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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, 26 September 2017 at 7.00 pm in the Council Chamber - Civic Offices.

The agenda for the meeting is set out below.

RAY MORGAN
Chief Executive

NOTE: Filming Council Meetings

Please note the meeting will be filmed and will be broadcast live and subsequently as an archive on the Council's website (www.woking.gov.uk). 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 5th September 2017 as published.

2. Apologies for Absence

3. Declarations of Interest

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

4. Urgent Business

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

Matters for Determination

5. Planning and Enforcement Appeals (Pages 1 - 2)
Reporting Person – Peter Bryant

6. Planning Applications

Section A - Applications for Public Speaking

6a. 2017/0128 Land North of Old Woking Road & East of Station Approach, West Byfleet (Pages 5 - 98)

6b. 2016/0834 7 York Road, Woking (Pages 99 - 120)

Section B - Application reports to be introduced by Officers

6c. 2017/0139 The Old Brew House, 130-132 High Street, Old Woking (Pages 123 - 138)

6d. 2016/0990 Globe House, Lavender Park Road, West Byfleet (Pages 139 - 166)

6e. 2016/1235 3Js Nursery, Smarts Heath Road, Woking (Pages 167 - 188)

6f. 2017/0831 Birch and Pines Public House, 22 Dartmouth Avenue, Sheerwater (Pages 189 - 200)

6g. 2017/0447 Shey Copse Riding Stables, Shey Copse, Woking (Pages 201 - 212)

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

6h. 2017/0663 48 Cavell Way, Knaphill (Pages 215 - 222)

AGENDA ENDS

Date Published - 18 September 2017

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 AND ENFORCEMENT APPEALS

Recommendation

The Committee is requested to:

RESOLVE:

That the report be noted.

The Committee has authority to determine the above recommendation.

Background Papers:

Planning Inspectorate Reports

Reporting Person:

Peter Bryant, Head of Legal and Democratic Services

Date Published:

21 September 2017

APPEALS LODGED

2017/0373

Application for a two storey side and rear extension at 23 Elveden Close, Woking.

Refused by Delegated Powers
1 June 2017
Appeal Lodged
13 September 2017.

2017/0296

Application for the erection of a first floor side extension and a first floor rear extension at 7 Westfield Road, Woking.

Refused by Delegated Powers
12 May 2017.
Appeal Lodged
13 September 2017.

2017/0473

Application for the erection of single storey rear extension and front/side extension. Conversion of detached garage to create detached annexe (amended description) at 8 Elm tree Close, Byfleet.

Refused by Delegated Power
14 July 2017.
Appeal Lodged
13 September 2017.

APPEAL DECISIONS

2017/0252

Application for the erection of a first floor front extension to create a front gable, erection of a rear dormer and insertion of roof lights in existing side elevations at 46 Greenmeads, Mayford, Woking.

Refused by Delegated Powers
16 May 2017
Appeal Lodged
26 July 2017.
Appeal allowed and planning
permission granted
31 August 2017.

2016/1409

Application for Erection of a detached single garage at 13 Queendale Court, Woking.

Refused by Delegated Powers
6 March 2017
Appeal Lodged
21 June 2017
Appeal dismissed
31 August 2017.

16/1452

Application for erection of a two-bedroom bungalow and realignment of a small portion of private road on Land to the rear of Sussex Court, High Street, Knaphill Woking.

Refused by Delegated Powers
14 February 2017
Appeal lodged
30 May 2017.
Appeal allowed and planning
permission granted
5 September 2017.

REPORT ENDS

SECTION A

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

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

Land to the North of Old Woking Road and East of Station Approach

PLAN/2017/0128

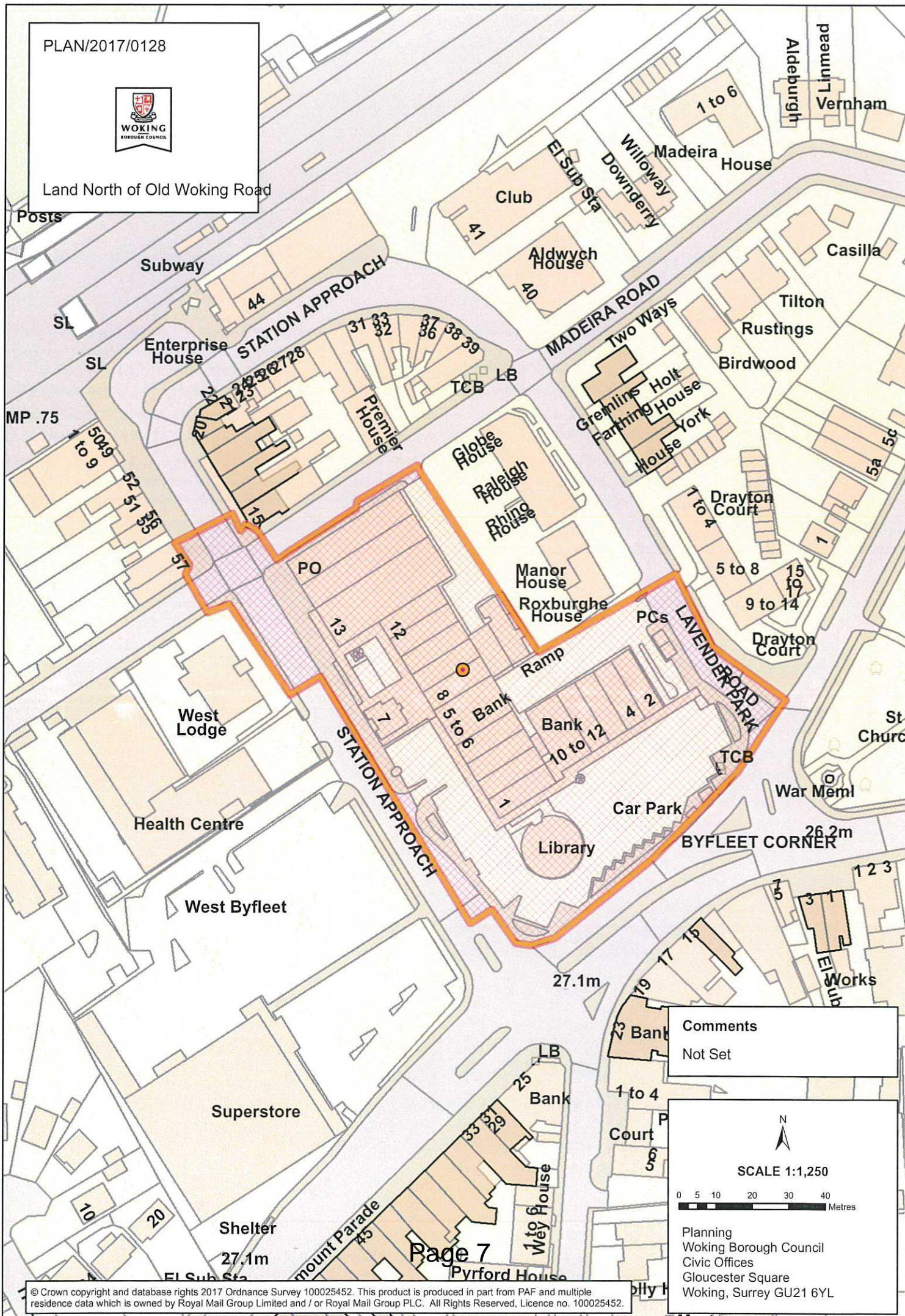
Outline planning application (all matters reserved except for access) for demolition of all buildings on the site and retail and leisure led mixed use redevelopment comprising up to 5,000 sqm GIA of retail and leisure uses (Use Classes A1/A2/A3/A4/A5), up to 2,000 sqm GIA of commercial use (Use Class B1a), up to 20,500sq m GIA residential (or maximum of 255 units) (Use Class C2/C3 or C3), up to 300 sqm GIA of community use (Use Class D1), together with the provision of basement space, car and cycle parking, highway works, public realm improvements and associated works (amended plans relating to north-west corner of Building B1).



PLAN/2017/0128



Land North of Old Woking Road

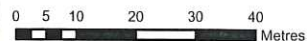


Comments

Not Set



SCALE 1:1,250



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

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5a 17/0128 Reg'd: 09.02.17 Expires: 26.10.17 Ward: BWB
Nei. 29.06.17 BVPI Largescale Number > 16 On Ext.
Con. 29.06.17 BVPI Largescale Number > 16 On Ext.
Exp: Target Major (06) of Weeks Target? of
Day: on Cttee' time

LOCATION: Land North of Old Woking Road & East of Station Approach,
West Byfleet, Woking, KT14 6NG

PROPOSAL: Outline planning application (all matters reserved except for access) for demolition of all buildings on the site and retail and leisure led mixed use redevelopment comprising up to 5,000 sqm GIA of retail and leisure uses (Use Classes A1/A2/A3/A4/A5), up to 2,000 sqm GIA of commercial use (Use Class B1a), up to 20,500sq m GIA residential (or maximum of 255 units) (Use Class C2/C3 or C3), up to 300 sqm GIA of community use (Use Class D1), together with the provision of basement space, car and cycle parking, highway works, public realm improvements and associated works (amended plans relating to north-west corner of Building B1).

TYPE: Outline Application

APPLICANT: Prime Finance (West Byfleet) S.a.r.l. **OFFICER:** Benjamin Bailey

ENVIRONMENTAL IMPACT ASSESSMENT

The application is supported by an Environmental Statement (ES). The ES has been prepared pursuant to The Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011. The ES has had regard to aspects of the environment likely to be affected by the proposed development and includes an assessment of the likely extent and significance of the potential environmental effects.

REASON FOR REFERRAL TO COMMITTEE

The proposal is for 'Major' development which falls outside the Management Arrangements and Scheme of Delegations.

SUMMARY OF PROPOSED DEVELOPMENT

Outline planning application (all matters reserved except for access) for demolition of all buildings on the site and retail and leisure led mixed use redevelopment comprising up to 5,000 sqm GIA of retail and leisure uses (Use Classes A1/A2/A3/A4/A5), up to 2,000 sqm GIA of commercial use (Use Class B1a), up to 20,500sq m GIA residential (or maximum of 255 units) (Use Class C2/C3 or C3), up to 300 sqm GIA of community use (Use Class D1), together with the provision of basement space, car and cycle parking, highway works, public realm improvements and associated works (amended plans relating to north-west corner of Building B1).

Whilst the application is in Outline the Parameter Plans submitted provide the framework within which future detailed design can be brought forward. Along with the Design Code the Parameter Plans form a 'control' document, which any future Reserved Matters applications

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would need to comply with.

Whilst access is the only matter for which approval is sought at this stage, given the nature of the site and its key location within the centre of the designated West Byfleet District Centre, the Outline application is supported by a high level of design work.

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

Based on the parameter plans an illustrative scheme has been submitted to demonstrate how development could be brought forward in accordance with the established design parameters. The design & access statement and landscape & public realm strategy provide further detail and background information regarding the context of the illustrative scheme and design development.

The parameter plans are based on a fixed highways arrangement as set out in the technical highways drawings submitted for approval. This includes vehicular access to the site, the laybys around the site, the raised bed at the junction of Madeira Road and Station Approach, and pedestrian access.

Site Area: 0.9989 ha (9,989 sq.m)

Proposed density (C3): 208 – 255 dph (dwellings per hectare)

Existing Site

Land Use	Existing floorspace (sq.m)	To be demolished
Commercial (B1(a))	3,200	3,200
Retail (A1)	3,200 (18 units)	3,200 (18 units)
Library (D1)	170	170

Proposed Site

Land Use	Minimum Parameter (sq.m)	Maximum Parameter (sq.m)	Illustrative Scheme (sq.m)
Residential (C3) (*)	16,700 (or 208 units)	20,500 (or 255 units)	16,700 (208 units)
Retirement / Extra Care (C2/C3 Use)	0	10,250 (**)	0
Retail / Restaurants (A1 – A5 Uses)	3,000	5,000	4,080
Commercial (B1(a))	145	2,000	200
Community Use (D1)	200	300	200
Basement	6,000	8,000	6,700
Total floorspace (excluding basement)	20,045	27,800	21,180
Car Parking (no. of spaces)	190 spaces	247 spaces	214 spaces

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(***)		
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Please Note

All areas GIA

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

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

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

Net losses/gains

Land Use	Existing floorspace (sq.m)	Parameters (sq.m)	Net losses/gains (sq.m)
Residential (C3)	0	16,700 to 20,500	+ 16,700 to + 20,500
Retirement / Extra Care (C2 / C3)	0	0 to 10,250	0 to + 10,250
Retail / Restaurants (Classes A1 – A5)	3,200 (All Class A1)	3,000 to 5,000	- 200 to + 1,800
Commercial (B1(a))	3,200	145 to 2,000	- 3,055 to - 1,200
Community Use (D1)	170	200 to 300	+ 30 to + 130
Total floorspace	6,570	20,045 to 27,800	+ 13,475 to + 21,230
Car parking	155	190 to 247	+ 35 to + 92

PLANNING STATUS

- Urban Area
- District Centre (West Byfleet)
- Primary Shopping Area (Partial)
- Adjacent to Conservation Area (Station Approach)
- Adjacent to Conservation Area (Byfleet Corner/Rosemount Parade)
- Proximity of Statutory Listed Building (Church of St John the Baptist - Grade II)
- Adjacent to Area of High Archaeological Potential
- Flood Zone 1
- Thames Basin Heaths Special Protection Area (TBH SPA) Zone B (400m-5km)

RECOMMENDATION

1. **GRANT** subject to conditions and Section 106 Legal Agreement.
2. In the event that the West Byfleet Neighbourhood Development Plan (2017 - 2027) passes referendum, and is adopted by the Council prior to the completion of the Section 106 Legal Agreement, the Development Manager (or designated deputy) be delegated authority to determine whether the adoption materially alters the consideration of the application and consequently the recommendation and either issue the decision or refer the application back to the Planning Committee accordingly.

SITE DESCRIPTION

The application site measures 9,989sqm (0.998ha) and is centrally located within West Byfleet, between the West Byfleet railway station approximately 100 metres to the north, and Old Woking Road adjoining the southern boundary. Owing to its central location, the site forms the main shopping area of the District Centre, currently comprising 18 existing retail units (including a mix of shops such as a bank, cafe and convenience store), a library, and a surface level public car park, both of which front Old Woking Road. The site also contains Sheer House, a vacant seven-storey office building which is served by a decked car parking area accessed/egressed via a ramp from Lavender Park Road. Both Sheer House, and the ground floor 'L' shaped single storey building, originate from the 1960s having been constructed using a reinforced concrete frame. Vehicular access to the surface level public car park is currently achieved from Lavender Park Road with vehicular egress onto Station Approach. A further 'service' vehicular access/egress exists onto Madeira Road. The application site itself does not contain any heritage assets and falls wholly within Flood Zone 1.

The surrounding area is of a mixed character: to the north and west is land in retail and employment use, with residential buildings located immediately adjacent to, and beyond the site, to the east. A Waitrose supermarket and local health centre are adjacent to the western site boundary, which are both accessed via Station Approach, whilst to the east (off Camphill Road) are the Grade II Statutory Listed Church of St John the Baptist and the West Byfleet Recreation Ground.

Two Conservation Areas are located adjacent to the site. The Station Approach Conservation Area is located to the north-west and the Byfleet Corner / Rosemount Parade Conservation Area to the south-east. Both comprise a mix of uses with predominantly retail on the ground floor with residential and/or office on the first/second floors. The site itself is located outside of both designated Conservation Areas.

RELEVANT PLANNING HISTORY

The site has a long and complex planning history. The following applications are the most relevant to the consideration of the current application:

PLAN/2014/0606 - Proposed two storey residential extension over Block N (Londis) comprising of 8 x 2 bedroom apartments and 4 x 1 bedroom apartments (8 affordable housing units).

Resolution to grant subject to completion of legal agreement – legal agreement not completed

PLAN/2014/0020 - Proposed three storey residential extension over car park (South Block) comprising of 2 x 3 bedroom apartments 13 x 2 bedroom apartments and 5 x 1 bedroom apartments (total 20 units, 1368 sq. m.)

Refused (25.04.2014) for the following reasons:

01. The proposed development, by reason of its design, appearance, scale, bulk and massing would form an incongruous and unattractive addition to the street scene and skyline of West Byfleet District Centre; and be harmful to the character and appearance of the townscape and street scene contrary to Chapters 7 and 12 of the NPPF and policies CS3, CS21 and CS24 of the Woking Core Strategy 2012.

02. In the absence of a S106 agreement or Unilateral Undertaking to secure a financial contribution towards affordable housing, highways improvements and SPA mitigation, the proposal would be contrary to policies CS8, CS12, CS16 and CS18 of

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the Woking Core Strategy 2012; and chapter 6- 'Delivering a wide choice of high quality homes' of the National Planning Policy Framework 2012.

PLAN/2013/0552 - Proposed conversion of existing office building into residential comprising 25No 1-bed units and 15No 2-bed units.
Prior Approval Approved (31.07.2013)

(Officer Note: Condition 10 of the original planning permission granted on 5 April 1962 (Ref: WOK/1410) restricted the use of the building to office only. The change of use could therefore not be implemented)

PLAN/2013/0026 - Outline application (with all matters reserved) for the refurbishment and part redevelopment of Sheer House and adjoining retail centre including; a four storey extension above the southern car park to provide thirty one (x31) 1, 2, and 3 bedroom residential units; a two storey roof extension to Sheer House to provide ten (x10) 1 & 2 bedroom units; a two-storey roof extension above 13-14 Station Approach to provide twelve (x12) 1 & 2 bedroom units; refurbishment of the Station Approach entrance and public courtyard, with improved access to first floor level; and refurbishment of the main Sheer House entrance and foyer. Other external alterations include overcladding/render of all facades of the buildings; removal of high-level walkways; removal of public toilets; and refurbishment/replacement of rooftop balustrades.
Refused (08.05.2013) & Dismissed at appeal (29.01.2014)

CONSULTATIONS

Statutory Consultees:

Natural England (Initial):

This application is within 5 km of the Thames Basin Heaths Special Protection Area (SPA). There is an Avoidance Strategy for the Thames Basin Heaths SPA in place with Woking Borough Council. We will assume that the proposals are meeting the requirement of that plan (e.g. in terms of mitigation, such as contributions to Suitable Alternative Natural Greenspace (SANG) and Strategic Access Management and Monitoring (SAMM)) and the legislation around protected species has also been addressed. If the applicant is complying with this Strategy, then Natural England do not object to this application. It is our understanding that the developer is likely to make these contributions to the Horsell Common or Heather Farm SANGs, which must be secured through a legal agreement prior to granting consent. This is on the understanding that the development site is within a relevant catchment area to facilitate this development, as outlined in page 8 of the Thames Basin Heaths SPA Delivery Framework, and that there is currently sufficient capacity to facilitate the proposed dwellings.

We would expect the Local Planning Authority (LPA) to assess and consider the other possible impacts resulting from this proposal on the following when determining this application:

- local sites (biodiversity and geodiversity)
- local landscape character
- local or national biodiversity priority habitats and species

Natural England does not hold locally specific information relating to the above. These remain material considerations in the determination of this planning application and we recommend that you seek further information from the appropriate bodies (which may include the local records centre, your local wildlife trust, local geoconservation group or other recording society and a local landscape characterisation document) in order to ensure

the LPA has sufficient information to fully understand the impact of the proposal before it determines the application.

Natural England (Second):

The advice provided in our previous response applies equally to this amendment although we made no objection to the original proposal. The proposed amendments to the original application are unlikely to have significantly different impacts on the natural environment than the original proposal.

Environment Agency (Initial):

We have no objections to the proposed development subject to conditions being imposed on any planning permission (conditions 21, 10 and 6 refer).

Environment Agency (Second):

No further comments received. Any comments received will be updated at Planning Committee.

County Highway Authority (CHA) (SCC) (Initial response):

Request that the Applicant considers the attached comments and provides an appropriate response and updated documentation (31no. comments).

County Highway Authority (CHA) (SCC) (Second response):

I have carried out an assessment of the submitted documents and can confirm I am satisfied with the contents submitted following my initial response and the updated Transport Assessment. As before I note that the Application is outline with all matters reserved except for access. Therefore in terms of this application, the CHA has not considered in detail:

- The provision of loading bays or the car club bay.
- The detail of any construction management plan.
- The provision of car parking on site and the management thereof.

The CHA will consider the detail of this as they arise in future planning applications. The CHA is satisfied with the accuracy of the likely trip rates associated with the proposed Development.

The CHA is satisfied with the accuracy of the modelling regarding the junctions between (i) Old Woking Road/and Old Woking Road/Camphill Road (ii) Madeira Road West/Station Approach South/Madeira Road East and (iii) Madeira Road/Station Approach/Lavender park Road.

Comments regarding mitigation, access, parking, construction management and provision of Car Club and Loading Bays.

Lead Local Flood Authority (LLFA) (SCC):

Subject to your (WBC) Flood Risk Engineer being satisfied with the proposal, we would have no further comments to make.

Thames Water Development Planning:

Following initial investigation, Thames Water has identified an inability of the existing waste water infrastructure to accommodate the needs of this application. Should the Local Planning Authority look to approve the application, Thames Water would like the following 'Grampian Style' condition imposed:

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“Development shall not commence until a drainage strategy detailing any on and/or off site drainage works, has been submitted to and approved by, the local planning authority in consultation with the sewerage undertaker”

Also recommend piling condition:

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.

Historic England (Initial):

Historic England has concerns regarding the application on heritage grounds. We consider that the issues and safeguards outlined in our advice need to be addressed in order for the application to meet the requirements of paragraphs 129, 132 and 137 of the NPPF.

Historic England (Second):

The amended proposals include alterations to Block B1 facing Station Approach. We highlighted some of our concerns with the design of this block in our earlier response of 27 March and advised that a more stepped profile might reduce the harmful impacts we identified to the Conservation Area. We think that the amendments as submitted do represent a modest improvement over the earlier iteration of the plans, aided by the greater ratio of solid wall to glazing.

We also previously suggested further ways in which other elements of the scheme could be amended to mitigate harmful impacts to Conservation Areas and listed buildings but note that these have not been addressed in the amendments. It is argued that this is because the quantum of development must remain broadly as proposed in order for the development to be viable. Historic England regrettably does not have the resources to scrutinise this assertion, and your council will need to assess whether you are satisfied that there are sufficient public benefits that weigh in favour of the scheme, which will cause some harm to designated heritage assets, even as amended (NPPF paragraphs 132 and 134).

Historic England does not wish to object to the application on heritage grounds and is content to defer to your authority to determine the proposals. In determining this application you should bear in mind the statutory duty of section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess and section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.

County Archaeologist (SCC):

The application site is large. Adjacent to the site is an area identified as an Area of High Archaeological Potential, due to recorded finds of Iron Age/Roman pottery and medieval agricultural finds. I am therefore pleased to note that the applicant has taken on board the archaeological considerations of the proposal and submitted an Archaeological Baseline Assessment, produced by RPS group. The baseline assessment provides a useful synthesis of the archaeological background of the vicinity. It has not identified any archaeological remains known to be present on the site, or any additional information to support the possibility of former occupation associated with the finds reported adjacent (and

subsequently made an Area of High Archaeological Potential). However it also shows there has been limited archaeological investigation conducted in the vicinity, and therefore the potential remains somewhat unknown.

The proposals, including a large basement area will clearly have a widespread impact, resulting in the destruction of any below ground remains, but from the available information I have been unable to determine the likelihood of surviving archaeological horizons existing below the current development. Given this, I recommend that further exploratory work needs to take place in order to determine the archaeological potential. In the first instance, I recommend an Archaeological Impact Assessment be produced (this should include the results of any geotechnical work undertaken), followed by archaeological trial trench evaluation if necessary.

Given that there is nothing to suggest that remains of a quality worthy of preservation in-situ will be present, and that there is likely to have been some negative impact during previous development, I do not recommend that it is necessary for the archaeological work to be undertaken in advance of any planning permission; but would recommend that securing the archaeological work as a condition of any planning permission is an acceptable and proportionate response. To ensure the required archaeological work is secured satisfactorily, the following condition is appropriate and I would recommend that it be attached to any planning permission that may be granted (condition 22 refers).

National Planning Casework Unit:

We acknowledge receipt of the Environmental Statement. We have no further comments to make.

Other consultees:

Drainage & Flood Risk Engineer (Initial):

Advised that the proposed flood risk and surface water management strategy is insufficient to meet the requirements of the NPPF and Policy CS9 of the Woking Core Strategy(2012).

Drainage & Flood Risk Engineer (Second):

Following a review of the updated drainage philosophy (23 February 2017), and The Drainage Design Philosophy (dated 27 January 2017), the current information submitted is compliant with Woking Borough Councils Core Strategy (2012) Policy CS9 and NPPF and the accompanying technical standards (April 2015). I therefore would recommend the application is approved on drainage and flood risk grounds subject to the following conditions (conditions 6, 7 and 8 refer).

Surrey Wildlife Trust, Ecological Planning Advisor:

We note the following report(s) have been submitted in support of the current application: 'Bat Survey' author RPS Group, dated July 2016; and 'Preliminary Ecology Appraisal' also author RPS Group, dated June 2016

The above reports appear appropriate in scope and methodology and have not identified active bat roosts within the building subject to the current planning application. We therefore advise that bats do not appear to present a constraint to the proposed development. The applicant should therefore be encouraged to incorporate bat roosting opportunities as integral design features within the built development.

This development offers some opportunities to restore or enhance biodiversity and such measures will assist the Local Authority in meeting the above obligation and also help offset any localised harm to biodiversity caused by the development process.

The Council needs to review the proposed development in line with the requirements of the Woking Borough Council Thames Basin Heaths Special Protection Area Avoidance Strategy and appropriate supporting documentation and tariffs. The Council should seek advice from Natural England to ensure that contribution to Suitable Alternative Natural Greenspace provision and Strategic Access Management and Monitoring payment is proposed, is appropriate and is adequately secured by planning obligation.

Environmental Health Service:

No adverse comments. Recommend conditions.

Scientific Officer:

Contamination documents submitted with the application demonstrate there has been a number of buildings and various uses of the site over the past 100 years. During this period buildings have been constructed and demolished and though asbestos materials and waste is now heavily regulated/controlled, there is the potential for asbestos within foundations and under the footprints of buildings, car parks and landscaped areas. There is also asbestos within the fabric of a number of buildings currently on site and whilst management surveys have been carried out, these are non-destructive surveys and unlikely to have identified all the potential asbestos and asbestos containing materials. There are also sites adjacent to the proposed development that had significant contaminative uses such as a former petrol station, which may have led to historic plumes of contamination and smear zones. An investigation in 2014 found contamination such as PAH, asbestos and lead. Given the above, pre-demo asbestos surveys will need to be carried out prior to demolition. Following demolition and site clearance soil can be exposed for further soil assessment to determine the presence of contamination but this can be dealt with via attaching our soil contamination condition (condition 21 refers).

Heritage & Conservation Consultant:

In general terms I support this outline application which has the potential to improve the area. I also agree with Historic England's comments. I consider some fine tuning regarding graded heights for some of the blocks nearest the existing shops, could be addressed during the detailed design and reserved matters stage. There will always have to be a balancing exercise which weighs slight harm with the greater public benefit. My comments have had special regard to the need to respect the setting of nearby listed buildings, my comments have afforded this aspect considerable weight.

Arboricultural Officer:

The proposed will require the removal of all the trees on site. Arboricultural information has been provided with details of these trees; the trees on site could not be retained as part of the proposed which is regrettable.

The new planting proposals outlined within the Landscape and Public Realm strategy are in principal acceptable and I believe will be a good long term solution to the landscape character of the area, providing large replacement specimens with adequate rooting environments will allow for quick establishment and maximise opportunities for good growth potential, this along with suitable species selection will enhance the area for generations to come. The large specimen planting proposed for the square will provide a significant focal point for the development.

There will be a requirement to provide details of underground structures (such as Silva cell) as all the tree planting is within hard surface areas, this should provide sufficient rooting volumes for the proposed trees to support them into maturity, the tree planting crates could help with drainage solutions.

Adjoining Authorities:

Runnymede Borough Council:

Runnymede Borough Council raise no objection to the proposed development, subject to the County Highway Authority being satisfied that there would be no harmful impacts on the highway network or highway safety from any additional vehicle trips using Camphill Road and Scotland Bridge Road.

Elmbridge Borough Council:

The proposed development is not considered to cause any unacceptable harm to the Borough of Elmbridge and accordingly no objection is raised.

Guildford Borough Council:

Guildford Borough Council has no comment to make on the application.

Full copies of all representations received are available on the electronic planning file, which is available to view online.

PUBLIC CONSULTATION

The application has been supported by a Statement of Community Involvement. It notes that the scheme has been subject of an ongoing consultation process including stakeholder consultation and two public exhibitions.

Prior to a more comprehensive public consultation, the applicant held a series of events in the Cornerstone Centre, West Byfleet on Thursday 4th February 2016 with key stakeholders, existing businesses of the District Centre and the local community.

Subsequently a fully staffed 'drop-in' public exhibition was held on Friday 13th May 2016:

- Invited key stakeholders between 13:00 and 14:00
- Local residents, businesses and interested parties between 14:00 and 20:00
- Prior notification by 3000 mailers, media coverage, letters and advertising of the exhibition ensured that it was well attended with over 350 people viewing the public exhibition.

The applicant comments that concerns and comments received during the consultation process have shaped the accompanying submission. By way of summary, some of the key changes include:

- Reduction in height of the 'marker' building
- Maximising the area of public realm
- Utilising basement car parking rather than above ground

It is considered that the proposal has been the result of a good public consultation process and the application submitted has evolved as a result of the consideration given by the applicant to the feedback of the public and other stakeholders as a result of the public consultation process.

COMMENTARY

Since initial submission the application has been the subject of two sets of amended plans.

The first set of amended plans stepped down the height of the north-west corner of Building B in order to reduce the impact of the proposed development upon the Station Approach

Conservation Area. Whilst this represented a reduction in the quantum of built development which was initially sought, taking account of the prominent siting of this corner it was considered necessary to undertake further public consultation on these amended plans, commencing on 5th June 2017. Amended plan neighbour letters were sent to all those addresses initially sent neighbour notification letters, and to all those who had submitted a representation on the application prior to 5th June. Additionally amended plans Site Notices and Press Notices were re-published for a period of 21 days.

The second set of amended plans reduced the bulk and mass of the north-east elevation of Building B in order to reduce the potential losses of daylight and sunlight to adjacent Globe House and Roxburghe House, both fronting Lavender Park Road. This represented a further reduction in the quantum of built development. Taking account of both the further reduction in the quantum of built development, and the location of the reduction to the subject elevation, which abuts the car parking areas of both Globe House and Roxburghe House, it was not considered necessary to undertake further public consultation on this second set of amended plans.

REPRESENTATIONS

Initial Submission representations

The below summarises the representations received during the public consultation following initial submission of the planning application. For clarity this is the period up to and including 4th June 2017.

x63 letters of objection (including from Cllr Bond and the Byfleet, West Byfleet and Pyrford Residents Association) have been received raising the following main points:

- Sheer House is a tarnish on West Byfleet and the need for redevelopment of the site is obvious
- Without redevelopment the centre of the village will continue to decline
- Out of character with the area
- Out of scale with the area
- High density
- At least two stories too tall
- Will overshadow existing residential properties
- Should not be compared to the redevelopment of Woking Town Centre; Woking is a large town and West Byfleet is a small village
- Buildings lack architectural quality
- Development is not driven by West Byfleet residents or their interests
- What happens to the existing library?
- Removes sunshine from balconies and patios from Lavender Road East
- Should be no higher than five stories
- Missed opportunity to 'pedestrianise' part of Station Approach
- Existing connections to green spaces are worsened
- West Byfleet needs more shops, cafes and bars
- Village atmosphere needs to be retained
- Commercial elements should only be single height - not double height
- Adverse impact upon traffic and parking along Madeira Road
- Would make sense to have a phased development
- Disruption during construction period likely to be 2.5 years
- Loss of library, post office, chemists
- Loss of existing public car park – no plans for parking during any build period
- No affordable housing
- Inadequate parking spaces for number of dwellings proposed

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- No allocation to replacement post office, library, chemists etc.
- No specification of how the “community space” will be used
- Likely congestion at entrance to car park
- Siting of delivery/loading bays will affect the flow of traffic
- Despite consultations the views of most people appear to have been ignored
- Impact upon Health Centre due to extra demand for services
- Local schools will be overwhelmed
- Don't want just big chain shops
- Loss of mature trees
- Housing need in the area is for family homes – not 1 and 2 bedroom flats
- No plan for keeping the shops open during any build period – loss of jobs
- Shops proposed have a much bigger footprint than current shops and there would be far fewer units
- Generation of noise
- Overlooking
- Existing pedestrian crossings at Byfleet corner are inadequate
- Broadoaks development would also add to traffic
- Loss of light
- Adverse impact upon listed St John's Church
- Adverse impact upon Conservation Areas
- Loss of office space which conflicts with Policy CS3
- Existing public car park is inadequate in size – proposal should increase level of public car parking
- Only 5 metres of pavement alongside a busy road; seems insufficient (Old Woking Road)
- Site will be dark and windy
- Will levels of sunlight to be achieved to the public square be meaningful?
- With this proposal, Sheerwater, Broadoaks and the Woodham New Town there is too much over-development of the local area
- Increased air pollution
- This is a major development for the village; 3 / 4 of the residents have not been told about this planning application
(Officer Note: The applicant conducted a public consultation exercise prior to submission of the application to the Council. The Council sent neighbour notification letters to in excess of x600 addresses both upon initial receipt of the application and upon receipt of amended plans. Furthermore the application has been advertised by press and site notices upon both initial receipt and receipt of amended plans. Statutory notification requirements have therefore been exceeded)
- Existing library in its characteristic 13 sided building would be lost
- Will Coronation Stone of Queen Elizabeth II, which is located by Costa Coffee, and which was relocated when Sheer House was built, be relocated?
- Existing public toilet would be lost
- Will shops be wheelchair accessible?
- Provision of building for public use is too small
- The Woking Core Strategy advocates 170 residential units, a housing density of 50-200 dph and an additional 13,000 sq.m of retail space.
- The Neighbourhood Plan for West Byfleet advocates that any major development should be designed to retain the “village feel”
- Historic England identify some harmful impacts associated with the development and suggest a reduced scale and enhanced design
- West Byfleet car ownership is higher than the average in Woking as well as higher

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than the average car ownership levels in the UK

- Underground parking may be a deterrent
- Suggestions for alternative parking on the recreation grounds are likely to be strongly opposed
(Officer Note: No such proposal forms part of the current application)
- Adverse impact of construction traffic upon area
- Not attractive to short-stay customers
- Concerns raised by Thames Water Re: Foul water capacity
- Investment in improving existing play equipment in park is required

x11 letters neither objecting nor supporting the application (including from the West Byfleet Business Association) have been received raising the following main points:

- Redevelopment only affects 25% of the retail space by number of units and less by area
- Vital that it is made clear by developers and WBC that West Byfleet remains open for business during the redevelopment period
- Inadequate parking provision
- Concern over quality and location of delivery bays
- Only appear to have larger units aimed at larger companies; final scheme should provide for predominance of smaller shop sizes of between 100 sq.m and 200 sq.m
(Officer Note: The retail unit sizes, and numbers, would form part of further reserved matters applications should outline planning permission be granted and are not for consideration at this outline stage)
- West Byfleet lacks critical mass as a retail centre so the increase in retail space is welcomed
- Lack of office space will have an impact upon lunch/daytime trading
- Problems at times with over-flowing drains; will allowance be made to increase capacity?
- Important that the library is maintained
- Important that library, post office and chemist are kept open, and some public car parking is provided, during the redevelopment works
- Would prefer development is not so tall
- No mention of replacement public toilets
- Subterranean tunnel should link to shops on south side of Old Woking Road
- Understand that children's playground in adjacent park could be temporarily closed to accommodate parking during construction; surely temporary decking could be used and turf reinstated afterwards
(Officer Note: No such proposal forms part of the current application)
- Increasingly derelict site leads to a lack of confidence and investment by owners and occupiers
- The scheme does need to be viable and produce an incentivising return for the developer
- The design of the scheme and quality reputation of the developer should produce a significant and badly needed improvement to the village
- Concerns raised by Thames Water Re: Foul water capacity
- No mobile phone masts should be put on the roof of the new buildings; the existing mobile phone masts are hideous

x8 letters of support have been received raising the following main points:

- Will add vibrancy and character to what is currently a gloomy, dated and under-used tower block

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- Will entice a younger generation to live in the area to balance the population
- Will bring in much needed business to local shops and cafes
- New retail and leisure units will help make West Byfleet a destination
- Will put West Byfleet on the map
- Why not create an additional underground level of public parking?
- This important site currently no longer makes the useful contribution to the business health and vibrancy of the village as it used to
- There is a huge shortage of homes

Amended plans submission representations

The below summarises the representations received during the public consultation following the submission of amended plans relating to the north-west corner of Building B1. For clarity this is the period from 5th June 2017 (inclusive) onwards.

x43 letters of objection have been received raising the following main points:

- Sheer House is a tarnish on West Byfleet and the need for redevelopment of the site is obvious
- Out of character with the area
- Out of scale with the area
- High density
- Amendments are minor
- Currently building is preferable to the proposed development
- At least two stories too high
- Ground level public spaces will be dark and unwelcome
- Should not be compared to Woking Town Centre; Woking is a large town and West Byfleet is a small village
- Buildings lack architectural quality
- Development is not driven by West Byfleet residents or their interests
- What happens to the existing library?
- Village atmosphere needs to be retained
- Disruption during construction period likely to be 2.5 years
- Loss of library, post office, chemists
- No affordable housing
- Inadequate parking spaces for number of dwellings proposed
- Increase in traffic volume
- Impact upon Health Centre due to demand for services
- Local schools will be overwhelmed
- Impact upon the community during the build period
- Altitude has not listened to the overarching feedback of the community
- Difficult to decipher the volume of data within the application
- Loss of privacy
- Generation of noise
- Impact on poor drainage infrastructure
- Should be a maximum of two/three stories high
- West Byfleet is a village, not a town
- Noise and disruption during construction
- Retailers will suffer
- No affordable housing
- No allocation to replacement post office, library, chemists etc.
- Offers no benefits to the local community
- Despite consultations the views of most people appear to have been ignored
- Loss of mature trees

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- County Highway Authority (SCC) have raised concerns in terms of traffic
- No plan for keeping the shops open during any build period – loss of jobs
- Shops proposed have a much bigger footprint than current shops and there would be far fewer units
- Overlooking
- Who are Prime Finance (West Byfleet) S.a.r.l?
- Broadoaks development would also add to traffic
- Loss of light
- Adverse impact upon listed St John's Church
- Adverse impact upon Conservation Areas
- Suggestions for alternative parking on the recreation grounds are likely to be strongly opposed
- Impact of construction traffic upon area
- Not attractive to short-stay customers
- Concerns raised by Thames Water Re: Foul water capacity
- Investment in improving existing play equipment in park is required

x2 letters neither objecting nor supporting the application have been received raising the following main points:

- Although pro-development of West Byfleet to aid facilities for local people and to bring in new business concerned about the height and overall look
- May lose village character
- Could Waitrose have parking underneath to reduce need for height?
- Could Waitrose be moved completely to allow the new development to be wider and less high?
- Would not enhance the area aesthetically
- Should be modified using a sensitive approach to current village character
- Waitrose do not object to the principle of mixed use redevelopment of the site but are keen to ensure that any proposal complements the existing offer in order to support the health of the centre as a whole
- In accordance with Policy CS3 it is essential that any convenience element in the proposal is restricted to a maximum of 2,000 sq.m gross
- Customers are moving away from a traditional weekly main-food shop and undertaking a greater number of smaller yet more frequent trips to a variety of locations, making the convenience sector highly competitive
- As a result of these changes the scale of convenience floorspace cited in Policy CS3 may no longer be appropriate
- Appropriate conditions should be attached to restrict the overall convenience goods provision

x2 letters of support have been received raising the following main points:

- Area needs to be re-developed
- Object to loss of trees
- Object to inadequate parking provision
- Need to replace the library
- Imperative that temporary locations are made available to post office, pharmacy, library
- During demolition and construction direct access should be maintained from Old Woking Road to the railway station via Station Approach
- Planting should be provided to public areas

Full copies of all representations received are available on the electronic planning file, which

is available to view online.

RELEVANT PLANNING POLICIES

National Planning Policy Framework (2012) (NPPF)

Achieving sustainable development

Section 1 - Building a strong, competitive economy

Section 2 - Ensuring the vitality of town centres

Section 4 - Promoting sustainable transport

Section 6 - Delivering a wide choice of high quality homes

Section 7 - Requiring good design

Section 8 - Promoting healthy communities

Section 10 - Meeting the challenge of climate change, flooding and coastal change

Section 11 - Conserving and enhancing the natural environment

Section 12 - Conserving and enhancing the historic environment

South East Plan (2009) (saved policy)

NRM6 - Thames Basin Heath Special Protection Areas

Woking Core Strategy (2012)

CS1 - A spatial strategy for Woking Borough

CS3 - West Byfleet District Centre

CS7 - Biodiversity and nature conservation

CS8 - Thames Basin Heaths Special Protection Areas

CS9 - Flooding and water management

CS10 - Housing provision and distribution

CS11 - Housing mix

CS12 - Affordable housing

CS13 - Older people and vulnerable groups

CS15 - Sustainable economic development

CS16 - Infrastructure delivery

CS18 - Transport and accessibility

CS19 - Social and community infrastructure

CS20 - Heritage and conservation

CS21 - Design

CS22 - Sustainable construction

CS24 - Woking's landscape and townscape

CS25 - Presumption in favour of sustainable development

Development Management Policies DPD (2016)

DM1 - Green infrastructure opportunities

DM2 - Trees and landscaping

DM5 - Environmental pollution

DM6 - Air and water quality

DM7 - Noise and light pollution

DM8 - Land contamination and hazards

DM16 - Servicing development

DM17 - Public realm

DM20 - Heritage assets and their settings

Supplementary Planning Documents (SPDs)

Design (2015)

Outlook, Amenity, Privacy and Daylight (2008)

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Parking Standards (2006)
Affordable Housing Delivery (2014)
Climate Change (2013)

Supplementary Planning Guidance (SPGs)

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

The West Byfleet Neighbourhood Development Plan (2017–2027) (Emerging)

BE1 - Development character
BE2 - New housing quality
BE3 - District Centre development character
BE4 - Sheer House complex (“SHC”) development
BE5 - Older people accommodation
BE6 - Residential parking provision
CE1 - District Centre development
CE2 - Retail space
CE3 - Sheer House complex (SHC) mixed use development
CE4 - Business continuity
CE5 - Public amenity provision
CE6 - Sheer House complex (SHC) parking provision
i1 - District centre parking provision
i2 - Pedestrian and cycle facilities
i3 - Wastewater and sewerage infrastructure
OS3 - Trees and hedges
OS5 - Access
S&C4 - Library facilities
S&C5 - Community facilities parking provision
S&C6 - CIL Projects

(Officer Note: The WBNDP is scheduled to be go to referendum on Thursday 5th October 2017. Against the criteria set out in Paragraph 216 of the NPPF, the WBNDP should currently be afforded significant weight in the determination of the current application. Should the issue of the any planning decision notice occur after the date of adoption, the policies of the WBNDP should be afforded full weight. This scenario is catered for within the recommendation above).

Other Material Considerations

National Planning Practice Guidance (NPPG)
EU Habitats Directive and the UK Habitat Regulations 2010
The Community Infrastructure Levy (CIL) Regulations 2010
Listed Buildings & Conservation Areas Act 1990
The Natural Environment and Rural Communities Act 2006
Thames Basin Heaths Special Protection Area Avoidance Strategy
Circular 06/2005: Biodiversity and Geological Conservation
Manual for Streets and Manual for Streets 2 (2007 and 2010)
Design Manual for Roads and Bridges (Updated February 2013)
Historic England – The Setting of Heritage Assets (2015)
WBC - Waste & Recycling Provisions for New Residential Developments
Woking Infrastructure Delivery Plan 2011
Woking Character Study 2010
Woking Strategic Flood Risk Assessment 2015
Woking Economic Development Strategy 2012-2017

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Site Planning for Daylight and Sunlight (2011) BRE
Strategic Housing Market Assessment (SHMA)
Strategic Housing Land Availability Assessment (SHLAA)

Draft Site Allocations Development Plan Document (DPD)

(Officer Note: In accordance with Paragraph 216 of the NPPF, the draft Site Allocations DPD should be afforded very limited weight until it is submitted to the Secretary of State prior to Public Examination. It should be noted however that part of the application site has been allocated for development within the draft DPD (site ref. UA51)) for mixed use development to comprise of community (including retained or replacement Library), offices, retail (including replacement Waitrose store) and residential development including Affordable Housing).

PLANNING ISSUES

1. The main planning considerations in determining this application are:
 - The planning policy context
 - Principle of development (including employment, retail, community and residential provision and regenerative benefits)
 - Access, highway safety, capacity and sustainability
 - Alternative Modes of Transport (including walking, cycling, bus services and rail services)
 - Proposed access
 - Parking strategy (including servicing and refuse/recycling collection)
 - Travel Plans
 - Density and the mix of dwellings proposed
 - Impact upon the character of the area and the wider landscape
 - Design Parameters
 - Design Code
 - Impact upon trees and landscaping
 - Impact upon neighbouring residential amenity
 - Operational impacts
 - Air quality impacts
 - Noise and vibration
 - Daylight impacts
 - Sunlight impacts
 - Amenities of future residential occupiers
 - Impact upon the Thames Basin Heaths Special Protection Area (TBH SPA)
 - Biodiversity and Protected Species
 - Impact upon heritage assets (including Conservation Areas, Church of St John the Baptist and Archaeology)
 - Land contamination
 - Flood Risk, Drainage and Water (including surface water drainage and foul water)
 - Affordable Housing
 - Energy
 - Business Continuity
 - Local finance considerations
 - Legal agreement requirements
 - Balancing exercise and conclusions

The planning policy context

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2. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that *“if regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise”*.
3. The Development Plan comprises Saved Policy NRM6 of the South East Plan 2009 (which is relevant to residential development), the policies contained within the Woking Core Strategy (2012) and the Development Management Policies Development Plan Document (DMP DPD) (2016). A number of other Supplementary Planning Documents (SPD's) and Supplementary Planning Guidance (SPG's) are also relevant to the consideration of this application and these generally provide more detailed information on topic based matters.
4. Proposal reference UA51 (Land at Station Approach, West Byfleet) within the draft Site Allocations DPD relates to the application site (and includes other areas not within the application site). At this stage the Draft Site Allocations DPD has the potential of being a material consideration. However what weight, if any, to be afforded to this is a matter for the decision maker. Until the Site Allocations DPD has been formally submitted for public examination, it is considered that very limited weight can be afforded to it.
5. The West Byfleet Neighbourhood Development Plan (2017–2027) (WBNDP) is scheduled to be go to referendum on Thursday 5th October 2017. Against the criteria set out in Paragraph 216 of the NPPF, the WBNDP should currently be afforded significant weight in the determination of planning applications. Should the final determination of this application be after the date of adoption, the policies should be afforded full weight prior to determination. This scenario is catered for in the recommendation above.
6. The National Planning Policy Framework (NPPF) (2012) comprises an overarching set of planning policies and details how the Government expects them to be applied. The fundamental aim of the NPPF is to deliver sustainable development and the document sets a strong presumption in favour of development which is economically, socially and environmentally sustainable. The NPPF provides policy guidance on a variety of planning topics and, where relevant, reference to the NPPF is given in the relevant section of the planning considerations for this application in the sections below. The NPPF is a material consideration in the determination of planning applications.
7. The National Planning Practice Guidance (NPPG) is a web-based resource and provides detailed Government advice on matters which relate to the operation of the planning system in practice. The guidance in the NPPG supports the policies contained within the NPPF.
8. The application site is located within the Urban Area of the Borough and falls within the West Byfleet District Centre and includes retail, commercial and community floorspace alongside a surface public car park and decked private parking and toilet block.

Principle of development (including employment, retail, community and residential provision and regenerative benefits)

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9. The NPPF states that pursuing sustainable development involves seeking positive improvements in the quality of the built, natural and historic environment as well as in people's quality of life (paragraph 9). The NPPF seeks to boost housing supply significantly and local planning authorities should aim to deliver a wide choice of high quality homes, widen opportunities for home ownership and create mixed, inclusive and balanced communities (para 50).
10. The Council is in the process of preparing its Site Allocations DPD to facilitate the delivery of the requirements of the Woking Core Strategy (2012). The Site Allocations DPD seeks to allocate a site in West Byfleet District Centre (Ref: UA51) to regenerate the area through its redevelopment to provide a mixed use development to comprise of a community facility, offices, retail and residential development. Whilst at this stage the Site Allocations DPD can only be afforded very limited weight for the purposes of development management, the allocation is a clear indication of the Council's commitment to enable positive action to regenerate the District Centre.
11. Policy CS1 of the Woking Core Strategy (2012) sets out that the Core Strategy will make provision for the delivery of the following scale of uses between 2010 and 2027;
 - *4,964 net additional dwellings, with an overall affordable housing provision target of 35%*
 - *28,000 sq.m of additional office floorspace and 20,000 sq.m of warehousing floorspace.*
 - *93,900 sq.m of additional retail floorspace.*

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

12. The application site falls within the District Centre of West Byfleet, which is second only to Woking Town Centre in the hierarchy of centres within Woking Borough as defined by the Core Strategy. The function of the District Centre of West Byfleet is stated within the reasoned justification text to Policy CS1 of the Core Strategy as being *"the second largest centre in the Borough with a primary role to serve the needs of Byfleet, West Byfleet, Pyrford, some small centres just outside the Borough Boundary and the rural hinterland surrounding it. A transport interchange that connects the area with both Woking and other parts of the region"*.
13. Supporting text within Paragraph 4.14 of the Core Strategy states that *"the retail ranking of the centre declined between 1998 and 2008 and it has been suffering a relatively high vacancy level although this is starting to improve. The physical environment of part of the centre is outdated"*.
14. Policy CS3 of the Core Strategy states that:

"high density mixed-use development will be encouraged within West Byfleet"

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

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

16. Policy CS3 sets out that “*town centre and residential uses will be acceptable in principle subject to the following requirements (relevant to the current proposal)*
 - *A1 retail uses will be focused in the Primary Shopping area*
 - *In the Primary Shopping area residential and office development should be provided above ground floor level in order to retain active frontages*
 - *The Council will safeguard office floorspace within West Byfleet District Centre and support office redevelopment where it does not result in an overall loss of office floorspace*
 - *The Council recognises the importance to the well-being of the community of adequate community facilities and social and community infrastructure and will seek to safeguard existing facilities and promote new ones where appropriate, as set out in policy CS19*

17. Policy CE1 (District Centre Development) of the emerging WBNDP states that “*development within the District Centre which supports its vitality and viability will be supported*”. Policy CE2 (Retail Space) of the emerging WBNDP sets out that:

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

18. Policy CE3 (Sheer House Complex (SHC) Mixed Use Development) of the emerging WBNDP sets out that:

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

19. The proposal seeks to deliver between 145 sq.m - 2,000 sq.m of office (Class B1(a)) floorspace and between 3,000 - 5,000 sq.m of retail (Classes A1 - A5) floorspace. Based on the minimum development parameters the proposed development could result in the loss of 200 sq.m of retail (A1) floorspace and 3,055 sq.m of office (Class

B1(a)) floorspace in comparison to the existing situation.

20. However, based on the maximum parameters, the level of retail (Classes A1 - A5) floorspace could increase by up to 1,800 sq.m and would contribute towards the indicative development types and amounts set out by Policy CS3. However, regardless of whether the minimum or maximum parameters of office (Class B1(a)) floorspace is delivered on the site, the overall proposal would result in a net loss of B1(a) floorspace within the District Centre of at least 3,055 sq.m. Policy CS3 states that *"the Council will safeguard office floorspace and support office redevelopment where it does not result in an overall loss of office floorspace"*. The proposed development therefore does not comply with this element of Policy CS3 however does involve the redevelopment of the District Centre in a comprehensive manner which Policy CS3 does enable to be considered on its merits, stating that *"any proposal which brings forward the redevelopment of the district centre in a comprehensive manner will be considered on its merits"*.

Employment floorspace

21. The applicant considers that at present there is reduced demand, and indeed almost negligible demand, for office floorspace within West Byfleet and considers that the downturn in the market for office floorspace within West Byfleet was underlined by the demolition of office buildings in Rosemount Avenue and redevelopment for residential purposes over ten years ago, and that this has been further demonstrated, following the advent of 'permitted development' rights (under the provisions of Part 3, Class O of the GPDO) for the conversion of office to residential, by the conversion of office buildings, particularly Globe House and Roxburghe House, in Lavender Park Road immediately adjacent to the application site.
22. In terms of the market for office floorspace, the applicant considers that West Byfleet suffers from competition from Woking Town Centre, which is regarded as a major commercial centre. The applicant considers nearby Broadoaks as demonstrating the negligible demand for office floorspace within West Byfleet, drawing attention to the fact that an extensive marketing campaign for the office floorspace developed at Broadoaks has consistently failed to deliver any meaningful interest, and that this site now benefits from a resolution to grant planning permission (Ref: PLAN/2016/1003), subject to completion of a legal agreement, for residential and educational uses.
23. The applicant has submitted details of the level of lettings for office floorspace within the last three years (2013 - 2016) for both West Byfleet and Woking Town Centre. In West Byfleet the applicant states that a total of 19 completed lettings have occurred, with an average letting size of 210 sq.m. The applicant states that this compares to a total of 77 completed lettings, with an average letting size of 376 sq.m, within Woking Town Centre during the same period.
24. The applicant considers that the market itself is always the best guide and demonstrates that West Byfleet is not a sought after office location. Whilst it is an attractive well located position, it has over the last 35 years, seen only very modest office development and loss of office floorspace for no other reason than the location does not drive the demand for office use. The applicant also draws attention to the fact that the office floorspace within the current Sheer House was actively marketed and received no interest for that use. It is noted that paragraph 4.17 of the Core Strategy states that *"the market appraisal of employment floorspace in the Borough found limited demand for office development within West Byfleet"*.

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25. It is also a significant material consideration that not only has the office floorspace within Sheer House been vacant for in excess of three years, thus making no contribution to the vitality and viability of West Byfleet District Centre or the wider Borough, but that the office floorspace within Sheer House contains asbestos, some of which would need to be subject to removal by licensed asbestos contractors prior to any re-occupation, with remaining asbestos elements required to be subject to encapsulation and/or labelling with an asbestos management plan in place to ensure remaining asbestos materials were not disturbed or damaged. Whilst these factors do not in themselves justify the proposed loss of office floorspace they do add weight to the applicant's case in this respect.
26. Overall, whilst the proposal would not accord with the office floorspace element of Policy CS3 of the Core Strategy and Policy CE3 of the emerging WBNDP, this matter will be considered in the planning balance at the conclusion of the report.

Retail floorspace

27. The proposal seeks to deliver between 3,000 - 5,000 sq.m of retail (Classes A1 - A5) floorspace. Based on the minimum development parameters the proposed development could result in the loss of 200 sq.m of retail (A1) floorspace in comparison to the existing situation. However, based on the maximum parameters, the level of retail (Classes A1 - A5) floorspace could increase by up to 1,800 sq.m and would contribute towards the indicative development types and amounts stated by Policy CS3.
28. The overall level of retail floorspace, including the number and floor area of retail units, would be considered at reserved matters stage, should outline planning permission be granted, although the submitted land use parameter plans show retail uses to be situated within the Primary Shopping Area at ground floor level and capable of demonstrating active frontages within the proposed public square, along the footways of Station Approach, Old Woking Road, Madeira Road and Lavender Park Road. Whilst the proposal could result in the loss of 200 sq.m of retail floorspace in comparison to the existing situation it is considered that the provision of the proposed public square, which would promote daytime and evening activity, and likely increase subsequent 'dwell' time, civic pride, and greatly enhance the pedestrian experience of the site, would considerably outweigh this potential loss in terms of ensuring the overall vitality and viability of the overall District Centre.
29. Overall the principle of the retail element of the proposal is considered to be acceptable and accord with the overarching objectives of Policy CS3 of the Core Strategy and Policies CE2 and CE3 of the emerging WBNDP although would be subject to further scrutiny at reserved matters stage.

Community floorspace

30. The existing library on the application site constitutes a form of social and community infrastructure, and Class D1 floorspace, for the purposes of Policy CS19 of the Core Strategy. Policy CS19 identifies that the loss of existing social and community facilities will be resisted except in the case of certain exceptions.
31. Policy S&C4 of the emerging WBNDP states that:

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

32. The submitted parameter plans allow flexibility for the provision of a community facility (Class D1) anywhere across the ground floor of Buildings A, B and C and/or across parts of the first floor of Buildings A and C. The parameters would result in an uplift in existing Class D1 floorspace within the site of between 30 sq.m and 130 sq.m. Whilst the siting and floor area of the Class D1 floorspace would be considered at reserved matters stage the provision of this quantum of Class D1 floorspace is considered to accord with the requirements of both Policies CS3 and CS19 of the Core Strategy and is therefore considered to be acceptable in principle.
33. Representations relating to the retention of the library facility are noted. The library on the application site is operated by Surrey County Council (SCC). The policy requirement of the current Development Plan is that existing social and community infrastructure should not be lost. The application includes the re-provision of community floorspace and therefore complies with the planning policy requirement in this regard. The Local Planning Authority cannot stipulate the exact use of the re-provided Class D1 floorspace (ie. to a library) as this would also be dependent upon the library operator (SCC) however the potential for the re-provided Class D1 floorspace to be used for library purposes exists.

Residential floorspace

34. The application site is situated within West Byfleet District Centre, outside of the 400m (Zone A buffer) of the Thames Basin Heaths Special Protection Area (TBH SPA) and outside of identified fluvial and surface water flood risk zones. The proposed development would make a significant contribution towards the Core Strategy requirement to provide at least 4,964 dwellings within the Borough between 2010 and 2027 and would provide between 208 and 255 dwellings.
35. The site has been identified within both the Strategic Housing Land Availability Assessment (SHLAA) and the draft Site Allocations Development Plan Document (DPD) for a mixed use scheme with replacement retail and office floorspace on the lower levels and residential units above. The SHLAA states that an indicative density of 160 dwellings per hectare (dph) would be suitable, resulting in a potential yield of 91 residential units.
36. Policy CS10 of the Core Strategy anticipates indicative development densities of between 50 - 100 dwellings per hectare within West Byfleet District Centre. The residential density of the proposal (red line site area) would be between 208 - 255 dwellings per hectare. Whilst this is the case the Core Strategy notes the importance of achieving a balance between making efficient use of land and delivering the right type of housing to meet the needs of the whole community and states that the density ranges set out within Policy CS10 are not intended to be prescriptive, but a guide to inform development proposals. Furthermore the draft Site Allocations Development Plan Document (DPD) states, in terms of the site, that whilst a density of 50-100 dph is the indicative density range established within Policy CS10 for sites in West Byfleet District, that *"a comprehensive scheme to redevelop an existing developed site in a highly sustainable location such as this would warrant a higher density to ensure viability and efficient use of land"*.
37. Therefore, subject to the detailed observations below, no 'in principle' objection is raised to the proposed residential development quantum and densities nor the uses proposed as part of the development scheme which are acceptable uses within the District Centre. In addition the provision of residential floorspace within the

development would enhance overall activity within the District Centre, with future residents likely to make use of the retail and community facilities which would be provided on the site, and add further activity to the public square.

38. The proposals also seek sufficient flexibility so that up to 10,250 sq.m of the residential floorspace could be provided for retirement / extra care use (Use Class C2 / C3). The maximum residential (Use Class C3) parameter would have to be reduced accordingly to achieve this. National policy requires local authorities to meet the specific accommodation needs of older people and other vulnerable groups. It is important that the Council provides increased housing choices in terms of specialist accommodation, and appropriate dwellings that are suitably located close to public transport and other key local services. In addition, offering attractive alternative housing choices for older people and other vulnerable groups would assist the Council in freeing-up family sized homes that are currently under occupied.
39. The growing elderly population can often benefit from a higher level of on-site support. The isolation of the growing elderly population is not conducive to social inclusion, balanced communities and sustainable development. It is therefore important for these types of development to be located in accessible areas, close to main facilities and public transport routes to best cater for residents, staff and visitors, and promote social inclusion. Policy CS13 of the Core Strategy sets out that "*the Council will support the development of specialist accommodation for older people and vulnerable groups in suitable locations*". The site is considered to be within a highly sustainable location, close to key services and public transport routes and would promote social inclusion. Therefore no 'in principle' objection is raised to the provision of retirement / extra care use (Use Class C2 / C3) floorspace on the site although this would be considered further at reserved matters stage.

Regenerative benefits

40. The proposal includes the provision of a new high quality public square measuring a minimum of 1,288 sq.m in area and which would be at the centre of West Byfleet District Centre and offer substantial opportunity for daytime and evening use which would activate this substantial new public space. The site forms the core retail area of the District Centre however the existing buildings on the site have little or no relationship to the street due to their set back position from the street and footway and the depth of surface level car parking between the street and the buildings. These factors diminish the existing pedestrian experience of the site, with those footways serving the retail units facing onto the surface level car park in particular very restricted in width and constrained by guardrails. There is virtually no public space on the existing site for relaxing or meeting friends and family, public seating is hard to find and there is little coordination of street furniture. Paragraph 73 of the NPPF recognises that access to high quality open spaces can make an important contribution to the health and well-being of communities.
41. Whilst in outline form the parameter ground floor land use plan ensures that active uses are produced at ground floor level in order to activate both the public square and the pedestrian realm along Station Approach, Old Woking Road and Madeira Road. The public square would provide a very significant new 'urban' space within the centre of West Byfleet which would not only be activated by ground floor level uses, with potential for 'spill out' into the perimeters of the square for the placing of restaurant/cafe tables etc. but would also be capable of use for community events and events such as seasonal/Christmas markets, outdoor films and public events as well as providing an attractive space for people to meet and socialise day-to-day. The

application is supported by a landscape and public realm strategy, which whilst illustrative at this stage, sets out how a very high quality public realm could be achieved both within the square and the pedestrian frontages. The resulting retail floorspace would also be re-provided within modern units and would benefit from much greater connection to public realm and the pedestrian experience, which would itself be enhanced through the restriction of car parking to basement level.

42. The layout of the development would provide a clear and legible 'civic gateway' into the public square from the Old Woking Road / Station Approach side with the St John the Baptist Church spire framed by the building blocks and serving to 'anchor' the public square in the opposing direction. The public square would support and promote social integration with the illustrative landscape and public realm strategy showing potential for a raised planter with a raised lawn, seating edge and large feature specimen tree to form a focal point to the square. There is potential for bench seating, feature lighting and a high quality of hard and soft landscaping to provide a unified approach in place of the current mixed palette of materials. The public square would also be further activated by the use of the first floor level terrace to Building C, which would overlook the square. The civic edges along Station Approach, Old Woking Road and Madeira Road would also be improved and the Station Approach elevation would also be enhanced by the first floor level podium amenity space to Building B.
43. Overall clearly Policy CS3 of the Core Strategy envisages significant change for West Byfleet District Centre during the current Development Plan period to 2027. Whilst the proposal would not accord with the office floorspace element of Policy CS3 of the Core Strategy and Policy CE3 of the emerging WBNDP, this matter will be considered in the planning balance at the conclusion of the report. The principle of the retail, community and residential elements of the proposal are considered to be acceptable and accord with the overarching objectives of Policy CS3 of the Core Strategy and Policies CE2 and CE3 of the emerging WBNDP although would be subject to further scrutiny at reserved matters stage. The regenerative benefits of the new public square and enhanced civic edges, are considered to be a very significant public benefit of the scheme which would enhance the pedestrian experience of West Byfleet District Centre and have overarching benefits for the District Centre.

Access, highway safety, capacity and sustainability

44. The NPPF promotes sustainable transport (Chapter 4). Decisions should take account of whether:
 - the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure;
 - safe and suitable access to the site can be achieved for all people; and
 - improvements can be undertaken within the transport network that cost effectively limits the significant impacts of the development. Development should only be refused on transport grounds where the residual cumulative impacts of development are severe.
45. The NPPF also advises that developments which generate a significant amount of movement should be supported by a Transport Assessment and Travel Plan. These requirements are reflected within Policy CS18 of the Core Strategy. The applicant has submitted a Transport Assessment (including a Transport Assessment Update), a Draft Residential Travel Plan and Draft Commercial Travel Plan and these have been assessed by the County Highway Authority (Surrey County Council).

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46. The application site currently comprises approximately 3,200 sq.m of office space, 3,200 sq.m of retail space and a library (170 sq.m) along with parking for an estimated 155 cars including circa 76 spaces for the office space accessed via a ramp from Lavender Park Road, 67 spaces in a public surface car park (accessed from Lavender Park Road with cars egressing onto Station Approach) and 12 spaces accessed from Madeira Road. Only the 67 spaces within the public surface car park are available for public use.
47. The application site is bounded by the Old Woking Road to the south, Station Approach to the west, Madeira Road to the north and Lavender Park Road to the east. The surrounding area comprises a mixture of land uses with a Waitrose supermarket plus surface car parking and a Health Centre to the west, retail, commercial and residential uses to the north and south, residential uses and St. Johns Church to the east, with further residential uses to the east and west along Madeira Road. West Byfleet Railway Station is located approximately 100 metres to the north and can be accessed via Station Approach and Lavender Park Road from the site. There are a number of shops and restaurants along Station Approach, Madeira Road and Old Woking Road. There are a number of schools within the vicinity including the West Byfleet Infant and Junior Schools on Camphill Road to the east.
48. The applicant's highways and transport consultant recorded traffic flows into and out of the application site at the entrance and exit from the public car park on Lavender Park Road and Station Approach between 07:00 and 10:00, and again between 16:00 and 19:00, on Wednesday 2nd December 2015. The results of the traffic flow survey revealed a total of 247 two-way (in and out) movements during the weekday morning peak period (0700 – 1000) and 251 two-way (in and out) movements during the weekday evening peak period (1600 – 1900).
49. Road traffic conditions within West Byfleet are influenced by residents travelling to and from work along with activity associated with the schools and local shops. The office floorspace of Sheer House, which is currently vacant, would have attracted a number of vehicular trips with parking for up to 76 cars on the decked level.
50. Old Woking Road is the main vehicular route through West Byfleet connecting it with Byfleet to the east and Woking to the west; the junctions with Station Approach and Camphill Road take the form of signalised junctions. Station Approach, Madeira Road and Lavender Park Road facilitate access to the local area, including the application site, with junctions operating under priority control.
51. To improve the pedestrian accessibility of the site, and connectivity in the wider area, it is proposed to introduce a raised table at the Madeira Road / Station Approach junction and a further raised table and pedestrian crossing on Lavender Park Road north of the junction with Camphill Road.
52. The baseline scenario assumes the occupation of the existing office floorspace within Sheer House, which has a floor area of approximately 3,200sqm. The potential trip generation for the occupation of the existing office floorspace has been estimated based on trip rate information from the TRICS (Trip Rate Information Computer System) database considering all sites in England, outside of Greater London, within the Employment - Office category with a gross floor area between 2,000sqm and 3,000sqm surveyed since January 2008. The exercise revealed 39 weekday multi-modal surveys.

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53. The submitted Transport Assessment, due to the nature of the application, considers several different scenarios to understand the likely trip rates associated with the proposed development. These scenarios included differing amounts of retail/restaurant space and commercial space within the parameters sought. The trip rates have been generated using the TRICS database: an industry standard tool.
54. On production of the trip rate data, the applicant has decided to utilise the "*worst case scenario*"; that is the division of land use within the site, within the parameters sought, which would generate the most additional trips. The County Highway Authority (SCC) consider this approach acceptable in that it means that any further modelling that is carried out will produce the most robust results.
55. Due to the range of land uses, the existing site use and the location of the site, an assessment of existing and proposed linked or by-pass trips has not been undertaken. Linked or by-pass trips are those that are already on the public highway network and are not specifically generated by the proposed development. The County Highway Authority (SCC) comment that there is very little scientific analysis available to quantify these trips, and considering the key junctions and routes in the area are already being used by this traffic it is considered acceptable to focus more on the trips actually generated directly by the development itself.
56. The Transport Assessment has further subdivided the trip rates into modes of travel, or modal split data. This is particularly important at this location due to the good quality of public transport network links (West Byfleet Railway Station, Bus Stops) as well as accessible pedestrian and cycle links.
57. Finally, the Transport Assessment details future scenarios including the use of TEMPro growing factors, developed by the Department for Transport (DfT), to indicate the likely additional growth on the public highway network over the course of the various scenarios until the year 2028. The County Highway Authority (SCC) is satisfied with the accuracy of these elements.
58. The Transport Assessment includes details of the existing situation regarding the junctions between Old Woking Road/and Old Woking Road/Camphill Road. The results indicate that these junctions are still operating within capacity, however they do generate significant queues at peak times. In future scenarios this situation does create additional delays and queuing, and with the addition of the proposed development this is predicted to be exacerbated mostly on Station Approach and Pyrford Road. However, the change is considered relatively small; that is the impact of the proposed development is not likely to change the on-highway delay/queuing significantly.
59. Further junctions were also subject to modelling assessments including:
 - Madeira Road West/Station Approach South/Madeira Road East
 - Madeira Road/Station Approach/Lavender Park Road
60. The results of modelling assessments at these further junctions indicates that they currently function within capacity and will continue to do so on completion of the proposed development and taking into account background traffic growth. The County Highway Authority (SCC) is satisfied with the accuracy of the modelling assessments.
61. Condition 27(d) requires, if not already provided by the Broadoaks redevelopment, installation of microprocessor optimised vehicle actuation (MOVA) upgrade to the A245 Old Woking Road - Parvis Road / Station Approach / Pyrford Road / Camphill Road traffic signal junction, including recalibrating the signal controller with current

traffic survey movement data in accordance with details to be submitted to and approved in writing by the Local Planning Authority. This would provide mitigation for the proposed development.

Alternative Modes of Transport

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

Walking

63. There is a good network of footways in the vicinity which includes footways adjacent to roads, formal and informal crossings and footways connecting the application site with the surrounding area, public transport opportunities and nearby retail, residential and commercial development.

Cycling

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

Bus Services

65. The closest bus stop, located on Station Approach north of Madeira Road, is served by buses on routes 436, 437 and 557. Routes 436 and 437 run from Woking - West Byfleet - Weybridge every 30 minutes Mondays to Saturdays and every 60 minutes on Sundays. Route 557 runs from Woking - West Byfleet - Shepperton and Sunbury Tesco every 60 minutes Mondays to Sundays.

Rail Services

66. West Byfleet Railway Station is located less than 100 metres north of the application site. There are 8 services departing per hour at West Byfleet railway station on a typical weekday including (i) two services per hour to Woking (ii) four services per hour to London Waterloo and (iii) two services per hour to Alton.

Proposed vehicular access

67. There are currently three vehicular accesses/egresses servicing the application site with one each from Lavender Park Road, Madeira Road and Station Approach. The proposals associated with this planning application include the closure of the vehicular accesses/egresses on Lavender Park Road and Station Approach, and modifications to the access on Madeira Road.
68. The closure of the existing vehicular accesses/egresses on Lavender Park Road and Station Approach would be implemented via a Section 278 Agreement (under the Highways Act 1980) with associated changes to the Traffic Regulation Orders.

Parking strategy (including servicing and refuse/recycling collection)

69. SPD 'Parking Standards (2006)' sets maximum parking standards, with the objective

of promoting sustainable non-car travel. It advises that where car parking provision falls below the stated maximum standard the scheme needs to be examined to ensure it does not have an adverse impact upon highway safety, the free flow of traffic or parking provision in the locality. More recently, Policy CS18 of the Core Strategy highlights the Council's commitment to sustainable transport modes. With this in mind new development is steered to urban locations, such as the application site (within West Byfleet District Centre) that are served by a range of sustainable transport options.

70. Whilst Policy CS18 states that the Council will move towards minimum parking standards for residential development, SPD 'Parking Standards (2006)' remains in place and the NPPF states that in setting local parking standards local planning authorities should take into account the accessibility of the development; the type and mix of the development; the availability and opportunities for public transport; local car ownership levels; and the need to reduce the use of high emission vehicles.
71. SPD 'Parking Standards (2006)' sets maximum residential car parking standards of 1 car space (1 bedroom unit), 1.5 car spaces (2 bedroom unit) and 2 car spaces (3 or more bedroom unit). The SPD also sets maximum car parking standards for other forms of development, including Classes A1 - A5, B1(a) and D1 and 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*".
72. Although not yet adopted the emerging West Byfleet Neighbourhood Development Plan (WBNDP) sets out both general parking provision for the Neighbourhood Plan area, and parking provision specific to the application site, within Policies BE6, CE6 and I1.
73. Policy BE6 (Residential Parking Provision) of the emerging WBNDP sets out that:

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

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

Unless it can be clearly demonstrated that alternative requirements are necessary due to the nature and accessibility of residential development or the availability of public transport.

74. Policy CE6 (SHC Parking Provision) of the emerging WBNDP sets out that:

The current level of public off-road parking spaces available to shoppers and visitors in the SHC redevelopment (66) should not be reduced.

75. Policy i1 (District Centre Parking Provision) of the emerging WBNDP sets out that:

Proposals for development within the District Centre must include provision of parking spaces for shoppers, retailers and residents and must demonstrate that

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they will not result in on-street parking to the detriment of highway safety or adverse impact on the character of the area.

76. There is currently parking for up to 155 cars on the application site of which 76 are associated with the currently vacant office floorspace within Sheer House, 12 to the rear of the retail units accessed from Madeira Road, and 67 surface parking spaces for public use.
77. The proposals include provision for up to 247 parking spaces, 67 of which will provide a like for like replacement of existing public parking spaces at the site. The remainder will be for the proposed residential units. Parking would be provided in an underground basement car park accessible from Madeira Road. A car club space is proposed to be provided on Madeira Road, to the east of the junction with Station Approach.
78. The minimum car parking space parameter is 190 spaces with the maximum 247 spaces. The submitted illustrative scheme shows 214 spaces. Taking into account that 67 of these spaces would provide a like for like replacement of existing public car parking at the site and that the remainder would be allocated for the proposed residential units, the minimum residential car parking provision would be 123 spaces (ie. 190 minus 67) with the maximum residential car parking 180 spaces (ie. 247 minus 67). Whilst the precise number of residential units, and housing mix (ie. split between 1/2/3 bedroom units), would be considered under reserved matters applications, taking into account that the minimum residential parameter is 208 units and the maximum 255 units, the minimum parking provision would be 0.6 spaces per residential unit with the maximum 0.7 spaces per residential unit.
79. It is acknowledged that these residential parking ratios do not accord with Policy BE6 of the emerging WBNDP however the provision of car parking on the site has to take account of numerous factors. The proposed car parking would be provided entirely at basement level to ensure that the quality of the public realm, including the proposed public square, would not be compromised by surface car parking as per the existing situation. The provision of active ground floor uses and frontages also prevents car parking being provided at surface level. The applicant has explored providing car parking in a multi-storey model however this compromised the urban design and architecture of the proposal.
80. Furthermore in this instance it is a significant material consideration that the application site is located within West Byfleet District Centre within only 100 metres of West Byfleet railway station and within immediate proximity to a range of retail and community facilities and other public transport connections, such as bus, cycle and pedestrian facilities, available within West Byfleet District Centre. Furthermore kerbsides within West Byfleet District Centre are subject to waiting restrictions and parking charges.
81. Condition 27(a) requires provision of a new car club bay on Madeira Road which would absorb some of the pressure for individual vehicle ownership and potential consequent on street car parking.
82. For these reasons the proposed residential units would likely be attractive to non-car owners and are thus consistent with the planning objective to reduce greenhouse gas emissions. In light of the above, and taking into account the locational characteristics of the site within West Byfleet District Centre, including its proximity to key services and public transport accessibility, it is not considered that the level of car parking

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would result in undue pressure upon the availability of off-site parking in the locality or have a materially adverse impact upon the free flow of traffic and highway safety. The proposal is therefore considered to comply with the National Planning Policy Framework (2012), Policy CS18 of the Woking Core Strategy (2012) and SPD 'Parking Standards (2006)'.

Servicing

83. The existing uses on the application site generate a number of servicing trips through the day with the office floorspace, although currently vacant, likely to attract the highest number. It is relevant to note that the majority take the form of vans with vehicles larger than 7.5 tonnes not permitted on the existing decked car park. The retail units along Station Approach and "within" the car park predominantly currently receive deliveries via the car park or from the street.
84. The proposed development includes the creation of three new on-street loading bays capable of accommodating vehicles up to and including articulated HGV as below:
 - A loading bay will be created at the southern end of Lavender Park Road. The loading bay which will be created as a "shared" facility will be located to serve units fronting Lavender Park Road and Old Woking Road, as well as for refuse collection from the basement. The facility would be delivered via a Section 278 Agreement (under Highways Act 1980) with associated changes to the Traffic Regulation Orders.
 - A loading bay will be introduced on Station Approach to the south of Madeira Road. The facility which will serve units fronting Station Approach and would be delivered via changes to the Traffic Regulation Orders.
 - A new loading bay would be created on Station Approach north of the junction with Old Woking Road by extending the nearside lane north. It is anticipated that the facility would be used by occupiers in buildings which achieve access from the public square and fronting Old Woking Road. The facility would be delivered via a Section 278 Agreement (under Highways Act 1980) with associated changes to the Traffic Regulation Orders.

Refuse/Recycling Collection

85. The submitted illustrative scheme includes refuse/recycling bin stores for each building housed within the basement, along with a site bin store with access from the basement and Lavender Park Road. It is anticipated that site management would transfer the bins from the dedicated bin stores to the site bin store on collection days from where they will be taken up to Lavender Park Road for collection by a vehicle within the loading bay to be created on Lavender Park Road. This matter would be considered further at reserved matters stage although is considered to be capable of an acceptable solution on the basis of the illustrative scheme submitted.

Travel Plans

86. The proposed development includes residential, retail, community and employment uses. However the size of the commercial floorspace, along with the size of the retail units, is such that the individual units would not warrant individual Travel Plans.
87. As such, the applicant proposes that two Travel Plans are prepared as follows;

- A Commercial Travel Plan which covers the non-residential elements of the scheme which will primarily focus on information provision.
- A Residential Travel Plan which focuses on information provision and includes a Welcome Pack for the first residential occupiers and provides information on sustainable travel.

Density and the mix of dwellings proposed

88. Delivering an appropriate density of development is essential as it ensures the best and most efficient use of land; delivering higher densities on redevelopment sites ensures that less land is required to meet housing need. Increasing densities also promotes sustainable development as more buildings, residences, shops, and services can be provided closer together for ease of walking, to enable a more efficient use of services and resources.
89. The density of the proposed development would be between 208 – 255 dwellings per hectare (based on the minimum and maximum residential parameters). The area encompassed by this density calculation does however include non-residential uses (retail/office/community) and the proposed public square. Having regard to the District Centre location within the Urban Area this density range is considered to be acceptable although consideration should also be afforded to the result of these densities such as how they are manifest in the proposed building heights and the impact upon the character of the area. This will be considered further in later sections of this report.
90. Although subject to change (within the parameters) at reserved matters stage the submitted illustrative scheme includes the following (208no. residential units overall):
- 1 bed 2 person 101
 - 2 bed 3 person 37
 - 2 bed 4 person 61
 - 3 bed 5 person 9
91. Having regard to the District Centre location of the site the illustrative unit mix is considered to be acceptable however, the final mix of residential units would be determined through future reserved matters applications.

Impact upon the character of the area and the wider landscape

92. One of the core principles of planning as identified in the NPPF is securing high quality design. Paragraph 57 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 Core Strategy 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 are required to provide a positive benefit in terms of landscape and townscape character and local distinctiveness. Policy DM17 of the Development Management Policies DPD (2016) states that development should create or contribute to a safe, attractive, high quality, inclusive and legible public realm which positively contributes to local character and encourages social interaction. The Woking Character Study and the SPD 'Design (2015)' also provide design considerations.

93. Chapter 8 of SPD 'Design (2015)' sets out that, within West Byfleet District Centre, there is scope for new and improved public spaces as the evolution of the centre has led to removal of public spaces and quality deteriorating and that the provision of new public space would significantly improve the centre. The SPD goes on to state that in West Byfleet the Sheer House site occupies a significant proportion of the District Centre and, in its current form, has a negative impact on the character of the area.
94. The SPD sets out that, where possible, proposals should aim to re-establish a perimeter block format, building footprints should not be oversized, private space and servicing should not address a public streetscape, new development should take account of any opportunities to provide new pedestrian public space and that proposed uses should enhance the designated centre and not diminish current vehicular parking numbers. Whilst Chapter 8 of the SPD looks in detail at West Byfleet it should also be noted that the SPD states West Byfleet "*is used here as a case study to explain the issues and opportunities faced in suburban centres*". Although an indicative potential layout of new development at Sheer House is shown this is used as an example of development in suburban centres and is not, in itself, a planning policy for the site.
95. In terms of scale SPD 'Design (2015)' states that new proposals should accommodate medium scale buildings (circa 5 – 6 storeys) in a clear block structure with good public space. The provision of successful external spaces has social, economic and environmental benefits for new developments and centres as a whole.
96. Policy BE3 (District Centre Development Character) of the emerging WBNDP sets out that:
- Development within the District Centre (as defined in Figure 14) should reflect local character and proposals should demonstrate how they will conserve and, where possible, enhance, local heritage assets, with particular regard to the Conservation Areas and their settings.*
97. Policy BE4 (Sheer House Complex ("SHC") Development) of the emerging WBNDP sets out that:
- The redevelopment of the SHC will be supported, provided the redevelopment of the site will have a positive effect on the area's townscape character and adjacent Conservation Areas. Development proposals should clearly demonstrate how the scheme will achieve high quality and inclusive design that creates a sense of place and a high quality public realm based on the principles set out in the Design SPD, and in the local character assessment within the Neighbourhood Plan.*
98. Alongside the parameter plans and illustrative scheme a Design Code has also been submitted with the application which sets out a number of urban design principles for the proposed development and which would guide the design of the future phases of the development at reserved matters stage(s). The Design Code sets out a number of mandatory requirements that are included to control urban design and architectural or landscaping details which are considered important to delivering a successful master plan. Additional information is also included as discretionary elements which are desirable but offer flexibility for deviations.
99. The application site is located within the centre of West Byfleet, forming the core retail area fronting onto Station Approach and Old Woking Road and presenting inactive

elevations to Madeira Road and Lavender Park Road. Smaller scale retail development lies to the north-west, south-west and south-east alongside a Waitrose supermarket to the south-west. Residential development lies predominantly to the east and provides the general wider context of West Byfleet, interspersed with green space. West Byfleet Railway Station is approximately 100 metres to the north.

100. The application site occupies an area of land within the District Centre, which has been modified through extensive development over the passage of time. The existing buildings on the site have little or no relationship to the street due to their set back position from the street and footway and the depth of surface level car parking between the street and the buildings.
101. The existing ground level falls gently, by approximately 2.4 metres, from a height of + 27.1 AOD (Above Ordnance Datum) at Old Woking Road to + 24.7 AOD at the junction of Madeira Road and Station Approach. The existing application site includes the mixed use Sheer House development; this collection of interconnecting concrete buildings and structures comprises 18 retail units in two parades, five floors of offices rising up from these parades (forming a maximum height of seven storeys) and a raised parking deck for 75 cars. A further area of surface car parking is located around the circular form library. Several Limes form street trees and ornamental shrub beds and London Plane trees are located within the surface car park.
102. The design of the existing Sheer House complex is very much of its 1960s time, having a bold, brutalist and modular appearance, and a rigid geometric layout. The core office block is surrounded by lower secondary elements, comprising retail units and car parking decks, all deferring to the core office block. In terms of hard and soft landscaping of the existing site there is currently nothing of note to soften the brutalist design of the Sheer House complex and public realm is very limited due to the predominance of surface car parking, prominent servicing areas and the general landscape of the existing site showing vehicular priority, which is somewhat exacerbated by convoluted pedestrian access points.
103. The zone of visibility for the existing site is relatively limited, despite the height of the Sheer House office building. The close urban grain of West Byfleet, combined with the presence of mature trees within the streetscape, public parks, private gardens and golf courses and the very gently undulating landform within the vicinity obscure long views towards the site.
104. The proposal comprises five main building blocks, three of which would be interconnected, arranged around a public square and a podium level roof garden. The five main building blocks would range in height from five to seven storeys which will provide a high level of enclosure to the external spaces and a strong articulation to the surrounding built form and spaces within the centre of West Byfleet. The main square would form a significant new public space central to the District Centre whilst the roof gardens and podium (Building B) would be allocated for private residential amenity.

Design Parameters

105. Parameter plans set the limits of horizontal deviation for each of the buildings proposed, setting out the minimum dimensions of distances between buildings, and the size of open spaces, including the public square and communal amenity spaces.
106. The limits of horizontal deviation allow for flexibility regarding the extent of each plot of development, architectural expression, and the need to cater for end user

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requirements through the refinement of proposals as part of the detailed design stage and submission of reserved matters application(s) and have been defined through the consideration of urban design principles within the site, the relationship of the proposed development with adjacent buildings and the need to create suitable pedestrian permeability through the site.

107. The minimum and maximum building dimensions for each building are set out in the table below:

Plot	Width (m)	Length (m)
Building A	15 – 19	71 – 74
Building B1	13 – 19	44 – 46
Building B2	13 – 19	44 – 46
Building C	13 – 19	35 – 37

108. Building lines along Old Woking Road and Station Approach are considered fixed, though there is a degree of flexibility at ground floor along Station Approach to recess the building line back in order to increase the width of the pedestrian routes and allow for architectural expression.
109. A minimum of 6 metres is to be maintained in the gap between Buildings A and C in order to frame the spire of St John the Baptist Church from the public square. To respond to future detailed assessment of microclimate conditions, parameters allow for this gap to increase up to a maximum of 10 metres. To allow for architectural expression of a prominent corner, the north-eastern end of Building A can deviate in accordance with Design Code 04.
110. The setting back of the top floor is permitted in accordance with Parameter Plan 03, although this is not a mandated requirement, except on Building A (see Design Code 02 for further details).
111. Parameter Plans also set the limits of vertical deviation (building height), detailing the minimum and maximum building heights, measured in meters Above Ordnance Datum (AOD) for each building plot within the application site. The limits of vertical deviation allow for architectural expression in respect of the vertical form of the proposed plots of development, whilst ensuring that the height of buildings is appropriate to its surrounding context. The minimum heights are designed to ensure that the development is not uniform in its height or appearance on the skyline.
112. Building set backs are employed within the minimum and maximum levels to allow for the mass of the buildings to be articulated during reserved matters application(s). As indicated on Parameter Plan 04, building parapets and lift overruns / plant housing may be above the stated AOD finished floor level. The Environmental Statement (ES) has been based on the maximum overall height. Whilst it is the AOD height that is defined through the parameter plans, indicative storey heights are also shown based on typical floor to floor heights of 5.5 metres for A1 - A5 Use Class and 3 metres for C2 / C3 Use Classes. Increased floor to floor height is allowed for on the taller elements in order to architecturally express the top of the building.
113. The building plots vary in height between 1 and 7 storeys and vary between a minimum height of AOD + 30.80 (approx. 4.8m AGL (Above Ground Level)) and a maximum height of AOD + 52.3 (approx. 25.3m AGL).
114. The proposed land uses across the site are defined through parameter plans,

highlighting areas permitted for residential (Use Class C2 / C3) and mixed-use (Use Class A1 - A5, B1 & D1) units. On the ground floor, the majority of floorspace will accommodate mixed-use units (Classes A1 - A5, B1a and D1). The parameter plans also indicate areas (the north-west element of Building B), where, due to the existing changes in ground levels across the site, mezzanine floorspace would be possible for mixed uses purposes (Classes A1 - A5, B1a and D1). Residential uses at ground floor level are limited to ancillary entrance lobbies and servicing and vehicle access which are proposed to be located on Madeira Road and Lavender Park Road in order to maintain active ground floor frontages.

115. The majority of floorspace at first floor level is allocated for residential (C2 / C3) uses. To allow for the retail or community uses to take advantage of the terrace of Building C to overlook the public square, the parameter plan allows for flexibility for the first floor level of Building C for mixed-use purposes (Classes C2 / C3, B1 and D1). The eastern end of Building A is also marked as mixed-use, to allow for potential floorspace of retail or community uses at first floor level in this location. The typical floor parameter plan proposes residential (Use Class C2 / C3) across the entire floorplate of all Buildings above first floor level.
116. The parameter plans also identify areas considered suitable for building entrances for residential (C2 / C3), retail (A1 - A5), commercial (B1a) and community (D1) uses, minimum footpath widths (including allowances for landscaping), the provision of on-street servicing and loading bays and vehicle and building servicing access locations. A route for fire tender access is to be provided into the public square. Active frontages are permitted along all road-facing elevations around the perimeter of all Buildings and within the public square.
117. The parameter plans also identify the key pedestrian connections that will be created and retained as part of the proposed redevelopment. The primary pedestrian connection is along Station Approach between Madeira Road and Old Woking Road, which is anticipated to facilitate the majority of north/south pedestrian movement from the Railway Station towards the retail centre of West Byfleet. This route would be approximately 5 metres wide (excluding the potential for a recessed colonnade), which could be brought forward at reserved matters stage.
118. Two secondary pedestrian connections are shown. Along Old Woking Road the minimum width would be 5m (including allowances for landscaping to help offset the impact of the Old Woking Road) and the further secondary connection would include a new pedestrian route through the public square towards the Church of St John the Baptist, where the existing pedestrian crossing is to be enhanced across Lavender Park Road. Two tertiary connections are shown, with a minimum width of 2 metres along Madeira Road and 3 metres along Lavender Park Road.
119. The parameter plans also identify public landscaped areas within the scheme, defining the creation of a new 'Public Square' within the application site. The parameter plans show the minimum area this public square would cover. The maximum extent of the public square would be determined by the horizontal deviations for the buildings that surround the square. However the minimum area for the public square would be 1,106 sq.m (0.1106 ha). It is considered that the proposed ground floor uses (including active frontages) and public square, as well as street trees along Old Woking Road and Station Approach will help to define the human scale. The proposed public realm is also considered to be in general conformity with Policy DM17 of the Development Management Policies DPD (2016).

120. The parameter plans define the proposed levels for the basement, and the levels of horizontal deviation, which allow the basement to be extended to the ownership boundary. These levels are subject to deviation of +/-1m. Ancillary plant and other systems (ie. SuDs attenuation tanks) may be locally lower than the stated finished floor levels.
121. The parameter plans also set out private landscape areas and locations where balconies could be implemented for residential private amenity spaces. Residential amenity space would be provided by way of communal amenity space, private balconies and terraces where appropriate. Private amenity space could be formed of projecting balconies, inset, or winter-gardens. The design of these amenity spaces would need to be well integrated into the overall building design although this would be assessed under reserved matters applications. For residential units where private balconies would not be provided, communal roof garden space is to be allocated within the same building and accessed by the same core as the residential unit served. The parameter plans set out minimum dimensions for the private landscaped areas, with each building and residential core having access to communal amenity space.
122. The parameter plans also allow that (i) where a residential unit opens directly onto communal amenity space, a proportion of the area can be allocated for use as private garden (ii) where set backs are employed on the top floors, terraces can be used as private amenity space for residential units and (iii) the provision of plant / lift overruns is permissible within the landscape areas. However, consideration would need to be given to the layout and location of roof top plant to ensure it does not compromise the usability of communal amenity spaces although this would be assessed under reserved matters applications.
123. The scheme would form a redevelopment of the core retail and office buildings, providing a mixed retail, community, office and residential development. These existing and proposed features would combine to provide a comprehensive townscape context to enhance the District Centre of West Byfleet.
124. Development of the core of this District Centre would not result in the loss of positive characterising features of the townscape. The replacement of the existing concrete Sheer House complex and associated low level retail parades with a mixed use development of larger scale and massing would invariably increase the density of the townscape although this is the intention of Policy CS3 of the Core Strategy. The buildings would be arranged to form protected private spaces for residents and to define a series of public spaces, including new public square, and rationalised streetscape.
125. The new public square around which the building blocks are arranged would be visible opening out onto Station Approach, providing greater visual diversity within the street scene. Street trees and planted roof terraces would soften the built form and link to trees within the surrounding townscape.
126. The proposal would remove the existing Sheer House complex and create new buildings with vertical and horizontal organisation of the facades that are ordered with a clear hierarchy, it would provide clear and legible active street frontages that directly join the pavement without any intervening boundary and provide a high quality streetscape and wide footways which would reinforce the existing street pattern and maintain the width of footways.

Design Code

127. The Design Code submitted provides the framework for which a future detailed design could be brought forwards and, together with the Parameter Plans, is considered a 'control' document, which any future Reserved Matters application(s) would need to comply with.
128. The gap between proposed Building A and Building C is set between 6 metres and 10 metres to ensure that the St John the Baptist Church spire axis 'anchors' the proposed public square equally between these two buildings.
129. The Design Code acknowledges that the prominent location, height and length of Building A (fronting Old Woking Road) requires articulation and that the top floor of Building A should be in part set back from the principal building facades (ie. those fronting Old Woking Road and the proposed public square), which could be achieved via a continuous set back or a staggered top floor.
130. The Design Code allows for the ground floor corner of Building B2 to be set back to ease the flow of pedestrians between Station Approach and the new public square, and for the ground floor of Building A to be set back to satisfy visibility splays for highways, both through the use of a colonnade.
131. In order to respond appropriately to the geometry of Old Woking Road and Lavender Park Road, the Parameter Plans permit flexibility to the north-eastern end of Building A. The Design Code sets out how a flexible approach to the treatment of the north-eastern end could be implemented within the prescribed level of deviation, through a shallow radius, gentle radius or angled edge.
132. The Design Code requires that all elevations must accentuate a clear top, middle and bottom composition to the elevation which should be expressed through subtle variations to the grid, materials, or set backs on the facade, and that on key elevations recesses and gaps should be employed to distinguish between taller and lower elements and break up longer runs of bays. In terms of depth and texture of the elevations the Design Code requires a clear articulation of window openings through either brick reveals or projecting window frames, and that, where brick reveals are proposed, these should have a depth of between half a brick and one brick.
133. In terms of the material palette the Design Code states that the predominant material for all buildings should be brick to be complimentary in tone and texture to the existing West Byfleet built environment. The Design Code establishes that the design of the public square must provide a clear perimeter and access route across the space for movement and activity, be durable and robust, allow 'spill-out' from buildings (e.g spaces for table and chairs), have a flexible central area suitable for community and market uses, provide seating and informal places to congregate, some of which should be in the sun, be predominantly hard landscaped, provide suitable ventilation for the car park and include a feature tree.
134. The proposed elements of buildings A and B of up to seven storeys would be the tallest in the area. However, these elements would be seen in context of the broad carriageway of Old Woking Road, placing the highest part of buildings A and B where they would correspond with this corner of Old Woking Road and Station Approach and therefore form an appropriate urban design response which would serve to signify the District Centre and provide a balanced 'gateway' to the proposed public square, when viewed from both Old Woking Road and Station Approach.

135. Building A would step down in height across its Old Woking Road elevation which would also be capable, at reserved matters stage through application of the submitted Design Code, of being carefully articulated and fenestrated to reduce the visual bulk of the building. Building B would step down to a podium level across much of its Station Approach elevation which would very much reduce the visual bulk of the five storey element of Building B from this street scene.
136. Building C would sit in the street scene context of Lavender Park Road, immediately adjacent to Roxburghe House, which has extant planning permission (Ref: PLAN/2016/0045) for the erection of a two storey extension. The maximum height above ground level (approximately 20.1m) of proposed Building C would measure approximately 2 metres greater than extant Roxburghe House (approximately 18.1m), which is not considered to appear significant in the resulting street scene, and is not considered to result in an oppressive relationship with Drayton Court to the east in terms of townscape character.
137. The south elevation of Building B, west elevation of Building C and north elevation of Building A would enclose the proposed public square although the minimum widths (42m and 46m respectively) and depths (23m and 28m respectively) of the public square are considered appropriate to this District Centre location. It is considered that the public square would make an attractive and welcoming public realm, have a strong sense of place and be well integrated. The perimeter buildings would enclose a new central space which would be well-connected with views of the St John the Baptist Church spire and active ground floor frontages.
138. In summary, whilst the proposed development would clearly mark a significant change to the District Centre of West Byfleet it is considered that the approach to the proposals in terms of design, layout and height is sound and justifiable and would, through application of the Design Code at reserved matters stage, create a high quality addition to West Byfleet District Centre and deliver a significant proportion of the change that Policy CS3 of the Core Strategy seeks to achieve. Moreover, good practice in Urban Design seeks to enhance the general character of the area and to prioritise, and contribute to, pedestrian permeability. The proposal is considered to be particularly effective in how it addresses Old Woking Road and Station Approach and would create a high quality public square and active frontages which would move away from the existing car dominated and prioritised site and to a pedestrianised site which would make a significant contribution to the daytime and evening vitality of the wider West Byfleet District Centre.
139. In this respect the proposed development is considered to reflect Policy CS3 of the Woking Core Strategy (2012) and SPD 'Design (2015)'.

Impact upon trees and landscaping

140. Policy DM2 of the Development Management Policies DPD (2016) states that development proposals should allow for the retention of the best tree specimens, should not result in the loss of trees or groups of trees of significant amenity value and that trees to be retained will be required to be adequately protected to avoid damage during construction. Policy CS21 of the Core Strategy also requires the retention of any trees of amenity value.
141. Policy OS3 (Trees and Hedges) of the emerging WBN DP sets out that:

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

142. The application is supported by an Arboricultural Impacts Assessment (dated 24 August 2016) prepared by agb Environmental Ltd. Due to the scale of the proposed development, including the provision of a basement across the majority of the site, the proposed development will require the removal of 19no. trees, T28 - T46 inclusive, the majority being London plane, with Lime, Oak and Horse chestnut also represented. The loss of these trees will have a considerable short to medium term visual impact upon local street scenes, particularly Old Woking Road and Station Approach.
143. Whilst this is the case new tree planting is required within the Design Code, including, within the new public square, a large landmark feature tree of a scale and size in keeping with the proposed building forms, to act as a focal point and to provide colour, texture and movement to this space. Furthermore a minimum of five trees suitable for planting in hard landscape, and capable of growing to significant stature and size without causing maintenance problems along Station Approach, are required alongside a minimum of five trees, of a species to contrast with the specimen avenue trees of Station Approach, and of more conical form, along Old Woking Road, by the Design Code.
144. Whilst the ability for new tree planting to provide long-term compensation for all proposed tree removal would be dependent upon species selection, planting location and subsequent aftercare, subject to due consideration being afforded to these factors, and in particular if species selection increases local diversity, ultimately the development has potential to deliver a tree stock of enhanced resilience and local significance than is currently present.
145. The Councils Arboricultural Officer comments that:

The proposed will require the removal of all the trees on site. Arboricultural information has been provided with details of these trees; the trees on site could not be retained as part of the proposed which is regrettable.

The new planting proposals outlined within the Landscape and Public Realm strategy are in principal acceptable and I believe will be a good long term solution to the landscape character of the area, providing large replacement specimens with adequate rooting environments will allow for quick establishment and maximise opportunities for good growth potential, this along with suitable species selection will enhance the area for generations to come. The large specimen planting proposed for the square will provide a significant focal point for the development.

There will be a requirement to provide details of underground structures (such as Silva cell) as all the tree planting is within hard surface areas, this should provide sufficient rooting volumes for the proposed trees to support them into maturity, the tree planting crates could help with drainage solutions.

146. The application is supported by an illustrative landscape and public realm strategy, including an indicative tree strategy, which demonstrates how a network of new tree planting could be brought forwards at reserved matters stage to reinforce street typologies and to add to the identity and legibility of the landscape. Overall the existing trees on the site are not deemed of significant enough value to constrain the layout of the proposed development and retention of existing trees would compromise the proposed development both in terms of urban design and the provision of a good quality public square. It is considered that new tree planting would be capable of mitigating the loss of 19no. existing trees in the medium-long term. Overall the proposal is considered to accord with Policy DM2 of the Development Management Policies DPD (2016), and Policy OS3 of the emerging WBNDP, in terms of impact upon trees. Landscaping would be considered further at reserved matters stage however the submitted illustrative landscape and public realm strategy demonstrates the potential for landscaping of a very high quality and of high public amenity value.

Impact upon neighbouring residential amenity

147. 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, light, or an overbearing effect due to bulk, proximity or outlook. Further guidance, in terms of neighbouring amenity impacts, is provided within SPD 'Outlook, Amenity, Privacy and Daylight (2008)'.
148. The key residential properties to assess are Globe House, Roxburghe House (also known as Magna West) and Drayton Court, all located on Lavender Park Road to the east, properties at upper floor levels within Station Approach/Madeira Road to the north and properties at upper floor levels along the opposing, southern side of Old Woking Road.
149. The impacts, in terms of potential loss of privacy and potential overbearing effect due to bulk, proximity or outlook, will be assessed with regard to each nearby residential property in turn and thereafter the daylight and sunlight impacts to each nearby residential property will be assessed in turn.

Globe House

150. Globe House is a three storey building fronting Lavender Park Road to the east, which has recently been converted from office to residential use under the 'prior approval' process (Ref: PLAN/2014/0147) and now comprises of 18no. apartments. Surface car parking is provided to the rear (west) and at basement level. There is a pending planning application (Ref: PLAN/2016/0990) at Globe House (considered elsewhere on this agenda) for extension from ground floor level to third floor level, extending west, to achieve increased living space within several existing apartments and to create 6no. further apartments (3no. studio and 3no. 1 bedroom).
151. Above ground floor level proposed Building B would achieve a minimum separation to the rear (west) elevation of Globe House measuring approximately 18 metres, therefore complying with the recommended minimum separation distances for achieving privacy set out within SPD 'Outlook, Amenity, Privacy and Daylight (2008)' and considered to be appropriate for the West Byfleet District Centre location. Whilst proposed Building B would undoubtedly alter the outlook from existing openings within the rear (west) elevation of Globe House any such redevelopment of the application site would have this effect. Notwithstanding this, and having regard to the locational

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characteristic of the application site within West Byfleet District Centre, it is considered that no significantly harmful loss of privacy or overbearing effect due to bulk, proximity or loss of outlook, would occur to Globe House contrary to Policy CS21 of the Core Strategy.

Roxburghe House (also known as Magna West)

152. Roxburghe House is a four storey building fronting Lavender Park Road to the east, which has also recently been converted from office to residential use under the 'prior approval' process (Ref: PLAN/2015/0869) and now comprises of 22no. apartments. Subsequently planning permission has been granted for external changes to the building (Ref: PLAN/2015/1110) and for the erection of a two storey extension to provide 5no. further apartments (Ref: PLAN/2016/0045). Surface car parking is provided to the front and rear.
153. Above ground floor level Building B would achieve a minimum separation to the rear (west) elevation of Roxburghe House measuring approximately 16 metres, therefore complying with the recommended minimum separation distances for achieving privacy set out within SPD 'Outlook, Amenity, Privacy and Daylight (2008)' and considered appropriate for the District Centre location. Furthermore the massing of Building B would stagger back from the common boundary with Roxburghe House by approximately 8.0m above third floor level. This factor would result in the maximum parameter building height directly opposite, and closest to the common boundary, approximating with the retained separation distance, with a further 8.0m of separation distance achieved at fourth floor level. Whilst Building B would undoubtedly alter the outlook from existing openings within the rear (west) elevation of Roxburghe House any such redevelopment of the application site would have this effect. Notwithstanding this, and having regard to the locational characteristic of the application site within West Byfleet District Centre, it is considered that no significantly harmful loss of privacy or overbearing effect due to bulk, proximity or loss of outlook, would occur to Roxburghe House contrary to Policy CS21 of the Core Strategy.
154. It is acknowledged that side-facing (south-east) openings are shown within the extant planning permission (Ref: PLAN/2016/0045) for a two storey extension at Roxburghe House adjacent to Building C. However the south-east facing opening at fourth floor level is shown to serve a bathroom (non-habitable space) with the opening at fifth floor level shown to serve as secondary aspect to a living room, the primary aspect to which is achieved via full height glazed windows onto a private balcony at the front (north-east) which would be materially unaffected by proposed Building C. Given these factors no significantly harmful impact is considered to occur to the side (south-east) elevation of Roxburghe House contrary to Policy CS21 of the Core Strategy.

Drayton Court

155. Drayton Court is a part two storey, part three storey 1960s development of 17no. apartments situated on the eastern side of Lavender Park Road. Building C has the potential to impact upon part of Drayton Court. Building B would be predominately screened from Drayton Court by both Building C and the existing Roxburghe House. Building A would be offset from Drayton Court. At its closest Building C would be located approximately 20 metres from Drayton Court and would have a conventional 'across the street' relationship with the street-facing elevation of Drayton Court, resulting in the maximum parameter building height approximating with the retained separation distance. This resulting relationship would be similar, in terms of height and separation distance, to that which will result between adjacent Roxburghe House and

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Drayton Court following implementation of extant planning permission reference PLAN/2016/0045 at Roxburghe House.

156. Whilst Building C would undoubtedly alter the outlook from existing openings within the street-facing (west) elevation of Drayton Court any such redevelopment of the application site would have this effect. Notwithstanding this, and having regard to the locational characteristic of the application site within West Byfleet District Centre, it is considered that no significantly harmful loss of privacy or overbearing effect due to bulk, proximity or loss of outlook, would occur to Drayton Court contrary to Policy CS21 of the Core Strategy.

Premier House

157. Premier House is located on the opposing (northern) side of Madeira Road to proposed Building B and has been converted to residential use under the office-to-residential prior approval procedure. The property also benefits from extant planning permission (Ref: PLAN/2016/0235) for the construction of a further storey containing 2no. apartments. Building B would be located approximately 12.6 metres from the south elevation of Premier House. Whilst proposed Building B would undoubtedly alter the outlook from openings within the south elevation of Premier House any such redevelopment of the application site would have this effect. Notwithstanding this, and having regard to the locational characteristic of the application site within West Byfleet District Centre, and the resultant 'across the street' relationship' it is considered that no significantly harmful loss of privacy or overbearing effect due to bulk, proximity or loss of outlook, would occur to Premier House contrary to Policy CS21 of the Core Strategy.

Nos.15 - 16, Nos.24 - 29, Nos.30 - 33 and No.34 Station Approach

158. Nos.15 - 16 Station Approach are located on the opposing, northern side of Madeira Road and contain retail use at ground floor with office space above and therefore no significantly harmful impact, in terms of potential loss of privacy or overbearing effect is considered to occur.
159. Having regard to relevant retained levels of separation between Building B and Nos.24 - 28 Station Approach (located approximately 38 metres to the north), No.29 Station Approach (located approximately 26 metres to the north-west) and Nos.30-33 and No.34 Station Approach (located approximately 24 metres to the north-east), and taking account of the fact that any residential accommodation within properties fronting Station Approach occurs at first floor level and above, and that Nos.32 - 34 Station Approach are slightly offset from the proposed Building B, no significantly harmful impact, in terms of potential loss of privacy or overbearing effect, is considered to occur to residential accommodation within these properties contrary to Policy CS21 of the Core Strategy.

Nos.7 - 9, Nos. 11 - 15, Nos.17 - 19 and Nos.20 - 23 Old Woking Road

160. A minimum separation distance measuring approximately 26.2 metres would be retained between Building A and properties on the opposing, southern side of Old Woking Road. Again it is also a material consideration that any residential accommodation within properties on the opposing, southern side of Old Woking Road directly opposite Building A occur at first floor level and above. Given these considerations, and having regard to the maximum height parameter of Building A of 25.3 metres Above Ground Level (AGL) no significantly harmful impact, in terms of

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potential loss of privacy or overbearing effect, is considered to occur to residential accommodation within these properties contrary to Policy CS21 of the Core Strategy.

Operational impacts

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

Air quality impacts

163. Paragraph 109 of the NPPF sets out that planning should “*contribute to conserving and enhancing the natural environment by... preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution or land instability*”.
164. The Air Quality section of the National Planning Practice Guidance (NPPG) describes the circumstances when air quality can be a planning concern, requiring assessment. The NPPG advises that whether or not air quality is relevant to a planning decision will depend upon the proposed development and its location. Concerns could arise if the development is likely to generate air quality impacts in an area where air quality is known to be poor. They could also arise where the development is likely to adversely impact upon the implementation of air quality strategies and action plans and/or, in particular, lead to a breach of EU legislation (including that applicable to wildlife).
165. Neither the NPPF nor the NPPG is prescriptive on the methodology for assessing air quality effects, or describing significance, however do advise that “*assessments should be proportionate to the nature and scale of development proposed and the level of concern about air quality, and because of this are likely to be locationally specific*”.
166. The Environmental Statement (ES) contains a chapter on air quality which considers

dust effects during the construction phase, and the air quality impacts during the operational phase, of the proposed development. Impacts during the construction of the proposed development, such as dust generation and plant vehicle emissions, are predicted to be of short duration and only relevant during the construction phase. The results of the risk assessment of construction dust impacts undertaken within the ES, using the IAQM (Institute of Air Quality Management) dust guidance, indicates that, subject to the implementation of the highly-recommended mitigation measures described in the IAQM construction dust guidance the residual dust effects during the construction phase should be reduced to a level categorised as “*not significant*”.

167. In terms of the operational impact of the proposed development upon the surrounding area, within the ES detailed atmospheric dispersion modelling has been undertaken for the first year in which the development is expected to be fully operational, 2023. The operational impact of the proposed development upon existing receptors in the local area is predicted to be ‘negligible’, taking into account the changes in pollutant concentrations and absolute levels. Using the criteria adopted for this assessment together with professional judgement, the ES concludes that the overall impact upon the area as a whole would be ‘negligible’.
168. Regarding suitability of air quality at the site for introducing new occupants, pollutant concentrations at the facades of proposed residential receptors are predicted to be well within the relevant health-based air quality objectives. On that basis, future occupants of the proposed development should be exposed to acceptable air quality and the site is deemed suitable for its proposed use in this respect.
169. The NPPG advises that in considering planning permission, the relevant question for air quality is “*will the proposed development (including mitigation) lead to an unacceptable risk from air pollution, prevent sustained compliance with EU limit values or national objectives for pollutants or fail to comply with the requirements of the Habitats Regulations?*” The conclusion of the ES is that the proposed development will not.
170. The Council’s Environmental Health service has reviewed the air quality chapter of the ES and raises no objection to the proposed development on this basis. Overall therefore the proposed development does not, in air quality terms, conflict with national or local planning policies, or with measures set out in Woking Borough Council’s Air Quality Action Plan.

Noise and vibration

171. The Noise and Vibration chapter of the Environmental Statement (ES) provides an assessment of the likely noise and vibration effects of the proposed development upon existing noise and vibration sensitive receptors (NVSRs) and to ascertain the suitability of the site for the development and determine any mitigation measures that may be required to ensure suitable internal and external environments.
172. The ES concludes that, with appropriate mitigation, plant utilisation and working methods, and provided that standard control measures are implemented (through a Contractor’s Construction Noise Management Plan or similar), noise generation due to construction works will result in ‘minor adverse’ effects. Traffic generation due to construction works will result in a ‘negligible’ effect.
173. Mechanical and electrical plant on the development, and within all plant areas of the development, would be selected, installed, operated and maintained such as to

minimise any distinct characteristics of its noise emissions, such as tonal or impulsive content. Plant would be designed such as to ensure that the resulting cumulative rating level at the nearest noise sensitive receptor does not exceed British Standard 4142:2014 '*Methods for rating and assessing industrial and commercial sound*'. This matter is capable of being controlled through a combination of scrutiny at reserved matters stage and via planning conditions.

174. The Council's Environmental Health service has reviewed the noise and vibration chapter of the ES and raises no objection the proposed development on this basis.

Daylight impacts

175. In accordance with the maximum parameters of the outline application, including building heights, the impact of the proposed development upon nearby existing residential properties has been assessed by the applicant within a Daylight and Sunlight Assessment carried out in compliance with the methodology outlined within the Building Research Establishment (BRE) Guide 'Site Layout Planning for Sunlight and Daylight: A Guide to Good Practice (2011)' and the British Standard 'BS 8206-2 Lighting for buildings – Part 2: Code of practice for daylighting', both which are a recognised industry tool for assessing these effects. Both are however guides and compliance is not mandatory, since the actual effect can be influenced by other factors. The BRE guidelines are also referred to within the Council's SPD 'Outlook, Amenity, Privacy and Daylight (2008)'. It must be borne in mind that the daylight impacts outlined within the submitted Daylight and Sunlight Assessment represent a 'worst case' scenario since the assessment has been based upon the maximum parameters. In the event outline planning permission is granted, and reserved matters application(s) come forwards at less than the maximum parameters, the potential daylight impacts upon nearby existing residential properties would be reduced.
176. Rooms in adjoining or nearby housing where daylight is required include living rooms, kitchens and bedrooms. Windows to bathrooms, toilets, storerooms, circulation areas and garages need not be analysed as daylight is not required to these rooms.
177. The quality and quantity of natural light in an interior depend on two main factors. The design of the interior environment is important: the size and position of windows and the depth and shape of rooms. The design of the external environment also plays a major role: the quality and quantity of daylight inside a room will be impaired if obstructing buildings are large in relation to their distance away.
178. Vertical Sky Component (VSC) and Average Daylight Factor (ADF) are the primary tests which have been used to assess impact upon daylight.

Vertical Sky Component (VSC)

179. Vertical Sky Component (VSC) quantifies the amount of skylight falling on a vertical wall or window, measured on the outer pane of the window. This is the ratio, expressed as a percentage, of the direct sky illuminance falling on a reference point (usually the centre of the window) to the simultaneous horizontal illuminance under an unobstructed sky (overcast sky conditions). The maximum value of VSC for a completely unobstructed vertical window pane is 40%. According to the BRE Guide, if the VSC with the new development in place, as measured at the centre of a window, is at least 27% then enough skylight should still be reaching the window of the existing building. If the VSC, with the new development in place, is both less than 27% and less than 0.8 times its former value, occupants of the existing building will notice the

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reduction in the amount of skylight. Clearly 'noticeable' is a different test than that set out within Policy CS21 of the Core Strategy, which refers to 'significant' harm rather than a 'noticeable' effect.

180. Furthermore, the BRE Guide makes allowance for different target values in cases where a higher degree of obstruction may be unavoidable such as historic city centres or modern high rise buildings. The guide states that the 27% value is *“purely advisory and different targets may be used on the special requirements of the proposed development or its location”*.

Average Daylight Factor (ADF)

181. The most effective way to assess quality and quantity of daylight within rooms is by calculating the Average Daylight Factor (ADF). The ADF, which is a measure of the overall amount of daylight in a space, is the ratio of the average illuminance on the working plane in a room to the illuminance on an unobstructed horizontal surface outdoors, expressed as a percentage.
182. The ADF takes into account the VSC value, i.e. the amount of skylight received on windows, the size and number of windows serving a single room, the diffuse visible transmittance of the glazing used, the maintenance factor and the reflectance of the room surfaces. Therefore ADF is considered as a more detailed and representative measure of the daylight levels within rooms. Where there are multiple windows serving a single room the ADF due to each one can be added together. BS 8206-2 *Lighting for buildings – Part 2: Code of practice for daylighting* recommends, for housing, minimum values of ADF of 2% for kitchens, 1.5% for living rooms and 1% for bedrooms.

Measure of Interior Daylight	Benchmark	Daylight Criterion
Vertical Sky Component (VSC)	27%	If the VSC, with the new development in place, is both less than 27% and less than 0.8 times its former value (i.e a loss of over 20%), occupants of the existing building will notice the reduction in the amount of skylight.
Average Daylight Factor (ADF)	2.00%	Minimum value of ADF for kitchens
	1.50%	Minimum value of ADF for Living rooms and Study Rooms
	1.00%	Minimum Value of ADF for bedrooms

Summary of the daylight analysis for the impact of the new development on the existing buildings of Drayton Court, Globe House and Roxburghe House (maximum parameter)

	VSC Test	ADF Test
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Building/Floor	Total no. windows	Exist. no. windows meeting VSC Criteria (above 27%)	Prop. no. windows meeting VSC Criteria (retain 27% or less than 20% loss)	Total no. of rooms	Exist. no. rooms meeting ADF Criteria	Prop. no. rooms meeting ADF Criteria
Drayton Court - Ground	10	10	2	10	10	7
Drayton Court - First	10	10	2	10	10	8
Drayton Court - Second	2	2	0	2	2	1
Globe House - Ground	9	3	2	8	4	4
Globe House - First	17	8	10	8	7	6
Globe House - Second	9	8	9	8	7	7
Roxburghe House - Ground	5	0	0	5	3	1
Roxburghe House - First	7	3	4	7	4	4
Roxburghe House - Second	7	6	7	7	5	4
Roxburghe House - Third	7	7	7	7	5	4
Roxburghe House - Fourth	7	7	7	7	7	7
Roxburghe House - Fifth	7	7	7	7	7	7
Total	97	71/97 73% comply	57/97 59% comply	79	64/79 81% comply	53/79 67% comply

Globe House (As Existing)

183. The submitted daylight assessment assesses the daylight impact upon windows within

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the rear (west) elevation of Globe House facing directly towards the application site in the current building form and internal arrangement of Globe House.

184. With regard to daylight the VSC to nine ground floor windows within Globe House would both fall below 27%, and result in reductions of greater than 20% in comparison to the existing situation. Consequently reductions in daylight to these windows would be noticeable to occupiers, however the retained ADF to all but four rooms would exceed the BS 8206-2 minimum values. Of these two living rooms would retain ADF of 1.09% and 0.98% respectively. Whilst these retained ADF values would fall short of the relevant BS 8206-2 minimum value of 1.50% one of these living rooms does not achieve 1.50% ADF as existing. Two bedrooms would retain ADF of 0.52% and 0.77%, in comparison to the relevant BS minimum value of 1.00%.
185. VSC to seven first floor windows within Globe House would both fall below 27%, and result in reductions of greater than 20% in comparison to the existing situation. Consequently reductions in daylight to these windows would be noticeable to occupiers, however the retained ADF to all but two rooms served by these windows would nonetheless exceed the BS 8206-2 minimum values, whereby a reasonable level of daylight would be maintained. Of the two rooms which would not exceed the BS 8206-2 minimum values, both are bedrooms and would retain ADF of 0.73% and 0.89% respectively. Whilst these fall below the relevant BS minimum value of 1.00% the loss in ADF is not significant over and above the existing situation and therefore a significantly harmful loss of daylight is not considered to arise contrary to Policy CS21.
186. All windows at second floor level within Globe House would retain VSC of either 27%, or would sustain losses of less than 20% in comparison to the existing situation. Daylight losses to the second floor windows are therefore unlikely to be noticeable to occupiers.
187. Overall, whilst a noticeable loss of daylight would occur to a number of ground and first floor living rooms and bedrooms within Globe House, retained levels of daylight within the majority of these living rooms and bedrooms is considered to be sufficient such that significant harm would not occur contrary to Policy CS21 of the Core Strategy. Two ground floor living rooms, and two ground floor bedrooms, would sustain losses of daylight which are considered to be significant. Whilst this is the case it is a material consideration that the existing daylight achieved to these ground floor rooms are of values which are very sensitive to any loss of daylight as existing. Given the locational characteristic of the West Byfleet District Centre location overall Globe House is considered to retain good levels of daylight to living rooms and bedrooms. The harmful impact upon a number of rooms has to be weighed against the overall public benefits of the proposed development.

Globe House (With Proposed Extension)

188. There is a pending planning application (Ref: PLAN/2016/0990) at Globe House (considered elsewhere on this agenda) for extension from ground floor level to third floor level, extending west, to achieve increased living space within several existing apartments and to create 6no. further apartments (3no. studio and 3no. 1 bedroom). Although this adjacent development does not yet benefit from planning permission the submitted daylight assessment has assessed the impact of the proposed development upon Globe House in the event that the Globe House extension is granted planning permission and is implemented.
189. The cumulative impact of the Globe House extension (Ref: PLAN/2016/0990) together

with the proposed development would result in retained ADF to two ground floor living rooms of 0.87% (BS min value = 1.50%). With only the proposed development in place these living rooms would retain ADF of 1.09% and 0.98%. A ground floor bedroom would retain ADF of 0.40% (BS min value = 1.00%) however with only the proposed development in place this bedroom would retain ADF of 0.52%. Two further ground floor bedrooms would retain ADF of 0.95% and 0.66% respectively. With only the proposed development in place these bedrooms would retain ADF of 1.94% and 1.06% respectively, which would accord with the BS minimum values. This demonstrates that it is the Globe House extension itself which causes retained ADF values to fall below the BS minimums. However one bedroom would achieve retained ADF of 0.95% which is only 0.05% short of the BS minimum value.

190. A first floor level bedroom would retain ADF of 0.66% although, with only the proposed development in place, this bedroom would retain ADF of 0.73%. This window as existing does not achieve the BS minimum value of 1.00%.
191. With both the proposed Globe House extension in place, and the proposed development in place, the living rooms and bedrooms within the proposed Globe House extension would retain ADF values which would exceed the minimum values set by BS 8206-2 *Lighting for buildings – Part 2: Code of practice for daylighting* with the exception of a single third floor bedroom which would retain ADF of 0.99% as opposed to the relevant BS minimum value of 1.00%. Given this very minor level of shortfall the proposed development is not considered to materially impact upon the provision of adequate daylight to habitable rooms within the proposed Globe House extension.
192. Overall, whilst the proposed development, figured cumulatively with the proposed Globe House extension (Ref: PLAN/2016/0990), would materially impact upon daylight provision to two ground floor living rooms, three ground floor bedrooms, two first floor bedrooms, and a single second floor bedroom, the assessment demonstrates that these daylight impacts are as much a consequence of the proposed Globe House extension as of the proposed development. Given the locational characteristic of the West Byfleet District Centre, Globe House is considered to retain reasonable levels of daylight to living rooms and bedrooms. The loss of daylight to a number of rooms has to be weighed against the overall public benefits of the proposed development.

Roxburghe House (also known as Magna West)

193. The submitted daylight assessment assesses the daylight impact upon windows within the rear (west) elevation of Roxburghe House (also known as Magna West) facing directly towards the application site. The west-facing windows within the extant two storey extension (Ref: PLAN/2016/0045) have also been assessed.
194. VSC to all ground floor windows within Roxburghe House would both fall below 27%, and result in reductions of greater than 20% in comparison to the existing situation. Consequently reductions in daylight to these windows would be noticeable to occupiers however the retained ADF to one room would exceed the BS 8206-2 minimum standards and this room would therefore retain reasonable daylight levels. Furthermore two ground floor bedrooms would retain ADF of 0.99% and 0.93%, which fall marginally short of the 1.00% BS 8206-2 standard, and would represent losses of approximately 23% in comparison to the existing situation, 3% above that considered by the BRE Guide to represent a 'noticeable' effect. Additionally two living rooms would retain ADF of 0.71% and 0.66% respectively. Whilst these would represent

significant shortfalls of the relevant 1.50% standard these retained ADF values would represent reductions of between approximately 17% and 20% of ADF in comparison to the existing situation and are therefore not considered to be significantly harmful having regard to the existing situation.

195. VSC to three first floor windows within Roxburghe House would both fall below 27%, and result in reductions of greater than 20% in comparison to the existing situation. Consequently reductions in daylight to these three windows would be noticeable to occupiers, however, of these three windows, the retained ADF to two bedrooms would exceed the BS 8206-2 standard. Whilst retained ADF to a single living room (1.16%) would fall below the 1.50% value this living room as existing, at 1.41% ADF, does not meet the relevant value and the reduction amounts to approximately 18% in comparison to the existing situation, which is not considered to be significantly harmful to occupiers having regard to the existing situation.
196. VSC to all windows at second floor level and above within Roxburghe House, including the extant two storey extension, would not fall below 27%, and not result in reductions of greater than 20% in comparison to the existing situation, and therefore reductions in daylight to second floor level and above would not be noticeable to occupiers.
197. Overall, whilst a noticeable loss of daylight would occur to a number of ground and first floor living rooms and bedrooms within Roxburghe House, retained levels of daylight within the majority of these living rooms and bedrooms is considered to be such that significant harm would not occur contrary to Policy CS21. Given the locational characteristic of the West Byfleet District Centre, Roxburghe House is considered to retain reasonable levels of daylight to living rooms and bedrooms.

Drayton Court

198. The submitted daylight assessment assesses the daylight impact upon windows within the street-facing (west) elevation of Drayton Court facing directly towards the application site.
199. VSC to eight out of ten ground floor windows within Drayton Court would both fall below 27%, and result in reductions of greater than 20% in comparison to the existing situation. Consequently reductions in daylight to these windows would be noticeable to occupiers, however the retained ADF to all but three ground floor rooms would exceed the BS 8206-2 minimum standards. Two ground floor living rooms would fall below these standards but would retain ADF of 1.45% and 1.36% respectively in comparison to the 1.50% BS 8206-2 minimum standard. Additionally a kitchen would retain ADF of 1.64% in comparison to the 2.00% BS 8206-2 minimum standard.
200. VSC to eight out of ten first floor windows within Drayton Court would both fall below 27%, and result in reductions of greater than 20% in comparison to the existing situation. Consequently reductions in daylight to these windows would be noticeable to occupiers, however the retained ADF to all but two rooms would exceed the BS 8206-2 minimum standards. A first floor living room would retain ADF of 1.49% in comparison to the 1.50% BS 8206-2 minimum standard, and a kitchen would retain ADF of 1.79% in comparison to the 2.00% BS 8206-2 minimum standard.
201. At second floor level the VSC of a single living room window would fall below 27%, and result in a reduction of greater than 20% in comparison to the existing situation. Consequently reductions in daylight would be noticeable to this room, however the retained ADF to the room would exceed the BS 8206-2 minimum standard. The VSC

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of a kitchen window would both fall below 27%, and result in reductions of greater than 20% in comparison to the existing situation, although would retain ADF of 1.97% in comparison to the 2.00% BS 8206-2 minimum standard.

202. Overall whilst reductions in daylight to habitable rooms within Drayton Court would be noticeable to occupiers the retained ADF to habitable rooms would largely comply with the BS 8206-2 minimum standards. Where retained ADF would fall below the minimum values the retained daylight values to the relevant rooms are not considered to be significantly harmful taking account of the relatively modest shortfalls from the relevant BS 8206-2 minimum values.

Premier House

203. Premier House is located on the opposing, northern side of Madeira Road. VSC to some windows within Premier House, with the new development in place, would be both less than 27% and less than 0.8 times its former value (a loss exceeding 20%), however most of the rooms served by these windows would retain ADF values exceeding the BS 8206-2 minimum standards. Therefore a significantly harmful loss of daylight is not considered to occur to those rooms. One living room would retain ADF of 1.39% (BS min value = 1.50%) however this reduction would represent less than 20% of the existing and is therefore not considered to be significantly harmful. A second living room would retain ADF of 0.87%. Whilst this would fall short of the BS minimum value of 1.50% this existing living room, at 1.35% ADF, does not currently meet the BS minimum value. This living room would experience a noticeable reduction in daylight however this would represent the only significant loss of daylight to the six rooms within Premier House and must be weighed against the overall public benefits of the proposal and having regard to the locational characteristic within West Byfleet District Centre.

Nos.15 - 16, No.17 and No.18 Station Approach

204. Nos.15 - 16, No.17 and No.18 Station Approach are located to the north of the application site on the opposing, northern side of Madeira Road. Nos.15 - 16 Station Approach contain retail use at ground floor with office space above and therefore are not required to be tested in terms of retained daylight provision. VSC to all windows within No.17 and No.18 Station Approach, with the new development in place, would not be both less than 27% and less than 0.8 times its former value (a loss exceeding 20%), and therefore occupants of these buildings would be unlikely to notice the reduction in the amount of daylight.

Nos.24 - 28, No.29, Nos. 30 - 33 and No.34 Station Approach and Nos.20 - 23 Old Woking Road

205. Nos.24 - 28, No.29, Nos. 30 - 33 and No.34 Station Approach are located to the north of the application site on the opposing, northern side of Madeira Road. Nos.20 - 23 Old Woking Road are located to the south of the application site on the opposing side of Old Woking Road. VSC to all windows within Nos.24 - 28, No.29, Nos. 30 - 33 and No.34 Station Approach and Nos.20 - 23 Old Woking Road, with the new development in place, would not be both less than 27%, and less than 0.8 times its former value (a loss exceeding 20%), and therefore occupants of rooms served by these windows would be unlikely to notice the reduction in the amount of daylight.

Nos.17 - 19 Old Woking Road

206. Nos.17 - 19 Old Woking Road are located to the south of the application site on the opposing side of Old Woking Road. VSC to twelve first and second floor windows within Nos.17 - 19 Old Woking Road would both fall below 27%, and result in reductions of greater than 20% in comparison to the existing situation. It should be noted that some of these windows are projecting 'oriel' windows with the three window 'sides' having all been assessed. However the retained ADF to all but one room would exceed the BS 8206-2 minimum values. One living room would retain ADF of 1.01%, short of the 1.50% minimum value, however this would represent a reduction of approximately 24% in comparison to the existing situation (1.33% ADF) and therefore is not considered to be significantly harmful and must be weighed against the overall public benefits of the proposal and having regard to the locational characteristic within West Byfleet District Centre.

Nos. 11 - 15 Old Woking Road

207. Nos. 11 - 15 Old Woking Road are located to the south of the application site on the opposing side of Old Woking Road. VSC to six first and second floor windows within Nos.11 - 15 Old Woking Road would both fall below 27%, and result in reductions of greater than 20% in comparison to the existing situation. Consequently reductions in daylight to these six windows would be noticeable to occupiers, however the retained ADF to the two living rooms served by these six windows would exceed the BS 8206-2 minimum standards and therefore no significantly harmful loss of daylight is considered to arise.

Nos.7 - 9 Old Woking Road

208. Nos. 7 - 9 Old Woking Road are located to the south of the application site on the opposing side of Old Woking Road. VSC to three first floor windows within Nos.7 - 9 Old Woking Road would both fall below 27%, and result in reductions of greater than 20% in comparison to the existing situation. Consequently reductions in daylight to these three windows would be noticeable to occupiers, however the retained ADF to the two rooms served by these three windows would exceed the BS 8206-2 minimum standards and therefore no significantly harmful loss of daylight is considered to arise.

Sunlight impacts

209. Sunlight is an important issue to consider for the quality of an internal space. The orientation of windows and the position of a building on a site will have an impact upon the amount of sunlight received but will also have an effect upon the sunlight neighbouring buildings receive.
210. Unlike daylight, which is non-directional and assumes that light from the sky is uniform, the availability of sunlight is dependent on the orientation of the window, or area of ground, being assessed relative to the position of due south. To assess loss of sunlight to an existing building, the BRE guide suggests that all main living rooms of housing should be checked if they have a window facing within 90° of due south. Kitchens and bedrooms are less important.
211. If the main living room can receive at least 25% of annual probable sunlight hours (APSH), including in the 'winter' months between 21 September and 21 March (for ease of reference this period is referred to as 'winter months') of at least 5% of APSH, then the room should still receive enough sunlight. In this context 'Probable sunlight hours' means the total number of hours in the year that the sun is expected to shine on unobstructed ground, allowing for average levels of cloudiness for the location in

question.

212. Any reduction in sunlight access below the levels above should be kept to a minimum. If the available sunlight hours are both less than the amount above and would be reduced by 20% or more of their former value, either over the whole year or just in the winter months, then the occupants of the existing building will notice the loss of sunlight.

Drayton Court

213. The retained APSH to all main living rooms within Drayton Court, over both the whole year (BRE min. value = 25%) and the 'winter' months (BRE min. value = 5%), achieve values whereby the rooms should still receive enough sunlight. Furthermore APSH would not be reduced by 20% or more of their former value, either over the whole year or during the 'winter' months. The occupants of Drayton Court should therefore not notice a loss of sunlight to main living rooms.

Globe House

214. Two ground floor level living rooms within Globe House would retain 18% and 19% APSH respectively. These rooms would also experience a reduction of more than 20% of their former APSH value over the whole year. The occupants of these two main living rooms would therefore notice the loss of sunlight.
215. Two first floor level living rooms within Globe House would retain 3% APSH during the 'winter' months (as opposed to the BRE 5% min. value) and 6% and 7% respectively across the whole year (as opposed to the 25% min. value). However the existing 'winter' month APSH values to these living rooms is 4% with the existing APSH value across the whole year 7% and 8% respectively. Whilst these reductions in sunlight are likely to be noticeable, given the low existing values the level of reduction represents an actual loss of no more than 1% APSH.
216. Overall, whilst a noticeable loss of sunlight would occur to two ground floor living rooms and two first floor living rooms within Globe House, retained levels of sunlight within the majority of the living rooms and bedrooms within Globe House are considered such that significant harm would not occur contrary to Policy CS21 of the Core Strategy. Having regard to the locational characteristic within West Byfleet District Centre overall Globe House is considered to retain adequate levels of sunlight to living rooms and bedrooms.

Roxburghe House (also known as Magna West)

217. The submitted sunlight assessment assesses the sunlight impact upon windows within Roxburghe House (also known as Magna West). The windows within the extant two storey extension (Ref: PLAN/2016/0045) have also been assessed. Two ground floor level living rooms would retain 17% and 15% APSH respectively across the whole year; representing reductions of 29% and 21% respectively. Whilst the loss of sunlight is therefore likely to be noticeable to occupiers of these rooms the living room sustaining a reduction of 21% is marginally above the 20% reduction considered to be 'noticeable' by the BRE Guide. The remaining ground floor level living room currently achieves 24% APSH (the BRE minimum is 25% APSH) across the whole year as existing and therefore any development of the application site is likely to result in a retained APSH figure of below 25% to this nearby room within Roxburghe House.

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218. A second floor level living room would retain 3% APSH during the 'winter' months (as opposed to the min. value of 5%), which would also represent a reduction of more than 20%. The loss of 'winter' sunlight is therefore likely to be noticeable to occupiers of this room however 31% APSH would be retained over the whole year. Taking this into account a shortfall of 2% winter APSH is not considered to be significantly harmful having regard to the existing situation.

Premier House

219. Two first floor level main living areas would retain 4% APSH over the 'winter' months (BRE min. value = 5%), which would also represent a reduction of more than 20%. The loss of 'winter' sunlight is therefore likely to be noticeable to occupiers of these rooms however 33% and 38% APSH would be retained over the whole year. Taking this into account a shortfall of 1% winter APSH in comparison to the BRE minimum value is not considered to be significantly harmful.

Nos. 15 - 16, No. 17 and No. 18 Station Approach

220. Nos. 15 - 16 Station Approach contain retail use at ground floor with office space above and therefore are not required to be tested in terms of retained sunlight provision. A first floor window within No. 17 Station Approach would retain APSH of greater than 25% over the entire year and greater than 5% during the 'winter' months in line with the BRE guidelines. A first floor window within No. 18 Station Approach would not experience a loss of greater than 20% APSH over the entire year although would experience a 100% loss during the 'winter' months. However this 100% loss represents the existing 1% APSH value which this window receives during the 'winter' months. Given that the loss would represent the existing 1% APSH value during the 'winter' months this loss is not considered to be significantly harmful.

Nos. 24 - 29 Station Approach

221. A first floor window and second floor window would retain APSH during the 'winter' months of 2% and 4% respectively (BS min. value = 5%). Whilst a loss of 'winter' sunlight is likely to be noticeable, given the minor shortfall of retained 'winter' APSH (4%) to the second floor window in comparison to the BS minimum value (5%) this loss of 'winter' sunlight is not considered to be significantly harmful. The first floor window as existing receives the BS minimum value of 5% for 'winter' sunlight. Whilst the retained 'winter' APSH would represent a 60% loss the window would experience a loss of APSH over the entire year of 25%, which whilst likely to be noticeable, is not considered to be significantly harmful.

Nos. 30 - 33 and No. 34 Station Approach

222. The retained APSH to all windows within Nos. 30 - 33 and No. 34 Station Approach, over both the whole year (BRE min. value = 25%) and the 'winter' months (BRE min. value = 5%), achieve values whereby the rooms should still receive enough sunlight. The occupants of Nos. 30 - 33 and No. 34 Station Approach should therefore not notice a loss of sunlight.

Nos. 17 - 19 Old Woking Road

223. The first and second floor level windows within No. 17 - 19 Old Woking Road would experience reductions in APSH of less than 20% and therefore loss of sunlight should

not be noticeable to occupiers.

Amenities of future residential occupiers

224. Because the application is in outline form the final internal room/dwelling layouts of the proposed buildings are not yet known. Notwithstanding this the applicant has undertaken sample testing to establish the levels of daylight and sunlight to the proposed residential accommodation. These samples have been tested at the lower residential levels (ie. first to third floors) at what are considered to represent 'pinch points', where daylight and sunlight availability is likely to be most restricted, to establish the worst case daylight and sunlight levels. This is on the basis that daylight and sunlight levels within the proposed residential accommodation would only improve at upper levels (ie. fourth floor and above). Typical modern living requirements within urban locations such as this dictate that the majority of apartments contain 'galley' style kitchens to the rear of a larger room only. These 'galley' style kitchens are either not considered to be habitable, due to the small room area, and have been excluded from the submitted analysis, or are only considered as a secondary room use and have therefore been assessed by applying the parameters applicable to the primary room use only (ie. living room or dining room). The BRE guidelines advise that this is acceptable provided such 'galley' kitchens are directly linked to a well-lit space.
225. The results confirm that, from the first to third floor residential levels, of the 102 rooms tested, 93 rooms would achieve minimum values of Average Daylight Factor (ADF), in line with BS 8206-2 Lighting for buildings – Part 2: Code of practice for daylighting. This equates to 91% compliance with the BS 8206-2 minimum values for the levels tested. The nine rooms that are below the minimum values are all likely to serve as bedrooms and are therefore considered to be "*less important*", as per the BRE guidance, in terms of daylighting. Furthermore it would be anticipated that the percentage of ADF compliance would increase with every additional residential level tested (ie. fourth floor and above). There would also be an opportunity at reserved matters stage to further test the levels of daylight to the proposed residential accommodation once final internal room/dwelling layouts are known. On this basis it is considered that levels of daylight would be capable of being achieved, subject to detailed consideration at reserved matters stage, to proposed residential units such that a good standard of amenity would be secured to future residential occupiers.
226. Building B would demonstrate an area of residential amenity space on the podium (fronting Station Approach) at first floor level measuring minimum dimensions of 36 metres x 25 metres. Building C would demonstrate an area of residential amenity space on the podium at first floor level (facing the public square) measuring minimum dimensions of 15 metres x 14 metres. Building A would demonstrate an area of residential amenity space on the roof at sixth floor level measuring minimum dimensions of 33 metres x 12 metres. The parameter plans indicate elevations on which balconies could be accommodated.
227. In terms of sunlight to external amenity areas the BRE Guide 'Site Layout Planning for Sunlight and Daylight: A Guide to Good Practice (2011)' recommends that, for it to appear adequately sunlit throughout the year, at least 50% of an external amenity area should receive at least two hours of sunlight on 21st March. The external amenity areas proposed to both Buildings B and C would exceed these guidelines and would therefore appear adequately sunlit throughout the year. Overall it is considered that sufficient areas of external amenity space, achieved both through the provision of external balconies and via first floor level podiums to both proposed Buildings B and C, and the roof of proposed Building A, are capable of being provided although the

provision of such would be considered at reserved matters stage.

228. In terms of sunlight to the public square the BRE Guide 'Site Layout Planning for Sunlight and Daylight: A Guide to Good Practice (2011)' recommends that, for it to appear adequately sunlit throughout the year, at least 50% of an external space should receive at least two hours of sunlight on 21st March. The proposed public square would exceed these guidelines and would therefore appear adequately sunlit throughout the year.

Impact upon the Thames Basin Heaths Special Protection Area (TBH SPA)

229. The application site is located within 400m - 5km of the Thames Basin Heaths Special Protection Area (TBH SPA). This is a European designated site afforded protection under the Conservation of Habitats and Species Regulations 2010, as amended (the Habitats Regulations). The Habitat Regulations designate the Local Planning Authority as the Competent Authority for assessing the impact of development upon European sites and must ascertain that the project 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.
230. 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 Bird Directive, by maintaining or restoring:
- The extent and distribution of the habitats of the qualifying features, the structure and function of the habitats of the qualifying features
 - The supporting processes on which the habitats of the qualifying features rely
 - The population of each of the qualifying features, and,
 - The distribution of the qualifying features within the site.
231. Natural England are currently advising that all residential development within 5km of the TBH SPA has the potential to impact upon these species, either alone or in combination with other development, through increased recreational use of the sites by people. Natural England also advises that development within a 400m to 5km zone around the site is likely to be capable of being mitigated while residential development within 400m cannot be mitigated. The application site falls outside of this 400m area.
232. The Council has an adopted TBH SPA Avoidance Strategy. This seeks to provide a framework to secure mitigation against the impact of residential development and to allow development to take place where otherwise it would be restricted by the TBH SPA requirements. The Strategy advocates development providing or contributing to Suitable Alternative Natural Greenspace (SANG) to attract people away from the TBH SPA, access management measures and monitoring of the TBH SPA to reduce the impact of people who visit the SPA, and Habitat management of the TBH SPA which will improve the habitat for the ground nesting birds.
233. Policy CS8 of the 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).

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234. The Suitable Alternative Natural Greenspace (SANG) element of the TBH SPA avoidance tariff is encompassed within the Community Infrastructure Levy (CIL) however the Strategic Access Management and Monitoring (SAMM) element of the TBH SPA avoidance tariff is required to be addressed outside of CIL. The applicant has agreed to make a SAMM contribution in line with the Thames Basin Heaths Special Protection Area Avoidance Strategy (TBH SPA). Because the application is in outline form, and the exact number and unit mix of residential dwellings is not known at this stage (although this would be within the residential parameters and considered at reserved matters stage) the payment of SAMM (TBH SPA) would be secured through a schedule within the Section 106 Legal Agreement which would take account of the fact that SAMM payments are index linked based on the RPI annual inflation in the particular year.
235. In view of the above, the Local Planning Authority is able to determine that the development would have no significant effect upon the TBH SPA and therefore accords with Policy CS8 of the Woking Core Strategy (2012) and the 'Thames Basin Heaths Special Protection Area Avoidance Strategy'.

Biodiversity and Protected Species

236. The NPPF states that the planning system should contribute to and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible. Circular 06/05 – Biodiversity and Geological Conservation also requires the impact of a development on protected species to be established before planning permission is granted and in relation to habitat types of principal importance to assess the impact of development upon these as part of the planning application process. This approach is reflected within Policy CS7 of the Core Strategy. Policy CS8 of the Core Strategy also relates to the Thames Basin Heaths Special Protection Area.
237. A Phase 1 Habitat Survey and Protected Species Assessment has been undertaken by RPS Group (dated June 2016) to ascertain the baseline ecological position of the site, to assess the effects of the proposed development on ecology and to identify any mitigation / compensation required.
238. The Phase 1 Habitat Survey identifies that the application site consists of buildings and hardstanding with some broadleaved trees and introduced scrub which was considered to be of limited ecological value and had limited potential to support any protected or notable habitats or species.
239. The Phase 1 Habitat Survey concludes that the buildings' ledges and flat roofs and the trees on site offer some potential suitable habitat for nesting birds and the seven story office block was considered to offer low bat roost potential and was recommended for a further bat survey as this building could not be fully assessed externally or internally due to its height and condition. The existing library and toilet block buildings, together with the existing trees, were not found to have any features suitable for bat roosts.
240. The Phase 1 Habitat Survey recommends that vegetation and buildings on site which provide some suitable nesting habitat for birds should be cleared/demolished outside of the bird nesting season (ie. between October and mid-February) to ensure nesting birds are not disturbed. If works are required during the bird breeding season the vegetation or buildings must be checked by an ecologist prior to works commencing to ensure no active birds' nests will be disturbed.

241. Bat dusk emergence surveys were undertaken on 7th and 30th June 2016. No bat roosts were identified within the seven story office block and therefore a licence from Natural England is not required and no mitigation measures are required prior to the proposed demolition of existing buildings. No bats were recorded commuting or foraging in and around the seven story office block during the bat surveys.
242. Surrey Wildlife Trust is the Councils retained ecologist who provides advice to the Council in respect of the impact of development on protected species and biodiversity. Surrey Wildlife Trust has reviewed the biodiversity and protected species information submitted in support of the application and comment that:

The reports appear appropriate in scope and methodology and have not identified active bat roosts within the building subject to the current planning application. We therefore advise that bats do not appear to present a constraint to the proposed development. The applicant should therefore be encouraged to incorporate bat roosting opportunities as integral design features within the built development.

This development offers some opportunities to restore or enhance biodiversity and such measures will assist the Local Authority in meeting the above obligation and also help offset any localised harm to biodiversity caused by the development process.

243. The potential enhancement of biodiversity would be considered during the course of reserved matters applications although the illustrative landscape and public realm strategy sets out that the proposed development presents an opportunity to enhance the biodiversity and habitat value of the site by providing tree, shrub and herbaceous planting including good species diversity and plants for pollinators and to connect into the wider green infrastructure of the area, through planting at ground level, on podium terraces and green/brown roofs.
244. Overall it is considered that the proposal would result in the loss of no existing biodiversity assets, and would provide opportunity to enhance biodiversity in accordance with Policy CS7 of the Woking Core Strategy (2012) and Section 11 of the National Planning Policy Framework (2012).

Impact upon heritage assets (including Conservation Areas, Church of St John the Baptist and Archaeology)

Background

245. The application site is located adjacent to both the Station Approach Conservation Area and the Byfleet Corner/Rosemount Parade Conservation Area and is also located within close proximity to the Grade II Statutory Listed Church of St John the Baptist. An Area of High Archaeological Potential lies adjacent to part of the site.
246. Section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990 states that:

in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses

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

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

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

Heritage asset: A building, monument site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest;

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

Significance (in relation to heritage): The value of a heritage asset to this and future generations because of its heritage interest. That interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting" (Annex 2. Ref 9.3).

249. It is one of the core principles of the NPPF that heritage assets should be conserved in a manner appropriate to their significance. Chapter 12 of the National Planning Policy Framework (2012), at paragraph 129, sets out that the local planning authority should identify and assess the particular significance of any heritage asset. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal. Paragraphs 131-135 sets out the framework for decision making in planning applications relating to heritage assets and this application takes account of the relevant considerations in these paragraphs.
250. Paragraph 135 of the NPPF states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application and that "*in weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset*".
251. Paragraph 139 of the NPPF states that "*non-designated heritage assets of archaeological interest that are demonstrably of equivalent significance to scheduled monuments, should be considered subject to the policies for designated heritage assets*".
252. In terms of heritage impacts it is the degree of harm, rather than the scale of development that must be assessed. Harm may arise from works to the asset itself or from development within its setting. The application proposes no works to heritage assets and therefore the only heritage harm that may potentially arise would be as a consequence of development within the setting of the nearby heritage assets, which

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comprise two Conservation Areas, including the Locally Listed buildings within, and a Grade II Listed building.

Conservation Areas (CA)

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

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parades with continuous building frontages. These are generally 2½ to 3 stories under a steep pitched roof, with individual shop units at the ground floor and accommodation to upper floors (originally intended for residential use, many are now in office use). Although the parades were constructed as a single development, they were specifically designed in an 'Arts and Crafts' style to have the appearance of a collection of individual cottage scale buildings.

260. Buildings are constructed from red/orange facing bricks, some are white painted rough cast render all over or just at the second floor. Certain gable ends use eclectic timber frames painted black with rendered infills with tile hanging also commonly used on gable ends. Both CAs are predominately in retail and commercial use with residential and office use above.
261. The pavements within the CAs are generally wide at between 3 – 5 metres with frontages directly joining the pavement without any intervening boundary. Both CAs are urban in character. Whilst within the Byfleet Corner/Rosemount Parade CA the St John the Baptists Church forms a significant area of open space all around the church there are no areas of open space within the Station Approach CA.
262. Both CA's are surrounded by built up areas. The existing complex on the application site is a large incongruous 1960s development between both CAs which impacts upon the whole area and, together with Waitrose car park, forms a large void within the West Byfleet District Centre. Adjacent to the Station Approach CA there is unsympathetic architecture from the early 1980's.
263. The application site and the properties to the east (Roxburghe House (Magna West) and Globe House) form a group of later buildings on the north side of Old Woking Road, and south side of Madeira Road, which are excluded from both Conservation Areas. By reason of their larger scale and footprint, looser layout and appearance, the group is clearly distinguishable from the older Conservation Area buildings. The broad setting for this part of both Conservation Areas therefore, comprises predominantly modern, fairly large scale, urban development. To an extent, it helps to define the historic area and shows the continued evolution of the West Byfleet District Centre, but otherwise makes a very limited contribution to the significance of the heritage assets.
264. With regard to the application site specifically, the mixed use Sheer House development includes a collection of interconnecting concrete buildings and structures comprising 18 retail units in two parades, five floors of offices rising up from these parades (forming a maximum height of seven storeys) and a raised parking deck for circa 75 cars. A further area of surface car parking is located around the circular form library. The limited articulation in the form of the existing buildings, its brutalist appearance and the raised decking are not sympathetic and, overall, are considered to have a negative impact upon the setting of both Conservation Areas.
265. The proposed development would be predominantly five and six storeys in height, stepping up to seven storeys at the corner of Old Woking Road and Station Approach and stepping down to four storeys at the corner of Madeira Road and Station Approach. The proposed development would, therefore, be significantly larger in scale than the built form being replaced or any other buildings on the south side of Old Woking Road or north side of Madeira Road. Moreover, the part of proposed Building B nearest to the Station Approach Conservation Area boundary to the north would be approximately 9 metres taller than the existing building at this point. The height of proposed Building B would also increase more steeply across its Madeira Road

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elevation. Proposed Building A would also incur within closer proximity to the Rosemount Parade/Byfleet Corner Conservation Area than the existing Sheer House built form to be demolished and would represent a significant increase in height at this point.

266. However the mass of the proposed buildings, through application of the parameter plans and design code at reserved matters stage, would be capable of being well articulated and predominantly constructed in brick as opposed to the existing concrete. Steps in the roof height would also assist in reducing the perceived mass of the buildings and elevation detailing would be capable of creating rhythm and interest which would help to break down the visual bulk of the buildings. The appearance of the proposed buildings, if not their scale and height, would represent a considerable improvement compared with the existing buildings.
267. It is not considered that the proposed development would interrupt views into either the Station Approach or Rosemount Parade/Byfleet Corner Conservation Areas so as to obscure the definition of the historic fabric as the broad setting of these two Conservation Areas makes a limited contribution to the significance of these heritage assets. Nevertheless, given its greater height and scale, the contrast with the buildings within the Conservation Areas would be amplified.
268. The existing application site is prominent in views out of the Rosemount Parade/Byfleet Corner Conservation Area from the footway along the southern side of Old Woking Road although only oblique views, or views from within vehicles travelling along Old Woking Road, enable the application site and the Rosemount Parade/Byfleet Corner Conservation Area to be viewed together. Nevertheless, beyond defining its extent, such views do little to reveal the significance of the heritage asset. The increased height and scale, and closer proximity of the new buildings, particularly Building A, would intensify the contrast between new and old and it would be a more striking presence in views from Old Woking Road and Pyrford Road. This would be offset, to a degree, by the improved appearance of the new buildings, the restoration of active street frontages, traditional pavement tree planting and would be seen in the context of the broad and highly engineered character of Old Woking Road.
269. The existing application site is prominent in views out of the Station Approach Conservation Area, particularly looking south along Station Approach towards Old Woking Road, in which the application site and the Conservation Area are able to be viewed together. Nevertheless, beyond defining its extent, they do little to reveal the significance of the heritage asset. The increased height and scale, and closer proximity of the new buildings, particularly Building B, would intensify the contrast between new and old and it would be a more striking presence in views from Station Approach and Madeira Road. This would be offset, to a degree, by the improved appearance of the new buildings, traditional pavement tree planting along Station Approach, the reintroduction of a perimeter block and establishment of a strong building line along Station Approach. During the application process the Station Approach/Madeira Road corner of Building B has been stepped down in height to four storeys (from the initially proposed five storeys) to reduce the potentially harmful impacts to the setting of the Station Approach Conservation Area.
270. Overall the proposed development would not introduce modern development into a view where none existed previously. The proposed development is considered to cause less than substantial harm to the significance of the heritage assets of both the Station Approach and Rosemount Parade/Byfleet Corner Conservation Areas as a result of the amplified contrast in scale and mass with the buildings in these

Conservation Areas as a consequence of the height and spread of development across the application site, particularly along the Old Woking Road and Madeira Road frontages. As such, the proposed development would lead to a degree of conflict with Policy CS20 of the Core Strategy, Policy DM20 of the Development Management Policies DPD and Paragraph 137 of the NPPF. Whilst the degree of harm would be less than substantial, Paragraph 132 of the NPPF requires great weight to be attached to the conservation of designated heritage assets. Paragraph 134 advises that where, as in this case, a proposal would lead to less than substantial harm, that harm should be weighed against the public benefits of the proposal. This will be considered in the Planning Balance at the conclusion of the report.

Church of St John the Baptist

271. The Church of St John the Baptist is Grade II Listed (first listed in 1984) and dates from 1910 by W.D Caroe. The Church is constructed in knapped flint with random stone blocks and stone dressings below a plain tiled roof with a wood shingled bell turret and spire to the west end. The church adopts a cruciform plan and a twentieth century vestry/church hall exists to the north-east corner. The Church forms a key focal point in views looking east down Old Woking Road and as an important wider local landmark within West Byfleet. Some of the significance of the Church of St John the Baptist is derived from its spacious and relatively isolated setting, and its visual dominance as the most important landmark, which largely persists today as a result of the open and low rise development on the southern edge (Old Woking Road) of the application site.
272. The proposed development would result in Building A fronting Old Woking Road at heights of between six and seven storeys. Whilst it is acknowledged that this would 'frame' St John the Baptist Church between Building A and the opposing built form on the southern side of Old Woking Road when approaching from the west it is nevertheless considered that the height and massing of Building A would be visually dominant in this view. Although views of the Church itself, and the silhouette of its spire, would not be obscured from this view, the height and massing of Building A would compete with the Church within this view. Although the existing surface car park and circular form library on the application site are later additions to the setting of this heritage asset (St John the Baptist Church), the proposed development, particularly Building A, would enclose the more distant open and spacious views of the Church achieved from the west. However it is considered, as the Church is approached at a closer distance from the west, that the immediate setting of this listed building would be preserved and, because the open space to its front and sides would be retained, the harm to the setting in views from the west would be less than substantial.
273. The greater massing of the proposed development would somewhat diminish the dominance of St John the Baptist Church in views from some of the more southerly locations within the recreation ground to the east of the church however even from the most distant locations within the recreation ground the spire of the church would retain prominence within the view.
274. Even though the harm identified would be less than substantial, it is considered that the proposed development would fail to preserve the setting of the Grade II Listed Building of St John the Baptist Church. In accordance with Paragraph 132 of the NPPF great weight must be afforded to the conservation of designated heritage assets. It is considered that the harm to the significance of the Grade II Listed Building of St John the Baptist Church would be less than substantial however this is a matter to which must be attached considerable importance and weight. In this case, however,

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public benefits, as identified in Paragraph 134 of the NPPF, are included within the proposed development. This harm will be considered in the Planning Balance at the conclusion of the report.

275. Consideration has also been given to the Broadoaks Model Dairy, Broadoaks, the Old Avenue Conservation Area, the Woodlands Avenue Conservation Area and the Basingstoke Canal Conservation Area. Due to factors of distance and intervening buildings and tree cover, and given their locations relative to the site, the site is not considered to form part of the setting of any of these areas, nor contribute towards their significance and it is concluded that their characters will be preserved.
276. Whilst the proposed development would be appreciable from the Birchwood Road Conservation Area to the north, a new development with a maximum height of seven storeys would replace an existing seven storey development in this view, and would only be seen in context with the intervening West Byfleet railway station, whereby the impact is considered to be neutral, that is it would preserve the setting of the Birchwood Road Conservation Area.

Archaeology

277. Paragraph 128 of the NPPF requires that *“where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit and appropriate risk based assessment and, where necessary, a field evaluation”*. The application site is immediately adjacent to an identified Area of High Archaeological Potential, which is based on the recovery of Iron Age/Roman pottery and a medieval agricultural implement, and may therefore be an indication of settlement activity or may represent an 'occasional' find.
278. The County Archaeologist (SCC) has considered the proposal and has recommended that further archaeological work should be undertaken. This would include an archaeological evaluation and a trial trenching exercise, which will aim to establish rapidly what Archaeological Assets are, and may be, present. This would then inform further study work if required to ensure that archaeological remains are not damaged. This can be secured via planning condition.

Land contamination

279. Paragraph 109 of the NPPF requires the planning system to contribute to and enhance the natural and local environment by managing the risk from unacceptable levels of soil or water pollution or land instability. Paragraphs 120 - 122 require planning policies to ensure that, as a minimum, land should be suitable for its next use and not be capable of being determined as 'contaminated land' under Part IIA of the Environmental Protection Act 1990. The guidance also states that responsibility for securing a safe development rests with the developer.
280. There are potential contamination sources on the application site, primarily associated with historical operations. The presence of hardstanding across the application site will limit the potential for the loss of contamination to the ground. Contamination from nearby garages and other works has the potential to migrate on to the application site, but again much of the surrounding area in this District Centre is covered by hardstanding which resists infiltration and mobility. The existing development has also been in its current form for nearly 50 - 60 years and there has been sufficient time for degradable contaminants to attenuate during that time. The current development is

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known to contain some asbestos containing materials and there is the potential for asbestos to be present in the soils arising from the original construction practices.

281. The Council's Scientific Officer has been consulted on the application and comments as below:

Contamination documents submitted with the application demonstrate there has been a number of buildings and various uses of the site over the past 100 years. During this period buildings have been constructed and demolished and though asbestos materials and waste is now heavily regulated/controlled, there is the potential for asbestos within foundations and under the footprints of buildings, car parks and landscaped areas. There is also asbestos within the fabric of a number of buildings currently on site and whilst management surveys have been carried out, these are non-destructive surveys and unlikely to have identified all the potential asbestos and asbestos containing materials. There are also sites adjacent to the proposed development that had significant contaminative uses such as a former petrol station, which may have led to historic plumes of contamination and smear zones.

An investigation in 2014 found contamination such as PAH, asbestos and lead. Given the above, pre-demolition asbestos surveys will need to be carried out prior to demolition. Following demolition and site clearance soil can be exposed for further soil assessment to determine the presence of contamination but this can be dealt with via attaching the soil contamination condition.

282. Overall, subject to condition 21, it is considered that the application complies with the National Planning Policy Framework (2012) and Policy DM8 of the Development Management Policies DPD (2016) in terms of land contamination.

Flood Risk, Drainage and Water (including surface water drainage and foul water)

283. Paragraph 100 of the NPPF states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere. This is reflected within Policy CS9 of the Core Strategy. With regard to surface water drainage, in accordance with the NPPF and Policy CS9 of the Core Strategy, local planning authorities should seek opportunities to reduce flood risk through the appropriate application of sustainable drainage systems (SuDS).
284. Paragraphs 99 - 108 of the NPPF outline the development requirements in terms of flood risk, water quality and resources and the impact of climate change, stipulating that a site specific Flood Risk Assessment (FRA) is required for all proposals for new development in Flood Zones 2 and 3 and for any proposal for developments on 1 ha or greater in Flood Zone 1. In measuring 0.9989 ha the red-lined site area falls slightly below 1 ha.
285. The entire application site is located within Flood Zone 1 as identified by the Environment Agency and is at low risk of fluvial flooding (<0.1%). All forms of development are suitable in Flood Zone 1. The main flood risk is surface water flooding from direct rainfall on the site or the surrounding hard landscaping.
Surface Water Drainage
286. There is potential for the contamination of surface and ground water during the demolition and construction phases but this will be mitigated through the operation of

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the Construction Environmental Management Plan (CEMP), which will include measures to comply with relevant legislation e.g. Environment Agency's Pollution Prevention Guidelines, and other best practice measures.

287. Policy CS9 of the Core Strategy requires all significant forms of development to incorporate appropriate sustainable drainage systems (SuDS) and states that "*all new development should work towards mimicking greenfield run-off situations*".
288. The proposed development sets out that attenuation storage will be provided within the site boundary. The Flood Risk Assessment and SuDS Drainage Statement also note that the proposed development will not increase the site's impermeable area and the proposed rate of runoff will not be increased. There would therefore be no increase in flooding as a result of the proposed development although the final surface water drainage strategy would be considered at reserved matters stage.
289. The Council's Drainage and Flood Risk Engineer assesses applications for and on behalf of the Lead Local Flood Authority (LLFA) (SCC) and raises no objections in terms of drainage and flood risk subject to recommended conditions 6, 7 and 8.
290. Subject to recommended conditions, the proposed development is considered to accord with the provisions of the National Planning Framework (2012), Policy CS9 of the Woking Core Strategy (2012) and the SuDS Regulations in terms of flood risk and SuDS. The Environment Agency has also confirmed that it has no objection to the proposal on flood risk grounds subject to conditions.

Foul water

291. Primarily due to the introduction of new residential dwellings on the site an increase in the peak foul sewer flow rate may have a detrimental impact upon the existing local Thames Water foul sewer infrastructure, although this is currently being assessed by Thames Water as part of a Section 185 (of The Water Industry Act 1991) application to investigate the local foul infrastructure capacity, and to determine what reinforcement works may be required, if any.
292. The applicant is proposing that a new private foul sewer will be constructed to serve the external perimeter of the new development to facilitate separate foul drainage connections to each of the proposed units within the development. Final connection points and discharge flow rates into the public sewer network would be subject to prior agreement by Thames Water. The applicant considers that, should there be any specific limits imposed on either discharge connection points or flow rates by Thames Water as a result of the ongoing Section 185 network capacity assessment, this would be capable of being mitigated by way of foul water attenuation provision within the site. The applicant has advised that this would be likely to consist of a foul drainage pumping chamber, and associated below ground attenuation tank with an intelligent control system, which will either restrict discharge flows to the public sewer to an acceptable, agreed rate or prevent any discharge during periods of high local sewer flows in order to make best use of the available sewer infrastructure capacity. Attenuation storage would be provided for a minimum 24 hour period.
293. The sewerage undertaker (Thames Water) has identified an inability of the existing foul sewer infrastructure to accommodate the needs of the proposed development and have advised, should the Local Planning Authority be minded to permit the proposed development, that a 'Grampian Style' condition should be attached to the planning permission requiring that development shall not commence until a drainage strategy

detailing any on and/or off site drainage works, has been submitted to and approved by, the Local Planning Authority in consultation with the sewerage undertaker (Thames Water). Accordingly, this is not a reason to withhold planning permission.

Affordable Housing

294. Policy CS12 of the Core Strategy states that all new residential development on previously developed (brownfield) land will be expected to contribute towards the provision of affordable housing and that, on sites providing 15 or more dwellings, or on sites of over 0.5ha (irrespective of the number of dwellings proposed), the Council will require 40% of dwellings to be affordable. Policy CS21 also sets out that all new residential development on land in public ownership will be required to provide 50% of the dwellings as affordable housing, irrespective of the site size or number of dwellings proposed. Excluding the highways land included within the red-line of the application site the ownership of the area of the application site is split between the applicant (60%) and Woking Borough Council (40%). Given the ownership proportions of the application site a 44% affordable housing requirement will be utilised, based on 60% of the application site being privately owned (thereby attracting the 40% intervention rate set by Policy CS12) and 40% of the site being owned by Woking Borough Council (attracting the 50% intervention rate set by Policy CS12).
295. Policy CS12 also sets out that the proportion of affordable housing to be provided by a particular site will take into account, among other factors, the costs relating to the development; in particular the financial viability of developing the site (using an approved viability model). The policy provides a clear set of considerations that will be taken into account in determining the final proportion of on-site affordable housing.
296. Paragraph 173 of the NPPF makes viability an important consideration, noting that development should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened. To ensure viability, the costs of any requirements likely to be applied to development, such as requirements for affordable housing, standards, infrastructure contributions or other requirements should, when taking account of the normal cost of development and mitigation, provide competitive returns to a willing land owner and willing developer to enable the development to be deliverable.
297. The Planning Practice Guidance (PPG) advises that where the viability of a development is in question, local planning authorities should look to be flexible in applying policy requirements wherever possible.
298. With this in mind, the applicant has set out in the planning application form that no affordable housing is being proposed and has supported the application with a Financial Viability Appraisal to demonstrate why the proposal cannot provide affordable housing and remain viable. The Council has retained specialist advisors to assess the submissions made in this respect. Kempton Carr Croft have analysed the submitted Financial Viability Appraisal, including a detailed interrogation of build costs, and have undertaken further research into the Gross Development Values, Benchmark Values, Build Costs and other inputs adopted for the proposed scheme.
299. Kempton Carr Croft have concluded that that the inputs included within the viability appraisal are reasonable. The applicant has agreed that the viability should be reviewed on an open book basis at agreed point(s) tied into the progression of the development. The process for this would be secured through the Section 106 Legal Agreement. There would be a provision within the Section 106 Legal Agreement to

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secure an affordable housing contribution if development viability improves over the passage of time to the point where such affordable housing contributions would be triggered, up to a maximum of the requirement of Policy CS12 of the Core Strategy.

300. On this basis, it is considered that Policy CS12 of the Woking Core Strategy (2012) would be addressed.

Energy

301. Policy CS22 of the Core Strategy requires that all new residential development on previously developed land will be required to meet the energy and carbon dioxide and water components of the Code for Sustainable Homes Level 4. This equates to a minimum 19% improvement in the Dwelling Emission Rate (DER) over the Target Emission Rate (TER), as defined in Part L1A of the 2013 Building Regulations, and an indoor water consumption requirement of 105 litres per person per day. The Code for Sustainable Homes was superseded in April 2015 but these requirements were covered under the New Technical Standards for Housing. The standards require the CO₂ reduction target to remain at 19%, the water usage is 105 litres per person per day, plus an additional 5 litres for external use. Policy CS22 also requires that new non-residential developments of this scale comply with BREEAM 'Very Good' standards. Policy CS23 asks applicants to take appropriate steps to encourage the development of standalone renewable energy installations.
302. At this outline stage the Energy Report submitted in support of the application presents an outline assessment to examine the possible design options and technologies to reduce energy consumption and CO₂ emissions. The submitted Energy Report concludes that more than 19% reduction of carbon dioxide emissions would be capable of being achieved. This matter would be subject to further assessment and consideration at reserved matters stage.

Business Continuity

303. Policy CE4 (Business Continuity) of the emerging WBNP states that:

To be supported, development proposals relating to the SHC must demonstrate that viable opportunities to avoid adverse effect on business continuity have been incorporated in the scheme.

304. The applicant has submitted a statement of intent which sets out the potential options for maintaining the existing retail offer on the site during construction of the proposed development. The applicant comments that construction of the proposed development will include the creation of a basement across the entire site to accommodate the underground car parking. Construction will therefore be undertaken in a single phase over a likely two and a half year period and it will not be viable for any retail unit to trade on the site during construction.
305. The applicant comments that the retail units currently on the site comprise less than 25% of West Byfleet's entire retail provision and that the remaining off-site retail provision (which is predominantly located along Old Woking Road and at the northern end of Station Approach) will continue to trade as normal during construction.
306. The applicant is investigating viable opportunities to relocate key services, currently provided on the site, during construction. In particular this includes:
- Pharmacy

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- Library; and
 - Post Office
307. The applicant understands that all three of the above services could operate from mobile facilities during construction at the site and the applicant has discussed this potential with Boots, who have achieved similar elsewhere in terms of a temporary pharmacy facility. Additionally the applicant is engaged with their existing tenants to assist with relocation elsewhere within West Byfleet and have identified that there are currently several vacant retail units within West Byfleet, beyond the application site, which could provide alternative accommodation for the current occupiers of the site.
308. The applicant has also engaged with St John the Baptist's Church, who are keen to assist with maintaining services within West Byfleet during construction, and have therefore offered space to accommodate a temporary library facility or mobile post office (subject to the necessary consents being obtained).
309. The applicant considers that Woodlands Car Park, to the north of West Byfleet Railway Station, could also provide an opportunity for a temporary or mobile library. The temporary loss of car parking to accommodate such would however need to be balanced with the reduction in public car parking spaces at the site during construction. There are also several vacant plots of land surrounding West Byfleet Railway Station within Network Rail's ownership which could potentially provide suitable accommodation for a temporary post office, library or pharmacy (such options would entail reaching agreement with Network Rail and its Train Operating Company).
310. The application site currently provides 67no. public car parking spaces. These will not be available during the construction period. Whilst on-street parking and parking at Waitrose will be unaffected, additional temporary capacity is likely to be necessary. It has been indicated that the Woodlands car park could be more fully utilised than it is as existing. The applicant does not consider the provision of temporary car parking facilities on part of the recreational field to be necessary during construction to facilitate the proposed development although has indicated a willingness to investigate this as an option.

Local finance considerations

311. The liability for Community Infrastructure Levy (CIL) would be assessed at reserved matters stage. If permitted at reserved matters stage 15% of the levy would be ring-fenced for spending on local community projects in West Byfleet in accordance with the CIL Regulations and, in the event the WBNDP is adopted, the proportion would rise to 25%. Based on the submitted illustrative scheme the CIL liability would be approximately £2,800,000 although the final liability would be calculated at reserved matters stage and subject to change from that stated, which is an indication only.

Legal agreement requirements

312. The following would be secured via the Section 106 Legal Agreement:
- Provision of a SAMM (TBH SPA) contribution, in accordance with a schedule based on the size of dwellings (bedrooms) and the SAMM contribution per dwelling, within the S.106, which would take account of the fact that SAMM payments are index linked based on the RPI annual inflation in the particular year, to accord with the Habitat Regulations and Policy CS8.

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- The securing of an overage review(s) in respect of the Affordable Housing viability appraisal in accordance with Policy CS12 at agreed points.
- Provision of public access to the new public square at all times and in perpetuity.
- Provision of a minimum of 67no. public car parking spaces for public access at agreed times and in perpetuity.

Balancing exercise and conclusions

313. The National Planning Policy Framework (2012) sets out that it is the Government's clear expectation that there is a presumption in favour of development and growth except where this would compromise key sustainable development principles and be contrary to local planning policies, unless material considerations indicate otherwise. The role of the planning system is to contribute to the achievement of sustainable development. This often involves balancing the economic, social and environmental aspects of a proposal, particularly in large scale developments within urban centres such as the application proposal.

Harm arising from the proposal

314. As a result of the proposed development some harm has been identified to the setting of the Grade II Listed building of St John the Baptist Church, which positively contributes to the Rosemount Parade/Byfleet Corner Conservation Area, due to the visual dominance of proposed Building A in views from the west along Old Woking Road and due to the fact that the greater massing of the proposed development would somewhat diminish the dominance of St John the Baptist Church in views from some of the more southerly locations within the recreation ground to the east of the church.
315. Furthermore some harm has been identified to the significance of the heritage assets of both the Station Approach and Rosemount Parade/Byfleet Corner Conservation Areas as a result of the amplified contrast in scale and mass with the buildings within these Conservation Areas as a consequence of the height and spread of development across the application site, particularly along the Old Woking Road and Madeira Road frontages. Even though it has been identified that these harms would be less than substantial, considerable weight and importance must be afforded to these heritage harms. For these reasons, the proposed development would be contrary to Policy CS20 of the Woking Core Strategy (2012), Policy DM20 of the Woking Development Management Policies DPD (2016) and Policies BE3 and BE4 of the emerging West Byfleet Neighbourhood Development Plan (2017 - 2027).
316. Regardless of whether the minimum or maximum parameters of office (Class B1(a)) floorspace are delivered on the site at reserved matters stage, the proposed development would result in a net loss of B1(a) floorspace within West Byfleet District Centre of between 3,055 sq.m and 1,200 sq.m and would therefore conflict with an element of Policy CS3 of the Woking Core Strategy (2012).
317. Section 38(6) of the Planning and Compulsory Purchase Act 2004 sets out, that if regard is to be had to the Development Plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise. In this case regard must had to the Development Plan and it has been identified that a Development Plan conflict would arise.

318. It must be assessed as whether there are other material considerations which would outweigh the Development Plan conflicts.

Benefits of the proposal

319. In terms of public benefits, the proposed development would make a significant contribution towards the Core Strategy requirement to provide at least 4,964 dwellings within the Borough between 2010 and 2027 and would provide between 208 and 255 dwellings. In addition the provision of residential floorspace within the development would enhance overall activity within West Byfleet District Centre, with future residents likely to make use of the retail and community facilities which would be provided on the site, and add further activity to the public square. The proposal would make West Byfleet District Centre a new destination in its own right, thereby attracting visitation to the District Centre which will support existing businesses and services, in addition to those businesses and services within the development itself. The proposals also seek sufficient flexibility so that up to 10,250 sq.m of the residential floorspace could be provided for retirement / extra care use (Use Class C2 / C3) although the maximum residential (Use Class C3) parameter would have to be reduced accordingly to achieve this. The potential provision of retirement / extra care uses would assist in providing increased housing choices in terms of specialist accommodation, and in providing appropriate dwellings that are suitably located close to public transport and other key local services within the second centre of the Borough. In addition, offering attractive alternative housing choices for older people and other vulnerable groups would assist the Council in freeing-up family sized homes that are currently under occupied.
320. The proposal includes the provision of a new high quality public square measuring a minimum of 1,288 sq.m in area and which would be at the centre of West Byfleet District Centre and offer substantial opportunity for daytime and evening use which would activate this significant new public space. The public square would benefit from good levels of sunlight which would make it an attractive space for holding community events and for general social interaction. The site forms the core retail area of the District Centre however the existing buildings on the site have little or no relationship to the street due to their set back position from the street and footway and the depth of surface level car parking between the street and the buildings; factors which diminish the existing pedestrian experience of the site. Furthermore there is virtually no public space on the existing site for relaxing and social interaction, public seating is hard to find and there is little coordination of street furniture.
321. Whilst in outline form the parameter ground floor land use plan ensures that active uses are produced at ground floor level in order to activate both the public square and the pedestrian realm along Station Approach, Old Woking Road and Madeira Road. The public square would provide a very significant new 'urban' space within the centre of West Byfleet which would not only be activated by ground floor level uses, with potential for 'spill out' into the perimeters of the square for the placing of restaurant/cafe tables etc. but would also be capable of use for community events and events such as seasonal/Christmas markets, outdoor films and public events as well as providing an attractive space for people to meet and socialise day-to-day. The application is supported by a landscape and public realm strategy, which whilst illustrative at this stage, sets out how a very high quality public realm could be achieved both within the square and the pedestrian frontages. The resulting retail floorspace would also be re-provided within modern units and would benefit from much greater connection to public realm and the pedestrian experience, which would itself be enhanced through the restriction of car parking to basement level.

322. The layout of the development would provide a clear and legible 'civic gateway' into the public square from the Old Woking Road / Station Approach side with the St John the Baptist Church spire framed by the building blocks and serving to 'anchor' the public square in the opposing direction.
323. There would be some economic benefits from the proposed development through employment, additional spending power resulting from the construction phase and from future occupiers of the proposed development. Whilst the applicant considers that additional Council Tax and Business Rates would be a consequence of the proposed development there is no evidence that these factors would be a direct benefit to the locality of West Byfleet and therefore they are not considered to be capable of attracting any significant weight in the balancing exercise. To these economic benefits, overall, some weight should be afforded in favour of the proposed development.
324. To all of the benefits of the proposed development, it is considered that more than considerable weight should be afforded. They represent public benefits as referred to within Paragraph 134 of the National Planning Policy Framework (2012), which in the circumstances of this application, are considered to outweigh the considerable weight and importance that is attached to the heritage harm, and to the conflict with an element of Policy CS3 of the Woking Core Strategy (2012) identified. Further, together, they are material considerations, considered sufficient in this case to outweigh the Development Plan conflict identified and therefore the application is recommended for approval.

Conclusion

325. An Environmental Impact Assessment (EIA) was undertaken by the applicant to assess the likely environmental effects of the proposed development and this assessment is contained within the submitted Environmental Statement (ES). The ES consists of sections regarding construction methodology and programme, transport and traffic, townscape and visual resources, heritage and archaeology, soils, geology and land contamination, hydrology and drainage, air quality and noise and vibration. These matters have been addressed within the body of this report. The Environmental Statement is considered to be a robust assessment of the likely significant effects of the proposed development. Subject to the recommended conditions and Section 106 Legal Agreement, it is not considered that the proposed development would result in any significant adverse effects which cannot be effectively mitigated/avoided through the use of planning conditions and/or the Section 106 Legal Agreement.
326. Subject to the avoidance and mitigation measures ie. payment of Community Infrastructure Levy (CIL) and contributions to SAMM (TBH SPA), it is concluded that the proposed development would not have any adverse effects upon the integrity of protected international sites from recreational disturbance. As such it is considered that the presumption in favour of development is not restricted by the considerations relating to protected international ecological sites (Paragraph 119 of the NPPF).
327. The planning considerations section of this report has assessed all of the material planning considerations relating to this application. In terms of housing, the application site is located within West Byfleet District Centre within the Urban Area where, in terms of housing provision, mix and density, the proposed development would make a significant contribution to the delivery of new housing within the Borough, increasing choice and would contribute to creating a mixed, inclusive and balanced community.

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In this regard the proposal would comply with the relevant housing policies of the Woking Core Strategy (2012).

328. The proposal is also considered to represent an efficient use of land. Given the scale of the proposed development it is acknowledged that the appearance of the application site will significantly change, however the site would be designed to a high quality in accordance with the guidelines set out in the Design Code and Parameter Plans and would be landscaped to complement the visual changes although such matters would be further considered through future reserved matter(s) applications.
329. It is also acknowledged, however, that many people will consider that there are disadvantages to the proposal, such as the increased traffic generation, the significant change in the appearance of the site, the disruption resulting from the construction period and other matters relating to the scheme which are outside the considerations for this planning application. All of the comments raised by objectors in the letters of representation have been considered as part of the assessment of the application. As identified above, subject to the recommended conditions and Section 106 Legal Agreement, it is not considered that the proposed development would result in any significant adverse impacts to interests of acknowledged importance which cannot be effectively mitigated/avoided through the use of planning conditions and/or the Section 106 Legal Agreement.
330. The recommendation has been made in compliance with the requirement of the National Planning Policy Framework (2012) to foster the delivery of sustainable development in a positive and proactive manner.

BACKGROUND PAPERS

Consultee responses

Letters of representation

Site Notice(s) (Major Development)

Site Notice(s) (Departure from Development Plan)

Site Notice(s) (Environmental Statement Submitted)

Site Notice(s) (Development Affecting a Conservation Area)

Site Notice(s) (Development Affecting a Listed Building or its Setting)

LEGAL AGREEMENT REQUIREMENTS

	Requirement
1.	Provision of a SMM (TBH SPA) contribution, in accordance with a schedule based on the size of dwellings (bedrooms) and the SMM contribution per dwelling, within the S.106, which would take account of the fact that SMM payments are index linked based on the RPI annual inflation in the particular year, to accord with the Habitat Regulations and Policy CS8.
2.	The securing of an overage review(s) in respect of the Affordable Housing viability appraisal in accordance with Policy CS12 at agreed points.
3.	Provision of public access to the new public square at all times and in perpetuity.
4.	Provision of a minimum of 67no. public car parking spaces for public

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	access at agreed times and in perpetuity.
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RECOMMENDATION

Grant planning permission subject to the following conditions and above secured by way of Section 106 Legal Agreement:

Time Limits

1. Application for the approval of the first reserved matters shall be made to the Local Planning Authority not later than three years from the date of this permission, and the application for approval of all remaining reserved matters shall be made within five years from the date of this permission.

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

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

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

Reserved Matters

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

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

4. All Reserved Matters applications shall accord with the following approved plans, documents and parameters:

2063-A-P-400 Rev P6 (Parameter Plan 01 Horizontal Limit of Deviation (Ground Floor))

2063-A-P-401 Rev P6 (Parameter Plan 02 Horizontal Limit of Deviation (Typical Floor))

2063-A-P-402 Rev P8 (Parameter Plan 03 Horizontal Limit of Deviation (Top Floor))

2063-A-P-403 Rev P8 (Parameter Plan 04 Minimum & Maximum Building Heights))

2063-A-P-404 Rev P6 (Parameter Plan 05 Land Use (Ground Floor))

2063-A-P-405 Rev P6 (Parameter Plan 06 Land Use (First Floor))

2063-A-P-406 Rev P6 (Parameter Plan 07 Land Use (Typical Floor))

2063-A-P-407 Rev P6 (Parameter Plan 08 Access)

2063-A-P-408 Rev P6 (Parameter Plan 09 Pedestrian Movement)

2063-A-P-409 Rev P6 (Parameter Plan 10 Public Open Space)

2063-A-P-410 Rev P6 (Parameter Plan 11 Topography (Basement))

2063-A-P-411 Rev P6 (Parameter Plan 12 Private Amenity Space)

Design Code (Revision D)

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Each Reserved Matters submission should include a statement of compliance against each of the Parameter Plans and the individual sections of the Design Code. The development shall be implemented in accordance with such details as approved. No variations to the maximum parameters of the parameter plans shall take place save where the applicant can demonstrate that it is unlikely to give rise to any new or significant environmental effects in comparison with the development as approved and as assessed in the Environmental Statement and any such changes shall have been first approved in writing by the Local Planning Authority.

Reason: For the avoidance of doubt and to ensure that the development accords with the outline planning permission and to comply with Policies CS1, CS4, CS5, CS7, CS9, CS13, CS16, CS17, CS18, CS19, CS21 and CS24 of the Woking Core Strategy (2012) and the policies in the National Planning Policy Framework (2012).

Approved Plans and Documents

5. The development hereby permitted shall be carried out in accordance with the following approved plans and documents:

Parameter Plans

2063-A-P-400 Rev P6 (Parameter Plan 01 Horizontal Limit of Deviation (Ground Floor))
2063-A-P-401 Rev P6 (Parameter Plan 02 Horizontal Limit of Deviation (Typical Floor))
2063-A-P-402 Rev P8 (Parameter Plan 03 Horizontal Limit of Deviation (Top Floor))
2063-A-P-403 Rev P8 (Parameter Plan 04 Minimum & Maximum Building Heights))
2063-A-P-404 Rev P6 (Parameter Plan 05 Land Use (Ground Floor))
2063-A-P-405 Rev P6 (Parameter Plan 06 Land Use (First Floor))
2063-A-P-406 Rev P6 (Parameter Plan 07 Land Use (Typical Floor))
2063-A-P-407 Rev P6 (Parameter Plan 08 Access)
2063-A-P-408 Rev P6 (Parameter Plan 09 Pedestrian Movement)
2063-A-P-409 Rev P6 (Parameter Plan 10 Public Open Space)
2063-A-P-410 Rev P6 (Parameter Plan 11 Topography (Basement))
2063-A-P-411 Rev P6 (Parameter Plan 12 Private Amenity Space)

(Note: All Parameter Plans are to be read alongside accompanying text)

Approved Documents

Environmental Statement with Appendices
Environmental Statement Non-Technical Summary (dated February 2017)
Design Code (Revision D)
Planning Statement by Turley (January 2017)
Transport Assessment by TTP Consulting (February 2017)
Transport Assessment Update by TTP Consulting Ltd (April 2017)
Draft Commercial Travel Plan by TTP Consulting Ltd (November 2016)
Draft Residential Travel Plan (November 2016)
Flood Risk Assessment by RPS (Ref: JER6713 dated January 2017)
Revised drainage philosophy (23 February 2017)
Design & Access Statement by Glenn Howells Architects (Revision E)
Statement of Community Involvement (SCI) by Core Marketing Ltd (December 2016)
Arboricultural Impacts Assessment by agb Environmental Ltd (Ref: P2525.1.1 dated

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24 August 2016)

Bat Survey by RPS (Ref: OXF9414 dated July 2016)

Preliminary Ecological Appraisal by RPS (Ref: OXF9414 dated June 2016)

Sustainability Statement by RPS (Ref: OXF9287 dated 19.01.2017)

Energy Report by RPS (Ref: HLEU37491/001Rv2 dated January 2017)

Surface water drainage (SuDS)

6. Concurrently with the submission of any reserved matters application of the development hereby permitted, details of a scheme for disposing of surface water by means of a sustainable drainage system shall be submitted to and approved in writing by the Local Planning Authority in accordance with the approved discharge rates contained within the revised drainage philosophy (23 February 2017). The scheme shall be implemented in full in accordance with the approved details prior to first occupation. The submitted details shall:

provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site for the critical storm durations for the corresponding design event and the measures taken to prevent pollution of the receiving groundwater and/or surface waters; This shall also include the following information:

- Limits the surface water discharge rate from the site as proposed within the submitted drainage philosophy addendum dated 23 February 2017.
- Demonstration that the proposed surface water drainage system does not surcharge in for the 1 in 1 critical storm duration, Flood in the 1 in 30 critical storm duration or the 1 in 100 critical storm duration for the proposed agreed discharge rates.
- Demonstration that any flooding that occurs when taking into account climate change for the 1 in 100 storm event in accordance with NPPF does not leave the site via overland flow routes.

include a timetable for its implementation; and

provide a detailed management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

Reason: To ensure that the development achieves a high standard of sustainability and to comply with Policy CS9 and CS16 of the Woking Core Strategy (2012).

7. Prior to the commencement of development, construction drawings of the surface water drainage network, associated sustainable drainage components, flow control mechanisms and a construction method statement ensuring no overland flow routes, uncontrolled discharge or sediment leave the site boundary during construction shall be submitted and agreed in writing by the Local Planning Authority. The scheme shall then be constructed as per the agreed submitted drawings and calculations. No alteration to the agreed drainage scheme shall occur without prior written approval from the Local 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).

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

Reason: To ensure that the development achieves a high standard of sustainability and to comply with Policies CS9 and CS16 of the Woking Core Strategy (2012).

Use of piling

9. 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.

10. Piling using penetrative methods shall not be permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: To prevent both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels water pollution, in accordance with the provisions of the National Planning Policy Framework (2012).

Energy and water consumption for commercial and residential

11. As part of the Reserved Matters applications for any part of the development containing non-residential development, a sustainability strategy including pre-assessment checklist detailing a method of achievement of at least BREEAM 'very good' (or equivalent) for any non-residential development shall be submitted to the Local Planning Authority for approval. No development in that phase shall take place until the sustainability strategy has been approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved sustainability strategy.

Unless otherwise agreed in writing by the Local Planning Authority, no non-residential building shall be occupied until a BREEAM Assessor provided letter confirming the non-residential unit meets at least BREEAM rating "Very Good" has been submitted to and approved in writing by the Local Planning Authority. Proof of the final Certificate issued by BREEAM shall be submitted to the Local Planning Authority within 6 months of the first occupation of the relevant non-residential building certifying that at least BREEAM rating "Very Good" has been achieved for this development (or such

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equivalent national measure of sustainable building which replaces that scheme).

Reason: To ensure that the development achieves a high standard of sustainability and makes efficient use of resources and to comply with Policies CS21 and CS22 of the Woking Core Strategy (2012).

12. As part of the Reserved Matters applications for any part of the development containing residential development, written evidence shall be submitted to and approved in writing by the Local Planning Authority demonstrating that the residential elements of the development will:
 - a. Achieve a minimum of a 19% improvement in the dwelling emission rate over the target emission rate, as defined in the Building Regulations for England Approved Document L1A: Conservation of Fuel and Power in New Dwellings (2013 edition). Such evidence 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 such details as may be agreed and these details shall be permanently maintained unless otherwise first agreed in writing by the Local Planning Authority.

Reason: To ensure that the development achieves a high standard of sustainability and makes efficient use of resources and to comply with Policies CS21 and CS22 of the Woking Core Strategy (2012).

13. The residential elements of the development hereby permitted shall not be first occupied until written documentary evidence has been submitted to and approved by, the Local Planning Authority demonstrating that the development has:
 - a. Achieved a minimum of a 19% improvement in the dwelling emission rate over the target emission rate, as defined in the Building Regulations for England Approved Document L1A: Conservation of Fuel and Power in New Dwellings (2013 edition). Such evidence 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.

Such details as may be agreed shall be permanently maintained unless otherwise first agreed in writing by the Local Planning Authority.

Reason: To ensure that the development achieves a high standard of sustainability and makes efficient use of resources and to comply with policy CS22 of the Woking Core Strategy (2012).

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

14. As part of any reserved matters applications for any part of the development where residential development is proposed to be situated immediately above any non-residential development full details of the measures to be undertaken to ensure the acoustic performance of the relevant party ceilings/floors and walls shall be submitted for approval to the Local Planning Authority. No development in that phase shall take place until the measures have been approved in writing by the Local Planning Authority. The development shall be carried out and thereafter retained in accordance with the approved details prior to the first occupation of the development.

Reason: To protect the environment and amenities of residential occupants of the proposed development in accordance with Policy CS21 of the Woking Core Strategy (2012) and the provisions of the National Planning Policy Framework (2012).

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

Reason: To protect the environment and amenities of the occupants of the residential development hereby permitted in accordance with Policy CS21 of the Woking Core Strategy (2012), Policy DM7 of the Development Management Policies DPD (2016) and policies in the National Planning Policy Framework (2012).

16. As part of any reserved matters applications for any part of the development where Class A3 - A5 development (inclusive) is proposed full details of the measures to be undertaken to control emissions from the premises shall be submitted for approval to the Local Planning Authority. The measures shall be implemented fully in accordance with the approved scheme prior to the first occupation of the development (or commencement of the relevant Class A3 - A5 (inclusive) use). All equipment installed as part of the scheme shall thereafter be permanently operated and maintained in accordance with the approved details and retained as such thereafter.

Reason: To protect the environment and amenities of the occupants of both existing neighbouring properties and future residential properties within the proposed development from nuisance arising from noise, fumes, smell, smoke or other emissions in accordance with Policy CS21 of the Woking Core Strategy (2012), Policy DM7 of the Development Management Policies DPD (2016) and policies in the National Planning Policy Framework (2012).

17. No fixed plant and equipment associated with air moving equipment, compressors, generators or plant or similar equipment shall be installed until details, including acoustic specifications, have been submitted to and approved in writing by the Local Planning Authority.

Reason: To protect the environment and amenities of the occupants of both existing neighbouring properties and future residential properties within the proposed development from noise and disturbance in accordance with Policy CS21 of the

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Woking Core Strategy (2012), Policy DM7 of the Development Management Policies DPD (2016) and policies in the National Planning Policy Framework (2012).

Construction Management

18. No development shall take place (including any works of demolition) until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall accord with and give effect to the principles for such a Plan proposed in the Environmental Statement submitted with the application. The CEMP shall include as a minimum the following matters:
- Contractors' access arrangements for vehicles, plant and personnel including the location of construction traffic routes to, from and within the site, details of their signing, monitoring and enforcement measures, along with location of parking for contractors and construction workers;
 - Delivery and collection times for demolition and construction;
 - Hours of working on the site;
 - Dust management - measures to control the emission of dust/dirt during demolition and construction including wheel washing in accordance with the Mitigation During Construction outlined within Section 12 (Air Quality) of the submitted Environmental Statement;
 - Measures to control noise and vibration during demolition and construction and the use of best practical means to minimise noise and vibration disturbance from works in accordance with the Mitigation Measures outlined within Section 13 (Noise and Vibration) of the submitted Environmental Statement;
 - Measures to prevent ground and water pollution from contaminants on site/a scheme to treat and remove suspended solids from surface water run-off during construction;
 - Soil management measures;
 - Identification of areas/containers for the storage of fuels, oils and chemicals;
 - Details of any temporary lighting to be used for demolition/construction purposes;
 - Site fencing/hoarding and security measures;
 - The prohibition of burning of materials and refuse on site;
 - Management of materials and waste;
 - External safety and information signing and notices;
 - Liaison, consultation and publicity arrangements including dedicated points of contact and contact details;
 - Complaints procedures, including complaints response procedures;
 - Access and protection arrangements around the site for pedestrians, cyclists and other road users including temporary routes;
 - Procedures for interference with public highways, permanent and temporary realignment, diversions and road closures; and
 - Construction management plan for surface water run-off during the construction period.

Reason: To ensure the proposed development does not prejudice the amenities of occupiers of adjoining residential properties and in the interests of highway and pedestrian safety and to protect the environmental interests and the amenity of the area and to comply with Policies CS7, CS9 and CS21 of the Woking Core Strategy (2012) and the policies in the National Planning Policy Framework (2012).

19. No development shall commence until a Construction Transport Management Plan

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(CTMP) to include details of:

- (a) parking for vehicles of site personnel, operatives and visitors
- (b) loading and unloading of plant and materials
- (c) storage of plant and materials
- (d) programme of works (including measures for traffic management)
- (e) provision of boundary hoarding behind any visibility zones
- (f) HGV deliveries and hours of operation
- (g) vehicle routing
- (h) measures to prevent the deposit of materials on the highway
- (i) before and after construction condition surveys of the highway and a commitment to fund the repair of any damage caused
- (j) on-site turning for construction vehicles
- (k) proposals to minimise the movement of heavy goods vehicles associated with the construction of the development during the hours when children arrive at and depart the schools located along Camphill Road and Old Woking Road

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

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highways users and to comply with Policy CS18 of the Woking Core Strategy (2012) and the policies in the National Planning Policy Framework (2012).

On and off site drainage works

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

Reason: To ensure that sufficient capacity is made available to cope with the new development and in order to avoid adverse environmental impact upon the community in accordance with Policy CS16 of the Woking Core Strategy (2012) and the provisions of the National Planning Policy Framework (2012).

Contamination

21. 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 :-
 - (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)

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(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).

Archaeology

22. No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a Written Scheme of Investigation which has been submitted to and approved in writing by the Planning Authority.

Reason: To enable the site to be investigated for archaeological purposes in accordance with Policy CS20 of the Woking Core Strategy (2012) and the provisions of the National Planning Policy Framework (2012).

Highways

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

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with Policy CS18 of the Woking Core Strategy (2012) and the provisions of the National Planning Policy Framework (2012).

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

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with Policy CS18 of the Woking Core Strategy (2012) and the provisions of the National Planning Policy Framework (2012).

25. The development hereby permitted shall not be first occupied or first opened for trading unless and until space has been laid out within the site in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority for vehicles and cycles to be parked and for the loading and unloading of number vehicles and for vehicles to turn so that they may enter and leave the site in forward gear. All cycle parking shall be secure, covered and lit. Thereafter the parking / loading and unloading / turning areas shall be retained and maintained for their designated

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purposes.

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with Policy CS18 of the Woking Core Strategy (2012) and the provisions of the National Planning Policy Framework (2012).

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

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

have been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved details shall be implemented.

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with Policy CS18 of the Woking Core Strategy (2012) and the provisions of the National Planning Policy Framework (2012).

27. The development hereby permitted shall not be not be first occupied or first opened for trading unless and until the following facilities have been provided in accordance with a scheme or schemes to be submitted to and approved in writing by the Local Planning Authority and in broad agreement with the plans referenced: 2015-2601-DWG-232, 2015-2601-DWG-227, 2015-2601-DWG-233, 2015-2601-DWG-229, 2015-2601-DWG-230, for:

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

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with Policy CS18 of the Woking Core Strategy (2012) and the provisions of the National Planning Policy Framework (2012).

28. Prior to the occupation of the development a Travel Plan shall be submitted for the written approval of the Local Planning Authority in accordance with the sustainable

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development aims and objectives of the National Planning Policy Framework, Surrey County Council's "Travel Plans Good Practice Guide". And then the approved Travel Plan shall be implemented prior to occupation and for each and every subsequent occupation of the development, thereafter maintain and develop the Travel Plan to the satisfaction of the Local Planning Authority.

Reason: In order that the development should reduce reliance upon the private car and meet the objectives of Paragraphs 17 and 36 of the National Planning Policy Framework (2012).

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

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

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

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with Policy CS18 of the Woking Core Strategy (2012) and the provisions of the National Planning Policy Framework (2012).

Ecology

30. The development hereby permitted shall be undertaken in accordance with the details specified within Section 4 (Conclusions) of the Preliminary Ecological Appraisal by RPS (Ref: OXF9414 dated June 2016) unless otherwise first agreed in writing by the Local Planning Authority.

Reason: In accordance with the terms of the application and to ensure the provision of suitable ecological mitigation as specified in the application and to comply with Policy CS7 of the Woking Core Strategy (2012), Circular 06/05 Biodiversity and Geological Conservation and the provisions of the National Planning Policy Framework (2012).

31. As part of the landscaping reserved matters a scheme of biodiversity enhancement of the site shall be submitted to the Local Planning Authority for approval. The scheme of biodiversity enhancement shall include details of the features to be created and managed for species of local importance. The scheme shall be carried out prior to the occupation of any part of the development or otherwise in accordance with a programme first agreed in writing with the Local Planning Authority.

Reason: To ensure the provision of suitable biodiversity enhancement of the site in accordance with Policy CS7 of the Woking Core Strategy (2012), Policy DM1 of the Development Management Policies DPD (2016), Circular 06/05 Biodiversity and Geological Conservation and the provisions of the National Planning Policy Framework (2012).

Informatives

01. With regard to surface water drainage it is the responsibility of a developer to make

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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. The contact number is 0800 009 3921.

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

Desk study- This shall include: -

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

Site Investigation Report: This shall include: -

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

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

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

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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.

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

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Travel Plan Impacts as approved by the Highway Authority. To ensure that the survey represents typical travel patterns, the organisation taking ownership of the Travel Plan will need to agree to being surveyed only within a specified annual quarter period but with no further notice of the precise survey dates. The applicant would be expected to fund the survey validation and data entry costs.

7 York Road, Woking

PLAN/2016/0834

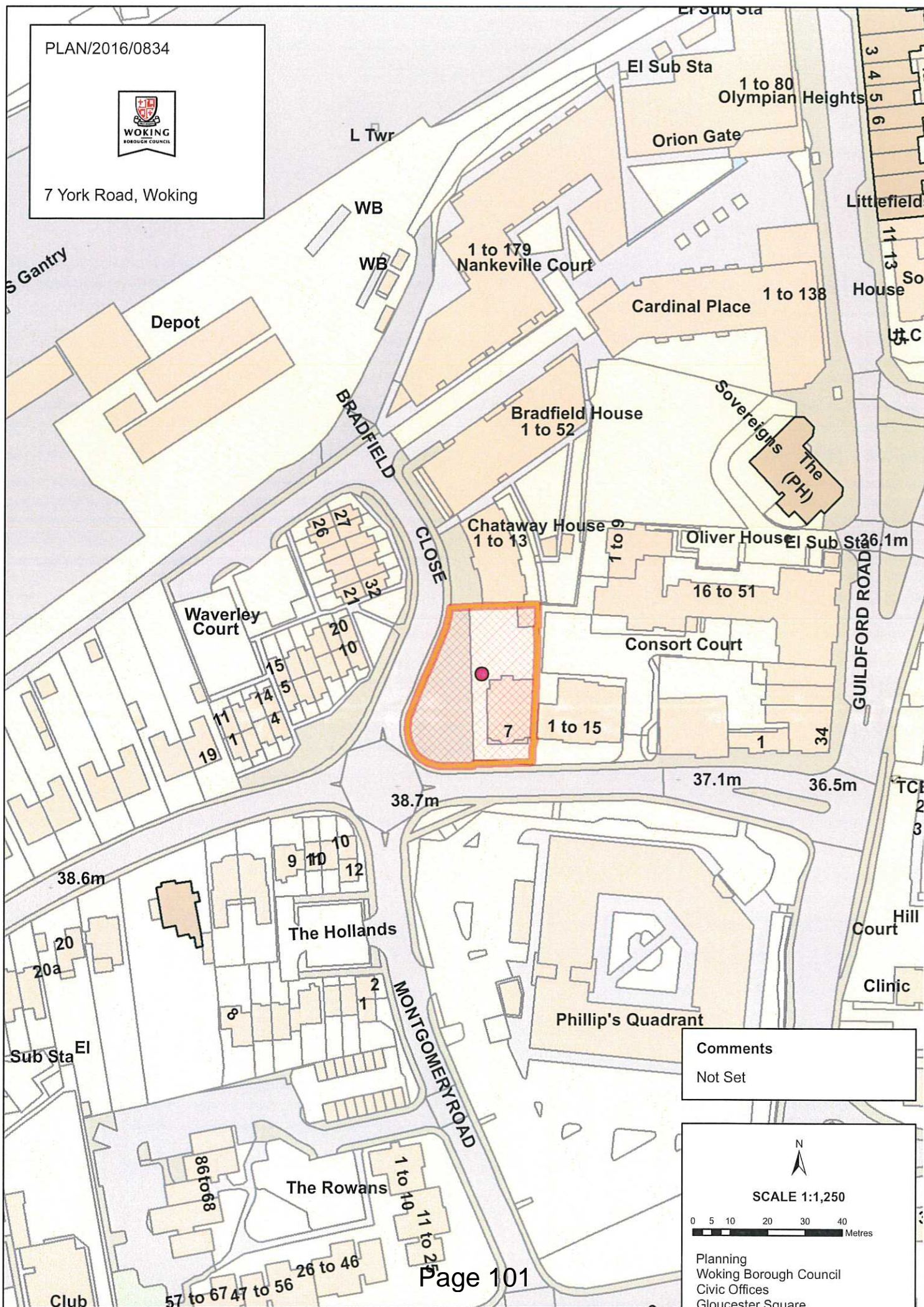
Demolition of existing buildings and erection of a six storey building comprising 46x self-contained flats (26x one bed & 20x two bed), including 30x off-street parking spaces at basement level and associated landscaping (amended plans and description)



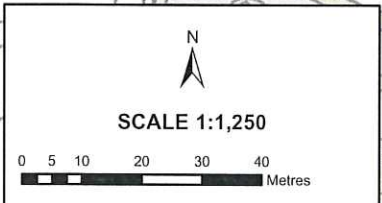
PLAN/2016/0834



7 York Road, Woking



Comments
Not Set



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

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5b 16/0834 Reg'd: 23.08.16 Expires: 22.11.16 Ward: MH
Nei. 15.05.17 BVPI Small scale Number >13 On No
Con. 15.05.17 BVPI Small scale Number >13 On No
Exp: Target major - 07 of Weeks on Cttee' Target?
Day:

LOCATION: 7 York Road, Woking, Surrey, GU22 7XH

PROPOSAL: Demolition of existing buildings and erection of a six storey building comprising 46x self-contained flats (26x one bed & 20x two bed), including 30x off-street parking spaces at basement level and associated landscaping

TYPE: Full Planning Application

APPLICANT: Mr Simon Connolly

OFFICER: David Raper

REASON FOR REFERRAL TO COMMITTEE:

The proposal includes the creation of a 'major' development which falls outside the scope of delegated powers as set out by the Management Arrangements and Scheme of Delegation.

PLANNING STATUS

- Urban Area
- Woking Town Centre
- High Accessibility Zone
- Thames Basin Heaths SPA ZoneB (400m-5km)

RECOMMENDATION

GRANT planning permission subject to conditions and Section 106 Agreement to secure a SAMM contribution and Overage Agreement.

SITE DESCRIPTION

The proposal site forms a corner plot on a roundabout serving Bradfield Close, York Road and Montgomery Road in Woking town centre. The eastern part of the site currently comprises a two storey commercial building and includes a car park to the rear which is accessed via York Road. The remaining element of the site is a landscaped area along Bradfield Close, which formed part of the original 'New Central' development. To the east of the site is the three storey residential building of Consort Court, which fronts York Road and has a car park to the rear. To the west of the site are two storey dwellings on the west side of Bradfield Close and two storey dwellings are located along York Road to the west. On the southern side of York Road is a four storey office building occupied by Surrey County Council (Quadrant Court). Further north of the site is the 'New Central' development; a modern mixed use development ranging from 21x storeys on Guildford Road to four storeys on Bradfield Close. The proposal site is positioned on the edge of the Woking Town Centre adjacent to the town centre boundary.

PLANNING HISTORY

- PLAN/2015/0299 - Demolition of existing dwellings and erection of an 8 storey replacement building comprising of 47x residential units (27x one bed and 20x two bed), together with 30 off-street parking spaces at basement level – Refused on 15/01/2016 for the following reasons and dismissed at appeal on 21/12/2016:
 1. *The proposed development fails to reflect the character of the streetscene of York Road by reason of its scale, height, massing and proportions contrary to Policy CS21 of the Woking Core Strategy.*
 2. *The proposed development fails to provide a mix of dwelling sizes and types reflecting the nature of local needs contrary to Policy CS11 of the Woking Core Strategy.*

The site comprised part of the outline permission for the ‘New Central’ development but was not included in the Reserved Matters scheme which was built out:

- PLAN/2005/1229 - Mixed use redevelopment comprising of 446 studio, 1 bed and 2 bed apartments, 4 bed town houses, live / work units, 4719m² of office (class B1(a)) and 1247m² of mixed commercial uses comprising of A1 retail, A3 food and drink following demolition of existing offices. (Outline application: siting and means of access) – Permitted
- PLAN/2007/0857 - Mixed use redevelopment comprising of 445 studio, 1 bed and 2 bed apartments, 4 bed town houses, live / work units, 4719m² of office (class B1(a)) and 1278m² of mixed commercial uses comprising of A1 retail, A3 food and drink (Reserved Matters) – Permitted

SUMMARY OF PROPOSED DEVELOPMENT

The proposal is for the erection of a six storey building (ground plus five) comprising 46x self-contained flats (26x one bed & 20x two bed) plus a basement level with 30x parking spaces and associated landscaping following the demolition of the existing buildings on the site. The building would occupy a prominent corner plot facing the roundabout and would therefore have two road frontages. The building would step down to four storeys adjacent to Consort House on York Road and Chataway House on Bradfield Close and would feature pedestrian entrances and fenestration on both road frontages. The basement level would connect with the existing basement level of the ‘New Central’ development to the north and bin and cycle storage would be provided in the basement level.

Site Area:	0.1265ha (1,265 sq.m)
Existing units:	0
Proposed units:	46
Existing density:	0 (dwellings per hectare)
Proposed density:	363.6 dph

CONSULTATIONS

County Highway Authority:	No objection subject to conditions.
Drainage and Flood Risk Engineer:	No objection subject to conditions.
Environmental Health:	No objection subject to conditions.

Waste Services: No objection subject to conditions.

Housing Strategy and Enabling Officer: No objection subject to Overage Agreement.

REPRESENTATIONS

A total of 17x objections were received in response to the original proposal for a building up to eight storeys raising the following concerns:

- The proposal is similar to the previously refused application and has not overcome the previous reasons for refusal or appeal decision
- Loss of light, overlooking and overbearing impacts
- The proposal is out of character and out of scale with the surrounding area
- Proposal would be an overdevelopment of the site
- Proposal would lead to the loss of trees and landscaping
- Proposal could interfere with television and radio reception
- Parking is already a problem in the area; the proposal would have insufficient parking and lead to inappropriate parking
- Proposal would impact on highway safety
- The applicant is incorrect in suggesting that the existing parking in New Central is underutilised and would allow for overspill parking for the proposed development. The empty spaces are allocated spaces relating to commercial units and so cannot be used to accommodate overspill parking
- The construction phase would cause noise and disruption
- The additional flats would increase the maintenance fees of existing residents.

Neighbours were re-consulted on the amended plans on 24/04/2017 and a further 13x objections were received objecting to the proposal raising points already summarised above.

In addition to the above, 60x positive comments were received, mostly from local businesses, which appear to have been forwarded automatically via a third party website.

RELEVANT PLANNING POLICIES

National Planning Policy Framework (NPPF) (2012):

Section 2 - Ensuring the vitality of town centres

Section 4 - Promoting sustainable transport

Section 6 - Delivering a wide choice of high quality homes

Section 7 - Requiring good design

Section 10 - Meeting the challenge of climate change, flooding and coastal change

Section 11 - Conserving and enhancing the natural environment

Woking Core Strategy (2012):

CS1 - A Spatial strategy for Woking Borough

CS2 - Woking Town Centre

CS7 - Biodiversity and nature conservation

CS8 - Thames Basin Heaths Special Protection Areas

CS9 - Flooding and water management

CS10 - Housing provision and distribution

CS11 - Housing Mix

CS12 - Affordable housing

CS15 - Sustainable Economic Development

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CS18 - Transport and accessibility
CS21 - Design
CS22 - Sustainable construction
CS24 - Woking's landscape and townscape
CS25 - Presumption in favour of sustainable development

Development Management Policies DPD (2016):

DM2 - Trees and Landscaping
DM7 - Noise and Light Pollution
DM16 - Servicing Development
DM17 - Public Realm

Supplementary Planning Documents (SPDs):

Woking Design (2015)
Affordable Housing Delivery (2014)
Climate Change (2013)
Outlook, Amenity, Privacy and Daylight (2008)
Parking Standards (2006)

Other Material Considerations:

South East Plan (2009) (Saved policy) NRM6 - Thames Basin Heaths Special Protection Area
Thames Basin Heaths Special Protection Area Avoidance Strategy 2010-2015
Waste and recycling provisions for new residential developments
Community Infrastructure Levy (CIL) Charging Schedule (2015)

BACKGROUND

A previous proposal (PLAN/2015/0299) to redevelop the site with an 8x storey building comprising 47x residential units was refused by Planning Committee on 12/01/2016 for the following reasons:

- 1. The proposed development fails to reflect the character of the streetscene of York Road by reason of its scale, height, massing and proportions contrary to Policy CS21 of the Woking Core Strategy.*
- 2. The proposed development fails to provide a mix of dwelling sizes and types reflecting the nature of local needs contrary to Policy CS11 of the Woking Core Strategy.*

This decision was subsequently appealed by the applicant. During the course of the appeal the current application was submitted which originally proposed a development of a similar scale and nature to the refused application, with small reductions in height and bulk in parts of the building and a different housing mix (8x storeys, 17x one bedroom & 28x two bedroom). During the course of the current application, the previously refused application outlined above (PLAN/2015/0299) was dismissed at appeal, the Inspector finding that the proposed eight storey development would be out of scale with its surroundings and out of character with the area. The Inspector did however find the housing mix to be acceptable.

In light of the appeal decision, the applicant amended the proposal to remove two storeys and reduce the height, bulk and massing of the development. The amended plans were received on 15/04/2017 and neighbours and consultees re-consulted on the revised proposal.

The current proposal is therefore for a six storey building comprising 46x self-contained flats (26x one bed & 20x two bed). The proposal has been assessed based on these plans.

PLANNING ISSUES

Principle of Development:

1. The proposal is a development comprising 46x self-contained flats within the boundary of Woking town centre. The NPPF (2012) and Core Strategy (2012) policy CS25 (2012) promote a presumption in favour of sustainable development. The site constitutes land within the designated Urban Area, within Woking town centre and within the 400m-5km (Zone B) Thames Basin Heaths Special Protection Area (SPA) buffer zone. Core Strategy policy CS10 seeks to ensure that sufficient homes are built in sustainable locations where existing infrastructure is in place and new residential development should seek to maximise the efficient use of land. Core Strategy (2012) policies CS1 and CS2 establish Woking town centre as the primary focus of sustainable growth including high density redevelopment of existing sites in the town centre. The principle of a high-density residential development is therefore considered acceptable subject to the detailed considerations set out below.
2. The existing building on the site includes B1a (office) space which would be lost as part of the proposal. The loss of the office space is not considered to undermine the competitiveness of the town centre when considering the modest amount of space involved and the benefits of providing additional housing in a sustainable location within the town centre. The loss of the commercial space was considered acceptable by the LPA under the previous application (PLAN/2015/0299).

Design and Impact on Character:

3. Core Strategy (2012) policy CS1 'A Spatial Strategy for Woking Borough' establishes the town centre as the primary focus for sustainable growth and states that '*In the town centre, well designed, high density development that could include tall buildings and which enhances its image will be encouraged, but without comprising on its character and appearance and that of nearby areas*'. Policy CS2 'Woking Town Centre' places great weight on high quality development in the town centre and states that '*New Development proposals should deliver high quality, well designed public spaces and buildings, which make efficient use of land, contribute to the functionality of the centre and add to its attractiveness and competitiveness*'. Policy CS21 'Design' states that tall buildings can be supported in the town centre where they are well designed and can be justified within their context.
4. The proposal site is located on the periphery of the town centre where the character transitions from one of relatively high density development such as that found in the New Central Development, to relatively low density development on York Road to the west. Bradfield Close to the north of the site is characterised by four storey development at Bradfield House and Chataway House which form part of the 'New Central' development which extends up to 21x storeys to the north-east on Guildford Road. The remainder of Bradfield Close is characterised by two storey dwellings. To the east of the site on York Road is Consort Court which is a three storey block of retirement flats with a car park to the rear and further to the east is another three storey residential block. To the south of the site is Quadrant Court which is a four storey office building. To the west is York Road which is predominately characterised by two storey residential development. The proposal site was included in the original masterplan for the 'New Central' development and the proposal would effectively be a completion of this development.

5. The previously refused application, which was for an eight storey building, was not considered to reflect the scale, height and massing of the surrounding area. The current proposal is for a six storey building which steps down to four storeys adjacent to Consort Court on York Road and Chataway House on Bradfield Close. The maximum height of the main body of the building has been reduced by 4.4m and two floors have been removed from the overall height. Sections of the building adjacent to Consort Court have been removed resulting in a less pronounced difference in height between the two buildings. The result is considered to be a relatively significant reduction in bulk, height and scale compared to the previously refused application.
6. The part of the building adjacent to Consort Court would be finished in brickwork which is considered to respect the context of York Road and the predominance of brickwork on Consort Court. The remainder of the building would be finished in a mixture of white render and cladding which is considered an appropriate palette of materials for the context of the proposal site. The previously refused application included a relatively large feature cladding element on both side elevations which has been reduced in scale and simplified. The building is considered to make a visually appropriate step-down in height and scale from six storeys, to five storeys to four storeys adjacent to Consort Court and Chataway House and overall the proposed building is considered of an acceptable height bulk and scale for its context.
7. The proposed development is considered to respond well to its prominent corner position with fenestration and entrances on both road frontages and with a 'wedge' shaped building with the narrowest part of the building fronting onto the roundabout with a curved frontage thereby responding to the shape of the site.
8. The proposal would result in the removal of the existing grass and landscaping on the corner of the site adjacent to the roundabout. However, at ground floor level there is space provided round the proposed building for a generous amount of soft landscaping including tree planting, details of which can be secured by condition (Condition 4). Details of boundary treatments can also be secured by this condition.
9. The proposed building is considered to make an acceptable transition in height, bulk and massing in relation to its neighbours whilst resulting in building of an appropriate scale for a prominent corner position within a town centre where there is presumption in favour of high density development and where sustainable growth in the Borough is focussed. Overall the proposal is therefore considered to have an acceptable impact on the character of the surrounding area.

Impact on Neighbours:

10. The nearest neighbours to the proposal site potentially most affected by the proposed development are those in Consort Court to the East, neighbours on Bradfield Close to the north and west and York Road to the west, The potential impacts on neighbours have been assessed below.

Consort Court:

11. Consort Court comprises 2x three and four storey blocks of flats to the east of the proposal site. No.1-15 Consort Court is immediately adjacent to the site and fronts onto York Road. This block features windows at ground, first and second floor levels on the front and rear and on the side facing the proposal site. The side-facing windows however serve bathrooms and not habitable rooms. The existing two storey building on the site is positioned close to the boundary with Consort Court and extends approximately 6m beyond the rear elevation of Consort Court. This would be

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demolished and replaced with a four to six storey building with a different footprint. The proposed building would not be positioned directly opposite any habitable room windows at No.1-15 Consort Court although the building would inevitably be clearly visible from the rear-facing windows.

12. The windows of the proposed building would not directly face any windows on Consort Court with the exception of windows on the south-facing flank elevation of the building and these would be positioned around 14m from Consort Court at its nearest point. These windows do however serve as secondary windows to flats and so can be required to be obscurely glazed with restricted opening by condition (Condition 11) to avoid undue overlooking. The proposal includes balconies and roof terraces on the rear which would look across the rear parking area of Consort Court. It is acknowledged that south-facing views would be possible from some of the balconies which could cause undue overlooking to windows in Consort Court. It is considered however that privacy screening to the side of balconies would effectively restrict undue overlooking from balconies and this could be secured by condition (Condition 6).
13. No.16-51 Consort Court is a four storey building positioned 15m from the boundary with the proposal site at its nearest point and features habitable room windows which face towards the proposal site. The majority of the proposed development would not be positioned directly opposite these windows with the exception of part of the smaller four storey element fronting onto Bradfield Close. The proposed building would be positioned 17m from this part of Consort Court at its nearest point and habitable room windows and balconies would not be positioned directly opposite habitable room windows in Consort Court. Windows serving a staircase would face this block however these could be required to be obscurely glazed with restricted opening by condition (Condition 11).
14. The applicant has submitted a detailed BRE Sunlight and Daylight Assessment which evaluates the impact of the proposed development on neighbouring windows including those in Consort Court. The assessment concludes that the proposal would have an acceptable impact on both daylight and sunlight to all habitable room windows and where there would be reductions in daylight and sunlight, these would be within the acceptable limits set out in the BRE guidance. The development would impact on the side-facing bathroom windows in Consort Court however bathrooms are not regarded as habitable rooms. Overall the proposed development is therefore considered to have an acceptable neighbour amenity impact on neighbours in Consort Court in terms of loss of light, overbearing and overlooking impacts.

Bradfield Close:

15. Opposite the proposal site on Bradfield Close are two storey 'back-to-back' dwellings arranged in terraces and the closest neighbours in these terraces are No.32 and No.10 Waverley Court. No. 32 Bradfield Close is positioned approximately 25m from the proposed building at its nearest point and No.10 positioned 21m away. The front elevations of these terraces are orientated at an oblique angle relative to the proposed building meaning the development would not be directly opposite main habitable room windows. The flank elevations of the terraces include side-facing windows facing the site however these serve bathrooms and staircases or as secondary windows. Given this relationship, the proposal is not considered to result in undue overlooking to these neighbours. The submitted Sunlight and Daylight Assessment demonstrates an acceptable daylight and sunlight impact on these neighbours. Overall the proposal is therefore considered to have an acceptable amenity impact on neighbours opposite the site on Bradfield Close.

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16. No.1-13 Chataway House is a four storey block of flats immediately to the north of the proposal site with habitable room windows on the front and rear. The four storey element of the proposed building fronting Bradfield Close would be approximately in-line with the footprint of Chataway House but would extend 1m beyond the front elevation of this neighbouring building and 1.5m beyond the rear elevation. The windows nearest the proposed development serve habitable rooms which are also served by other windows on the front and rear elevations and the proposal would pass the '45° test' with these windows in plan form when taking account of the second windows serving the rooms in question. The fourth floor level of the neighbouring block is set-back from the front elevation with a large front roof terrace area serving a flat. The third storey of the proposed building would be directly adjacent to this and would project 2.5m forward of the front elevation of this flat however when considering the dual aspect nature of the neighbour's accommodation at this level and the size of the roof terrace, the proposal is not considered to result in an unacceptable overbearing or loss of light impact on this neighbour. Overall the proposal is therefore considered to have an acceptable neighbour amenity impact on neighbours on Bradfield Close.

York Road/Montgomery Road:

17. Other neighbours in the immediate area include neighbours to the south-west on the corner of York Road and Montgomery Road. At its nearest point the proposed development would be a minimum of 31m from these neighbours in accordance with the guidance set out in the Council's 'Outlook, Amenity, Privacy and Daylight' SPD (2008). The separation distance and the position of the proposed development to the north-east of these neighbours is considered to result in an acceptable neighbour amenity impact. The separation distances involved with other neighbours in the area is considered sufficient to avoid an undue neighbour amenity impact.

Summary:

18. Considering the points discussed above, overall the proposal is considered to have an acceptable neighbour amenity impact in terms of loss of light, overbearing and overlooking impacts. The proposal therefore accords with Core Strategy (2012) policy CS21 which seeks to avoid a 'significant harmful effect' on neighbouring properties. It is also borne in mind that the proposed scheme is lower in height than the previously refused scheme which the LPA found to have an acceptable neighbour amenity impact.

Housing Mix:

19. Core Strategy (2012) policy CS11 requires proposals to address local needs as evidenced in the Strategic Housing Market Assessment (SHMA) which identifies a need for family accommodation of two bedrooms or more. Policy CS11 does however state that lower proportions of family accommodation can be considered acceptable in locations in the Borough, such as the town centre, which are suitable for higher density development. The previously refused application proposed 27x one bed and 20x two bed, which equated to 57% one bed and 43% two bed. This was considered to provide an undue dominance of one bedroom units and was refused partly on this basis. However the appeal Inspector found that Policy CS11 provides flexibility in higher density locations and found that the proposal would result in an acceptable housing mix for its context. The current proposal is for a housing mix of 56.5% one bedroom flats and 43.5% two bedroom flats. In light of the appeal decision and policy CS11, this is considered to result an acceptable housing mix.

Standard of Accommodation:

20. The proposal includes one and two bedroom properties ranging from around 42m² to around 85m² in floor area. These are consistent with the minimum recommended internal space standards set out in the National Technical Housing Standards (2015). The proposed flats are considered of an acceptable size with acceptable quality outlooks to habitable rooms and most units would benefit from a private balcony or roof terrace. Overall the proposal is considered to achieve an acceptable standard of accommodation for future residents.

Transportation Impact:

21. The maximum parking standard for the proposed development as set out in the Council's Parking Standards (2006) would be 46x spaces. The proposed development would feature a basement level which would link with the existing basement parking level of the adjacent New Central development. The basement level would accommodate 30x parking spaces including 5x disabled spaces. This equates to 0.65 spaces per dwelling. When considering the sustainable location of the site within the town centre, this is considered an appropriate level of car parking for the proposed development. The submitted plans indicate there is sufficient space within the basement level to accommodate 46x secure cycle spaces in accordance with the Council's Parking Standards (2006). The County Highway Authority has reviewed the proposal and raises no objection subject to conditions. There is also sufficient space within the building for bin storage and Condition 5 requires the submission of details of how waste management in development would be operated.
22. The applicant's Planning Statement suggests that the existing basement parking in the New Central development is underutilised and can accommodate overspill parking arising from the proposed development. It is acknowledged that the existing parking within the basement level is allocated to particular flats and retail units and therefore any existing spaces cannot be relied on to accommodate parking demand arising from the proposed development. Officers have assessed the transportation impact of the proposal based on the provision of 30x parking spaces serving the 46x flats currently proposed and are satisfied that the proposal would deliver an acceptable level of parking provision as discussed above.
23. Overall the proposed development is considered to have an acceptable transportation impact.

Impact on the Thames Basin Heaths Special Protection Area (SPA):

24. The SPAs in this area are internationally-important and designated for their interest as habitats for ground-nesting and other birds. Core Strategy (2012) policy CS8 requires new residential development beyond a 400m threshold, but within 5km of the SPA boundary, to make an appropriate contribution towards the provisions of Suitable Alternative Natural Greenspace (SANG) and the Strategic Access Management and Monitoring (SAMM).
25. 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 applicant has agreed to make a SAMM contribution of **£25,862** in line with the Thames Basin Heaths Special Protection Area Avoidance Strategy 2010-2015 as a result of the net gain of 26x one bedroom and 20x two bedroom dwellings which would arise from the proposal.

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26. 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 Core Strategy (2012) policy CS8 and the 'Thames Basin Heaths Special Protection Area Avoidance Strategy 2010-2015'.

Sustainable Drainage Systems (SuDS):

27. The NPPF (2012) and Core Strategy (2012) policy CS9 states that Local Planning Authorities should seek opportunities to reduce flood risk through the appropriate application of sustainable drainage systems (SuDS). In April 2015 the Government strengthened planning policy on the provision of sustainable drainage for 'Major' planning applications. In line with the guidance, all 'Major' applications being determined from the 6th April 2015, must consider SuDS at application stage and are now a material planning consideration.
28. The applicant has provided updated sustainable drainage information during the course of the application which has been reviewed and considered acceptable by the Council's Flood Risk and Drainage Engineer subject to conditions (Conditions 18-20). The proposal is therefore considered acceptable in terms of drainage.

Sustainability:

29. Following a Ministerial Written Statement to Parliament on 25 March 2015, 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. This 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.
30. Until the amendment is commenced, Local Planning Authorities are expected to take this statement of the Government's intention into account in applying existing policies and setting planning conditions. The Council has therefore amended its approach and an alternative condition will now be applied to all new residential permissions which seeks the equivalent water and energy improvements of the former Code Level 4 (Conditions 9 & 10).

Affordable Housing:

31. As the proposal is for more than 15x dwellings, the policy requirement of Core Strategy (2012) policy CS12 is that 40% of dwellings should be affordable. The applicant however has submitted viability information suggesting that the proposed development would not be viable and therefore is unable make a contribution towards affordable housing. The Council's independent viability consultants (Kempton Carr Croft) were commissioned to independently review this viability information who concur with the applicant that the scheme would not be viable to provide on-site affordable housing or a financial contribution. On this basis, the proposed development would not deliver a contribution towards affordable housing provision. It is however considered appropriate to ensure an Overage Agreement is applied as part of the Section 106 Agreement, should the scheme become viable.

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Community Infrastructure Levy:

32. In line with the Council's Charging Schedule the proposed development would be CIL liable. The required CIL payment for the proposed development would be **£355,569.23** on the basis of a net increase in floor area of 4,280 sq.m.

CONCLUSION

33. Considering the points discussed above, the proposal is considered an appropriate form of development which would have an acceptable impact on the amenities of neighbours, on the character of the area and in transportation terms. Subject to a Legal Agreement, the proposal is considered to have an acceptable impact on the Thames Basin Heath SPA. The proposal therefore accords with the Development Plan and is therefore recommended for approval subject to conditions and a Legal Agreement as outlined below.

BACKGROUND PAPERS

1. Site visit photographs
2. Consultation responses
3. Representations
4. 'Major' Site Notice
5. Appeal Decision ref: APP/A3655/W/16/3148379 dated 21/12/2016

PLANNING OBLIGATIONS

The following obligation has been agreed by the applicant and will form the basis of the Legal Agreement to be entered into.

	Obligation	Reason for Agreeing Obligation
1.	SAMM (SPA) contribution of £25,862	To accord with the Habitat Regulations, policy CS8 of the Woking Core Strategy 2012 and The Thames Basin Heaths SPA Avoidance Strategy 2010-2015.
2.	Overage Agreement securing a financial contribution towards affordable should the scheme become viable	To accord with Policy CS12 of the Woking Core Strategy 2012 and SPD 'Affordable Housing Delivery' (2014).

RECOMMENDATION

GRANT planning permission subject to the following conditions and S106 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).

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

PL(02)100 (Site Location Plan) received by the LPA on 20/07/2017
PL(02)200 Rev.P1 (Site Plan) received by the LPA on 20/08/2017

PL(03)100 Rev.P4 (Proposed Ground Floor Plan) received by the LPA on 15/04/2017
PL(03)101 Rev.P4 (Proposed First Floor Plan) received by the LPA on 15/04/2017
PL(03)102 Rev.P4 (Proposed Second Floor Plan) received by the LPA on 15/04/2017
PL(03)103 Rev.P4 (Proposed Third Floor Plan) received by the LPA on 15/04/2017
PL(03)104 Rev.P3 (Proposed Fourth Floor Plan) received by the LPA on 15/04/2017
PL(03)105 Rev.P4 (Proposed Fifth Floor Plan) received by the LPA on 15/04/2017
PL(03)B00 Rev.P3 (Proposed Basement Floor Plan) received by the LPA on 15/04/2017

PL(05)100 Rev.P4 (Proposed Elevation as Viewed from York Road) received by the LPA on 15/04/2017
PL(05)100 Rev.P4 (Proposed Elevation as Viewed from Bradfield Close) received by the LPA on 15/04/2017
PL(05)102 Rev.P4 (Rear Elevation as Viewed from the Consort Court Internal Courtyard) received by the LPA on 15/04/2017

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

3. ++ Prior to the commencement of any above-ground works in connection with the development hereby permitted, a written specification of all external materials to be used in the construction of the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and thereafter retained in accordance with the approved details unless otherwise first agreed in writing by the Local Planning Authority.

Reason: In the interests of the visual amenities of the area and in accordance with Policy CS21 of the Woking Core Strategy 2012.

4. Prior to the first occupation of the development hereby approved, a hard and soft landscaping scheme showing details of shrubs, trees and hedges to be planted, details of materials for areas of hard surfacing and details of boundary treatments, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and thereafter retained in accordance with the approved details unless otherwise first agreed in writing by the Local Planning Authority. 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: To preserve and enhance the character and appearance of the locality in accordance with Policies CS21 and CS24 of the Woking Core Strategy 2012.

5. Prior to the first occupation of the development hereby approved, details of the proposed waste and recycling management arrangements for the development shall be submitted to and approved in writing by the Local Planning Authority. Such details as may be

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agreed shall then be implemented and retained thereafter for the lifetime of the development hereby approved.

Reason: In the interests of amenity and to ensure the appropriate provision of infrastructure in accordance with Policy CS16 of the Woking Core Strategy 2012.

6. ++Prior to the commencement of any above ground works in connection with the development hereby approved, details of privacy screening and balustrades to the balconies and roof terraces on the rear of the building shall be submitted to and approved in writing by the Local Planning Authority. Development shall thereafter take place in accordance with the agreed details and shall be permanently retained in the agreed condition unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard the amenities of the adjoining properties in accordance with Policy CS21 of the Woking Core Strategy 2012.

7. ++ Prior to the commencement of the development hereby approved a Method of Construction Statement, to include details of points (a) to (h) below shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall then be implemented during the construction of the development hereby approved.
 - (a) parking for vehicles of site personnel, operatives and visitors
 - (b) loading and unloading of plant and materials
 - (c) storage of plant and materials
 - (d) programme of works (including measures for traffic management)
 - (e) provision of boundary hoarding
 - (f) measures to prevent the deposit of materials on the highway
 - (g) on-site turning for construction vehicles
 - (h) measures to protect the amenities of neighbouring occupiers during construction

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 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.

8. Prior to the first occupation of the development hereby approved, the existing redundant vehicle access from the site onto York Road shall be permanently closed and the kerbs and footway fully reinstated.

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

9. ++Prior to the commencement of the development hereby approved, written evidence shall be submitted to and approved in writing by the Local Planning Authority (LPA) demonstrating that the development will:
 - a. Achieve a minimum of a 19% improvement in the dwelling emission rate over the target emission rate, as defined in the Building Regulations for England Approved Document L1A: Conservation of Fuel and Power in New Dwellings (2013 edition). Such evidence 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),

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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 LPA.

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.

10. 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 LPA.

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.

11. The windows in the south-facing elevation identified as serving units 'P-10(1)' at first floor level, 'P-10(2)' at second floor level and 'P-08(03)' at third floor level as referred to the approved plans listed in this notice, and the windows in the east-facing elevation identified as serving a stairwell at first, second and third floor level, shall be glazed entirely with obscure glass and non-opening unless the parts of the windows which can be opened are more than 1.7 metres above the finished floor level of the rooms in which the windows are installed. Once installed the windows 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 in accordance with Policy CS21 of the Woking Core Strategy 2012.

12. Prior to the first occupation of the development hereby approved, space shall be laid out within the site in accordance with the approved plans listed in this notice for vehicles and bicycles to be parked and thereafter the parking and turning areas shall be permanently retained and maintained for their designated purpose.

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

13. No fixed plant or equipment associated with air moving equipment, compressors, generators or plant or similar equipment shall be installed on the site until details, including acoustic specifications, have been submitted to and approved in writing by the

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Local Planning Authority. Development shall thereafter take place and be maintained in accordance with the agreed details.

Reason: To protect the environment and amenities of the occupants of neighbouring properties in accordance with Policy CS21 of the Woking Core Strategy 2012.

14. The development hereby approved shall be constructed in in accordance with the recommendations set out within the General Noise and Vibration Assessment by WA Hines & Partners (01/03/2015) and complied within in full. Development shall thereafter take place and be maintained in accordance with the agreed details.

Reason: To protect the residential amenities of future occupiers.

15. In accordance with the submitted Television Reception Survey and television environment impact by Bitstream Broadcast (March 2015) a post construction mitigation survey should be undertaken and any findings shall be implemented and complied with in full within 6 months of first occupation of the development hereby approved.

Reason: To protect the residential amenities of the neighbouring properties in accordance with Policies CS21 of the Woking Core Strategy 2012.

16. Prior to the installation of any external lighting including floodlighting, details of the lighting (demonstrating compliance with the recommendations of the Institute of Lighting Engineers 'Guidance Notes for Reduction of Light Pollution' and the provisions of BS 5489 Part 9) shall be submitted to and approved in writing by the Local Planning Authority. The approved lighting scheme shall be installed and maintained in accordance with the agreed details thereafter.

Reason: To protect the appearance of the surrounding area and the residential amenities of the neighbouring properties in accordance with Policies CS18 and CS21 of the Woking Core Strategy 2012.

17. Notwithstanding the provisions of Article 3 and Schedule 2 Part 16 of The Town and Country Planning (General Permitted Development) Order 2015, (or any Orders amending or re-enacting that Order with or without amendments) no telecommunications equipment attached to the building hereby approved shall be erected without the prior written consent of the Local Planning Authority.

Reason: To ensure a satisfactory appearance and to protect the visual amenities of the locality.

18. ++ Prior to the commencement of the development hereby approved, construction drawings of the surface water drainage network, associated sustainable drainage components, flow control mechanisms and a construction method statement shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall then be constructed and maintained 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.

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19. Prior to first occupation of the development hereby approved, details of the maintenance and management of the sustainable drainage scheme shall be 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 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.

20. Prior to the first occupation of the development hereby approved, a Verification Report, appended with substantiating evidence, demonstrating that the agreed construction details and specifications for the sustainable drainage scheme have been implemented, shall be submitted to and approved in writing by the Local Planning Authority. This report will include photos 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

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. The permission hereby granted shall not be construed as authority to carry out works on the highway. The applicant is advised that a licence 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.
3. Notwithstanding any permission granted under the Planning Acts, no signs, devices or other apparatus may be erected within the limits of the highway without the express approval of the Highway Authority. It is not the policy of the Highway Authority to approve the erection of signs or other devices of a non-statutory nature within the limits of the highway.
4. 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

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expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders. (Highways Act 1980 Sections 131, 148, 149).

5. The permission hereby granted shall not be construed as authority to obstruct the public highway by the erection of scaffolding, hoarding or any other device or apparatus for which a licence must be sought from the Highway Authority Local Highways Service.
6. When an access is to be closed as a condition of planning permission a licence issued by, the Highway Authority Local Highways Service will require that the redundant dropped kerb be raised and any verge or footway crossing be reinstated to conform with the existing adjoining surfaces at the developers expense. The developer is advised that as part of the detailed design of the highway works required by the above condition(s), the County Highway Authority may require necessary accommodation works to street lights, road signs, road markings, highway drainage, surface covers, street trees, highway verges, highway surfaces, surface edge restraints and any other street furniture/equipment. Details of the highway requirements necessary for inclusion in any application seeking approval of reserved matters may be obtained from the Transportation Development Planning Division of Surrey County Council.
7. 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.

8. The applicant is advised that this application is liable to make a CIL contribution of **£355,569.23**. The applicant must complete and submit a Commencement (of development) Notice to the Local Planning Authority, which the Local Planning Authority must receive prior to commencement of the development.
9. 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.

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)

The Old Brew House, 130- 132 High Street, Old Woking, Woking

PLAN/2017/0139

Change of use and subdivision of vacant hair and beauty salon (A1 use) to 6x one bedroom flats (C3 use), erection of a part two storey, part three storey rear extension, insertion of side and rear-facing rooflights, enlargement of rear dormer windows, removal of rear dormer window, reconfiguration of parking area and associated landscaping, bin and cycle storage (AMENDED PLANS)



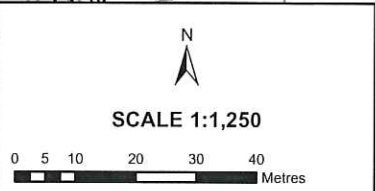
PLAN/2017/0139



The Old Brew House, 130-132 High Street



Comments
Not Set



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

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5c 17/0139 Reg'd: 13.02.17 Expires: 10.04.17 Ward: HV
Nei. 10.08.17 BVPI Minor Number >8 On No
Con. Target dwellings -13 of Weeks Target? No
Exp: on Cttee'
Day:

LOCATION: The Old Brew House, 130-132 High Street, Old Woking, Woking, GU22 9JN

PROPOSAL: Change of use and subdivision of vacant hair and beauty salon (A1 use) to 6x one bedroom flats (C3 use), erection of a part two storey, part three storey rear extension, insertion of side and rear-facing rooflights, enlargement of rear dormer windows, removal of rear dormer window, reconfiguration of parking area and associated landscaping, bin and cycle storage (AMENDED PLANS)

TYPE: Full Planning Application

APPLICANT: C/O Agent - OSP Architecture

OFFICER: David Raper

REASON FOR REFERRAL TO COMMITTEE:

The proposal includes the creation of new dwellings which falls outside the scope of delegated powers as set out by the Management Arrangements and Scheme of Delegation.

PLANNING STATUS

- Urban Area
- Locally Listed Building
- Old Woking Conservation Area
- Old Woking Neighbourhood Centre
- Area of High Archaeological Potential
- Thames Basin Heaths SPA ZoneB (400m-5km)

RECOMMENDATION

GRANT planning permission subject to conditions and Section 106 Agreement to secure a SAMM contribution.

SITE DESCRIPTION

The building in question is a two storey brick-built building with accommodation in the roof space. The building is understood to date from the early C18 and is a locally listed building. The building also forms part of the Conservation Area. The building would originally have been in residential use but has developed into commercial uses over time and has most recently been in use as a hair and beauty salon. The building suffered a fire in the 1980s and was subsequently restored and extended with a two storey side extension containing two flats. To the rear of the site is a parking forecourt. The proposal site is in a prominent position on High Street close and Riverside Gardens is a residential cul-de-sac which borders the site to the west.

PLANNING HISTORY

PLAN/2010/0358 - Change of use from offices (B1 use) to Class A1 (retail) for hair salon with ancillary beauty salon on ground, first and second floors – Permitted

86/0205 - Change of use of ground floor to offices – Refused

82/0762 - Restoration and erection of two storey extension forming 2x flats – Permitted

82/0761 - Restoration and erection of two storey extension forming 2x flats – Permitted

81/1176 - Two single storey side extensions – Refused

81/1175 - Two single storey side extensions – Refused

80/1230 - Change of use from dwelling to offices – Refused

79/1039 - Change of use from dwelling to offices – Refused

30947 – Use of existing building as a home for homeless young persons – Permitted

27934 – Use as offices – Refused

2530 – Conversion to two dwellings – Permitted

PROPOSED DEVELOPMENT

The proposal is for the change of use and subdivision of a building containing a vacant hair and beauty salon (A1 use) to 6x one bedroom flats (C3 use). This would be facilitated by the erection of a part two storey, part three storey rear extension, insertion of side and rear-facing rooflights, removal of a rear dormer window, reconfiguration of parking area and associated landscaping, bin and cycle storage. The host building features an existing two storey side extension which contains 2x self-contained flats which would be retained as part of the proposal.

CONSULTATIONS

County Highway Authority: No objection subject to conditions.

Conservation Consultant: No objection.

County Archaeological Officer: No objection subject to condition.

Scientific Officer: No objection subject to condition.

Arboricultural Officer: No objection subject to condition requiring replacement landscaping.

REPRESENTATIONS

None received.

RELEVANT PLANNING POLICIES

National Planning Policy Framework (NPPF) (2012):

Section 2 - Ensuring the vitality of town centres
Section 4 - Promoting sustainable transport
Section 6 - Delivering a wide choice of high quality homes
Section 7 - Requiring good design
Section 10 - Meeting the challenge of climate change, flooding and coastal change
Section 12 - Conserving and enhancing the historic environment

Woking Core Strategy (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 Areas
CS10 - Housing provision and distribution
CS11 - Housing Mix
CS12 - Affordable housing
CS18 - Transport and accessibility
CS20 - Heritage and Conservation
CS21 - Design
CS22 - Sustainable construction
CS24 - Woking's landscape and townscape
CS25 - Presumption in favour of sustainable development

Development Management Policies DPD (2016):

DM2 - Trees and Landscaping
DM8 - Land Contamination and Hazards
DM20 - Heritage Assets and their Settings

Supplementary Planning Documents (SPDs):

Woking Design (2015)
Affordable Housing Delivery (2014)
Climate Change (2013)
Outlook, Amenity, Privacy and Daylight (2008)
Parking Standards (2006)

Supplementary Planning Guidance (SPG):

Heritage of Woking (2000)

In addition to the above, Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) places a statutory duty on decision makers to have 'special regard' to preserving or enhancing the character of conservation areas and states that: '*with respect to any buildings or other land in a conservation area, of any functions under or by virtue of any of the provisions mentioned in sub section (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area*'.

BACKGROUND

The original proposal included two rear extensions. Amended plans were received on 11/07/2017 which removed the second rear extension and altered the layout of the parking forecourt. Neighbours were re-consulted on the amended plans and the proposal has been assessed based on these plans.

PLANNING ISSUES

Principle of Development:

1. The building would originally have been in residential use but was converted to office (B1a) use and then subsequently changed use to a hair and beauty salon in 2010 under application ref: PLAN/2010/0358. The building has remained vacant since January 2016. A hair salon is classified as A1 (retail) use whereas a beauty salon is a 'sui generis' use. The proposal forms part of the Old Woking Neighbourhood Centre and therefore Core Strategy (2012) policy CS4 applies and this policy seeks to protect and retain local shops and other small scale economic uses because of the importance of such uses in serving the everyday needs of local people. The unit however is understood to have been vacant for over 18 months. It is also acknowledged that the nature of the building does not lend itself well to retail (A1) use; the host building does not benefit from a shop front and features conventional timber sash windows and a front entrance enclosed by railings. These all contribute towards the special character of the locally listed building and the Conservation Area and therefore cannot easily be removed or easily altered to form a conventional retail unit. The loss of the existing commercial use is not considered to unacceptably harm the vitality and viability of the Neighbourhood Centre in this instance and is considered an acceptable change of use as a range of commercial uses are retained in the vicinity.
2. The NPPF (2012) and Core Strategy policy CS25 (2012) promote a presumption in favour of sustainable development. The site lies within the designated Urban Area and within the 400m-5km (Zone B) Thames Basin Heaths Special Protection Area (SPA) buffer zone. Core Strategy (2012) policy CS10 seeks to ensure that sufficient homes are built in sustainable locations where existing infrastructure is in place. The principle of residential development is considered acceptable subject to further material planning considerations, specific development plan policies and national planning policy and guidance as discussed below.

Impact on Character of Locally Listed Host Building and Conservation Area:

3. The host building is locally listed and is also within the Old Woking Conservation Area. Woking Core Strategy (2012) policy CS20 requires new development to make a positive contribution to the character, distinctiveness and significance of the historic environment. The NPPF (2012) attaches great weight to the conservation of Heritage Assets and states that the significance of Heritage Assets can be harmed or lost through alteration or destruction of the Heritage Asset itself or development within its setting. In addition to the above Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) places a requirement on Local Planning Authorities to have 'special regard' to preserving or enhancing the character of Conservation Areas.
4. The proposal includes a two storey rear extension with accommodation in the roof space incorporating a rear dormer window. The extension would extend 2.9m from the rear elevation and mirrors the scale and design of an existing rear projecting element on the rear elevation. The extension would be finished in matching brickwork and hipped roof with window proportions and soldier courses which are consistent with character of the host building. The proposal includes the removal of a small rear dormer window however this feature is not considered to contribute significantly to the character of the host building or surrounding area. The proposed rear extension would include a rear dormer window and the existing rear dormer window on the existing rear projection would be enlarged to match its appearance. These would feature

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hipped roofs to reflect the character of the host building and are considered proportionate and visually acceptable features. Side and rear facing rooflights are proposed however these are not considered unduly dominant or prominent on the building and are considered acceptable.

5. The proposed extensions and alterations would be located to the rear and so would not be prominent in views from High Street. Nevertheless the extensions would be clearly visible from the Conservation Area. However bearing in mind the above considerations, the proposed extensions and alterations are considered to respect the scale and character of the locally listed building and are considered to preserve the special character of the Conservation Area.
6. The proposal includes a rear infill extension between the two projecting elements. This would feature a flat roof and is finished more contemporary contrasting materials. The extension has been designed in such a way as to preserve the 'H-Plan' of the roof. The Council's Conservation Consultant has been consulted and raises no objection to the proposed extensions and alterations and considers that they would preserve the character of the host building and surrounding area. Full details of all external materials can be secured by condition (Condition 2).
7. There are existing small trees and soft landscaping on the site which would be removed and replaced as part of the proposal. The proposal identifies indicative landscaping on the corner of the site including tree planting and also within the site in order to soften the appearance of parking areas and provide a buffer between public areas and ground floor windows. The Council's Tree Officer has been consulted and raises no objection to the removal of the existing trees on the basis of replacement landscaping being secured by condition (Condition 3).
8. Overall the proposal is considered to result in proportionate and visually acceptable extensions and alterations which would respect the character of the locally listed host building and preserve the special character and setting of the Old Woking Conservation Area.

Impact on Neighbours:

9. The nearest neighbours potentially most affected by the proposal are the existing flats on the site at No.130, No.1 Riverside Gardens to the south and the flats within the recently converted London House to the east at No.133.
10. No.133 features flats at ground and first floor level and the proposed rear extension would be positioned 9.5m from the boundary with this neighbour and passes the '45° test' in plan and elevation form with this neighbour. Existing side-facing windows which face the blank flank elevation of No.133 would be utilised as bathroom windows. The proposal is therefore considered to have an acceptable impact on these neighbours in terms of loss of light, overlooking and overbearing impacts.
11. The host building has a rear-to-side relationship with No.1 Riverside Gardens which borders the site to the south. The existing building has a relatively close relationship already with this neighbour and is positioned around 10m from side garden boundary with this neighbour at its nearest point. This neighbour's garden is enclosed by a close-boarded fence and features mature conifer trees within the garden boundary and the flank elevation of this neighbour features only non-habitable windows. The proposed rear extension would project 2.9m from the rear elevation and would feature windows at first and second floor level facing south towards No.1 and would be positioned around 9m from the neighbouring dwelling. The side boundary of No.1 is

staggered however the proposed windows would be positioned around 9m from the boundary with the main garden area of this neighbour. Due to the existing staggered rear building line of the host building this separation distance is similar to the existing relationship between the two properties. Although the separation distance does not accord with the recommended minimum distances set out in the Council's 'Outlook, Amenity, Privacy and Daylight' SPD (2008), it should be borne in mind that the existing relationship does not accord with this guidance. On balance, the proposal is considered to result in an acceptable relationship with No.1 Riverside Gardens and is not considered to result in an unacceptable overlooking or loss of privacy impact compared to the existing situation.

12. The two existing flats would be retained as part of the proposal and these feature windows on the front and rear; on the rear elevation each floor features three windows, two of which serve the living area and one of which serves a bedroom. The proposed rear extension would have a depth of 2.9m and would be in close proximity to the existing windows. The proposal would fail the '45° test' in plan and elevation form with two ground floor windows however these serve an open-plan kitchen/living area which is dual aspect and served by windows on the front elevation and the proposal would pass the 45° test in plan and elevation form with the bedroom window of this flat. The proposal would fail the 45° test in elevation form with one of the first floor windows however this serves the living area which is served by a second rear-facing window and windows on the front elevation. Overall the proposal is not considered to result in an unacceptable neighbour amenity impact on the existing flats in terms of loss of light and overlooking impacts.
13. Considering the points discussed above, the proposal is considered to have an acceptable impact on the amenities of neighbours in terms of loss of light, overlooking and overbearing impacts. The proposal therefore accords with Core Strategy (2012) policy CS21 which seeks to avoid a 'significant harmful effect' on neighbouring properties.

Standard of Accommodation:

14. The proposal would deliver 6x one bedroom flats ranging from 43m² to 65m². The flats would all be dual aspect with habitable rooms facing to the front and rear. It is not possible for private or communal amenity space to be achieved on the site due to the constrained nature of the site and the limited space around the building. The Council's 'Outlook, Amenity, Privacy and Daylight' SPD (2008) does however recognise that amenity space provision is not always possible in more dense urban areas and that private amenity space is not a requirement for one bedroom flats. Overall the proposal is considered to achieve an acceptable size and standard of accommodation for future residents.

Transportation Impact:

15. The rear parking forecourt is accessed from Riverside Gardens and the proposed plans show a reorganisation of the forecourt to provide a total of 6x parking spaces along with bin storage and soft landscaping. Secure cycle storage for 8x cycles is incorporated within the building. The existing maximum parking standard of the site is 12x spaces (2x for the existing flats and 10x for the commercial floor space). The parking standard for the proposed development would be 6x plus the demand generated by the existing two flats (2x spaces). The proposal would deliver 6x spaces which would equate to an overall parking ratio of 0.75 spaces per dwelling when including the existing flats. The proposal is considered to deliver an acceptable level of parking provision for the location and the County Highway Authority have reviewed

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the proposal and raise no objection subject to conditions. Overall the proposal is considered acceptable in transportation terms.

Housing Mix:

16. Core Strategy (2012) policy CS11 requires proposals to address local needs as evidenced in the Strategic Housing Market Assessment (SHMA) which identifies a need for family accommodation of two bedrooms or more. Policy CS11 does however state that lower proportions of family accommodation can be considered acceptable in more high density locations in the Borough. It is acknowledged that the 'H-Plan' layout of the building is restrictive in terms of internal layouts. It is also recognized that the proposal site is within a Neighborhood Centre and the immediate area is relatively high density in nature. On balance it is considered that the proposed housing mix is considered acceptable for the context of the proposal site, particularly given its heritage constraints.

Impact on the Thames Basin Heaths Special Protection Area (SPA):

17. The SPAs in this area are internationally-important and designated for their interest as habitats for ground-nesting and other birds. Core Strategy (2012) policy CS8 requires new residential development beyond a 400m threshold, but within 5km of the SPA boundary, to make an appropriate contribution towards the provisions of Suitable Alternative Natural Greenspace (SANG) and the Strategic Access Management and Monitoring (SAMM).
18. 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 applicant has agreed to make a SAMM contribution of **£2,922** in line with the Thames Basin Heaths Special Protection Area Avoidance Strategy 2010-2015 as a result of the net gain of 6x one bedroom dwellings which would arise from the proposal.
19. 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 Core Strategy (2012) policy CS8 and the 'Thames Basin Heaths Special Protection Area Avoidance Strategy 2010-2015'.

Archaeology:

20. The proposal site forms part of an area of High Archaeological Potential. The County Archaeologist has been consulted and raises no objection subject to a condition securing a Written Scheme of Investigation or 'Watching Brief' to be implemented during construction (Condition 4). Subject to this condition the proposal is therefore considered to have an acceptable impact on archaeology.

Contamination:

21. Given the history of the proposal site and its use as brewery in the past, there is potential for contamination on the site. The Council's Scientific Officer has been consulted and raises no objection subject to a condition seeking the investigation and remediation of potential contamination (Condition 7).

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Affordable Housing:

22. Following the Court of Appeal's judgment of 11th May 2016, 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 and Reading Borough Council v Secretary of State for Communities and Local Government), officers accept that, subsequent to the Court of Appeal's judgment, the policies in the Written Ministerial Statement of 28th November 2014 by the Minister of State for Housing and Planning which sets out 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.
23. 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 give 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 fewer, and which have a maximum combined gross floorspace of no more than 1000sqm.
24. Whilst 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). No affordable housing contribution is therefore sought for this application.

Flood Risk:

25. The proposal site is not within a designated Flood Zone or surface water flood risk area.

Community Infrastructure Levy:

26. In line with the Council's Charging Schedule the proposed development would be CIL liable. Whilst the change of use of the existing floor space would not be CIL liable, the proposed extensions would be liable. The required CIL payment for the proposed development would be **£8,169.23** on the basis of a net increase in floor area of 59sq.m.

CONCLUSION

27. Considering the points discussed above, the proposal is considered an acceptable form of development which would have an acceptable impact on the amenities of neighbours, on the character of the locally listed host building and in transportation terms. The proposal is considered to preserve the special character of the Old Woking Conservation Area. The proposal therefore accords with Core Strategy (2012) policies CS1, CS4, CS8, CS10, CS11, CS18, CS20, CS21, CS24 and CS25, Supplementary Planning Documents 'Parking Standards' (2006), 'Outlook, Amenity, Privacy and Daylight' (2008) and 'Woking Design' (2015), Woking DPD (2016) policies DM2 and DM20 and the NPPF (2012). The proposal is therefore recommended for approval subject to conditions and subject to Section 106 Agreement to secure the SAMM payment.

BACKGROUND PAPERS

1. Site visit photographs
2. Consultation responses
3. Conservation Area Site Notice

PLANNING OBLIGATIONS

The following obligation has been agreed by the applicant and will form the basis of the Legal Agreement to be entered into.

	Obligation	Reason for Agreeing Obligation
1.	SAMM (SPA) contribution of £2,922	To accord with the Habitat Regulations, policy CS8 of the Woking Core Strategy 2012 and The Thames Basin Heaths SPA Avoidance Strategy 2010-2015.

RECOMMENDATION

PERMIT subject to the following conditions and S106 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 permitted, a written specification of all external materials to be used in the construction of the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and thereafter retained in accordance with the approved details unless otherwise first agreed in writing by the Local Planning Authority.

Reason: In the interests of the visual amenities of the area and in accordance with Policy CS21 of the Woking Core Strategy 2012.

3. Prior to the first occupation of the development hereby approved, a hard and soft landscaping scheme showing details of shrubs, trees and hedges to be planted, details of materials for areas of hard surfacing and details of boundary treatments, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and thereafter retained in accordance with the approved details unless otherwise first agreed in writing by the Local Planning Authority. 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.

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Reason: To preserve and enhance the character and appearance of the locality in accordance with Policies CS21 and CS24 of the Woking Core Strategy 2012.

4. ++ The commencement of the development hereby approved a programme of archaeological work in accordance with a Written Scheme of Investigation shall be submitted to and approved in writing by the Local Planning Authority. The programme of archaeological work shall be implemented fully in accordance with the agreed scheme.

Reason: To ensure a programme of archaeological work is agreed and implemented before development commences in accordance with the National Planning Policy Framework (paragraphs 17 and 128) and Policy CS20 of the Woking Core Strategy 2012.

5. Prior to the first occupation of the development hereby approved, details of the proposed waste and recycling management arrangements for the development shall be submitted to and approved in writing by the Local Planning Authority. Such details as may be agreed shall then be implemented and retained thereafter for the lifetime of the development hereby approved.

Reason: In the interests of amenity and to ensure the appropriate provision of infrastructure in accordance with Policy CS16 of the Woking Core Strategy 2012.

6. Prior to the first occupation of the development hereby approved, space shall be laid out within the site in accordance with the approved plans listed in this notice for vehicles and bicycles 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 permanently retained and maintained for their designated purpose.

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

7. ++ 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 :-

- (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.

26 SEPTEMBER 2017 PLANNING COMMITTEE

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.

8. ++ Prior to the commencement of the development hereby approved a Method of Construction Statement, to include details of points (a) to (c) below shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall then be implemented during the construction of the development hereby approved.
- (a) parking for vehicles of site personnel, operatives and visitors
 - (b) loading and unloading of plant and materials
 - (c) storage of plant and materials

Measures shall 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 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.

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

S101 (Location Plan) received by the LPA on 07/02/2017
S102 (Existing Site Plan) received by the LPA on 07/02/2017
S103 A (Existing Floor Plans) received by the LPA on 10/02/2017
S104 (Existing Elevations) received by the LPA on 07/02/2017
P101 A (Proposed Site Plan) received by the LPA on 11/07/2017
P102 A (Proposed Floor Plans) received by the LPA on 11/07/2017
P103 A (Proposed Elevations) received by the LPA on 11/07/2017
P104 (Refuse & Recycling Store) received by the LPA on 07/02/2017

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

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. The permission hereby granted shall not be construed as authority to carry out works on the highway. The applicant is advised that a licence 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.
3. 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

26 SEPTEMBER 2017 PLANNING COMMITTEE

expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders. (Highways Act 1980 Sections 131, 148, 149).

4. 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.

5. The applicant is advised that this application is liable to make a CIL contribution of **£8,169.23**. The applicant must complete and submit a Commencement (of development) Notice to the Local Planning Authority, which the Local Planning Authority must receive prior to commencement of the development.
6. 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.

Globe House, Lavender Park Road, West Byfleet

PLAN/2016/0990

Extension of the existing Globe House to increase living space on existing apartments and to create 6no self contained flats (3no studio and 3no 1 bed units) with associated landscaping works (Amended Description) (Amended Plans).



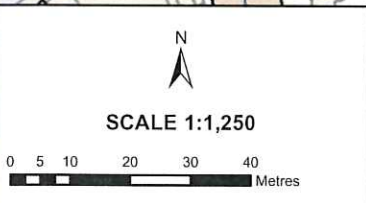
PLAN/2016/0990



Globe House, Lavender Park Road



Comments
Not Set



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

26th September 2017 PLANNING COMMITTEE

5d 16/0990 Reg'd: 19.10.2016 Expires: 29.09.17 Ward: BWB

Nei. 25.11.20 BVPI Minor Number 50/50 On Yes
Con. 16 Target of Weeks Target?
Exp: on Cttee'
Day:

LOCATION: Globe House, Lavender Park Road, West Byfleet, Surrey, KT14 6ND

PROPOSAL: Extension of the existing Globe House to increase living space on existing apartments and to create 6no self contained flats (3no studio and 3no 1 bed units) with associated landscaping works (Amended Description) (Amended Plans).

TYPE: FULL

APPLICANT: Mr Jeffrey Scholar

OFFICER: Barry Curran

REASON FOR REFERRAL TO COMMITTEE

The application proposes the creation of 6no residential units which falls outside of the scheme of delegated powers.

SUMMARY OF PROPOSED DEVELOPMENT

This is an application for the extension of the existing Globe House which received Prior Approval for the conversion of the office building into 18no residential units (PLAN/2015/0015) for a 4 storey extension to a number of the existing units and to accommodate 6 additional residential units (3no studio and 3no 1 bed units).

PLANNING STATUS

- Urban Area
- West Byfleet District Centre
- Area Adj./Affect Conservation Area
- High Archaeological Potential Area
- SPA Zone B

RECOMMENDATION

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

SITE DESCRIPTION

The application site refers to Globe House, a recently converted residential building located within the West Byfleet District Centre and just outside of the Primary Shopping Area. As well as being located within the District Centre, the site is within a designated Area of High Archaeological Potential and bound by the Station Approach

Conservation Area to the north-west. A 3 storey building occupies the site (with accommodation in the roof space) fronting Lavender Road and wraps around onto Madeira Road with a large area of hard standing accessed off Madeira Road towards the rear serving as parking. The building has brick and rendered fascias with large fenestration openings with a primarily horizontal accent.

Surrounding developments include office buildings fronting Lavender Road, residential dwellings on the opposite side of Lavender Road and residential developments to the north-west within the Station Approach Conservation Area backing onto Madeira Road.

PLANNING HISTORY

PLAN/2016/0180 - Construction of 5No apartments (2x1 bed, 3x2 bed) in new extension building on existing Globe House site and associated landscaping remedial works – Refused 28.04.2016

Reasons:

- 1. The proposal by reason of the form and design would result in a form of development that would be out of keeping with the host building and street-scene and which would not preserve or enhance the character of the adjacent Conservation Area. The proposal would therefore fail to respect and make a positive contribution to the character and appearance of the area and adjacent Conservation Area contrary to Policies CS3, CS20 and CS21 of Woking Core Strategy 2012, Policy BE9 of the Woking Borough Local Plan 1999, Design SPD and provisions within the National Planning Policy Framework.*
- 2. The proposal, by reason of its scale, form and proximity to the existing rear elevation of Globe House would result in significant detrimental impact by reason of overbearing due to bulk and proximity, loss of outlook, loss of privacy and loss of light to the fenestrated south-western rear elevation of Globe House contrary to policy CS21 of the Woking Core Strategy 2012, Supplementary Planning Documents 'Outlook, Amenity, Privacy and Daylight' 2008 and 'Design' 2015 and Section 7 of the National Planning Policy Framework.*
- 3. The proposal would create poor living conditions for future occupants of the Flat 1 with regard to provision of daylight, outlook and privacy. This would be contrary to Policy CS21 of the Woking Core Strategy (October 2012), Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight (2008)' and core principle of the National Planning Policy Framework.*
- 4. In the absence of a Legal Agreement or other appropriate mechanism to secure contributions towards affordable housing, it cannot be determined that the proposed dwelling would make sufficient contribution towards affordable housing. The proposal is therefore contrary to Policy CS12 of the Woking Core Strategy 2012 and Supplementary Planning Document 'Affordable Housing Delivery (2014)'.*
- 5. In the absence of a Legal Agreement or other appropriate mechanism to secure contributions towards mitigation measures, it cannot be determined that the residential block extension would not have a significant impact on the*

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Thames Basin Heaths Special Protection Area, contrary to Policy CS8 of the Woking Core Strategy (2012), the Thames Basin Heaths Avoidance Strategy (2010 - 2015) and saved Policy NRM6 of the South East Plan (2009) and the Conservation of Habitats and Species Regulations 2010 (SI No. 490 - the "Habitats Regulations").

PLAN/2015/0015 – Prior Notification for a proposed change of use of offices (B1) to dwellings (C3) to create 2No studio flats, 7No 1 bedroom flats, 9No 2 bedroom flats and 16No parking spaces – Prior Approval Approved 22.01.2015

PLAN/2014/0147 - Prior notification for a proposed change of use of offices (B1) to dwellings (C3) to create 2No studio flats, 5No 1 bedroom flats and 11No 2 bedroom flats – Prior Approval Approved 01.04.2014

Sheer House Site

PLAN/2017/0128 - Outline planning application (all matters reserved except for access) for demolition of all buildings on the site and retail and leisure led mixed use redevelopment comprising up to 5,000 sqm GIA of retail and leisure uses (Use Classes A1/A2/A3/A4/A5), up to 2,000 sqm GIA of commercial use (Use Class B1a), up to 20,500sq m GIA residential (or maximum of 255 units) (Use Class C2/C3 or C3), up to 300 sqm GIA of community use (Use Class D1), together with the provision of basement space, car and cycle parking, highway works, public realm improvements and associated works (amended plans relating to north-west corner of Building B1) – Under Consideration elsewhere on this agenda.

PROPOSED DEVELOPMENT

The application seeks permission to erect a 4 storey extension to Globe House with ground floor parking for 5no cars. The proposal is a revised design from the previously refused scheme under PLAN/2016/0180 but increases the number of units from 5 to 6 with 3no studio flats and 3no 1 bedroom units.

The building would comprise of four storeys including ground level, which will be designed in a complimentary style to the host building maintaining the fenestration pattern and vertical emphasis evident on the existing building.

SUMMARY INFORMATION

Site Area:	0.104 ha
Existing Units:	18
Proposed Units:	24
Existing Density:	173 dph
Proposed Density:	231 dph

CONSULTATIONS

County Highway Authority: No objection subject to conditions (Conditions 7 and 8) (28.11.16)

Neighbourhood Services: No objection subject to compliance with Waste Strategy Rev B Received 05.09.17 (Condition 10) (05.09.17)

Scientific Officer: Raises a number of queries but recommends a condition to ensure an appropriate way forward (Condition 13) (06.04.17)

Environmental Health: No objection (06.12.16)

Drainage Officer: No objection subject to conditions (Condition 11) (25.11.16)

Conservation Officer: Raises no objection in terms of design, massing and scale but raises concern over the potential living conditions of the ground floor flat (06.12.16) (*Officer Note: amended plans have been submitted omitting the ground floor unit*)

Surrey Archaeology: Considers the Archaeological Desk Based Assessment is considered acceptable and agrees that an Archaeological Watching Brief exercise would be appropriate with the implementation of a programme of archaeological work secured by condition (Condition 12) (22.11.16)

REPRESENTATIONS

There have been 4no third party letter of objection submitted with regards to the proposed development. The letters raises a number of concerns, with regards to the proposed development;

- The proposed development would not meet the design parameters for West Byfleet and do not contribute positively to its character contrary to Policy CS3, CS21 and CS24 of the Woking Core Strategy 2012;
- The development will not compliment the surrounding area and the wider regeneration of the district, potentially sterilising the redevelopment of the Sheer House site which may render it unviable;
- Lack of provision for open space;
- Substantial overbearing impact of the development on the Sheer House site; and
- Density levels proposed are above those outlined in the Woking Core Strategy.
- Inadequate parking provisions for the proposed development.

RELEVANT PLANNING POLICIES

National Planning Policy Framework 2012

Section 2 – Ensuring vitality of town centres

Section 6 - Delivering a wide choice of high quality homes

Section 7 - Requiring good design

Section 11 – Conserving and enhancing the historic environment

Core Strategy Publication Document 2012

CS3 – West Byfleet District Centre

CS8 - Thames Basin Heaths Special Protection Area

CS10 – Housing provision and distribution

CS11 – Housing mix

CS12 – Affordable housing

CS18 – Transport and accessibility

CS20 – Heritage and Conservation

CS21 - Design

CS22 - Sustainable Design and Construction

CS24 - Woking's Landscape and Townscape

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CS25 – Presumption in favour of sustainable development

Development Management Policies DPD (2015)

DM8 - Land Contamination and Hazards

DM20 – Heritage Assets and their Setting

The West Byfleet Neighbourhood Development Plan (2017) (Emerging)

BE1 - Development character

BE2 - New housing quality

BE6 - Residential parking provision

(Officer Note: The Inspector's Report has found the WBNDP to be sound subject to main modifications. Subject to the Council's decision, the WBNDP is scheduled to go to referendum. Against the criteria set out in Paragraph 216 of the NPPF, the WBNDP should currently be afforded significant weight in the determination of planning applications. Should the final determination of this application be after the date of adoption, the policies should be afforded full weight prior to determination.)

Supplementary Planning Guidance

Supplementary Planning Document 'Parking Standards' 2006

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

Draft Supplementary Planning Document 'Design' 2014

Thames Basin Heaths Special Protection Area Avoidance Strategy 2010-2015

Byfleet Corner/Rosemount Parade and Station Approach, West Byfleet Conservation Areas Character Appraisal and Design Guidance

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, character of the Conservation Area, layout and creation of acceptable residential development for proposed occupiers, impact on residential amenity, highways and parking implications, waste management, impact on flooding, archaeological potential, contamination, sustainability, affordable housing, Local Finance Considerations and the impact on the Thames Basin Heaths Special Protection Area 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 in the West Byfleet 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*". The net increase of 6 residential units contributes to provision for delivery of 4,964 additional dwellings in the Borough. The proposed site will serve as a high density residential site located within the District Centre of West Byfleet. Policy CS3 of the Woking Borough Core

Strategy 2012 indicates that *“high density mixed use development will be encouraged within West Byfleet District Centre as indicated on the Proposals Map. All new development should be well designed and integrated, and enhance local character.”* Policy CS3 also gives an indicative amount of 170 residential units over the life of the Core Strategy with 1,000-1,500 sqm of additional office floorspace and up to 13,000 sqm of ‘A Class’ floorspace. The proposal will provide 6 additional units but does not provide any additional office floorspace or retail floorspace. It is noted that the proposed development would comply with this element of the policy.

4. Policy CS10 makes provision for 250 dwellings as infill development in the West Byfleet District Centre between 2010 and 2027, at a density of 50-100dph. The reasoned justification for the policy states that in District 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 231dph which is higher than indicative density levels, however, this 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.
5. As previously noted the application site was subject to a Prior Notification in 2015 which converted the existing office building into a residential block at 236dph (excluding the wider site). The proposed development (within red line) will include a density range of 222dph and total site amounting to 231dph including both developments. While this figure is above the indicative range, the proposed development is considered to be justified by the extant Prior Approval and sustainability of the site which will be discussed below.
6. Policy CS11 states that all residential proposals will be expected to provide a mix of dwelling types and sizes to address the nature of local needs depending on the established character and density of neighbourhood. Located within the West Byfleet District Centre, the wider locality includes a relative low density, as existing although this may change given the outlined consent for Sheer House (PLAN/2017/0128). Globe House, however, is high density and this principle of higher density has been established. Further to this, in order to make the most efficient use of land within High Density Residential Areas, developments at densities in excess of 70dph will be permitted as outlined in section 5.61 in the Woking Core Strategy 2012. It is considered that the scale of the proposed development is in keeping with its immediate neighbours within the application site and is in line with Policy CS11 of the Woking Core Strategy 2012.
7. Policy CS11 also requires proposals to address local needs as evidenced in the Strategic Housing Market Assessment (SHMA) which identifies a need for family accommodation of two bedrooms or more. It does, however, state that lower proportions of family accommodation can be considered acceptable in locations in the Borough, such as the town/urban centres, which are suitable for higher density development. The proposal would comprise 50% one bedroom flats and 50% studio flats. Whilst this mix does not deliver a high

proportion of family sized units, the proposal is considered an appropriate mix for a high density development in the West Byfleet urban centre.

8. The National Planning Policy Framework and Policy CS25 of the Woking Core Strategy 2012 promote a presumption in favour of sustainable development. The proposal involves the erection of a 4 storey residential extension and is located with the West Byfleet District Centre served by a number of services and feeder routes to Woking and surrounding urban centres with a train station in very close proximity. The site is located on a local bus route and has easy access to the main routes from surrounding urban centres. Given this, the site is considered to be a sustainable location.

Design Considerations and Impact on Character of Area and Adjacent Conservation Area

9. Policy CS21 requires new development to pay due regard to the scale, height, proportions, building lines, layout, materials and other characteristics 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”*.
10. 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. Globe House holds a conventional form without a distinctive style evident. Its fascias are articulated by protruding pitched roof gables and eaves dormers with a fenestration pattern of primarily vertical accents. Surrounding buildings are also variable with Arts and Crafts style dwellinghouses on the opposite side of Lavender Park Road, industrial style two storey buildings on the north-eastern side of Station Approach and an Arts and Crafts style parade of shops which back onto the application site from the adjacent Station Approach Conservation Area.
11. The proposal would stem off the rear (south-west) elevation of Globe House at 4 storeys in height adjoining the host building via a linked extension across the three floors which is set down 1.4 metres from the ridge line of Globe House. This link accentuates the new addition creating an intermediary for a fluid transition between the existing and proposed built elements. Standing at 14.3 metres in height, the extension would project above the existing Globe House by 0.8 metres without the immediate stark difference becoming too prevalent due to the lower link. The Council's Supplementary Planning Document 'Design' 2015 states that facades should compliment adjoining properties therefore calling for a form and design to relate to that of the existing building. The extension, particularly on the north-western elevation recognises the design undertone of the existing Globe House without replicating the previous B1 use building. The vertical and horizontal accents are carried forward by way of gable projections with an atrium serving the stairwell adopting a vertical emphasis. Eaves dormers emulating some of the inherent features of the host building form part of the addition allowing a clear correlation between the old and the new.

12. Policy CS3 of the Woking Core Strategy 2012 states that *“all new development should be well designed and integrated, and enhance local character”*. Globe House, as existing, forms a building with a fenestration pattern and conventional form which could be described as a ‘typical’ commercial property. One of the previous reasons for refusal was that the development *“would be out of keeping with the host building and street-scene and which would not preserve or enhance the character of the adjacent Conservation Area. The proposal would therefore fail to respect and make a positive contribution to the character and appearance of the area and adjacent Conservation Area”*. The addition, proposed under this application, addresses the stark differences between the previous refusal and the host building with an addition which pays due regard to the line, scale, level and geometry of the existing building. Each elevation corresponds well in the relationship with a central obscured glazed feature on the south-west elevation adding articulation to this elevation without potentially sterilising the adjacent Sheer House site. Similarly, the south-eastern side ties in with the existing Globe House with a fenestration pattern and glazed balustrades adding articulation on this elevation. External materials would consist predominantly of facing-brick with rendered elements and glazing dominating the elevation fronting Madeira Road. Access gates and entrance doors on this elevation are to be of a metal welded mesh and timber appearance adding visual interest along this, the primary elevation. These external materials can be secured by way of condition (Condition 2).
13. The Station Approach Conservation Area lies to the north-west of the application site, although the primary shop frontage of this Conservation Area fronts onto Station Approach and backs onto Madeira Road. Nevertheless new development should respect the characteristics of this area. The Byfleet Corner/Rosemount Parade and Station Approach, West Byfleet Conservation Areas Character Appraisal and Design Guidance states in section 7.5 that *“new developments within the Village Centre, which adjoin the Conservation Areas or are clearly visible from them should harmonise with or, where appropriate, enhance existing developments within the Conservation Area having regard to scale, form, massing and material finish.”* This appraisal goes on to say that *“new developments should reinforce the existing street pattern by the provision of continuous buildings with positive elevations to all main frontages.”* Policy DM20 of the Development Management Policies DPD 2016 echoes the provisions of this seeking to ensure development preserves or enhances a heritage asset and its setting in terms of quality of design and layout.
14. As previously noted, the proposed development would tie in with the existing Globe House with a form and design considered to respect the host building with an appropriate marriage by way of intermediary link. Introduction of this extension along Madeira Road would result in an addition forming an acceptable feature with a design, massing and scale complimentary to the area which in turn would improve the established relationship between this side of Madeira Road and the adjacent Station Approach Conservation Area. The Council’s Conservation Consultant has been consulted on this application and raises no objection, in design terms, to the extension as the development produces an acceptable corner feature recognising the established design of Globe House.
15. For the above reasons, the design of the proposals is considered to have a positive impact and enhance the character of the area. The proposal is

therefore considered to comply with the National Planning Policy Framework, Policies CS3, CS20 and CS21 of the Woking Core Strategy 2012, Policy BE1 of the emerging West Byfleet Neighbourhood Plan 2017, Supplementary Planning Document 'Design' 2015, Policy DM20 of the Development Management Policies DPD 2016 and Supplementary Planning Guidance 'Byfleet Corner/Rosemount Parade Station Approach, West Byfleet Conservation Areas Character Appraisal and Design Guidance'.

Layout and Creation of Acceptable Residential Development for Proposed Occupiers

16. The proposed units will be split between the top 3 floors with cycle and bin storage at ground floor level. Given the size of the flats (all below 65 sqm), there is no specific requirement for private amenity space. Policy BE2 of the emerging West Byfleet Neighbourhood Plan states that *"proposals for new housing should demonstrate good design and should contribute positively to creating a sense of place"*. The flats are considered to achieve an acceptable level of amenity with the first, second and third floor 1 bedroom units (Flats 21, 23 and 25) incorporating dual aspect kitchen/living/dining rooms with a north-west facing balcony and south-east windows providing an acceptable level of outlook and adequate privacy levels. The first, second and third floor studio units (Flats 20, 22 and 24) provide a Juliet balcony on the south-eastern elevation and high-level window on the north-eastern elevation providing an acceptable level of daylight to penetrate the relatively compact units which cover a floor-space of 39 sqm.
17. 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 modest private sunlit area for sitting outside."* On the first, second and third floors the 1no bedroom units include a floor area of 51 sqm with balconies provided on the north-western elevation adhering to the provisions of *"some modest private sunlit area for outside sitting"* allowing for adequate amenity spaces for these units. The studio flats on these 3 floors include a Juliet Balcony but provide no private amenity space, however, given the modest size of the units in line with the central urban location, it is not deemed necessary to provide private amenity space for such flats. It is considered that, as a whole, the development provides an acceptable solution to providing new dwellings within a constrained site on previously developed land within the Urban Area.

Impact on Residential Amenity

18. 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 residential block will be located on the south-west rear elevation of Globe House which as previously noted received Prior Approval for the conversion of the building into 18 residential units split across 3 floors. The extension will

adjoin Globe House via a link-extension to the existing units and canopied portico over the entrance/exit from the car-park. Policy CS21 of the Woking Core Strategy 2012 advises that proposals for new developments should achieve a satisfactory relationship to adjoining properties avoiding significant harm in terms of loss of privacy, daylight or sunlight, or an overbearing effect due to bulk, proximity or outlook. A Daylight and Sunlight Assessment has been submitted which has assessed the daylight and sunlight impacts of the development having regard to Council policy and guidance, specifically in terms of the standards set out in the Building Research Establishment (BRE) 2011 'Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice'.

19. A key concern of the previous refusal was the impact on the existing units within Globe House in terms of daylight and sunlight. A Daylight and Sunlight Study carried out by Right of Light Consulting dated July 2017 has been submitted in support of the application and addresses daylight and sunlight concerns in relation to all surrounding buildings. It is worth noting that the study measures the daylight impact using both the Vertical Sky Component (VSC) and Daylight Distribution indicators.
20. In the study the VSC was carried out on all 91no room windows on surrounding properties including 39 Station Approach and Premier House on the northern side of Madeira Road, the adjoining Roxburghe House and the notional indicative development at Sheer House where it found that 7 windows fell short of the recommended VSC. 2no of these windows had an overhang which reduced the VSC below an acceptable figure. It is acknowledged within The BRE guide that where a window has an overhang, such as the ground floor windows along Globe House, a larger relative reduction in VSC may be unavoidable as the building itself contributes to poor daylighting. A way to test whether the building is the main factor in poor lighting is to test the window notionally without the obstructions in place. In this instance, one of the windows would surpass the BRE criteria while the other window would fail but only marginally (achieving 0.76 against the target of 0.8). The remaining 5no windows, all of which serve bedrooms which as noted in the BRE guidance should be analysed although are less important given their nature, fell short of the requirements which represent a pass ratio of 95%.
21. Further to this, a Daylight Distribution test assessed the 91no windows where the internal layout was known. Of the 91no windows tested, 9no fell short of the recommendations, all of which were hampered by overhangs. Similar to the VSC, a way to test whether the building is the main factor in poor daylighting is to test the window notionally without the obstructions in place. One of the windows that failed would surpass the BRE target of 0.8 but the 8 remaining windows would fall short of the recommendations. Of these 8no, 3no of them failed the VSC marginally with 2no of them achieving satisfactory ADF figures. All 3no windows which fail both the VSC and ADF, serve bedrooms. Whilst they do not automatically satisfy BRE recommended values, it should be acknowledged that the windows serve bedrooms where access to daylight should be afforded limited weight in comparison to living rooms/kitchens.
22. Notwithstanding the above, it has to be noted that the proposed site is an urban centre location where one would expect lower levels of daylight and where sites are required to be development to their capacity which makes the

most efficient use of land. Considering this and on balance, given the central location of the building coupled with the outcome of the BRE test where 2no windows fall negligibly short, the impact of the development is not considered to carry a level of detrimental weight by which a recommendation for refusal could be substantiated.

23. All windows which face within 90° of due South have been tested for direct sunlight. These windows pass the winter and summer sunlight hours test with the exception to some windows which have overhanging obstructions.
24. As previously acknowledged Globe House is located in a central location in West Byfleet, Woking's second biggest urban centre. The proposed extension would stem off the rear of Globe House at 45° with Juliet Balconies and windows serving the proposed units. While this layout poses a potential awkward arrangement between the existing units within Globe House and the proposed units, it is considered that, given the location within the urban centre of West Byfleet, such layouts are unavoidable when making the most efficient use of land in these locations. Notwithstanding this, the rear fenestration set at 90° to the existing fenestration on Globe House would have an oblique and shallow relationship. The 6no windows and 3no Juliet Balconies serving the units are positioned quite tight to the existing rear elevation windows on Globe House. As such, views of and into habitable spaces in Globe House would be skewed and oblique and ones which would not be considered atypical in an urban location. Further to this, high-level windows are proposed to be installed on the north-eastern elevation (Condition 5). These windows are proposed to be high level where a condition can be attached to ensure they are at least 1.7 metres above floor level to mitigate overlooking or loss of privacy on the existing units within Globe House. Given the positioning of the extension in relation to the existing Globe House along with the proposed relationship, it is not considered that the layout would cause a significant level of overbearing, loss of privacy or overlooking on the existing units within Globe House by which a recommendation for refusal could be substantiated.
25. Policy UA51 of the draft Site Allocations DPD indicates that the application site together with the adjacent Sheer House site be put forward for a comprehensive re-development to include a mixed use of community uses, office, retail and residential development. The 'Sheer House' site has come forward in a separate application to the application site and is considered elsewhere on this agenda. It should be noted that plans for a re-development of the site have been submitted in Outline form. Indicative plans have also been submitted outlining the potential layout of the scheme including fenestration and room positioning.
26. It is acknowledged that the ground floor of the Sheer House development would cover double height with residential units effectively set at 3rd storey level and above. Considering the height of the extension, at 4 stories, it is considered that very few windows would be materially affected as a result. Nevertheless, the Sunlight and Daylight Study has undertaken a Vertical Sky Component analysis on the outline scheme where the Daylight Distribution test was carried out but use of the rooms within the 'Sheer House' site unknown. Of the 21 windows assessed on the neighbouring notional development, 3no windows would achieve a VSC of less than 0.8 times its former value indicating a noticeable lack of skylight. 2no of these windows are considered to serve as secondary windows to a corner unit which would be served by a primary opening facing onto Madeira Road. The other window

which fails is also located at 3rd floor level and is thought to serve as a secondary window, although there is no evidence to support this. Nevertheless, this window falls just below the acceptable standard at a loss ratio of 0.76, where a pass would be 0.8. As such, considering the minimal impact of the proposed extensions, with regards to loss of skylight to notional habitable room windows on the north-eastern elevation and the urban centre location, where one would expect lower levels of daylight and sites are required to be development to their capacity which makes the most efficient use of land, the impact of the development is not considered to sterilise the neighbouring site or indeed cause significant harm to its amenities. Through reserved design matters and conditions, it is considered that the affected windows which fail can be designed to serve non-habitable rooms or as lesser secondary windows to minimise the proposals impact.

27. On this basis and the benefit that the additional units will bring to the area, the proposal is not considered to have a significant harmful impact on neighbouring properties 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

28. The site currently incorporates 16 underground and surface car parking spaces for the residential use of Globe House. It is proposed to support the residential extension with 5 parking spaces which would equate to 0.8 parking spaces per unit. It should be noted that the site is accessible by more sustainable modes of transport including foot, cycle and public transport and is located close to the West Byfleet train station and an existing shopping parade to the north-west with a number of local amenities available within the immediate vicinity of the site. The Council's Supplementary Planning Document on 'Parking Standards' 2006 recommends a maximum of 1 parking space per studio/1 bedroom apartment. The 5 proposed spaces fall just short of the recommended 6 spaces but it must be borne in mind that 6 represents the maximum level and given the sites location in close proximity to a number of transport modes and in particular the West Byfleet Train Station, there is no objection raised in this regard. There are at least 12no cycle spaces provided for at ground floor level with a designated cycle store. The SPD on Parking Standards recommends at least 1 cycle space per studio/1 bed unit and therefore the allocated 12no spaces satisfy this provision with additional spaces provided.
29. The existing pedestrian and vehicular access off Madeira Road will serve as the access point to the proposed development also. Secure gates will be installed for pedestrian and vehicular use, with separate access ways and gates for both modes. The County Highway Authority have been consulted on this application and raise no objection to the development subject to a number of conditions (Conditions 6 and 7)
30. It is therefore considered that the proposal, whilst not strictly in compliance with the maximum parking provisions as per the Parking Standards SPD or Policy BE6 of the emerging West Byfleet Neighbourhood Plan 2017, 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.

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 adjoining the bike storage and stairwell. Further storage facilities are to be provided within the neighbouring Roxborough House to alleviate the pressure of the additional units (and existing units) on the proposed bin stores with appropriate storage provided off-site. This arrangement, whilst not strictly typical, is secured by a legal agreement between the owners/developers of Globe House and Roxborough House which permits a grant of easement to Roxborough House which appears to be in perpetuity. Further to this, a Waste Strategy has been provided setting out the proposed relationship, layout and legal agreements (Waste Strategy ref: A3040 Rev B). As such the storage facilities are considered suitable to contain the capacity with adequate space for residents to use the store.
32. The Council's Neighbourhood Services have responded to this development and raise no objection subject to compliance with the provided Waste Strategy submitted 05.09.17 and secures this by way of planning condition (Condition 10).

Flood Risk

33. 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 Council's Flooding and Drainage Engineer has assessed the submitted information and recommends that, due to the size and location of the proposed development, a condition to ensure no increase in flood risk to the site or surrounding area be attached to any grant of planning permission. This is secured by Condition 11.

Archaeological Potential

34. The application site is located within a site of High Archaeological Potential. The Archaeological Officer has been consulted on this application and notes that the application site related to a recorded find of pottery dated to the Late Iron Age. An Archaeological Desk Based Assessment carried out by CgMs Consulting has been submitted in support of this application and demonstrates that recent archaeological fieldwork has typically proved negative. Surrey Archaeology agree with the finding of the report and concur that an Archaeological Watching Brief would be appropriate to monitor the works to be carried out on site. This can be agreed by way of condition to ensure the required archaeological work is secured satisfactorily (Condition 12).

Contamination

35. The application site is located on the site of a former garage and petrol station and the proposed building may be located on former petrol pumps/tanks. Under Prior Approval PLA/2015/0015 the applicant has submitted a statement advising that;

Should any contamination be discovered in the ground, then the developer will immediately advise the environmental health department of Woking Borough Council and thereafter take whatever necessary precautions and actions that may be appropriate to deal with the discovered contamination and to remediate as necessary.

The Council's Scientific Officer raised no objection to this proposed change of use subject to the statement above which was received 13.01.2015.

36. This development is significantly different as it is a new build as opposed to a change of use. There is no information submitted with the application regarding the potential contamination and need for investigation, risk assessment and remediation to ensure the site is made suitable for domestic use. Policy DM8 of the Development Plan Document indicates that contamination of the land will be addressed by appropriate mitigation measures to ensure the site is suitable for the proposed use and that there is no unacceptable risk of pollution within the site or in the surrounding area. The Council's Scientific Officer has been consulted on this application and notes that, while there has been no information submitted in support of the application with regards to contamination, a pre-commencement condition is considered reasonable and necessary to secure a scheme to deal with the contamination on site. Such a scheme would be required to be submitted and approved in writing by the Local Planning Authority prior to commencement of development. This is secured by Condition 13.

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. Therefore the proposal is required to meet the energy and water improvements measures of the former Code for Sustainable Homes Level 4. This can be secured via Condition 6.

Affordable Housing

38. 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.

39. 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), 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.
40. 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.
41. 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-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.

Local Finance Consideration

42. 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 £125 per sq.metre which equates to a contribution of £55,625 (445 sq.metres total GIA). The proposed development, therefore would be liable to a total CIL contribution of **£55,625** which would be payable upon commencement.

Impact on the Thames Basin Heaths Special Protection Area

43. 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.

44. The applicant has agreed to make a SAMM contribution of £2,922 (£487 per studio/1no bed apartment) in line with the Thames Basin Heaths Special Protection Area Avoidance Strategy 2010-2015 as a result of the uplift of 6no residential units that would arise from the proposal. The applicant is prepared to enter into a S106 Legal Agreement to secure this financial contribution.
45. 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.

Conclusion

46. The proposal is considered to be acceptable development, it will provide an acceptable residential environment for its proposed occupiers and is considered to preserve the visual amenity of the area preserving the character of the adjacent Conservation Area. The principle of residential development in this location has been established under PLAN/2015/0015 with this application now addressing refusal reasons raised in the previous application PLAN/2016/0180. The proposal will not result in significant material harm on the amenities enjoyed by the occupiers of surrounding properties and while the scheme would fail to strictly adhere to sunlight and daylight provisions, it has to be borne in mind the central urban location of the site. Further to this, it is considered that a good standard of residential amenity would be provided to future occupiers. In addition, the proposal is considered to have an acceptable impact on highway safety, waste management, drainage, archaeological potential and other subsidiary elements which are capable of being addressed via planning condition with a legal agreement necessary to address Thames Basin Heaths Special Protection Area (TBH SPA) mitigation and CIL.
47. The proposal is considered to be an acceptable form of development that complies with Sections 1, 2, 6 and 7 of the National Planning Policy Framework, Policies CS1, CS3, CS8, CS10, CS11, CS12, CS18, CS21, CS22, CS24 and CS25 of the Woking Core Strategy 2012, DM8 and DM20 of the Development Management Policies DPD 2016, Supplementary Planning Documents 'Outlook, Amenity, Privacy and Daylight' 2008, 'Parking Standards' 2006 and 'Design' 2015, Policies BE1, BE2 and BE6 of the emerging West Byfleet Neighbourhood Plan 2017, Thames Basin Heaths Special Protection Area Avoidance Strategy 2010-2015 and the Supplementary Planning Guidance of the Byfleet Corner/Rosemount Parade and Station Approach, West Byfleet Conservation Areas Character Appraisal and Design Guidance. 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 (28.11.16)
3. Response from Scientific Officer (06.04.17)
4. Response from Neighbourhood Services (05.09.17)
5. Response from Surrey County Heritage Conservation Team: Archaeology (07.11.16)

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6. Response from Drainage Officer (25.11.16)
7. Response from Conservation Officer (06.12.16)
8. Site Notice (Conservation Area)(23.11.16)

PLANNING OBLIGATIONS

	Obligation	Reason for Agreeing Obligation
1.	Provision of £2,922 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:

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. ++ (Notwithstanding the material details outlined on the approved plans), the development hereby permitted shall not commence until details and/or samples and a written specification of the materials to be used in the external elevations have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and thereafter retained in accordance with the approved details unless otherwise agreed in writing by the local planning authority

Reason:

To protect the visual amenities of the area in accordance with the principles set out in paragraph 17 of the National Planning Policy Framework 2012 and Policy CS21 of the Woking Core Strategy 2012.

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

Drawing No. 310a (Amended Plan) (Received 17.03.17)
Drawing No. 311a (Amended Plan) (Received 17.03.17)
Drawing No. 340a (Amended Plan) (Received 17.03.17)
Drawing No. 342a (Amended Plan) (Received 17.03.17)

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Drawing No. 341a (Amended Plan) (Received 17.03.17)
Drawing No. 343a (Amended Plan) (Received 17.03.17)
Drawing No. 330a (Amended Plan) (Received 17.03.17)
Drawing No. 331a (Amended Plan) (Received 17.03.17)
Drawing No. 332a (Amended Plan) (Received 17.03.17)
Drawing No. 333a (Amended Plan) (Received 17.03.17)
Drawing No. 334a (Amended Plan) (Received 17.03.17)
Drawing No. 351a (Amended Plan) (Received 17.03.17)
Drawing No. 350a (Amended Plan) (Received 17.03.17)

Reason:

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

4. The windows in the south-western side elevation hereby permitted shall be glazed entirely with obscure glass and non-opening unless the parts of the windows 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 privacy of the occupiers of the adjoining properties in accordance with Policy CS21 of the Woking Core Strategy 2012.

5. The high level windows in the north-eastern facing elevation shall have a minimum internal cill height of 1.7 metres above finished floor level.

Reason:

In the interests of amenity of neighbouring properties in accordance with Policy CS21 of the Woking Core Strategy 2012

6. The development hereby approved shall not commence until details have been submitted for the written approval of the Local Planning Authority demonstrating that the development will be constructed to achieve a water consumption standard of using not more than 105 litres per person per day maximum indoor water consumption and not less than a 19% CO2 improvement over the 2013 Building Regulations TER Baseline (Domestic). Such details as may be approved 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. The development hereby approved shall not be first occupied unless and until the proposed modified vehicular access to Lavender Park Road has been constructed in accordance with the approved plans (Drawing No. A3040). The modified vehicular access shall thereafter be kept permanently clear of any obstruction measured from 0.6m above the road surface.

Reason:

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

8. 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. A3040) 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.

9. ++ 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:

- 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.

10. Prior to the first occupation of the development hereby permitted, the refuse and recycling facilities shown on the Globe House Waste Strategy ref: A3040 Rev B and received 05.09.17 and the approved plans Drawing No. 311a and 330a shall be made available and retained thereafter 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 especially nuisance by reason of smell, insects or rodent pests in accordance with Policy CS21 of the Woking Core Strategy 2012.

11. 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.

12. No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a

26th September 2017 PLANNING COMMITTEE

Written Scheme of Investigation which has been submitted by the applicant and approved by the Planning Authority. The development shall not proceed other than in strict accordance with the approved programme of archaeological work.

Reason:

To ensure the required archaeological work is secured satisfactorily.

13. ++ 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 :-

(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.

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 13 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.

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).

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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 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

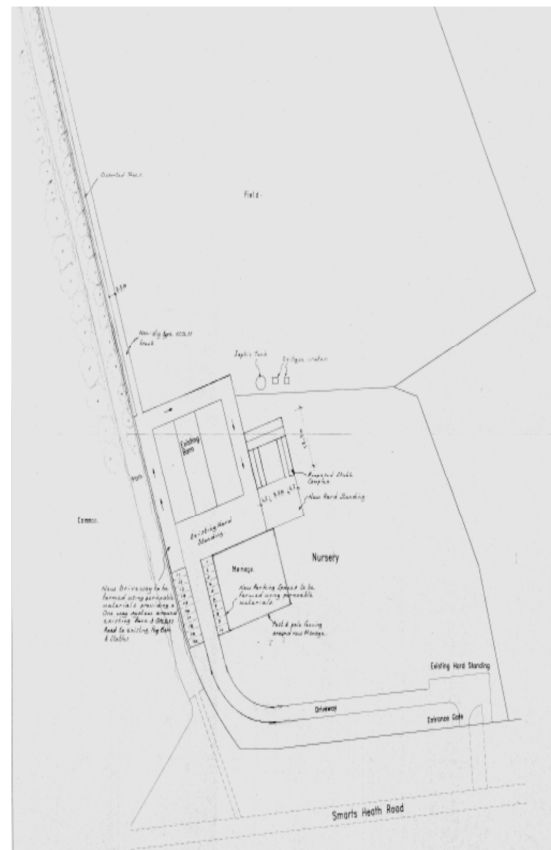
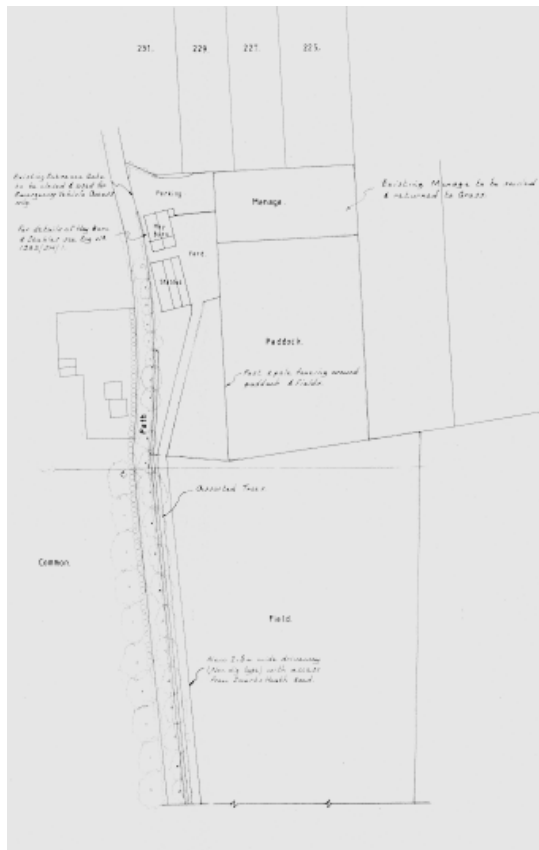
sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined 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 ownership. Should your proposed building work fall within 3 metres of these pipes we recommend you email Tames 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 **£2,922** 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 **£55,625** towards CIL.

3 Js Nursery, Smarts Heath Road, Woking

PLAN/2016/1235

Change of use of land from agriculture and commercial (Class B8/ancillary Class B1) to mixed-use comprising the keeping of horses and commercial (Class B8/ancillary Class B1) use, the erection of a building comprising 6 stables, tack room, a store, office, removal of existing menage and construction of new menage and associated facilities additional hard surfacing, car parking and access drive, access drive to existing stables and removal of condition to of planning permission PLAN/1998/0316 to enable the existing stable building (to the rear of 229 Saunders Lane) to be used for commercial stabling uses including livery or for Class B8/Ancillary B1. Use of Saunders Lane access into the site for emergency vehicles only (Amended description and amended plans received)



PLAN/2016/1235



3 Js Nursery, Smarts Heath Road

Little Gorsewood

Lay-by

Briarwood Nursery

249

239

243

231

227

223

219

213

209

201

197

185

179

175

173

169

165

183

Sub Sta

EI

Post

Path

Nursery

Heathfield

Pond
30.1m

31.5m

SMARTS HEATH

ED Bdy B 380

29.6m

FB

Comments

Not Set



SCALE 1:2,400

0 10 20 40 60 80 Metres

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

26 SEPTEMBER 2017 PLANNING COMMITTEE

5e 16/1235 Reg'd: 18.05.17 Expires: 30.09.17 Ward: HE
Nei. 30.08.17 BVPI Major Number 18/18 On Y
Con. Target of Weeks Target?
Exp: on Cttee'
Day:

LOCATION: 3Js Nursery, Smarts Heath Road, Woking, Surrey, GU22 0RG

PROPOSAL: Change of use of land from agriculture and commercial (Class B8/ancillary Class B1) to mixed-use comprising the keeping of horses and commercial (Class B8/ancillary Class B1) use, the erection of a building comprising 6 stables, tack room, a store, office, removal of existing menage and construction of new menage and associated facilities additional hard surfacing, car parking and access drive, access drive to existing stables and removal of condition to of planning permission PLAN/1998/0316 to enable the existing stable building (to the rear of 229 Saunders Lane) to be used for commercial stabling uses including livery or for Class B8/Ancillary B1. Use of Saunders Lane access into the site for emergency vehicles only (Amended description and amended plans received)

TYPE: Full

APPLICANT: Mr R. Annan

OFFICER: Joanne Hollingdale

REASON FOR REFERRAL TO COMMITTEE

The application is for the construction of new non-residential buildings and as such the application falls outside the Scheme of Delegation.

SUMMARY OF PROPOSED DEVELOPMENT

The application seeks planning permission for:

- the change of use of land from agriculture and commercial (Class B8/ancillary Class B1) to mixed-use comprising the keeping of horses and commercial (Class B8/ancillary Class B1) use;
- the erection of a building comprising 6 stables, tack room, a store, office,
- removal of existing menage and construction of new menage;
- associated facilities additional hard surfacing, car parking and access drive, access drive to existing stables; and
- removal of condition to of planning permission PLAN/1998/0316 to enable the existing stable building (to the rear of 229 Saunders Lane) to be used for commercial stabling uses including livery or for Class B8/Ancillary B1. Use of Saunders Lane access into the site for emergency vehicles only

PLANNING STATUS

- Green Belt
- Thames Basin Heaths SPA Zone B (400m-5km)
- Surface Water Flooding (part of site medium and high risk)
- Common Land (access only)

26 SEPTEMBER 2017 PLANNING COMMITTEE

- Smarts & Prey Heath SSSI (opposite the site)

RECOMMENDATION

GRANT planning permission subject to recommended conditions.

SITE DESCRIPTION

This application relates to a site located to the north of Smarts Heath Road. The application site extends to some 4.22 hectares. There is vehicular access into the southern part of the site accessed off Smarts Heath Road and a long access drive up to the existing building on the site. There is also a vehicular access to the northern part of the site from Saunders Lane via the adjacent public right of way. The site is separated from Smarts Heath Road by a verge which is designated as Common Land.

There is one building within the southern part of the site which is a steel portal framed building faced in corrugated metal. The building is currently used for B8 (storage and distribution)/ancillary B1 (office) purposes and it is currently occupied by a business known as 3Js (grounds/garden maintenance). The land outside the building/hard surfacing is laid to grass. In the northern part of the site is a single storey stable block comprising 4no. stables and a covered area to its rear, a further block and timber barn and a sand school.

The nearest residential properties adjoin the northern part of the land, fronting Saunders Lane.

RELEVANT PLANNING HISTORY

Southern part of the site

PLAN/2016/1162	Change of use of existing building from Class B1 (office)/B8 (storage and distribution) to Class D2 (Assembly and Leisure) to use the building as an open plan gym area and a Yoga studio. Refused 17.01.17
PLAN/2016/0181	Extension of existing commercial building. Granted 29.04.16
PLAN/2013/1205	Removal of Conditions 1, 3 and 4 of PLAN/2013/0174 dated 12.02.2013 for the relocation of existing office/toilet/kitchenette container from within onsite barn to the outside (east of barn). Retention of existing shed (to east of barn). Application Withdrawn
PLAN/2013/0739	Conversion of existing barn to storage (B8 use) and office (B1 use) under Class M. The office use will be in the mezzanine floor and the storage use will be carried out in the main barn. Refused 05.09.13 Appeal Granted 10.03.15
PLAN/2013/0174	Relocation of existing office/toilet/kitchenette container from within on-site barn to the outside (east of barn). Retention of existing shed (to east of barn). Granted 12.11.13
PLAN/2012/1102	Lawful Development Certificate to use the existing agricultural land for allotments and poultry business, erection of new internal gate and retrospective internal works to existing barn including mezzanine floor and secure storage. Granted 26.06.13

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PLAN/2012/1057	Retrospective planning application for the installation of two windows to mezzanine level and planning permission for an external fire door. Granted 06.02.13
PLAN/2008/0191	Erection of solar panels to roof and wind turbine. Granted 03.07.08
PLAN/2008/0083	Certificate of Lawfulness for renovation and reuse of existing barn for agricultural purposes. Granted 24.04.08
PLAN/1993/0275	Notification of agricultural/forestry development under Sch. 2 Part 6 of the General Development Order 1988 for the erection of a barn for the storage of hay and food. Details Not Required 13.05.93

Northern part of the site

PLAN/2011/1034	Application for a Certificate of Lawful Existing Use for the storage of cars in the barn/garage. Refused 26.01.12
PLAN/2010/0856	Application for a Certificate of Lawful Existing Development for a sand school to exercise horses. Granted 16.12.10
PLAN/2010/0222	Retrospective application for the change of use of land and associated existing buildings from the keeping of horses to livery business. Refused 18.06.10
PLAN/2006/0739	Demolition of existing substandard and erection of replacement barn. Granted 01.09.06
PLAN/2006/0241	Demolition of existing substandard and erection of replacement barn. Refused 12.05.06
PLAN/1998/0316	To build 4 no stables adjacent to existing stables. Granted

PROPOSED DEVELOPMENT

The application seeks planning permission for:

- the change of use of land from agriculture and commercial (Class B8/ancillary Class B1) to mixed-use comprising the keeping of horses and commercial (Class B8/ancillary Class B1) use;
- the erection of a building comprising 6 stables, tack room, a store, office,
- removal of existing menage and construction of new menage;
- associated facilities additional hard surfacing, car parking and access drive, access drive to existing stables; and
- removal of condition to of planning permission PLAN/1998/0316 to enable the existing stable building (to the rear of 229 Saunders Lane) to be used for commercial stabling uses including livery or for Class B8/Ancillary B1. Use of Saunders Lane access into the site for emergency vehicles only

The proposed 6no. stable building in the southern part of the site would be located adjacent to the existing building on the site. The building would have a U-shape and overall would measure 18.6 metres in length with each side of the courtyard measuring 4.3 metres in width. The stables would have an eaves and ridge height of 2.5 metres and 3.3 metres

respectively with the higher part of the building having an eaves and ridge height of 3.7 metres and 4.6 metres respectively.

The replacement sand school would be located to the front of the existing building and proposed stable block and would measure 27.5 metres by 25 metres. 20no. car parking spaces would be formally laid out within the site adjacent to the sand school and in front of the existing barn. The existing sand school in the northern part of the site would be removed and the land returned to grass.

A new 2.5 metre wide access track would be provided to link to the northern part of the site and would measure approximately 160 metres in length to link to the northern stables (although in the northern part of the site there is evidence of hard surfacing under the grass covering).

The application also seeks permission to remove condition 2 of PLAN/1998/0316 which states:

The stables hereby approved shall only be used for domestic purposes in connection with 229 Saunders Lane and shall not be used for commercial purposes including livery.

Reason: to ensure the intensity of the use is acceptable in the Green Belt.

In support of the application a Planning Statement, Flood Risk Assessment and Drainage Strategy and Arboricultural Information has been submitted.

During the course of the application the proposals have been amended as follows:

- Reduction in the number of stables in the proposed new stable block from 10no. to 6no.
- Relocation of the sand school from northern part of the site to southern part of site;
- Reduction in the number of car parking spaces from 27 to 20;
- Reduction in the width of the access road to the northern part of the site from 5 metres to 2.5 metres.

CONSULTATIONS

County Highway Authority: Requested additional information regarding traffic generation. Following the receipt of additional information, advised that the applicant undertake an assessment of the likely net additional traffic generation, access arrangements and parking provision and are satisfied that the application would not have a material impact on the safety and operation of the adjoining public highway and thus has no highway requirements.

SCC LLFA: Subject to your Flood Risk Engineer being satisfied with the proposal we have no further comments to make.

County Archaeologist: Despite the size of the application site, I have reviewed available information and the proposals themselves are unlikely to result in extensive ground disturbance and on this basis I have no further archaeological concerns.

SCC Rights of Way: No comments received

Natural England: With regard to the impact on the SSSI there is no objection subject to conditions requiring a Construction Environmental Method Statement and a Pollution Prevention Plan (conditions 4 and 5).

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Surrey Wildlife Trust: No ecological survey information has been submitted, it appears one tree is to be felled [*Officer note: this is incorrect no trees are to be felled*], external lighting should be controlled to limit impacts on bats, any vegetation removal should be outside the bird nesting season, the majority of the site comprises short grassland which is unlikely to support protected or important species and biodiversity enhancements should be sought (conditions 9, 10 and 11).

WBC Drainage and Flood Risk Officer: Additional information is required to be submitted. Following the submission of additional drainage information, no objection is raised subject to conditions (20, 21 and 22).

WBC Environmental Health Officer: The site is largely rural and quite remote. However there are properties on one side of the boundary who may be exposed to noise and potentially smoke nuisance from the site e.g. if burning is to be used as a disposal method. Therefore recommend conditions relating to construction noise and hours of use. It would be impractical to restrict livery but riding lessons could be restricted. Could consider insulation of stable block and external lighting to minimise noise and light pollution (conditions 5, 6, 7, 8, 9, 10 and 16). Informatives are also recommended (informatives 3 and 4).

WBC Arboricultural Officer: The Arboricultural Information provided is considered acceptable and should be complied with in full and a pre-commencement meeting should also take place (condition 18).

REPRESENTATIONS

8 letters of objection have been received in respect of the application as originally submitted. A summary of the main comments made is given below:

- no objection to fields being used as pasture for horses or to the 10no. stables being built in the bottom field and used for livery;
- object to the B1/B8 use of the middle and top fields of the site as there is already commercial use in the large barn on site and would be detrimental to the Green Belt;
- see no reason why a 5 metre wide access road is required as it will be visible from the footpath and impact on openness of the Green Belt;
- Car park for 27 vehicles is excessive, would be visible from the adjacent footpath, result in encroachment and should be reduced. A previous application for the site which may have resulted in additional hard surfacing was considered to reduce openness and result in encroachment of the Green Belt;
- The existing stables at the top of the field should be used for private use only with the stables in the lower field being used for livery;
- The existing barn should be used for storage of hay/tack and it already has an office and w.c. facilities;
- With reference to emergency vehicles, emergency services will always use any access they need to get to an accident this should not be considered;
- The use of the access in the northern part of the site was determined in a County Court ruling at Guildford on 29.01.15 (claim number 3GU00178) when the Judge determined the specific right of the owner of the field.
- Mayford has adequate stabling will Cliffe Hatch [*Officer note: this is a matter of commercial competition within the rural economy and is not a planning matter*];
- The lower field/building is being advertised for rent;
- Do not object in principle but the sand school backs onto houses and previous private use was limited, the use of the sand school would become more intense

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and intrusive but if usage results in significant noise then it would be better to relocate it further away from houses;

- Concerned if stables and barn in the northern part of the site were used for other purposes;
- The stables are located in the middle of the field and would be better close to the tree line/behind the barn, the stable design and materials should be unobtrusive;
- British Horse Society recommends 1 horse per 1-1.5 acres of pasture;
- The existing buildings in the northern part of the site should only be used for stabling/livery and equestrian storage and the sand school should not affect residential amenity;
- Some screening would be welcome to the centre of the site to improve visual amenity;
- Use of the site for equestrian teaching or other categories is not supported;
- As the existing building is being advertised for rent it is not needed for the applicant's existing business and should be used for the stables so there is no need to duplicate these facilities, reducing the impact on the Green Belt;
- The applicant has recently cut down trees;
- If the northern stables are wanted for livery then the number of stables in the lower field should be increased so the stables to the north can be retained in private use;
- Smarts Heath Road is very fast which is not conducive to having horses and increasing vehicles;
- Strongly object to the use of the northern barns for commercial B8/B1 use; and
- Suggestions are made with regard to the layout of the proposal on the site.

1 letter of support subject to minor amendment has been received from Cllr Davis.

Following the receipt of amended plans further consultation has been undertaken and 6 letters of objection have been received. A summary of the main comments made is given below:

- Comments already submitted and as summarised above have been re-submitted;
- The cottages adjacent to the footpath from Saunders lane are not shown on the plan giving a distorted view of the area;
- The footpath adjacent is enjoyed by riders and walkers;
- Changing the use of the stables (to the north) from private to commercial would generate unacceptable activity resulting in a loss of amenity;
- Recognise that some of our objections have been addressed e.g. relocation of sand school and reduction in size of car park but principal objections remain and strongly object to application;
- Amended application still encroaches into the Green Belt;

RELEVANT PLANNING POLICIES

Woking Core Strategy 2012

CS1 - A Spatial strategy for Woking Borough

CS6 – Green Belt

CS7 – Biodiversity and nature conservation

CS9 – Flooding and Water Management

CS18 - Transport and accessibility

CS21 - Design

CS24 - Woking's landscape and townscape

CS25 - Presumption in favour of sustainable development

Development Management (DM) Policies DPD 2016

DM2 – Trees and Landscaping

DM3 – Facilities for Outdoor sport and recreation

DM7 – Noise and light pollution

DM13 - Buildings in and adjacent to Green Belt

Supplementary Planning Documents

Parking Standards 2006

Outlook, Amenity, Privacy and Daylight 2008

Design 2015

Other Material Considerations

National Planning Policy Framework 2012

National Planning Practice Guidance (NPPG)

PLANNING ISSUES

1. The main issues to be considered in the determination of this application are the Green Belt, the visual impact of the development, impact on neighbouring amenity, highway safety, ecological impact and impact on drainage.

Green Belt

2. The site is located in the Green Belt. The NPPF makes clear that the Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. Paragraph 81 also advises that local planning authorities should plan positively to enhance the beneficial use of the Green Belt such as to provide opportunities for outdoor sport and recreation, to retain and enhance landscapes, visual amenity and biodiversity. Policies CS6 of the Core Strategy and Policy DM3 of the DM Policies DPD reflect the approach to the Green Belt at local level.
3. Paragraph 89 of the NPPF states that the provision of appropriate facilities for outdoor sport and outdoor recreation is appropriate development within the Green Belt as long as it preserves openness and does not conflict with the purposes. However the planning application also includes the change of use of land from agriculture and commercial (Class B8/ancillary Class B1) to a mixed-use comprising the keeping of horses and commercial (Class B8/ancillary Class B1) use and as such as a material change of use does not fall within one of the exceptions listed in Paragraph 90 of the NPPF, this part of the proposal comprises inappropriate development. Case law has established that even if an application contains elements that on their own would be appropriate development, the whole of the development is required to be regarded as inappropriate development in the Green Belt. Inappropriate development in the Green Belt is by definition harmful but it is also necessary to establish whether any other harm would result from the proposed development.
4. The site is currently in mixed use comprising agriculture and also the commercial use comprising the existing large building on the site and the associated access and parking facilities which can be used for both uses of land. The northern part of the site also has stables, a barn and a sand school. The use of any agricultural land for the grazing of horses does not require a change of use unless the horses are kept primarily for leisure/recreational purposes which is the intention for this proposal. In this case there would be no difference in the appearance of the land from horses

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grazing in the field irrespective of whether the land was still in agricultural use or if the horses are being used for leisure/recreational purposes.

5. The application also proposes to use the existing 4no. stables and the proposed 6no. stable block for commercial equestrian use, essentially livery. Under PLAN/2010/0222 the use of the existing 4no. stable block for livery purposes was not considered to be harmful in the Green Belt. Whilst this aspect of the proposal would result in additional activity at the site including comings and goings, given the limited number of stables proposed overall (10no.), it is not considered that the additional activity associated with this part of the proposal would result in a reduction in the openness of the site.
6. The application also seeks to relocate the existing sand school to the southern part of the site and this is not considered to impact on the openness of the Green Belt. The application also proposes to erect a new stable block comprising 6no stables, tack room, hay barn and office facilities. This building would be located immediately adjacent to the existing large barn on the site and would be appreciated as an integral part of this mixed use site. The stables would be small in size, be faced in timber and would form a commonplace feature in the rural landscape. The application also proposes an access track of 2.5 metres in width to access the facilities in the northern part of the site, to provide additional hard surfacing for the stable yard and to increase the parking provision at the site. The proposed hard surfacing would be surface level and given the limited number of stables proposed it is likely to have a low level usage. Having regard to the above factors it is considered that the proposed development would not result in a loss of openness or conflict with the purposes of the Green Belt.
7. Nonetheless due to the proposed change of use the proposal comprises inappropriate development in the Green Belt and in accordance with the NPPF substantial weight is required to be given to this harm. It is therefore necessary to consider whether any very special circumstances exist in this case which would clearly outweigh the harm to the Green Belt by reason of inappropriateness and any other harm. In this particular case no 'other harm' to the Green Belt has been identified. As will be noted in the paragraphs below, subject to conditions, no other harm is considered to result from the proposed development.
8. Very special circumstances to justify the granting of planning permission will not exist unless the harm to the Green Belt by reason of inappropriateness and any other harm is clearly outweighed by other considerations. Very special circumstances can constitute one consideration or the combination of a number of considerations. In this particular case, horse related development and commercial equine enterprises can only reasonably occur in the Green Belt in Woking. Paragraph 81 of the NPPF requires local planning authorities to plan "positively to enhance the beneficial use of the Green Belt" including to "provide opportunities for outdoor sport and recreation". Whilst this requirement does not enable the provision of the outdoor recreation facilities to be treated as appropriate development it does clearly add weight in favour of their provision in the Green Belt. In addition had the change of use of the land and the proposed stables, menage and hardsurfacing been submitted as separate applications, it is likely that the application proposing the built developments would have been considered as appropriate facilities in the Green Belt, preserving openness and not conflicting with the purposes of the Green Belt.
9. In addition Policy DM3 of the DM Policies DPD relates to equestrian facilities and sets out a number of criteria which equestrian facilities are required to meet. The supporting text for the policy also notes that "the policy provides for appropriately scaled outdoor sport and recreation development whilst respecting the purposes of

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the Green Belt” (para 3.24). The application proposes 10no. stables in total and the application site measures around 10 acres in area. Whilst the grazing land would be slightly below 10 acres once the buildings and facilities have been discounted, a menage is proposed for exercising and it is normal for horses for leisure/recreational use to be stabled for part of the time and/or to have their food supplemented which should ensure the land is not overgrazed. It is therefore considered that adequate land is available within the site for the proposed number of stables and condition 8 would control the maximum number of horses on the site. Given the limited number of horses the proposal is not considered to result in any highway safety issues and as noted below the County Highway Authority has not raised any objection to the application.

10. The applicant has also advised that if the proposal was considered to be inappropriate development in the Green Belt then they would advise that the very special circumstances should include the contribution the proposal would make to the rural economy, and also the fall-back position of the 92 allotments and a commercial poultry business which could operate from the site.
11. Having regard to all of the matters noted above it is considered that cumulatively very special circumstances exist in this case which would outweigh the harm resulting from the inappropriateness of the development by reason of the change of use of the land. The proposed development is also considered to comply with Policies DM3 and DM13 of the DM Policies DPD.

Visual impact on the area

12. One of the core principles of planning as identified in the NPPF is securing high quality design. Policy CS21 of the Core Strategy states that “proposals for new development should...respect and make a positive contribution to the street scene and character of the area in which they are situated.” Policy CS24 also seeks to maintain the landscape character of the area. Policy DM2 of the DM Policies DPD relates to trees and landscaping and Policy DM3 relating to outdoor recreation facilities requires them to be appropriate scaled, not to result in an adverse visual impact and to be satisfactorily integrated with existing buildings where present.
13. The proposed stable building has been amended during the course of the application to reduce its size and to re-orientate the building so that it would be located adjacent to the existing large building on the site. In all views of the site the proposed stable block would be viewed against the backdrop or in the context of the existing large building. The existing building would also restrict views of stable building from the west. As the stables would be arranged around a courtyard this would also limit views of some of the activity associated with stables. The letters of representation have raised concern regarding views from the public right of way to the west but footpaths adjacent or near to rural establishments are routinely encountered in the countryside and in this case it is not considered that any views of the site from the adjacent public right of way would be harmful. The sand school would be relocated from the northern part of the site to the southern part of the site and this position would be better related to the proposed stable block and would form a small complex of facilities on the western part of the site. Condition 3 will require the approval of external materials for the stable block and the proposed menage surface.
14. Additional hard surfacing would be provided to the front of the stables, to access the stables in the northern part of the site including around the existing barn (although some hard surfacing already exists in this area) and to create additional parking

spaces. However the additional hard surfacing would be limited to the western boundary of the site and would be viewed in association with the activities on the site. The long access driveway already exists from Smarts Heath Road to the existing barn and this has limited views from outside the site. The proposed hard surfacing would be created using a permeable material. Arboricultural Information has been submitted with the application which states that no trees are to be felled to accommodate the proposed development and the proposed parking and access track only have limited potential to cause root disturbance to trees (mostly outside the site). The Arboricultural Information advises that the proposed parking bays would be formed with a permeable stone construction and thus potential impacts on trees would be very limited. The access track to the northern part of the site would be formed using a no-dig surface and would have a road stone surface finish. Subject to a condition requiring an appropriate surface material and requiring the development to be implemented in accordance with the submitted Arboricultural Information (condition 18) it is not considered that the proposed hard surfacing would adversely affect the appearance of the site or the trees on or adjacent to the site.

15. Overall it is considered that the proposed stable block and associated facilities would be well located within the site to create a small complex of facilities, leaving the remainder of the site for pasture/grazing for horses and would not adversely affect the trees on or adjacent to the site. The proposal is therefore considered to comply with Policies CS21 and CS24 of the Core Strategy, Policies DM2 and DM3 of the DM Policies DPD and the NPPF.

Impact upon neighbouring amenity

16. Policy CS21 of the Core Strategy advises that proposals for new development should achieve a satisfactory relationship to adjoining properties avoiding significant harmful impacts. Policy DM3 of the DM Policies DPD requires facilities for outdoor recreation to no generate unacceptable activity or give rise to a loss of amenity.
17. With regard to the 4no. stables to the northern part of the site, the application also proposes to utilise these stables for livery. In 2010 under PLAN/2010/0222 an application was made to change the use of the land and existing buildings on the site to a livery business. The buildings on the site at that time were the existing 4no. stables and the barn located on land to the rear of 229 Saunders Lane. Whilst that application was refused planning permission, this was only on the basis of the impact on highway safety and the use of the access and public right of way footpath no.33 to access the site from Saunders Lane. In respect of impact on neighbouring amenity the case officer report noted:

“whilst third party concerns have been received on the grounds of an increased noise and disturbance from the proposed livery use, mainly in connection with the increased traffic movements, it is not considered that the noise generated by vehicular movements will be that substantial as to unacceptably detract from the peaceful enjoyment of neighbouring residential properties.”

18. On this basis no objection was raised to the use of the 4no. stables and existing barn for livery use under PLAN/2010/0222. The only difference between that application and this application is that the 4no. stables would now be accessed from within the application site, utilising the access track from the southern part of the site. Having regard to the considerations under PLAN/2010/0222 and the small number of stables proposed for livery use in the northern part of the site it is not considered that the use of these stables for livery would adversely affect the amenities of nearby neighbouring

occupiers by reason of noise/disturbance.

19. With regard to the proposed new stable block in the southern part of the site this would be located in excess of 200 metres from the closest dwellings which front Saunders Lane. It is noted that some of the rear garden boundaries of the dwelling would be closer at around 130 metres. Given these separation distances the proposed stables would not be overbearing to nearby neighbouring dwellings and as the proposed stable block would comprise of 6no. stables only it is considered that the level of activity which would be associated with the use of 6no. stables for livery would not result in a level of disturbance to nearby neighbouring occupiers which would be considered detrimental to the amenities of these neighbouring occupiers.
20. The Council's Environmental Health Officer has suggested that the proposed stables should be insulated to prevent noise, but given the position of the southern stables in relation to the nearby neighbouring occupiers this is not considered reasonable. In addition the 4no. stables which exist in the northern part of the site can already accommodate horses irrespective of who owns the horses and therefore it is not considered reasonable to require these stables to be insulated.
21. The relocated menage (condition 6) would be a surface level feature and thus its construction would not be overbearing to nearby neighbouring occupiers. With regard to its use this would be controlled by conditions relating to its use, hours of use and preventing the use of any PA systems (conditions 8, 9 and 16). No external lighting is proposed as part of this application and conditions 9 and 10 further restrict this. Given these recommended conditions it is not considered that the use of the menage would adversely affect the amenities of the nearby residential occupiers.
22. The application also proposes to use to the barn in the northern part of the site for commercial storage use to store items used for maintaining the site and also items in connection with the applicant's business known as 3Js Nursery (i.e. garden and grounds maintenance). Some of the items may have dual use i.e. maintain the site and are also used for the applicant's business. The barn is small in scale and its size will limit the potential storage uses of the barn. In addition the barn would be accessed via the access track proposed as part of this application from the south rather than from Saunders Lane. It is not therefore considered that the use of the barn for storage uses, ancillary to the maintenance of the wider application site and in connection with the applicant's business of garden and grounds maintenance, would result in a level of activity/disturbance to the nearby neighbouring occupiers subject to a condition restricting the storage use to items used in connection with the maintenance of the land and garden and ground maintenance equipment only (condition 12).
23. Subject to the recommended conditions the proposal is not therefore considered to have a detrimental impact on the amenities of nearby neighbouring occupiers and the proposal is therefore considered to comply with Policy CS21 of the Core Strategy, Policy DM3 of the DM Policies DPD and the policies in the NPPF.

Impact upon highway safety

24. The existing large building on the site has a lawful commercial B8/ancillary B1 use. It is also noted that the planning history for the southern part of the site shows that a Certificate of Lawfulness was granted for the use of part of the site for the creation of 92 allotments under PLAN/2012/1102 which would have the potential to generate additional traffic movements to and from the site.

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25. Whilst the proposed livery use would generate increased traffic utilising the access to the site e.g. owner visits, deliveries, farriers, vet visits, given the number of stables proposed the County Highway Authority has advised that they have assessed the application and they have no highway requirements in respect of the application.
26. The application also proposes that the existing vehicular access into the northern part of the site is only used by emergency vehicles to access the site. Planning permission was also refused under PLAN/2010/0222 on the basis of the impact of the use of this vehicular access by traffic in connection with (at that time) the proposed livery use of the 4no. stables in the northern part of the site. In this regard and in order to prevent the use of the vehicular access into the site from Sounders Lane in connection with the use of the site (except for emergency vehicles) a condition is included in the recommendation (condition 14).
27. In respect of parking for the existing building on the site the Council's SPD Parking Standards states that for storage uses the requirement is 1 car park space per 100sqm plus a lorry parking space. The existing large barn on the site would have a floor area of 600sqm of B8 use and 60sqm of ancillary B1 use when extended (PLAN/2016/0181). This would equate to a parking provision of 9 spaces. There is no standard for commercial equestrian uses but on the basis of 10 stables being provided, 10 parking spaces would not appear to be unreasonable although it is unlikely that all spaces would be utilised at the same time. The application proposes to provide 20 spaces in total which although is one space more than the required provision, as all parking and turning movements in connection with the use of the site should occur within the site, it is considered that this level of parking provision is acceptable (condition 17). Sufficient hard surfacing is also considered to be provided within the site to enable any larger vehicles to enter and turn within the site and leave in a forward gear.
28. Mindful of the above matters the proposal is considered to comply with Policy CS18 of the Woking Core Strategy, Policy DM3 of the DM Policies DPD, the SPD Parking Standards and the policies in the NPPF.

Impact on ecology

29. The NPPF states that the planning system should contribute to and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible. This approach is supported by Circular 06/05 – Biodiversity and Geological Conservation and is reflected in Policy CS7 of the Woking Core Strategy. Policy DM3 of the DM Policies DPD also requires proposals not to cause harm to a site of nature conservation and Policy DM7 seeks to minimise light pollution.
30. Opposite the site is the Smarts and Prey Heath SSSI. In this regard Natural England has been consulted on the application and has raised no objection to the application subject to conditions relating to a construction method statement (condition 4) and a pollution prevention plan (condition 5). Subject to these conditions the proposal is not considered to adversely affect the SSSI.
31. The proposal is not considered to result in any on-site ecological harm and condition 11 will secure biodiversity enhancements on the site. In addition conditions 9 and 10 will control the use of external lighting on the site to minimise visual impact and impact on ecology e.g. bats which may utilise the wider local area.

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32. Subject to conditions the proposal is considered to comply with Policy CS7 of the Woking Core Strategy, Policies DM3 and DM7 of the DM Policies DPD the guidance in Circular 06/05 – Biodiversity and Geological Conservation and the policies in the NPPF.

Other matters

33. The site is located within Flood Zone 1 (low risk) and no issues relating to flood risk are raised. As the proposal is for major development, surface water drainage is a material planning consideration. In respect of surface water drainage, the applicant has submitted a Flood Risk Assessment and Drainage Strategy and additional information which have been reviewed by the Council's Drainage and Flood Risk Engineer. The Council's Drainage and Flood Risk Engineer has raised no objection to the application subject to the imposition of conditions 20, 21 and 22. The proposal is considered to accord with Policy CS9 of the Core Strategy and the policies in the NPPF and would not increase flood risk to the site or surrounding area.

LOCAL FINANCE CONSIDERATIONS

34. The Council implemented the Community Infrastructure Levy (CIL) on 1st April 2015. As the proposal relates to a change of use of the land and construction of stables the proposal is not CIL payable development.

CONCLUSION

35. Whilst the proposal represents inappropriate development within the Green Belt, by virtue of the change of use of land, the proposed development is considered to maintain the openness of the Green Belt and would not conflict with its purposes. Subject to conditions, the proposal is not considered to result in any harm to other planning matters. Having regard to the matters detailed in the report above it is considered in this case that there are very special circumstances which exist which would outweigh the harm resulting from the inappropriateness of the development and on this basis a recommendation to grant planning permission is considered justified. The proposals are otherwise considered to comply with Policies CS7, CS9, CS18, CS21 and CS24 of the Woking Core Strategy, Policies DM2, DM3 and DM7 of the DM Policies DPD and also the policies in the NPPF. It is therefore recommended that planning permission is granted subject to the conditions as set out below.

BACKGROUND PAPERS

Planning file PLAN/2017/0831

RECOMMENDATION

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

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).

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

Site Location Plan rec 08.11.16

Proposed Stable Complex (1581/SH/1 Rev A) rec 08.08.17

Existing floor plans and elevations of the northern stable block and barn (1581/SH/1) rec 08.11.16

Site Plan (showing southern part of the site) (1581/SH/2 Rev A) rec 08.08.17

Site Plan (showing northern part of the site) (1581/SH/3 Rev A) rec 08.08.17

Arboricultural Implications Assessment (Broad Oak Tree Consultants Ltd ref J53.82 dated 04.05.17) rec 05.05.17

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

3. Prior to the commencement of development full details of the external materials to be used in the construction of the stables hereby approved, the surface treatment of the proposed menage and the surface treatment of all hard surfaced areas hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

Reason: To protect the visual amenities of the area and to comply with Policies CS21 and CS24 of the Woking Core Strategy 2012 and the policies in the NPPF.

4. Prior to the commencement of any development on site a Construction Method Statement demonstrating how best practice will be used to minimise dust etc shall be submitted to and approved in writing by the Local Planning Authority (in consultation with Natural England). The development shall be implemented only in accordance with the approved details unless any variation is first approved in writing by the Local Planning Authority.

Reason: To mitigate the impact of development on the nearby Smarts and Prey Heath SSSI 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.

5. Prior to the commencement of any development on site a Pollution Prevention Plan demonstrating how the development will not result in increased contaminants/nutrients reaching the Smarts and Prey Heath SSSI through the ditch and pond shall be submitted to and approved in writing by the Local Planning Authority (in consultation with Natural England). Details to be submitted for approval shall address surface water and run off as well as the storage and disposal of the waste associated with the stables hereby approved. The development shall be implemented only in accordance with the approved details unless any variation is first approved in writing by the Local Planning Authority.

Reason: To mitigate the impact of development on the nearby Smarts and Prey Heath SSSI, to safeguard neighbouring amenities and to comply with Policies CS7 and CS21 of the Woking Core Strategy 2012, Circular 06/05 Biodiversity and Geological Conservation and the policies in the NPPF.

6. Prior to the first use of the stables hereby approved for livery or any other equestrian use the existing menage shall be relocated to its new position on the site as hereby approved. In the first planting season following the relocation of the menage the area

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of the existing menage shall be removed and the land seeded and maintained to enable the land to be covered with a natural grass surface.

Reason: In the interest of visual amenity, to safeguard the amenities of nearby neighbouring dwellings and in the interests of highway safety and to comply with Policies CS6, CS18 and CS21 of the Woking Core Strategy 2012 and the policies in the NPPF.

7. At no time shall the number of horses on the application site exceed 10.

Reason: In order to secure a satisfactory form of development in the Green Belt given the size of land holding in accordance with Policy CS6 Woking Core Strategy 2012 and Policy DM3 of the DM Policies DPD 2016.

8. The menage hereby approved shall only be used in connection with horses stabled/ grazed on the application site and no part of the application site including the menage shall be used for or in connection with any competitive equestrian event or demonstration, including shows or gymkhanas. Within the menage no more than two riders shall be trained at any one time and the menage shall only be used for the exercise/tuition of horses stabled/grazed on the application site. The menage hereby approved shall only be used between the hours of 07:00 and 20:00.

Reason: In the interest of visual amenity, to safeguard the amenities of nearby neighbouring dwellings and in the interests of highway safety and to comply with Policies CS6, CS18 and CS21 of the Woking Core Strategy 2012 and the policies in the NPPF.

9. No floodlighting or other forms of external artificial lighting shall be installed over or around the menage hereby permitted.

Reason: In the interests of visual amenity, neighbouring amenity and ecology and to comply with Policies CS7 and CS21 of the Woking Core Strategy 2012, Circular 06/05 Biodiversity and Geological Conservation and the policies in the NPPF.

10. ++Any external lighting to be installed on the site (except for that to be used in connection with the bin stores) shall be installed fully in accordance with details (demonstrating compliance with the recommendations of the Institute of Lighting Engineers 'Guidance Notes for the Reduction of Obtrusive Light' and the recommendations of the Bat Conservations Trusts document entitled "Bats and Lighting in the UK – Bats and the Built Environment Series") which shall have first been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented and thereafter retained and maintained fully in accordance with the approved details.

Reason: In the interests of visual amenity, neighbouring amenity and ecology and to comply with Policies CS7 and CS21 of the Woking Core Strategy 2012, Circular 06/05 Biodiversity and Geological Conservation and the policies in the NPPF.

11. Prior to the first use of the building hereby approved details of the measures for the enhancement of biodiversity on the site and a timetable for their provision shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be undertaken in full in accordance with the agreed details and permanently retained, unless otherwise agreed in writing by the Local Planning Authority.

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Reason: In order to enhance the biodiversity on the site in accordance with Policy CS7 of the Woking Core Strategy 2012 and the NPPF 2012

12. The barn in the northern part of the site as annotated on approved plan 1593/SH/1 shall only be used for the storage of items in connection with the maintenance of the wider application site and items used in connection with garden and grounds maintenance and shall not be used for any other purposes within Class B8 of the Town and Country Planning (Use Classes) Order 1987 (as amended) whatsoever.

Reason: To protect the environment and amenities of the occupants of neighbouring properties in accordance with Policy CS21 of the Woking Core Strategy 2012.

13. No goods, materials, plant or equipment shall be stored outside of the buildings on the site without the prior written permission of the Local Planning Authority.

Reason: To protect the visual amenities of the site in accordance with Policies CS6 and CS21 of the Woking Core Strategy 2012 and the policies in the NPPF.

14. The vehicular access into the site from Saunders Lane as identified on approved plan S1581/SH/3 shall not be used by any vehicular traffic to access any part of the application site except for access by emergency vehicles only as so may be required to access the site in an emergency.

Reason: In the interests of highway safety and to comply with Policy CS18 of the Woking Core Strategy 2012 and the policies in the NPPF.

15. Notwithstanding the provisions of Article 3, Schedule 2, Part 3, Class P of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no development falling within this Class of development shall take place anywhere on the site without the prior written permission of the Local Planning Authority of any application made for that purpose.

Reason: In order to control the development on the site in the interests of the visual amenity of the site and the surrounding area, neighbour impact and highway safety and to comply with Policies CS6, CS18, CS21 and CS24 of the Woking Core Strategy 2012 and the policies in the NPPF.

16. No public address or other system for the amplification of sound shall be used anywhere on the application site including the menage herby approved.

Reason: To protect the environment and amenities of the occupants of neighbouring properties in accordance with Policies CS6 and CS21 of the Woking Core Strategy 2012 and the policies in the NPPF.

17. The development hereby approved shall not be brought into use until the parking and turning spaces have been laid out within the site in accordance with the approved plans for vehicles so park and turn so that they may enter and leave the site in forward gear. The parking/turning areas shall be used and permanently retained exclusively for their designated purposes.

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Reason: To ensure the development does not prejudice highway safety nor cause inconvenience to other highway users and to provide adequate parking in accordance with Policy CS18 of the Woking Core Strategy 2012 and the policies in the NPPF.

18. The development hereby approved shall be undertaken in accordance with the information provided in the submitted Arboricultural Implications Assessment provided by Broad Oak Tree Consultants Ltd (ref J53.82) dated 4th May 2017 and received with the application which shall include the convening of a pre-commencement meeting (with the applicant, project Arboriculturalist and Local Authority Arboricultural Officer), tree protective fencing as indicated and details relating to the construction of the proposed parking area (except for the number of spaces stated which has been reduced in accordance with the other approved plans) and access tracks as indicated (which for its northern section shall be located alongside the existing soil bund). No works or demolition shall take place until the tree protective 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 to comply with Policy CS21 of the Woking Core Strategy 2012.

19. The Class B8/B1 uses hereby permitted shall be restricted to within the existing buildings on the site as annotated as the existing 'barn' as annotated on approved site plan 1581/SH/2 rev A and the existing 'hay barn' as annotated on approved site plan 1581/SH/3 Rev A only.

Reason: In order to control the development on the site in the interests of the visual amenity of the site and the surrounding area, neighbour impact and highway safety and to comply with Policies CS6, CS18, CS21 and CS24 of the Woking Core Strategy 2012 and the policies in the NPPF.

20. 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.

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

- i. a timetable for its implementation,

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- 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.

22. Prior to first use 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.

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. 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's attention is drawn to Sections 60 and 61 of the Control of Pollution Act 1974 and the associated British Standard Code of Practice BS5228:1984 "Noise Control on Construction and Open Sites" (with respect to the statutory provision relating to the control of noise on construction and demolition sites). If works is to be carried out outside normal working hours (i.e. 08.00 – 18.00 Monday to Friday, 08.00 – 13.00 Saturday and not at all on Sundays and Bank/Public Holidays) prior consent should be obtained from the Environmental Health Team prior to the commencement of works.
4. New Business – Advise Environmental Health – Before the new business opens the applicant is advised to contact the Environmental Health Department at Woking Borough Council (tele: 01483 755855) regarding the provisions of the Health and Safety at work etc Act 1974.

Birch and Pines Public House, 22 Dartmouth Avenue, Sheerwater

PLAN/2017/0831

Demolition of existing public house building and the change of use of land to use as a car park



PLAN/2017/0831



Birch and Pines Public House

Woodlands

Posts

DEVONSHIRE AVENUE

Sheerwater

DARTMOUTH AVENUE

ST LUKES COURT

DARTMOUTH AVENUE

Dartmouth Green

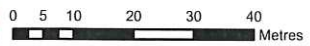
The Birch and Pines (PH)

Comments

Not Set



SCALE 1:1,250



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

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5f 17/0831 Reg'd: 03.08.17 Expires: 28.09.17 Ward: C
Nei. 24.08.17 BVPI COU Number 8/8 On Y
Con. Target of Weeks Target?
Exp: on Cttee'
Day:

LOCATION: Birch and Pines Public House, 22 Dartmouth Avenue, Sheerwater, Woking, GU21 5PJ

PROPOSAL: Demolition of existing public house building and the change of use of land to use as a car park.

TYPE: Full

APPLICANT: Woking Borough Council

OFFICER: Joanne Hollingdale

REASON FOR REFERRAL TO COMMITTEE

The applicant is Woking Borough Council and as such the application falls outside the Scheme of Delegation.

SUMMARY OF PROPOSED DEVELOPMENT

This application seeks full planning permission for the demolition of the existing public house building and the change of use of land to use as a car park.

PLANNING STATUS

- Urban Area
- Thames Basin Heaths SPA Zone B (400m-5km)
- Priority Places Area
- Local Centre
- Tree Preservation Order (adjacent to site)

RECOMMENDATION

GRANT planning permission subject to recommended conditions.

SITE DESCRIPTION

The Birch and Pines PH, is located on the south side of Dartmouth Avenue, opposite the Sheerwater local centre. The site extends to around 0.2 hectares in area and comprises a two storey public house with associated extensions, car parking and beer garden. The site is generally flat and contained by low walls, fencing, hedging and mature trees. The site has an in and out vehicular access along the frontage of the site.

The application site is adjoined on all three sides by residential development which comprises mainly two storey terraced and semi-detached properties. Opposite the application site is a parade of shops.

RELEVANT PLANNING HISTORY

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The Public House was granted planning permission in the mid-1950s and the most recent planning applications relating to the public house site alone are as follows:

PLAN/2008/1301 – Erection of single storey front extension to incorporate new entrance and kitchen extension. Granted 10.02.09

PLAN/2004/0187 - Rear extension to existing Public House to form conservatory. Granted 25.03.04

The application site is also located within the wider Sheerwater Regeneration area to which the following application is relevant:

PLAN/2015/1260 - Hybrid planning application (part outline, part full planning application): for the demolition of 576 residential units, existing non-residential buildings and sports facilities and redevelopment of the site to be implemented in phases with the associated engineering works to provide a mixed-use development comprising: up to 922 residential units (Class C3), 62 units (Class C2), up to 1,110sqm community/youth centre and up to 600sqm nursery/children's centre (Class D1), up to 5,478sqm Leisure Centre (Class D2), 1,650sqm retail (flexible use within Class A1 and/or A2 and/or A3 and/or A4 and/or A5), up to 416sqm health centre (Class D1), an artificial grass pitch (AGP), with spectator seating, erection of sports amenity lighting, improvements to Bishop David Brown School playing fields, a new substation, formation of car park including bus/coach drop-off area, hard and soft landscaping and open space with a multi-use games area (MUGAs) and a skate park, reconfigured and new vehicular and pedestrian accesses and works to the public highway and associated works; including full planning application for detailed first phase comprising: demolition of 5 residential units, 903sqm of ancillary buildings at Bishop David Brown School and existing athletics track and construction of 92 residential units (11no. 2-bed units, 39no. 3-bed units, 39no. 4-bed units and 3no. 5-bed units), 5,478sqm Leisure Centre (Class D2), an artificial grass pitch (AGP) with spectator seating, erection of sports amenity lighting, improvements to Bishop David Brown School playing fields, a new substation, formation of car park including bus/coach drop off area, with hard and soft landscaping and open space, reconfigured and new vehicular and pedestrian access and works to the public highway. (AMENDED DESCRIPTION AND AMENDED/ADDITIONAL INFORMATION RECEIVED 07.12.15, 10.12.15, 25.02.16, 03.03.16, 04.03.16, 29.03.16 AND 06.05.16). Granted 27.07.16

PROPOSED DEVELOPMENT

This application seeks full planning permission for the demolition of the existing public house building and the change of use of land to use as a car park.

The existing public house building would be demolished and the site will be levelled to enable its use as a car park. The brick boundary wall on the western side of the site which is currently part of the garage would be retained. Any re-surfacing works which may be required to enable the use of the site for parking would be undertaken using a loose bonded 'type 2' material.

In support of the application a Planning Statement, Demolition Method Statement and a Bat Survey report have been submitted.

CONSULTATIONS

County Highway Authority: Has undertaken an assessment of the likely net additional traffic generation, access arrangements and parking provision and are satisfied that the

application would not have a material impact on the safety and operation of the adjoining public highway and thus has no highway requirements.

Surrey Wildlife Trust: No comments received

Surrey Police: No comments received

WBC Scientific Officer: No comments received

WBC Environmental Health Officer: The premises are well known to the Environmental Health Service who have had dealings with the premises for the past 20 years, including many complaints regarding music and noise. Out of hours visits have been necessary and the premises have been subject to many protracted investigations. The closure of the buildings will not be a disappointment to many of those living in the vicinity. There is no objection to the use of the land for car parking.

WBC Arboricultural Officer: The trees are shown to be removed as part of the Sheerwater regeneration and as such there is no requirement for arboricultural information for this application.

REPRESENTATIONS

0 letters of representation have been received in respect of the application.

RELEVANT PLANNING POLICIES

Woking Core Strategy 2012

CS4 – Local and Neighbourhood Centres and shopping parades

CS5 – Priority places

CS7 – Biodiversity and nature conservation

CS18 - Transport and accessibility

CS21 - Design

CS24 - Woking's landscape and townscape

CS25 - Presumption in favour of sustainable development

Development Management (DM) Policies DPD 2016

n/a

Supplementary Planning Documents

Parking Standards 2006

Design 2015

Other Material Considerations

National Planning Policy Framework 2012

National Planning Practice Guidance (NPPG)

PLANNING ISSUES

1. The main issues to be considered in the determination of this application are the loss of the public house in principle, ecology and the impact of the proposed use of the site as a car park on visual amenity, residential amenity and highway safety.

Principle of development

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2. Policy CS4 of the Core Strategy states that local shopping centres will retain town centre uses wherever viable to meet the day to day needs of the local community. Policy CS5 relates to the Priority Places as a whole and only seeks to resist the loss of existing retail units. A public house, which although retails drink and food for consumption on the premises, does not fall within the Class A1 (retail) use.
3. Policy CS19 of the Core Strategy relates to social and community infrastructure and seeks to resist the loss of such facilities unless the criteria of the policy are satisfied. Paragraph 5.175 of the Core Strategy provides the introduction to Policy CS19 and also states the uses which social and community infrastructure includes. The list provided does not include public houses but it is not considered that the list necessarily excludes a public house from being social and community infrastructure.
4. The applicant's Planning Statement advises that the "*public house has now been closed for some time and no longer fulfils an exclusive role or essential daily need for the local community.*" The public house is located within the Sheerwater Regeneration area which has received planning permission under PLAN/2015/1260. Although the public house was not identified as one of the first phases of development, given the overall scale of the regeneration area it is clear that it will take some time for land assembly (of all of the land within the regeneration area) and that there will also be a time lag between the loss of some existing facilities and the provision of new facilities for the regeneration. The existing public house was not identified as one of the existing services/facilities which needed to be replaced before the existing facility would be removed from the site as part of the planning permission. If the regeneration planning permission is implemented, then separate planning permission would not be required for the demolition of the existing public house. In addition as part of the regeneration planning permission, provision has been made for a new public house to be delivered as part of the master plan.
5. However even in the event that the existing regeneration permission is not implemented it is considered that the loss of this public house would not prejudice the vitality and viability of this local area or undermine the provision of social and community facilities within Sheerwater. The Council's Environmental Health Officer has advised that these premises have given rise to complaints in the past.
6. It is therefore considered that the loss of the existing public house at this stage would comply with the aims and objectives of the Core Strategy and would not result in any harm to the provision of social and community facilities in Sheerwater. In addition suitable facilities have been provided for within the Sheerwater Regeneration development.
7. The applicant also seeks to use the site for car parking, most likely in the interim prior to the progression of the Sheerwater Regeneration. As the site is previously developed land and is located within the existing urban area and local centre, it is not considered that there is any policy objection to such a use of the land.
8. The proposed development is therefore considered to comply with Policies CS4, CS5 and CS19 of the Woking Core Strategy and the policies in the NPPF.

Impact of demolition on ecology

9. The NPPF states that the planning system should contribute to and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible. This approach is supported by Circular 06/05 –

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Biodiversity and Geological Conservation and is reflected in Policy CS7 of the Woking Core Strategy.

10. As the proposal relates to the demolition of a building, there is potential for bats/bat roosts to be present in the building. The applicant has submitted a Bat Survey report with the application. The Bat Survey report concludes that no evidence of any bat species was detected during the survey in respect of both the building and the garage on the site. The existing trees on the site were also included within the survey and they were all found to have low or negligible potential for bat roosts. No further bat surveys are therefore required, although advice is given with regard to the timing of the proposed demolition works and the need for workers to be aware of the potential for the presence of bats. Condition 5 requires the development to proceed in accordance with these recommendations. The submitted report also advises that any vegetation removal on the site is undertaken outside the bird nesting season, although no trees are proposed to be removed as part of this application. Subject to condition 5 the proposal is therefore considered to comply with Policy CS7 of the Core Strategy, the policies in the NPPF relating to ecology and biodiversity and the guidance in Circular 06/05.

Visual impact on the area

11. One of the core principles of planning as identified in the NPPF is securing high quality design. Policy CS21 of the Core Strategy states that "*proposals for new development should...respect and make a positive contribution to the street scene and character of the area in which they are situated.*"
12. Whilst the loss of the public house building would change the appearance of the site as there will no longer be a building on the site, it is considered that the cleared site would be visually preferable to a disused building which could potentially suffer from acts of vandalism or its condition could deteriorate over time and which would result in harm to the character and appearance of the site and surrounding area. The application proposes to retain the existing grassed area at the rear of the site and also the existing trees on the site, although permission would not be required to remove any vegetation or any un-protected tree. In addition it is noted that the principle of the removal of these trees has been accepted through the grant of outline planning permission under PLAN/2015/1260. The application also includes the use of the land as a car park and it is not considered that this use would be harmful to the character and appearance of the site and surrounding area, which is mixed in character.
13. The proposal is therefore considered to comply with Policies CS21 and CS24 of the Core Strategy and the NPPF.

Impact upon neighbouring amenity

14. Policy CS21 of the Core Strategy advises that proposals for new development should achieve a satisfactory relationship to adjoining properties avoiding significant harmful impacts.
15. The loss of the public house building is not considered to result in any adverse neighbour impacts and as evidenced by the Council's Environmental Health Officer the premises have given rise to complaints in the past. Construction hours would be controlled by the relevant legislation (informative 3). The use of the land as a car park would accommodate approximately 36 parking spaces, which is around 10 more car parking spaces than is currently available for the public house. The grassed area to

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the rear of the site would be retained as grassed and condition 3 would prevent its use for the parking of vehicles.

16. The boundaries of the site around the existing hard surfacing area are mostly formed by close boarded timber fencing or walls, except for a small part of chain link fence on the eastern side boundary. Except for one dwelling which has its side elevation facing the application site all of the other dwellings adjoining the application site, adjoin it with their rear garden boundary with the gardens being around 15 metres in depth, although of greater depth in many cases. The dwelling which has its side elevation onto the site has the existing wall as the boundary treatment. Therefore whilst vehicles utilising the car park would result in additional activity (i.e. engines, car headlights and doors opening and closing etc) given the relationship of the hard surfaced areas and the neighbouring dwellings and the previous use of the car park with the public house, it is not considered that the use of the land for car parking would be significantly detrimental to the amenities of the adjoining residential occupiers even if the car park is in use during night time hours.
17. The use of the land as a car park would not result in any overbearing impacts or loss of light or loss of privacy to neighbouring occupiers given the existing land use. The proposal is therefore considered to comply with Policy CS21 of the Core Strategy and the policies in the NPPF.

Impact upon highway safety

18. The existing site has been used as a public house and has 26 car parking spaces laid out. Following the demolition of the existing building the applicant has advised that the surface would be made good with a type 2 aggregate material which would make the land available for parking but no additional spaces will be formally laid out. Parking for a further 10 vehicles would be available on the site following the demolition of the building. The applicant has also advise that the existing barriers to the site will not be used (although if they are retained on site the applicant will have the option to use them if required).
19. The County Highway Authority has assessed the application and has no highway requirements in respect of the application. The proposal therefore complies with Policy CS18 of the Woking Core Strategy and the policies in the NPPF.

LOCAL FINANCE CONSIDERATIONS

20. The Council implemented the Community Infrastructure Levy (CIL) on 1st April 2015. As the proposal relates to a demolition/change of use of the land the proposal is not CIL liable development.

CONCLUSION

21. The proposed demolition of the existing public house building and the use of the site for car parking is acceptable and would not result in any adverse impacts to the planning matters considered above. The proposals are considered to comply with Policies CS2, CS18, CS20, CS21, CS24 and CS25 of the Woking Core Strategy, Policies DM7, DM16, DM17, DM19 and DM20 of the DM Policies DPD and also the policies in the NPPF. It is therefore recommended that planning permission is granted subject to the recommended conditions as set out below.

BACKGROUND PAPERS

Planning file PLAN/2017/0831

RECOMMENDATION

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

1. The demolition of the existing building on the site 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).

2. The development hereby permitted shall be carried out in accordance with the following approved drawings all received with the application:

Site location plan rec 20.07.17

Reason: To ensure that the development is completed in accordance with the approved plans and in the interests of visual amenity and to accord with Policy CS21 of the Woking Core Strategy 2012.

3. The existing area of the site which is currently laid to grass at the rear of the existing building shall be retained as a natural grass surface and shall not be utilised for the parking of vehicles unless otherwise first approved in writing by the Local Planning Authority.

Reason: As the surface is not suitable for regular parking, in the interests of visual amenity and in the interests of ecology and the trees to be retained on the site and to comply with Policies CS7 and CS21 of the Woking Core Strategy and the policies in the NPPF.

4. Following the demolition of the existing building on the site the existing surface shall be made good utilising a type 2 aggregate finish or similar to enable the use of this part of the land for car parking unless otherwise first approved in writing by the Local Planning Authority.

Reason: In the interest of the visual amenities of the site and surrounding area and to comply with Policy CS21 of the Woking Core Strategy and the policies in the NPPF.

5. The demolition of the building hereby approved shall only be undertaken in accordance with recommendations 1 and 2 of submitted Bat Survey report relating to timings and tool box talk.

Reason: In the interests of ecology and to comply Policy CS7 of the Woking Core Strategy 2012, Circular 06/05 Biodiversity and Geological Conservation and the policies in the NPPF.

Informatives

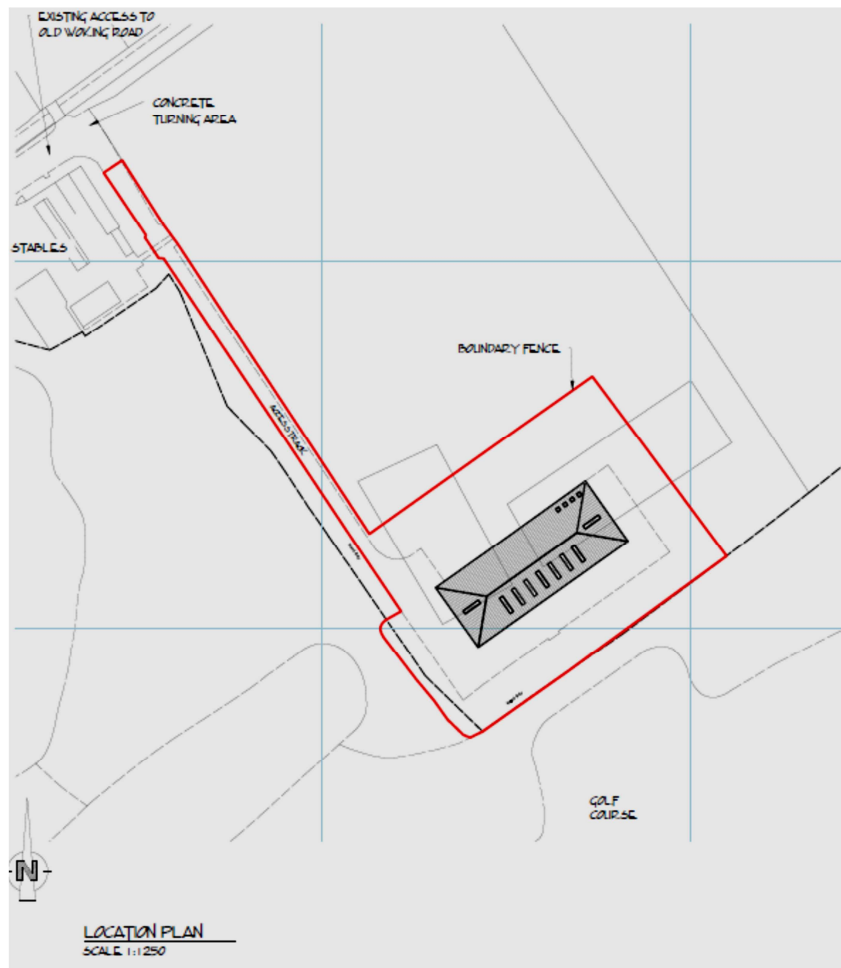
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1. The Council confirms that in assessing this planning application it has worked with the applicant in a positive and proactive way, in line with the requirements of paragraph 186-187 of the National Planning Policy Framework 2012.
2. The applicant 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, 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.

Shey Copse Riding Stables, Shey Copse, Woking

PLAN/2017/0447

Retention of Greenkeepers Accommodation building and extended access road



PLAN/2017/0447



Shey Copse Riding Stables, Shey Copse

31.2m

(Telecommunication) Mast

Path (um)

Pyrford Rough Cottages

Path (um)

Path (um)

Shey Copse (Scout Camp Site)

Path (um)

Stables

12
3

Ward Bdy

Ward Bdy

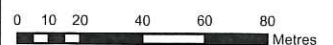
Pond

Comments

Not Set



SCALE 1:2,400



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

26 September 2017 PLANNING COMMITTEE

5g 17/0447 Reg'd: 19.04.17 Expires: 14.06.17 Ward: Py
Nei. 30.05.17 BVPI Minor Other Number 23/8 On No
Con. Target of Weeks Target?
Exp: on Cttee'
Day:

LOCATION: Shey Copse Riding Stables, Shey Copse, Woking, Surrey, GU22 8HS

PROPOSAL: Retention of Greenkeepers' accommodation building and extended access road

TYPE: FULL

APPLICANT: Mr S Percy, Burhill Group Ltd.

OFFICER: Brooke Bournague

REASON FOR REFERRAL TO COMMITTEE

The application is for the retention of a new building which does not fall under the Council's scheme of delegation.

SUMMARY OF PROPOSED DEVELOPMENT

The application seeks full planning permission for the retention of the greenkeepers' building. The main concerns regarding the development are the failure to discharge the following prior to commencement conditions relating to planning application PLAN/2014/0082:

- 04 (lighting)
- 06 (materials)
- 07 (surfacing materials and surface water drainage)
- 09 (Tree protection)
- 10 (boundary treatments)
- 11 (hard and soft landscaping)

Information regarding the outstanding conditions was submitted with this application and the issues are discussed below.

PLANNING STATUS

- Green Belt

RECOMMENDATION

Grant planning permission subject to conditions.

SITE DESCRIPTION

The application site is located within the designated Green Belt, but close to the fringe of the Urban Area of Woking.

The site is located within the public Hoebridge Golf Centre, which is situated within an area of predominantly open countryside included within the Green Belt on the south eastern

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outskirts of the Borough. The site is situated close to the Shey Copse Riding School, who lease the livery yard, stables and paddocks from Hoebridge Golf Centre.

Access to the site is from the nearest highway, the Old Woking Road (B382), which runs north of the site. The junction of the existing access road benefits from good visibility in both directions. The existing access makes a 90° turn as it passes a cluster of three houses and then enters the car park for the stables. Beyond the stables to the south and east is a large area given over to paddocks. Woodland flanks the western edge of the stables.

The application site is sited in the corner of the paddock, flanked by a copse of trees to the south and west.

PLANNING HISTORY

PLAN/2015/0614 - Retention of Greenkeepers accommodation building and gravel access road. Refused 16.11.2016 for the following reason:

01. The drainage information provided is not considered suitable and sufficient to mitigate any drainage on site and could potentially increase flood risk of the area. Therefore the development is contrary to Policy CS9 of the Woking Core Strategy (2012) and section 10 of the National Planning Policy Framework (2012).

There is a pending appeal against this planning application.

PLAN/2013/0161 - Erection of replacement Greenkeepers accommodation building. Permitted 12.11.2013

COND/2014/0105 - Discharge of conditions 04, 06, 07, 09, 10 and 11 of PLAN/2014/0082 dated 21.03.2014 for the Variation of Condition 3 of PLAN/2013/0161. (Erection of replacement Greenkeepers accommodation building). Withdrawn

PLAN/2014/0082 - Variation of Condition 3 of PLAN/2013/0161. (Erection of replacement Greenkeepers accommodation building). Permitted 21.03.2014

PLAN/1995/0255 – Erection of 12 Stables in 2 Blocks of 6 for horses with 1 stable to provide a feed/tack room for liveries. Permitted 17.07.1995

PROPOSED DEVELOPMENT

Planning application PLAN/2013/0161 granted planning permission subject to conditions for a new greenkeeper's building and gravel access road. Later, condition 03 of planning permission PLAN/2013/0161 was varied under planning permission PLAN/2014/0082 which required the existing greenkeepers facility at Roundbridge Farm to be demolished within 6 months of the first use of the new building. Building Control records show demolition took place in 2015.

When planning permissions PLAN/2013/0161 and PLAN/2014/0082 were granted a number of 'prior to commencement of development' conditions were imposed. These included conditions 04 (lighting), 06 (materials), 07 (surfacing materials and surface water drainage), 09 (tree protection), 10 (boundary treatments) and 11 (hard and soft landscaping). The building was completed without discharging pre commencement conditions.

In view of the fact development had commenced without discharging the prior to commencement of development conditions this rendered the development unauthorised and a breach of planning control. A conditions application COND/2014/0105 was submitted

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in December 2014. The applicant was advised to submit a retrospective planning application and withdraw COND/2014/0105 as the conditions would be re-considered as part of the retrospective application. Planning application PLAN/2015/0614 was received on 28.05.2017, COND/2014/0105 was withdrawn on 28.05.2017. Planning application PLAN/2015/0614 was refused at Planning Committee on 15.11.2016 for the following reason:

01. The drainage information provided is not considered suitable and sufficient to mitigate any drainage on site and could potentially increase flood risk of the area. Therefore the development is contrary to Policy CS9 of the Woking Core Strategy (2012) and section 10 of the National Planning Policy Framework (2012).

The Planning Committee also authorised enforcement action to secure the removal of the unauthorised greenkeepers building and associated parking, hardstanding and landscaping areas including bund. There are currently two enforcement notices on the site. The applicant has appealed against both enforcement notices and the planning decision. This planning application has been submitted by the applicant to overcome refusal reason 01 of planning application PLAN/2015/0614 and regularise the development.

CONSULTATIONS

Arboricultural Officer: *'No detail/method statement has been provided with this information to indicate how the bund will be removed, this should be provided by a suitably qualified and experienced Arboricultural Consultant'*.

Flood Risk and Drainage Engineer: No objection subject to conditions

County Highway Authority – No objection

Environmental Health – No objection

Pyrford Neighbourhood Forum – No comment received

REPRESENTATIONS

None received.

RELEVANT PLANNING POLICIES

National Planning Policy Framework

Section 7, Requiring Good Design

Section 9, Protecting Green Belt Land

Section 10, Meeting the Challenge of Climate Change, Flooding and Coastal Change

Woking Borough Core Strategy

CS6 - Green Belt Policy

CS9 - Flooding and water management

CS16 - Infrastructure delivery

CS21 - Design

CS24 - Woking's Landscape and Townscape

Development management policies (2015)

DM2: Trees and Landscaping

DM3: Outdoor Recreation and Sport

DM13: Buildings Within and Adjoining the Green Belt

Supplementary Planning Documents (SPDs)
Parking Standards (2008)

Pyrford Neighbourhood Plan 2016-2027
BE1 - Maintaining the Character of the Village
OS 5 - Trees

Other Documents
Thames Basin Heaths Special Protection Area Avoidance Strategy 2010-15

PLANNING ISSUES

1. This application follows on from the refusal of planning application PLAN/2015/0614 which was refused by the Local Planning Authority for the following reason:

The drainage information provided is not considered suitable and sufficient to mitigate any drainage on site and could potentially increase flood risk of the area. Therefore the development is contrary to Policy CS9 of the Woking Core Strategy (2012) and section 10 of the National Planning Policy Framework (2012).

2. The main issues for consideration with this application are whether the building as constructed is acceptable and if the above refusal reason has been overcome.

Principle of Development

3. The principle of the development was considered acceptable under planning applications PLAN/2013/0161 and PLAN/2015/0614 and is not considered to conflict with the subsequently adopted DM Policies DPD (2016) or Pyrford Neighbourhood Plan (2016).

Impact on the openness of the Green Belt

4. Paragraph 89 of the National Planning Policy Framework 2012 (NPPF) states that “a local planning authority should regard the construction of new buildings as inappropriate in Green Belt. Exceptions to this are...the provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it”. Policy CS6 of the Woking Core Strategy (2012) and Policy DM13 of the DM Policies DPD (2016) reflect the position of the NPPF in terms of Green Belt policy.
5. Planning application PLAN/2015/0614 considered that the Greenkeepers accommodation was an appropriate form of development within the Green Belt and preserved the rural appearance of the Green Belt
6. It is considered the development complies with Policy CS6 of the Woking Core Strategy (2012), Policy DM13 of the DM Policies DPD (2016) and section 9 of the National Planning Policy Framework (2012).

Impact on the character of the area

7. One of the core principles of the NPPF is to seek to secure high quality design, furthermore Policy CS21 of the Core Strategy (2012) states that buildings should respect and make a positive contribution to the street scene and the character of the

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area paying due regard to the scale, height, proportions, building lines, layout, materials and other characteristics of adjoining buildings and land.

8. Planning application PLAN/2015/0614 considered that the external materials used for the building and surrounding boundary treatment were considered acceptable and in keeping with the rural surrounds and blended into the landscape.
9. The building has been designed to meet the operational needs of the golf course and given its location will cause minimum impact on the Green Belt. The character of the area is defined by the adjacent land used by the golf course, the riding stables and trees. The building has been deemed appropriate use within the Green Belt and its design and careful siting is considered to have no harmful impact on the character or appearance of the area, in accordance with Policies CS21 and CS24 of the Woking Core Strategy (2012) and Policies DM3 and DM13 of the DM Policies DPD (2016).

Impact on residential amenity

10. 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.
11. Policy DM3 of the DM Policies DPD (2016) states that *“proposals for the provision of outdoor sport and recreational facilities or extensions to, or intensification of use of, existing facilities will be permitted subject to other Development Plan policies and provided that...the development will not generate unacceptable activity or give rise to loss of amenity by virtue of noise, smell, light pollution, overlooking, traffic or other general disturbance”*.
12. The building is sited over 180 metres from the nearest residential properties (located adjacent to the access road). It is understood that vehicular movement on the access road has been marginally increased, but the combination of the speed bumps and signage reduce the speed and therefore noise emitted by passing vehicles. This low level of activity is considered to be compatible with the location and is not harmful to residential amenity.
13. Details of the external lighting have been submitted with the planning application. Environmental Health have raised no objection to the lighting that has been installed. It is considered the lighting has caused no additional light pollution to residents.
14. The development is considered to comply with policy CS21 of the Woking Core Strategy (2012) and DM3 of the DM Policies DPD (2016).

Impact on Trees and landscaping

15. The Arboricultural Officer had advised no information has been submitted advising how the bund would be removed with sensitivity. A condition (condition 6) will require Arboricultural information to be submitted within three months of the date of the decision notice and subsequently complied with.

Surface Material and Drainage

16. Planning application PLAN/2015/0614 was refused for the following reason:

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The drainage information provided is not considered suitable and sufficient to mitigate any drainage on site and could potentially increase flood risk of the area. Therefore the development is contrary to Policy CS9 of the Woking Core Strategy (2012) and section 10 of the National Planning Policy Framework (2012).

17. The drainage information submitted with the current planning application has been reviewed by the Councils Flood Risk and Drainage Engineer and is considered acceptable subject to conditions 1, 2 and 3. These conditions will ensure that the submitted surface water drainage scheme is implemented, managed and maintained and a verification report is submitted to ensure the development achieves a high standard of sustainability.
18. It is considered that the proposal achieves a high standard of sustainability and would mitigate any drainage on site in accordance with CS9 of the Woking Core Strategy (2012) and the NPPF and has overcome refusal reason 1 of planning application PLAN/2015/0614.

Thames Basin Heaths Special Protection Area (SPA)

19. The development supports the existing Hoebridge Golf Centre, which is within the 5Km zone of the SPA. It is considered that the amount of development that has been constructed would not give rise to any significant impact on the Special Protection Area in terms of disturbance and damage associated by increased footfall to the SPA site. No objection is therefore raised in this respect.

Local finance considerations

20. The Council implemented the Community Infrastructure Levy (CIL) on 1st April 2015. There is no CIL contribution as there is no additional residential or retail floor space.

CONCLUSION

21. The Greenkeepers facility is considered to represent appropriate development within the Green Belt and is considered to preserve the character and openness of the Green Belt. The Greenkeepers facility is considered to have an acceptable impact on the character of the area and on the amenities of neighbours.
22. The proposal is therefore considered to be an acceptable form of development that complies with Policies CS6, CS9, CS16, CS21 and CS24 of the Woking Core Strategy, Policies DM2, DM3 and DM13 of the DM Policies DPD, Policies BE1 and OS5 of the Pyrford Neighbourhood Plan 2016-2027 and the core principles of the NPPF. It is therefore recommended that planning permission is granted subject to conditions as set out below.

BACKGROUND PAPERS

1. Site Photos
2. Consultation responses

RECOMMENDATION

GRANT subject to conditions.

1. The surface water drainage scheme submitted shall be constructed in accordance with the detail supplied within 3 months from the date of the approved planning

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permission, construction drawings of the surface water drainage network and associated sustainable drainage components and flow control mechanisms shall be submitted to the Local Planning Authority within 3 months of the approved drainage scheme being constructed. No alteration to the agreed drainage scheme shall occur without prior written approval from the Local 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

2. Within 6 months of the date of this planning consent details of the maintenance and management of the sustainable drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The drainage scheme shall be 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 for the lifetime of the development. The details of the scheme to be submitted for approval shall include:

- i. Details of SuDS features and connecting drainage structures and maintenance requirement for each aspect
- ii. 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
- iii. 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

3. Within 6 months of the installation of the drainage scheme as agreed and submitted 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), shall be 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.

4. No external storage of plant, equipment or materials shall take place within the site curtilage other than within the buildings and the concrete maintenance yard.

Reason: To protect the visual amenity of the area and preserve the openness of the Green Belt.

5. The agricultural barn hereby approved shall only be used for greenkeeping purposes for the Hoebridge Golf Club, (including the storage of plant, materials and equipment; workshop; greenkeepers' office; staff changing rooms and staff mess room). At no time shall the building be occupied as an independent unit of residential accommodation, nor shall it be used for any other commercial purpose.

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Reason: To protect the appearance and openness of the Green Belt in accordance with the NPPF and policies CS21 and CS6 of the Woking Core Strategy 2012.

6. Within 3 months of the date of this consent an arboricultural method statement to show how the bund can be removed in an arboricultural sensitive manner and what mitigation can be put in place to rectify the compaction caused, shall be submitted to and approved in writing by the Local Planning Authority. These shall adhere to the principles embodied in BS 5837 2012 by a suitably qualified and experienced Arboricultural Consultant. The bund shall be removed in accordance with the agreed details within 6 months of the date of this consent.

Reason:

To ensure retention and protection of trees on and adjacent to the site in the interests of the visual amenities of the locality and the appearance of the development.

Informatives

1. The plans relating to the development hereby approved are:

S1198-P100 A received by the Local Planning Authority on 18.04.2017

S1198-P001 A received by the Local Planning Authority on 18.04.2017

S1198-P101 A received by the Local Planning Authority on 18.04.2017

S1198-P110 A received by the Local Planning Authority on 18.04.2017

S1198-P111b A received by the Local Planning Authority on 24.07.2017

TSP/BHD/P3192/001 Rev B received by the Local Planning Authority on 18.04.2017

Letter dated 24.07.2017 from Form Architecture and Planning received by the Local Planning Authority on 24.07.2017

2. 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.

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)

48 Cavell Way, Knaphill, Woking

PLAN/2017/0663

Retrospective application for the erection of a single storey outbuilding at the rear of the property.

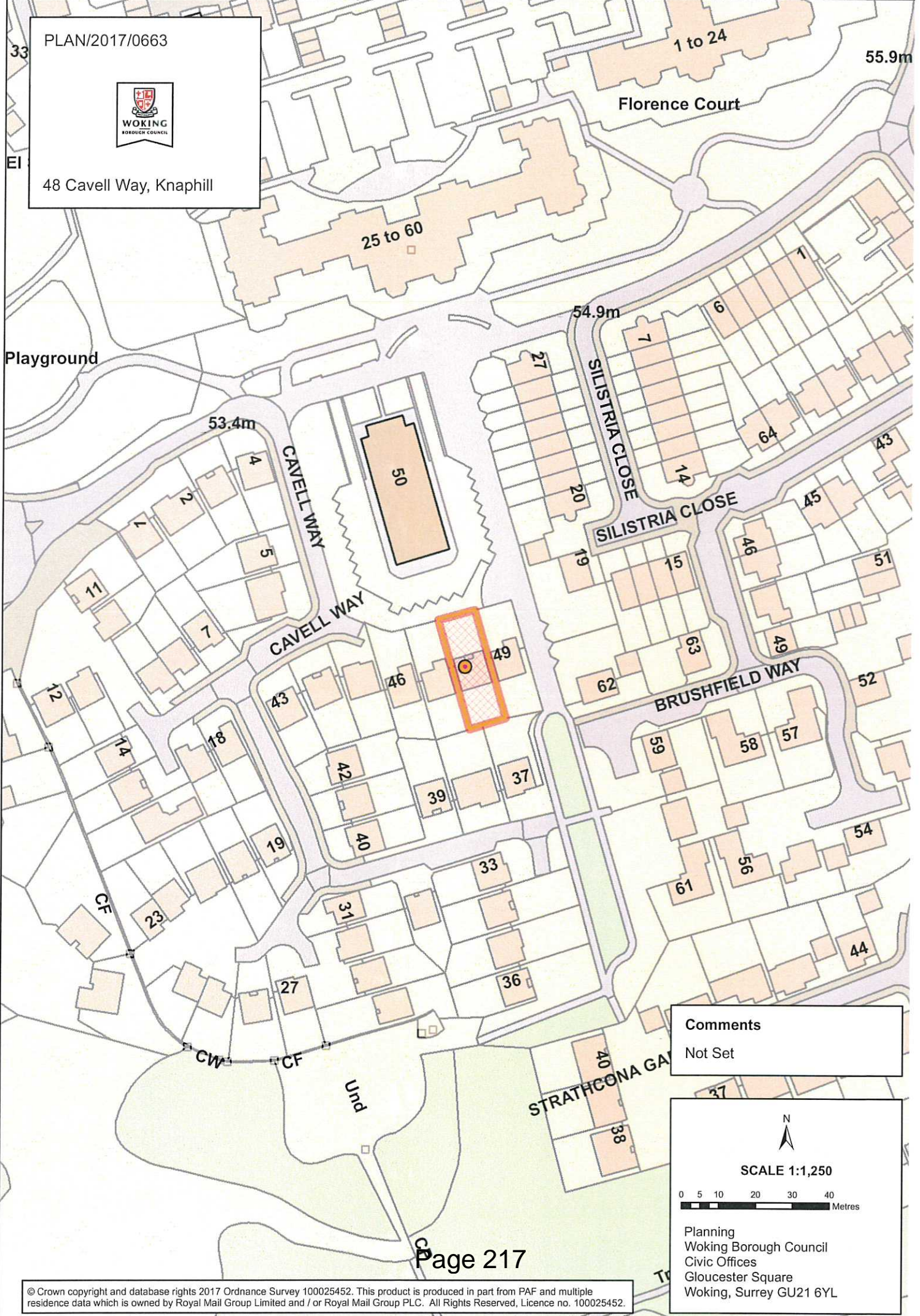


PLAN/2017/0663

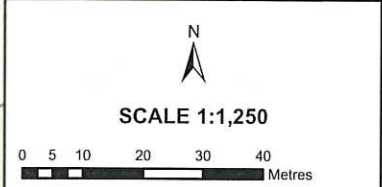


48 Cavell Way, Knaphill

Playground



Comments
Not Set



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

26 SEPTEMBER 2017 PLANNING COMMITTEE

5h 17/0663 Reg'd: 07.06.2017 Expires: 02.08.17 Ward: KNA
Nei. 11.07.2017 BVPI Number 16/8 On No
Con. Target of Weeks Target?
Exp: on Cttee'
Day:

LOCATION: 48 Cavell Way, Knaphill, Woking, Surrey, GU21 2TJ

PROPOSAL: Retrospective application for the erection of a single storey outbuilding at the rear of the property

TYPE: Householder

APPLICANT: Mr Stephen Donnell

OFFICER: Claire Simpson

REASON FOR REFERRAL TO COMMITTEE

The decision on whether to take enforcement action falls outside the scope of delegated powers

SITE DESCRIPTION

The application site is a detached two storey property set within a cul-de-sac of similar properties. The front of the property faces a locally listed building (Hall St Lukes House) which is used as a nursery.

PROPOSED DEVELOPMENT

The planning application seeks retrospective permission for a detached outbuilding within the rear garden of the property and has been submitted following an enforcement investigation. It has a width of 3 metres, a depth of 4 metres and an overall height of 2.5 metres and would meet the requirements under Schedule 2, Part 1, Class E of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended); however permitted development rights under this Class were removed on the granting of permission for the original development.

PLANNING STATUS

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

RECOMMENDATION

REFUSE planning permission and authorise formal enforcement proceedings.

PLANNING HISTORY

26 SEPTEMBER 2017 PLANNING COMMITTEE

PLAN/1998/0561 – Reserved matters application for the erection of 152 dwellings and associated roads and public open space including siting, means of access, design, external appearance and landscaping – permitted 04.02.1999.

PLAN/2004/0279 – Erection of a conservatory on rear elevation – permitted 21.01.2005

ENF/2017/00051 – Enforcement enquiry

CONSULTATIONS

Not applicable

REPRESENTATIONS

Two letters of objection were received, raising the following main points:

- High-over density of development
- Out of character
- Overlooking
- Overdevelopment

RELEVANT PLANNING POLICIES

National Planning Policy Framework (2012):
Section 7 – Requiring good design

Woking Core Strategy (2012):
CS21 – Design

Supplementary Planning Documents:
Woking Design SPD (2015)
Outlook, Amenity, Privacy and Daylight (2008)

PLANNING ISSUES

1. The main planning considerations in the determination of this application are:

- Impact on the Character of the Area
- Impact on Neighbouring Amenity
- Impact on Private Amenity Space
- Local finance consideration

Impact on Character of the Area:

2. The single storey outbuilding is situated in the rear garden of the property and is not visible within the streetscene. Accordingly it is considered that the proposal does not have a detrimental impact on the character of the area and in this regard would comply with policy CS21 of the *Woking Core Strategy (2012)*. The lack of an objection to the application on these grounds does not outweigh the other objection to the proposal.

Impact on Neighbouring Amenity:

3. 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.

4. The detached outbuilding is sited in the south-west corner of the plot, within one metre from the shared boundaries with No.47 Cavell Way to the west and No.38 Cavell Way to the south (rear). Its height of 2.5 metres is not considered to result in an unacceptable impact on sunlight/daylight levels or appear unacceptably overbearing towards these neighbouring occupiers. The detached outbuilding is considered to be sufficiently distant from the shared boundaries with the other neighbours at Nos.49 and 37 Cavell Way to not result in any adverse impacts. Concern has been raised in neighbour representations about overlooking towards No.38 Cavell Way; no windows are present in the rear or right hand side elevation of the outbuilding and accordingly is not considered to create unacceptable overlooking issues towards neighbouring properties.
5. It is considered that the siting, scale, massing and design of the outbuilding does not unacceptably impact sunlight/daylight levels, does not create unacceptable overlooking issues and does not appear unacceptably overbearing towards neighbouring properties. The proposal therefore complies with policy CS21 of the *Woking Core Strategy* (2012) in this regard.

Impact on Private Amenity Space:

6. Policy CS21 of the *Woking Core Strategy* (2012) reflects the National Planning Policy Framework and states that development should provide an appropriate level of private amenity space. *Woking Borough Council's SPD 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. For example, this will include space for sitting out, children's play, drying clothes and plant cultivation. Private amenity space is best provided as an enclosed garden to the rear or side of the property where it is clearly separate from more public areas of the site. Such areas should be overlooked by the accommodation and have secure boundaries to allow children to play in safety."
7. The original house had a footprint of 85 sqm and a private rear amenity space of 118 sqm. In 2004 permission was granted for the existing rear conservatory, the policies in force at that time predating the current *Outlook, Amenity, Privacy and Daylight* Supplementary Planning Document. The addition of the outbuilding has resulted in the private amenity area effectively being divided into two separate areas with a pinch point created between the south-west corner of the conservatory and the north-east corner of the outbuilding. In addition the outbuilding further results in the loss of private amenity space as detailed in the table below such that it is significantly below the floor space and footprint of the dwelling.

Summary of 48 Cavell Way area:

Existing house footprint	105 sqm
Existing house floor area	178 sqm
Existing amenity area	99 sqm
Proposed amenity area	87 sqm

8. It is therefore considered that the outbuilding has an unacceptable impact on the level of private amenity space for the dwelling which would be harmful to the amenities of the occupiers and contrary to policy CS21 of the *Woking Core Strategy* (2012),

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Supplementary Planning Documents *Outlook, Amenity, Privacy and Daylight* (2008) and *Working Design* (2015) and section 7 of the National Planning Policy Framework (2012).

Local Finance Consideration:

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

CONCLUSION

10. The detached single storey outbuilding, by reason of its size and position on the site, results in an unacceptable loss of private amenity space and division of the garden into two separate areas. The development is harmful to the amenities of existing and future occupiers of the property contrary to policy CS21 of the *Working Core Strategy* (2012), Supplementary Planning Documents *Outlook, Amenity, Privacy and Daylight* (2008) and *Working Design* (2015) and the National Planning Policy Framework (2012) and is recommended for refusal.

BACKGROUND PAPERS

Site Visit Photographs (dated 27.07.2017)

RECOMMENDATION

Refuse for the following reason:

1. The detached single storey outbuilding, by reason of its size and position on the site, results in an unacceptable loss of private amenity space and division of the garden into two separate areas. The development is harmful to the amenities of existing and future occupiers of the property contrary to policy CS21 of the *Working Core Strategy* (2012), Supplementary Planning Documents *Outlook, Amenity, Privacy and Daylight* (2008) and *Working Design* (2015) and the National Planning Policy Framework (2012).

It is further recommended that:

- a) Enforcement action be authorised to remedy the breach of planning control by the removal of the unauthorised outbuilding. This is to be completed within three months of the issue of the Enforcement Notice.

Informatives:

The plans hereby refused are titled Block Plan and Cabin Scheme floor plan & elevations received by the Local Planning Authority on 06.06.2017.