. If the LPA fails to make a determination within the 28 day period then the applicant will be entitled to proceed with the demolition.

**PLANNING STATUS**

- Urban Area
- Locally Listed Building
- Woking Town Centre
- Shopping Parade
- Major Highway Improvement Scheme
- Thames Basin Heaths SPA ZoneB (400m-5km)

**RECOMMENDATION**

Prior Approval not required.

**SITE DESCRIPTION**

The proposal relates to No's 1-11 Guildford Road and RSP House on Victoria Road. No's 1-11 Guildford Road is a four storey building comprising commercial units at ground floor level with residential units and offices above. The building dates from the early C20 and is finished in a mixture of roughcast render, brickwork and tile hanging with a pitched roof and bay windows. At the northern end of the site the building is curved to follow the curvature of the road and this part of the building features a cupola on the roof. RSP House is a smaller two storey building dating from the early C20 with a later three storey flat-roofed extension to the rear. The site is bounded by Guildford Road to the west, Station Approach to the east and Victoria Road to the north.

## 8 DECEMBER 2020 PLANNING COMMITTEE

The proposal site comprises part of a triangular shaped piece of land in Woking Town Centre which also includes Lynton House, Jubilee House and Southern House. The site forms part of an intended highways improvement project and Prior Approval has previously been deemed to be not required for the demolition of Lynton House, Southern House and Jubilee House.

### **RELEVANT PLANNING HISTORY**

- PLAN/2020/0402 - Prior Approval for the demolition of Lynton House – Prior Approval not required 04/06/2020
- PLAN/2020/0178 - Prior Approval for the demolition of Southern House and Jubilee House – Prior Approval not required 18/03/2020

### **CONSULTATIONS**

No consultations are required for this type of application. However, in order to be thorough the following consultations were made in any case:

**County Highway Authority (SCC):** No objection raised however the County Highway Authority has indicated that it would like to review the Demolition Transport Management Plan once the confirmed contractor has been appointed.

**Environmental Health:** No response received at the time of writing. The Committee will be updated verbally with any future response.

**Surrey Wildlife Trust:** No response received at the time of writing. The Committee will be updated verbally with any future response.

### **REPRESENTATIONS**

The LPA is not required to notify neighbours as part of this type of application. However, it does require the developer to display a site notice for a minimum period of 21 days of the 28 days beginning with the date on which the application was submitted to the LPA.

### **PLANNING ISSUES**

1. Under the provisions of Class B (demolition of buildings), Part 11, Article 3, Schedule 2 of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), the LPA has 28 days to determine whether Prior Approval will be required for (1) the method of demolition and (2) any proposed restoration of the site. Under Class B these are the only two matters which can be considered. No other planning considerations such as the principle of demolition or impact on parking provision can be undertaken. The applicant is only required to submit a written description of the proposed demolition works and confirmation that a notice has been displayed at the site. There is no requirement for the LPA to undertake any public consultation. The agent has submitted a statement confirming that a site notice has been displayed.
2. A Structural Report and Demolition Specification has been submitted which describes the construction of the existing buildings and identifies a potential demolition method. The existing buildings are identified as being of typical masonry and timber construction with external elevations typically comprising rendered masonry with glazed shop fronts.

## 8 DECEMBER 2020 PLANNING COMMITTEE

3. The report states that that determination of the most effective method of demolition would need to involve specialists. However, it outlines the following potential method of demolition: internal soft strip, followed by stripping the elevations but leaving masonry frame for stability, followed by the demolition of floors starting at roof level, then the external walls. Depending on the size and structure of basements, these would be backfilled. Further analysis would be required to determine whether a temporary retaining wall would be required to support the adjacent carriageway. The report assumes that demolition would be carried out by hand using scaffolding.
4. The report states that in the period between the demolition and redevelopment of the wider triangle the site would be bound by timber hoarding, cleared areas finished to 150mm demolition rubble or imported granular material to protect subsoils and provide a temporary working surface.
5. It is noted that the submitted information is not definite about the exact methodology for demolition. However, overall the submitted details relating to the method of demolition and the restoration of the site are considered acceptable and the submission of further details is not required. Prior Approval is not therefore considered to be required.

### **OTHER MATTERS**

6. The impact of noise emission, dust emission and working hours would be covered by Environmental Health legislation. In the event of asbestos being present then its removal would be covered by the Control of Asbestos Regulations 2012.
7. A Preliminary Ecological Appraisal has been submitted with the application which identifies that potential roosting features on the buildings to be demolished provide a low potential to support roosting bats, The Appraisal recommends that further surveys in the form of a dusk emergence or pre-dawn re-entry survey should be carried out to determine the likely presence of roosting bats. The application is therefore also accompanied by a Bat Survey Report which includes dusk emergence surveys. No bats were observed emerging or entering the buildings in question. The report also notes that *"very limited bat activity was recorded across the two surveys: two soprano pipistrelles Pipistrellus pygmaeus were recorded on Guildford Road during the survey of B1-11. However, the bat calls were faint and short and thus the bats were not seen"*. It goes on to state that *"Based on the results of the bat surveys it is considered unlikely that the Site would support roosting bats and therefore the Site is currently of negligible value to roosting bats"*.
8. No objections are raised and the Prior Approval of further details is not required in this instance.

### **RECOMMENDATION**

Prior Approval not required.

### **Informatives**

01. The documents considered as part of this application are listed below:

## 8 DECEMBER 2020 PLANNING COMMITTEE

Site Location Plan titled 'Phase 3 Demolition Site Extents' received by the LPA on 13/11/2020

Structural Report – Demolition Phase 3 dated November 2020 received by the LPA on 13/11/2020

Preliminary Ecological Appraisal dated October 2019 received by the LPA on 13/11/2020

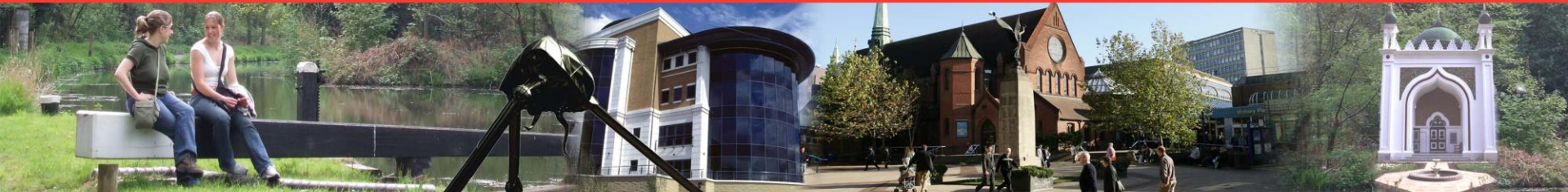
Bat Survey Report dated May 2020 received by the LPA on 13/11/2020

Copy of the agent's Site Notice received by the LPA on 13/11/2020

Application Form received by the LPA on 13/11/2020

Covering Letter dated 12/11/2020 received by the LPA on 13/11/2020

02. The applicant's attention is drawn to Sections 60 and 61 of the Control of Pollution Act 1974 and the associated British Standard Code of Practice BS 5228: 1984 "Noise Control on Construction and Open Sites" (with respect to the statutory provision relating to the control of noise on construction and demolition sites). If work is to be carried out outside normal working hours, (i.e. 8 am to 6 p.m. Monday to Friday, 8 am to 1 p.m. Saturday and not at all on Sundays or Bank Holidays) prior consent should be obtained from the Council's Environmental Health Service prior to commencement of works.
03. The applicant is advised that adequate control precautions should be taken in order to control noise emissions from any fixed plant, including generators, on site during demolition activities. This may require the use of quiet plant or ensuring that the plant is sited appropriately and / or adequately attenuated. Exhaust emissions from such plant should be vented to atmosphere such that fumes do not ingress into any property. Due to the proximity of residential accommodation there should be no burning of waste material on site. During demolition phases, adequate control precautions should be taken in order to control the spread of dust on the site, so as to prevent a nuisance to residents within the locality. This may involve the use of dust screens and/ or utilising water supply to wet areas of the site to inhibit dust.
04. All species of Bat and their roost sites are protected under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) and Schedule 2 of the Conservation of Habitats and Species Regulations 2017. All Bats are therefore European Protected species. Offences under this legislation include any activities that may kill, injure or disturb an individual or damages or destroys a breeding site or resting place of that individual. Destruction of a Bat roost is therefore an offence, even if the bat is not present at the time of roost removal. An EPS Mitigation Licence will be required from Natural England before any actions which may affect bats are undertaken.
05. 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).
06. The developer is advised that according to the Council's records the site may be at risk of contamination and that any demolition would need to mitigate against any spread of contamination and harm to human health.
07. The developer is advised that the County Highway Authority's consultation response advises that they would like the opportunity to review a Demolition Transport Management Plan once the confirmed contractor has been appointed.



## ITEM 6b – PLAN/2020/1017

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### 1-11 Guildford Road And RSP House, Victoria Road, Woking.

Prior Approval for the demolition of No's 1-11 Guildford Road and RSP House, Victoria Road.

# Location Plan – PLAN/2020/1017



# Photographs – PLAN/2020/1017

20 Nov 2020 at 09:26:16

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# Photographs – PLAN/2020/1017

20 Nov 2020 at 09:26:41

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# Photographs – PLAN/2020/1017

20 Nov 2020 at 09:27:50

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# Photographs – PLAN/2020/1017

20 Nov 2020 at 09:29:56

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# Photographs – PLAN/2020/1017

20 Nov 2020 at 09:29:48

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# 8 Randolph Close, Woking

PLAN/2020/0606

Temporary storage shed for motorised disability scooter in front garden and associated hard standing (Retrospective)





PLAN/2020/0606



8 Randolph Close

Allotment Gardens

El Sub Sta

CHIPSTEAD COURT

Track

BYER  
CLOSE

CHOIR GREEN

SEMPER CLOSE

CRESTON  
AVENUE

128  
124

Cassibury

RANDOLPH  
CLOSE

Hunters Wood  
BARNBY ROAD

Shelters

MINT WALK

Holly Lodge

Baptist Providence Church

THE WITHIES

ROBIN HOOD ROAD

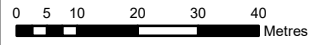
BEECHWOOD CLOSE

Robin Hood Works

Comments



SCALE 1:1,250



Planning  
Woking Borough Council  
Civic Offices  
Gloucester Square  
Woking, Surrey GU21 6YL





6c PLAN/2020/0606

WARD: Knaphill

LOCATION: 8 Randolph Close, Woking GU21 2NF

PROPOSAL: Temporary storage shed for motorised disability scooter in front garden and associated hard standing (Restrospective)

APPLICANT: Mr Ian Lelliott, Thamesway Housing Ltd OFFICER: Bronwen Chinien

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### **REASON FOR REFERRAL TO COMMITTEE**

The applicant is Thamesway Housing Ltd (a company/entity 50% or more owned by Woking Borough Council). Therefore it falls outside the scheme of delegation.

### **PLANNING STATUS**

- Urban Area
- Thames Basin Heaths Special Protection Area (TBH SPA) Zone B (400m-5km)
- Very High Surface water flood risk

### **RECOMMENDATION**

**GRANT** planning permission.

### **SITE DESCRIPTION**

8 Randolph Close is a mid-terraced dwellinghouse with ground floor brick elevations and PVC white cladding above. The application has a small unfenced front garden, which is now laid with paving slabs, with a shed on this slabbed area. The site faces onto an open grassed area of shared amenity space.

### **PLANNING HISTORY**

None of relevance.

### **PROPOSED DEVELOPMENT**

The application seeks retrospective planning permission for the erection of a temporary storage shed for motorised disability scooter in front garden and associated hard standing (retrospective). The external floor area of the shed is 2.5sqm (1.32m x 1.97m) and the paved area is approximately 5sqm.

### **CONSULTATIONS**

WBC Drainage and Flood Risk Engineer: Due to the type of development, its proposed temporary use, the size and its location, the application would not have a significant impact on surface water flood risk, and is acceptable subject to a condition to remove when the facility is no longer needed.

### **REPRESENTATIONS**

1 letter of representation have been received, raising the following objections:

- Restrictive covenant prevents front garden development
- Precedent set for other properties to do the same
- Alternative parking facilities are available e.g. parking scooter in the garage and/or installing the shed in the rear garden
- Lack of dropped curbs makes use of scooter difficult in any case
- Shed is out of character for the area and an eyesore

### **RELEVANT PLANNING POLICIES**

#### **National Planning Policy Framework (NPPF) (2019):**

- Section 12 – Achieving well-designed places

#### **Woking Borough Core Strategy (2012):**

- CS9 – Flooding and Water Management
- CS21 – Design

#### **Supplementary Planning Documents:**

- Woking Design (2015)
- Outlook, Amenity, Privacy and Daylight (2008)

### **Local Finance Considerations:**

The Council introduced the Community Infrastructure Levy (CIL) on 1 April 2015. As the proposed development would not lead to additional residential floor space beyond 100m<sup>2</sup> it is not liable for a financial contribution to CIL.

### **PLANNING ISSUES**

1. The main planning issues for consideration in the determination of this application are:

- Character of the existing building and surrounding area
- Amenity of occupiers
- Neighbouring amenity
- Drainage and flood risk

#### **Character of the existing building and surrounding area:**

2. The proposed extension is located at the front of the property, in an incongruous position which is prominently visible in the street scene. The elevations are metal, in contrast to the brick elevations of the dwelling. The design and siting are not, overall sympathetic to the character of the area, although the relatively small scale and the boundary hedge between no. 8 and no. 9 minimises this impact. As such the development does not comply with the provisions of the Policy CS21 of the Core Strategy 2012.

#### **Amenity of occupiers:**

3. The shed is located in front of the ground floor front elevation window, up to a height of 2m. It causes a degree of loss of light and outlook to this habitable room, but given the occupant(s) are the beneficiaries of the shed, it is considered that this harm is off set by the beneficial use of the shed for scooter parking. As such, the development complies with Policy CS21 of the Woking Core Strategy 2012 and Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight' 2008.

**Neighbouring amenities:**

4. The siting, scale and use of the shed are such that it does not cause any loss of light, overbearing impact or loss of privacy to any neighbouring properties. As such, the development complies with Policy CS21 of the Woking Core Strategy 2012 and Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight' 2008.

**Drainage and flood risk:**

5. The area of the proposed development is designated as being at very high risk of surface water flooding and involving an additional floor area of 2.5sqm (1.32mx1.97m) i.e. less than 30sqm. The hard standing (paved) area is approximately 5sqm. The Council's Drainage and Flood Risk Engineer has advised that due to the type of development, its proposed temporary use, the size and its location, the development would not have a significant impact on surface water flood risk, and subject to a condition for the removal at the end of use by the applicant, it would be acceptable, therefore there would be no conflict with Policy CS9 of the Woking Core Strategy (2012)

**Other considerations:**

6. The shed has been installed to provide parking for a mobility scooter for an occupant of the house living with a disability and chronic pain and the scooter is considered essential for mobility. Supporting evidence has been submitted from a health specialist to verify this claim. The family does not have access to a car. Other options for parking the scooter are not considered to be feasible (including using the existing garage or locating the shed in the back garden, due to the narrow and uneven access pathway) and the direct access required to the scooter. Although National Planning Policy Guidance advises that planning permission usually runs with the land and it is rarely appropriate to provide otherwise, there may be exceptional occasions where development that would not normally be permitted may be justified on planning grounds because of who would benefit from the permission. In this case, given the personal circumstances of the occupier of the property, the minor harm to the character of the area resulting from the storage shed which would be temporary and the owner of the property is ThamesWey so its removal is under the control of the Council, on balance and exceptionally, a condition can be considered acceptable in this case restricting the development to the occupier of the property and upon cessation of occupation by the occupier the shed shall be removed.

**CONCLUSION**

Overall, the proposal is considered to be a somewhat incongruous feature of the front elevation, but additional material considerations have been presented in relation to the health needs of the occupier and the lack of feasible alternative locations for covered parking. Given the personal circumstances of the occupier and the temporary relatively minor harm to the visual amenity of the area, the proposal is recommended for approval, subject to a condition that this permission granted exceptionally and upon cessation of occupation by Mr H. Khatib, the shed shall be removed.

**BACKGROUND PAPERS**

Site visit photographs dated 14.10.2020.

**RECOMMENDATION**

It is recommended that planning permission be APPROVED, subject to the following conditions:

1. This permission shall be carried out only by Thameswey Housing Ltd, on behalf of Mr H. Khatib and by no other person, persons or organisation and shall not endure for the benefit of the land. The shed shall only be used for the storage of the motorised disability scooter for Mr H Khatib and for no other purpose. Upon the cessation of occupation by Mr H. Khatib, the development hereby permitted shall cease and the shed and hardstanding shall be removed and the front garden area returned to permeable surfacing.

Reason: This permission is granted exceptionally and only in view of the personal circumstances of the applicant and to ensure that the development does not increase flood risk to the site and surrounding area and to comply with Policies CS9.

2. The development hereby permitted shall be carried out in accordance the approved evidence listed below:
  - Annotated photograph, uploaded by the LPA on 17.07.2020, showing dimension of the shed to be 1.3m (width) x 1.97m (depth) x 2.09m (height), located 1.17m from the front boundary.

Reason: For the avoidance of doubt and to ensure that the development is completed in accordance with the approved plans.

### **Informatives**

#### **NPPF positive and proactive**

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 the National Planning Policy Framework (2019).



# ITEM 6c – PLAN/2020/0606

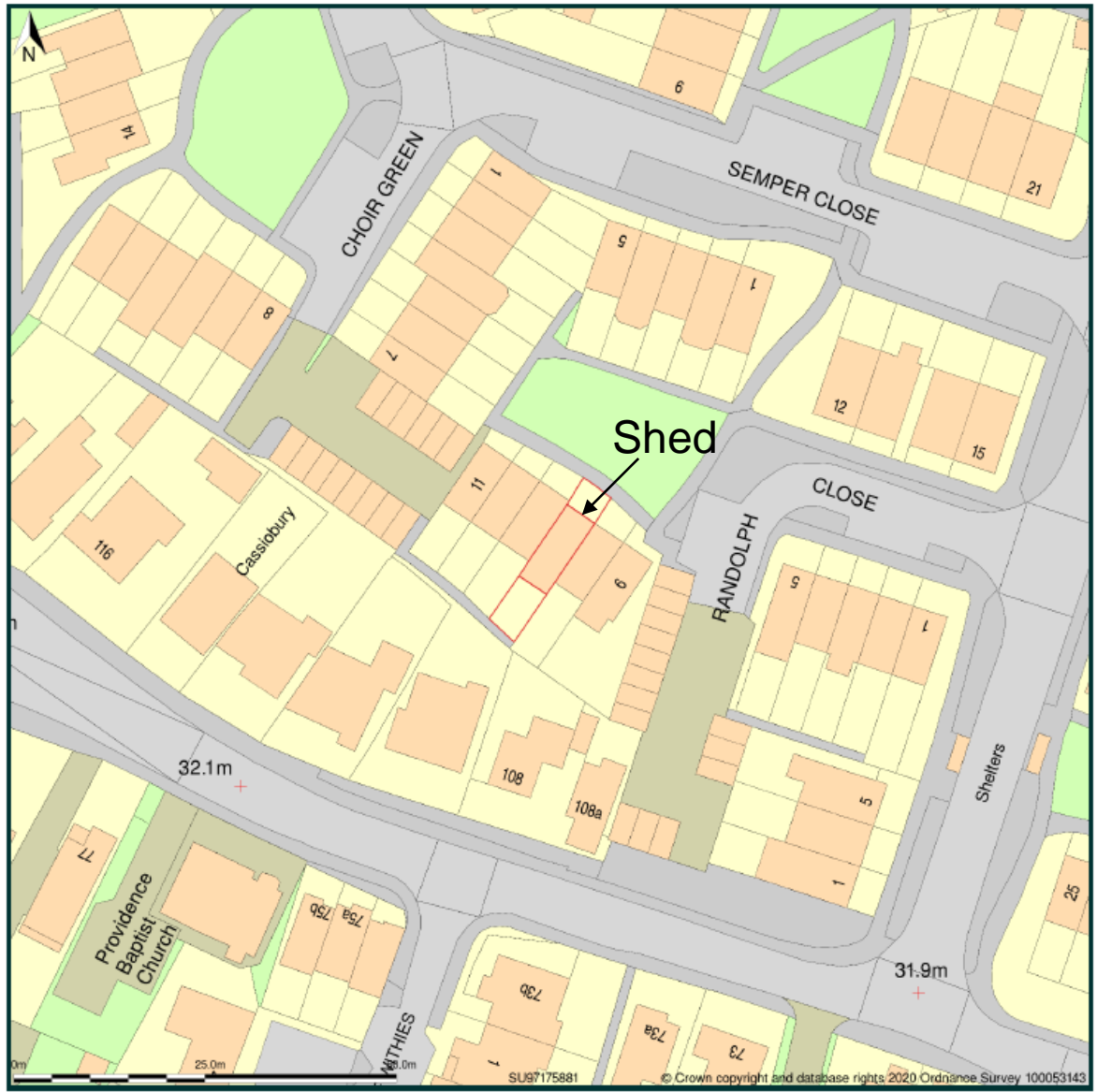
## 8 Randolph Close, Woking

Temporary storage shed for motorised disability scooter in front garden and associated hard standing (Retrospective)

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NOT PROTECTIVELY MARKED

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Poor access to  
back garden

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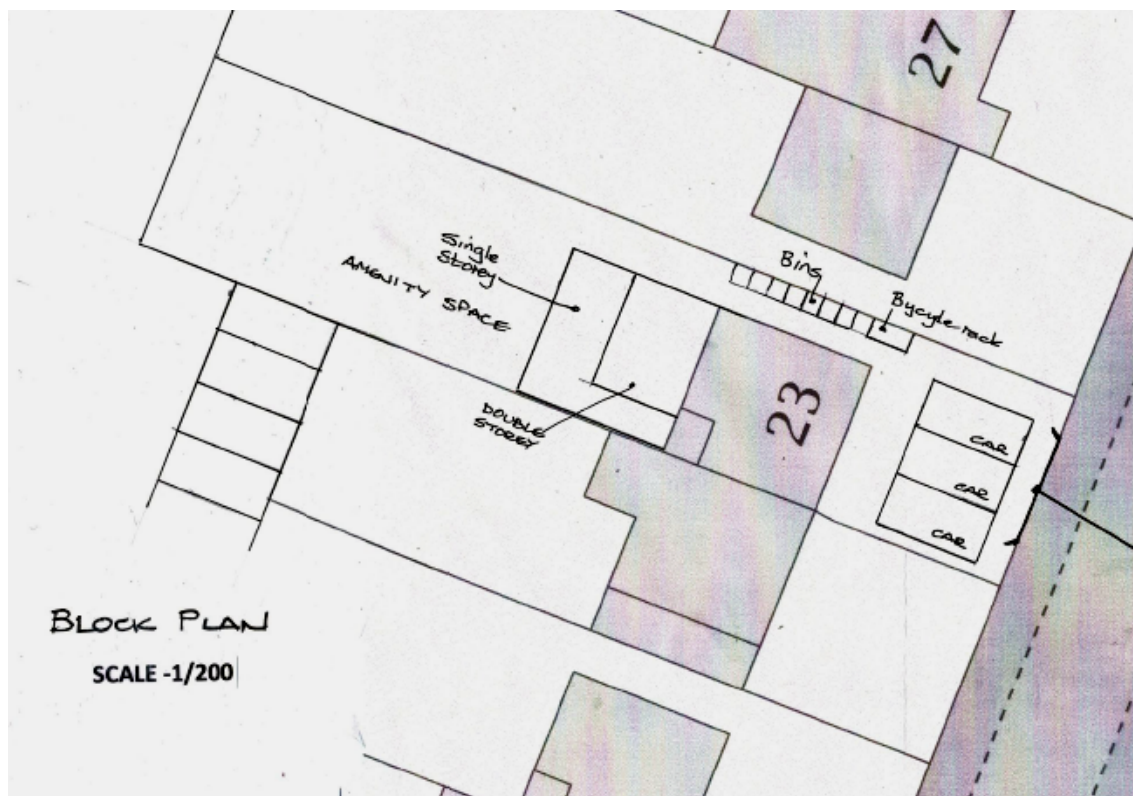
NOT PROTECTIVELY MARKED



# 23 Bentham Avenue, Sheerwater, Woking

## PLAN/2019/1168

Erection of part two storey, part single storey rear extension and conversion of existing dwelling (three bedroom) into x2 flats (Amended Description and Plans).

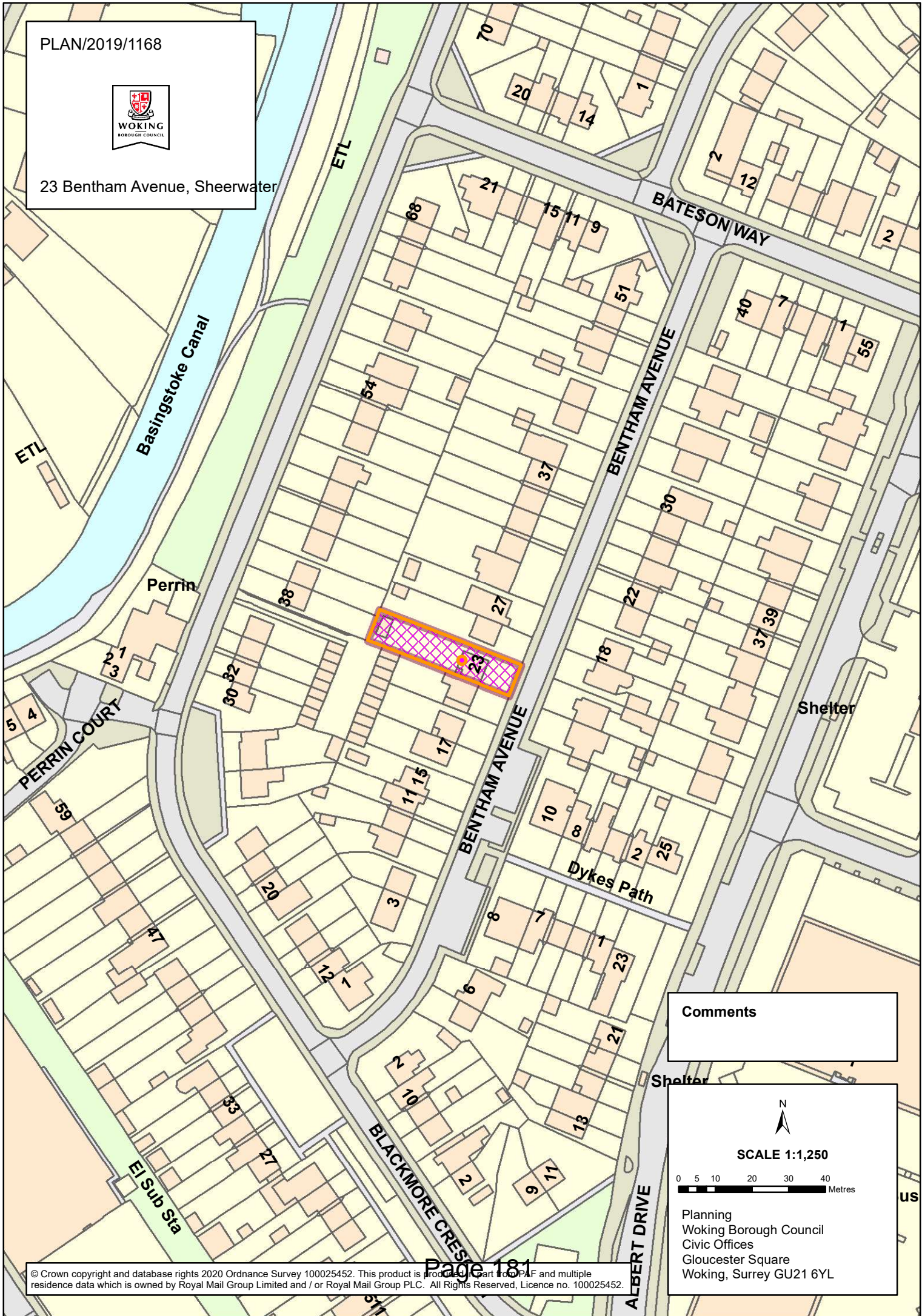




PLAN/2019/1168



23 Bentham Avenue, Sheerwater



Comments

N

SCALE 1:1,250

0 5 10 20 30 40 Metres

Planning  
Woking Borough Council  
Civic Offices  
Gloucester Square  
Woking, Surrey GU21 6YL



6d PLAN/2019/1168

WARD: C

LOCATION: 23 Bentham Avenue, Sheerwater, Woking, Surrey, GU21 5LF

PROPOSAL: Erection of part two storey, part single storey rear extension and conversion of existing dwelling (three bedroom) into x2 flats (Amended Description and Plans).

APPLICANT: Mr Ghulam Ahmed

OFFICER: Barry Curran

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### **REASON FOR REFERRAL TO COMMITTEE**

The application has been called to the Planning Committee at the request of Councillor Aziz as the application falls to be resolved by exercise of planning judgement.

### **SUMMARY OF PROPOSED DEVELOPMENT**

The application seeks permission to convert the existing three bedroom family dwelling into a pair of flats at ground and first floor with the erection of a part two storey part single storey rear extension.

### **PLANNING STATUS**

- Urban Area
- Thames Basin Heaths SPA Zone B (400m-5km)

### **RECOMMENDATION**

That planning permission be REFUSED.

### **SITE DESCRIPTION**

The application site is located on the north-eastern side of Bentham Avenue, a residentially defined area characterised by a mix of two storey semi-detached and terraced dwellings of a post war design. The application dwelling forms the northern dwelling on a pair of semi-detached dwellings with the rear amenity space enclosed by 2 metre high close timber board fencing along with a detached garage on the neighbouring property along the southern boundary with hedging at 3 metres in height along the northern boundary.

### **PLANNING HISTORY**

No recent relevant planning history

### **PROPOSED DEVELOPMENT**

Planning consent is sought for the erection of a part two storey part single storey rear addition and conversion of the existing dwelling into 2no flats across ground and first floor.

### **SUMMARY INFORMATION**

Existing units	1
Proposed units	2
Proposed density of site - dwellings/hectare	26 dph
Existing density of site - dwellings/hectare	52 dph

### **CONSULTATIONS**

County Highways Authority: Recommend a number of conditions in the event of an approval (06.07.20)

### **REPRESENTATIONS**

There has been 1 no third party letter of objection received in relation to the proposed development. The concerns raised in this letter are summarised as follows;

- Impact on parking, parking is already limited so additional visitors to the property will significantly worsen the bottleneck, where often cars mount and park on the pavement making it almost inaccessible by both road and foot. Three parking spaces for a three-and two-bedroom flat is not enough and will lead to more parking on the road which is severely congested.
- The proposed outbuilding could be used as additional living accommodation. I do not believe that it is necessary for two flats to need a gym, playroom and WC (*Officer Notes: this outbuilding has been removed from proposed plans at the request of the Planning Officer*)
- Concern that the proposed side elevation for the extension will overlook our back garden and compromise privacy (*Officer Notes: the proposed first floor side elevation window has been removed from proposed plans at the request of the Planning Officer*)
- The proposed plan indicates overdevelopment of the existing property leading to increased noise from its multiple inhabitants. Number 23 shares a non-soundproof wall with Number 21.
- The size of the proposed development is out of keeping with nearby properties.

### **RELEVANT PLANNING POLICIES**

#### National Planning Policy Framework 2019

Section 2 - Achieving sustainable development

Section 12 - Achieving well-designed places

#### Core Strategy Document 2012

CS8 - Thames Basin Heaths Special Protection Area

CS11 – Housing Mix

CS12 – Affordable Housing

CS18 - Transport and accessibility

CS21 - Design

CS24 - Woking's Landscape and Townscape

CS25 - Presumption in Favour of Sustainable Development

#### Development Management Policies DPD 2016

DM10 – Development on Garden Land

DM11 - Sub-divisions, Specialist Housing, Conversions and Loss of Housing



Supplementary Planning Guidance

Supplementary Planning Document 'Parking Standards' 2018

Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight' 2008

Supplementary Planning Document 'Design' 2015

Thames Basin Heaths Special Protection Area Avoidance Strategy 2010-2015

**PLANNING ISSUES**

1. The main planning issues that need to be addressed in the determination of this application are; principle of development, whether the proposal will have an unacceptable impact on the character of the existing dwelling and character of surrounding area, whether the subdivision will result in a satisfactory residential environment, whether the extensions and subdivision will materially harm the amenities enjoyed by surrounding neighbours, impact on parking, sustainability, affordable housing, impact on Thames Basin Heaths Special Protection Area and local finance considerations.

Principle of Development

2. The National Planning Policy Framework and Policy CS25 of the Woking Core Strategy 2012 promotes a presumption in favour of sustainable development. The application site is within a sustainable location within the defined Urban Area and within the 400m-5km (Zone B) threshold of the Thames Basin Heaths Special Protection Area, where the impact of new residential development can be mitigated.
3. The application involves the proposed subdivision of an existing three bedroom family dwelling into 2 flats, one with 2-bedrooms and one with 3-bedrooms. The resulting flats would be self-contained at ground and first floor level.
4. Policy DM11 (Sub-divisions, Specialist Housing, Conversions and Loss of Housing) of the Development Management Policies DPD 2016 (hereafter referred to as the DMP DPD) states that:

*"proposals for...the sub-division of existing dwellings of an appropriate size to two or more dwellings, including flats...will be permitted provided the following criteria are met:*

- ***the proposal does not harm the residential amenity or character of the area*** (emphasis added);
- ***a good quality of accommodation is provided by meeting any relevant housing standards*** (emphasis added);
- *there would be no detrimental impact on the visual appearance of the area or that of the building itself;*
- *any proposed alterations, extensions or additional areas of hard surfacing required to enable the conversion of the dwelling are appropriate in scale, form and extent to the site and its surroundings;*
- *maximum tree cover, mature planting, and screening is retained;*
- *boundary treatment to the street frontage of the property is retained and a sufficient area of amenity space is retained or provided;*
- *there is adequate enclosed storage space for recycling/refuse;*

## 8 December 2020 PLANNING COMMITTEE

- *access is acceptable and parking (including for cycles) is provided on site in accordance with the Council's standards. Car parking (including drop-off points if relevant) will not be permitted in rear gardens or in locations which might cause a nuisance to adjoining residential properties;*
  - *the traffic impacts of the proposal are considered acceptable;*
  - *the internal layout of the rooms within the proposed conversion will not cause undue disturbance to adjoining residential properties in the building;*
  - *appropriate contribution is made to avoid harm to the Thames Basin Heaths Special Protection Areas, as set out in Core Strategy Policy CS8, where relevant;*
  - *there is a safe access and egress route during flood events"*
5. Much of this criteria relates to material considerations which will be addressed in detail in the relevant sections of this report. Policy DM11 does, however, expand on sub-division stating that *"In addition to the 'General Criteria' above, the sub-division of dwellings of an appropriate size to two or more dwellings will only be permitted where:*
- *the proposal would not result in an overall loss of a family home; and*
  - ***each proposed dwelling has access to a suitable area of private amenity space"*** (emphasis added).
6. The Council's Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight' 2008 states, in paragraph 4.5, that *"family accommodation will be taken to mean...all flats with two bedrooms of more and exceeding 65 sq.m. gross floor space"*. Furthermore Policy CS11 of the Woking Core Strategy 2012 states that *"the Council will not permit the loss of family homes on sites capable of accommodating a mix of residential units unless there are overriding policy considerations justifying this loss"*. The existing 3 bedroom house measures approximately 82.4 sq.m in Gross Internal Area (GIA) and, therefore, provides family accommodation.
7. Covering a floor area of 83.5 sq.m, the proposed 3 bedroom ground floor flat falls within the bracket of family accommodation as per the Council's Supplementary Planning Document on Outlook. The first floor unit, covering a floor area of approximately 61.2 sq.m, would not constitute family accommodation but given that the existing situation involves just one family dwelling on site and the proposed situation retains a family unit, the loss of family accommodation is, therefore, strictly mitigated.
8. Policy DM11 of the Development Management Policies DPD 2016 specifically refers to housing sub-division and notes that the sub-division of dwellings of an appropriate size to two or more dwellings will only be permitted where *"each proposed dwelling has access to a suitable area of private amenity space"*. In terms of private amenity space, the Council's Supplementary Planning Document on 'Outlook, Amenity, Privacy and Daylight' 2008 at Section 4.7 notes that *"In established residential areas, where the existing pattern of development has a well-defined character, the size, shape and position of the garden will need to reflect the existing context and be in proportion to the size of the dwelling proposed"*. The suitability of the amenity space should therefore be reflective of the prevailing pattern. The Outlook SPD goes on to recommend that *"all dwellings designed for family*

*accommodation (as per above) need to provide a suitable sunlit area of predominantly soft landscaped private amenity space, appropriate in size and shape for outdoor domestic and recreational needs of the family it is intended to support".* In this case, the application site is located in a suburban setting where semi-detached and terraced properties demonstrate commensurate amenity spaces with narrow yet deep rear gardens.

9. Submitted plans show a shared rear amenity space for both units with no evidence of any division and therefore the unit intended for 'family accommodation', in the form of the ground floor 3-bedroom flat would have direct access via a rear doorway into this space. The proposed new unit at first floor level, however, is not provided with any private amenity space given the communal nature of the rear space. The development, therefore, does not comply with Policy DM11 with only one unit served by private amenity space and nothing to indicate otherwise.
10. The subdivision fails to provide both of the proposed residential units with an area of suitable private amenity space to compensate for the loss of existing family accommodation. As such, the principle of development is not considered acceptable in this instance considering the developments' failure to comply with Policy CS11 of the Woking Core Strategy 2012 and Policy DM11 of the Development Management Policies DPD 2016.

#### Impact on Character

11. One of the principles of planning as identified in the National Planning Policy Framework 2018 is securing high quality design. Section 12 of the NPPF refers to the need to plan positively for the achievement of high quality and inclusive design for all development. Policy CS21 of the Woking Core Strategy 2012 states that new development should respect and make a positive contribution to the street scene and the character of the area within which it is located. Policy CS24 of the Core Strategy states that "*all development proposals will provide a positive benefit in terms of landscape and townscape character...(and) will be expected to conserve, and where possible enhance existing character*".
12. Bentham Avenue is situated within the Sheerwater area of the Borough. This part of Woking is a Post War residential area with semi-detached and terraced style properties set on rectangular plots. There is an element of on street parking, however many of the moderate front gardens have been converted to accommodate at least one vehicle. The area has a relatively open feeling and generally low front walls with planting strips behind to define the boundary. The majority of properties are semi-detached or terraced, two storeys in height and constructed in facing brick.
13. It is proposed to erect a part two storey part single storey rear extension to measure 6.8 metres in width including a single storey addition which would span the width of the host dwelling and project 7 metres from the rear building line. Atop this single storey section would be a two storey extension which is proposed to be set down 0.6 metres from the existing ridge line and measure a 5.3 metres in width and 4 metres in depth set in from the shared southern boundary. The extension, as such, would match the footprint of the existing dwelling both covering approximately 48 sq.m thereby doubling the footprint of the building similar to erecting another detached dwelling on its rear elevation albeit with a smaller first floor element.

14. Section 12 of National Planning Policy Framework states that *“Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions”*. The proposal almost doubles the size of the existing dwelling is in a bid to subdivide the existing dwelling into a flatted scheme. With the development proposal effectively doubling the overall floor area of the building, it is inevitable that the scale of the addition would be insubordinate and would result in a completely different building and relationship to the surrounding area. The expanse of the rear addition measuring 7 metres at single storey and 4 metres at two storey level results in large expanses of gable on the north-east and south-west side elevations which would appear out of keeping with the surrounding character. With the extensions cumulating to completely transform the existing form and layout of the dwelling, it is considered that this form of development points towards overdevelopment of the dwelling and of the site. The additions towards the rear would compete with the scale of the existing dwelling and would, due to its scale, be insubordinate to the host building and contrary to the Council’s SPD ‘Design’ which notes that *“The additional mass should respect the existing building proportion, symmetry and balance.”* Erecting a rear addition which almost doubles the size of the existing floor area of the dwelling is not considered to respect the character of the existing dwelling nor is it considered to improve the way the area functions.
15. Policy CS10 of the Core Strategy 2012 makes provision for 750 dwellings as infill development in the Borough’s urban area between 2010 and 2027, at a density of 30-40dph (dwellings per hectare). The reasoned justification for the policy states that *“Infill development will be permitted provided the proposed development is at an appropriate scale in relation to the character of the surrounding area”*. Policy CS10 goes on to note that *“The density ranges set out are indicative and will depend on the nature of the site.”* As previously indicated Bentham Avenue consists of semi-detached and terraced dwellings along a linear grain of development at a density range of 26 dwellings per hectare, typical of the area. With the proposed extensions and conversion of the existing single family dwelling into 2 flats, the density would rise to 52dph, double that of the existing site and surrounding area. Whilst this is just above the indicative range of 30-40dph, it is symptomatic of development which is at odds with the prevailing character at double the existing density.
16. Policy DM10 notes that density will be *“dependent on the nature of the site”* and states in the reasoned justification that *“it is important that densities sought do not affect the quality and character of an area”*. Policy CS10 of the Core Strategy 2012 notes that increased density on developments may be considered acceptable provided the character of the area would not be compromised. It is clear that the scheme represents overdevelopment of the site with additions which fail to respect the prevailing character of Bentham Avenue and fails to respect the character of the existing dwelling considering the overtly bulky, incongruous and insubordinate additions proposed. The proposed density of 52 dwelling per hectare serves as an indicator that the conversion of the dwelling would be at odds the prevailing character. This is lucidly illustrated by the contrived, unduly bulky and insubordinate rear addition proposed. The development is, therefore, not seen to adopt an appropriate scale or housing provision in relation to the character of the surrounding area and therefore fails to comply with the provisions of the National Planning Policy Framework, Policies CS10, CS21 and CS24 of the

## 8 December 2020 PLANNING COMMITTEE

Core Strategy 2012 as well as the Council's Supplementary Planning Document 'Design' 2015.

17. As previously noted, Bentham Avenue is a Post War development of two storey semi-detached and terraced, single family dwellings of a similar character. The conversion of one of these representative dwellings into a flatted scheme would be completely at odds with the prevailing character and would undermine any future argument the Local Planning Authority may have in preventing the conversion of other similar style dwellings. Each application must be treated on its individual merits, however, approval of this proposal could be used in support of a potential future schemes to erect similar rear additions and convert the single family dwelling into flats. It is considered that this is not a generalised fear of precedent, but a realistic and specific concern considering the emulating nature of dwellings in the vicinity. Given the similar characteristics of the application site to these neighbouring sites, permitting such an application would make it more difficult for the Local Planning Authority to resist a potential further planning application for similar development which would completely erode the established character of the area. It is noted that similar forms of development have occurred in the Borough but it has to be noted that these development may have occurred in areas which had previously undergone conversions and which may already be a part of the character. Bentham Avenue and surrounding streets, conversely, have had no subdivisions and retains a character of semi-detached and terraced dwelling rather than dwellings subdivided into flats.

### Layout and Creation of Acceptable Residential Development for Proposed Occupiers

18. One of the objectives of the National Planning Policy Framework is to ensure good standard of amenity for all existing and future occupants of land and buildings. Policy CS21 of the Woking Core Strategy 2012 echoes this provision with detailed guidance set out within the Council's Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight' 2008.
19. Policy DM11 of the Development Management Policies DPD 2016 states that "*proposals for...the sub-division of existing dwellings of an appropriate size to two or more dwellings, including flats...will be permitted provided the following criteria are met...a good quality of accommodation is provided by meeting any relevant housing standards*". Policy DM11 goes on to state that in addition to the criteria listed, the subdivision of dwellings will only be permitted where "*each proposed dwelling has access to a suitable area of private amenity space*". As addressed in the 'Principal of Development' section of this report, the development seeks to provide replacement family accommodation with 2 flats with what appears to be shared amenity space towards the rear and would, therefore, as outlined in the 'Principle of Development' section above would fail to comply with Policy DM11 in that no suitable area of private amenity space is provide for both these dwellings.
20. Overall, it is considered that the lack of private amenity space for one or both of the proposed units results in a poor standard of amenity for future residential occupiers. The development is, therefore, contrary to Section 12 of the National Planning Policy Framework, Policy CS21 of the Woking Core Strategy 2012, Policy DM11 of the Development Management Policies DPD 2016 and Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight' 2008.

Impact on Neighbour Amenities

21. Policy CS21 of the Woking Core Strategy 2012 advises that proposals for new development should achieve a satisfactory relationship to adjoining properties avoiding significant harmful impact in terms of loss of privacy, daylight or sunlight, or an overbearing effect due to bulk, proximity or outlook. Policy CS21 is enhanced by Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight' 2008.
22. The properties that could potentially be affected are the adjoining No.21 Bentham Avenue to the South and No.25 Bentham Avenue to the North. No.38 Blackmore Avenue towards the rear (West) of the property would be located in excess of 18 metres from the proposed development and is, therefore, not considered to be materially affected as a result.
23. No.21 Bentham Avenue is situated to the south and forms the southern dwelling on the pair of two semi-detached properties similar to that of the application dwelling. The proposed part single and part two storey rear extension would extend beyond the predominant two storey rear elevation of the application dwelling by 7 metres at single storey level and 4 metres at two storey level with the single storey element sitting flush up against the boundary and the two storey element set off this boundary by approximately 1.5 metres. The proposal would pass the 45° degree test as per the Council's Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight' 2008 in relation to daylight/sunlight to the rear facing windows of No.21 indicating that no significant loss of light would occur.
24. The Council's SPD 'Design' 2015 states that "*the location of the extension and the position of its windows should not result in any adverse overshadowing or overbearing impact on adjacent dwellings*", that "*large two storey extensions should not be sited close to a boundary as this can restrict daylight to habitable rooms of the neighbouring dwelling*", that "*two storey extensions, particularly if they extend beyond 3 metres from the building, need to be carefully sited as they can result in loss of daylight or have an overbearing impact on the adjoining dwellings unless they are kept well away from the separating boundary*". The projection of 7 metres at single storey with a 4 metre projection at two storey level, at just 1.5 metres off the shared boundary, would result in an overbearing impact and an undue sense of enclosure to the ground and first floor habitable room windows and to some extent the garden. Whilst the height of the single storey addition would not be atypical at 3.5 metres to its ridge line, the accumulation of its depth at 7 metres along with the inclusion of a 4 metre deep two storey addition at approximately 6.6 metres in height combine to result in an unneighbourly and oppressive feature and therefore a significantly overbearing addition sited directly up against the boundary of No.21 Bentham Avenue which includes a modest 2.5 metres deep glazed rear addition.
25. Concern is also held for the impact of the substantial rear additions on the amenities of No.25 to the North. A separation of 4 metres is proposed to be retained between buildings which would somewhat offset the significant depth of the additions. The 45° test has been applied to the first floor window nearest the application site which passes in plan and elevation form given the separation gap proposed to be retained. Whilst a degree of overbearing may occur on this property, the fact that a 4 metre separation is retained does not

## 8 December 2020 PLANNING COMMITTEE

lead to a significant level of it. Conversely, this is not the situation for the adjoining No.21 which would be unduly and significantly harmed as a result of the proposal.

26. Overall, the rear extension, by cumulative reason of its depth, height, bulk and proximity to adjoining No.21 Bentham Avenue, results in overbearing effect upon, and loss of outlook from the property which is significantly harmful to the residential amenity of existing and future occupiers of this dwelling. The development is therefore contrary to the provisions of the National Planning Policy Framework, Policy CS21 of the Woking Core Strategy 2012 and Supplementary Planning Documents 'Outlook, Amenity, Privacy and Daylight' 2008 and 'Design' 2015.

### Impact on Highway Safety and Parking

27. Bentham Avenue is a suburban Post War estate with very little on-street parking provision given the density and presence of dropped kerbs. The existing dwelling does not include any on-site parking.
28. Policy CS18 of the Woking Core Strategy 2012 sets out that that minimum car parking standards will be set for residential development (outside of Woking Town Centre). The Council's Supplementary Planning Document 'Parking Standards' 2018 sets out minimum residential parking standards. The site, in this instance, contains an existing three bedroom dwelling, which exerts an existing parking demand. It is useful therefore to compare the parking demand, in line with SPD Parking Standards 2018, between the existing and proposed situations. The existing 3-bedroom flat as well as the 2-bedroom flat carry a minimum provision of 1 parking space each, 2 in total. This demonstrate that the proposal would result in no additional demand in comparison to the existing situation which has a minimum provision of 2 parking spaces. The County Highway Authority have been consulted on this application and raise no objections subject to conditions which in the event of an approval could be attached.
29. Whilst the development may be considered acceptable with regards to the impact on the parking and highway safety, this does not outweigh the fact that the development would fail to adhere to national and local policies as well as supplementary documents with a scheme which is out of character with the area, has significant impacts on neighbour amenity and would fail to provide all units with private amenity space.

### Affordable Housing

30. Policy CS12 of the Woking Core Strategy 2012 states that all new residential development will be expected to contribute towards the provision of affordable housing and that, on sites providing fewer than five new dwellings, the Council will require a financial contribution equivalent to the cost to the developer of providing 10% of the number of dwellings to be affordable on site.
31. However, Paragraph 63 of the NPPF sets out that the provision of affordable housing should not be sought for residential developments that are not major developments, other than in designated rural areas (where policies may set out a lower threshold of 5 units or fewer).

32. Whilst it is considered that weight should still be afforded to Policy CS12 of the Woking Core Strategy 2012 it is considered that more significant weight should be afforded to the policies within the NPPF. The proposal is not major development and therefore no affordable housing contribution is sought.

Impact on the Thames Basin Heaths Special Protection Area

33. The application site falls within the 400m - 5km (Zone B) of the Thames Basin Heath Special Protection Area (TBH SPA) buffer zone. The Thames Basin Heath Special Protection Area (SPA) is a European designated site afforded protection under the Conservation of Habitats and Species Regulations 2010 as amended (the Habitats Regulations). The Habitats Regulations designate the Local Planning Authority as the Competent Authority for assessing the impact of development on European sites and the LPA must ascertain that development proposals will not have an adverse effect on the integrity of the site, alone or in combination with other plans and projects, either directly or indirectly, before granting planning permission. The TBH SPA is designated for its internationally important habitat which supports breeding populations of three rare bird species: Dartford Warbler, Woodlark and Nightjars. The Conservation Objectives of the TBH SPA are to ensure that the integrity of the site is maintained or restored as appropriate, and to ensure that the site contributes to achieving the aims of the Wild Birds Directive.
34. Policy CS8 of the Woking Core Strategy (2012) requires new residential development beyond a 400m threshold, but within 5 kilometres, of the SPA boundary to make an appropriate contribution towards the provision of Suitable Alternative Natural Greenspace (SANG) and Strategic Access Management and Monitoring (SAMM).
35. The Suitable Alternative Natural Greenspace (SANG) and Landowner Payment elements of the SPA tariff are encompassed within the Community Infrastructure Levy (CIL) however the Strategic Access Management and Monitoring (SAMM) element of the SPA tariff is required to be addressed outside of CIL. The applicant has not submitted a Legal Agreement to secure the relevant SAMM contribution of £716 (2-bed unit) in line with the Thames Basin Heaths Special Protection Area Avoidance Strategy as a result of the uplift of one 2-bedroom flat that would arise from the proposal.
36. In view of the above, the Local Planning Authority is unable to determine that the development would not have a significant effect upon the SPA and is therefore contrary to Policy CS8 of the Woking Core Strategy 2012, the Thames Basin Heaths Avoidance Strategy, saved Policy NRM6 of the South East Plan (2009) and the Conservation of Habitats and Species Regulations 2017 (SI No. 1012 – the "Habitats Regulations").

Local Finance Considerations

37. Community Infrastructure Levy (CIL) is a mechanism adopted by Woking Borough Council which came into force on 1st April 2015, as a primary means of securing developer contributions towards infrastructure provisions in the Borough. In this case, the proposed residential development will incur a cost of £125 per sq.metre which equates to a contribution of £6,002.37 (144.7 sq.metres total GIA with 62.3 sq.metres additional floorspace at 2020 indexation). The development, therefore would be liable to a total CIL



## 8 December 2020 PLANNING COMMITTEE

contribution of £6,002.37 which would be payable upon commencement should permission be granted for the development.

### Conclusion

38. To conclude, the proposed development has failed to demonstrate compliance with Policy DM11 of the Development Management Policies DPD 2016 in that the subdivision of the property fails to provide appropriate private amenity space for the proposed units. Further to this, the introduction of a flatted development in an area characterised by two storey semi-detached and terraced single family dwellings would be significantly harmful to the established character and could lead to a corrosion of this character given the emulating form and style of dwellings evident in the locality.
39. The excessive scale, depth and bulk of the proposed rear addition would result in a development which fails to take the opportunities available for improving the character and quality of the area appearing to unsympathetically extend the building to accommodate the additional flat. This would result in an insubordinate addition almost emulating the size of the existing dwelling which would harm the character and appearance of the existing site and the surrounding area. Furthermore, the proposal would have a significant adverse impact on the residential amenities of No.21 Bentham Avenue in terms of overbearing impact given its positioning along the shared boundary and significant depth at both single and two storey level.
40. Furthermore, in the absence of a signed Legal Agreement or other appropriate mechanism to secure contributions towards mitigation measures, the Local Planning Authority is unable to determine that the additional dwelling would not have a significant impact upon the Thames Basin Heaths Special Protection Area, contrary to Policy CS8 of the Woking Core Strategy 2012, the Thames Basin Heaths Avoidance Strategy, saved Policy NRM6 of the South East Plan (2009) and the Conservation of Habitats and Species Regulations 2017 (SI No.1012 – the "Habitats Regulations").
41. Whilst it is acknowledged that the provision of a 1 net residential units would be of some public benefit, the Council's position on five year housing land supply is set out in the Five Year Housing Land Supply – Position Statement published in November 2018. This document shows that, as of 01.04.2017, Woking has an overall housing land supply of 9.2 years' worth in the next five year period, taking into account the yearly housing requirement, a 5% buffer and historic undersupply since 2006. Given this context, it is not considered that the benefit of a 1 net additional residential unit in this instance would be outweighed by the planning harm identified.
42. It is therefore considered that the proposed conversion of the 3 bedroom family dwelling into two flats along with the erection of rear additions would be contrary to provisions outlined in Section 12 of the National Planning Policy Framework, Policies CS10, CS21 and CS24 of the Woking Core Strategy 2012, Policy DM11 of the Development Management Policies DPD 2016, the Council's Supplementary Planning Documents on 'Design' 2015 and 'Outlook, Amenity, Privacy and Daylight' 2008 and the Thames Basin Heaths Special Protection Area Avoidance Strategy 2010-2015, the Conservation of Habitats and Species Regulations 2017 (SI No.1012 - the "Habitats Regulations") and is therefore recommended for refusal for the reasons outlined below.

**BACKGROUND PAPERS**

1. Site visit photographs.
2. Response County Highway Authority(09.03.20)

**RECOMMENDATION**

It is recommended that planning permission be REFUSED for the following reasons:

1. By reason of the bulk and scale of the proposed extensions, the development would amount to an insubordinate addition which fail to respect and make a positive contribution to the character of the area they would be situated. The development would conflict with the prevailing density and character of the area with a flatted scheme set within an area otherwise characterised by single semi-detached and terraced dwellings. The development is, therefore, contrary to provisions outlined in the National Planning Policy Framework, Policies CS21 and CS24 of the Woking Core Strategy 2012, and Supplementary Planning Document 'Design' 2015.
2. By reason of its lack of private amenity space to serve both residential units, the creation of two flats in place of the existing three bedroom family dwelling is contrary to Section 12 of the National Planning Policy Framework, Policy CS21 of the Woking Core Strategy 2012, Policy DM11 of the Development Management Policies DPD 2016 and Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight' 2008.
3. The proposal would result in a significantly harmful overbearing effect, by reason of bulk and proximity to the adjoining No.21 Bentham Avenue. The accumulation of the additions' depth at 7 metres along with the inclusion of a 4 metre deep two storey addition at approximately 6.6 metres in height combine to result in an unneighbourly and oppressive feature which would cause a significantly impact on No.21 Bentham Avenue. The proposal is therefore contrary to provisions outlined in the National Planning Policy Framework, Policy CS21 of the Woking Core Strategy 2012 and the Council's Supplementary Planning Documents 'Design' 2015 and 'Outlook, Amenity, Privacy and Daylight' 2008.
4. In the absence of a Legal Agreement or other appropriate mechanism to secure contributions towards mitigation measures, the Local Planning Authority is unable to determine that the additional residential unit would not have a significant impact upon the Thames Basin Heaths Special Protection Area, contrary to Policy CS8 of the Woking Core Strategy 2012, the Thames Basin Heaths Avoidance Strategy, saved Policy NRM6 of the South East Plan (2009), the Conservation of Habitats and Species Regulations 2017 (SI No.1012 - the "Habitats Regulations") and Policy DM11 of the Development Management Policies DPD 2016.

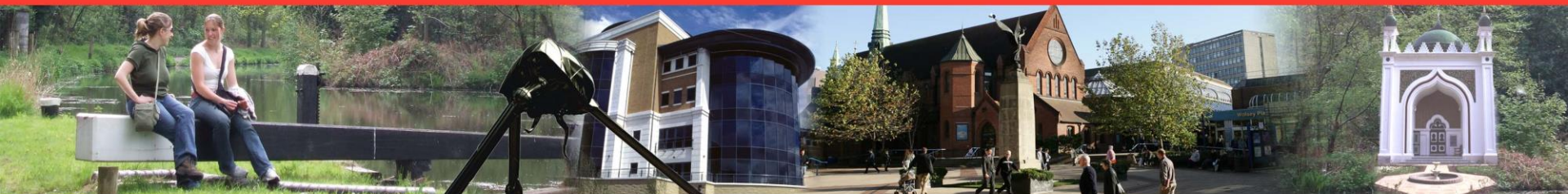
**Informatives:**

1. 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 the National Planning Policy Framework 2019.
2. The plans relating to the development hereby refused are numbered / titled:

**8 December 2020 PLANNING COMMITTEE**

Drawing No: 2019/AM/06 A (Amended Plan) (Received 28.10.20)  
Drawing No. 2019/AM/05 A (Amended Plan) (Received 28.10.20)  
Drawing No. 2019/AM/02  
Drawing No. 2019/AM/04 A (Amended Plan) (Received 28.10.20)





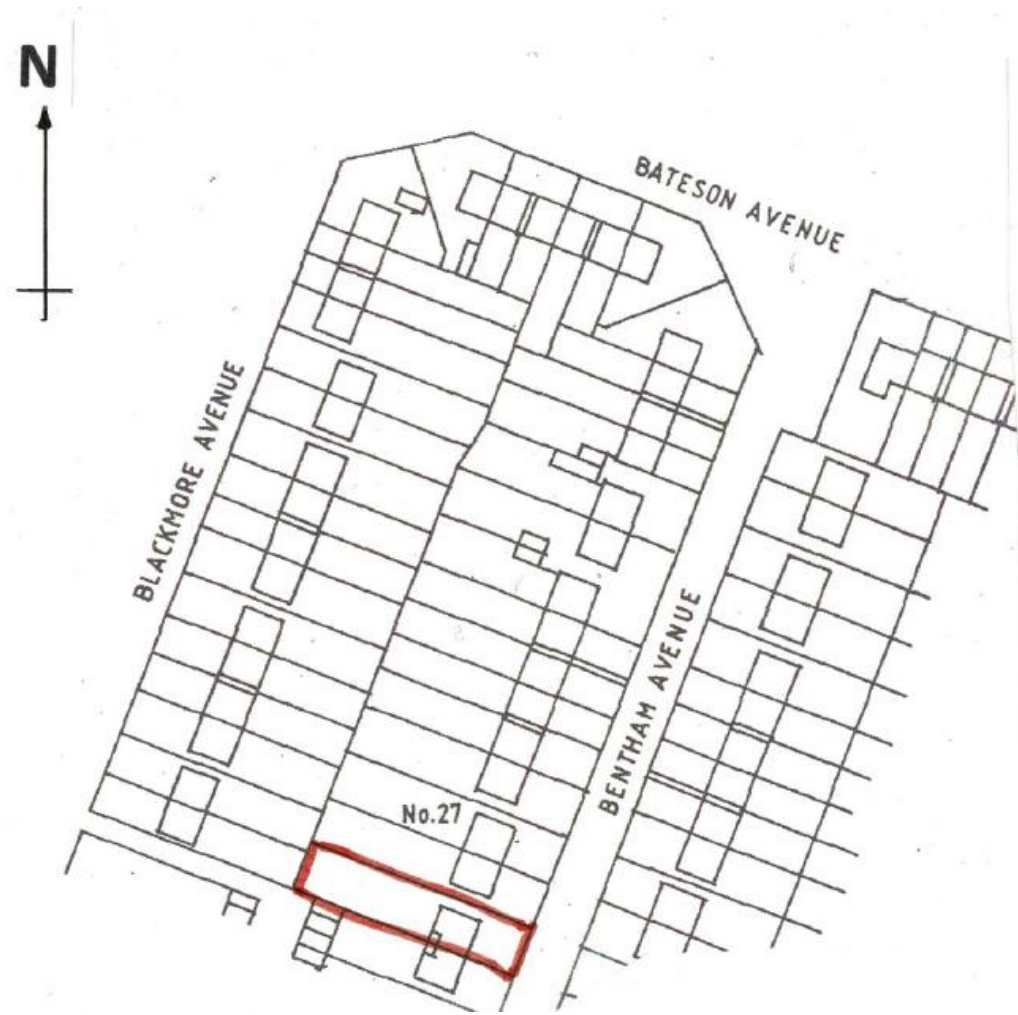
## ITEM 6d – PLAN/2019/1168

### 23 Bentham Avenue, Sheerwater, Woking.

Erection of part two storey, part single storey rear extension and conversion of existing dwelling (three bedroom) into x2 flats (Amended Description and Plans).

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# Location Plan – PLAN/2019/1168

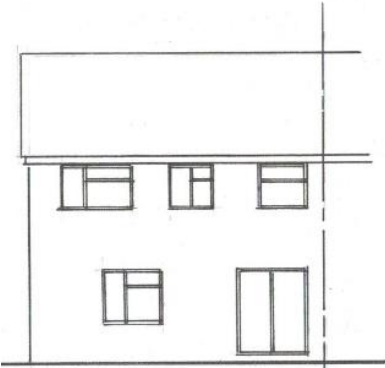


# Photographs – PLAN/2019/1168

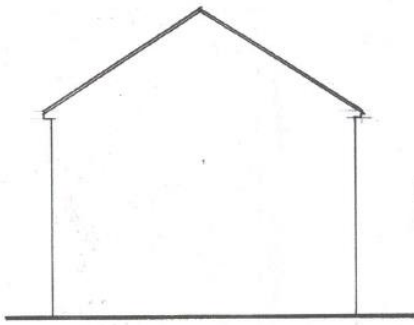


# Proposed Elevations – PLAN/2019/1168

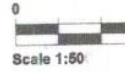
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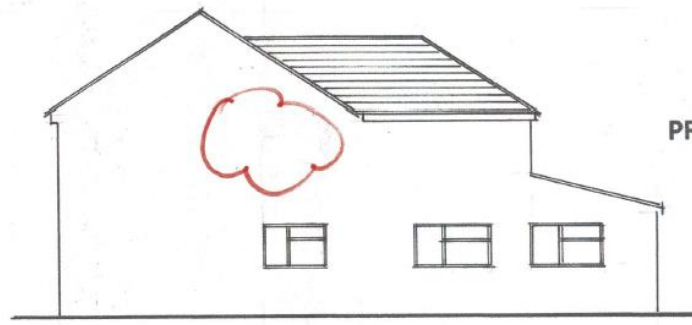
EXISTING REAR ELEVATION



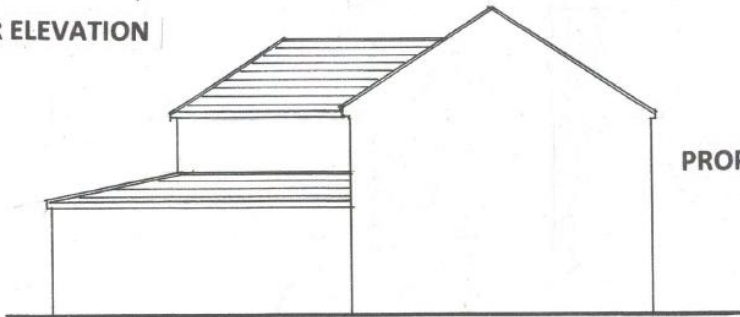
EXISTING SIDE ELEVATION



PROPOSED REAR ELEVATION



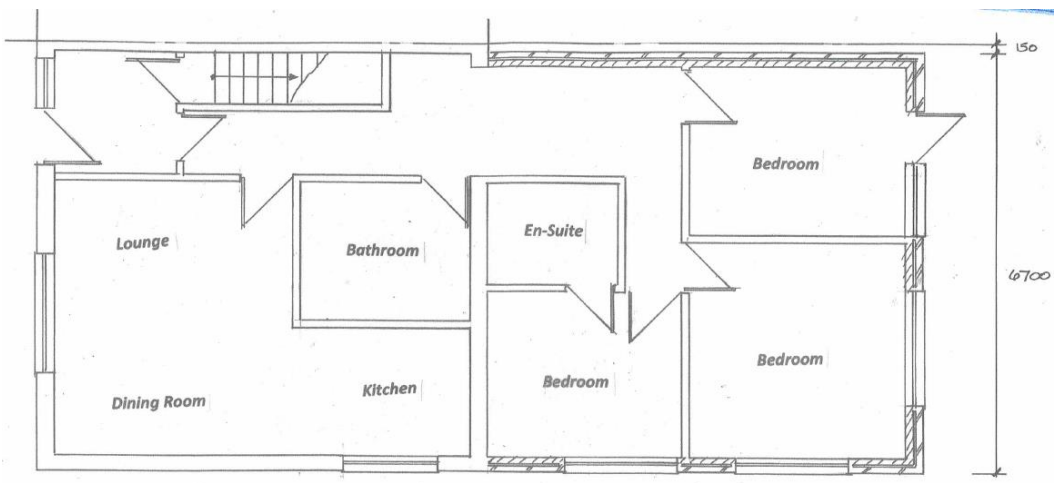
PROPOSED SIDE ELEVATION



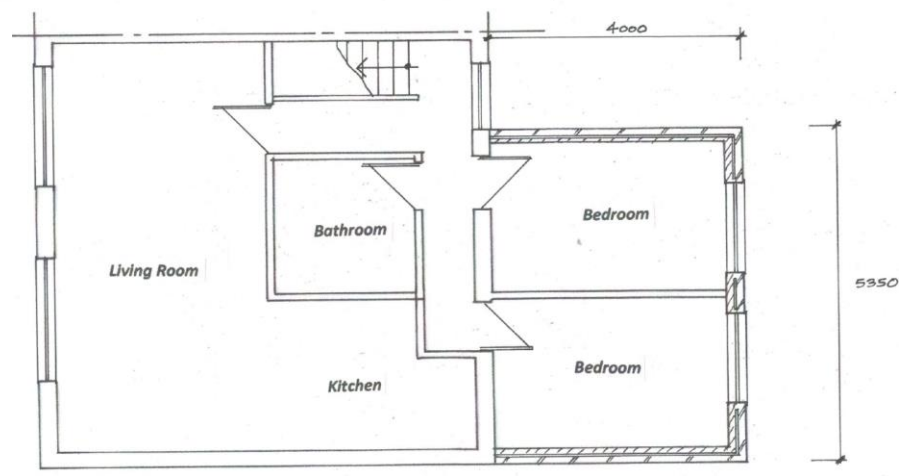


# Proposed Plans – PLAN/2019/1168

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PROPOSED GROUND FLOOR



PROPOSED FIRST FLOOR

# Block Plan – PLAN/2019/1168

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BLOCK PLAN  
SCALE -1/200

# Site Photo – PLAN/2019/1168



# Site Photo – PLAN/2019/1168

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# Site Photo – PLAN/2019/1168



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**SECTION C**

**APPLICATION REPORTS NOT TO BE  
PRESENTED BY OFFICERS UNLESS REQUESTED  
BY A MEMBER OF THE COMMITTEE**

**(Note: Ordnance Survey Extracts appended to the reports are for locational purposes only and may not include all current developments either major or minor within the site or the area generally)**





6e

ENF/2018/00130

WARD: HE-Heathlands

**Subject: Proposed direct action under s219 of the Town & Country Planning Act 1990 to secure compliance in respect of 1 Hermitage Bridge Cottages, Hermitage Road, St Johns, Woking, Surrey, GU21 8XP**

**Case Officer: RDE**  
.....

**1. REASON FOR REPORT**

The purpose of the report is to obtain authority to take direct action against the owner of the land due to the continued failure to comply with an Untidy Site Notice issued under S215 Town and Country Planning Act 1990 (TCPA).

**2. RECOMMENDATION**

- (i) Authority be granted to proceed with direct action under S219 of the TCPA 1990 in order to undertake the outstanding steps required by the notice, as set out in section 4 below, paragraphs (i) to (iv).
- (ii) Recover from the owner of the land any expenses reasonably incurred by the Council for carrying out the works required by the Notice, including registering a charge against the land if necessary

**3. Site Description:**

The semi-detached cottage is the first property located on the South side towpath to the Basingstoke Canal if walking from Hermitage Bridge.

It benefits from a large/long plot of land which abuts the towpath and it is this area that is being used for the storage of waste/scrap material and the two disused/abandoned vehicles. The lawful use of the site is a single residential dwellinghouse.

The area is clearly visible when walking the towpath and impacts public amenity.

**4. REPORT**

Following complaints received about the deteriorating condition and appearance of the property and a Section 215 Notice was issued on 14 March 2019 requiring the following:-

- (i) Remove from the Land the two abandoned vehicles namely the red Peugeot estate and White Citroen estate including all items contained or stored within the said vehicles to an authorised place of disposal.
- (ii) Provide the Council with a copy of the Waste Transfer Certificate to show that the vehicles have been disposed of to an authorised place or to an authorised Waste Carrier.

- (iii) Remove from the right of the garage/in front of the side door of the Land the rubbish which includes, but not limited to, discarded plastic, insulation material, bikes, metal framework, brickwork, wood, sheeting, balustrades and loose items to an authorised place of disposal.
- (iv) Provide the Council with a copy of the Waste Transfer Certificate to show that the waste has been disposed of to an authorised place or to an authorised Waste Carrier.

A period of two months was given to comply with the requirements of the Notice namely 18 June 2019. No appeal was lodged against the Notice. A site visit was undertaken in July 2019 where the Enforcement Officer observed all items in situ. There has been no attempts made by the owner to comply with the notice. Following advice received from Legal colleagues the owner was given further opportunities to comply with the notice, without success. Letters were sent to the owner on 9 October 2018, 16 January and 17 October 2019. The Enforcement Officer undertook site visits in August 2018, 16 January 2019 and 16 March 2020.

Having had no contact with the owner the Planning Enforcement team asked for the support of Neighbourhood Officers to try and help engage but they similarly could not make contact or meet face-to-face with the owner.

The owner has made no attempt to comply with the requirements of the Notice despite numerous requests to do so.

As a result of the owner's failure to comply with the s215 Notice, the Council has been left with no option but to consider enforcement action to ensure full compliance with the S215 Notice.

## **6. EXPEDIENCY OF TAKING ACTION**

Whilst the Council may prosecute the owner for failing to comply with the Notice it is the view of Legal colleagues that a prosecution will simply delay the matter further given the current circumstances with the pandemic. It is unknown when a court hearing would be obtained. Matters are currently being listed in April/May 2021. It is also questionable how effective a prosecution would be. If the LPA decides to prosecute the owner it may find itself in the same position several months later if the owner still fails to comply with the notice.

The alternative to a prosecution would be to take direct action. The LPA is empowered to enter land and to undertake all or some of the works required to ensure compliance with the Notice.

This power can be exercised after the time for compliance has expired, including any informal extensions of time that have been given to the owner. The power is exercisable summarily (without notice) so the LPA is not obliged to give the owner notice because they are deemed to have had sufficient time for compliance under the Notice. However, the LPA would advise that some form of advance warning is appropriate in this case and it is recommended that one month's notice be given of the LPA's intention to take direct action. As a consequence, the notice of direct action would provide the owner with a final opportunity to remove the items and to make him aware of the LPA's next course of action.

The advantage of taking direct action is that the items are removed from the land securing compliance with the notice, saving considerable officers time of further visits and correspondence and that of the court.

The disadvantage of taking direct action is the expense of having the works carried out, which will be payable by the LPA up front. However, the LPA is able to recover the expense of taking direct action from the owner of the land. Repayment of the cost of the works would be secured by imposing a Legal Charge on the land which would be repaid when the land is sold (if not before).

It is therefore considered expedient to take direct action to secure the removal of the scrap metal/vehicles and secure compliance with the notice.

The LPA aims to secure compliance with the notice as effectively as possible because the poor condition of the site and appearance of the land is detrimental to the surrounding area and neighbourhood. The condition of the land is affecting the amenity of the area and scrap metal/waste items are considered to be visually intrusive.

## **7. FINANCIAL CONSIDERATIONS**

Enforcement Officers have liaised with Council contractors via the Neighbourhood Services Team with a view to undertaking the necessary works. Officers have received an estimate of costs from Council contractors for the removal of the scrap waste and vehicles. A ball park figure of £900 plus VAT has been given. This costing is an approximate costing and does not take into account for example problems gaining access to the site and the work taking longer than scheduled.

It is therefore suggested that we allow a small contingency of up to say £1000 plus VAT.

If the Committee decide to authorise direct action the Council would bear the initial expense of having the works carried out but the reimbursement of the costs of the work would be secured by way of a Legal Charge on the land in the event of non-payment by the owner. Following a recent Land Registry search the land is mortgage free so the LPA is confident funds will be recovered.

Whilst there is no standing budget for direct action, in the past a separate planning budget has been set up to fund such matters.

## **8. RECOMMENDATION**

- (i) Authority be granted to proceed with direct action under S219 of the TCPA 1990 in order to undertake the outstanding steps required by the notice, as set out in section 4 above, paragraphs (i) to (iv).
- (ii) Recover from the owner of the land any expenses reasonably incurred by the Council for carrying out the works required by the Notice, including registering a charge against the land if necessary





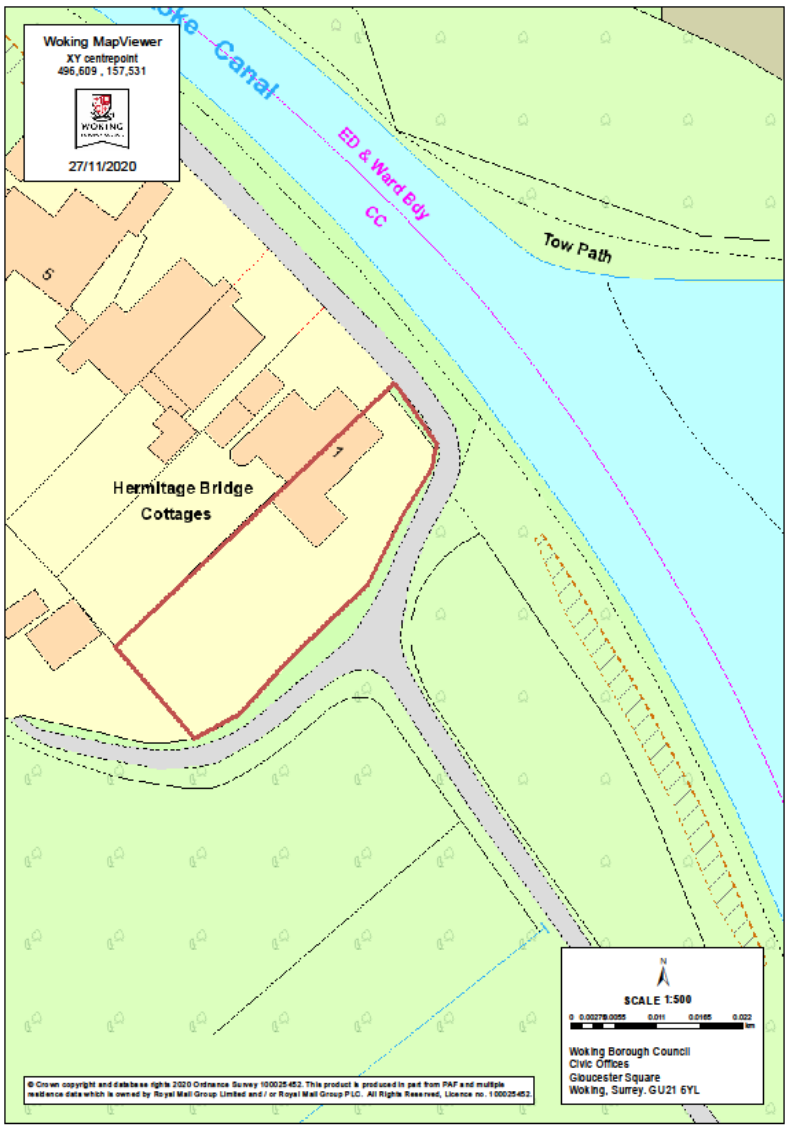
## ITEM 6e – ENF/2018/00130

# 1 Hermitage Bridge Cottages, Hermitage Road, St Johns, Woking

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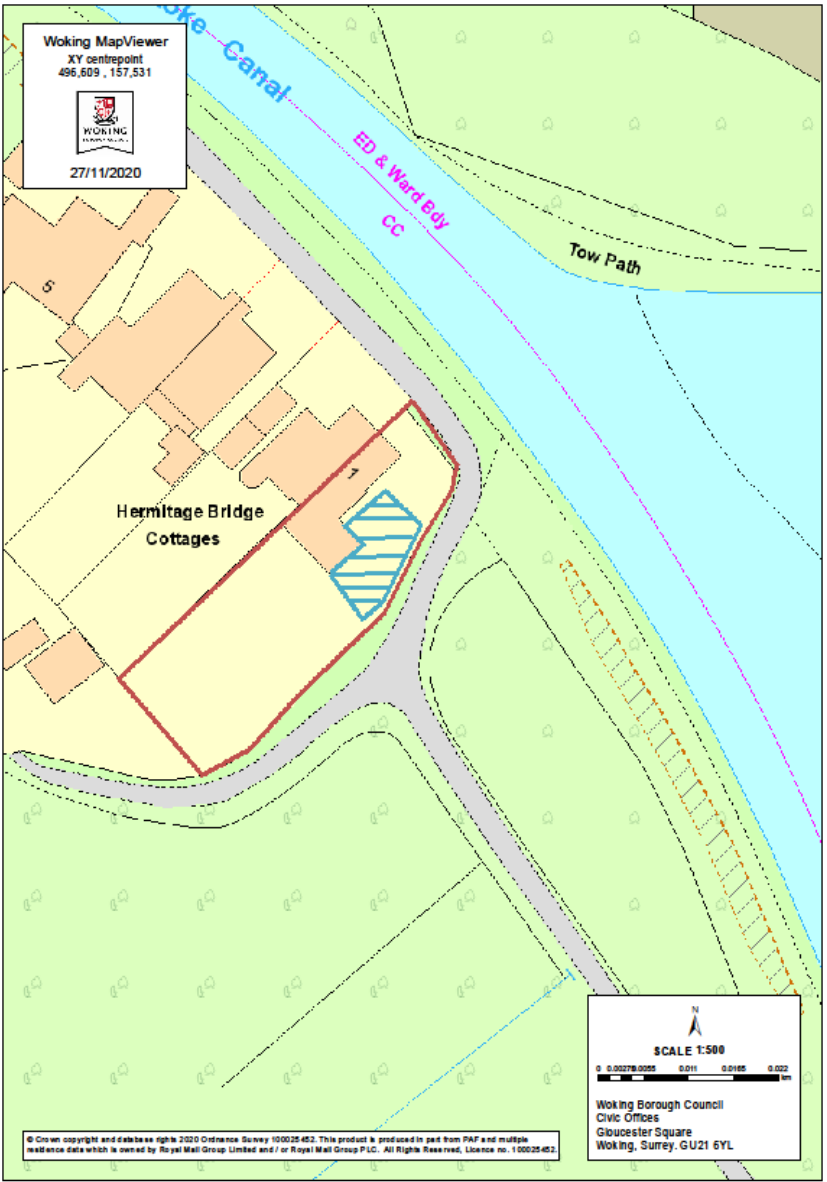
# - ENF/2018/00130

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– ENF/2018/00130

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**6f**                      **ENF/2018/00021**                      **WARD: HE-Heathlands**

**Subject:**            **Land Adj Hoe Stream, West Of Smarts Heath Lane, Woking, Surrey**

**Description:**      **Unauthorised boundary treatment comprising fencing, walled entrance with pillars and large gates and an area of hardstanding**

**Case Officer: RDE**  
.....

**1.    PURPOSE**

To seek Committee approval for Enforcement Action and to authorise all actions necessary enforcement action to remedy the breaches of planning control including proceedings in the Magistrates Court.

**2.    RECOMMENDATION**

Issue an Enforcement Notice in respect of the above land requiring the following within Two months of the notice taking effect

- I.    Remove the brick walls, pillars and iron gates at the front entrance to the site; and
- II.   Remove the close boarded fencing measuring approximately 1.8m high and extending for a length of approximately 24m fronting Smarts Heath Lane and Kemishford; and
- III.   To remove the hardstanding located to the south of the yard area; and
- IV.   To remove from the land all materials, rubble and debris including all associated paraphernalia arising from compliance with the above

**3.    Site Description:**

The application site comprises of a field bordered by the Hoe Stream along the southern and eastern boundaries and Smart's Heath Lane on its western boundary. To the north of the site are various semi-detached and terraced properties, some of which are locally listed buildings. Kemishford Bridge to the south of the site is locally listed also.

The site itself is host to a stable block and an area of hardstanding, some of which has previously been granted planning permission. Planning permission ref: PLAN/2011/0447 dated 11.08.2011 granted planning permission for the use of the site for non-commercial equestrian purposes only.

The site is located within the designated Green Belt and Fluvial Flood Zones 2 and 3 and surface water flood zone 1 (1 in 1000 risk). The entirety of the site falls within the 'Kemishford Bridge to Railway, Hoe Valley' Site of Nature Conservation Importance (SNCI). The site abuts the boundary to Smart's Heath Site of Special Scientific Interest (SSSI) to the north.

**Relevant Planning History:**

- PLAN/2018/0303 - Certificate of Existing Lawful Development for paddock fencing, wall and gate at entrance and hard standing. – Refused - 10.07.2018 for the following reason:

*‘The close-boarded fence, brick pillars, brick walls and gate would be contrary to A.1(a)(ii) of Part 2, Schedule 2 of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) and would not benefit from planning permission by Article 3 of the Order. The expanded area of hardstanding is an engineering operation and would fall within the definition of development as set out in Section 55 of the Town and Country Planning Act 1990 (as amended) and would require planning permission.’*

- COND/2011/0095 - Discharge of conditions 06 (surface water drainage system) and 07 (parking and turning layout) of PLAN/2011/0447 dated 11 August 2011. – Discharged 27.02.2012
- PLAN/2011/0447 - Retrospective planning application for the relocation of access, erection of post and rail fence along western boundary and formation of hard-standing. Proposed erection of 2 bay stable with tack room following the demolition of existing stable building and associated hard-standing. – Permitted 11.08.2011

## 5. **REPORT**

The site has been the subject of Enforcement visits and investigated for a number of breaches. As shown in the planning history the owner has submitted various Planning applications in order to regularise previous breaches.

This latest application for the retention of the existing boundary treatment and access bearing planning reference number PLAN/2020/0274 was refused on 12 June 2020. No appeal has been lodged against the Council's decision to refuse the application.

A letter/email was sent to the owner and agent on 22 June 2020 following the refusal of the application requesting an update on the status of the land and any appeal. On 23 June /2020 we were advised of a new agent taking over the case. On 13 August 2020 we requested further updates and any action regarding rectification or appeal. On 13 August 2020 the agent advised they would await a Notice and their client would appeal if appropriate. Following a site visit by an Enforcement Officer on 1 October 2020 the unauthorised development still remains in situ.

The Council must also have regard to its public sector equality duty (PSED) under S.149 of the Equalities Act 2010. This requires consideration to be given to the need to eliminate unlawful discrimination. It is not known whether the owner falls within one of the protected characteristics. Officers do not consider that the recommendation in this report would have a disproportionate impact on any potential characteristic.

It is considered expedient to serve an Enforcement Notice and therefore authority is sought to serve an Enforcement Notice.

## 6. EXPEDIENCY OF TAKING ACTION

It is considered expedient to take Enforcement Action for the following reasons:-

- (i) The unauthorised development is inappropriate development in the Green Belt which is, by definition, harmful to the Green Belt. Furthermore the development significantly harms the visual openness of the Green Belt by virtue of the increased spread of development across the site and the intrusive urbanising boundary treatment and access which enclose the land. No Very Special Circumstances (VSCs) were advanced in support of the retrospective application PLAN/2020/0274 and Officers remain to be convinced that VSCs would exist or carry sufficient weight to outweigh the significant harm to the Green Belt, which must be afforded substantial weight contrary to policies CS6 (Green Belt), CS21 (Design) and CS24 (Woking's landscape and townscape) of the Woking Core Strategy 2012 and Policy DM13 (Buildings within the adjoining Green Belt) of the Development Management policy DMD 2016 and the National Planning Policy Framework 2019.
- (ii) The highly incongruous walls, access gates, fencing and hardstanding utilise materials which are alien to the area and are of an excessive scale. The development erodes the rural character of the site and wider area which has a profoundly rural appearance with heathland, meadows and locally listed cottages in the locale contrary to Policies CS21 (Design) and CS24 (Woking's landscape and townscape) of the Woking Core Strategy 2012 and Policy DM13 (Buildings within the adjoining Green Belt) of the Development Management policy DMD 2016 and the National Planning Policy Framework 2019.
- (iii) In addition to the above, the site is located within an SNCI and abuts the Smart's Heath SSSI boundary. In the absence of any habitat or ecological assessments it has not been demonstrated that the development will not result in an adverse impact to the integrity of the SNCI or the SSSI contrary to Policies CS7 (Biodiversity and Nature Conservation) of the Woking Core Strategy 2012 and the National Planning Policy Framework 2019.
- (iv) The site access is located on a bend along Smarts Heath Lane which is subject to a 40mph speed limit. It has not been demonstrated through the submission of cogent information from the owner that sufficient visibility splays have been provided. It has not been demonstrated that the unauthorised development does not adversely affect highway safety contrary to Policy CS18 (Transport and accessibility) of the Woking Core Strategy 2012 and the National Planning Policy Framework 2019.
- (v) Furthermore, the hardstanding and built development would have affected flood flows across the site and have likely resulted in a loss of floodplain storage and would increase surface water run-off. It has not been demonstrated there would be no increase in flood risk on-site, elsewhere or exacerbate the existing situation contrary to Policy CS9 of the Woking Core Strategy (2012) and the NPPF (2019).
- (vi) It appears to the Council that the unauthorised development was substantially completed within the preceding last 4 years.

- (vii) Section 58 of the National Planning Policy Framework (NPPF) states 'effective enforcement is important to maintain public confidence in the planning system. Enforcement action is discretionary, and local planning authorities should act proportionately in responding to suspected breaches of planning control'. It is considered that enforcement action is proportionate for the reasons listed above.

The above reasons therefore make it expedient to undertake enforcement action and issue the necessary notice.

## **7. FINANCIAL IMPLICATIONS**

The financial implications including staff resources, the costs of any subsequent appeal, court hearing, legal representation and/or any other costs (including where appropriate, taking direct action) are all matters that have been considered in the making of this report.

An appeal against an Enforcement Notice could be subject to an application for full or partial award of the Appellant's costs in making an appeal if it was considered that the LPA acted unreasonably.

If the committee decide to take enforcement action and the owner decides to exercise their right of appeal, this case is unlikely to be determined by Public Inquiry and therefore costs are likely to be minimal.

## **8. RECOMMENDATION**

Issue an Enforcement Notice in respect of the above land requiring the following within Two months of the notice taking effect

- I. Remove the brick walls, pillars and iron gates at the front entrance to the site; and
- II. Remove the close boarded fencing measuring approximately 1.8m high and extending for a length of approximately 24m fronting Smarts Heath Lane and Kemishford; and
- III. To remove the hardstanding located to the south of the yard area; and
- IV. To remove from the land all materials, rubble and debris including all associated paraphernalia arising from compliance with the above



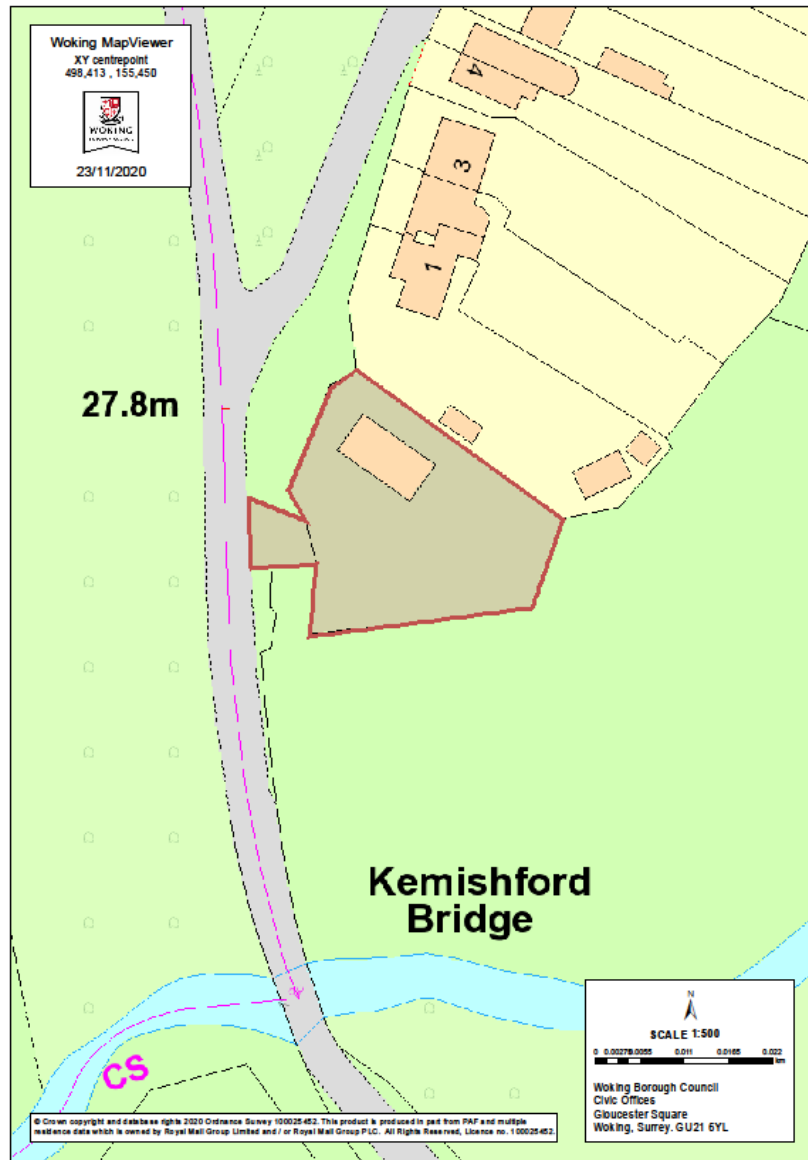
# ITEM 6f – ENF/2018/00021

## Land Adj Hoe Stream, West Of Smarts Heath Lane, Woking

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# - ENF/2018/00021

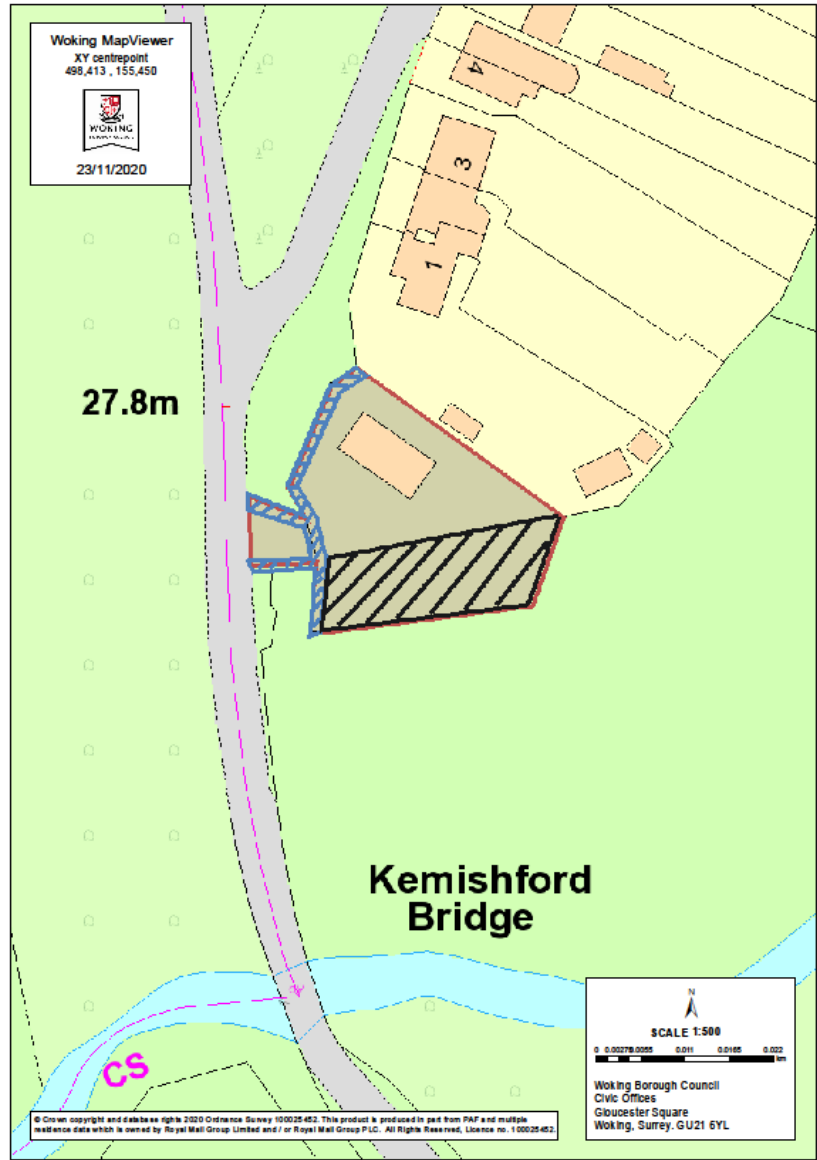
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# - ENF/2018/00021

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27.8m

Kemishford Bridge

N  
SCALE 1:500  
0 0.00278 0.005 0.011 0.0165 0.022 km  
Woking Borough Council  
Civic Offices  
Gloucester Square  
Woking, Surrey, GU21 6YL

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