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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, 7 September 2021 at 7.00 pm in the Council Chamber - Civic Offices.

The agenda for the meeting is set out below.

JULIE FISHER
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). The images and sound recording will also be used for training purposes within the Council. Generally the public seating areas are not filmed. However by entering the meeting room and using the public seating area, you are consenting to being filmed.

AGENDA

PART I - PRESS AND PUBLIC PRESENT

1. Minutes

To approve the minutes of the meeting of the Planning Committee held on 20 July 2021 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 Thameswey Group company will declare a non-pecuniary interest in any item involving that Thameswey 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 Thameswey Group company will declare an interest in any item involving that Thameswey 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 3 - 4)
6. Planning Applications (Pages 5 - 8)

Section A - Applications for Public Speaking

- 6a. 2020/0614 41-43 Eve Road, Woking (Pages 11 - 22)
- 6b. 2020/0940 75 St Johns Road, Woking (Pages 23 - 40)

Section B - Application reports to be introduced by Officers

- 6c. 2021/0573 7 Waldens Park Road, Woking (Pages 43 - 50)
- 6d. 2021/0401 23 Bentham Avenue, Sheerwater, Woking (Pages 51 - 72)
- 6e. 2017/0146 29-31 Walton Road, Woking (Pages 73 - 106)
- 6f. 2021/0492 Little Cairns, St Pauls Road, Woking (Pages 107 - 124)
- 6g. 2021/0695 Four Oaks, Carlton Road, Woking (Pages 125 - 134)
- 6h. TREE/2021/8273 Wey Cottage, 11 Church Road, Woking (Pages 135 - 140)
- 6i. TREE/2021/8274 Wey Cottage, 11 Church Road (Pages 141 - 146)

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

- 6j. COND21/0144 Former Ian Allen Motors, Woking (Pages 149 - 162)

AGENDA ENDS

Date Published – 26 August 2021

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



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PLANNING COMMITTEE – 7 SEPTEMBER 2021

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:

Dan Freeland, Development Team Leader.

Date Published:

26 August 2021

APPEALS LODGED

2021/0169

Application for prior notification for a single storey rear extension to extend a maximum depth of 6m, maximum height of 3.0m and a maximum height of eaves of 2.5m at 74 Balmoral Drive, Maybury, Woking, GU22 8EY.

Refused by Delegated Authority
25 March 2021.
Appeal Lodged
16 August 2021.

2021/0137

Application for erection of a single storey front extension with pitched roof, two storey side extension and rear conservatory at 21 Evelyn Close, Woking, GU22 0DG.

Refused by Delegated Authority
28 April 2021
Appeal Lodged
17 August 2021.

2021/0272

Application for erection of a single storey rear extension at 4 Royal Oak Road Woking Surrey GU21 7PJ

Refused by Delegated Authority
29 April 2021.
Appeal Lodged
18 August 2021.

PLANNING COMMITTEE AGENDA

PLANNING APPLICATIONS AS AT 7TH SEPTEMBER 2021

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

07 September 2021

<u>ITEM</u>	<u>LOCATION</u>	<u>APP. NO.</u>	<u>REC</u>	<u>WARD</u>
0006A	41-43 Eve Road, Woking, Surrey, GU21 5JS	PLAN/2020/0614	REF	C
0006B	75 St Johns Road, St Johns, Woking, Surrey, GU21 7QQ	PLAN/2020/0940	LEGAL	SJS
0006C	7 Waldens Park Road, Horsell, Woking, Surrey, GU21 4RN	PLAN/2021/0573	PER	HO
0006D	23 Bentham Avenue, Sheerwater, Woking, Surrey, GU21 5LF	PLAN/2021/0401	REF	C
0006E	29-31 Walton Road, Woking, Surrey, GU21 5DL	PLAN/2017/0146	LEGAL	C
0006F	Little Cairns, St Pauls Road, Woking, Surrey, GU22 7DZ	PLAN/2021/0492	PER	MH
0006G	Four Oaks, Carlton Road, Horsell, Woking, Surrey, GU21 4HE,	PLAN/2021/0695	PER	HO
0006H	Wey Cottage, 11 Church Road, Byfleet, West Byfleet, Surrey, KT14 7EH	TREE/2021/8273	REF	BWB
0006I	Wey Cottage , 11 Church Road, Byfleet, West Byfleet, Surrey, KT14 7EH	TREE/2021/8274	REF	BWB
0006J	Former Ian Allan Motors, 63 - 65 High Street And, Copthorne, Priors Croft, Old Woking, Woking, Surrey, GU22 9LN	COND/2021/0144	PER	HV

SECTION A - A - B

SECTION B - C - I

SECTION C - J

PER - Grant Planning Permission

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

REF - Refuse

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)

41 – 43 Eve Road, Woking.

PLAN/2020/0614

Change of use of existing detached garage and garden land to the rear of No.41-43 Eve Road to vehicle maintenance and repair use (Use Class B2) and associated hardstanding and fencing.



PLAN/2020/0614



41 - 43 Eve road



Comments
Not Set

N
SCALE 1:1,250
0 5 10 20 30 40 Metres

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

6a PLAN/2020/0614

WARD: Canalside

LOCATION: 41-43 Eve Road, Woking, Surrey, GU21 5JS

PROPOSAL: Change of use of existing detached garage and garden land to the rear of No.41-43 Eve Road to vehicle maintenance and repair use (Use Class B2) and associated hardstanding and fencing.

APPLICANT: Mr T.Hussain

OFFICER: David Raper

REASON FOR REFERRAL TO COMMITTEE:

The application has been referred to Planning Committee by Councillor Aziz.

SUMMARY OF PROPOSED DEVELOPMENT

Change of use of existing detached garage and garden land to the rear of No.41-43 Eve Road to vehicle maintenance and repair use (Use Class B2) and associated hardstanding and fencing.

PLANNING STATUS

- Urban Area
- Priority Place
- Surface Water Flood Risk
- TBH SPA Zone B (400m-5km)

RECOMMENDATION

REFUSE Planning Permission.

SITE DESCRIPTION

The proposal relates to the rear portion of two residential gardens which serve two storey semi-detached dwellings dating from the Victorian/Edwardian era. The proposal site currently comprises a detached garage and parking area. Properties along Eve Road typically have parking areas and vehicular crossovers onto Albert Drive to the rear. Eve Road is a residential road characterised by two storey terraced and semi-detached dwellings.

RELEVANT PLANNING HISTORY

PLAN/2020/0212 - Change of use of existing detached garage and garden land to the rear of No.41-43 Eve Road to vehicle maintenance and repair use (Use Class B2) and associated hardstanding and fencing – REFUSED 04/06/2020 for the following reasons:

- 01. The proposed development, by reason of the noise and disturbance associated with the proposed use and the close proximity to neighbouring properties and their rear amenity spaces, would result in significant noise and general disturbance to neighbours, to the detriment of their residential amenity. The proposal is therefore contrary to Woking Core Strategy (2012) policy CS21 'Design' and the NPPF (2019).*

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02. *The proposal would displace existing off-street parking for two dwellings onto an already heavily parked street and would consequently result in an under-provision of car parking for these dwellings below the minimum standards specified by Woking's 'Parking Standards' Supplementary Planning Document (2018) to the detriment of the amenities of the area. Consequently the Local Planning Authority cannot be satisfied that there would be no adverse effect upon the free flow of traffic or car parking provision within the locality. The proposal is therefore contrary to Woking Core Strategy (2012) policy CS18 'Transport and Accessibility' and Supplementary Planning Document 'Parking Standards' (2018).*

PLAN/2004/1286 (No.41 Eve Road) - To carry out car maintenance in private garage in rear garden – REFUSED 07/01/2005 for the following reason:

01. *The use of the garage for car maintenance (Class B2), by reason of its proximity to residential properties and the nature of the use will have an unacceptable impact on the environment and residential amenities of the area. This is contrary to policies BE4, EMP1 and EMP4 of the Woking Borough Council Local Plan 1999.*

CONSULTATIONS

- **Environmental Health:**

- Note that whilst general activity noise may not be loud, it could still result in annoyance, given the close proximity to neighbours.
- Note that the Noise Assessment proposes a Noise Mitigation Scheme however this could be difficult to enforce in practice.
- Note that the average noise level identified in the Noise Assessment does not give an indication of the individual noise events that could interfere with the residents' enjoyment of their gardens and that there a degree of uncertainty about the type of plant proposed and how noise activities will be controlled.

- **County Highway Authority:** No objection subject to conditions.

- **Drainage and Flood Risk Engineer:** No objection subject to conditions.

REPRESENTATIONS

17x objections have been received raising the following summarised concerns. In addition, a petition in objection to the proposal has been received with 33x signatures.

- Proposed use would cause noise disturbance, fumes and pollution
- Proposal would impact on the amenity of adjoining gardens
- The same proposal has previously been refused by the Council
- This is a residential area and should be protected
- Use of air powered and pneumatic tools would cause noise disturbance
- Proposal would be out of character with the area and would blight the area
- The proposal is contrary to the aims of the Sheerwater regeneration project
- The proposed working hours are unrealistic
- The existing vehicle repair businesses in the area occupy a significant number of on-street parking spaces; the proposal would worsen this
- Eve Road and Arnold Road are already heavily parked
- Proposal would provide insufficient parking and would generate additional traffic and congestion

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- Proposal would result in the loss of existing parking
- Vehicles reversing onto Albert Drive and parking on Albert Drive would pose a highway safety risk
- Proposal would be a fire safety risk
- Proposed fencing would overshadow gardens
- Trees and vegetation have already been removed from the site
- The area is prone to flooding which could be worsened by the proposal
- Proposed use poses a health and safety risk, there is no indication of how dangerous chemicals would be stored
- There is no indication of what would happen to contaminated waste water

In addition to the above, 2x representations and a petition in support of the proposal have also been received.

RELEVANT PLANNING POLICIES

National Planning Policy Framework (NPPF) (2021):

Section 2 - Achieving sustainable development

Section 9 - Promoting sustainable transport

Section 12 - Achieving well-designed places

Section 14 - Meeting the challenge of climate change, flooding and coastal change

Woking Core Strategy (2012):

CS1 - Spatial strategy for Woking Borough

CS5 - Priority Places

CS9 - Flooding and Water Management

CS15 - Sustainable economic development

CS18 - Transport and accessibility

CS21 - Design

CS24 - Woking's landscape and townscape

CS25 - Presumption in favour of sustainable development

Woking Development Management Policies DPD (2016):

DM7 - Noise and Light Pollution

DM8 - Land Contamination and Hazards

DM16 - Servicing Development

Supplementary Planning Documents:

Parking Standards (2018)

Design (2015)

Outlook, Amenity, Privacy and Daylight (2008)

PLANNING ISSUES

Background:

1. The proposal is identical to a proposal which was refused by the LPA under application ref: PLAN/2020/0212 (see Planning History). Another similar proposal was also previously refused in 2005 under PLAN/2004/1286. The only difference between the current application and PLAN/2020/0212 is that the current application is accompanied by a Noise Assessment. The proposal has been assessed on its own merits as set out below.

Impact on Neighbours:

2. Section 12 of the NPPF (2021) states that planning decisions should ensure that a 'high standard of amenity' is achieved for existing and future residents whilst Woking Core Strategy (2012) policy CS21 'Design' states that new development should "*Be designed to avoid significant harm to the environment and general amenity, resulting from noise, dust, vibrations, light or other releases*". The proposal relates to the rear portion of the rear gardens of No.41 and No.43 Eve Road. Eve Road is a relatively high density residential road and the proposal site directly borders the rear gardens of No.39 and No.45 Eve Road and would border the remaining rear gardens of No.41 and No.43 themselves.
3. The proposal is for the change of use of the garden area and an existing domestic garage to be used for vehicle repair and maintenance (Use Class B2). This use has the potential to generate significant noise disturbance through the activities associated with vehicle repairs and maintenance, including the use of tools and machinery and engines being started and revved, along with the general disturbance generated by the operation of a commercial venture on the site and the associated vehicle movements and comings and goings. The proposal site directly borders the rear gardens of neighbours and the site boundary is positioned 10m-10.5m from the neighbours themselves; it is considered that the proposed use would generate significant and unacceptable noise disturbance to surrounding neighbours to the detriment of their residential amenity.
4. The applicant indicates in their submission that they anticipate 1-5 customers per day, however it would be difficult to enforce customer numbers by way of planning condition. In any case, 1-2 customers a day would result in at least one vehicle being worked on at any given time which has the potential to generate significant noise disturbance as discussed above. Furthermore the applicant indicates that mostly hand tools would be used however this also cannot be secured by condition as such a condition would be unenforceable. In any case, hand tools can still generate loud, repetitive and jarring noises. Furthermore, if the proposed use were permitted, any occupier could occupy the premises and use it for B2 (General Industrial) use which could be different in nature to how the applicant intends to use the site. Hours of operation could be controlled by condition however the disturbance to neighbours would still occur during the hours of operation during the day.
5. Whilst the proposal would utilise an existing garage, there is open space around the garage where works could take place outside and it is highly unlikely that works would take place solely within the garage with the doors closed, particularly in summer months. Whilst there are sources of noise in the surrounding area from the Employment Area to the north and road noise from Albert Drive, it is considered that the proposal would add a further undesirable source of noise directly adjacent to residential properties which would detract from the amenity of adjoining gardens and would further reduce the opportunities for peaceful enjoyment of these gardens and dwellings.
6. At No.29 Eve Road to the west a vehicle repair and maintenance operates to the rear of the site. This however is an established use which has not been expressly authorised by the LPA; this site has been historically used for industrial purposes since at least the 1930s. The existence of this business is not considered to set a precedent for similar developments elsewhere in the area, particularly because of the negative impacts of the proposed development outlined above.

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7. Notwithstanding the presence of the business at No.29 Eve Road, Eve Road is residential in nature and comprises residential gardens and domestic buildings to the rear. The proposal would introduce a B2 (General Industrial) use to an area of domestic rear gardens and would adjoin neighbouring gardens; the proposed use is not considered a neighbourly or compatible use in a residential area, particularly due to the close proximity to neighbouring gardens and dwellings.
8. The application is accompanied by a Noise Assessment which concludes that the noise generated from the proposed use would be masked by existing background noise during the daytime. However the assessment assumes plant noise and does not make an assessment of specific plant or tools to be used. The assessment does not take account of sudden unexpected noise described above which are likely to be sudden, jarring noises which could cause annoyance to neighbours, such as repetitive noise from tools. Furthermore the Noise Assessment recommends a Noise Management Scheme as a mitigation measure which would include measures such as instructions to personnel to minimise noise and instructions to keep engines off when not in use. Such measures would be difficult to control, would be reliant on the actions of individuals and are not considered sufficient to overcome the concerns described above.
9. Environmental Health have been consulted and note that whilst noise from general activity associated with the proposed use may not be loud, it could result in annoyance to neighbours, given the close proximity between the closest car parking space and the façade of the neighbouring building. Environmental Health note that the Noise Assessment proposes a Noise Mitigation Scheme however they note that this could be difficult to enforce in practice. Environmental Health also notes that the average noise level identified in the Noise Assessment does not give an indication of the individual noise events that could interfere with the residents' enjoyment of their gardens and that there a degree of uncertainty about the type of plant proposed and how noise activities will be controlled.
10. As discussed above, it is not considered that planning conditions could adequately mitigate the negative impacts of the development and it is not realistic or enforceable for works to only take place within the garage building.
11. In terms of proposed operational development, this is limited to new fencing which is identified as being up to 2.2m in height. This would be 0.2m higher than what could be erected under 'Permitted Development' rights and is not considered to result in an undue overbearing or loss of light impact on neighbours or their rear gardens.
12. Overall, the proposed development, by reason of the noise and disturbance associated with the proposed use and the close proximity to neighbouring properties and their rear amenity spaces, would result in significant noise and general disturbance to neighbours, to the detriment of their residential amenity. The proposal is therefore contrary to Woking Core Strategy (2012) policy CS21 'Design' and the NPPF (2021).

Transportation Impact:

13. The proposal relates to the rear of No.42-43 Eve Road which is accessed from Albert Drive rather than Eve Road; dwellings on the north side of Eve Road typically have vehicular crossovers and garages accessed from Albert Drive which provide off-street parking for these properties. The Council's Parking Standards SPD (2018) sets maximum parking standards for B2 uses of one space per 30m². The proposed plans identify capacity for five parking spaces in a tandem and parallel arrangement. Whilst

this is not an ideal arrangement it is considered appropriate and sufficient for the nature of the proposed use in the context of the SPD. The County Highway Authority has reviewed the proposal and raises no objection on highway safety and capacity grounds subject to conditions.

14. Eve Road is a no-through road characterised by pairs of semi-detached and terraced dwellings with frontages of dwellings not deep enough to accommodate vehicles and few properties have the ability to park off-street. Consequently the majority of residents park on-street and there are no parking controls on the road. As a result, the road is heavily parked and there is clearly parking pressure in the area, with the majority of on-street spaces typically occupied during weekday daytime hours. The proposal would remove the existing off-street parking for both No.41 and No.43 Eve Road; No.43 currently has space for two cars and No.43 has an existing single garage and on-street parking on Albert Drive is not possible due to the presence of double yellow lines. As a consequence, the proposal would displace the existing off-street parking for these properties onto Eve Road which is already heavily parked and would add to the significant parking pressure in the area. The existing dwellings are understood to be three bedroom dwellings and so have a minimum parking requirement of two spaces per dwelling in accordance with the Council's Parking Standards SPD (2018).
15. The proposal would displace existing off-street parking for two dwellings onto an already heavily parked street and would consequently result in an under-provision of car parking for these dwellings below the minimum standards specified by Woking's Parking Standards SPD (2018) to the detriment of the amenities of the area. Consequently the Local Planning Authority cannot be satisfied that there would be no adverse effect upon the free flow of traffic or car parking provision within the locality. The County Highway Authority raises no objection however the remit of the County Highway Authority is limited to highway safety and operation rather than parking pressure and amenity. The proposal is therefore considered contrary to Woking Core Strategy (2012) policy CS18 'Transport and Accessibility' and Supplementary Planning Document 'Parking Standards' (2018).

Land Use:

16. The proposal is in a predominately residential area; whilst there is an Employment Area to the north the proposal site is not within it. The proposal site is within a 'Priority Place' as defined by Woking Core Strategy (2012) policy CS5 however this policy only encourages employment uses in existing Employment Areas. Whilst the NPPF (2021) and Core Strategy (2012) policy CS15 are generally supportive of the development of new business, this does not override other material consideration which are set out above.

Impact on Character:

17. The proposal would utilise an existing detached garage and operational development would be limited to fencing and hardstanding. This in itself is not considered to result in a detrimental impact on the character of the surrounding area compared to the existing situation. Overall the proposal is considered to have an acceptable impact on the character of the surrounding area.

Drainage and Flood Risk:

18. Parts of the proposal site are designated as being at risk from surface water flooding and the proposal site is in an area which is known to have previously flooded. The

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Council's Drainage and Flood Risk Engineer has reviewed the proposal and raises no objection subject to a condition requiring details of a sustainable drainage scheme. The proposal is therefore considered acceptable in this regard subject to conditions.

Impact on Garden Size:

19. The size of the rear gardens of No.41 and No.43 Eve Road would be reduced as a result of the proposal. However, the remaining garden areas would be at least proportionate to the footprint of the dwellings in accordance with the guidance in the Council's 'Outlook, Amenity, Privacy and Daylight' SPD (2008) and are considered sufficient in size.

Community Infrastructure Levy (CIL):

20. The proposal would not be liable to make a CIL contribution as 'B' class uses attract a nil CIL charge.

CONCLUSION

21. The proposed development, by reason of the noise and disturbance associated with the proposed use and the close proximity to neighbouring properties and their rear amenity spaces, would result in significant noise and general disturbance to neighbours, to the detriment of their residential amenity. Furthermore, the proposal would displace existing off-street parking for two dwellings onto an already heavily parked street and would consequently result in an under-provision of car parking for these dwellings below the minimum standards specified by Woking's Parking Standards SPD (2018) to the detriment of the amenities of the area. Consequently the Local Planning Authority cannot be satisfied that there would be no adverse effect upon the free flow of traffic or car parking provision within the locality.
22. The proposal has not therefore overcome the reasons for refusal of PLAN/2020/0212 and is contrary to Woking Core Strategy (2012) policies CS18 'Transport and Accessibility' and CS21 'Design', Supplementary Planning Document 'Parking Standards' (2018) and the NPPF (2021) and is recommended for refusal.

BACKGROUND PAPERS

1. Site visit photographs
2. Consultation responses
3. Representations

RECOMMENDATION

REFUSE for the following reasons:

01. The proposed development, by reason of the noise and disturbance associated with the proposed use and the close proximity to neighbouring properties and their rear amenity spaces, would result in significant noise and general disturbance to neighbours, to the detriment of their residential amenity. The proposal is therefore contrary to Woking Core Strategy (2012) policy CS21 'Design' and the NPPF (2021).
02. The proposal would displace existing off-street parking for two dwellings onto an already heavily parked street and would consequently result in an under-provision of car parking for these dwellings below the minimum standards specified by Woking's

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'Parking Standards' Supplementary Planning Document (2018) to the detriment of the amenities of the area. Consequently the Local Planning Authority cannot be satisfied that there would be no adverse effect upon the free flow of traffic or car parking provision within the locality. The proposal is therefore contrary to Woking Core Strategy (2012) policy CS18 'Transport and Accessibility' and Supplementary Planning Document 'Parking Standards' (2018).

Informatives

01. The plans and documents relating to the development hereby refused are listed below:

Unnumbered plan showing a Location Plan received by the LPA on 15/07/2020

1740-FE101A (Existing and Proposed Floor Plans) received by the LPA on 15/07/2020

1740-FE102A (Proposed Site Plan) received by the LPA on 15/07/2020

1740-FE103 (Existing and Proposed Fencing) received by the LPA on 15/07/2020

1740-FE104 (Existing Site Plan) received by the LPA on 15/07/2020

1740-FE111A (Existing and Proposed Elevations) received by the LPA on 15/07/2020

Noise Impact Assessment Report dated June 2020 received by the LPA on 15/07/2020

75 St Johns Road.

PLAN/2020/0940

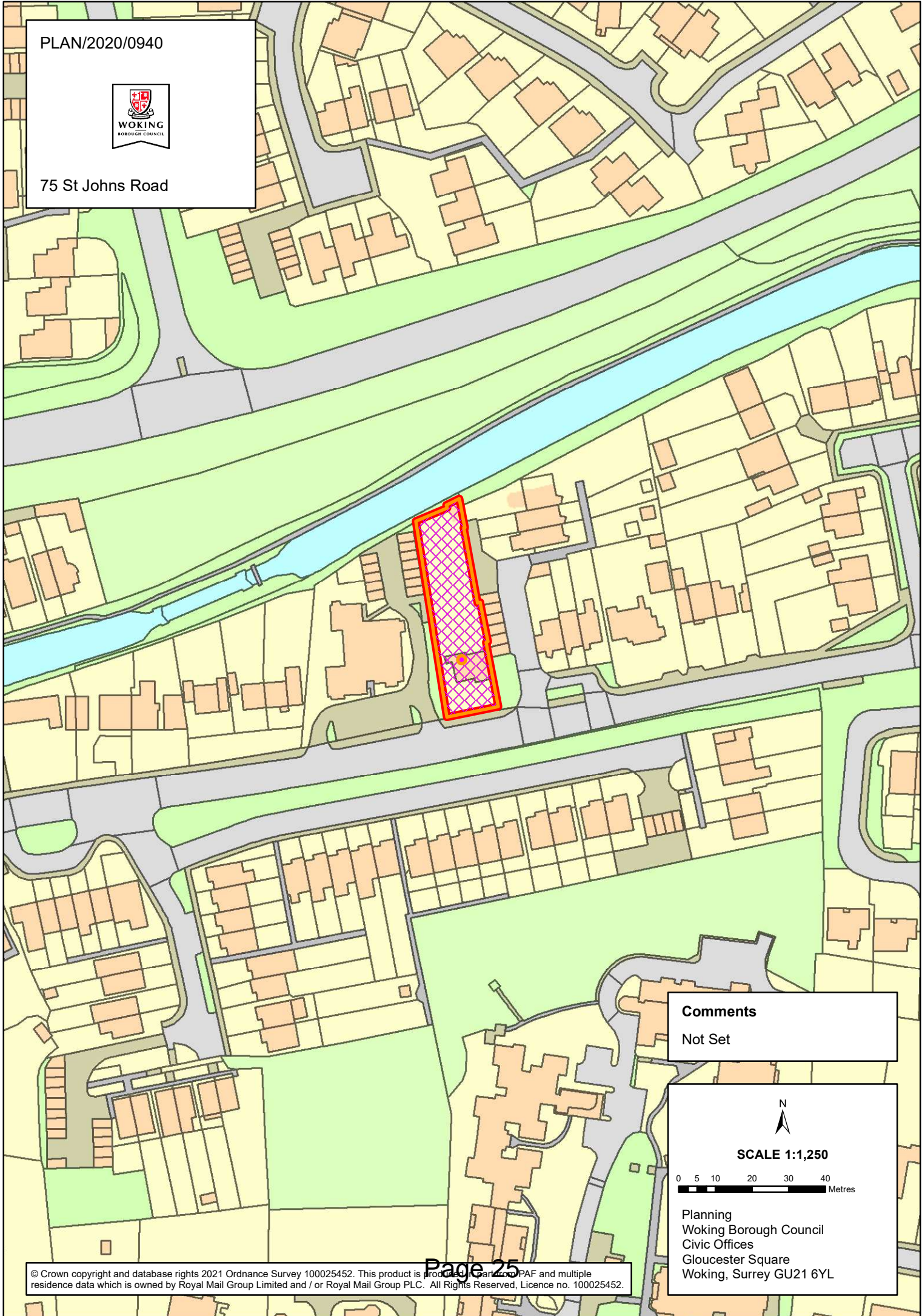
Construction of a three storey block of flats comprising 8 units with associated parking, refuse and amenity following the demolition of existing bungalow. (Amended plans)



PLAN/2020/0940



75 St Johns Road



Comments
Not Set

N
SCALE 1:1,250
0 5 10 20 30 40 Metres

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

7 SEPTEMBER 2021 PLANNING COMMITTEE

6b PLAN/2020/0940

WARD: St Johns

LOCATION: 75 St Johns Road, St Johns, Woking, Surrey, GU21 7QQ

PROPOSAL: Construction of a three storey block of flats comprising 8 units with associated parking, refuse and amenity following the demolition of existing bungalow.

APPLICANT: Mr M Yasin

OFFICER: Josey Short

REASON FOR REFERRAL TO COMMITTEE

The application is recommended for approval and involves the provision of dwelling houses where the number of dwelling houses to be provided is more than five.

PROPOSED DEVELOPMENT

The application seeks planning permission for the construction of a three storey block of flats comprising 8 units with associated parking, refuse and amenity following the demolition of existing bungalow.

PLANNING STATUS

- Thames Basin Heath Special Protection Area (TBH SPA) Zone B (400m-5km)
- Urban Area
- Surface Water Flooding 30 Year

RECOMMENDATION

Grant planning permission subject to conditions and S106 Agreement.

SITE DESCRIPTION

75 St Johns Road Albert Drive is a two bedroom bungalow to the north of St Johns Road within the developed area of St Johns, Woking. The dwelling is set on a large linear plot with a depth of approximately 54 metres and width of approximately 13 metres. The site is neighboured by Rosalyn Court to the west which is a 3 storey block of flats and a row of 6 detached garages to the east which serve Goldsworth Orchard.

PLANNING HISTORY

None relevant.

CONSULTATIONS

Conservation – This scheme which is compatible in height to the adjacent block would be acceptable in this location. The rear of the site contains protected trees which border the Basingstoke Canal Conservation Area, these will be unaffected while this area will form a communal area for the flats. No adverse comments on the proposal.

Trees – The arboricultural information provided is considered acceptable subject to a pre commencement meeting between the project manager, project arboriculturist and the local authority tree officer.

Drainage – Approval recommended on drainage and flood risk grounds providing a condition is included if permission is granted requiring a surface water drainage scheme to be submitted and approval by the local planning authority prior to the commencement of works on site. This condition will ensure the application complies with the NPPF and Woking Core Strategy Policy CS9.

Highways – The proposed development has been considered by the County Highway Authority who have assessed the application on safety, capacity and policy ground recommends a pre commencement condition requiring a Construction Transport Management Plan and pre occupation conditions requiring the vehicular access to be constructed, the proposed parking has been laid out, a fast charge socket is provided for at least 2 of the parking spaces and cycle parking has been provided.

REPRESENTATIONS

Thirteen (13) letters of objection received from nine (9) households raising concerns for:-

- The design of the rear elevation facing the canal is poor – **see visual impact section of report**
- Insufficient parking provision on site as the proposal should have 12 parking spaces for the number of dwellings - **see highways and parking section of report**
- The rear garden of No. 3 Goldsworth Orchard would be overlooked by the front and rear windows and balconies of the proposed units – **see neighbour impact section of report**
- Ongoing maintenance to rear of existing garages in Goldsworth Orchard. The edge of the flats would need to allow neighbours of Goldsworth Orchard adequate room for ladders etc, to clear gutters and make any repairs to the back of our garages. - **if land within the curtilage of the application site is required, this would be a civil matter and not a planning consideration in the assessment of the application**
- The flats would be close to the shared boundary of Goldsworth Orchard and thus would be very overwhelming and restrict light to the rear of numbers 4, 5 &6. – **see neighbour impact section of report**
- Concerns for the visibility of St Johns Road caused by the parking to the front of the site – **see highways and parking section of report**
- Concerns raised for the accuracy of the north point on the submitted drawings – **noted. The references to the orientation of the site are accurate and do not relate to those titled on the proposed elevations**
- The proposal would not reflect the character of the area – **see visual impact section of report**
- The proposal would be 6 metres greater in height than the existing dwelling on the site and thus would be visually intrusive to the surrounding dwellings. – **see visual impact section of report**

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- The proposal would have an impact on the light the dwellings on Goldsworth Orchard currently receive. – ***see neighbour impact section of report***

RELEVANT PLANNING POLICY

National Planning Policy Framework (NPPF) (2019):

Section 2 – Achieving sustainable development
Section 4 – Decision making
Section 5 – Delivering a sufficient supply of homes
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 Heaths Special Protection Area

Woking Core Strategy (2012)

CS8 – Thames Heath Basin Special Protection Areas
CS9 – Flooding and water management
CS10 – Housing provision and distribution
CS11- Housing Mix
CS12 – Affordable Housing
CS18 – Transport and accessibility
CS20 – Heritage and conservation
CS21 – Design
CS24 – Woking’s landscape and townscape
CS25 – Presumption in favour of sustainable development

Development Management Policies Development Plan Document (DMP DPD) (2016)

DM2 – Trees and landscaping
DM6 – Air and water quality
DM7 – Noise and light pollution

Supplementary Planning Documents (SPDs):

Parking Standards (2018)
Woking Design (2015)
Outlook, Amenity, Privacy and Daylight (2008)

Other Material Considerations:

Community Infrastructure Levy (CIL) Charging Schedule (2015)

PLANNING ISSUES

1. The main considerations within the determination of this application comprise
 - Principle of development
 - Impact on Conservation Area
 - Design and impact on visual amenity
 - Impact on residential amenities
 - Standard of residential accommodation
 - Highways and parking
 - Flooding and drainage

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- Trees
- Sustainability
- Affordable housing
- Impact on the Thames Basin Heaths Special Protection Area
- Local finance contributions

Principle of development

2. The NPPF (2021) and Policy CS25 of the Woking Core Strategy (2012) promote a presumption in favour of sustainable development. Policy CS10 of the Woking Core Strategy (2012) identifies that the Council will make provision for an additional 4,964 net additional dwellings in the Borough between 2010 and 2027.
3. The application seeks planning permission for the construction of a three storey block of flats comprising 8 units with associated parking, refuse and amenity following the demolition of existing bungalow.

Impact on Conservation Area

4. The Basingstoke Canal (east and west) Conservation Area adjoins the rear boundary of the application site. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that “*special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area*“. This is reflected by Policy CS20 of the Woking Core Strategy (2012) which states that ‘*new development should make a positive contribution to the character, distinctiveness and significance of the historic environment*’ and goes on to state that ‘*the heritage assets of the Borough will be protected and enhanced in accordance with relevant legislation and national guidance as set out in the NPPF*’ and policy DM20 of the Development Management Policies DPD (2016) reflects this.
5. The councils Conservation Officer was consulted on the application and raised no adverse comments for the scheme. Given the distance which would remain between the proposal and the nearby Conservation Area, it is considered that their historic interest would be preserved in line with policies DM20 and CS20.

Impact on visual amenity

6. The NPPF (2021) sets out that one of the fundamental functions of the planning and development process is to achieve the creation of high quality buildings and places and that good design is a key aspect of sustainable development. Paragraph 124(d) sets out that planning decisions should support development that makes efficient use of land taking into account the desirability of maintaining an area’s prevailing character and setting (including residential gardens) or of promoting regeneration and change.
7. Policy CS21 of the Core Strategy (2012) states “*Proposals for new development should...respect and make a positive contribution to the street scene and the character of the area in which they are situated, paying due regard to the scale, height, proportions, building lines, layout, materials and other characteristics of adjoining buildings and land.*” It is further stated that developments should incorporate landscaping to enhance the setting of the development and provide for suitable boundary treatment(s).
8. Policy CS24 of the Woking Core Strategy 2012 states that ‘*development will be expected to...respect the setting of, and relationship between, settlements and individual buildings within the landscape*’ and to ‘*conserve, and where possible, enhance townscape character*’.

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9. By virtue of this positioning the proposal would be readily apparent from the public realm. The street scene in this part of St Johns Road is characterised by a residential properties of varying scales, styles and finishes. The application site is neighbored by Roslyn Court to the west, which is a three storey apartment block and Goldsworth Orchard to the right which is a cul de sac comprising 6 2 storey dwellings and a detached garage block which is located immediately to the east of the east boundary of the site.
10. The proposed development would be constructed in place of the sites existing detached bungalow, albeit set back a further 8.4 metres, resulting in a distance of approximately 19 metres from the highway. The proposed building would be 3 storeys with a flat roof and comprise a material palette of brick, render and timber cladding, resulting in a modern style of building. The proposal would comprise 8 residential units (4 x 2 bedroom and 4 x 1 bedroom), associated parking to the front and communal amenity space to the rear for the dwellings proposed. The proposal would have soft landscaping immediately to the front of the site with an opening for vehicular access and egress and 6 parking spaces to serve the proposed units. The building would be inset from the east and west side boundaries of the site by a minimum distance of 1 metre, with the exception of the refuse area to the west of the building which would be single storey and constructed up to the boundary. It is also noted that the distance between the proposed and west neighbouring building would be 9.4 metres, whilst the distance between the proposed building and the neighbouring properties in Goldsworth Orchard would be 14.5 metres. With this taken into account, it is considered that the level of spaciousness between the proposed dwellings and the existing surrounding buildings would be maintained.
11. The building would have a maximum height of 10.5 metres measured from the central element to the front of the building, however it noted that the large majority of the building would have a height 1 metre lower than this. It is noted that the proposed building would be 1 metre lower in height than the west neighbouring building Roslyn Court and 1 metre greater in height than the ridge of the dwellings in Goldsworth Orchard. As such it is considered that the proposed development would appear sympathetic to the locality in this regard. Though it is noted that the proposal would be of a greater height than the existing bungalow on the site, the proposal would be set further back from the street scene than the existing dwelling, resulting in a distance of approximately 19 metres, and by virtue of the land levels declining towards the rear of the site, the proposal would be at a lower level than the road. This in turn would reduce the visual prominence of the development on the character of the area.
12. Whilst the building would be of a modern style which differs to the more traditional style of dwellings within the locality, the use of brick and render within the material palette of the proposed development would appear sympathetic to locality as these are prominent materials within the street scene of St Johns Road. Additionally, the existing flatted development to the west of the application site exacerbates the variety of the street scene and thus it is considered that the proposal would also not appear inconsistent in this regard.

Neighbour Amenity

13. The sites nearest neighbouring dwellings are Roslyn Court and Nos. 3,4,5 and 6 Goldsworth Orchard, however it is noted that a highway runs between the application site and these neighbours and thus, the application site does not share boundaries with any of these neighbouring properties. The proposed building would be juxtaposed to nos. 4, 5 and 6 Goldsworth Orchard with the rear elevations fronting the east side boundary of the site, however it is noted that only no. 6 would adjoin the boundary with the application

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site at the rear. The distance between the proposed and west neighbouring building would be 9.4 metres, whilst the distance between the proposed building and the neighbouring properties in Goldsworth Orchard would be 14.5 metres. By virtue of the overall depth of the proposed building in combination with the set back on the site, it would breach the 45 degree angle when measured from the centre point of the nearest habitable window. However, it is noted that the orientation of the application site and this neighbour locates south to the front of the sites, the light the rear elevation of this site currently receives limited. With this taken into account along side the distance which would be maintained between the proposal and this neighbour, it is considered that the proposal would not detrimentally impact the sunlight this neighbouring property currently receives. Similarly, given the distance and juxtaposition of the proposal with the other nearest neighbouring properties, it would not have an adverse impact on the sunlight or daylight these neighbouring properties would currently receive.

14. The proposal would encompass windows which would serve ground, first and second floor accommodation in all elevations. It is also noted that the proposal would include balconies to the front and rear elevations at first and second floor levels. The windows proposed within the front elevation would front the public realm and consequently would not result in overlooking or a loss of privacy. Likewise, the windows within the rear elevation would front the communal amenity area to the rear of the site. However, the proposed rear facing balconies may result in overlooking and a loss of privacy to the private amenity space to the rear of nos. 4, 5 and 6 Goldsworth Orchard. With this taken into account, it is considered that it would be reasonable and necessary to condition that the balconies include screens to the sides in the event of planning permission being granted in this instance. The side facing windows would all serve non habitable rooms or provide secondary windows within habitable rooms and as such it would be reasonable to condition that these are obscurely glazed and non opening in the event of planning permission being granted in this instance.

Standard of residential accommodation

15. The Technical housing standards – nationally described space standard (DCLG – 2015) set out the minimum gross internal areas and storage for new dwellings dependant on the number of bedrooms, bed spaces and storeys. The proposal would comprise 8 x single storey units (4 x 2 bedroom dwellings and 4 x 1 bedroom dwellings). The proposed 2 bedroom dwellings would have 3 bed spaces per dwelling and as such the minimum gross internal floor area would be 61 sq. metres per unit, whilst the 1 bedroom dwellings would have 1 bed space per dwelling and thus the minimum gross internal floor area would be 39 sq. metres per unit. All units would exceed the nationally described space standard.
16. Regard is also had for the quality of accommodation in terms of the light the rooms receive and the outlook available. The windows serving the habitable rooms would primarily be located on the front and rear elevations at all floor levels and as such it is considered that the light and outlook available would be well served by natural light with meaningful outlook. Though it is noted that the scheme would also encompass windows within the side elevations, these would be secondary windows to habitable rooms or serving non-habitable rooms. With this taken into account, though it is noted that some of the ground floor windows would be high level windows and thus the quality of the outlook these side windows would be poor, these would serve as secondary windows with the large windows to the front and rear elevation being the main source of light and outlook to the room.
17. Appendix 1, Table 2 of the of the Outlook, Amenity, Privacy and Daylight (2008) SPD sets out the minimum garden amenity areas and details that one bedroom houses and one and two bedroom flats or apartments not suitable for family accommodation and less

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than 65 sq.metres. gross floorspace, including retirement (i.e. non sheltered) accommodation. Of the 8 dwellings proposed, only 1 would have a floor space which exceeds 65 sq. metres and as such would constitute a family home, whilst the other 7 dwellings would not be suitable for family accommodation. The scheme would provide a communal garden area to the rear and balconies for all of the dwellings at first and second floor. Whilst it is noted that the larger of the dwellings, which is located to the front of the scheme at ground floor level, would not have a balcony, it is considered that the communal amenity space to the rear would be sufficient in line with the recommendations set out within Appendix 1 of the Outlook, Amenity, Privacy and Daylight SPD.

Highways and parking

18. The scheme proposes to construct a highway access from St Johns Road which would serve the 8 dwellings. The Highway Authority were consulted on the application and raised no objections subject to a pre commencement condition requiring a Construction Transport Management Plan and pre occupation conditions requiring the vehicular access to be constructed, the proposed parking has been laid out and a fast charge socket is provided for at least 2 of the parking spaces and cycle parking has been provided in the event of planning permission being granted in this instance. It is considered that the conditions suggested by the Highway Authority meet the 5 part test for planning conditions as set out in paragraph 55 of the NPPF and thus would be included in the event of planning permission being granted in this instance.
19. The proposed 2 bedroom dwellings would require off street parking provision for 1 vehicle per unit and the 1 bedroom dwellings would require parking for 0.5 vehicles per unit, resulting in a total of 6 spaces required for the development in line with the Parking Standards SPD (2018). Submitted Proposed Site Layout (drawing No. P.02 C) illustrates that the proposal would provide 6 parking spaces to the front which would be sufficient in line with the Parking Strategy.

Flooding and drainage

20. The Basingstoke Canal is located to the rear of the site. The rear of the site falls within medium, high and very high risk areas of surface water flooding. As such, the flooding and drainage team were consulted on the scheme. Based on the flooding and drainage information submitted in support of the application, approval is recommended on drainage and flood risk grounds providing a condition is included if permission is granted requiring a surface water drainage scheme to be submitted and approval by the local planning authority prior to the commencement of works on site to ensure the application complies with the NPPF and Woking Core Strategy Policy CS9. Given the nature of this condition, it is considered that they would pass the 5 part test for planning conditions as set out in paragraph 55 of the NPPF (2021) and as such will be included in the event of granting planning permission in this instance.

Trees

21. There is a Tree Preservation Order (TPO) Area which adjoins the rear boundary of the site (reference 626/0212/1974) and there is a TPO group close to the front of the site (reference 626/0132/1971). As such, the council's arboriculture officer has been consulted on the proposal. On assessment of the information submitted in support of the application relating to the TPO area, the arboricultural information provided is considered acceptable subject to a pre commencement meeting between the project manager, project arboriculturist and the local authority tree officer. Given the nature of this condition, it is considered that they would pass the 5 part test for planning conditions as set out in

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paragraph 55 of the NPPF (2021) and as such will be included in the event of granting planning permission in this instance.

Sustainability

22. Following a Ministerial Written Statement to Parliament on 25th March, the Code for Sustainable Homes (aside from the management of legacy cases) has now been withdrawn. For the specific issue of energy performance, Local Planning Authorities will continue to be able to set and apply policies in their Local Plans that require compliance with energy performance standards that exceed the energy requirements of Building Regulations until commencement of amendments to the Planning and Energy Act 2008 in the Deregulation Bill 2015.
23. The Council has therefore amended its approach and an alternative condition will now be applied to all new residential development which seeks the equivalent water and energy improvements of the former Code Level 4. Had the development been otherwise acceptable, the above requirements and standards could have been secured by way of planning conditions.

Affordable Housing

24. 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.
25. Paragraph 63 of the National Planning Policy Framework (NPPF) (2021) sets out that provision of affordable housing should not be sought for residential developments that are not major developments, other than in designated rural areas. The site is not within a designated rural area and does not constitute major development (development where 10 or more homes will be provided or the site has an area of 0.5 hectares or more).
26. Whilst it is considered that weight should still be afforded to Policy CS12 (Affordable housing) of the Woking Core Strategy (2012) it is considered that greater weight should be afforded to the policies within the NPPF 2021. As the proposal represents a development of less than 10 units, and has a maximum combined gross floor space of no more than 1000sqm, no affordable housing financial contribution is therefore sought from the application scheme.

Impact on the Thames Basin Heaths Special Protection Area

27. The Thames Basin Heaths Special Protection Area (TBH SPA) has been identified as an internationally important site of nature conservation and has been given the highest degree of protection. Policy CS8 of the Core Strategy states that any proposal with potential significant impacts (alone or in combination with other relevant developments) on the TBH SPA will be subject to Habitats Regulations Assessment to determine the need for Appropriate Assessment. Following recent European Court of Justice rulings, a full and precise analysis of the measures capable of avoiding or reducing any significant effects on European sites must be carried out at an 'Appropriate Assessment' stage rather than taken into consideration at screening stage, for the purposes of the Habitats Directive (as interpreted into English law by the Conservation of Habitats and Species Regulations 2017 (the "Habitat Regulations 2017")). An Appropriate Assessment has therefore been undertaken for the site as it falls within 5 kilometres of the TBH SPA boundary.

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28. Policy CS8 of Woking Core Strategy (2012) requires new residential development beyond a 400m threshold, but within 5 kilometres of the TBH SPA boundary to make an appropriate contribution towards the provision of Suitable Alternative Natural Greenspace (SANG) and Strategic Access Management and Monitoring (SAMM), to avoid impacts of such development on the SPA. The SANG and Landowner Payment elements of the SPA tariff are encompassed within the Community Infrastructure Levy (CIL), however the SAMM element of the SPA tariff is required to be addressed outside of CIL. The proposed development would require a SAMM financial contribution of **£4452** based on a net gain of 3x two bedroom dwellings (£748 per unit) and 4x one bedroom dwellings (£552 per unit) which would arise from the proposal. The Appropriate Assessment concludes that there would be no adverse impact on the integrity of the TBH SPA providing the SAMM financial contribution is secured through a S106 Legal Agreement. CIL would be payable in the event of planning permission being granted. For the avoidance of doubt, sufficient SANG at Horsell Common has been identified to mitigate the impacts of the development proposal.
29. Subject to securing the provision of the SAMM tariff and an appropriate CIL contribution, and in line with the conclusions of the Appropriate Assessment (as supported by Natural England), the Local Planning Authority is able to determine that the development will not affect the integrity of the TBH SPA either alone or in combination with other plans and projects in relation to urbanisation and recreational pressure effects. The development therefore accords with Policy CS8 of Woking Core Strategy (2012), the measures set out in the Thames Basin Heaths SPA Avoidance Strategy, and the requirements of the Habitat Regulations 2017.

Local Finance Considerations

30. The 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 provision in the Borough. In this case, the proposed residential development would incur a cost of £125 per sq. metres (plus indexation for inflation) on a chargeable floorspace of approximately 437.7sqm (as set out in the additional information form submitted in support of the application). As such, the chargeable amount would be **£70,344.65**.

CONCLUSION

The proposed development is not considered harmful to the character of the area and locality in general subject to a S106 agreement to secure the SAMM contribution.

BACKGROUND PAPERS

Site Photographs dated 11th January 2021.

RECOMMENDATION

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

01. The development for which permission is hereby granted shall be commenced not later than the expiration of three years beginning with the date of this permission.

Reason:

To accord with the provisions of Section 91(1) of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

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02. The external finishes of the development hereby permitted shall be in accordance with those specified in the application unless any different materials are first agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason:

In the interests of the character and appearance of the building and the visual amenities of the area.

03. The window(s) in the first and second floor north and south side elevations of the dwellings hereby permitted shall be glazed entirely with obscure glass and non-opening unless the parts of the window(s) which can be opened are more than 1.7 metres above the floor of the room in which the window is installed.
Once installed the window shall be permanently retained in that condition unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To safeguard the amenities of the adjoining properties.

04. Prior to the occupation of any part of the development hereby permitted, an obscurely glazed screen shall be erected along the east side of each of the rear facing balconies and shall thereafter be maintained to the height and position as approved.

Reason:

In the interests of the amenities and privacy of the occupiers of adjoining residential properties, and the occupiers of the properties the subject of this permission.

05. No part of the development shall be first occupied unless and until the proposed vehicular access to St Johns Road has been constructed and provided with visibility zones in accordance with a scheme submitted and approved in writing by the Local Planning Authority. Thereafter the visibility zones and access shall 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.

06. The development hereby approved shall not be first occupied unless and until space has been laid out within the site in accordance with the approved plans for vehicles to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the parking and turning areas shall 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.

07. No development shall commence until a Construction Transport Management Plan, to include details of:
(a) parking for vehicles of site personnel, operatives and visitors
(b) loading and unloading of plant and materials
(c) storage of plant and materials.
Only the approved details shall be implemented during the construction of the development.

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Reason:

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

08. The development hereby approved shall not be occupied unless and until at least 2 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 be submitted to and approved in writing by the Local Planning Authority.

Reason:

In recognition of Section 9 Promoting Sustainable Transport in the National Planning Policy Framework 2021.

09. The development hereby approved shall not be first occupied unless and until the following facilities have been provided in accordance with the approved plans by the Local Planning Authority for:
- (a) The secure parking of at least 8 bicycles within the development site, and thereafter the said approved facilities shall be provided, retained and maintained to the satisfaction of the Local Planning Authority.

Reason:

In recognition of Section 9 Promoting Sustainable Transport in the National Planning Policy Framework 2021.

10. No development shall commence until a surface water drainage scheme for the site based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development has been submitted to and approved in writing by the Local Planning Authority. The drainage scheme should demonstrate the surface water run-off generated up to and including the 1 in 100 plus climate change critical storm will not exceed the run-off from the existing site following the corresponding rainfall event.

The drainage scheme details to be submitted for approval shall also include:

I. Calculations demonstrating no increase in surface water runoff rates and volumes discharged from the site compared to the existing scenario up to the 1 in 100 plus climate change storm event.

II. Calculations demonstrating no on site flooding up to the 1 in 30 storm event and any flooding between the 1 in 30 and 1 in 100 plus climate change storm event will be safely stored on site ensuring no overland flow routes.

III. Detail drainage plans showing where surface water will be accommodated on site,

IV. A management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

The surface water drainage scheme shall be implemented in accordance with the approved details prior to the first occupation of the development hereby permitted and thereafter it shall be managed and maintained in accordance with the approved details in perpetuity.

Reason:

To prevent the increased risk of flooding, to improve and protect water quality and to ensure the future maintenance of these in accordance with Policies CS9 and CS16 of the Woking Core Strategy 2012 and the policies in the NPPF.

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11. Protective measures shall be carried out in strict accordance with the arboricultural Information provided by Tamala Trees received 28/10/2020 including the convening of a pre-commencement meeting and arboricultural supervision as indicated. No works or demolition shall take place until the tree protection measures have been implemented. Any deviation from the works prescribed or methods agreed in the report will require prior written approval from the Local Planning Authority.

Reason:

To ensure reasonable measures are taken to safeguard trees in the interest of local amenity and the enhancement of the development itself.

12. The development hereby permitted shall be carried out in accordance with the approved plans listed below:

Block Plan - B.01 A dated July 2021 received by the Local Planning Authority on 15.07.2021

Existing and Proposed Sections A-A - P.06 B dated July 2021 received by the Local Planning Authority on 15.07.2021

Existing and Proposed Sections B-B - P.07 C dated July 2021 received by the Local Planning Authority on 15.07.2021

Existing and Proposed Street Scene - P.05 B E dated July 2021 received by the Local Planning Authority on 15.07.2021

Location Plan - L.01 dated July 2020 received by the Local Planning Authority on 15.07.2021

Proposed Plans - P.03.C dated July 2021 received by the Local Planning Authority on 15.07.2021

Proposed Site Layout - P.02.C dated July 2021 received by the Local Planning Authority on 15.07.2021

Proposed Elevations - P.04.C dated July 2021 received by the Local Planning Authority on 15.07.2021

Proposed Site Layout with topographical – P.01.C dated July 2021 received by the Local Planning Authority on 15.07.2021

Reason:

For the avoidance of doubt and in the interests of proper planning.

Informatives

01. 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 2021.
02. You are advised that Council officers may undertake inspections without prior warning to check compliance with approved plans and to establish that all planning conditions are being complied with in full. Inspections may be undertaken both during and after construction.
03. The permission hereby granted shall not be construed as authority to carry out any works on the highway. The applicant is advised that prior approval must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, or verge to form a vehicle crossover to install dropped kerbs. Please see:
www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/vehicle-crossovers-or-dropped-kerbs

7 SEPTEMBER 2021 PLANNING COMMITTEE

04. The permission hereby granted shall not be construed as authority to carry out any works (including Stats connections/diversions required by the development itself or the associated highway 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 (including Stats connections/diversions required by the development itself or the associated highway 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>.
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.
05. It is the responsibility of the developer to ensure that the electricity supply is sufficient to meet future demands and that any power balancing technology is in place if required. Please refer to: <http://www.beama.org.uk/resourceLibrary/beama-guide-to-electric-vehicle-infrastructure.html> for guidance and further information on charging modes and connector types.
06. 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).

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)

7 Waldens Park Road, Horsell, Woking.

PLAN/2021/0573

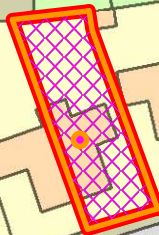
Insertion of 3no. rooflights to facilitate the use of the loft space as habitable accommodation.



PLAN/2021/0573



7 Waldens Park Road

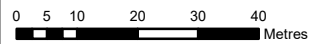


Comments

Not Set



SCALE 1:1,250



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

07 SEPTEMBER 2021 PLANNING COMMITTEE

6c PLAN/2021/0573

WARD: Horsell

LOCATION: 7 Waldens Park Road, Horsell, Woking, Surrey, GU21 4RN

PROPOSAL: Insertion of 3no. rooflights to facilitate the use of the loft space as habitable accommodation.

APPLICANT: Matt Baker

OFFICER: James Kidger

REASON FOR REFERRAL TO COMMITTEE

The application is brought before the Committee because the applicant is related to a member of staff at the Council.

PROPOSED DEVELOPMENT

Planning permission is sought for the insertion of three rooflights to facilitate the use of the loft space as habitable accommodation.

PLANNING STATUS

- Conservation Area
- Locally Listed Building

RECOMMENDATION

Grant planning permission subject to conditions.

SITE DESCRIPTION

The property is a locally listed semi-detached dwelling on the northerly side of Waldens Park Road. It is within the Waldens Park Road Conservation Area.

PLANNING HISTORY

- PLAN/2000/0628 – single storey side extension – approved 20th July 2000.
- PLAN/2010/1039 – two storey side and rear extension – approved 20th December 2010.

CONSULTATIONS

None.

REPRESENTATIONS

None received.

RELEVANT PLANNING POLICY

National Planning Policy Framework (NPPF):

Section 2 – Achieving sustainable development

Section 12 – Achieving well-designed places

Section 16 – Conserving and enhancing the historic environment

Development Management Policies DPD (2016):

DM20 – Heritage Assets and their Settings

Woking Core Strategy (2012):

CS20 – Heritage and conservation

CS21 – Design

CS24 – Woking's landscape and townscape

CS25 – Presumption in favour of sustainable development

Supplementary Planning Documents (SPDs):

Woking Design (2015)

Outlook, Amenity, Privacy and Daylight (2008)

Supplementary Planning Guidance (SPGs):

Heritage of Woking (2000)

PLANNING ISSUES

1. The main planning consideration material to this application is the impact of the proposed development on the locally listed structure and wider conservation area.

Impact on heritage assets

2. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in considering applications within Conservation Areas, Local Planning Authorities shall pay "*special attention... to the desirability of preserving or enhancing the character or appearance of that area*".
3. The proposed rooflights would be of the 'conservation' type and would be relatively unobtrusive. Two would be sited either side of the chimney on the east flank and would not be prominent in the street scene, while the third would be at the rear and all but invisible. There would be no harm to the character or appearance of the locally listed building and wider conservation area, both of which would be preserved in line with local and national policy.

Local Finance Considerations

4. The proposed development would not result in additional residential floor space and thus would not be liable for a financial contribution under the Community Infrastructure Levy (CIL).

CONCLUSION

The proposed development is not considered harmful to the locally listed building or wider conservation area, and would have no material impact on the amenity of neighbours. The application is therefore recommended for approval.

BACKGROUND PAPERS

Site Photographs dated 4th August 2021.

RECOMMENDATION

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

1. The development for which permission is hereby granted shall be commenced not later than the expiration of three years beginning with the date of this permission.

Reason: To accord with the provisions of Section 91(1) of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2. The development hereby permitted shall be carried out in accordance with the approved plans listed below:

2011-7WPR-003 Rev A – Proposed Elevations – received 19th May 2021
2011-7WPR-007 Rev A – Proposed Roof Plan – received 19th May 2021

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

3. The rooflights hereby permitted shall be of the 'conservation' type as set out within Section 6 of the application form.

Reason: To preserve the appearance of the listed building and wider conservation area.

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.
2. The applicant is advised that Council Officers may undertake inspections without prior warning to check compliance with approved plans and to establish that all planning conditions are being complied with in full. Inspections may be undertaken both during and after construction.
3. The applicant is advised that under the Control of Pollution Act 1974, works which will be audible at the site boundary will be restricted to the following hours: 8.00 a.m. - 6.00 p.m. Monday to Friday; 8.00 a.m. - 1.00 p.m. Saturday; and not at all on Sundays and Bank Holidays.

23 Bentham Avenue, Sheerwater, Woking.

PLAN/2021/0401

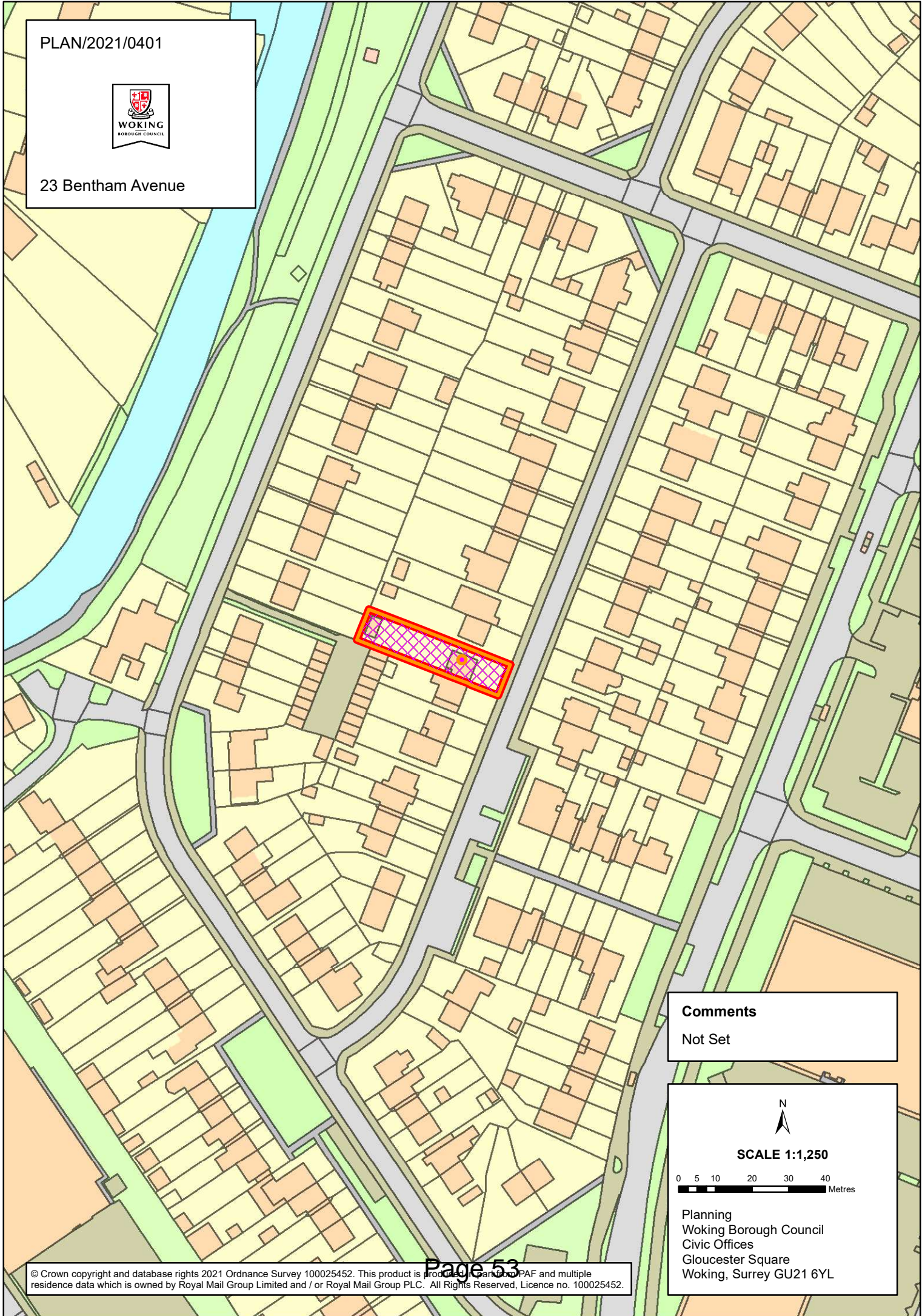
Erection of part two storey, part single storey rear extension and conversion of existing family dwelling into 2x flats with associated parking and amenity space.



PLAN/2021/0401



23 Bentham Avenue



Comments
Not Set

N
SCALE 1:1,250
0 5 10 20 30 40 Metres

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

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6d PLAN/2021/0401

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 family dwelling into 2x flats with associated parking and amenity space.

APPLICANT: Mr Ghulam Ahmed

OFFICER: Barry Curran

REASON FOR REFERRAL TO COMMITTEE

The application has been called to the Planning Committee at the request of Councillor Aziz.

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

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) – Refused

Reasons for Refusal:

1. *The proposal, by reason of the plot subdivision, layout, inadequate amenity space and bulk and scale of the proposed extensions would result in an overdevelopment of the site as evidenced by the unduly cramped, contrived, insubordinate and incongruous form of*

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development and uncharacteristically small and irregularly shaped amenity spaces. This would be in conflict with and fail to reflect the prevailing grain, pattern and character of development of Bentham Avenue which is made up of semi-detached and terraced single houses. The proposal would therefore cause unacceptable harm to the character of the surrounding area and would not amount to good development which respects or makes a good contribution to the area contrary to provisions outlined in 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 and Supplementary Planning Documents 'Outlook, Amenity, Privacy and Daylight' 2008 and 'Design' 2015

- 2. By reason of its inappropriate amenity space in terms of size and lack of privacy to serve the proposed ground floor family flat, 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.*

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

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Existing density of site - dwellings/hectare 52 dph

CONSULTATIONS

County Highways Authority: Recommend a number of conditions in the event of an approval (07.05.21)

REPRESENTATIONS

There has been 2no third party letter of objection received in relation to the proposed development. The concerns raised in this letter are summarised as follows;

- High-over density of development
- Highway reasons - parking
- Overdevelopment of the site – the development has not addressed the previous reasons for refusal relating to this
- Loss of privacy
- Out of Character - the development has not addressed the previous reasons for refusal relating to this
- Noise disturbance
- Overbearing impact of the development on neighbouring properties - the development has not addressed the previous reasons for refusal relating to this
- Overlooking

RELEVANT PLANNING POLICIES

National Planning Policy Framework 2021
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;*
- *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;*

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- *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 sq.m in Gross Internal Area (GIA) and, therefore, provides family accommodation.
7. Covering a floor area of 69 and 65 sq.m respectively, both the proposed ground floor and first floor flats falls within the bracket of family accommodation as per the Council’s Supplementary Planning Document on Outlook and therefore mitigates against the loss of a family unit although the proposal would result in the loss of a detached family dwelling only to be replaced with flats in an area characterised by detached family homes.
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 yet the proposal amounts to a ‘mix-and-match’ of amenity spaces includes an inappropriately sized

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private space and a communal space which is alien to the area. This, in itself, is symptomatic of contrived out-of-character development. The main body of the report will explore this in more detail.

Impact on Character

9. 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”*.
10. Bentham Avenue is situated within the Sheerwater area of the Borough, 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.
11. Section 4.7 of the SPD on Outlook 2008 states 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 dwelling proposed.”* One of the reasons for refusal under the previous application was the inappropriate subdivision of the plot into two uncharacteristic and irregular plots which would fail to correspond with the surrounding area. It is now proposed to incorporate a mix of private and communal amenity space to the rear of the site. Nevertheless, similar to the previous refusal there is a subdivision of the plot which is considered to result in uncharacteristic sized plots and sections of the amenity land being unduly and inappropriately subdivided into three, two section of private space and one section of communal.
12. Paragraph 130 of the National Planning Policy Framework states that planning decisions should ensure that developments *“are sympathetic to local character and history, including the surrounding built environment and landscape setting”*. Each surrounding site demonstrates a common layout with amenity spaces commensurate with the size of the single dwelling on the plot. 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 in which they are situated, paying due regard to the scale, height, proportions, building lines, layout, materials and other characteristics of adjoining buildings and land”*. The resultant amenity spaces to serve both of the flats has been divided into three; two parts to serve as private amenity space and one to serve as communal space. This is totally contrived and irregular compared to the prevailing site characteristics along Bentham Avenue and would appear alien in this context. Both private amenity spaces would measure approximately 13 sq.m which in themselves

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are contrived compared and incongruous to the established characteristics of Bentham Avenue.

13. When assessing the private amenity spaces in the area, the neighbouring No.25 Bentham Avenue demonstrates a private amenity space covering 200 sq.m, No.27 includes 170 sq.m of private amenity space and the adjoining No.21 which includes one of the smallest amenity spaces at 125 sq.m in size more than double that of the amenity space to serve the ground floor family flat. Comparing this to the proposed private amenity space to serve both of these family units at 13 sq.m is wholly inappropriate. These are included on a graph for ease of reference:

	Footprint/Floor area	Amenity Space	% of private amenity space to floor-Space/ Footprint
No.25 Bentham Avenue	47 sqm	200 Sqm	425%
No.27 Bentham Avenue	79 Sqm	170 sqm	215%
No.21 Bentham Avenue	70 sqm	125 sqm	178%
Application Plot 1 GF	69 sqm	13 sqm	18%
Application Plot 2 FF	65 sqm	13 sqm	20%

14. As demonstrated, the proposed private amenity spaces to serve both flats are incommensurate with the prevailing character and bear no adherence to the prevailing context and would stand out as irregular and out of character in the area. Whilst the incommensurate private amenity spaces have been attempted to be offset by way of large communal space, this in itself contributes to the inappropriate subdivision of this existing family dwelling in an area characterised by detached and semi-detached family dwellings imposing a convoluted setting which results in a mix and match layout which fails to mix or match respectfully with the character of the area in which they are situated. The proposed layout would, therefore, fail to correspond with the surrounding area standing out as alien which fail to reflect the prevailing grain and pattern of development in Bentham Avenue.
15. As part of the proposed development 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 at 6.4 metres and project 6 metres from the rear building line. Atop this single storey section would be a two storey extension which is proposed to be set down 0.3 metres from the existing ridge line and measure the width of the existing dwelling and 4 metres in depth. The ground floor element of the proposed extension has been reduced by 1 metre in depth compared to the previous refusal (PLAN/2019/1168) and thereby falls short of doubling the footprint by just 1 metre.

16. 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*”. It is acknowledged that permitted development rights exist under Schedule 2 Part 1 Class A of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) for rear addition up to a depth of 4 metres at single storey level and just 3 metres at two storey level. In the majority of instances this typically reflects the maximum level of development on dwellings, however, each application is determined on its own merit. The proposal almost doubles the size of the existing dwelling in a bid to subdivide the existing dwelling into a flatted scheme. With the development proposal increasing the floor area of the existing dwelling by approximately 65%, it is difficult to argue that the scale of the addition would be subordinate but would rather result in a completely different building and relationship to the surrounding area. With the extensions cumulating to transform the existing form and layout of the dwelling, it is considered that this form of development points towards overdevelopment of the dwelling itself 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.*” These rear additions are not considered to respect the character of the existing dwelling nor are they considered to improve the way the area functions.

17. 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** (emphasis added). Density levels will be influenced by design with the aim to achieve the most efficient use of land. Wherever possible, density should exceed 40 dwellings per hectare and will not be justified at less than 30 dwellings per hectare, unless there are significant constraints on the site or where higher densities cannot be integrated into the existing urban form. Higher densities than these guidelines will be permitted in principle where they can be justified in terms of the sustainability of the location and where the character of an area would not be compromised.”*

18. 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 Policy CS10 identifies that wherever possible density should exceed 40 dph, and will not be justified at less than 30 dph this is subject to the proviso that unless higher densities cannot be integrated into the existing urban form. It is symptomatic of development which is at odds with the prevailing character at double the existing density. Whilst the site falls within the Urban Area it is not located within such a sustainable location (i.e. it is not

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within, nor within close proximity of, any Neighbourhood/Local/District/Town Centre) to justify a residential density double that to the surrounding area. The density of the proposal indicates that the proposal will not integrate satisfactorily into the existing urban form.

19. It has to be stressed that whilst a density of 56 dph may be considered appropriate in one part or street in the borough, this does not mean that it can be applicable to the established character or density in Bentham Avenue. Development is required to respect and be reflective of the area in which they are located, for example one suburban residential street may have a density of 70 dph and to rationalise this density range in another area characterised by 15 dph would be unreasonable and incommensurate with the character. As per Policy CS10 above, the density range will be dependent on the nature of the site and to ignore this would be contrary to adopted policy.
20. The reasoned justification within Policy CS10 states that *"it is important that densities sought do not affect the quality and character of an area"*. Policy CS10 goes on to note 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 fail to respect the character of the existing dwelling considering the overtly bulky, incongruous and insubordinate additions proposed. The proposed density of 52 dph serves as an indicator that the conversion of the dwelling would be at odds the prevailing character. This is lucidly illustrated by the bulky and insubordinate rear addition proposed as well as the contrived amenity space layout. The development is, therefore, not seen to adopt an appropriate scale or housing provision in relation to the character of the surrounding area.
21. 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 single family dwellings rather than dwellings subdivided into flats.
22. It is clear from the above paragraphs that not only is the proposed subdivision of the dwelling and resultant plot sizes at odds with the prevailing character of

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Bentham Avenue, but the proposed density is at double that of the surrounding area. Furthermore, by combined reason of the scale of the part single storey part two storey addition and resultant large footprint and homogeneous bulk and mass, the proposed development would appear incongruous within this suburban cul-de-sac, the existing urban form of which is made up entirely of detached single houses. The proposed development would, therefore, fail to respect and make a positive contribution to the street scene and the character of the area in which it would be situated contrary to the provisions on the National Planning Policy Framework, Policies CS10, CS21 and CS24 of the Core Strategy 2012, Policy DM11 of the Development Management Policies DPD 2016 as well as the Council's Supplementary Planning Documents 'Outlook, Amenity, Privacy and Daylight' 2008 and 'Design' 2015.

Layout and Creation of Acceptable Residential Development for Proposed Occupiers

23. 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.
24. 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*". One of the reasons for the previous refusal related to the inappropriate amenity space in terms of size and lack of privacy to serve the proposed ground floor family flat. The proposed scheme seeks to address this by adopting a mix of private and communal space to serve both family units. Both family units would be served by private amenity spaces measuring approximately 13 sq.m amenity space immediately to the rear of the proposed rear additions with a sizeable communal space sited to the rear of this covering 141 sq.m.
25. Section 4.6 of the Council's Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight' 2008 states that "*All dwellings designed for family accommodation...need to provide a suitable sunlit area of predominantly soft landscaped **private amenity space appropriate in size and shape for the outdoor domestic and recreational needs of the family it is intended to support.***" (emphasis added). Both proposed units amount to family accommodation and therefore as per Section 4.6 of the Outlook SPD and Policy DM11 of the Development Management Policies DPD 2016 which states 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).

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26. Measuring 13 sq.m each, both private amenity spaces are considered inappropriately small to serve the proposed family accommodation across ground and first floors. Section 4.8 of the Outlook SPD states that:

“Where appropriate, the area of private garden should approximate with gross floorspace of the dwelling (subject to the character of the local context) but it is advised that it should always be as large as the building footprint of the dwelling house, except in the most dense urban locations as discussed below.”

27. As noted above, the context of the area is suburban two storey semi-detached dwelling with sizable amenity spaces and a density of 26 dph. This would not be considered as one of *‘the most dense urban locations’* in the borough. The SPD calls for the proposed amenity space to be at least as large as the building footprint. With the proposed development one would consider the floor areas to measure to ensure appropriately sized private amenity spaces. At 13 sq.m the proposed spaces fall significantly below that of the minimum amount which again would be at odds with the prevailing character and again would fail to comply with adopted policy. The introduction of a sizeable communal amenity space is not considered to outweigh this concern as both the Development Management Policies DPD and the Council’s SPD on Outlook calls for ‘private amenity spaces’ to serve family accommodation.
28. Overall, it has been demonstrated that the proposed layout of the amenity spaces to the rear of the site are inadequately sized and would fail to provide a suitable area of private amenity space for the intended family accommodation at ground floor. 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

29. 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.
30. It must be borne in mind that the potential loss of enjoyment of a view is not a ground on which planning permission can be refused although the impact of a development on outlook is a material planning consideration and stems on whether the development would give rise to an undue sense of enclosure or overbearing effect to neighbouring/nearby residential properties. There are no established guidelines for what is acceptable or unacceptable in this regard, with any assessment subjective as opposed to empirical, with key factors in this assessment being the existing local context and arrangement of buildings and uses.
31. 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

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located in excess of 18 metres from the proposed development and is, therefore, not considered to be materially affected as a result.

32. No.21 Bentham Avenue is situated to the south and forms the southern dwelling on the pair of two storey 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 6 metres at single storey level and 4 metres at two storey level with the extension sitting in close proximity to the boundary. A number of first floor windows exist on the rear elevation of No.21 but it is understood that the two windows closest to the shared boundary serve non-habitable landing or bathroom windows. The test has been applied to the third and furthest window on this elevation and 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.
33. 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 6 metres at single storey with a 4 metre projection at two storey level sited along 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 metres, the accumulation of its depth at 6 metres along with the inclusion of a 4 metre deep two storey addition at approximately 7 metres in height to its ridge and 5 metres to its eaves level 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.
34. Concern is also held for the impact of the 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 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.
35. Overall, whilst the proposed addition has been reduced by 1 metre at single storey level compared to the previous refusal, it, nevertheless, results in an addition which has an overbearing effect upon, and loss of outlook from the neighbouring No.21 which is significantly harmful to the residential amenity of existing occupiers of this dwelling. The development is therefore contrary to the provisions of the National Planning Policy Framework, Policy CS21 of the

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Woking Core Strategy 2012 and Supplementary Planning Documents 'Outlook, Amenity, Privacy and Daylight' 2008 and 'Design' 2015.

Impact on Highway Safety and Parking

36. 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.
37. 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 proposed 2-bedroom flats 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.
38. 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 appropriately sized private amenity space.

Affordable Housing

39. 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.
40. However, Paragraph 64 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).
41. 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

42. 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

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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.

43. 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).
44. 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.
45. 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

46. 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 **£8,357.14** (134 sq.metres total GIA with 52 sq.metres additional floorspace at 2021 indexation). The development, therefore would be liable to a total CIL contribution of £8,357.14 which would be payable upon commencement should permission be granted for the development.

Conclusion

47. To conclude, the proposed development has failed to address the reasons for refusal on the previously refused application in that it fails 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. The intended private amenity spaces to serve both family units would not be suitably or appropriately sized to serve

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the family units. Further to this, the introduction of a flatted development with a mix of inappropriately sized private and communal amenity spaces, which appear as an anomaly in an area characterised by two storey semi-detached and terraced single family dwellings with commensurate amenity spaces and plot sizes, 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.

48. 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 depth at both single and two storey level.
49. 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").
50. 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.
51. 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 (07.05.21)
3. Third party letters of representation

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RECOMMENDATION

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

1. The proposal, by reason of the dwelling and plot subdivision, layout, inadequate amenity space and bulk and scale of the proposed extensions would result in an overdevelopment of the site as evidenced by the unduly cramped, contrived, insubordinate and incongruous form of development and an uncharacteristic site layout and irregularly shaped amenity spaces. This would be in conflict with and fail to reflect the prevailing grain, pattern and character of development of Bentham Avenue which is made up of semi-detached and terraced single houses. The proposal would therefore cause unacceptable harm to the character of the surrounding area and would not amount to good development which respects or makes a good contribution to the area contrary to provisions outlined in 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 and Supplementary Planning Documents 'Outlook, Amenity, Privacy and Daylight' 2008 and 'Design' 2015
2. By reason of the inappropriately sized private amenity spaces to serve the proposed flats, 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 6 metres along with the inclusion of a 4 metre deep two storey addition at approximately 7 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.

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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 2021.
2. The plans relating to the development hereby refused are numbered / titled:

Drawing No: B.01

Drawing No. P.01

Drawing No. P.04

Drawing No. P.03

29 – 31 Walton Road, Woking.

PLAN/2017/0146

Demolition of existing building and erection of a 4 storey building comprising 14 apartments with associated parking (Amended Description).



PLAN/2017/0146



29 - 31 Walton Road



Comments
Not Set

N
SCALE 1:1,250
0 5 10 20 30 40 Metres

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

6e PLAN/2017/0146

WARD: C

LOCATION: 29-31 Walton Road, Woking, Surrey, GU21 5DL

PROPOSAL: Demolition of existing building and erection of a 4 storey building comprising 14 apartments with associated parking (Amended Description).

APPLICANT: Surrey Hills Development Ltd

OFFICER: Barry Curran

Update Background

This application was heard at the Planning Committee Meeting on the 12th December 2017 and found to be acceptable with a resolution to grant planning permission subject to conditions and a Section 106 Legal Agreement to secure SAMM contribution for the monitoring and management of avoidance measures against the impact of the site on the SPA in accordance with the formula in the Avoidance Strategy. No affordable housing contribution was sought as the uplift in the number of units only amount to 10no (14no units proposed in place of the existing 4no units).

At the time of determination the Planning Practice Guidance (Paragraph 031 - Revision date: 19.05.2016) set out that there were specific circumstances where contributions for affordable housing planning obligations would not be sought from small scale and self-build development. This followed the order of the Court of Appeal judgment dated 13th May 2016, which again gave legal effect to the policy set out in the Written Ministerial Statement of 28th November 2014. These circumstances included that contributions should not be sought from developments of 10no-units or less, and which have a maximum combined gross floor space of no more than 1000sqm.

A significant amount of time has lapsed since this resolution and no legal agreement was entered into during this time. In the interim period, the most recent edition to the NPPF was introduced in July 2021. This represents the most up to date national planning policy for guiding planning decisions. The Council has already agreed as a matter of principle to apply the national policy on Affordable Housing in relation to the minimum threshold. In this regard, and based on the interpretation of Paragraph 64 of the NPPF, Affordable Housing contribution should be sought on schemes of 10no units or more. This is in line with the planning definition of 'major development' within the NPPF. There is no permission until the full decision has been issued. Considering the wording of the NPPF, affordable housing contribution is now sought given the uplift in the number of units (10no units).

Following this, the Council's Housing Department considers that a financial contribution (£278,519) in lieu of on-site affordable housing units would be acceptable in this instance. This is considered appropriate given the number of units (3no units) required under the NPPF, Policy CS12 of the Core Strategy 2012 and the Council's Supplementary Planning Document 'Affordable Housing' 2014.

The applicant has confirmed a willingness to enter into a S.106 to secure this financial contribution as well as the relevant SAMM payment.

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With respect to changes to policies and guidance since the initial resolution, the relevant policies that have changed relate to the NPPF and the Council's Supplementary Planning Document 'Parking Standards' which were updated between 2018 and 2019 and the local financial considerations including Community Infrastructure Levy which changes annually. All other policies and guidance remain extant. The relevant sections of the NPPF for the proposed development regarding design, building a strong economy along with quality homes and ensuring vitality within the town centre are considered to largely echo the provisions of the superseded NPPF which were deemed to be adhered to under the initial determination. As such, it is considered that the development complies with the current provisions of the NPPF.

Additionally, the description of the development has been amended to omit the reference to the mix of residential units proposed following the outcome of *Finney v Welsh Ministers* [2019] EWCA Civ 1868 ("Finney case").

Impact on Parking

The Council's Supplementary Planning Document 'Parking Standards' 2018 sets minimum on-site parking provision as opposed to the maximum standards set by the superseded SPD. The proposed development included 8no on-site parking spaces towards the rear of the building which falls short of the 11no spaces required considering the proposed mix of units. Whilst the on-site provision falls short of the minimum standards, Table 3 of the 'Parking Standards' 2018 SPD notes that "*On site provision below minimum standards will be considered for developments within Woking town centre.*" Located within the Woking Town Centre, the application site is in a highly sustainable location with access to a range of modes of transport including bus and train with the Woking Train Station approximately 500 metres to the south-west.

It is a significant material consideration that the application site is located within a sustainable location within Woking Town Centre within only 500 metres to Woking railway station and within immediate proximity to the wide range of retail, business, leisure, arts, culture and community facilities and other public transport connections, such as bus, cycle and pedestrian facilities, available within Woking Town Centre. Furthermore Woking Town Centre and its wider area are covered by a number of Controlled Parking Zones (CPZs) which cover all kerbsides within Woking Town Centre, making them subject to waiting restriction and parking charges. For these reasons, it is considered unlikely that the proposed development would exacerbate any existing on-street parking problems due to the availability of various transport modes and existing parking control within the locality.

Under the amended floor plans there are 28no cycle spaces provided for in a secure cycle store which amounts to 2 spaces per unit which satisfies the provisions outlined in the 'Parking Standards' SPD.

S106 Legal Agreement – Affordable Housing contribution

Policy CS12 of the Core Strategy states that all new residential development on previously developed land will be expected to contribute to the provision of affordable housing. On sites providing between 10 and 14 new dwellings, the Council will require 30% of dwellings to be affordable. The policy also states that the proportion of affordable housing to be provided by a particular site will take into account a number of factors, including the costs relating to the development, in particular the financial viability of developing the site (using an approved viability model).

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As set out above, a significant amount of time has lapsed since the initial resolution which did not include affordable housing contribution and no legal agreement was entered into during this time. In the interim period, the most recent edition to the NPPF was introduced in July 2021. This represents the most up to date national planning policy for guiding planning decisions. The Council has already agreed as a matter of principle to apply the national policy on Affordable Housing in relation to the minimum threshold. In this regard, and based on the interpretation of Paragraph 64 of the NPPF, Affordable Housing contribution should be sought on schemes of 10no units or more. This is in line with the planning definition of 'major development' within the NPPF. There is no permission until the full decision has been issued. Considering the wording of the NPPF, affordable housing contribution is now sought given the uplift in the number of units (10no units). The applicant has agreed, in connection with the Council's Housing Team, to provide a financial contribution in lieu of on-site units considering the relatively low number of units due to management /maintenance arrangements and in this case the off-site affordable housing financial contribution would be acceptable. As a result, an off-site contribution of £278,519 has been calculated by the Council's Housing Team and can be provided in this instance.

The applicant has agreed to enter into a S106 Legal Agreement to secure this financial contribution towards the provision of off-site affordable housing with an overage clause. The proposed development is therefore considered to comply with Policy CS12 of the Core Strategy.

Local Finance Consideration

CIL is a mechanism adopted by the 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 £75 per sq.metre on the additional floor area of 1,215 sq.m given its location within Maybury which equates to a contribution of **£73,382.14** (including 2021 Indexation) which would be payable upon commencement.

S106 Legal Agreement - Thames Basin Heaths Special Protection Area - Appropriate Assessment and SAMM financial contribution

Policy CS8 of the Core Strategy states that any proposal with potential significant impacts (alone or in combination with other relevant developments) on the TBH SPA will be subject to Habitats Regulations Assessment to determine the need for Appropriate Assessment. Following recent European Court of Justice rulings, a full and precise analysis of the measures capable of avoiding or reducing any significant effects on European sites must be carried out at an 'Appropriate Assessment' stage rather than taken into consideration at screening stage, for the purposes of the Habitats Directive (as interpreted into English law by the Conservation of Habitats and Species Regulations 2017 (the "Habitat Regulations 2017")). An Appropriate Assessment has therefore been undertaken for the site as it falls within 5 kilometres of the TBH SPA boundary.

Policy CS8 of Woking Core Strategy 2012 requires new residential development beyond a 400m threshold, but within 5 kilometres of the TBH SPA boundary to make an appropriate contribution towards the provision of Suitable Alternative Natural Greenspace (SANG) and Strategic Access Management and Monitoring (SAMM), to avoid impacts of such development on the SPA. The SANG and Landowner Payment elements of the SPA tariff are encompassed within the Community Infrastructure

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Levy (CIL), however the SAMM element of the SPA tariff is required to be addressed outside of CIL.

The Planning Committee resolution secured a SAMM contribution of £8,826 as avoidance and mitigation measures in relation to the Thames Basin Heaths Special Protection Area. However this contribution was based on the 2017 tariff. The SAMM financial contribution is updated yearly based on the RPI annual inflation in the particular year. Currently the SAMM financial contribution for this development is **£7,959** (due to an error in the calculations) and this is required to be secured to avoid any adverse effects on the integrity of the Thames Basin Heaths Special Protection Area. This financial contribution will require a further update if the S106 Legal Agreement is signed after 31st March 2022.

The Appropriate Assessment therefore concludes that there would be no adverse impact on the integrity of the TBH SPA providing the SAMM financial contribution is secured through a S106 Legal Agreement. CIL would be payable in the event of planning permission being granted. For the avoidance of doubt, sufficient SANG at White Rose Lane has been identified to mitigate the impacts of the development proposal.

Subject to securing the provision of the SAMM tariff and in line with the conclusions of the Appropriate Assessment, the Local Planning Authority is able to determine that the development will not adversely affect the integrity of the TBH SPA either alone or in combination with other plans and projects in relation to urbanisation and recreational pressure effects. The development therefore accords with Policy CS8 of Woking Core Strategy 2012, the measures set out in the Thames Basin Heaths SPA Avoidance Strategy, and the requirements of the Habitat Regulations 2017.

Revised Recommendation

It is recommended that planning permission be **GRANTED** subject to:

- i) the prior completion of a S106 Legal Agreement to secure:
 - a. an affordable housing contribution of £278,519 and overage clause; and
 - b. the required SAMM financial contribution (currently £7,959 and any increase which may be required if the agreement is signed after 31st March 2022); and
- ii) the originally recommended planning conditions (1-22 including update to condition 3 to include revised floor plans)

The remainder of the report below is a copy of the Officer report to Planning Committee as originally submitted on 12.12.2017.

REASON FOR REFERRAL TO COMMITTEE

The application proposes the creation of 14no residential units which falls outside of the scheme of delegated powers.

SUMMARY OF PROPOSED DEVELOPMENT

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This is an application for the erection of a 4 storey residential building following demolition of the existing building on the junction of Walton Road and Grove Road. The building will include 14no apartments (6no one bed, 5no two bed and 3no three bed) with 8no car parking spaces at ground floor level and 20no secure cycle parking spaces.

Site area:	0.05 hectares (554 sq.m)
No. of residential units:	14
Existing Density	72 dph (dwellings per hectare)
Proposed site density:	253 dph
No. of parking spaces:	8

PLANNING STATUS

- Urban Area
- High Accessibility Zone
- High Density Residential Area
- Walton Road Neighbourhood Centre
- SPA Zone B

RECOMMENDATION

GRANT planning permission subject to conditions and S.106 Agreement.

SITE DESCRIPTION

The application site is located on the south-eastern side of Walton Road on the junction with Grove Road. The site is within the Walton Road Neighbourhood Centre and also within the High Accessibility Zone in close proximity to Woking Town Centre.

The site consists of mainly two storey buildings of a Victorian period that front onto Walton Road. These comprise of a vacant ground floor A1 unit within 31 Walton Road with B8 floor space to the rear, and a semi-detached residential property attached occupied by 4no residential units. This building has been extended previously with a collection of two storey and single storey additions on the rear elevation. The southern section of the site is put hard-standing and is laid out as an informal parking area. A gated vehicular access is situated on the Grove Road elevation.

PLANNING HISTORY

PLAN/2011/0813 - Change of use of ground floor showroom and office (A1 use) and warehouse (B8 use) to 2no self-contained studio apartments (C3 residential) with amenity space and parking to rear following demolition of existing store building – Refused 23.03.2012;

Reasons

1. *The proposed development, by reason of the unacceptable relationship between the kitchen/shower room of Flat 2 and the bedroom of Flat 1, will result in noise, disturbance and lack of amenity to the future occupiers of Flat 1 contrary to policies BE1 and HSG21 of the Local Plan 1999.*

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2. *The proposed development, by reason of the lack of any spacing or screening between the habitable room windows of Flat 1 and the communal footpath and pavement of Grove Road, will result in an unacceptable level of outlook and privacy to the future occupiers of Flat 1 contrary to policies BE1 and HSG21 of the Local Plan 1999.*

PLAN/2009/0281 - Demolition of existing buildings and erection of a courtyard development comprising 10 x 2 bed flats and 4 x 1 bed flats over three and four storeys with car parking, relocated vehicular access, plant room, cycle and refuse stores and landscaping – Permitted subject to Legal Agreement 15.07.2009

Working Men's Club (Liberal Club)

PLAN/2016/0105 – Construction of a new 4 storey building containing: 10 flats, a D1 unit at ground floor, associated car parking, refuse and cycle storage – Permitted 14.12.2016

PROPOSED DEVELOPMENT

The application seeks permission to erect a 4 storey building of 14no residential apartments with 8no car and 20no cycle parking spaces allocated at ground floor level. The proposal is a new scheme which follows on from the previous approval on site (PLAN/2009/0281) with a scale stemming from this approval and the more recently approved 4 storey building at the adjoining site at the previous Working Liberal Club site (PLAN/2016/0105).

The building's footprint will occupy approximately 60% of the site with both the north-eastern and south-western side elevations sitting up against the boundaries on these sides. A vehicular access point will be provided off Grove Road to serve the car and cycle parking areas with bin storage in a secure space in close proximity to the entrance point. The front elevation will be kept in-line with the adjacent buildings and will be laid to landscaping with a projecting canopy at first floor level.

The building will comprise of four storeys above ground level, which will be designed in a contemporary style with areas of flat roof, balconies and terraces. The total height of the building will be 13.5 metres to the front and junction corner with a projecting feature balcony element with the main built element reducing to between 12-12.5 metres on the north-eastern elevation.

CONSULTATIONS

County Highway Authority: No objection subject to conditions with a number of informatives recommended (Conditions 9, 10, 11 and 12) (27.02.17)

Housing Services: No affordable housing contribution required as the proposed number of dwellings would be below the threshold for affordable housing contributions (07.03.17)

Neighbourhood Services: No objection raised but an informative is attached (See informative 8) (08.06.17)

Scientific Officer: No objection raised subject to condition (Condition 18) (05.06.17)

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Drainage Officer: Submitted information is considered acceptable subject to conditions (Conditions 14, 15 and 16) (10.10.17)

Surrey Wildlife Trust: make a number of recommendations but raise no objection to the development (Condition 20) (15.05.17)

Surrey Police: Request a planning condition to achieve Secured by Design standards (06.03.17)

Thames Water: With regards to sewerage infrastructure capacity no objection is raised. Recommend that a piling method statement should be submitted to and approved in writing prior to any piling taking place (Condition 17).

REPRESENTATIONS

None received

RELEVANT PLANNING POLICIES

National Planning Policy Framework 2012

Section 1 – Building a Strong, Competitive Economy

Section 2 – Ensuring vitality of town centres

Section 6 - Delivering a wide choice of high quality homes

Section 7 - Requiring good design

National Planning Policy Framework 2021

Section 6 – Building a Strong, Competitive Economy

Section 7 – Ensuring vitality of town centres

Section 11 – Making effective use of land

Section 12 – Achieving well-designed places

Core Strategy Publication Document 2012

CS1 – A spatial strategy for Woking Borough

CS4 – Local and Neighbourhood Centres and shopping parades

CS7 – Biodiversity and nature conservation

CS8 - Thames Basin Heaths Special Protection Area

CS10 – Housing provision and distribution

CS11 – Housing mix

CS12 – Affordable housing

CS15 – Sustainable economic development

CS18 - Transport and accessibility

CS19 – Social and community Infrastructure

CS21 - Design

CS22 - Sustainable Design and Construction

CS24 - Woking's Landscape and Townscape

CS25 - Presumption in Favour of Sustainable Development

Development Management Policies DPD (2016)

DM2 – Trees and Landscaping

DM8 - Land Contamination and Hazards

Supplementary Planning Guidance

Supplementary Planning Document 'Parking Standards' 2006

Supplementary Planning Document 'Parking Standards' 2018

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

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Supplementary Planning Document 'Design' 2015
Thames Basin Heaths Special Protection Area Avoidance Strategy 2010-2015

PLANNING ISSUES

1. The main issues to consider in determining this application are; the principle of development, design considerations and the impact of the proposal on the streetscene and character of the area, layout and creation of acceptable residential development for proposed occupiers, impact on residential amenities, highways and parking implications, waste management, flood risk, contamination, sustainability, affordable housing, Community Infrastructure Levy (CIL), the impact on the Thames Basin Heaths Special Protection Area and other matters having regard to the relevant policies of the Development Plan.

Principle of Development

2. The National Planning Policy Framework and Policy CS25 of the Woking Core Strategy 2012 promote a presumption in favour of sustainable development. The application site is Previously Developed Land (PDL) within a sustainable location within the defined Urban Area just outside the Town Centre, in the Walton Road Neighbourhood Centre and in a defined High Density Residential Area.
3. Policy CS1 of the Woking Core Strategy 2012 states: *“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 policy of the Core Strategy notes that developments located in Neighbourhood Centres will provide housing and convenient access to services and local community facilities. Policy CS10 makes provision for 250 dwellings as infill development in the Borough’s urban area between 2010 and 2027, at a density of 30-60dph (dwellings per hectare). The reasoned justification for the policy states that in Neighbourhood Centres *“infill and other forms of residential development within these centres will be permitted within the boundaries as shown on the Proposals Map”*. The Core Strategy implies that these density figures are only to be used as indicative, where it goes on to state that density levels will depend on the nature of the site and will be influenced by design with the aim to achieve the most efficient use of land. Higher densities than these guidelines will be permitted in principle where they can be justified in terms of the sustainability of the location and where the character of the area would not be compromised. This proposal would result in a density of 253dph which, although not in line with the indicative figures, is considered to be justified by the site’s sustainable location and its acceptable impact on the character of the area, which is discussed in further detail in the following section. Further to this, in order to make the most efficient use of land within High Density Residential Areas, developments at densities in excess of 200dph are encouraged.
4. The appropriate percentage of different housing types and sizes depends upon the established character and density of the neighbourhood and the viability of the scheme. Policy CS11 of the Core Strategy states that all residential proposals will be expected to provide a mix of dwelling types and sizes to address the nature of local needs as evidenced in the latest SHMA

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(Strategic Housing Market Assessment) in order to create sustainable and balanced communities. The most recent (September 2015) Strategic Housing Market Assessment (SHMA) for the West Surrey area indicates an estimated size of (market housing) dwellings required between 2013 and 2033 of 10% 1 bed, 30% 2 bed, 39% 3 bed and 22% 4+ bed. In this instance whilst the proposed development does not wholly reflect the housing mix outlined within Policy CS11 and the SHMA (2015), it would provide a mixture of 1, 2 and 3 bedroom units, with 43% 1no bedroom units, 36% 2no bedroom units and 21% 3no bedroom units within an urban centre location where high density development is supported. The housing mix is also influenced by other material planning considerations such as the level of car parking. Overall it is considered that the proposed dwelling types and sizes are considered appropriate having regard to the site location in accordance with Policy CS11 of the Woking Core Strategy 2012 and the SHMA (2015).

5. The principle of the development needs to be considered in terms of the loss of a retail unit and associated employment. The application site is located within the Walton Road Local Centre, Policy CS4 of the Woking Core Strategy 2012 states that *“the change of use of A1 retail premises to other town centre uses will only be permitted where:*
 - *The floorspace is vacant*
 - *The unit is not an anchor store*
 - *The change of use is not considered harmful to the vitality and viability of the centre as a whole*
 - *Existing facilities which provide for people’s day-to-day needs are protected.”*

It is considered that this unit does not contribute to the vitality of the local centre and that it is not a key ‘anchor’ unit. It is understood that the unit stands vacant for lengthy periods of time with only short tenancies and no ‘anchor’ store established. It is considered that the loss of this unit to provide for residential housing will not result in a harmful or prejudicial impact on the future viability and vitality of the Walton Road Local Centre. Located just outside the boundary for the Woking Town Centre, Walton Road Local Centre is sited in close proximity to a number of services which provides for people’s day-to-day needs. The loss of a unit, which is understood to lay vacant for lengthy periods of time, is not seen to provide a stable facility and as such the objectives of Policy CS4 of the Woking Core Strategy 2012 are fulfilled.

6. Given that the proposal is to provide 14no units in a sustainable location in close proximity to Woking Town Centre and train station, it is considered that the scale of this proposal relates to the role and function of the existing neighbourhood centre and with the existing vacant unit not contributing to the vitality or viability of the centre. In contrast the development would help to revitalise the vitality and vitality of the neighbourhood centre which is set out as an aim in paragraph 23 of the NPPF by adding additional residential units.

Design Considerations and the Impact of the Proposal on the Character and Appearance of the Surrounding Area

7. Policy CS21 requires new development to pay due regard to the scale, height, proportions, building lines, layout, materials and other characteristics

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of adjoining buildings and land; to achieve a satisfactory relationship to adjoining properties. One of the core principles of the National Planning Policy Framework is to seek to secure high quality design. Para 131 echoes the provisions of the Core Strategy Policy CS21 in that Local Planning Authorities should take account of the *“the desirability of new development making a positive contribution to local character and distinctiveness”*.

8. Paragraph 59 of the National Planning Policy Framework advises that the overall scale, density, layout, materials etc. of development should be guided by neighbouring buildings and the local area. The proposed building will stand at 13.5 metres in height at its highest point fronting onto Walton Road with a protruding corner element emphasising its prominence on the corner junction, measure approximately 36 metres in total depth and cover a width of 14.2 metres spanning the entire width of the site. Set along both side boundaries, the building corresponds to the tight knit nature of development along Walton Road and creates a strong corner building retaining a 1 metre gap with the adjacent notional building. Furthermore, the proposed building will correlate with the design of the aforementioned notional building on the former Liberal Club site. Its scale is typical of the immediate area forming a transition between the larger building towards the junction with Stanley Road and the more domestic scale buildings down Walton Road.
9. The application site is located within an area characterised by buildings of different sizes and architectural styles ranging from Victorian terraced properties to larger contemporary style buildings such as William Booth Place. The scale and mass, as previously noted, have been designed in line with the extant consent on the neighbouring former Liberal Club site and the previous consent on this site (PLAN/2009/0281). It is on this basis that a similar contemporary designed building is considered to be acceptable within the pattern of development in the street scene. The front elevation fronting onto Walton Road adopts its principal status while also addressing the junction with Grove Road. A punctuating balcony element with an almost double height 3rd floor section creates a pleasing canopy which projects some 1.5 metres forward of the main building line with a focal entrance situated below the overhanging building above. This elevation, similar to the front elevation on the Liberal Club development is considered to be a well-designed articulated frontage with balconies and horizontal fins adding interest to these prominent elevations.
10. The north-eastern elevation is a long spanning elevation stretching 29.5 metres at 4 storeys in height, where a series of stepped roof terraces alleviate the bulk and relieve potential monotony towards the rear terminus. Fenestration treatment along this elevation adopts a more vertical emphasis which is considered to ease the horizontal dominance with punctuations and recesses denoting the main pedestrian and vehicular access points. The staggered elements towards the rear of the building reduces the height to between 8.5-5.5 metres and signifies the transition from the more prominent front elevation addressing Walton Road to the more modest two storey terraced buildings within Sandgate Court.
11. The south-western side elevation, which will be sited adjacent to the flank elevation of the notional building within the former Liberal Club site, contains a muted design. While this side of the main building would be muted, it should be noted that this site along with the neighbouring site are in contextual transition where any building brought forward for the neighbouring site would

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be of a similar height and depth and would therefore provide a screen to this flank elevation. Towards the rear, however, this side elevation contains similar treatments to the north-eastern side elevation with vertical fenestration emphasis, built punctuations and the stepped terraces. Further to this, the rear elevation which backs onto the terraced dwellings and parking spaces of Sandgate Court contains a number of balconies and roof balconies along with a varied roof height adding articulation to this elevation.

12. The proposal's front building line would be staggered but would primarily follow a similar building line to the prevailing building line along this side of Walton Road. The corner element would be accentuated with the punctuating balcony element projecting at first floor level contributing to a strong corner on this junction. A landscaped frontage, similar to the extant neighbouring site, would allow for a defensible barrier between the ground floor residential units and the adjacent pedestrian highway. The proposed plans identify soft landscaping to the site frontage; there is an opportunity for some landscaping to the frontage which would serve to soften the appearance of the development and enhance the character of the street scene. A landscaping scheme, including details of hard landscaping and boundary treatments can be secured by Condition (Condition 4).
13. The scheme ensures that a fenestrated street frontage is maintained along Walton Road with a step back at ground floor level to allow the building to come to ground floor strongly creating an inviting, pedestrian friendly environment. The north-eastern elevation along Grove Road, will adopt a minimal fenestration at ground floor level but would contain the pedestrian and vehicular access points to the building. External materials would consist predominantly of facing-brick with grey aluminium panels and glazed balustrades dominating the elevation facing Walton Road and Grove Road. Window and door openings are proposed to be powder coated aluminium with a large recess adding visual interest. These external materials can be secured by way of Condition (Condition. 2)
14. For the above reasons, the design of the proposals is considered to have a positive impact on the character of the area. The proposal is therefore considered to comply with Section 7 of the National Planning Policy Framework, Policy CS21 and CS24 of the Woking Core Strategy 2012 and DM19 of the Development Management Policies DPD 2015 as well as the SPD on design.

Layout and Creation of Acceptable Residential Development for Proposed Occupiers

15. The proposed residential units will be spread between the ground, first, second and third floors. The gross internal floor space of the proposed units would vary between 50m² and 98m² and it is considered the size of the proposed units are acceptable in terms of floor space with layouts which achieve a good standard of living space.
16. In terms of amenity space Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight' 2008 states that "*dwellings specifically designed not to be used for family accommodation do not require any specific area to be set aside for each as private amenity space. This would apply to one and two bedroom flats and any other forms of dwelling less than 65sq.m. floorspace (but that) all forms of dwelling should seek to incorporate some*

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modest private sunlit area for sitting outside.” All apartments with the exception of ‘Apartment 8’ and ‘Apartment 3’ on the ground and first floors respectively are provided with either balconies on the front or rear elevation or terraced areas on the rear elevation adhering to this provision. A small amenity area will be positioned outside the ground floor window on the front elevation outside the bedroom and living room of ‘Apartment 3’ which will provide a small buffer and acts as a defensive boundary from the public footpath and the primary living space of this unit. A window serving the primary living space on ‘Apartment 3’ will be located on the north-eastern side elevation at ground floor level, however, this window will serve as a secondary window with the principal window on the front elevation which would provide adequate daylight while allowing adequate privacy.

17. Walton Road serves as the primary arterial route along this section of Maybury serving the Town Centre and therefore would experience a higher level of both pedestrian and vehicular movement than Grove Road. Apartment 2 includes ground floor windows serving a living/dining room and a bedroom. While these windows open out onto Walton Road, a buffer is proposed between the windows and pedestrian footpath which acts as a defensive boundary from the wider public domain. It is acknowledged that one of the windows serving the ground floor ‘Apartment 3’ would be sited on the north-eastern elevation, it is not considered to result in a significant level of detriment to the amenities of the potential occupier of this unit.
18. Remaining units within the development will be adequately served by private balcony areas on either the north-west, south-east or south-west elevations providing good levels of daylight and dual aspect rooms. It is considered that these provide an acceptable and innovative solution to providing new dwellings within a constrained site on previously developed land within the Urban Area.
19. It should be bore in mind that the overall benefit of bringing this site forward for comprehensive redevelopment would contribute positively to the Maybury and Sheerwater region of the borough. On balance, therefore, it is considered that the proposal would provide a good standard of residential amenity to future occupiers.

Impact on Residential Amenity

20. Policy CS21 of the Woking Core Strategy 2012 seeks to avoid significant harmful impacts in terms of loss of privacy, daylight or sunlight to adjoining properties. Guidance is also provided in the Supplementary Planning Document ‘Outlook, Amenity, Privacy and Daylight’ 2008. The proposed building will be set along Walton Road on a linear grain of development. The application building will be set opposite the Woking Youth Centre and Nos.14 and 16 Walton Road. The Council’s ‘Outlook, Amenity, Privacy and Daylight’ Supplementary Planning Document 2008 sets out recommended separation distances for different relationships and different building heights; for example 30m for rear-to-rear relationships and 15m for front to boundary/front relationships at three storey level and above. The separation distance between the front elevation of the proposed flats and Nos.14/16 Walton Road would be at least 14 metres which falls negligibly short of the recommended 15 metre indicating an acceptable relationship, on balance. Balconies and windows will provide views out over Walton Road and No.14 and 16 from the proposed development but given the relationship between the buildings and

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highway separating these, as well as the location close to the town centre, such a relationship is typical and not considered to infringe on the levels of privacy by which a recommendation for refusal could be substantiated.

21. Towards the rear a terraced row of two storey dwellings back onto the application site from within Burleigh Gardens. The proposed rear elevation is stepped in height with a section projecting back in an 'L' shaped layout. The separation of the proposed building from the kitchen windows at ground and first floor level on the rear elevation of Nos.2 and 3 Burleigh Gardens, is 6.5 metres. A number of roof balconies are proposed on this elevation set 5 and 8 metres from the rear elevations of these terraced dwellings respectively. The kitchens belonging to these properties are served by windows located in the northern elevation facing the application site and therefore the 25° test as per the Council's Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight 2008 has been applied at both ground and first floor level which fails on these windows. It is noted, however, that these kitchens are non-habitable in the sense that they are small and do not have a seating area with the living/dining areas served by windows in the side elevations which will not be detrimentally affected by the proposed development. Furthermore, the spaces between the rear elevation and site boundary are not considered to serve unusable amenity space but rather a storage space between the building and boundary and there is no objection on the impact of the development on these neighbours subject to the installation of appropriate privacy screening to rear balconies considering the close relationship (Condition 5).
22. The proposal will span for a depth of approximately 36 metres back along Grove Road, primarily at 4 storeys in height. No.33 Walton Road is located on the opposite side of Grove Road fronting onto Walton Road with a separation distance of approximately 9 metres between both side elevations. This dwelling benefits from a sizeable south-western flank elevation which spans approximately 14 metres in depth. There are a number of ground and first floor windows on this flank elevation with all windows at ground floor level including obscure glazing. In total there are 5no ground floor window and 2no first floor windows in this flank elevation. Of the 5no ground floor windows there are 2 located in, what is thought to be, the original side elevation which are considered to serve a hallway and a ground floor bathroom and contain obscure glazing. A two storey rear extension has been erected and appears to have been in place for many years (no planning history). The flank elevation of this addition contains a further 3no windows at ground floor where 1no of these is considered to serve as a secondary window to a utility room with the principle window located on the rear elevation. There are 2no windows on this elevation serving a kitchen. The 25° test as per the Council's Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight 2008 has been applied to these windows which fail. While this indicates a loss of light to this room, it is considered that light penetration to this room is compromised as existing given the existing windows contain obscure glazing. Notwithstanding the above, it has to be noted that the proposed site is located in a high density urban location where one would expect lower levels of daylight and where sites are required to be developed to their capacity which makes the most efficient use of land. Considering this and on balance, given the central location of the building the impact of the development is not considered to carry a level of detrimental weight by which a recommendation for refusal could be substantiated.

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23. At first floor level there are 2no windows on the south-western elevation of No.33 one of which serves a hallway. The other window is located close to the rear elevation and serves a bedroom with dual aspect outlook. The principal window is located on the rear elevation and while the proposal would increase the bulk and mass and may affect light to the side window, it is considered that the room would achieve an acceptable level of light from the principal rear elevation window and secondary side elevation window.
24. As previously acknowledged the application site is located in a central location just outside of the defined Woking Town Centre. The proposal would include a number of bedrooms and living rooms with fenestration along the proposed north-eastern side elevation which will provide views out over Grove Road and the amenity space of No.33 Walton Road. It is considered that, given the high density residential area, such layouts are unavoidable when making the most efficient use of land in these locations.
25. On this basis and on balance, the proposal is not considered to have a significant harmful impact on neighbouring properties by which a recommendation for refusal could be substantiated and therefore accords with Section 7 of the National Planning Policy Framework, Policy CS21 of the Core Strategy 2012 and Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight' 2008.

Highways and Parking Implications

26. Policy CS18 of the Woking Core Strategy 2012 sets out that the Council is committed to developing a well-integrated community connected by a sustainable transport system which connects people to jobs, services and community facilities and that this will be achieved by, among other measures *“implementing maximum car parking standards for all types of non-residential development, including consideration of zero parking in Woking Town Centre, providing it does not create new or exacerbate existing on-street car parking problems. Minimum standards will be set for residential development. However in applying these standards, the Council will seek to ensure that this will not undermine the overall sustainability objectives of the Core Strategy”*.
27. Located within the High Accessibility Zone (within 1250 metres of Woking rail station), the Council's Supplementary Planning Document 'Parking Standards' 2006 indicates a maximum standard for 1 car parking space per 1 or 2 bedroom unit and 1.5 car parking space per 3 bedroom unit would be applicable for the application site. The development proposes to include 8no rear parking spaces, which falls short of the recommended maximum of 15.5 as per the SPD. It should also be noted that the SPD states that *“for car parking the standards define the maximum acceptable provision for the most common forms of development. Provision above this level will not normally be permitted. A minimum requirement will not normally be imposed unless under provision would result in road safety implications which cannot be resolved through the introduction or enforcement of on-street parking controls”*.
28. While the provision of 8no spaces falls below the maximum figure of 15.5, in consideration of the sustainable location of the site and the Controlled Parking Zone (8:30am-6:00pm Monday-Saturday) in operation along Walton Road and the surrounding streets, it is not considered to result in any on-

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street parking problems. Given the high accessibility location of the proposed development, these maximum standards may be relaxed in such cases. Further to this, there are 20 no cycle spaces provided for in a secure cycle store which amounts to 1.4 spaces per unit, satisfying the provisions outlined in the Parking SPD.

29. The County Highway Authority have been consulted on this application and raise no objection to the development given its highly accessible location so close to the Woking Town Centre. There is no objection raised to the modification to the car park entrance point on Grove Road with suitable visibility at the junction. There are a number of conditions recommended (Conditions 9-12) to ensure the development does not prejudice highway safety or inconvenience highway users.
30. It is therefore considered that the proposal, whilst not strictly in compliance with the Parking Standards SPD, has adequately demonstrated that it would not cause a detrimental impact to highway safety or the local highway network and therefore accords with Policy CS18 of the Woking Core Strategy and the SPD 'Parking Standards' 2008.

Waste Management

31. Policy CS21 of the Woking Core Strategy 2012 states that new development should incorporate provisions for the storage of waste and recyclable materials to ensure they are of a high quality inclusive design for any prospective occupier. The proposed development includes waste and recycling storage facilities for the residential buildings at ground floor level separate from the residential apartments. The location of the bin store is conveniently positioned beside the vehicular entrance point off Grove Road with sufficient capacity as per the number and sizes of refuse bins required by the Council's waste practice guidance.
32. The Council's Neighbourhood Services team have responded to this development and raise no objection subject to adequate bin requirements and confirmation that the bins can be safely brought out onto the highway. An informative is attached to this effect (Informative 9).

Flood Risk

33. The Government has strengthened planning policy on the provision of sustainable drainage for 'major' applications which was introduced from 6th April 2015. In line with Government guidance, all 'major' applications being determined, must consider sustainable drainage systems (SUDS) which is now a material consideration. The risk of flooding to the site from all sources of flooding is considered to be low with the site located within Flood Zone 1. The application has been supported by SuDS information and it has been demonstrated that the development satisfies the Sequential Test imposed under the National Planning Policy Framework.
34. The Council's Flooding and Drainage Engineer has assessed the submitted information and confirms that it is compliant with Policy CS9 of the Woking Core Strategy 2012, the NPPF and accompanying technical standards. A number of conditions are recommended on drainage and flood risk grounds in relation to the surface water drainage and a maintenance and management

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plan of the sustainable drainage scheme to ensure the proposed development achieves a high standard of sustainability (Conditions 14-16).

Contamination

35. The site is previously developed land close to the centre of Woking and given the previous and current use of the land as a store and workshop, there is the possibility of a moderate risk of soil and/or groundwater contamination. In accordance with the provisions of the National Planning Policy Framework, local authorities must make sure that sites are suitable for development taking into account ground conditions, pollution arising from previous uses and any proposals for land remediation. The contamination of land can have adverse impacts on health and wellbeing.
36. The Council's Scientific Officer has been consulted on the proposed scheme and given the previous use of the land, it is considered necessary that a contaminated land condition is attached to ensure a way forward (Condition 18). Overall, subject to this recommended condition, it is considered the proposal accords with section 11 of the NPPF and Policy DM8 of the Development Management Policies DPD 2016.

Sustainability

37. The application site is previously developed land. Following amendments to the Planning and Energy Act 2008 in the Deregulation Bill 2015 which is expected to happen alongside the introduction of Zero Carbon Homes policy in late 2016, the Government has stated that the energy performance requirements in Building Regulations will be set at a level equivalent to the outgoing Code for Sustainable Homes Level 4. In the interim period the Local Planning Authority can attach conditions which seek the equivalent water and energy improvements of the former Code Level 4 on new residential developments. A Sustainability and Energy Statement carried out by Bluesky Unlimited dated 2nd February 2017 has been submitted in support of the application. The report demonstrates an accurate assessment of carbon dioxide emissions arising from the proposed building as well as a water efficiency target in line with Building Regulations as per Code for Sustainable Homes Level 4. It is outlined that should the energy efficiency measures proposed as per this report and the design and specifications of the building be successful, a reduction of 19.34% would be achievable in terms of CO2 improvement. The report also confirms that the water consumption figures for the proposed development would not exceed the 105 litres per person per day maximum. Therefore, subject to compliance with the submitted Sustainability and Energy Statement (Conditions 6-8), the proposal is considered to meet the energy and water improvements requirements of the former Code for Sustainable Homes Level 4.

Ecology

38. The National Planning Policy Framework 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 Geological Conservation also requires the impact of a development on protected species to be established before planning permission is granted. This approach is reflected in Policy CS7 of the Woking Core Strategy 2012.

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39. The applicant has submitted an Extended Phase 1 Habitat Survey. The site is covered with hard surfacing and buildings. The ecological survey concluded that the site has the potential to support nesting birds, however it was highly unlikely that any other Protected Species would be supported on site, including but not limited to roosting bats. The report recommends avoidance and mitigation measures to ensure the proposal complies in full with wildlife legislation.
40. There are two statutory (TBHSPA and Basingstoke Canal SSSI) sites within 2km of the application site. Any impact from residential disturbance on the TBHSPA can be avoided by securing the SAMM payment (see paragraphs 48-50). The Basingstoke Canal SSSI lies within 2km from the application site, although the SSSI designation only starts beyond Monument Road and extends along the canal in an eastwards direction. The applicant has offered to make a one-off financial contribution of £50.00 per flat to the Basingstoke Canal due to the potential for residents to visit the canal on occasion. The NPPF is clear in that planning obligations should only be sought where they meet the tests set out in paragraph 204. In this case, it is considered that this financial contribution is not necessary to make the development acceptable in planning terms and therefore the tests would not be met. For this reason, whilst the applicant is still able to make a financial contribution to the Basingstoke Canal, this is considered to carry no weight in the assessment of this application and as such this aspect is not included in the planning obligations section below. In addition given the separation distance between the application site and these designated ecological sites and the residential nature of the proposed development it is not considered that any adverse impacts would result to these designated sites from the construction/operation of the development.
41. Some recommendations are included within the Extended Phase 1 Habitat Survey relating to the demolition/construction process and also to enhance biodiversity on the site and these matters are secured by Condition 20. Furthermore, the proposed building includes 2no bat boxes on the north-eastern elevation providing ecological enhancements as per national and local policies. These are secured by Conditions 3 and 20.
42. The Surrey Wildlife Trust has raised no objections subject to Condition 20. Subject to the recommended conditions the proposal is considered to be acceptable in terms of ecological impact and would comply with Policy CS7 of the Core Strategy and the policies in the National Planning Policy Framework relating to ecology and biodiversity and the guidance in Circular 06/05.

Affordable Housing

43. 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 between five and nine new dwellings, the Council will require 20% of dwellings to be affordable, or a financial contribution equivalent to the cost to the developer of providing 20% of the number of dwellings to be affordable on site.
44. However, following the Court of Appeal's judgment of 11th May 2016 (Secretary of State for Communities and Local Government v West Berkshire District Council and Reading Borough Council [2016] EWCA Civ 441),

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wherein the Secretary of State for Communities and Local Government successfully appealed against the judgment of the High Court of 31st July 2015 (West Berkshire district Council and Reading Borough Council v Department for Communities and Local Government [2015] EWHC 2222 (Admin)), it is acknowledged that the policies within the Written Ministerial Statement of 28th November 2014, as to the specific circumstances where contributions for affordable housing and tariff-style planning obligations should not be sought from small scale and self-build development, must once again be treated as a material consideration in development management decisions.

45. Additionally the Planning Practice Guidance (Paragraph 031 - Revision date: 19.05.2016) sets out that there are specific circumstances where contributions for affordable housing planning obligations should not be sought from small scale and self-build development. This follows the order of the Court of Appeal judgment dated 13th May 2016, which again gives legal effect to the policy set out in the Written Ministerial Statement of 28th November 2014 and should be taken into account. These circumstances include that contributions should not be sought from developments of 10-units or less, and which have a maximum combined gross floor space of no more than 1000sqm. As this scheme is for the demolition of a building which includes 4no existing units and the proposed scheme is for 14no units, the net increase of 10no units would not be subject to affordable housing contributions.
46. Whilst it is considered that weight should still be afforded to Policy CS12 (Affordable housing) of the Woking Core Strategy 2012 it is considered that greater weight should be afforded to the policies within the Written Ministerial Statement of 28th November 2014 and the Planning Practice Guidance (Paragraph 031 - Revision date: 19.05.2016). As the proposal represents a development of 10 additional units (4 existing units on site) and has a maximum combined gross floor space of no more than 1000sqm, no affordable housing financial contribution is therefore sought from the application scheme.

Local Finance Consideration

47. CIL is a mechanism adopted by the 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 £75 per sq.metre on an floor area of 1,215 sq.m given its location within Maybury which equates to a contribution of **£63,221.54** (including 2017 Indexation) which would be payable upon commencement.

Impact on the Thames Basin Heaths Special Protection Area

48. The Thames Basin Heaths Special Protection Area (SPA) is classified for its internationally important bird breeding populations. The designation is made under the Habitats Regulations 2010. It is necessary to ensure that planning applications for new residential developments include sufficient measures to ensure avoidance of any potential impacts on the SPA.
49. The applicant has agreed to make a SAMM contribution of £8,826 (£487 per 1 bed unit, £660 per 2 bed unit and £868 per 3 bed unit) in line with the

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Thames Basin Heaths Special Protection Area Avoidance Strategy 2010-2015 as a result of the uplift of 10no 2-bedroom units that would arise from the proposal. The applicant is prepared to enter into a S106 Legal Agreement to secure this financial contribution.

50. In view of the above, the Local Planning Authority is able to determine that the development would have no significant effect upon the SPA and therefore accords with Policy CS8 of the Woking Core Strategy 2012 and the Thames Basin Heaths Special Protection Area Avoidance Strategy 2010-2015.

Other Matters

51. The Police Crime Prevention Design advisor has requested that a planning condition be imposed on any permission granted requiring the development to achieve a Secured by Design award. Whilst the NPPF requires planning decisions to ensure that developments create safe and accessible environments where crime and disorder, and the fear of crime do not undermine quality of life or community cohesion (paragraphs 58 and 69) there is no absolute national or local planning policy which requires new developments to achieve a Secured by Design award. In this regard such a condition would not meet the tests for planning conditions and a planning condition is not included within the recommendation.

Conclusion

52. The proposal is considered to be acceptable development, it will provide an acceptable residential environment for its proposed occupiers and is considered to enhance the visual amenity of the area. The principle of development has been established on the previous application in 2009 which allowed for a similar residential development with units across 4 floors. The proposal will not result in material harm on the amenities enjoyed by the occupiers of surrounding properties and a good standard of residential amenity would be provided to future occupiers. In addition the proposal will have an acceptable impact on highway safety and waste management. Sustainable drainage issues are capable of being addressed via planning condition and a legal agreement would address Thames Basin Heaths Special Protection Area (TBH SPA) mitigation. Sustainable construction can be addressed via planning condition.
53. The proposal is considered to be an acceptable form of development that complies with policies CS1, CS4, CS7, CS8, CS10, CS11, CS12, CS15, CS18, CS19, CS21, CS22, CS24 and CS25 of the Woking Core Strategy 2012, Supplementary Planning Documents 'Outlook, Amenity, Privacy and Daylight' 2008, 'Parking Standards' 2006 and 'Design' 2015, Thames Basin Heaths Special Protection Area Avoidance Strategy 2010-2015, Sections 1, 2, 6 and 7 of the National Planning Policy Framework as well as Policies DM2 and DM8 of the Development Management Policies DPD 2016. Approval is accordingly recommended subject to the recommended conditions and the applicant entering into a legal agreement.

BACKGROUND PAPERS

1. Site visit photographs.
2. Response from Highways Authority (27.02.17)

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3. Response from Affordable Housing Officer (07.03.17)
4. Response from Scientific Officer (05.06.17)
5. Response from Neighbourhood Services (08.06.17)
6. Response from Thameswater (07.03.17)
7. Response from Drainage Officer (10.10.17)
8. Response from Surrey Wildlife Trust (15.05.17)
9. Response from Surrey Police (06.03.17)
10. Site Notice (Major Development) (03.03.17)

PLANNING OBLIGATIONS

	Obligation	Reason for Agreeing Obligation
1.	Provision of £8,826 SAMM contribution to monitoring and management of avoidance measures against the impact of the site on the SPA in accordance with the formula in the Avoidance Strategy.	To accord with the Habitat Regulations and associated Development Plan policies and the Council's Adopted Avoidance Strategy.

RECOMMENDATION

It is recommended that planning permission be Granted subject to the following Conditions and securing a S.106 Agreement:

1. The development for which permission is hereby granted must be commenced not later than the expiration of three years beginning with the date of this permission.

Reason:

To accord with the provisions of Section 91(1) of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2. ++ Prior to the commencement of the development hereby approved samples of the materials to be used in the external elevations shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason:

In the interests of the visual amenities of the area.

3. The development hereby permitted shall be carried out in accordance with the approved plans listed in this notice:

Drawing No. P101 Rev B
Drawing No. P103
Drawing No. P104 Rev A

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Drawing No. P102 Rev B (received by LPA 04.08.21)

Reason:

For the avoidance of doubt and in the interests of proper planning.

4. ++ The development hereby permitted shall not commence until a detailed landscaping scheme has been submitted to and approved in writing by the Local Planning Authority which specifies species, planting sizes, spaces and numbers of trees/ shrubs and hedges to be planted. All landscaping shall be carried out in accordance with the approved scheme in the first planting season (November-March) following the occupation of the buildings or the completion of the development (in that phase) whichever is the sooner and maintained thereafter. Any retained or newly planted trees, shrubs or hedges which die, become seriously damaged or diseased or are removed or destroyed within a period of 5 years from the date of planting shall be replaced during the next planting season with specimens of the same size and species unless otherwise agreed in writing by the Local Planning Authority.

Reason:

In the interests of amenity and biodiversity and to preserve and enhance the character and appearance of the locality in accordance with Policies CS7, CS17, CS21 and CS24 of the Woking Core Strategy 2012.

5. ++ Prior to the commencement of the development, hereby approved, details of the screening features and positioning of such features to the first, second and third balconies on the front and rear elevations shall be submitted to and approved in writing by the Local Planning Authority. Once installed the screening and their positioning shall be permanently retained as agreed unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To safeguard the privacy of the occupiers of the adjoining properties in accordance with Policy CS21 of the Woking Core Strategy 2012.

6. The development hereby approved shall be carried out in accordance with the Sustainability and Energy Statement carried out by Bluesky Unlimited dated 2nd February 2017. The details shall be installed prior to the first occupation of the development and maintained and operated in perpetuity, unless otherwise 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 and to comply with Policies CS21 and CS22 of the Woking Core Strategy 2012

7. ++Prior to the commencement of the development hereby approved, written evidence shall be submitted to and approved in writing by the Local Planning Authority demonstrating that the development will:

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- 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 shall 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 shall be in the form of a Design Stage water efficiency calculator.

Development shall be carried out wholly in accordance with the agreed details and maintained as such in perpetuity unless otherwise 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 and to comply with Policy CS22 of the Woking Core Strategy 2012 and the policies in the NPPF.

- 8. The development hereby permitted shall not be occupied until written documentary evidence has been submitted to and approved in writing 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 shall 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 shall be in the form of the notice given under Regulation 37 of the Building Regulations.

Development shall be carried out wholly in accordance with the agreed details and maintained as such in perpetuity unless otherwise 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 and to comply with Policy CS22 of the Woking Core Strategy 2012 and the policies in the NPPF.

- 9. The development hereby approved shall not be first occupied unless and until the proposed modified access to Grove 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 shall be kept permanently clear of any obstruction measured from 0.6m above the road surface.

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Reason:

The above condition is required in order that the development should not prejudice highway safety nor should it inconvenience other highway users

10. The development hereby approved shall not be first occupied unless and until space has been laid out within the site in accordance with the approved plans (Drawing No. P101 Rev B) for vehicles to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the parking and turning areas shall be retained and maintained for their designated purposes.

Reason:

The above condition is required in order that the development should not prejudice highway safety nor should it inconvenience other highway users

11. No development shall commence until a Construction Transport Management Plan, to include details of:
 - (a) parking for vehicles of site personnel, operatives and visitors
 - (b) loading and unloading of plant and materials

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

Reason:

The above condition is required in order that the development should not prejudice highway safety nor should it inconvenience other highway users

12. The development hereby approved shall not be first occupied unless and until the following facilities have been provided in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority for:
 - (a) The secure parking of bicycles within the development site

and thereafter the said approved facilities shall be provided, retained and maintained to the satisfaction of the Local Planning Authority.

Reason:

The above condition is required in order that the development should not prejudice highway safety nor should it inconvenience other highway users

13. ++ Notwithstanding the information submitted as part of this application, the development (or each phase of the development) hereby permitted (including any clearance works and demolition) shall not commence until a Construction Method Statement has been submitted to and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

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- i) the parking of vehicles of site operatives and visitors
- ii) loading and unloading of plant and materials
- iii) storage of plant and materials used in constructing the development
- iv) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- v) wheel washing facilities
- vi) measures to control the emission of dust and dirt during construction
- vii) a scheme for recycling/disposing of waste resulting from demolition and construction works

Deliveries of construction materials, plant and machinery and any removal of spoil from the site shall only take place between the hours of 0730 and 1800 Monday to Friday and 0800 and 1300 on Saturdays. No deliveries shall take place on Sundays or public holidays.

Measures will be implemented in accordance with the approved Method of Construction Statement and shall be retained for the duration of the construction period. Only the approved details shall be implemented during (each associated phase of) the construction works unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To ensure that the development does not prejudice highway safety nor cause inconvenience to other highway users and in the interests of public safety and amenity in accordance with Policies CS18 and CS21 of the Woking Core Strategy 2012.

14. No development shall commence until construction drawings of the surface water drainage network, associated sustainable drainage components, flow control mechanisms and a construction method statement have been submitted to and approved in writing by the Local Planning Authority. The scheme shall then be constructed in accordance with the approved drawings, method statement and Micro drainage calculations prior to the first occupation of the development hereby approved. No alteration to the approved drainage scheme shall occur without prior written approval of the Local Planning Authority.

Reason:

To ensure that the development achieves a high standard of sustainability and to comply with Policies CS9 and CS16 of the Woking Core Strategy 2012 and the policies in the NPPF.

15. The development hereby approved shall not be first occupied until details of the maintenance and management of the sustainable drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The drainage scheme shall be implemented prior to the first occupation of the development hereby approved and thereafter managed and maintained in accordance with the approved details in perpetuity. The Local Planning Authority shall be granted access to inspect the sustainable drainage scheme

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for the lifetime of the development. The details of the scheme to be submitted for approval shall include:

- i. a timetable for its implementation,
- ii. Details of SuDS features and connecting drainage structures and maintenance requirement for each aspect
- iii. A table to allow the recording of each inspection and maintenance activity, as well as allowing any faults to be recorded and actions taken to rectify issues; and
- iv. A management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

Reason:

To ensure that the development achieves a high standard of sustainability, continues to be maintained as agreed for the lifetime of the development and to comply with Policies CS9 and CS16 of the Woking Core Strategy 2012 and policies in the NPPF.

16. No unit shall be first occupied until a verification report, (appended with substantiating evidence demonstrating the approved construction details and specifications have been implemented in accordance with the surface water drainage scheme), has been submitted to and approved (in writing) by the Local Planning Authority. The verification report shall include photographs of excavations and soil profiles/horizons, any installation of any surface water structure and Control mechanism.

Reason:

To ensure that the development achieves a high standard of sustainability and to comply with Policies CS9 and CS16 of the Woking Core Strategy 2012 and the policies in the NPPF.

17. No piling shall 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.

18. ++ The development hereby permitted shall 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 shall include :-

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- (a) a contaminated land desk study and suggested site assessment methodology;
 - (b) a site investigation report based upon (a);
 - (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 agreed in writing by the Local Planning Authority, the development shall 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 in accordance with Policies CS9 and CS21 of the Woking Core Strategy 2012.

19. Prior to the first occupation of the development hereby permitted, the refuse and recycling facilities shown on the approved plans shall be made available and thereafter be retained for use at all times.

Reason:

To ensure the provision of satisfactory facilities for the storage and recycling of refuse and to protect the amenities of the area in accordance with Policy CS21 of the Woking Core Strategy 2012

20. The development hereby permitted shall be undertaken in accordance with the requirements as specified in sections 6.4, 6.5 and 6.6 of Section 6 – Requirements, Recommendations and Enhancements of the submitted Extended Phase 1 Habitat Survey report dated 17th October 2016 and submitted with the application and the guidance as provided in the letter from the Surrey Wildlife Trust dated 15th May 2017 in relation to bats, unless otherwise first approved in writing by the Local Planning Authority.

Reason:

To mitigate the potential impact of the proposal on ecology and to comply with Policy CS7 of the Woking Core Strategy 2012, Circular 06/05 Biodiversity and Geological Conservation and the policies in the NPPF.

21. Prior to the first occupation of the development hereby permitted the photovoltaic panels shall be installed in accordance with the Sustainability & Energy Statement submitted with the application and the approved plans. The photovoltaic panels shall thereafter be maintained operational in perpetuity unless otherwise first approved in writing by the Local Planning Authority.

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Reason:

To ensure that the development achieves a high standard of sustainability and makes efficient use of resources and to comply with Policy CS22 of the Woking Core Strategy 2012 and the policies in the NPPF.

22. No areas of roof shall be used as a balcony, roof terrace, sitting out area or similar amenity area, without the grant of further specific planning permission by the Local Planning Authority.

Reason:

In order to protect adjoining properties from overlooking and noise and to comply with Policy CS21 of the Woking Core Strategy 2012.

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 paragraph 186-187 of the National Planning Policy Framework 2012.
2. Your attention is specifically drawn to the conditions above marked ++. These condition(s) require the submission of details, information, drawings, etc. to the Local Planning Authority PRIOR TO THE COMMENCEMENT OF ANY DEVELOPMENT ON THE SITE or, require works to be carried out PRIOR TO THE COMMENCEMENT OF THE USE. Failure to observe these requirements will result in a contravention of the terms of the permission and the Local Planning Authority may serve Breach of Condition Notices to secure compliance.

You are advised that sufficient time needs to be given when submitting details in response to conditions, to allow the Authority to consider the details and discharge the condition. A period of between five and eight weeks should be allowed for.

3. The applicant is advised that this planning permission does not convey the right to enter onto or build on land not within his ownership.
4. You are advised that Council officers may undertake inspections without prior warning to check compliance with approved plans and to establish that all planning conditions are being complied with in full. Inspections may be undertaken both during and after construction.
5. For the avoidance of doubt, the following definitions apply to Condition.17 relating to contaminated land:

Desk study- This will 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.

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Site Investigation Report: This will 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 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.

6. Where windows are required by planning condition to be fitted with obscure glazing the glass should have a sufficient degree of obscuration so that a person looking through the glass cannot clearly see the objects on the other side. 'Patterned' glass or obscured plastic adhesive are not acceptable. If in doubt, further advice should be sought from the Local Planning Authority before work is commenced.
7. The applicant is advised that, under the Control of Pollution Act 1974, site works which will be audible at the site boundaries are restricted to the following hours:-
08.00 - 18.00 Monday to Friday
08.00 - 13.00 Saturday
and not at all on Sundays and Bank/Public Holidays.

The applicant is advised that an application will need to be made under the Control of Pollution Act 1974 to Woking Borough Council's Environmental Health Team for consent for any proposed additional working hours outside of

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the normal working hours of 08.00 to 18.00 Monday-Friday and 08.00 to 13.00 on Saturdays.

8. Please note that developers are responsible for the purchasing of all waste receptacles required for developments. At least 12 weeks is required for bin orders via the Council. The developer will need to refer to the Waste and Recycling Provisions for developers to ensure the development is compliant with our requirements. This is available online at www.woking.gov.uk/recycling
9. The applicant 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).
10. The applicant is advised that Section 59 of the Highways Act permits the Highway Authority to charge developers for damage caused by excessive weight and movements of vehicles to and from a site. The Highway Authority will pass on the cost of any excess repairs compared to normal maintenance costs to the applicant/organisation responsible for the damage.
11. The permission hereby granted shall not be construed as authority to carry out any works on the highway. The applicant is advised that prior approval must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, or verge to form a vehicle crossover to install dropped kerbs. www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/vehicle-crossovers-or-dropped-kerbs
12. 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 required. They can be contacted on 0800 009 3921.
13. A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing wwriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality
14. Legal changes under The Water Industry (Scheme for the Adoption of private sewers) Regulations 2011 mean that the sections of pipes you share with your neighbours, or are situated outside of your property boundary which connect to a public sewer are likely to have transferred to Thames Water's

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ownership. Should your proposed building work fall within 3 metres of these pipes we recommend you email Thames water a scaled ground floor plan of your property showing the proposed work and the complete sewer layout to developer.services@thameswater.co.uk to determine if a building over / near to agreement is required.

15. The development hereby permitted is subject to CIL. The charge becomes due when development commences. A commencement notice, which is available from the Planning Portal website (Form 6: Commencement Notice: http://www.planningportal.gov.uk/uploads/1app/forms/form_6_commencement_notice.pdf) must be issued to the Local Planning Authority and all owners of the relevant land to notify them of the intended commencement date of the development. The Local Planning Authority will then send a Demand Notice to the person or persons who have assumed liability.
16. The application will not be formally approved until the applicant has entered into a legal agreement with the council to secure a provision of £8,826 to provide avoidance measures against the impact of the site on the TBH SPA in accordance with the formula in the Avoidance Strategy and pay £63,221.54 towards CIL.

Little Cairns, St Pauls Road, Woking.

PLAN/2020/0492

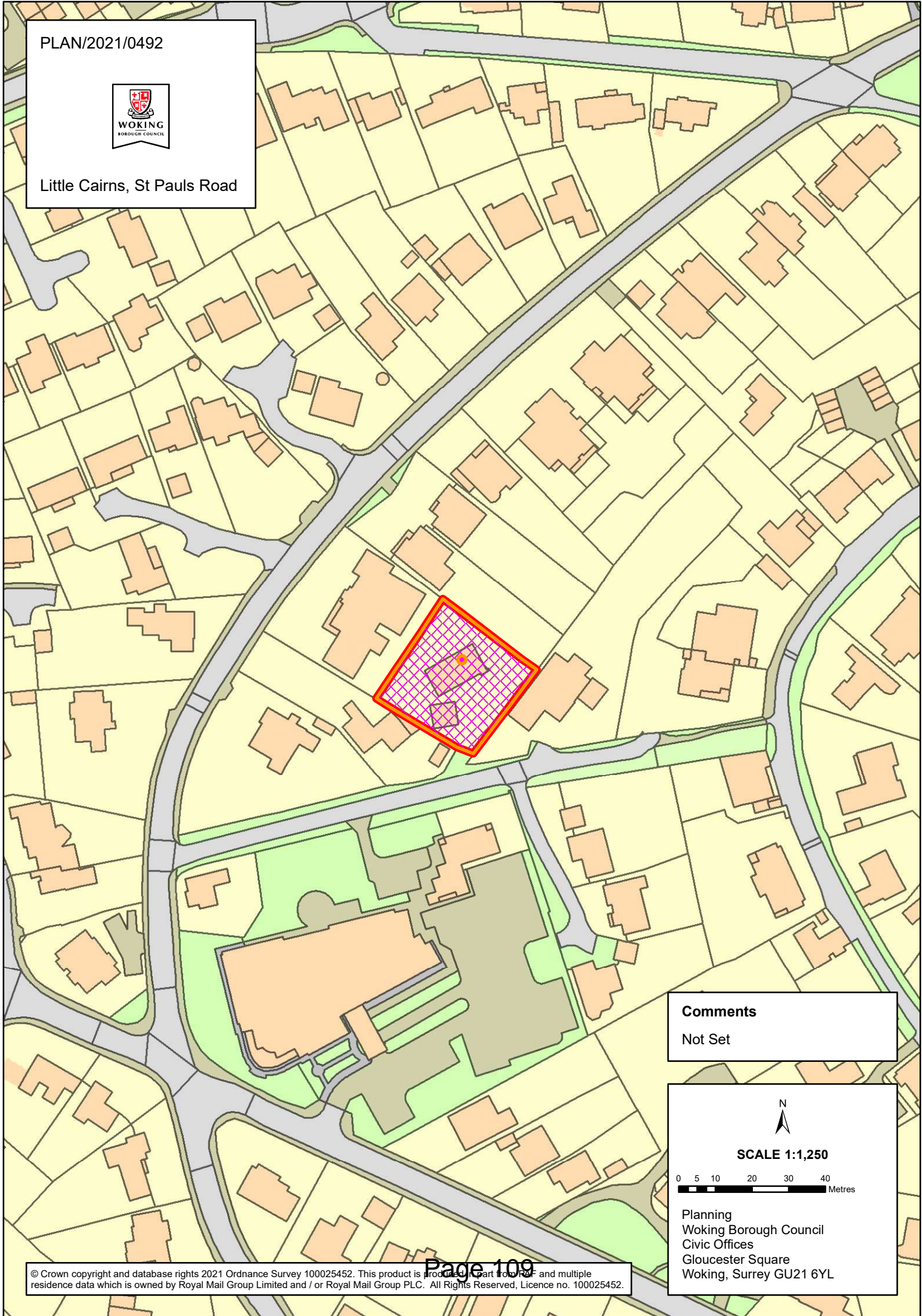
Erection of new attached garage following demolition of existing garage. Formation of side-facing first floor level windows (part-retrospective) (further amended plans rec'd 29.07.2021 and further amended description 29.07.2021)..



PLAN/2021/0492



Little Cairns, St Pauls Road



Comments
Not Set

N
SCALE 1:1,250
0 5 10 20 30 40 Metres

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

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PLAN/2016/1134 - Erection of a two-storey side extension and a first floor extension.
Refused (20.12.2016) for the following reasons:

01. *The proposal represents an overdevelopment of the site which would have an unacceptable impact on the character of the host dwelling as well as the wider street scene by way of its scale, form and character appearing cramped and overdeveloped within the application site. The proposal is therefore contrary to policy CS21 of the Woking Core Strategy (2012), Woking Design SPD (2015) and Section 7 of the National Planning Policy Framework (2012).*
02. *The proposed development would have an unacceptable impact on neighbouring amenity by way of it creating unacceptable overlooking issues towards the first rear windows and rear garden of The Gables, creating unacceptable overlooking issues towards the rear garden of Pembroke Rough and by appearing unacceptably overbearing towards The Gables. The proposal is therefore contrary to guidelines in Outlook, Amenity, Privacy and Daylight (2008).*

PLAN/1994/0493 - Erection of entrance gate and wall to front of property.
Permitted subject to conditions (18.08.1994)

WOK/77/0987 - The demolition of any existing buildings, the execution of site works and the erection of a detached bungalow and garage on land at rear of The Gables, Pembroke Road, Woking.
Permitted subject to conditions (06.10.1977)

CONSULTATIONS

Senior Arboricultural Officer (comment dated 06.07.2021): ...“there are no arboricultural objections to the garage”.

(Officer Note: More detail in respect of the application process is provided within the ‘Commentary’ section below. As amended, by way of amended plans submitted on 29 July, the application now includes only (i) the erection of new attached garage following demolition of the existing garage and (ii) formation of side-facing first floor level windows (part-retrospective))

REPRESENTATIONS

x1 letter of objection has been received raising the following points:

- The new window is overlooking Simla and will cause loss of privacy
- The new garage is right on the boundary and the height will overshadow and cause a loss of light to the front of Simla
- St Pauls is a narrow single lane road. The existing structure is already large. Extra extensions would cause over development
- The distance from boundary with Simla has not been supplied. The boundary is not a perfect straight line and any permission should ensure the extension is not encroaching into my land.

(Officer Note: The relationship between the proposed attached garage and the common boundary with Simla is shown on the submitted scaled plans. It is not necessary for the exact dimension to be annotated on plan. The applicant is content that the proposal is capable of being constructed on their land without encroachment to the land at Simla. Potential

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encroachment onto Simla would likely represent trespass although any such encroachment would be a civil matter between the relevant parties)

- St Pauls is a narrow road with no parking. Any parking by construction workers should be limited inside the concerned property. The construction vehicles are spreading mud on the road when it is raining and wet. This is not safe for pedestrians. The muddy area in front of the concerned property should be made safe to allow any further construction
(Officer Note: St Pauls is a private road, which is not publicly maintained. In any case it would not meet the tests for planning conditions, as per paragraph 56 of the NPPF, to attach a condition requiring any transport construction plan or similar in this case given the small scale of the development proposed (i.e. householder extension) and the space available for contractor parking/construction material storage etc within the site)

COMMENTARY

As initially submitted (on 29 April) the application included only the erection of a new attached garage following demolition of the existing garage. Amended plans were subsequently submitted on 14 May to also incorporate (i) erection of single storey side extension to north-east and (ii) formation of side-facing first floor level windows (part-retrospective) into the application; as such neighbours were re-notified on 14 May with a further 21 days from that date provided for comments. Following concerns raised by the Senior Arboricultural Officer in respect of the erection of the single storey side extension to north-east further amended plans were submitted on 29 July to remove that element from the application; it is on this basis that this report has been prepared on that the application must be determined.

RELEVANT PLANNING POLICIES

National Planning Policy Framework (NPPF) (20 July 2021)

Section 2 - Achieving sustainable development

Section 4 - Decision-making

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

Woking Core Strategy (2012)

CS9 - Flooding and water management

CS18 - Transport and accessibility

CS21 - Design

CS25 - Presumption in favour of sustainable development

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

DM2 - Trees and landscaping

Supplementary Planning Documents (SPD's)

Design (2015)

Outlook, Amenity, Privacy and Daylight (2008)

Parking Standards (2018)

Other Material Considerations

Planning Practice Guidance (PPG) (online resource)

Woking Borough Council Strategic Flood Risk Assessment (SFRA) (November 2015)

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Community Infrastructure Levy (CIL) Charging Schedule (2015)

PLANNING ISSUES

01. The main planning considerations in determining this application are:
- Principle of development
 - Design and character
 - Neighbouring amenity
 - Parking
 - Private garden amenity space
 - Arboriculture
 - Flooding and water management
 - Local finance considerations
- having regard to the relevant policies of the Development Plan, other relevant material planning considerations and national planning policy and guidance.

Principle of development

02. The site falls within the Urban Area, as defined by the Council's Proposals Map, in which the principle of extensions/alterations to existing dwellings is acceptable subject to the detailed planning considerations set out.

Design and character

03. Policy CS21 of the Woking Core Strategy (2012) states that "*proposals for new development should...Create buildings and places that are attractive with their own distinct identity; they should respect and make a positive contribution to the street scene and the character of the area in which they are situated, paying due regard to the scale, height, proportions, building lines, layout, materials and other characteristics of adjoining buildings and land.*" Paragraph 126 of the NPPF states that "*the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development*". The proposed development includes, inter alia, an attached garage to the side (south-west), and which would project partially beyond the front building line, following demolition of the existing detached double garage to the front.
04. The 'Residential extensions' section (9D) of Supplementary Planning Document (SPD) Design (2015) provides more detailed design guidance stating that "*side extensions are often the most convenient way to extend a dwelling. However, they can also have a significant impact on the character and appearance of a property and that of the street scene*" and that "*single storey side extensions retain visual separation whereas two storey side extensions can create a 'terracing' effect*". SPD Design (2015) also states that "*significant extensions will usually be resisted where there is a well-established building line or where works will reduce the provision for off street parking*", that "*garages are usually best set back from the main building frontage*" and that "*the materials used and roof form should be in keeping with those used for the main dwelling*".
05. Little Cairns is a detached dwelling originally constructed as a bungalow in the late 1970's. Following implementation of planning permission ref:

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PLAN/2017/0182 the present dwelling (works to complete PLAN/2017/0182 are ongoing although appear substantially complete) now provides two storeys of accommodation with the accommodation at first floor level being provided largely within the roof and served by front and rear dormer windows and rooflights. The dwelling is set relatively centrally, and at an obliquely angled orientation, within an almost square plot which presents a very limited frontage to St Pauls Road, this frontage consists effectively only of the vehicular access to the site which is located between the adjoining plots of Simla and Wasdale House.

06. The existing detached, dual-pitched double garage is located very largely forwards of the main building frontage of the host dwelling and is orientated perpendicular to the host. These factors, together with its positioning within very close proximity to the main frontage of the host, results in the existing double garage rather dominating the character and appearance of the main frontage of the, albeit now extended, host dwelling upon entrance into, and views of, the plot from St Pauls Road. The applicant seeks to construct a replacement double garage, attached to the side (south-west) of the host, following demolition of the existing detached double garage.
07. The proposed attached garage would span between the host dwelling and the common boundary with adjoining Simla. It would vary in width between circa 9.5m (maximum) and circa 6.0m (minimum) with a depth of circa 8.0m. It would have a largely dual-pitched roof with a maximum height of circa 5.5m and an eaves height of circa 2.8m; a small element of flat roof would be utilised to the linking element between the host and the dual-pitched roof, demonstrating a height of circa 2.5m.
08. Whilst the attached garage would span between the host dwelling and the common boundary with Simla, be sited adjacent to part of the common boundary with Simla, and demonstrate a not insignificant maximum height of circa 5.5m, it would nonetheless be single storey in scale and therefore retain visual separation at first floor level between the host and the common boundary with Simla, thus giving rise to no 'terracing' effect. Whilst not insignificant in maximum height (circa 5.5m) the single storey scale of the attached garage would ensure sufficient subordination to the, now extended, host dwelling and its largely dual-pitched roof form would be visually acceptable, particularly as the attached garage would not appear prominently in views from St Pauls Road, and in such views it would in any case be more discretely positioned than the existing detached double garage which would first be demolished.
09. Although the attached garage would project forwards of the main building frontage of the host dwelling it would not do so significantly and its resultant positioning, and level of projection, in relation to the main frontage of the host dwelling would be much less visually and spatially obtrusive than that of the existing detached double garage which would first be demolished. Furthermore there is no well-established building line within St Pauls Road with dwellings orientated at readily differing angles, and with readily differing depths of building frontage. A tiled roof and brick elevations are proposed to match those of the host dwelling, this would be visually acceptable and can be secured through recommended condition 03.
10. The proposal also includes the formation of first floor level side-facing windows (south-west and north-east); unless precluded by a condition attached to a

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previous grant of planning permission the formation of upper-floor window(s) in a wall or roof slope forming a side elevation of a dwelling can be undertaken as 'permitted development' (PD) by virtue of Article 3, Schedule 2, Part 1, Class A of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (the GPDO) providing that the window(s) in question are obscure-glazed and non-opening unless the parts of the window(s) which can be opened are more than 1.7 metres above the floor of the room in which the window is installed. No conditions attached to relevant previous planning permission refs: PLAN/2017/0182 and 77/0987 removed such PD rights and therefore condition 04 is recommended to ensure that these first floor level side-facing windows are comparable to the PD requirements. Therefore, in the situation secured by recommended condition 04, the formation of these windows would be PD and as such no grounds for objection exist to this element of the proposal in relation to design and character.

11. Overall, for the reasons set out, it is considered that the proposal is a visually and spatially acceptable form of development which would respect the character and appearance of the surrounding area.

Neighbouring amenity:

12. 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, daylight or sunlight, or an overbearing effect due to bulk, proximity or outlook.*" More detailed guidance is provided by both Supplementary Planning Documents (SPD's) Outlook, Amenity, Privacy and Daylight (2008) and Design (2015).
13. It must be borne in mind that the potential loss of enjoyment of a view is not a ground on which planning permission can be refused although the impact of a development on outlook is a material planning consideration and stems on whether the proposed development would give rise to an undue sense of enclosure or overbearing effect to neighbouring/nearby residential properties. There are no established guidelines for what is acceptable or unacceptable in this regard, with any assessment subjective as opposed to empirical, with key factors in this assessment being the existing local context and arrangement of buildings and uses. It must also be noted that Policy CS21 of the Woking Core Strategy (2012) refers to significant harmful impact (emphasis added); this is the threshold which must be reached in order to form any potentially robust, and defensible, reason for refusal on neighbouring amenity grounds (i.e. at appeal).
14. In respect of daylight, and where existing habitable room windows/openings are orientated at 90° in relation to a proposed development, SPD Outlook, Amenity, Privacy and Daylight (2008) states that "*significant loss of daylight will occur if the centre of the affected window (or a point 2m in height above the ground for floor to ceiling windows) lies within a zone measured at 45° in both plan and elevation*". Where existing habitable room windows/openings are directly opposite a proposed development the SPD identifies that suitable daylight is achieved where an unobstructed vertical angle of 25° can be drawn from a point taken from the middle of the existing opening.
15. In this instance the neighbouring amenities to consider in respect of the proposed attached garage are:

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Simla, St Pauls Road:

16. Adjoining Simla is a detached dwelling situated to the side (south-west), which was granted planning permission in the late 1960's (Ref: 22035) and has since been subject to several subsequent extensions, which result in Simla presently being formed of two adjoined dual-pitched two storey elements (laid out in a stepped manner) with a single storey flat roofed extension to the rear of the more rearward of these adjoined elements, and an attached open-sided car port on its north-eastern side which is set close to the common boundary with the site. A single storey extension and attached car port were permitted in early 1972 to the side (north-east) of Simla under planning permission ref: 26872; this (at that time) single storey element was subsequently extended at first floor level during the 1980's (Ref: 84/0109) but at ground floor level the development permitted by planning permission ref: 26872 appears to remain in the same form and layout today. The frontage of Simla is largely laid to hardstanding to provide car parking and the private garden area of Simla is situated to the rear (north-west) and extends back to Pembroke Road. The attached car port of Simla is not a habitable part of the dwelling (and indeed is open-sided) and the drawings of Simla on the Council's planning register, coupled with site visit observations, do not show any side-facing (north-east) openings at ground or first floor levels within the closer, more forward element of Simla, which is opposite the location of the proposed attached garage. In any case, at ground floor level, any openings within the side (north-east) elevation of this element of Simla would be 'below' the flat roof of its attached car port.
17. Whilst the proposed attached garage would adjoin the common boundary with Simla it would largely be situated opposite the attached, open-sided car port of Simla, would not project beyond the rear of the car port of Simla and would project a modest circa 1.9m forwards of the car port of Simla, forwards of which is frontage hardstanding used for car parking purposes (i.e. this frontage area is not as sensitive to potential overbearing/overshadowing effects as an area of private garden would be for example).
18. Whilst not insignificant in maximum height (circa 5.5m) the gabled form of the side (south-west) elevation of the proposed attached garage (which would face towards the common boundary with Simla) means that this maximum height would only occur for the narrow width towards the top of the gable (i.e. the triangle) with the dual-pitched roof sloping down at both the front and rear to an eaves height of circa 2.8m. These factors, combined with the non-habitable nature of the attached car port at Simla, which the attached garage would be located largely opposite, means that the proposed attached garage would achieve a satisfactory relationship to adjoining Simla, avoiding significant harmful impact by reason of loss of daylight or sunlight, or overbearing effect due to bulk, proximity or outlook. No windows or other openings are shown within the side (south-west) elevation of the proposed attached garage (which would face towards the common boundary with Simla) and the potential future formation of such as 'permitted development' (PD) can be precluded through recommended condition 05, which is recommended due to the close proximity of this side elevation (i.e. less than 1.0m distant) to the common boundary with Simla. Only garage/pedestrian door openings are shown within the front elevation of the proposed attached garage, and no openings are shown within the rear elevation; in any case these front and rear elevations would not directly face towards the common boundary with Simla and thus it would not meet the

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tests for planning conditions, as per paragraph 56 of the NPPF, to preclude the potential future formation/alteration of such openings as PD.

19. Overall, subject to recommended condition 05, the proposed attached garage would avoid significantly harmful impact upon adjoining Simla by reason of loss of privacy, daylight or sunlight or overbearing effect.

The Gables, Pembroke Road:

20. The Gables is a detached part two storey, part single storey property with further accommodation within the roof space which is located to the rear (north-west) of the site and is in use for the provision of residential care. Whilst the land associated with The Gables has been edged in a blue line on the submitted plans (indicating it is also within the ownership of the applicant) The Gables is nonetheless a separate planning unit to the application site. At its closest the attached garage would be located circa 7.8m away from the common boundary, beyond which is an area of private garden associated with The Gables. This retained level of separation would exceed the 5.5m maximum height of the attached garage and therefore, taken together with the single storey nature of the attached garage, the proposed attached garage would give rise to no significant harmful loss of privacy, daylight or sunlight, or overbearing effect to The Gables.

Wasdale House, St Pauls Road:

21. Wasdale House is a detached single storey dwelling located to the front (south-east) of the site. At its closest the attached garage would be located in excess of 14.0m away from the common boundary. This retained level of separation would exceed the 5.5m maximum height of the attached garage and therefore, taken together with the single storey nature of the attached garage, the proposed attached garage would give rise to no significant harmful loss of privacy, daylight or sunlight, or overbearing effect to Wasdale House.

Pembroke Rough, Pembroke Road:

22. Pembroke Rough is a detached part two storey, part single storey dwelling located to the rear (north-east) of the site. Whilst the dwelling of Pembroke Rough is located some distance to the north-east of the host dwelling (i.e. fronting Pembroke Road) the private rear garden of Pembroke Rough adjoins the side of the site. At its closest the attached garage would be located in excess of 21.0m away from the common boundary. This retained level of separation would exceed the 5.5m maximum height of the attached garage and therefore, taken together with the single storey nature of the attached garage, the proposed attached garage would give rise to no significant harmful loss of privacy, daylight or sunlight, or overbearing effect to Pembroke Rough.

First floor level side-facing windows:

23. The application also includes the formation of first floor level side-facing windows (south-west and north-east); unless precluded by a condition attached to a previous grant of planning permission the formation of upper-floor window(s) in a wall or roof slope forming a side elevation of a dwelling can be undertaken as 'permitted development' (PD) by virtue of Article 3, Schedule 2, Part 1, Class A of The Town and Country Planning (General Permitted

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Development) (England) Order 2015 (as amended) (the GPDO) providing that the window(s) in question are obscure-glazed and non-opening unless the parts of the window(s) which can be opened are more than 1.7 metres above the floor of the room in which the window is installed. No conditions attached to relevant previous planning permission refs: PLAN/2017/0182 and 77/0987 remove such PD rights and therefore condition 04 is recommended to ensure that these first floor level side-facing windows are comparable to the PD requirements. Therefore, in the situation secured by recommended condition 04, the formation of these windows would be PD and as such no grounds for objection exist to this element of the proposal in relation to neighbouring amenity.

Parking:

24. Policy CS18 of the Woking Core Strategy (2012) states that minimum car parking standards will be set for residential development (outside of Woking Town Centre), as in this instance. Accordingly Table 3 of SPD Parking Standards (2018) sets out a minimum residential parking standard of x3 spaces for 5+ bedroom houses; the approved plans for previously permitted PLAN/2017/0182 (works to complete PLAN/2017/0182 are ongoing although appear substantially complete) show the provision of x5 bedrooms within the host dwelling. There would be no material difference in comparison to the existing parking situation on the site as the existing detached double garage would be demolished and replaced with an attached double garage.
25. However section 4.2 of SPD Parking Standards (2018) - which was not adopted during 2017 when previous PLAN/2017/0182 was permitted - states that "*due to the predominance of garages being used for storage or converted into living space garages do not fully contribute towards parking provision*" and that "*garages only contribute 50% towards overall parking provision*" (i.e. 1.5 out of 3 spaces in this case) and that "*the minimum size of a garage, when contributing towards parking provision, should be 6m x 3m*" (internal floorspace). Whilst the proposed attached double garage meets the 6m x 3m requirement, so as to provide x1 of the x3 required parking spaces, it is clear that sufficient space for the parking of a further x2 cars externally, and in line with Table 3 of the SPD, would be provided on the existing hard surfaced drive within the site. Condition 06 is recommended to secure the use of the proposed attached garage for the parking of at least x1 car.
26. Overall, subject to recommended condition 06, the proposal complies with Policy CS18 of the Woking Core Strategy (2012), SPD Parking Standards (2018) and the provisions of the NPPF and parking implications are acceptable.

Private garden amenity space:

27. Policy CS21 of the Woking Core Strategy (2012) states that "*Proposals for new development should...ensure schemes provide appropriate levels of private and public amenity space*". The approved plans for previously permitted PLAN/2017/0182 (works to complete PLAN/2017/0182 are ongoing although appear substantially complete) show the provision of x5 bedrooms and the host dwelling, as it would result from implementation of that planning permission, to provide circa 238 sq.m gross floor area (excluding the existing detached double garage). Taking into account the further (albeit non-habitable) 55 sq.m gross floor area which would be provided by the attached double garage proposed

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under the present application the overall gross floor area of the resulting host dwelling would measure circa 293 sq.m.

28. The retained area of useable private garden wrapping around the host dwelling would measure circa 453 sq.m, thus remaining greater than the overall gross floor area of the extended building (circa 293 sq.m - including proposed attached garage), in accordance with Policy CS21 of the Woking Core Strategy (2012) and the guidance within Table 2 of SPD Outlook, Amenity, Privacy and Daylight (2008) in respect of large family dwelling houses (i.e. 150 sq.m+). The retained private garden would remain appropriate in size and shape for the outdoor recreational and domestic needs of existing and future occupiers; private garden amenity space implications are therefore acceptable.

Arboriculture:

29. Policy CS21 of the Woking Core Strategy (2012) requires proposals to incorporate landscaping, including the retention of any trees of amenity value and other features. Policy DM2 of the Development Management Policies DPD (DMP DPD) (2016) sets out that the Council will not normally permit development proposals which would result in the loss of trees of amenity value.
30. A protected Scots Pine tree (Ref: TPO/0004/2020) is located within the site, close to the north-eastern boundary. Following concerns raised by the Senior Arboricultural Officer in respect of the formerly proposed single storey side extension to the north-east of the host dwelling, due to its close proximity to the protected Scots Pine tree, that extension was removed from the present application by way of amended plans submitted on 29 July. In their consultation response dated 6 July the Senior Arboricultural Officer confirms that "*there are no arboricultural objections to the garage*" (i.e. the extension which remains within the application). The formation of first floor level side-facing windows (south-west and north-east) have no arboricultural implications. On this basis the present proposal, as amended during the application process by way of amended plans, complies with Policy CS21 of the Woking Core Strategy (2012) and Policy DM2 of the DM Policies DPD (2016), and the relevant NPPF provisions, in respect of arboriculture.

Flooding and water management:

31. Paragraphs 159-169 (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 and that the Council expects development to be in Flood Zone 1.
32. The site falls entirely within Flood Zone 1 (low risk), as identified on the Flood map for planning, and is located significant distances from Flood Zones 2 and 3 (medium and high risk respectively); therefore no fluvial flood issues arise. Whilst the Council's Strategic Flood Risk Assessment (SFRA) (November 2015) identifies parts of the site to be at medium and high risk of surface water flooding the existing detached garage to be demolished has a built footprint of 34 sq.m and the proposed attached garage a built footprint of 58 sq.m; because the additional built footprint (i.e. +24 sq.m) falls below 30 sq.m surface water matters would be addressed under other regulatory provisions (i.e. such

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as the Building Regulations) and do not represent a planning constraint in this instance.

Local Finance Considerations

33. The gross floorspace would not exceed 100 sq.m. The proposal is not Community Infrastructure Levy (CIL) liable.

Conclusion

34. Overall the principle of development is acceptable and, subject to recommended conditions, the proposed development is acceptable in respect of design and character, neighbouring amenity, parking, private garden amenity space, arboriculture and flooding and water management.
35. Subject to recommended conditions the proposal complies with Policies CS9, CS18, CS21 and CS25 of the Woking Core Strategy (2012), Policy DM2 of the Development Management Policies DPD (2016), SPD's Design (2015), Outlook, Amenity, Privacy and Daylight (2008) and Parking Standards (2018) and Sections 2, 4, 12, 14 and 15 of the NPPF (2021), the PPG and SFRA and is recommended for approval. In considering this application the Council has had regard to the provisions of the Development Plan, so far as material to the application, and to any other material considerations. In making the recommendation to grant planning permission it is considered that the application is in accordance with the Development Plan of the area.

BACKGROUND PAPERS

x1 Letter of objection

Consultation response(s) from Senior Arboricultural Officer

RECOMMENDATION

Grant planning permission subject to the following conditions:

01. The development hereby permitted must be commenced not later than three years from the date of this permission.

Reason: To accord with the provisions of Section 91 (1) 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 carried out only in accordance with the following approved plans numbered / titled:

AGO299 001 Rev - (Location & Block Plans), dated 13.04.21 (rec'd by LPA 29.07.2021)

AGO204 002 Rev - (Site Plan), dated 20.07.16 (rec'd by LPA 29.07.2021)

AGO204 003 Rev - (Plan), dated 20.07.16 (rec'd by LPA 29.07.2021)

AGO204 004 Rev - (Roof Plan), dated 20.07.16 (rec'd by LPA 29.07.2021)

AGO299 005 Rev - (Elevations), dated 13.04.21 (rec'd by LPA 29.07.2021)

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AGO299 007 Rev A (Elevations), dated 29.07.21 (rec'd by LPA 29.07.2021)

Reason: For the avoidance of doubt and in the interests of proper planning.

03. The external finishes of the development hereby permitted must only be as shown/annotated on the approved plans listed within condition 02 of this notice and as stated within Section 5 (Materials) of the submitted application form. The development hereby permitted must thereafter be permanently maintained as such unless the Local Planning Authority first agrees in writing to any variation.

Reason: To protect the character, appearance and visual amenities of the area in accordance with Policy CS21 of the Woking Core Strategy (2012), SPD Design (2015) and the National Planning Policy Framework (NPPF).

04. First floor level window(s) within both the north-east and south-west (side) elevations of the host dwelling must be glazed entirely with obscure glass and non-opening unless the parts of the window(s) which can be opened are more than 1.7 metres above the finished floor level of the room(s) in which the window(s) are installed. Where such window(s) are on a staircase or landing (i.e. not in a room) the 1.7 metre measurement must be made from the stair or point on a landing immediately below the centre of the window(s), upwards to the opening part of the window(s). Once installed the window(s) must be permanently retained in that condition.

Reason: To protect the residential amenity and privacy of the occupiers of adjoining Simla and Pembroke Rough in accordance with Policy CS21 of the Woking Core Strategy (2012), SPD's Outlook, Amenity, Privacy and Daylight (2008) and Design (2015) and the provisions of the National Planning Policy Framework (NPPF).

05. Notwithstanding the provisions of Article 3 of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order(s) revoking and/or re-enacting that Order with or without modification(s)) window(s) or other additional openings must not be formed in the side (south-west) elevation of the attached garage hereby permitted without planning permission being first obtained from the Local Planning Authority.

Reason: To protect the residential amenity and privacy of the occupiers of adjoining Simla in accordance with Policy CS21 of the Woking Core Strategy (2012), SPD's Outlook, Amenity, Privacy and Daylight (2008) and Design (2015) and the provisions of the National Planning Policy Framework (NPPF).

06. The attached garage hereby permitted must at all times remain capable of accommodating the parking of at least x1 vehicle and must only be used for purposes incidental to the residential use of the dwellinghouse of Little Cairns.

Reason: To preserve the residential amenities of the area and ensure the provision of sufficient on-site parking in accordance with Policy CS18 of the Woking Core Strategy (2012), SPD Parking Standards (2018) and the provisions of the National Planning Policy Framework (NPPF).

Informatives

01. This statement is provided in accordance with Article 35(2) of The Town and Country Planning (Development Management Procedure) (England) Order 2015. Woking Borough Council seeks to take a positive and proactive approach to development proposals. The Council works with applicants in a positive and proactive manner by:
 - Offering a pre-application advice service; and
 - Where possible officers will seek minor amendments and/or additional information to overcome issues identified during the application process.Following the submission of amended plans to overcome arboricultural concerns identified during the application process the application was considered to be acceptable.
02. The applicant is advised that Council officers may undertake inspections without prior warning to check compliance with approved plans and to establish that all planning conditions are being complied with in full. Inspections may be undertaken both during and after construction.
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 / construction 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 or construction 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. The provisions of the Party Wall etc. Act 1996 may be applicable and relates to work on an existing wall shared with another property; building on the boundary with a neighbouring property; or excavating near a neighbouring building. Please refer to the following address for further information:
<https://www.gov.uk/party-walls-building-works>
05. The applicant is advised that under the Control of Pollution Act 1974, demolition and building works - audible at the site boundaries - should be restricted to the following hours:
 - 0800 - 1800 hrs Monday to Friday (inclusive);
 - 0800 - 1300 hrs Saturdays; and
 - not at all on Sundays and Bank/Public Holidays.

Four Oaks,
Carlton Road, Horsell,
Woking.

PLAN/2021/0695

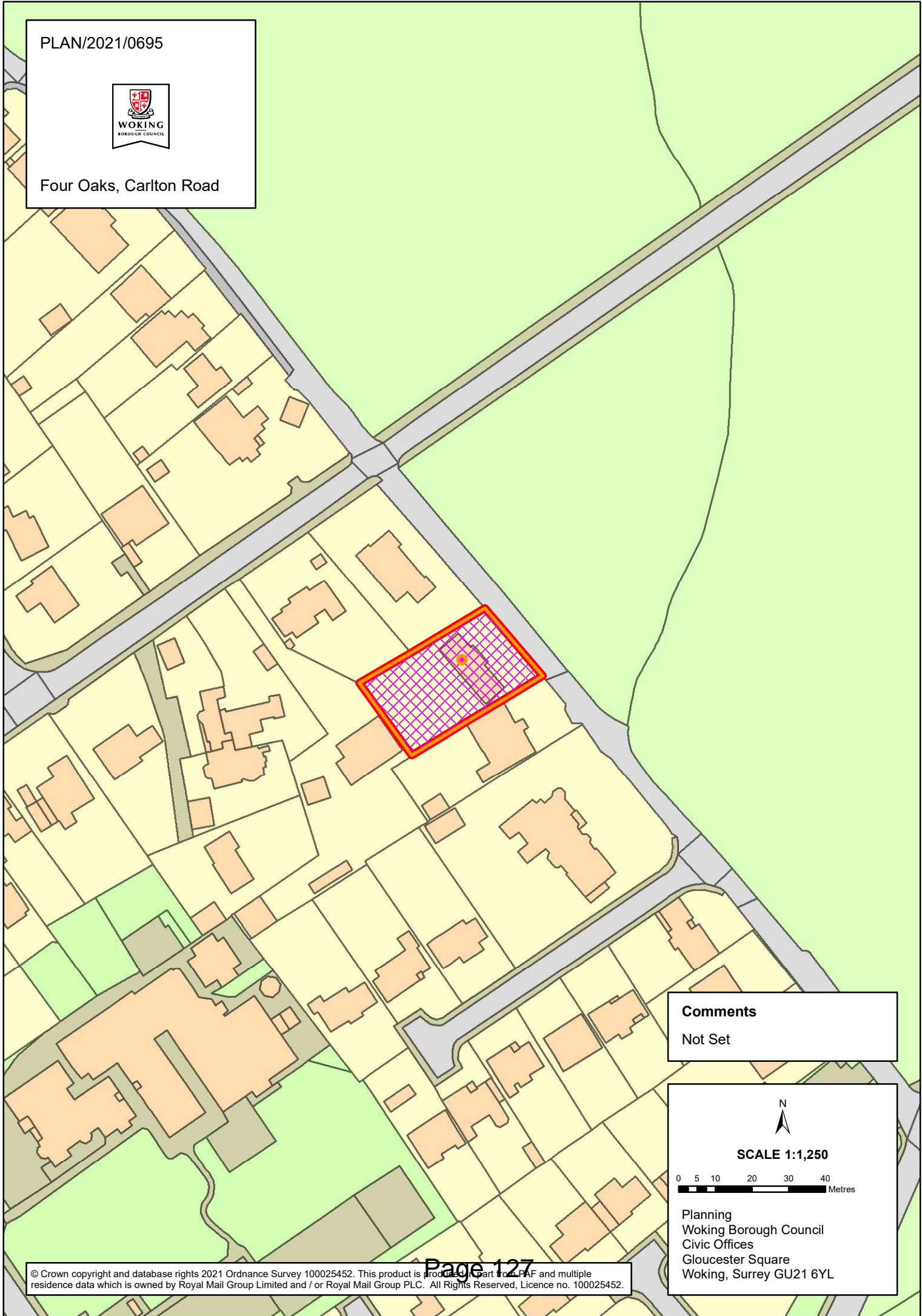
Erection of a single storey rear extension, front porch and first floor side dormer.



PLAN/2021/0695



Four Oaks, Carlton Road



Comments
Not Set

N
SCALE 1:1,250
0 5 10 20 30 40 Metres

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

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6g PLAN/2021/0695

WARD: Horsell

LOCATION: Four Oaks, Carlton Road, Horsell, Woking, Surrey, GU21 4HE

PROPOSAL: Erection of a single storey rear extension, front porch and first floor side dormer.

APPLICANT: Mr & Mrs Stokes

OFFICER: Emily Fitzpatrick

REASON FOR REFERRAL TO COMMITTEE:

The application has been referred to Planning Committee at the discretion of the Development Manager.

SUMMARY OF PROPOSED DEVELOPMENT

The proposal is for a single storey rear extension, front porch and first floor side dormer.

PLANNING STATUS

- Common Land
- Surface Water Flood Risk (medium)
- Thames Basin Heaths SPA Zone A (within 400m)
- TPO Points
- Urban Areas

RECOMMENDATION

GRANT planning permission subject to conditions.

SITE DESCRIPTION

The application site is a detached two-storey dwelling with an integral garage. The dwelling is designed in brick with a cat-slide roof form to the left-hand side when viewed from the front elevation, the host dwelling serves two hipped end roof forms. The dwelling has a two-storey front gable feature.

RELEVANT PLANNING HISTORY

None

CONSULTATIONS

Arboricultural Officer: No objection

REPRESENTATIONS

One letter of representation has been received in support of the application.

RELEVANT PLANNING POLICIES

National Planning Policy Framework (2021):

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Section 2– Achieving Sustainable Development
Section 4- Decision making
Section 12- Achieving well-designed places
Section 14- Meeting the challenge of climate change, flooding and coastal change

Woking Core Strategy (2012):

CS9- Flooding and water management
CS21- Design
CS25- Presumption in favour of sustainable development

Woking Development Management Policies Development Plan Document (2016):

DM2- Trees and Landscaping

Supplementary Planning Documents (SPDs):

Parking Standards SPD (2018)
Woking Design (2015)
Outlook, Amenity, Privacy and Daylight (2008)

PLANNING ISSUES

Impact on Character of the Area

1. The proposed single storey rear extension would be approximately 4m in depth x 11m in width. The proposed height would be approximately 3.3m measured to the roof ridge. The proposal would have a hipped roof with a rooflight. The proposed materials would match the host dwelling. The proposed side dormer would serve the south-east elevation. The dormer would have a hipped roof form with the materials to match the host dwelling. Two rooflights are proposed to serve the side dormer along the front and rear elevation. These would be considered acceptable. The proposal is for an external porch, with a pitched roof supported by two render posts.
2. The proposed rear extension would be sited at the rear and would be obscured from the street scene, the extension would be subordinate to the host dwelling with materials to match and would be considered acceptable in design terms. The proposed dormer would be viewed from the street scene and would alter the character of the dwelling. However the dormer would sit below the host dwelling ridge line and would sit subordinately, furthermore set back from the front elevation. The proposed materials would match the host dwelling and roof form. The proposed rooflights and porch would be considered acceptable. The proposal would be considered acceptable on the character and appearance of the area.

Impact on Residential Amenity

3. The proposed rear extension would be approximately 10m from the northern boundary shared with The Dittons. The distance would be considered acceptable and would cause no adverse impact to residential amenity along this elevation. The proposed dormer would be approximately 3.3m from the shared boundary with The Woodpeckers. A side window serves the first floor flank wall along this elevation. The proposal would accommodate a dressing room and en-suite. A high level window is proposed 1.7m above finished floor level, and an obscurely glazed window to serve the en-suite, with openings 1.7m above finished floor level. The obscurely glazed window would be subject to a condition. The proposal would pass the 25° splayline test with regards to daylight serving this first floor side window. The proposed rear extension would be approximately 2.6m from the shared side boundary. An opening is proposed

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along this elevation however given the existing boundary treatment there would be no adverse impact to residential amenity along this elevation.

4. The rear extension would be approximately 19m from the rear boundary (south west). The distance would be considered acceptable and there would be no adverse impact to residential amenity along this elevation.

Impact on provision of private amenity space

5. The provision of private amenity space would exceed the recommended minimum standards as set out in the Outlook, Amenity, Privacy & Daylight SPD.

Impact on parking provision

6. The proposal would create no demand in the provision of bedrooms and there would be no impact to parking provision.

Impact on trees

7. The application site has a Tree Preservation Order (TPO) in the north west corner. The application site is screened to the rear (west) by tree cover and vegetation. The arboricultural officer has been consulted and comments as follows; there are no arboricultural objections to the proposed. There would be no impact to trees.

Impact to flood risk

8. Parts of the application site are located in a medium surface water flood risk area (1 in 1000). In accordance with Woking's Drainage Team Standing Advice, where the proposed extension/ hardstanding exceeds 30m² a pre-commencement condition would be required. The applicant has agreed to this condition. Subject to this condition the proposed impact to flood risk would be considered acceptable.

Local Finance Considerations

9. The Council introduced the Community Infrastructure Levy (CIL) on 1 April 2015. As the proposed development would not result in new build gross floor space of more than 100 sqm it is not liable for a financial contribution to CIL.

CONCLUSION

10. Overall, it is considered that the proposal would have an acceptable impact on character and the host dwelling, neighbouring amenity, car parking provision, trees and flood risk. The proposal therefore accords with Policies CS9, CS21 and CS25 of the *Woking Core Strategy* (2012), Policy DM2 of the *Development Plan Document* (2016), Supplementary Planning Documents; *Woking Design* (2015), *Outlook, Amenity, Privacy and Daylight* (2008), *Parking Standards* (2018) and the *National Planning Policy Framework* (2021) and is recommended for approval. In considering this application the Council has given regard to the provisions of the development plan, so far as material to the application and to any other material considerations. In making the recommendation to grant planning permission it is considered that application is in accordance with the development plan of the area.

BACKGROUND PAPERS

7 SEPTEMBER 2021 PLANNING COMMITTEE

1. Site visit photographs taken 02.08.2021

RECOMMENDATION

PERMIT subject to the following conditions:

01. The development hereby permitted shall be commenced not later than three years from the date of this permission.

Reason: To accord with the provisions of Section 91 (1) 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 shall be carried out in accordance with the approved plans listed below:

DWG No: HA/2182/P/1 Proposed Plans & Elevations received 21 June 2021

DWG No: HA/2182/P/2 Existing Plans & Elevations received 21 June 2021

DWG No: HA/2182/P/3 Block & Site Plans Existing and Proposed received 21 June 2021

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

03. The external finishes of the development hereby permitted shall match those used in the existing building in material, colour, style, bonding and texture unless otherwise indicated on the approved plans.

Reason: To protect the character and appearance of the building and the visual amenities of the area.

04. Notwithstanding the provisions of Article 3 and Schedule 2, Part 1 and Classes A, B and C of The Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any orders amending or re-enacting that Order with or without modification), the flat roof area of the extension hereby approved shall not be used as balcony, roof terrace, sitting out area or similar amenity area nor shall any railings or other means of enclosure be erected on top of or attached to the side of the extension without the grant of further specific planning permission by the Local Planning Authority.

Reason: In order to protect adjoining properties from overlooking and noise.

05. The window in the first floor south east side elevation to accommodate an en-suite hereby permitted shall be glazed entirely with obscure glass and non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed. Once installed the window shall be permanently retained in that condition unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard the amenities of the adjoining properties.

06. No development shall commence until a surface water drainage scheme for the site based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development has been submitted to and approved in

7 SEPTEMBER 2021 PLANNING COMMITTEE

writing by the Local Planning Authority. The drainage scheme should demonstrate the surface water run-off generated up to and including the 1 in 100 plus climate change critical storm will not exceed the run-off from the existing site following the corresponding rainfall event and be as close to greenfield runoff rates as reasonable practicable.

The drainage scheme details to be submitted for approval shall also include:

- I. Calculations demonstrating no increase in surface water runoff rates and volumes discharged from the site compared to the existing scenario up to the 1 in 100 plus climate change storm event and as close to greenfield as reasonably practicable
- II. Calculations demonstrating no on site flooding up to the 1 in 30 storm event and any flooding between the 1 in 100 and 1 in 100 plus climate change storm event will be safely stored on site ensuring no overland flow routes.
- III. Detail drainage plans showing where surface water will be accommodated on site,
- IV. A management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

The surface water drainage scheme shall be implemented in accordance with the approved details prior to the first occupation of the development hereby permitted and thereafter it shall be managed and maintained in accordance with the approved details in perpetuity.

Reason: To prevent the increased risk of flooding, to improve and protect water quality and to ensure the future maintenance of these in accordance with Policies CS9 and CS16 of the Woking Core Strategy 2012 and the policies in the NPPF.

Informatives

01. The Council confirms that in assessing this application it has worked with the applicant in a positive and proactive way, in line with the requirements of the National Planning Policy Framework 2021.
02. You are advised that Council officers may undertake inspections without prior warning to check compliance with approved plans and to establish that all planning conditions are being complied with in full. Inspections may be undertaken both during and after construction.
03. The applicant is advised that under the Control of Pollution Act 1974, works which will be audible at the site boundary will be restricted to the following hours: 8.00 a.m. - 6.00 p.m. Monday to Friday; 8.00 a.m. - 1.00 p.m. Saturday; and not at all on Sundays and Bank Holidays.

Wey Cottage,
11 Church Road,
Byfleet.

TREE/2021/8273

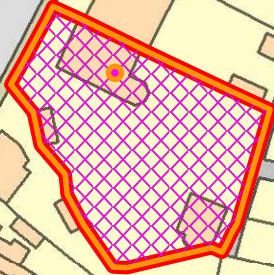
T1- Oak: Fell. (Works subject to TPO 626/0598/2000)



TREE/2021/8273



Wey Cottage, 11 Church Road

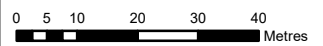


Comments

Not Set



SCALE 1:1,250



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

PLANNING COMMITTEE –

**Refusing consent for Tree Works Application REF. TREE/2021/8273 at Wey Cottage
11 Church Road, Byfleet, West Byfleet, Surrey, KT14 7EH**

Executive Summary

The purpose of this report is to recommend to the Committee that consent for a tree works application at **Wey Cottage, 11 Church Road, Byfleet, West Byfleet, Surrey, KT14 7EH 2QX** be **REFUSED**. The proposal for works is as follows –

T1 Oak – Fell (remove)

Recommendations

The Committee is requested to:

RESOLVE that consent be REFUSED for the Tree Works Application REF. TREE/2021/8273

This Committee has authority to determine the above recommendations.

Background Papers:

1. Completed application form by the applicant
2. Map

Reporting Officer:

Thomas James
Ext. (74)3435, E Mail: Thomas.james@woking.gov.uk

Contact Officer:

Dave Frye, Arboricultural Officer
Ext. (74)3749, E Mail dave.frye@woking.gov.uk

Introduction

A tree works application (**Appendix 1**) was submitted to the council on 05.07.2021 making a formal request to fell 1 Oak tree.

1.1 The plan from the application showing the location of the trees is attached at **Appendix 2**.

1.2 No Objections have been received in relation to this application.

1.3 The recommendation would be to **refuse** consent for the works

2.0 Background Information

2.1 T1 is a mature Oak tree located in the rear garden of the property. The tree is approximately 16m in height with an even crown spread ratio of 7m. The tree has recently suffered from a case of summer branch drop which has resulted in an application to remove the tree.

2.2 Summer branch drop is a phenomenon which occurs unexpectedly and usually following periods of heavy rain and hot weather. It is very difficult to predict but can be remedied through suitable reduction works. It does not usually warrant entire tree removal unless the part of the tree which has failed is so significant that the tree is left unstable. In this instance the branch which has failed is approx 250mm in diameter and does not appear to have caused total tree instability.

2.3 No further evidence has been submitted to justify total tree removal. During the tree officers' site visit it was noted that the tree had been historically reduced many years ago and this has now lapsed. It was also noted that there was the presence of both woodpecker holes and a fungal fruiting body on one of the main ascending limbs of the tree. It is recommended that these defects are investigated appropriately.

2.4 It has also been noted that there is OPM (oak processionary moth) present in the tree.

2.5 The applicant has identified that they are an elected member of the council

3.0 Implications

Financial

3.1 None

Human Resource/Training and Development

3.2 None

Environmental/Sustainability

3.3 The tree is likely to continue making a significant contribution to the character and amenities of the locality for many years to come and the works would be of significant detriment to the tree and character of the area.

4.0 Conclusions

The tree is essentially healthy and is of high public amenity value. It is recommended that the tree is inspected formally by a suitably qualified and experienced arboricultural consultant to full ascertain its structural integrity.

REPORT ENDS

Wey Cottage,
11 Church Road,
Byfleet.

TREE/2021/8274

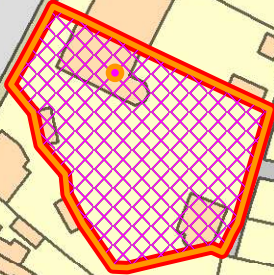
T1- Oak: reduce by up to 6m. (Works subject to TPO 626/0598/2000)



TREE/2021/8274



Wey Cottage, 11 Church Road

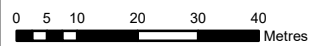


Comments

Not Set



SCALE 1:1,250



Planning
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Civic Offices
Gloucester Square
Woking, Surrey GU21 6YL

PLANNING COMMITTEE –

**Refusing consent for Tree Works Application REF. TREE/2021/8274 at Wey Cottage
11 Church Road, Byfleet, West Byfleet, Surrey, KT14 7EH**

Executive Summary

The purpose of this report is to recommend to the Committee that consent for a tree works application at **Wey Cottage, 11 Church Road, Byfleet, West Byfleet, Surrey, KT14 7EH 2QX** be **REFUSED**. The proposal for works is as follows –

T1 Oak – Crown reduce by 6m

Recommendations

The Committee is requested to:

RESOLVE that consent be REFUSED for the Tree Works Application REF. TREE/2021/8274

This Committee has authority to determine the above recommendations.

Background Papers:

1. Completed application form by the applicant
2. Map

Reporting Officer:

Thomas James
Ext. (74)3435, E Mail: Thomas.james@woking.gov.uk

Contact Officer:

Dave Frye, Arboricultural Officer
Ext. (74)3749, E Mail dave.frye@woking.gov.uk

Introduction

A tree works application (**Appendix 1**) was submitted to the council on 05.07.2021 making a formal request to fell 1 Oak tree.

1.1 The plan from the application showing the location of the trees is attached at **Appendix 2**.

1.2 No Objections have been received in relation to this application.

1.3 The recommendation would be to **refuse** consent for the works

2.0 Background Information

2.1 T1 is a mature Oak tree located in the rear garden of the property. The tree is approximately 16m in height with an even crown spread ratio of 7m. The tree has recently suffered from a case of summer branch drop which has resulted in an application to reduce the tree.

2.2 Summer branch drop is a phenomenon which occurs unexpectedly and usually following periods of heavy rain and hot weather. It is very difficult to predict but can be remedied through suitable reduction works prior to failure. It does not usually warrant entire tree removal unless the part of the tree which has failed is so significant that the tree is left unstable. In this instance the branch which has failed is approx 250mm in diameter and does not appear to have caused total tree instability. Whilst it has been outlined that reduction may mitigate for this type of failure, an overall reduction of 6m has not been justified and would be considered too much unless further evidence is brought forward.

2.3 No further evidence has been submitted to justify a 6m crown reduction. During the tree officers' site visit it was noted that the tree had been historically reduced many years ago and this has now lapsed. It was also noted that there was the presence of both woodpecker holes and a fungal fruiting body on one of the main ascending limbs of the tree. It is recommended that these defects are investigated appropriately.

2.4 It has also been noted that there is OPM (oak processionary moth) present in the tree.

2.5 The applicant has identified that they are an elected member of the council

3.0 Implications

Financial

3.1 None

Human Resource/Training and Development

3.2 None

Environmental/Sustainability

3.3 The tree is likely to continue making a significant contribution to the character and amenities of the locality for many years to come and the works would be of significant detriment to the tree and character of the area.

4.0 Conclusions

The tree is essentially healthy and is of high public amenity value. It is recommended that the tree is inspected formally by a suitably qualified and experienced arboricultural consultant to full ascertain its structural integrity. The reduction of a tree of this age would be of detriment to the tree and the character of the area.

REPORT ENDS

SECTION C

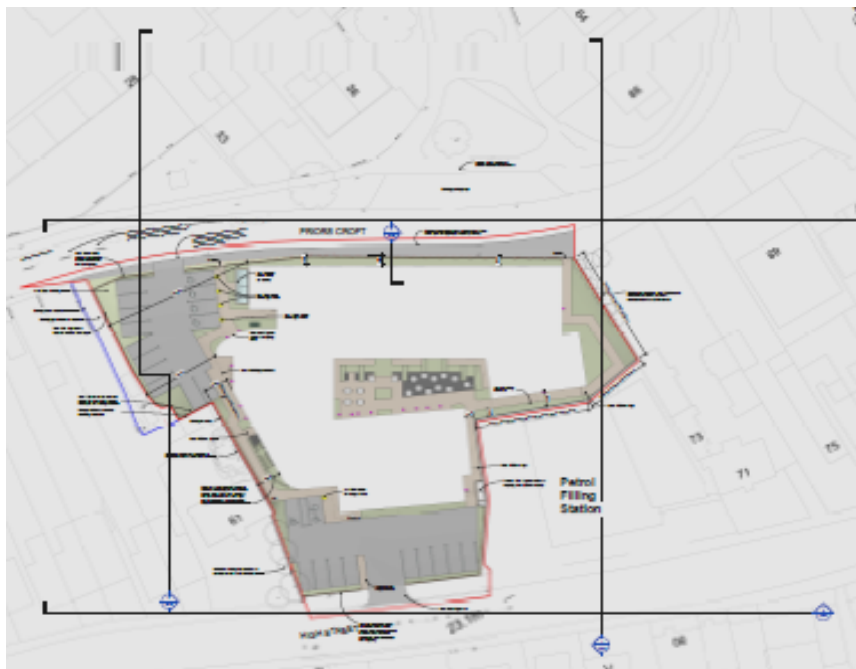
**APPLICATION REPORTS NOT TO BE
PRESENTED BY OFFICERS UNLESS REQUESTED
BY A MEMBER OF THE COMMITTEE**

(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)

Former Ian Allen Motors, 63 – 65 High Street.

COND/2021/0144

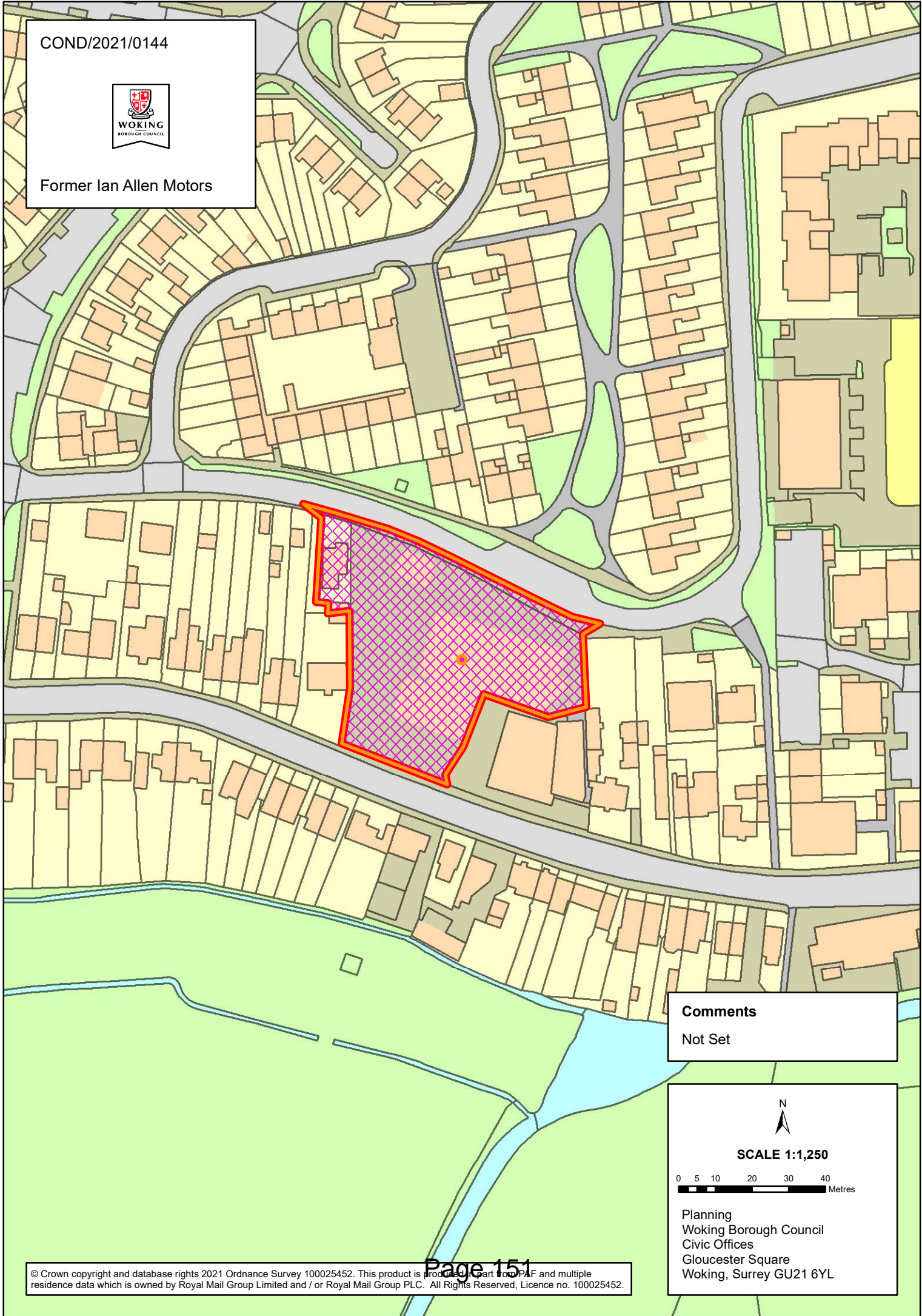
Approval of details pursuant to conditions 14(a-e incl.) (highways matters), 21 (remediation validation report), 24 (flood warning and management), 27 (SuDS maintenance and management), 28 (SuDS verification report) and 35 (screening to Hale Lodge from the roof terrace) of PLAN/2020/0304 dated 10.06.2020 (Erection of a 48 unit 'Independent Living' extra care housing scheme in a building ranging between 1 and 4 storeys in height (plus rooftop plant enclosures), comprising 45 x 1 bed units and 3 x 2 bed units, with communal kitchen, living room, dining room and salon facilities, mobility scooter charging ports, staff break out areas and offices, and associated bin storage, access, x25 parking spaces and landscaping. Associated demolition of dwelling at Copthorne, Priors Croft).



COND/2021/0144



Former Ian Allen Motors



Comments
Not Set

N
SCALE 1:1,250
0 5 10 20 30 40 Metres

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Gloucester Square
Woking, Surrey GU21 6YL

RECOMMENDATION

Approve details submitted pursuant to:

- Condition 14 - Sustainable transport matters and
- Condition 35 - Screening to Hale Lodge from the roof terrace

and

Delegate powers to the Development Manager (and, in their absence, to the Deputy Development Manager) to approve details pursuant to the following conditions, subject to a positive consultation response first being received from the relevant WBC technical consultee (stated in brackets):

- Condition 21 - Remediation validation report (Contaminated Land Officer);
- Condition 24 - Flood warning and management (Drainage & Flood Risk Team);
- Condition 27 - SuDS maintenance and management (Drainage & Flood Risk Team); and
- Condition 28 - SuDS verification report (Drainage & Flood Risk Team).

SITE DESCRIPTION

The site is situated in the Urban Area, between High Street and Priors Croft in Old Woking and comprises the former Ian Allan Motors site and the former adjacent dwelling of Copthorne (both since demolished). Site works are nearing completion to construct the permitted x48 unit 'Independent Living' extra care housing scheme in a building ranging between 1 and 4 storeys in height (plus rooftop plant enclosures) with associated access, x25 parking spaces and landscaping.

PLANNING HISTORY

The most relevant planning history for this application is as follows:

COND/2021/0058 - Approval of details pursuant to conditions 17 (plant equipment noise), 18 (ventilation odour control), 19 (external lighting) and 32 (photovoltaic panels) of PLAN/2020/0304.

Details approved pursuant to conditions (30.06.2021)

AMEND/2021/0017 - Non-material amendment to PLAN/2020/0304.

Non-material amendment permitted (05.07.2021)

COND/2020/0121 - Approval of details pursuant to conditions 04 (External materials), 05 (Landscaping), 07 (Biodiversity enhancement), 16 (Acoustic design), 19 (External lighting), 30 (Water efficiency), 32 (Photovoltaic details) and 37 (Aerials etc) of PLAN/2020/0304.

Split decision (06.11.2020)

(Officer Note: Details pursuant to conditions 04, 05, 07, 16 and 30 were approved. Details pursuant to conditions 19 and 32 were not approved)

AMEND/2020/0049 - Non-material amendment to PLAN/2020/0304.

Non-material amendment permitted (09.10.2020)

COND/2020/0078 - Approval of details pursuant to conditions 12 (CTMP), 23 (Boundary wall void opening details) and 26 (Surface water construction drawings etc) of PLAN/2020/0304.

Details approved pursuant to conditions 12, 23 and 26 (29.07.2020)

7 SEPTEMBER 2021 PLANNING COMMITTEE

PLAN/2020/0304 - Erection of a 48 unit 'Independent Living' extra care housing scheme in a building ranging between 1 and 4 storeys in height (plus rooftop plant enclosures), comprising 45 x 1 bed units and 3 x 2 bed units, with communal kitchen, living room, dining room and salon facilities, mobility scooter charging ports, staff break out areas and offices, and associated bin storage, access, x25 parking spaces and landscaping. Associated demolition of dwelling at Copthorne, Priors Croft. Permitted subject to conditions and Chief Executive Undertaking (10.06.2020)

CONSULTATIONS

County Highway Authority (CHA) (Surrey County Council): Having looked at the details submitted to discharge Condition 14 a-e, the Highway Authority are satisfied that this can be discharged.

Drainage & Flood Risk Team (WBC): Consultation response(s) awaited; any response(s) received prior will be reported at Planning Committee.

Contaminated Land Officer (WBC): I have reviewed the CPL ground gas verification report G200801 11/4/21. The independent verifier was R Carter whom is a CL:AIRE qualified person. One visit revealed failures due to tears etc (ref. G200801) these were noted to have been repaired on the following visit (Ref. 200801-004). I believe that some limited soft landscaping is still to be verified and therefore on a PARTIAL discharge of 21 of PLAN/2020/0304 is recommended at the present time. The applicant will need to submit evidence that suitable soils were used in the soft landscape areas.

REPRESENTATIONS

As this application seeks the approval of details pursuant to conditions attached to a planning permission there is no statutory requirement for neighbour notification.

RELEVANT PLANNING POLICIES

National Planning Policy Framework (NPPF) (20 July 2021):

Section 9 - Promoting sustainable transport

Section 14 - Meeting the challenge of climate change, flooding and coastal change

Section 15 - Conserving and enhancing the natural environment

Woking Core Strategy (2012):

CS9 - Flooding and water management

CS16 - Infrastructure delivery

CS18 - Transport and accessibility

CS21 - Design

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

DM8 - Land contamination and hazards

Supplementary Planning Documents (SPD's):

Design (2015)

Outlook, Amenity, Privacy and Daylight (2008)

Parking Standards (2018)

PLANNING ISSUES

01. The only issue to consider is whether the details submitted are considered acceptable to comply with the requirements of the stated planning conditions.

Condition 14 (a-e incl.) - Sustainable transport matters:

02. The purpose of condition 14 is to secure details of:
- (a) The secure, covered parking of a minimum of 14 bicycles within the development site;
 - (b) Facilities within the development site for cyclists to change into and out of cyclist equipment/shower;
 - (c) Facilities within the development site for cyclists to store cyclist equipment;
 - (d) The improvement of the bus stops located outside the Crown and Anchor Pub; and
 - (e) Information to be provided to residents / staff / visitors regarding the availability of and whereabouts of local public transport / walking / cycling / car sharing clubs / car clubs

and their ongoing retention in accordance with details as may be approved. The reason for condition 14 is to encourage modes of travel other than the private car. This condition was recommended by the County Highway Authority (CHA) (Surrey County Council) in their consultation response to the planning application.

03. The details submitted pursuant to condition 14(a) (cycle parking) include a proposed site plan and a hard and soft landscape GA (general arrangement) plan (ground floor level), both of which show the provision of a cycle shelter location within the north of the site (close to Priors Croft). Detailed plans and elevations of this cycle shelter have also been submitted showing that it would provide a roof (i.e. is covered) and x7 cycle stands, thus providing x14 secure cycle spaces (i.e. x2 cycles per stand).

04. The details submitted pursuant to both condition 14(b) and (c) (facilities for cyclists to change into and out of cyclist equipment/shower and for cyclists to store cyclist equipment) include room data sheets of the following relevant rooms:

- 0021.0 - Care Lobby;
- 0021.2 - Care WC/Shower;
- 0021.3 - Care Staff Office;
- 0040.0 - Staff Room; and
- 0040.1 - Staff WC/Shower

and interior views of the following rooms:

- Staff Room; and
- Care Facility.

05. It is clear from the submitted details that facilities provided internally within the preceding relevant rooms within the development, including shower rooms and lockers, will be available for cyclists to change into and out of cyclist equipment/shower and for cyclists to store cyclist equipment.

06. The details submitted pursuant to condition 14(d) (bus stop improvements)

7 SEPTEMBER 2021 PLANNING COMMITTEE

include details of works to be undertaken to improve the 'Crown and Anchor' bus stops, located along High Street to the east (i.e. the closest bus stops to the site). The eastbound stop (on the northern side of the High Street carriageway) would be provided with a longer 'bus stop' road marking (to deter on-street parking in the vicinity of the stop) and new kerbing to allow for mobility access (together with footway resurfacing). The initially envisaged bus stop benches are no longer proposed because a Stage 2 Road Safety Audit concluded that "*pedestrians, especially the visually impaired, using the footway and passing the bus stops, may not observe the proposed benches and be at risk of walking into / conflict with the benches, as they are unlikely to be conspicuous, especially in dark conditions*".

07. The details submitted pursuant to condition 14(e) (information to be provided to residents / staff / visitors regarding the availability of and whereabouts of local public transport / walking / cycling / car sharing clubs / car clubs) is a 4pp leaflet titled 'In and Around Hale End Court: Local Transport Options & Amenities'; this leaflet contains contact details for the Bustler bus dial-a-ride service, local bus stops and bus routes, local taxi company contact details and local day-to-day amenities including a Sainsbury's supermarket, McColl's newsagent and local doctors surgeries. Details of the local 'Planet Trails' cycle routes are included, as are contact details for Enterprise car club (which has car club cars based in Woking Town Centre). A plan of the on-site parking facilities is also included, setting out the location of cycle parking, electric vehicle (EV) charging bays, disabled parking bays and standard parking bays.
08. The County Highway Authority (CHA) (Surrey County Council) are satisfied with the details submitted pursuant to condition 14. Overall the submitted details are considered to comply with the requirements of condition 14 of PLAN/2020/0304.

Condition 21 - Remediation validation report:

09. The purpose of condition 21 is to secure evidence to demonstrate that the residential building and soft landscaping area(s) are suitable for use (in respect of mitigation from contaminated land/ground gases). This condition was recommended by the Council's Contaminated Land Officer in their consultation response to the planning application. In respect of the permitted development contaminated land/ground gas protection measures to the residential building consist of the RC (reinforced concrete) slab and a gas resistant membrane. The details submitted in respect of the residential building are a ground gas protection validation report, which sets out a record of independent inspection, by a suitably qualified and experienced person, of the ground gas protection measures undertaken/installed at the site, including photographic evidence of their installation. Data sheets and technical drawings of the relevant ground gas protection measures installed/undertaken are also included within the report.
10. The Council's Contaminated Land Officer comments that "*I have reviewed the CPL ground gas verification report G200801 11/4/21. The independent verifier was R Carter whom is a CL:AIRE qualified person. One visit revealed failures due to tears etc (ref. G200801) these were noted to have been repaired on the following visit (Ref. 200801-004). I believe that some limited soft landscaping is still to be verified and therefore on a PARTIAL discharge of 21 of PLAN/2020/0304 is recommended at the present time. The applicant will need to submit evidence that suitable soils were used in the soft landscape areas.*"

7 SEPTEMBER 2021 PLANNING COMMITTEE

11. Due to the timing of on-site works the soft landscaping area(s) have, at the time of this report, not yet been completed and thus soils to these areas cannot yet be verified; details in that respect have therefore yet to be submitted to the Local Planning Authority. The Planning Committee is therefore requested to delegate powers for the approval of details pursuant to condition 21 to the Development Manager (and, in their absence, to the Deputy Development Manager), subject to a positive consultation response first being received from the Council's Contaminated Land Officer. In the event that the outstanding details are submitted to the Local Planning Authority, and are able to be reviewed by the Council's Contaminated Land Officer prior to 7 September, an update will be provided at Planning Committee.

Condition 24 - Flood warning and management:

12. The purpose of condition 24 is to secure a detailed flood warning and management strategy for the occupants of the development. This condition was recommended by the Council's Drainage & Flood Risk team in their consultation response to the planning application. As of the preparation of this report details pursuant to condition 24 are yet to be submitted to the Local Planning Authority. The Planning Committee is therefore requested to delegate powers for the approval of details pursuant to condition 24 to the Development Manager (and, in their absence, to the Deputy Development Manager), subject to a positive consultation response first being received from the Council's Drainage & Flood Risk Team. In the event that the outstanding details are submitted to the Local Planning Authority, and are able to be reviewed by the Council's Drainage & Flood Risk Team prior to 7 September, an update will be provided at Planning Committee.

Condition 27 - SuDS maintenance and management:

13. The purpose of condition 27 is to secure a SuDS (sustainable drainage) maintenance and management plan, including ongoing inspection, management and maintenance of the SuDS, in accordance with the plan. This condition was recommended by the Council's Drainage & Flood Risk team in their consultation response to the planning application.
14. The details submitted consist of a drainage maintenance plan, which sets out general maintenance requirements, operation and maintenance requirements for pervious hardstanding, operation and maintenance requirements for attenuation tanks, operation and maintenance requirements for flow controls, a maintenance schedule for the green roofs and a blank SuDS maintenance log template to be used to record monitoring and maintenance activities.
15. As of the preparation of this report a consultation response from the Council's Drainage & Flood Risk Team is awaited; the Planning Committee is therefore requested to delegate powers for the approval of details pursuant to condition 27 to the Development Manager (and, in their absence, to the Deputy Development Manager), subject to a positive consultation response first being received from the Council's Drainage & Flood Risk Team. In the event that the Council's Drainage & Flood Risk Team provide a consultation response prior to 7 September, an update will be provided at Planning Committee.

7 SEPTEMBER 2021 PLANNING COMMITTEE

Condition 28 - SuDS verification report:

16. The purpose of condition 28 is to secure a SuDS (sustainable drainage) verification report to demonstrate that the approved SuDS construction details and specifications have been implemented in accordance with the approved SuDS scheme. This condition was recommended by the Council's Drainage & Flood Risk team in their consultation response to the planning application.
17. The details submitted consist of a sustainable drainage verification report which states that the surface water drainage scheme has been installed in accordance with the approved design information, with this being demonstrated through construction phase photographs provided within the report. The report also identifies that the connections to the surface water sewer in Priors Croft have been completed successfully and the Thames Water completion certificates are provided within the report. Data sheets for pertinent elements of the SuDS scheme are provided within the report and an updated MicroDrainage Windes output is provided to demonstrate that the installed vortex flow controls comply with the design information approved under ref: COND/2020/0078. Data sheets for the installed green roofs are also provided within the report.
18. As of the preparation of this report a consultation response from the Council's Drainage & Flood Risk Team is awaited; the Planning Committee is therefore requested to delegate powers for the approval of details pursuant to condition 28 to the Development Manager (and, in their absence, to the Deputy Development Manager), subject to a positive consultation response first being received from the Council's Drainage & Flood Risk Team. In the event that the Council's Drainage & Flood Risk Team provide a consultation response prior to 7 September, an update will be provided at Planning Committee.

Condition 35 - Screening to Hale Lodge from the roof terrace:

19. The purpose of condition 35 is to secure details, and implementation and permanent retention, of screening of the first floor level roof terrace and roof terrace escape stair to Hale Lodge (No.61 High Street).
20. The details submitted are landscape drawings which show that three raised planters (ref: PL4) would be positioned along the closest (western) edge of the parapet of the first floor roof terrace; the positioning of these raised planters would prevent users of the roof terrace from sitting/standing close to the parapet (i.e. the roof edge), and thus prevent more 'downward' views towards Hale Lodge. The three planters would all be backed with an integrated timber trellis, up to 1.8m in height above the finished floor level of the roof terrace, which would be planted with climbing plants (Clematis fragrant oberon 'Hutbron' - evergreen but fully hardy) in order to filter views towards Hale Lodge. The external escape stair from the first floor roof terrace would only be used in an emergency situation, and therefore users of the roof terrace would not have non-emergency access to the stair nor would they 'linger' on the stair whilst using it. The screen to the escape stair (diamond ferruled stainless steel rope) would act as planting support; Late Dutch honeysuckle (deciduous), Henry's honeysuckle and Clematis 'Apple Blossom' (both evergreen) would be trained to climb up the stair screen / planting support with the diamond ferruled nature of the steel rope providing space for the developing shoots and facilitating

7 SEPTEMBER 2021 PLANNING COMMITTEE

twining of plants around the rope.

21. Overall the submitted details are considered to be visually acceptable and to safeguard adjoining Hale Lodge from significant harmful impact by reason of potential loss of privacy due to the first floor roof terrace and associated escape stair; the submitted details therefore comply with the requirements of condition 35 of PLAN/2020/0304.

CONCLUSION

22. The details submitted pursuant to conditions 14 and 35 are considered acceptable and would meet the requirements of the respective conditions. Subject to positive consultation responses being received from the Council's Contaminated Land Officer and Drainage & Flood Risk Team the details submitted pursuant to conditions 21, 24, 27 and 28 would be acceptable and would meet the requirements of the respective conditions. Subject to the preceding provisions the submitted details would comply with Policies CS9, CS16, CS18 and CS21 of the Woking Core Strategy (2012), Policy DM8 of the Development Management Policies DPD (2016), SPD's Design (2015), Outlook, Amenity, Privacy and Daylight (2008) and Parking Standards (2018) and Sections 9, 14 and 15 of the NPPF (2021):

BACKGROUND PAPERS

Consultation response from County Highway Authority (CHA) (Surrey County Council)

Consultation response from Contaminated Land Officer (WBC)

RECOMMENDATION

It is recommended that the details submitted are **approved** as follows:

Condition 14 - Sustainable transport matters:

Detail(s) approved are:

- OWIL01-HNW-ZZ-ZZ-DR-A-2100 Rev P15 (Site Plan As Proposed), dated 13.03.2020
- OWIL01-LLD-V4-00-DR-L-0100 Rev P22 (Hard and Soft Landscape GA Ground Floor Plan), dated 17.03.21
- OWIL01-LLD-ZZ-00-DR-L-0310 Rev P01 (Cycle Shelter), dated 19.06.20
- OWIL01-HNW-ZZ-00-DR-A-3562 Rev C00 (Interior View - Staff Room), dated 18.06.2021
- OWIL01-HNW-ZZ-00-DR-A-3563 Rev C00 (Interior View - Care Facility), dated 18.06.2021
- OWIL01-HNW-ZZ-00-DR-A-4147 Rev C03 (Room Data Sheet - 0021.0 - Care Lobby), dated 18.06.2021
- OWIL01-HNW-ZZ-00-DR-A-4148 Rev C01 (Room Data Sheet - 0021.2 Care WC/Shower), dated 30.04.2021
- OWIL01-HNW-ZZ-00-DR-A-4149 Rev C03 (Room Data Sheet - Care Staff Office), dated 18.06.2021
- OWIL01-HNW-ZZ-00-DR-A-4160 Rev C04 (Room Data Sheet - 0040.0 - Staff Room), dated 18.06.2021
- OWIL01-HNW-ZZ-00-DR-A-4161 Rev C02 (Room Data Sheet - 0040.1 - Staff WC/Shower), dated 16.06.2021
- OWIL01-RGP-XX-XX-DR-D-0259 Rev P03 (Highway Works Bus Stop

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- Alteration Works), dated 12.02.21
- OWIL01-RGP-XX-XX-DR-D-0261 Rev P01 (Highway Works Bus Stop - Proposed Contours), dated 08.06.21
- In and Around Hale End Court: Local Transport Options & Amenities (4pp) (all rec'd by LPA 21.07.2021)

Condition 35 - Screening to Hale Lodge from the roof terrace:

Detail(s) approved are:

- OWIL01-LLD-V4-01-DR-L-0101 Rev P13 (Hard and Soft Landscape GA First Floor Roof Area), dated 12.07.20 (rec'd by LPA 21.07.21)
- OWIL01-LLD-V4-00-DR-L-020 Rev P02 (Roof Terrace Screening), dated 02.08.21 (rec'd by LPA 18.08.21)

It is also recommended that the Planning Committee:

Delegate powers to the Development Manager (and, in their absence, to the Deputy Development Manager) to approve details pursuant to the following conditions, subject to a positive consultation response first being received from the relevant WBC technical consultee (stated in brackets):

- Condition 21 - Remediation validation report (Contaminated Land Officer);
- Condition 24 - Flood warning and management (Drainage & Flood Risk Team);
- Condition 27 - SuDS maintenance and management (Drainage & Flood Risk Team); and
- Condition 28 - SuDS verification report (Drainage & Flood Risk Team).

