

# Public Document Pack



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

You are hereby summoned to attend a meeting of the Planning Committee to be held on Tuesday, 5 September 2023 at 7.00 pm in the Council Chamber - Civic Offices.

The agenda for the meeting is set out below.

JULIE FISHER  
Chief Executive

NOTE: Filming Council Meetings

Please note the meeting will be filmed and will be broadcast live and subsequently as an archive on the Council's website ([www.woking.gov.uk](http://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. Apologies for Absence
2. 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 Officer Procedure Rules, any Officer who is a Council-appointed Director of a Thameswey Group company will declare an interest in any item involving that Thameswey Group company. The interest will not prevent the Officer from advising the Committee on that item.
3. Urgent Business

To consider any business that the Chairman rules may be dealt with under Section 100B(4) of the Local Government Act 1972.
4. Minutes (Pages 3 - 8)

To approve the minutes of the meeting of the Planning Committee held on XXX as published.

**Matters for Determination**
5. Planning and Enforcement Appeals (Pages 9 - 10)

6. Planning Applications (Pages 11 - 14)

**Section A - Applications for Public Speaking**

6a. 2023/0440 - Goldsworth Road Industrial Estate (Pages 17 - 92)

6b. 2023/0407 - Globe House, Lavender Park Road (Pages 93 - 118)

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

There are no applications under this section.

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

6c. ENF/2020/00063 - 5 Barton Close, Knaphill (Pages 123 - 132)

AGENDA ENDS

Date Published - 25 August 2023

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



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MINUTES  
OF A MEETING OF THE  
**PLANNING COMMITTEE**

held on 25 July 2023

Present:

Cllr L Morales (Chairman)  
Cllr T Aziz (Vice-Chair)

Cllr G Cosnahan	Cllr D Jordan
Cllr S Dorsett	Cllr S Mukherjee
Cllr S Greentree	Cllr S Oades

Also Present: Councillors J Brown, L Lyons and I Johnson.

Absent: Councillors C Martin and T Spenser

**1. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Tom Spenser.

**2. DECLARATIONS OF INTEREST**

No declarations of interest were received.

**3. URGENT BUSINESS**

There were no items of Urgent Business.

**4. MINUTES**

RESOLVED

That the minutes of the meeting of the Committee held on 27 June 2023 be approved and signed as a true and correct record.

**5. PLANNING AND ENFORCEMENT APPEALS**

The Committee received a report on the planning appeals lodged and the appeal decisions.

RESOLVED

That the report be noted.

## 6. PLANNING APPLICATIONS

The Committee determined the following applications subject to the conditions, informatives, reasons for refusal or authorisation of enforcement action which appear in the published report to the Committee or as detailed in these minutes.

### 6a. 2023/0271 The Mascot Harven School of English

The Committee considered an application for the installation of a new area of hardstanding to rear of school building (part retrospective).

Councillor L Lyons, Ward Councillor, spoke against the application and commented that he had received a number of representations from residents in the vicinity. Residents had raised concern regarding the noise from the hard standing and also the ecology and water run-off. Councillor L Lyons asked that the Committee consider refusing the application based on the noise it would generate and the ecological impact of the water run-off.

The Planning Officer commented that the site was not in a flood zone or a surface water flood risk area. Water run-off had been addressed in the report and was not a concern.

Following a question, the Planning Officer explained that the application was retrospective as there had been a complaint from a neighbour regarding some works that were being carried out on site. The site was visited, and it was confirmed that a planning application would be needed for the hardstanding area.

The Chairman referred the Committee to Condition 3 regarding usage times of the hardstanding area. The Chairman proposed and it was duly seconded by Councillor S Dorsett that the usage times could be changed three times a year so that school fetes, sports day etc could be held on a weekend. The Committee supported the proposal.

#### RESOLVED

That planning permission be GRANTED subject to conditions and amendment to Condition 3 as noted.

### 6b. 2021/1104 Manor House, Mill Lane, Byfleet

[NOTE: The Planning Officer advised of an update to the report, which was an error on page 39, paragraph 12 where the word 'not' was missing. The sentence should read "The 9-bay garage would **not** be used for storing cars owned by the applicant and, as such, does fall under an agricultural or forestry use either"]

The Committee considered an application construction of a 9-bay garage building and a 6 bay estate management building and hardstanding yard area with associated fencing and landscaping, following demolition of an existing stables building.

Councillor J Brown, Ward Councillor spoke in support of the application and commented that the main consideration was whether it was appropriate development, whether it was materially larger (as some structures had been previously knocked down) and whether it could be considered storage for agricultural purposes. He commented that the current site looked awful and that this would be an improvement.

The Planning Officer commented that the applicant had advised that they intended to store some of their own cars in these buildings, which was detailed in paragraph 43, however they had not provided any detail or information about how many cars. The Planning Officer confirmed that the storage of cars would not fall under the definition of agricultural or forestry use.

Councillor D Jordan, Ward Councillor, had visited the site and thought that exceptional circumstances should be applied to the application due to the works that had been carried out on the Manor House. The Councillor was reminded that the Manor House was not relevant to this application. Councillor D Jordan commented that the site was an eyesore and any work carried out would be an improvement. The Councillor also commented that the hardstanding of the demolished buildings remained and that this had been an error of judgement for the applicant to demolish these prior, and that they should be including in the calculations when consideration was given to whether the proposed structure was materially larger. Councillor D Jordan also stated that the perimeter of the site would be improved, and it would have a positive impact on the trees.

The Planning Officer commented that the state of the site was not considered a special circumstance as this could lead to any poorly maintained site in the greenbelt being allowed for development. The Planning Officer also commented that the percentage uplift on the site, should only take account of buildings that were currently on the site.

Dan Freeland, Deputy Development Manager, commented that the Committee needed to be convinced by the very special circumstance and their effect on the openness of the greenbelt. The Committee had discussed the high quality of the works carried out on the Manor House in the relation to the application before them. These high-quality works were commendable, but Mr Freeland reminded the Committee that this was a legal requirement when restoring a heritage asset. Discussion continued around enabling development on the outskirts of a main heritage asset; the Planning Officer confirmed that this was not relevant in this case.

Some Councillors commented on a different application where a site had been taken out of the greenbelt for housing development. The Planning Officer confirmed that this application was not for new housing and there was no comparison on this basis. The Chairman clarified that removing this site from the greenbelt was not under consideration.

Councillor S Dorsett proposed, and it was duly seconded by Councillor D Jordan that the application be approved as appropriate development in the greenbelt.

Dan Freeland, Deputy Development Manager, raised his concern about suggesting this was appropriate, as the use of the land was unclear. This was a stable building so was not the same use and the building was materially larger than what was currently on site. Councillor S Dorsett confirmed he was happy with his proposal to approve the application as often stables were not used for housing livestock and the opinion of some Councillors was that the recently demolished buildings should be included in the percentage uplift.

Councillor T Aziz, Vice-Chairman asked that if the application was approved a condition be added restricting it from residential status. The Planning Officer confirmed that this would be a good idea to ensure appropriate use and that any further development would need further planning application.

Some Councillor raised concern about the proposal to approve the application as they considered the proposed building to be too big, would harm the openness of the greenbelt and did not consider it to be appropriate or for there to be a very special circumstance.

In accordance with Standing Orders, the Chairman deemed that a division should be taken on the motion above. The votes for and against approval of the application were recorded as follows.

In favour: Cllrs T Aziz, S Dorsett, D Jordan and S Oades.

TOTAL: 4

Against: Cllrs S Greentree and S Mukherjee.

TOTAL: 2

Present but not voting: Cllrs G Cosnahan and L Morales (Chairman).

TOTAL: 2

The application was therefore approved.

#### RESOLVED

That planning permission be GRANTED with authority delegated to the Development Manager to impose the relevant conditions.

#### **6c. 2021/1110 Manor House, Mill Lane, Byfleet**

The Committee considered an application for the erection of an outbuilding including an indoor swimming pool and gym and associated landscaping works and pergolas, following demolition of existing outbuilding.

It was noted that even though the application had overcome some of the previous reasons for refusal, the Planning Officer considered it to be inappropriate development in the green belt. It was thought that it would cause harm to the listed wall and it failed to demonstrate that it would have an acceptable impact on the openness and character of the area.

Councillor J Brown, Ward Councillor, commented that the Committee needed to consider the very special circumstances of the application and the improvements made to mitigate the risk of flooding and to protect wildlife. The Councillor commented that the application reduced the height of the previous design by 48% and he suggested that it would enhance the heritage asset. It was clarified by the Chairman that the volume reduction referenced by Councillor J Brown was in comparison to the previous exceptional design.

Councillor A Boote, Ward Councillor, commented that permission had been given in the past for a swimming pool to be built on this site, albeit of a different design, however this application should be considered on its merit. The Councillor commented that the site was not green belt in the purest sense. The Chairman clarified that green belt was a designation of land, not of a green field site.

Some Members of the Committee did not think you would be able to see the building once built, as it would be obscured by the wall. The Planning Officer referred Members to paragraph 37 on page 65 of the report, which detailed the building would project 0.5m – 2.2m above the wall in different places.

Some Members of the Committee thought that this was inappropriate development and the very special circumstances put forward by the applicant were not acceptable. The previous approved design had been exceptional and something special, this design was not. Councillor D Jordan, Ward Councillor said that he thought that this design was exceptional. The Planning Officer confirmed that the previously approved 'glass house' design had the support of the heritage consultant and Historic England; The design in front of the Committee had no such support.

In accordance with Standing Orders, the Chairman deemed that a division should be taken on the recommendation. The votes for and against refusal of the application were recorded as follows.

In favour: Cllrs G Cosnahan, S Dorsett, S Greentree, L Morales (Chairman) and S Mukherjee.

TOTAL: 5

Against: Cllrs T Aziz, D Jordan and S Oades.

TOTAL: 3

Present but not voting: None

TOTAL: 0

The application was therefore refused.

RESOLVED

That planning permission be REFUSED.

**6d. 2023/0296 14a High Street, Knaphill**

The Committee considered an application for prior Approval under Part 3, Class M of the Town and County Planning (General Permitted Development) (England) Order 2015 for the Change of use of first floor from E(g)(i) Offices to C3 residential to allow for two two-bedroom flats and associated alterations to fenestration.

RESOLVED

That prior approval be GRANTED subject to conditions.

The meeting commenced at 7.00 pm  
and ended at 8.30 pm

Chairman: \_\_\_\_\_

Date: \_\_\_\_\_





PLANNING COMMITTEE – 5 SEPTEMBER 2023

## PLANNING AND ENFORCEMENT APPEALS

The Committee is requested to:

### RESOLVE:

That the report be noted.

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

### Background Papers:

Planning Inspectorate Reports

### Reporting Person:

Thomas James, Development Manager.

### APPEALS LODGED

#### 2022/0982

Application for the erection of a two-storey side extension and front and rear dormer at White Hall Hook Heath Road Woking Surrey GU22 0QF.

Refused by Delegated Authority  
19 January 2023.  
Appeal Lodged  
17 July 2023.

#### 2023/0013

Application for the erection of 1.8m high fencing, pillars and sliding gate along the front boundary (Part Retrospective) at April Cottage 63 Westfield Avenue Westfield Woking Surrey GU22 9PG.

Refused by Planning Committee  
12 April 2023.  
Appeal Lodged  
18 July 2023.

#### 2023/0033

Application for the construction of an additional storey and associated hipped roof and the installation of external insulation, increase in height of ridge, changes to external materials, changes to fenestration, front porch addition and installation of solar panels at Qaro Pырford Heath Pырford Woking Surrey GU22 8SR.

Refused by Delegated Authority  
23 May 2023.  
Appeal Lodged  
4 August 2023.

#### 2023/0078

Application for the erection of a front carport at 11 Priory Close Woodham Woking Surrey GU21 5TN.

Refused by Delegated Authority  
6 April 2023.  
Appeal Lodged  
7 August 2023.

#### 2023/0151

Application for the erection of a two-storey front, side and rear extension following demolition of existing conservatory, garage and store, increase in roof ridge height, new pitched roof to the side extension, 5no roof lights and the erection of 2No front dormers at Tregaron Grange Drive Horsell Woking Surrey GU21 4BU.

Refused by Delegated Authority  
17 April 2023.  
Appeal Lodged  
11 August 2023.

## **APPEALS DECISION**

### 2021/1348

Application for subdivision of plot and erection of a detached dwelling and associated parking, access and landscaping at Tulip Trees, Church Road, St Johns, Woking GU21 7QN.

Refused by Delegated Authority  
2 March 2022.  
Appeal Lodged  
23 November 2022.  
Appeal Dismissed  
3 August 2023.

### 2023/0105

Application for erection of a single storey side extension following demolition of existing garage, single storey rear infill extension and rear dormer at 36 Fox lake Road Byfleet West Byfleet, KT14 7PW.

Refused by Delegated Powers  
31 March 2023.  
Appeal Lodged  
5 July 2023.  
Appeal Allowed  
16 August 2023.

## PLANNING COMMITTEE AGENDA

### PLANNING APPLICATIONS AS AT 5 SEPTEMBER 2023

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

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

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

#### Key to Ward Codes:

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

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





### Applications: 3

**Item:** 6A  
**Case ref:** PLAN/2023/0440  
**Recommendation:** Permit  
**Ward:** St Johns  
**Address:** Goldsworth Road Industrial Estate, Woking, Surrey, GU21 6LY

**Item:** 6B  
**Case ref:** PLAN/2023/0407  
**Recommendation:** Recomm'n to Grant Subj. to Legal Agr't  
**Ward:** Byfleet And West Byfleet  
**Address:** Globe House , Lavender Park Road, West Byfleet, Surrey, KT14 6ND

**Item:** 6C  
**Case ref:** PLAN/2022/0688  
**Recommendation:** Refuse with Enforcement  
**Ward:** Knaphill  
**Address:** 5 Barton Close, Knaphill, Woking, Surrey, GU21 2FD

**Section A - A - B**

**Section B – N/A**

**Section C - C**



**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)**





# Goldsworth Park Industrial Estate, Woking.

## PLAN/2023/0440

Demolition of all existing buildings and structures and construction of a new commercial/industrial estate of 12 units together with parking, hard and soft landscaping and associated ancillary works. Units 1, 4 and 5 within Use Class E(g) (Commercial, Business and Service) only, Units 2, 3, 6, 7, 8, 9 and 10 within Use Class E(g) (Commercial, Business and Service) or Use Class B8 (Storage or distribution) and Units 11 and 12 within Use Class E(g) (Commercial, Business and Service) or Use Class B8 (Storage or distribution) (description amended on 18.07.2023 to remove Use Class B2 from Units 11 and 12).



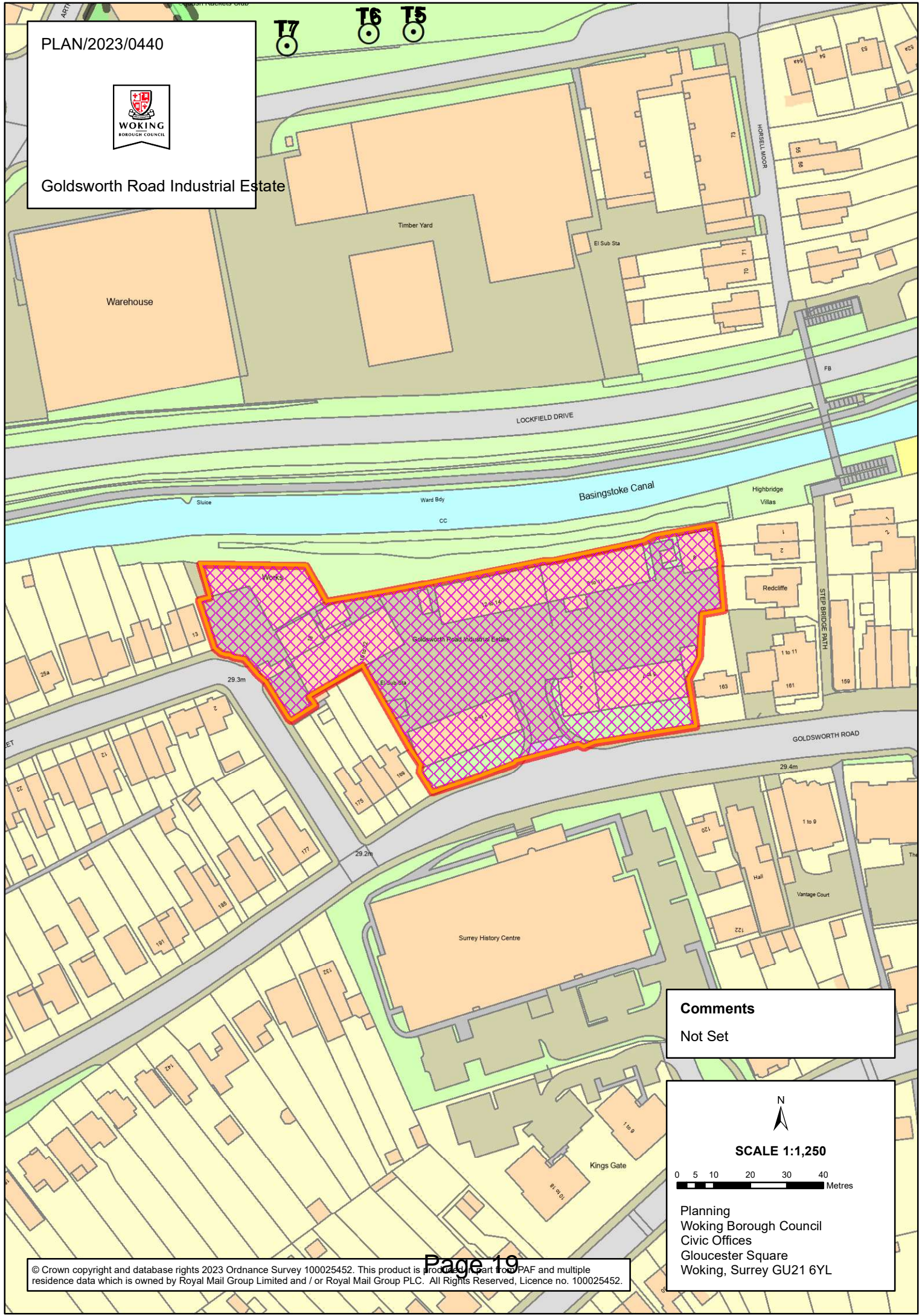


PLAN/2023/0440



Goldsworth Road Industrial Estate

T7 T6 T5



**Comments**  
Not Set

N

**SCALE 1:1,250**

0 5 10 20 30 40 Metres

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



**5 SEPTEMBER 2023 PLANNING COMMITTEE**

**6a PLAN/2023/0440**

**WARD: SJS**

**LOCATION:** Goldsworth Road Industrial Estate, Woking, Surrey, GU21 6LY

**PROPOSAL:** Demolition of all existing buildings and structures and construction of a new commercial/industrial estate of 12 units together with parking, hard and soft landscaping and associated ancillary works. Units 1, 4 and 5 within Use Class E(g) (Commercial, Business and Service) only, Units 2, 3, 6, 7, 8, 9, 10, 11 and 12 within Use Class E(g) (Commercial, Business and Service) or Use Class B8 (Storage or distribution) (description amended 18.07.2023 to remove Use Class B2 from Units 11 and 12 and amended plans rec'd 08.08.2023 and 17.08.2023).

**APPLICANT:** Woking Borough Council

**OFFICER:** Benjamin Bailey

**REASON FOR REFERRAL TO COMMITTEE**

The applicant is Woking Borough Council. Also, this is an application for planning permission, where the recommendation is for approval, for the provision of buildings where the floor space to be created by the development is 1,000 square metres or more. For both of these reasons the application falls outside of the Development Manager - Scheme of Delegation.

**SUMMARY OF PROPOSED DEVELOPMENT**

Site Area: 0.6 hectare (6,000 sq.m)  
 Existing Floorspace (GIA) (approx.): 2,546 sq.m  
 Proposed Floorspace (GIA): 2,754 sq.m (+ 208 sq.m)

Unit	Use Classes	Proposed GIA (sq.m) (incl. Mezz)	Any Mezzanine Level?	Eaves Height (metres) (approx.)	Maximum Height (metres) (approx.)
<b>Goldsworth Road</b>					
1	E(g) only	200.70	Yes	5.75m	7.2m
2	E(g) or B8	174.60	Yes	7.0m	8.8m
3		234.00	Yes		
4	E(g) only	203.40	Yes	6.0m	6.4m
5		98.10	No		
6	E(g) or B8	244.80	Yes	8.8m	9.4m
7		284.40	Yes		
8		305.10	Yes		
9		300.60	Yes		
10		308.70	Yes		
<b>Total 1-10</b>		<b>2,354.40</b>			
<b>Mabel Street</b>					
11	E(g) or B8	308.70	Yes	8.7m (s/s 4.0m)	9.4m (s/s 4.0m)
12		90.90	No	7.0m	7.4m
<b>Total 11-12</b>		<b>399.60</b>			



## 5 SEPTEMBER 2023 PLANNING COMMITTEE

### **PLANNING STATUS**

- Urban Area
- Employment Area (Goldsworth Road Industrial Estate)
- Surface Water Flood Risk (Medium / High / Very High - to areas)
- Thames Basin Heaths Special Protection Area (TBH SPA) Zone B (400m-5km)
- Adjacent to Basingstoke Canal Conservation Area (to north)
- Adjacent to Basingstoke Canal Corridor (to north)
- Adjacent to Urban Open Space (to north, Basingstoke Canal)
- Adjacent to High Density Residential Area (to east)
- Proximate to Site of Nature Conservation Importance (SNCI) (to north, water channel of Basingstoke Canal)

### **RECOMMENDATION**

**Grant** planning permission subject to conditions.

### **SITE DESCRIPTION**

The site constitutes the Goldsworth Road Industrial Estate, which is principally accessed from Goldsworth Road, with access to units within the north-west of the site taken from Mabel Street. The site contains a number of commercial/industrial buildings which vary in height between single and two storeys; the majority of which are constructed from cement with pebble-dash external render and flat roofing and date from the 1960s. Concrete surfacing is present in all areas of the site, outside of the buildings and the verge which fronts Goldsworth Road. The activities currently occurring on the site include automation production, a ceramic tile warehouse, laser engraving and several vehicle repair centres. To the immediate north of the site there is an area of bankside terrestrial habitat/vegetation which leads up to the water channel of the Basingstoke Canal. The topography of the site gently falls from the east towards the west with ground levels ranging between 29.40m AOD and 28.40m AOD.

### **RELEVANT PLANNING HISTORY**

Whole Goldsworth Road Industrial Estate site:

83/0931 - Permanent retention of 20,200 sq.ft. of light industrial space, 4,400 sq.ft. of ancillary office space and 3,000 sq.ft. of storage space.

Granted subject to conditions (27.03.1984)

Condition 1 of ref: 83/0931 reads: "*The industrial development hereby approved shall be restricted to Class III of the Town and Country Planning (Use Classes) Order 1972*". Class III of the 1972 Order (since superseded by the 1987 Order) states "*Use as a light industrial building for any purpose*". There are no planning conditions attached to ref: 83/0931 which restrict hours of operation or use within the Industrial Estate.

Previous to the above planning permission was granted on a temporary basis (ref: 24093) in July 1969 for the erection of buildings and the use of the site for light industrial purposes. Permission was renewed (ref: 76/1427) in March 1977 until 31st December 1987. The Officer Report for application ref: 83/0931 provides some further context in respect of the initial establishment of the Industrial Estate, setting out that:

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*“The site was originally a Local Authority Depot and was granted a temporary consent for light industrial purposes to accommodate firms requiring temporary relocation from the Town Centre in connection with the Central Area Redevelopment pending permanent relocation elsewhere...The estate has become established and is fully occupied by small firms, many of which are involved in motor repairs”.*

In addition, some of the existing units within the Industrial Estate have relevant planning history as follows (references are to existing unit numbers/addresses):

### Units 1, 2 & 3:

PLAN/1990/0238 - Change of use of existing building from Class B1 (Light Industry) to Class B8 (Warehouse and Distribution).

Granted subject to conditions (15.05.1990)

### Unit 4:

PLAN/1990/0713 - Erection of spray paint and drying booth to rear of existing industrial unit.

Granted subject to conditions (23.10.1990)

### Units 15, 16 & 17:

29454 - The use of existing premises for repairing, sale and servicing motor vehicles at Units 15, 16 and 17 Goldsworth Industrial Estate, Goldsworth Road, Woking.

Granted subject to conditions (01.09.1972)

### Miles Accident Repairs, No.11 Mabel Street:

75/0098 - Use of premises at Mabel Street for body & crash repairs in motor vehicles and for spraying and light engineering purposes.

Granted subject to conditions (25.02.1975)

24252 - The change of use of a building of 2,860 sq.ft. from use as part of a Local Authority depot to commercial use as a vehicle repair workshop and change of use of certain adjoining land to form ancillary off-street car parking space and erection of 2 petrol pumps and installation of 2 underground storage tanks on land at former Highways Depot, Mabel Street, Woking.

Granted subject to conditions (12.09.1969) (temporary planning permission until 31st May 1983).

## **CONSULTATIONS**

**County Highway Authority (CHA) (Surrey County Council):** The proposed development has been considered by the CHA who, having assessed the application on safety, capacity and policy grounds, raises no objection subject to conditions to secure: (i) space laid out within the site for vehicles to park and turn, (ii) the proposed access to Mabel Street is modified and provided with pedestrian visibility zones and adequate pedestrian crossing facilities with tactile paving either side of the access (iii) provision for bicycle parking, cyclist changing/shower facilities and facilities for cyclists to store cyclist equipment and (iv) Electric Vehicle charging points. (Recommended conditions 08, 09, 10 and 11 refer).

**Lead Local Flood Authority (LLFA) (Surrey County Council):** The LLFA have reviewed the surface water drainage strategy for the proposed development and assessed it against the requirements of the NPPF, its accompanying PPG and the Non-Statutory Technical Standards for sustainable drainage systems and are satisfied that the proposed drainage scheme meets the requirements set out in the

## 5 SEPTEMBER 2023 PLANNING COMMITTEE

aforementioned documents and are content with the development proposed, subject to recommended conditions. (Recommended conditions 12 and 13 refer).

**County Archaeological Officer (Surrey County Council):** In view of the nature and scale of the development and the low likelihood of the potential archaeology, should it exist, meriting preservation in-situ, a scheme of archaeological test pitting would represent an appropriate initial phase of work in order to determine the archaeological potential and levels of previous truncation and the need for any further phases of work. (Recommended condition 14 refers).

**Contaminated Land Officer (CLO) (WBC):** A revised version of the Phase I report should be submitted, with a revised investigation strategy, this can be secured through a pre-commencement condition (recommended condition 15 refers). The CLO also recommends further conditions to secure investigation and risk assessment, remediation method statement, and remediation validation report, and in respect of unexpected ground contamination (recommended conditions 16, 17, 18 and 19 refer).

**Senior Environmental Health Officer (WBC) (most recent response, dated 7 August 2023):** With reference to the acoustic report and in particular [Figure] A10, I agree with your statement that removal of Use Class B2 (General Industrial) will markedly reduce the noise impact on nearby residential and no further adverse comments are submitted on behalf of EH [Environmental Health]. This would not however preclude EH from taking statutory nuisance action in the event that noise complaints are received and found to be justified.

**Senior Environmental Health Officer (WBC) (initial response, dated 12 July 2023):** The Planning Statement states that Units 1, 4 and 5 will be Use Class E(g) only to minimise potential noise from these units which are adjacent to residential. It is considered that the same approach should be taken with Units 11 and 12. If car repairs are permitted at Units 11 and 12, these would be the only units to which B2 use applies whilst being close to a noise sensitive receptor. (Case Officer Note: Units 11 & 12 are no longer proposed for purposes falling within Use Class B2)

Recommends conditions in respect of hours of use and deliveries (Recommended conditions 20 and 21 refer), plant and equipment details (Recommended condition 24 refers), restrictions on industrial activities (Case Officer Note: This would be addressed via recommended condition 05 in respect of Use Class restrictions), fume extraction - as appropriate to use of unit (Case Officer Note: This would be addressed via recommended condition 05 in respect of Use Class restrictions), external lighting (Recommended condition 29 refers) and hours of construction/demolition (Case Officer Note: This would be addressed via recommended condition 07).

**Senior Arboricultural Officer (WBC):** The arboricultural information submitted is considered acceptable and should be complied with in full, this includes the pre-commencement meeting with the Project Manager, Project Arboriculturalist and the LA tree Officer prior to any works on site including demolition. Details of services and drainage runs will be required prior to commencement. (Recommended condition 25 refers).

**Surrey Wildlife Trust Ecology Planning Advice Service:** Despite the presence of crevices on all the buildings, in their professional opinion, Adonis Ecology has concluded that these buildings have negligible suitability to support a bat roost. If the application is granted by the LPA, then we would advise that they require the



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Applicant to proceed under a precautionary method. We would advise that if evidence of a bat roost is found, then works cease and an ecologist is contacted for advice on how to proceed. We would advise that the recommendations for trees with low suitability to support bat roosts provided in the Preliminary Ecological Assessment are followed if the application is granted. We would advise that the submitted lighting plan or strategy should demonstrate that there will be no net increase of artificial lighting on the Basingstoke Canal, to include bankside terrestrial habitat. The Preliminary Ecological Assessment includes outline recommendations for ecological enhancements and a Landscape Strategy has been submitted. We would advise that if the application is granted, the Applicant is required to submit an Ecological Enhancement Plan, prior to commencement. The submission should be in line with Policy CS7 and be written by a suitably qualified ecologist. Works should not commence until the LPA has signed off the document in writing.

**UK Power Networks (UKPN):** No comments received.

**Basingstoke Canal Society:** No comments received.

**Basingstoke Canal Authority:** No comments received.

**Thames Water Development Planning:** With regard to surface water drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection. Management of surface water from new developments should follow guidance under sections 167 & 168 in the National Planning Policy Framework.

The proposed development is located within 20m of a Thames Water Sewage Pumping Station. Given the nature of the function of the pumping station and the close proximity of the proposed development to the pumping station we consider that any occupied premises should be located at least 20m away from the pumping station as highlighted as best practice in our Codes for Adoption. The amenity of those that will occupy new development must be a consideration to be taken into account in determining the application as set out in the National planning Policy Framework (NPPF) 2019 at paragraphs 170 and 180. Given the close proximity of the proposed development to the pumping station we consider that it is likely that amenity will be impacted and therefore object.

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.

Thames Water would advise that with regard to waste water network and sewage treatment works infrastructure capacity, we would not have any objection to the above planning application, based on the information provided.

**Affinity Water:** No comments received.

**Southern Gas Networks:** No comments received.

**National Grid Asset Protection Team:** There are no National Grid Electricity Transmission assets affected in this area.

## REPRESENTATIONS

A petition objecting to the application has been received. It contains **x55 signatories** (some of whom have also submitted individual letters of objection) & sets out three primary issues as follows: (i) the proposed Mabel Street entrance to Units 11 & 12 and subsequent adverse impact on traffic volume, congestion and noise pollution and safety, (ii) visual impact, particularly on Mabel Street, of a larger, taller, more obtrusive & conspicuous building completely out of keeping in a fully residential road and (iii) the potential of Units 11 & 12 to have long operating hours which will adversely impact on residents, these Mabel Street units must have their hours restricted to no more than Monday-Friday 8-6, Saturday 9-1 with none operating on Sundays, Bank or Public Holidays.

In addition to the petition a **total of x36** letters of representation have been received, **x35 in objection and x1 in support**. However, it must be noted that x8 individuals have each submitted x2 letters of objection (thus x27 'unique' objections have been received).

### Highways and parking:

- Mabel Street is already used as a 'rat run' by many vehicles traveling to/from Goldsworth Primary School and the Bridge Barn pub.
- There should be no entrance / access from Mabel Street.
- Any proposed redevelopment would have been the perfect opportunity to remove the existing access to the estate from Mabel Street.
- Traffic and parking of vehicles using the Mabel Street entrance is unacceptable.
- No industrial parking should be allowed on Mabel Street.
- Former Miles Accident & Repair Centre (which was in the corner unit accessed via Mabel Street) caused congestion every day and parking on Mabel Street, which impacted on residents ability to park on-street.
- The front wall of No.2 Mabel Street was demolished or damaged on multiple occasions by large lorries / vans attempting to manoeuvre within the tight and congested corner of Mabel Street when Miles Accident & Repair Centre was operating.
- Cars parked along Mabel Street have previously been damaged.
- HGVs delivering materials and vehicle transporters delivering cars to Miles Accident & Repair Centre were a frequent occurrence which caused huge congestion problems in Mabel Street.
- Insufficient parking – will lead to on-street parking on Mabel Street after the parking restrictions cease at 11:30 (Monday to Friday).
- The access to Units 11 and 12 on a particularly sharp bend on a narrow residential street (Mabel Street) is unsafe and inappropriate.
- Local school and Premier Inn already exert pressure on local roads.
- Access from Mabel Street will inevitably lead to increased volume of traffic, potentially many HGVs down the length of it, also down Wilfred Street, and most concerningly from Bridge Barn Lane past the school at any time of day or night.
- Young children and families live on the streets – they would be at risk from the increased volume of traffic - as would all residents.
- Increased traffic will cause extra noise and air pollution.
- Whilst issues on Mabel Street have abated somewhat since Miles Accident & Repair Centre ceased trading (with that unit now very little used) a return to expected full usage by new business occupiers will trigger a return to that level of impact, disturbance and road safety issues, and will be further exacerbated during periods of the week when the large number of visitors to the nearby Al

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Asr Education & Community Centre results in many vehicles parking along Mabel Street.

- The trip generation forecasts are based on Weekdays only, 07:00 to 19:00 Hrs. No input or projection analysis for business operations outside these days & times is included.
- No consideration has been given to the fact that the former Miles Accident & Repair Centre (which largely occupies the land set for Until 12) has for a number of years stood largely empty.
- Vehicle movements e.g. for Logistics businesses (which are specifically included within the Proposed Use Classes) may seek to maximise their business scale and opportunity by operating up to 24/7, bringing noise, disturbance and pollution to the residential street of Mabel Street.
- Putting a pavement (which should have always been there) will not do anything to improve the traffic issue in Mabel Street, it can only exacerbate the issues we already have in the road.
- Traffic in Mabel Street has increased in volume considerably over the last 20 + years due to the school and the increase in pupil numbers, the hotel and the Al Asr Centre all using Mabel Street for parking and access.
- How hard could it be to adjust the plans to avoid the need for an entrance from Mabel Street? A competent design team should be able to adapt and should be able to accommodate an access route to Units 11 & 12 from the Goldsworth Road entrance to the estate.
- The traffic survey has to include the drop-off and pick-up times from Goldsworth School, the volumes of traffic during these times are huge and it is nearly impossible for local residents to leave or enter their roads in these periods.
- Two large commercial vehicles would not be able to pass each other on Mabel Street, indeed that's already the case today, and the road narrowing (due to pavement widening) would exacerbate that situation.

### Design, character and appearance:

- Out of character.
- Proposed buildings do not fit into the local surrounds.
- The overall appearance of the Units seems to have overly focussed on the industrial usage perspective.
- The proposed street scene does not show the proposed view from Mabel Street.

*(Officer Note: A Goldsworth Road proposed street scene was submitted with the application. A Mabel Street proposed street scene was thereafter submitted during the application process)*

- The proposed street scenes and renders are entirely disingenuous, depicting the proposed street scenes devoid of parked vehicles (which is barely if ever, the case today) and without the telegraph pole which currently blocks, & will continue to partially block, the pavement adjacent to the proposed vehicle entrance on Mabel Street.

*(Officer Note: It is not usual practice for proposed street scene drawings to show parked cars and street furniture such as telegraph poles)*

- Residents face the prospect of significantly higher buildings (Units 11 & 12) looming over our homes.
- The gawdy colour framing will be an eyesore & entirely out of keeping with a residential road (Mabel Street).
- The proposed buildings shown on the Mabel Street streetscene resemble an Ikea warehouse.

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### Neighbouring amenity, including noise:

- Generation of noise.
- What hours will the units be operating?
- Risk of excess noise levels from industrial works will directly affect our peace and quiet as residents, especially if there is a chance of work going on 24/7.
- The Design and Access Statement makes no reference to the opening times and usage of the new estate. Overnight and weekend usage will impact local residents; especially those living adjacent to Units 11 & 12 on Mabel Street.
- When Miles Accident & Repair Centre was operating (on Mabel Street) there was a high level of noise disturbance, including at weekends, it operated for 6-7 days a week.
- Have concerns about the dust, noise and debris the demolition will cause.  
*(Officer Note: These impacts can be mitigated as far as is possible, recommended condition 07 refers)*
- Existing Unit 8 is on the boundary of No.1 Highbridge Villas, Stepbridge Path and is in close proximity to an outbuilding which is used as a home office. Demolition works will produce a large amount of dust and put the outbuilding at No.1 at risk of damage during the construction phase.
- Adverse impact of noise during construction phase - professionals (including doctors) now tend to undertake a large amount of time working from home.
- Installation of acoustic fence panels along boundaries with Stepbridge Path properties are appreciated, although will have nominal impact on the sound due to the increased height of proposed Unit 5.
- Proposed Unit 5 will be approximately 2.7m higher than the existing Unit 8, there is a significant level change between the industrial estate and the properties on Stepbridge Path (approximately 1.2m). Existing Unit 8 already impedes the access to natural light to Nos.1 and 2 Highbridge Villas. Whilst proposed Unit 5 will be moved back, this is nominal compared to the drastic increase in the height, which will cause excessive loss of daylight, sunlight and overshadowing of No.1 Highbridge Villas. On the western side of the industrial estate the units have been drastically moved back from the boundary line with No.13 Mabel Street, this same treatment would be a more appropriate relationship if reciprocated with the Stepbridge Path properties that are at a lower level.
- Moving the Mabel Street building back a couple of feet isn't going to reduce any noise.  
*(Officer Note: For clarity no building positions/footprints have been altered during the planning application process)*
- There is a failure by the applicant to properly consider the impact of permitted Use Classes, their operating conditions, and potential/likely future permitted development.
- Greater transparency relating to business operating days/hours should be provided by Woking Borough Council. A clear understanding of their intentions, the necessary planning restrictions & certainty on what conditions may be applied, how they will be policed & what sanctions would be imposed for any material breach is currently absent. A logistics business operating extended days (even below 24/7) will be entirely wrong given the other noise and traffic issues extant in Mabel Street.
- Operations after 6pm and on the weekends would not be acceptable.
- There needs to be consideration for the windows and night lights.
- The second bedroom of No.13 Mabel Street faces towards proposed Units 11 & 12 and the experience of shutters going up and down is not a pleasant one, nor is it silent.
- Appreciate the consideration to change Units 11 & 12 from B2 to B8 usage but

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would rather they be totally removed from the proposal.

- Loss of privacy / overlooking.
- Overlooking to No.171 Goldsworth Road.
- Overlooking to Nos.2 & 13 Mabel Street from proposed Units 11 & 12.
- The proposed acoustic boundary between the proposed estate and No.13 Mabel Street is effectively meaningless.
- Noise levels will be higher.
- Proposals offer no meaningful protection from the visual and aural disturbances of an industrial estate.
- If the new buildings are bigger than single storey, they'll be overlooking No.163 Goldsworth Road.

### Biodiversity and protected species:

- The narrow 'wild' strip of land between the current industrial estate and the Basingstoke Canal is a very rich biodiverse environment.
- The wildlife in the wild area between the canal and industrial estate must be protected at all costs.
- There is an abundance of bat activity along this section of the canal and their continued presence must be maintained.
- Request the removal of trees T01 and T02 (next to proposed Unit 5) as part of the development proposals, there are signs of ash die back disease, the trees are too large for the size of garden, they block sunlight & despite the removal of some branches endangering the property of Redcliffe in the recent past they continue to shed large numbers of seedlings which require constant removal to prevent damage to the property of Redcliffe. Do not consider that the proximity of trees to structures paragraph 3.6.1 in the arboricultural report has received proper consideration with respect to trees T01 and T02.
- The planned change of footprint for proposed Unit 5 will project further across the rear of the garden at Redcliffe, Stepbridge Path. I have no objection to this as the building will be slightly further back from the boundary and have no windows on the east side overlooking Redcliffe, but this will further increase the level of shade that could be mitigated by the removal of trees T01 and T02.
- Am unable to see the height of the noise-reducing fence planned to replace the current structure at the rear of the garden (of Redcliffe, Stepbridge Path) that is now in very poor condition. Request that this is no higher given that the ground level of the garden of Redcliffe is substantially lower than the ground level of the Goldsworth Road Industrial Estate.
- If trees are to be planted, it needs to be ensured that the roots do not impact on any house foundations or drains.

### Need for proposed development and other comments:

- Why is there a need at all for this industrial development to be sited within a residential area?
- There are many other existing industrial estates within the Borough, some of which could almost certainly be extended.
- There must be other brownfield sites outside of residential areas which could be developed.
- Given the national shortage of housing would residential development not be more appropriate?
- Have no objections to the existence of commercial or light industrial units in this location (indeed productive businesses might be beneficial to residents, the local economy, and the life of the area).
- Demolition and building of new units will inevitably cause noise and atmospheric pollution while work is carried out. Is there not scope for the

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refurbishment of the existing buildings instead, a greener and less disruptive approach?

- Don't feel we were given enough time to review and digest the 59 documents and pull together a formal response. For a case which so heavily impacts the local community would have hoped for the opportunity of a longer consultation process and a means to positively exchange thoughts/ideas for a more appropriate solution for all parties.
- Have concerns over the potential depreciation in the value of our properties.  
*(Officer Note: Potential impact on property values does not constitute a material planning consideration)*
- I only found out about this proposed development through word of mouth. Why did I not receive a letter (at No.51 Mabel Street) and how many more residents of Mabel and Wilfred Street have not been notified? This proposed development affects all of us.  
*(Officer Note: Neighbour notification letters were sent to all properties along Mabel Street (among others) westwards from the site up to its junction with Wilfred Street. This was considered to represent a proportionate extent of direct neighbour notification and exceeds national and local requirements. The application was also advertised by way of site & press notices).*
- I wasn't informed of this planning application when it so clearly affects me (at No.171 Goldsworth Road). I had to hear this from my fellow neighbours on Mabel Street which is just simply unacceptable.  
*(Officer Note: The Council's records show that a neighbour notification letter of the planning application was sent to No.171 Goldsworth Road (among others) on 16 May 2023)*
- Would suggest that the development of proposed Units 11 and 12 be removed from the proposal and that access should only be from Goldsworth Road. The space provided by Units 11 & 12 could be turned into extra parking and a green space.
- We do not have any public parks or community amenities in close proximity to our neighbourhood, it would be much more beneficial if we had access to a natural reserve (keeping all the biodiversity already present in this area) and more community related amenities like a small leisure centre or a community hub. As a minimum, a mixed use - community and commercial - should be discussed.
- Why have the developers not held meetings with the local residents and other interested parties and sought to devise a development plan which meets the needs, rights and expectations of the whole community?
- It is within the gift of WBC to pursue a change of use & to revisit the underlying business case for the development. How can WBC demonstrate they will attract the levels of occupancy & required rental income to sustain the brownfield site demolition, clearance & redevelopment?
- A low-rise housing scheme would be vastly more in keeping with the local landscape, provide much needed housing & attract predictable & substantial income for WBC.
- If the land use was switched from industrial/commercial to residential the Council could sell the land to a developer to create more affordable housing, thus reducing some of the Council debt and creating more affordable homes in the local area.
- The Council could maintain 10 units for redevelopment, which are all accessed via Goldsworth Road, then sell off the land for proposed Units 11 & 12 to a property developer for housing development. The Council would recoup some good money in the sale and Mabel Street residents would be appeased given the access would only be used by the additional residents.

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- Field's Car Centre are looking to relocate from our current units on this estate to proposed Units 11/12. We have been in business 42 years (32 years on this estate). We employ 14 staff. We serve the needs of local motorists (over 3,000) who have seen so many other garages close over the years in Woking. If Field's Car Centre does relocate to proposed Units 11/12, we will do everything we can to work with the local community (as we have done for 32 years in existing units 5-7) to respect local residents concerns and to enable both business and residents to live alongside one another in harmony.  
*(Officer Note: Use Class B2 ('General Industrial') is no longer proposed within Units 11 & 12)*

Where the above comments are not addressed by way of officer notes the matters raised are addressed within the body of this report and by way of recommended conditions and informatives.

### **RELEVANT PLANNING POLICIES**

#### National Planning Policy Framework (NPPF) (2021)

Section 2 - Achieving sustainable development

Section 4 - Decision-making

Section 6 - Building a strong, competitive economy

Section 9 - Promoting sustainable transport

Section 11 - Making effective use of land

Section 12 - Achieving well-designed places

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

Section 15 - Conserving and enhancing the natural environment

Section 16 - Conserving and enhancing the historic environment

#### Woking Core Strategy (2012)

CS1 - A spatial strategy for Woking Borough

CS7 - Biodiversity and nature conservation

CS9 - Flooding and water management

CS15 - Sustainable economic development

CS17 - Open space, green infrastructure, sport and recreation

CS18 - Transport and accessibility

CS20 - Heritage and conservation

CS21 - Design

CS22 - Sustainable construction

CS23 - Renewable and low carbon energy generation

CS24 - Woking's landscape and townscape

CS25 - Presumption in favour of sustainable development

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

DM2 - Trees and landscaping

DM4 - Development in the vicinity of Basingstoke Canal

DM7 - Noise and light pollution

DM8 - Land contamination and hazards

DM16 - Servicing development

DM20 - Heritage assets and their settings

#### Supplementary Planning Documents (SPDs)

Woking Design (2015)

Outlook, Amenity, Privacy and Daylight (2022)

Parking Standards (2018)

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Climate Change (2013)

Supplementary Planning Guidance (SPG):  
Heritage of Woking (2000)

### Other Material Considerations

Planning Practice Guidance (PPG) (online resource)

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

Employment Land Review (ELR) - Market Appraisal (April 2010)

### **COMMENTARY**

During the application process amended plans and provisions have been submitted by the applicant in response to negotiation with the case officer. The changes made by the applicant are:

- Removal of initially proposed Use Class B2 ('General Industrial') from Units 11 and 12 (those units now proposed within Use Class E(g) or Use Class B8);
- Reduction in the height of Unit 5 (by around 1.0 metre);
- Reduction in the height of Unit 1 (by around 1.25 metres);
- Improvements made to the pedestrian environment around the modified Mabel Street access (at the request of the County Highway Authority, Surrey CC).

Given that the above changes represented a reduction in comparison to the application as it was initially submitted (and on which public consultation was undertaken), and hence impacts on adjoining and nearby occupiers would be reduced, it was not necessary to undertake further public consultation. The Planning Committee must consider the application on the basis of the above changes and the amended plans.

### **PLANNING ISSUES**

1. The main planning issues to consider in determining this planning application are:

- Principle of development;
- Design, character and appearance;
- Adjacent Basingstoke Canal Conservation Area, Corridor & Urban Open Space;
- Neighbouring amenity (excluding noise);
- Noise;
- Highways and parking;
- Arboriculture;
- Biodiversity and protected species;
- Flooding and water management;
- Archaeology (below-ground heritage);
- Contamination;
- Sustainable construction; and
- Local finance considerations

having regard to the relevant policies of the Development Plan, other relevant material planning considerations and national planning policy and guidance.



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### Principle of development

2. Both the National Planning Policy Framework (2021) (NPPF) and Policy CS25 of the Woking Core Strategy (2012) promote a presumption in favour of sustainable development. The proposed development would constitute the redevelopment of previously developed land (PDL) within the Urban Area. In this regard it would accord in principle with the spatial strategy for the Borough, set out in Policy CS1 of the Woking Core Strategy (2012).
3. Section 6 (Building a strong, competitive economy) of the NPPF states that:

*“Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future. This is particularly important where Britain can be a global leader in driving innovation, and in areas with high levels of productivity, which should be able to capitalise on their performance and potential” (paragraph 81).*

4. The red lined application site boundary matches that of an Employment Area designation (in this case that of Goldsworth Road Industrial Estate), as shown on the Council’s Proposals Map (October 2021). Policy CS15 (Sustainable economic development) of the Woking Core Strategy (2012) is therefore of key importance in this instance and states that (emphasis added):

*“To accommodate the predicted future growth in economic development required for Woking’s economy to grow, ensure sustainable employment development patterns, promote smart growth and business competitiveness, and allow for flexibility to cater for the changing needs of the economy the Council will:*

- ***permit redevelopment of outmoded employment floorspace to cater for modern business needs***
- ***support small and medium sized enterprise (SME) formation and development by encouraging a range of types and sizes of premises including provision for incubator units, managed workspace and serviced office accommodation***
- *encourage improved ICT infrastructure in refurbished and redeveloped sites*
- *encourage workspace and ICT infrastructure as an integral part of residential development, where appropriate to support home working*
- *support childcare facilities close to places of employment*

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**The Council's policy with respect to specific types of employment use is as follows:**

### **B Class Uses**

**Safeguard land within the employment areas for B uses, except in:**

- *The Butts Road/Poole Road employment area where redevelopment for mixed office and residential use will be supported if it does not result in an overall loss of employment floorspace.*

*The Forsyth Road employment area where redevelopment of vacant sites will be encouraged for B uses, unless redevelopment is for an alternative employment generating use which contributes to the aims of policy CS5 (priority places) and would not jeopardise the B use led nature of the employment area.*

- [2. is irrelevant in this case]
  - *Permit the redevelopment of B use sites elsewhere in the Borough for alternative uses that accord with other policies in the Core Strategy where (i) the existing use of the site causes harm to amenity and/or (ii) it can be demonstrated that the location is unsuitable for the needs of modern business.”*
5. The reasoned justification text to Policy CS15 states (at para 5.125, emphasis added) that **“The existing employment areas require safeguarding to meet projected need and are capable of accommodating future requirements for industrial/warehousing space. Sufficient land also exists in the Borough to accommodate potential spin off growth in high technology manufacturing”**. The reasoned justification text also states (at para 5.126, emphasis added) that **“The need to renew and refurbish employment floorspace, especially office space in Woking Town Centre, is imperative if the Borough is to retain existing occupiers and compete effectively for new occupiers looking to locate in the area”**.
6. The designation of the application site as an Employment Area, and the clear wording of Policy CS15 (which forms part of the statutory Development Plan and thus must be afforded full weight) in respect of safeguarding land within Employment Areas (other than the Butts Road/Poole Road and Forsyth Road Employment Areas, which are not relevant in this instance) for B Class uses makes it very clear that the retention of the application site for such B Class uses is required by the Development Plan.
7. The Employment Land Review (ELR) - Market Appraisal (April 2010) (which formed part of the evidence base for the Woking Core Strategy (2012) and the Site Allocations DPD) states (at paras 5.43, 5.44 and 5.45, emphasis added) that Goldsworth Road Industrial Estate is **“is a Woking Borough Council owned estate comprising mostly motor trade /“bad neighbour” type uses. The estate is nearing the end of its economically useful life and is likely to require significant upgrading, refurbishment or redevelopment going forward. A redevelopment comprising more modern and visually acceptable units would be more in keeping with this location on the town periphery. Overall, the estate does serve a useful purpose in the local economy and vacancy rate is low (in common with virtually all**

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*the Borough's industrial estates).*"

8. The ELR - Market Appraisal (April 2010) site survey sheets identified that the Goldsworth Road Industrial Estate is within 'Mixed industrial/warehouse' use, that the buildings are "1960s style industrial units with relatively low eaves. Fairly low grade image including a number of B2 motor vehicle repair 'bad neighbour' occupiers. Owned by Woking Borough Council". The ELR site survey sheets also noted that the estate was in a "Reasonable location overall. Plenty of amenities nearby such as a Morrisons supermarket".
9. The applicant states (Planning Statement, p.3) that the site "currently accommodates 2,546 sqm (Gross Internal Area) of existing industrial units which are nearing the end of their life. There are major issues with the existing buildings, including poor energy efficiency, dated facilities and mechanical & electrical systems which need upgrading. These issues make them difficult to let and will lead to substantial capital expenditures in the near future to comply with the Government's Minimum Energy Efficiency Standards, which will come into effect in 2026."
10. The applicant further states (Planning Statement, p.4) that "The proposed scheme will deliver 12 modern industrial units, built to BREAAAM "Very Good" standard, and will provide a total floorspace of 3,060 sqm (Gross External Area)" [Officer Note: Gross external area is different to Gross Internal Floorspace (GIA)]. The applicant proposes that Units 1, 4 and 5 be used for purposes falling within Use Class E(g) (Commercial, Business and Service) only and that all other Units (i.e., Units 2, 3, 6, 7, 8, 9, 10, 11 & 12) be used for purposes within Use Class E(g) (Commercial, Business and Service) or Use Class B8 (Storage or distribution).
11. Since the Woking Core Strategy (2012) was adopted (including Policy CS15) in 2012 Government has issued amendments to the Town and Country Planning (Use Classes) Order 1987, with substantive changes coming into force on 1 September 2020. The changes that Government introduced are intended to give businesses greater freedom so that they can adjust more quickly, and with more planning certainty, to changing demands and circumstances. Uses which were formerly listed in Use Class B1 (Business) [including former sub-classes B1(a), B1(b) and B1(c)] are now purposes specified within Use Class E (Commercial, Business and Service).
12. Use Class E (Commercial, Business and Service) comprises use, or part use, for a very wide variety of purposes. However, in respect of uses which would fall within Use Class E, the applicant proposes that these be limited to uses within Class E(g), which reads:

*"(g) for-*

- (i) an office to carry out any operational or administrative functions [formerly Use Class B1(a)],*
- (ii) the research and development of products or processes [formerly Use Class B1(b)], or*
- (iii) any industrial process [formerly Use Class B1(c)],*

*being a use [in all three cases, as in the former Use Class B1] which can be carried out in any residential area without detriment to the amenity of that area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit."*

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13. In respect of Use Class E(g)(iii) Article 2 of the Use Classes Order 1987 (as amended) defines an “*industrial process*” as a process for or incidental to any of the following purposes:
  - “(a) *the making of any article or part of any article (including a ship or vessel, or a film, video or sound recording);*
  - “(b) *the altering, repairing, maintaining, ornamenting, finishing, cleaning, washing, packing, canning, adapting for sale, breaking up or demolition of any article; or*
  - “(c) *the getting, dressing or treatment of minerals*
  - *in the course of any trade or business (other than agriculture, and other than a use carried out in or adjacent to a mine or quarry).”*
14. However, some of the above processes would undoubtedly fall into Use Class B2, rather than Use Class E (formerly Use Class B1). Following a change made to the application (during the application process) use(s) for purposes falling within Use Class B2 (which were initially restricted to Units 11 & 12) are no longer proposed by the applicant.
15. For certainty Use Class E(g)(ii) and (iii) include use for research and development of products or processes, and/or use for “*any*” industrial process, subject to its being a use which can be carried out in any residential area without detriment to the amenity of that area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit. It is an important qualification that, in order to come within any of the subclasses of Use Class E(g), the use(s) must be one(s) which can be carried out in any residential area without detriment to the amenity of that area by reason of any of the listed nuisances. Any industrial process that fails to comply with the limitation will fall into Use Class B2 (“*General Industrial*” use), a use which is no longer proposed by the applicant in this instance. In relation to the qualifying proviso in Use Class E, the term “*any residential area*” refers to a purely notional residential area, irrespective of the actual location of the site in question, thus the test is not dependent on local conditions.
16. Conversely, premises that might in principle fall into Use Class B2 can be brought within Use Class E(g) if effective measures to prevent noise, emissions etc. are taken, so that the use is in practice one which could be carried out in a residential area without detriment to the amenity of that area. *Young v SSE* [1983] A.C. 662 is an example of a change of use from Use Class B2 to Use Class B1 (now Use Class E(g)) having taken place merely by reason of the installation of equipment which eliminated emissions that had previously emanated from the premises, even though such a change of use had not been intended by the owners (with the result that the operations that could be conducted on the premises were thereafter constrained by the parameters of Use Class B1 (now Use Class E(g)), rather than Use Class B2).
17. So far as potential planning conditions are concerned, it is well settled law that a planning condition can preclude a change of use within a single Use Class (for example within Use Class E, notwithstanding section 55(2)(f) and Article 3(1) of the Use Classes Order 1987). Such a planning condition is recommended in this instance (condition 05 refers) to prevent a potential future change of use (without planning permission) from Class E(g) to any

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other use(s) which are subsumed within Class E (for example to a use within Class E(a) etc.).

18. The applicant also proposes use within Use Class B8 (Storage or distribution) be permitted (other than in Units 1, 4 & 5). Class B8 reads "*Use for storage or as a distribution centre.*"
19. Overall, the proposed development would safeguard an existing designated Employment Area for B Class uses (Use Class E(g) being readily comparable to former Use Class B1), whilst achieving the redevelopment of outmoded employment floorspace to cater for modern business needs, thus improving the quality of the commercial/industrial employment floorspace which is available within the Borough and helping Woking's economy to grow. The proposed development would help to meet a requirement for industrial/warehousing space (which would also be appropriate for potential high technology manufacturing) and would support small and medium sized enterprise (SME) formation and development by providing a range of unit sizes. The proposed development would therefore comply with Policy CS15 of the Woking Core Strategy (2012) and the provisions of the National Planning Policy Framework (NPPF) (most notably paragraph 81).

### Design, character and appearance

20. Policy CS21 of the Woking Core Strategy (2012) requires proposals for new development to "*Create buildings and places that are attractive with their own distinct identity; they should respect and make a positive contribution to the street scene and the character of the area in which they are situated, paying due regard to the scale, height, proportions, building lines, layout, materials and other characteristics of adjoining buildings and land... Incorporate landscaping to enhance the setting of the development, including the retention of any trees of amenity value, and other significant landscape features of merit*". Policy CS24 of the Woking Core Strategy (2012) states that "*All development proposals will provide a positive benefit in terms of landscape and townscape character*".
21. Section 12 of the NPPF relates to design, stating, inter alia, that "*The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities*" (para 126). Paragraph 130 of the NPPF states that "*Planning...decisions should ensure that developments...b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping*".
22. The reasoned justification text to Policy CS21 states (at para 5.204) that "*Different parts of the Borough present different contexts for development. A Character Study has been carried out to provide evidence of the distinctiveness of the various parts of the Borough. All forms of development, should have regard to the Character Study.*" The site falls within Character Area 10 (Woking Town Centre) (relevant map shown on p.54 of the Character Study) of the Woking Character Study (2010) and is shown as an 'Other' building typology, being bordered to the east and west by Late Victorian/Edwardian development (i.e., housing within Stepbridge Path, Mabel Street and Wilfred Stret) with a small pocket' of 'Modern'

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development immediately to the east (i.e., Nos.163 & 161 Goldsworth Road) and 'Other' development (i.e., the Surrey History Centre) on the opposite, southern, side of Goldsworth Road. The existing built form within the site creates a coarser urban grain, which contrasts with the generally finer urban grain, which is present in much of the surrounding area, albeit this finer urban grain is much more prevalent to the west.

23. The site comprises the existing Goldsworth Road Industrial Estate and contains a number of commercial/industrial buildings which vary in height between single and two storeys; the majority of which are constructed from cement with pebble-dash external render and flat roofing and date from the 1960s. The site has an appearance and character typical of an industrial estate of its size. The existing commercial/industrial buildings are laid out in two 'tiers' within the main part of the site (i.e., one tier close to Goldsworth Road and a second set back into the site and backing onto the Basingstoke Canal) with buildings within the north-west of the site also presenting a street frontage to part of Mabel Street (to the west). There is a grassed verge along the Goldsworth Road frontage, which contains some shrub and tree planting, with no other soft landscaping or planting of any significance within the site which (other than building footprints) is laid mainly to concrete surfacing, this ground surfacing being fairly typical of such commercial/industrial estates.
24. The existing buildings within the main part of the site vary in height with the lower buildings positioned close to Goldsworth Road and the taller buildings set back into the site and backing onto the Basingstoke Canal. There is also an 'L-shaped' two storey building which presents a (west) elevation to part of Mabel Street, together with a smaller building to the north of this (within the very north-west corner of the site) which is accessed from Mabel Street via an existing vehicular access. The existing buildings within the site are of no townscape or architectural merit, are dated in their appearance (1960s era) and make no positive contribution to the appearance of the area. Goldsworth Road forms a key approach into Woking Town Centre from the west and the present appearance of the site is considered a negative visual feature within this street scene. As such, there is no objection to the proposed demolition of the existing buildings and structures, subject to suitable replacements.
25. The surrounding area within which the site sits forms something of a transitional area between the high(er)-density of the area to the east (i.e., the boundary of Woking Town Centre) and the relatively low-density housing which predominates within the area to the west.
26. The proposed site layout would reinstate the existing two tiers of development to the main part of the site (i.e., one tier close to Goldsworth Road and a second set back into the site and backing onto the Basingstoke Canal) with buildings within the north-west of the site (Units 11 and 12) also reinstating a street frontage to part of Mabel Street. The principal entrance to the site (from Goldsworth Road) would be maintained as existing whilst there would be some modifications to the most northerly entrance on Mabel Street with that entrance which is more southerly on Mabel Street closed-off. The proposed commercial/industrial units would be generally rectangular in form with their own 'service' area towards the front, much like the existing site layout. Units 1 & 2 and Units 3 & 4 would be positioned on each side of the principal entrance from Goldsworth Road, with their south elevations fronting Goldsworth Road.

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27. Whilst the south building lines of these units (other than Unit 4 which would remain on the existing south building line) would step forwards (towards Goldsworth Road) compared to the existing situation the depth of the remaining verge (which would be planted/landscaped) would be sufficient to retain a suitably soft landscaped appearance to Goldsworth Road. There is also no prevailing building line on the northern side of this section of Goldsworth Road and, in any event, the south elevations of Units 1 and 4, which would adjoin the two storey houses to either side would remain consistent with the front building lines of those houses (i.e., Unit 1 consistent with that of No.169 Goldsworth Road and Unit 4 consistent with that of No.163 Goldsworth Road).
28. Whilst the new buildings along Goldsworth Road (Units 1-4) would be taller, varying between eaves heights of around 5.75m and 7.0m and maximum heights of around 7.2m and 8.8m, the existing buildings (which measure around 4.1m) within this part of the site are the only single storey buildings along this section of Goldsworth Road, in which predominant building heights are between two and three storeys. Units 1-4 would have monopitched roof forms which would reduce in height towards the east and west sides (i.e., to around 5.75m to the west side and to around 7.0m to the east side) and reach their tallest (around 8.8m) either side of the principal entrance into the site from Goldsworth Road, which is considered appropriate in townscape terms. The applicant has also reduced the height of Unit 1 (which would adjoin No.169 Goldsworth Road) during the application process (in order to improve the relationship with No.169). Whilst the appearance along the Goldsworth Road frontage would therefore be slightly asymmetrical (i.e., Unit 1 would not entirely 'mirror' Unit 4 on the opposite side of the main entrance) this would not be readily perceivable in street level views (partly due to the stepped building lines of the south elevations of Units 1-4) and would not, in any case, appear harmful due to the consistent use of monopitched roof forms, and application of external finishes, across these buildings.
29. The full height timber panels to the south elevations of Units 2 and 3 would 'turn the corner' into the main entrance to the site and add visual interest to the elevations and serve to effectively 'mark' this entrance into the site. Other than the timber cladding two different cladding types are proposed to the south elevations of Units 1-4; lighter cladding with a horizontal emphasis (at lower level) and a darker cladding with a vertical emphasis (at higher level). This, together with the provision of the timber cladding, horizontally emphasised glazing (at mezzanine level) and the stepped building lines, would successfully break-up the south elevations of Units 1-4 and thus provide an improved visual appearance to the Goldsworth Road frontage which would be appropriate in terms of form and scale whilst remaining legible as commercial/industrial buildings. The application of external materials to the other elevations of Units 1-4 is considered successful, with lighter cladding with a horizontal emphasis (at lower level) and a darker cladding with a vertical emphasis (at higher level) together with vertical timber panels to key elevations (including around pedestrian and vehicular entrances) and feature flashing.
30. Unit 5 would be a detached building within the north-east corner of the site (of around 6.0m in eaves height and around 6.4m in maximum height), being located in a very similar position to an existing detached building to be demolished. It would be discreetly positioned within the site, with no 'street

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presence', although is considered acceptable in scale (the applicant has also reduced the height of Unit 5 by around 1.0m during the application process in order to improve the relationships with Stepbridge Path houses to the east), with a monopitched form and again with lighter cladding with a horizontal emphasis (at lower level) and a darker cladding with a vertical emphasis (at higher level) together with vertical timber panels to key areas (including around the pedestrian and vehicular entrance) and feature flashing.

31. Units 6-10 would effectively form a 'terrace' of units towards the rear of the site. Whilst these units would be readily visible from Goldsworth Road they would remain set back within the site (and beyond intervening Units 1-4), in a similar position to existing northern buildings which vary between around 4.1m (where single storey) and around 7.5m (where two storey) in height. Units 6-10 would have monopitched forms which would slope down to eaves heights of around 8.8m at the rear (north) with their maximum heights (of around 9.4m) along the front (south) elevations. Whilst the south elevations of Units 6-10 would be around 1.9m taller than the existing (flat roofed) two storey building within this part of the site it is considered that the proposed heights would remain appropriate in this context in townscape terms and can be acceptably 'absorbed'. The impact on the adjacent Basingstoke Canal Conservation Area, Corridor & Urban Open Space will be considered in the subsequent section of this report.
32. The application of external materials to Units 6-10 is considered appropriate and successful, with lighter cladding with a horizontal emphasis (at lower level) and a darker cladding with a vertical emphasis (at higher level) together with vertical timber panels, as well as feature flashing around pedestrian and vehicular entrances. The application of these materials, together with the provision of horizontally emphasised glazing (at mezzanine level) and the stepped building lines, would successfully break-up the south elevations of Units 6-10 and thus provide an appropriate spatial and visual appearance whilst remaining legible as commercial/industrial buildings.
33. Units 11 and 12 would address Mabel Street (taking their access from Mabel Street also). Whilst these two units would form part of the street scene of Mabel Street the existing industrial buildings within the north-west part of the site already form part of this street scene and therefore the proposed development must be considered in this 'baseline' context. The west elevations of Units 11 and 12 would predominantly be set further back from Mabel Street than the existing buildings to be demolished. The existing 'L-shaped' two storey building within this part of the site measures around 7.7m (to flat roof) and the single storey building to the north of that around 4.8m and 5.9m to its ridges (albeit the lower c.4.8m ridge is closer to Mabel Street).
34. Whilst Unit 11 would present a maximum height of around 9.4m (other than where it would be single storey) to Mabel Street, which would clearly be taller than the existing building in this position, this would also not represent a significant uplift (of around 1.7m) compared to the existing two storey flat roofed building. Moreover, Unit 11 would move further away (compared to the existing building) from the site boundary with the ends of the rear gardens of Nos.169, 171, 173 & 175 Goldsworth Road and thus would appear less cramped within this part of the site, notwithstanding the uplift in maximum height. As demonstrated within the relevant proposed street



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- scene Unit 11 would remain sufficiently distant from the houses at Nos.169, 171, 173 & 175 Goldsworth Road, and would be positioned to the east of the east-to-west section of the carriageway of Mabel Street such that the uplift in height would not appear visually harmful and incongruous in this specific context.
35. Unit 12 would be attached to Unit 11 although would be lower than Unit 11, presenting a maximum height of around 7.4m to Mabel Street. Unit 12 would be positioned 'opposite' the side (east) elevation of the house at No.13 Mabel Street (as is the existing single storey building to be demolished) although would remain much further distant (between around 17.5m and 19.0m, due to the stepped boundary) from the common boundary than the existing building in this position such that it would not result in a cramped or incongruous appearance or relationship with No.13 Mabel Street, notwithstanding the resulting uplift in height of around 2.6m (i.e., from c.4.8m to c.7.4m).
  36. Again, the application of external materials to Units 11 and 12 is considered appropriate and successful, with lighter cladding with a horizontal emphasis (at lower level) and a darker cladding with a vertical emphasis (at higher level) together with vertical timber panels, as well as feature flashing around pedestrian and vehicular entrances. The application of these materials, together with the provision of horizontally emphasised glazing (at mezzanine level within Unit 11 only) and the stepped building heights, would successfully break-up the west elevations of Units 11 and 12 and thus provide an appropriate spatial and visual appearance whilst remaining legible as commercial/industrial buildings, which already exist within this part of Mabel Street.
  37. There is very limited planting and soft landscaping within the existing site, which is dominated by concrete surfacing (outside of the building footprints) and the verge which fronts Goldsworth Road. A landscaping plan has been submitted which shows that the depth of the remaining verge along Goldsworth Road (which would be planted/landscaped) would be sufficient to retain a suitably soft landscaped appearance along this street scene. Modest new areas of planting and soft landscaping would also be introduced close to the modified entrance with Mabel Street, which would represent a modest visual betterment to this street scene.
  38. There would also be more variety in hard ground surfacing materials than in the existing situation (in which concrete predominates), which would have some visual benefit. The proposed development would see parking bays surfaced with permeable paving (as part of the SuDs scheme) with the service road laid to asphalt. Whilst soft landscaping and planting would be limited some would nonetheless be accommodated in a manner which would remain consistent with the nature/character of the site as a commercial/industrial estate (and a designated Employment Area). Overall, the proposed approach to landscaping is considered acceptable and further details can be secured via condition 27.
  39. Overall, and taking into account the appearance of the existing site, as well as the protection afforded to it (as a designated Employment Area) by Policy CS15 of the Woking Core Strategy (2012), the proposed development is considered a visually and spatially acceptable form of development which would have an acceptable impact on the character, grain and pattern of

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development within the area. Furthermore, the proposed development would have a public benefit in providing modern, energy efficient commercial/industrial floorspace. The proposed development would comply with Policies CS21 and CS24 of the Woking Core Strategy 2012, the provisions of SPD Design (2015) and the National Planning Policy Framework (NPPF) in respect of design and character.

### Adjacent Basingstoke Canal Conservation Area, Corridor & Urban Open Space

40. The site is adjacent to (although not within) the Basingstoke Canal Conservation Area (to the north), a designated heritage asset. The Basingstoke Canal is a historic canal (completed in 1794) which traverses the Borough (as well as through some adjoining Boroughs), its boundary forms a linear Conservation Area and is focused upon the canal as well as some of the immediate adjoining land and built development. The canal was significant as one of the first agricultural waterways, designed primarily to stimulate agricultural development in Hampshire and was particularly significant in opening up the countryside. It was originally used to transport agricultural produce across Hampshire, then for the export of fertiliser, flour, coal and timber to London through the later 19th century. Today, the canal corridor provides for wildlife and recreational activities. Its special interest is defined by the historic waterway, as a good example of heroic industrial engineering and transport infrastructure, and its role in the development of the areas it traverses.
41. Policy CS20 of the Woking Core Strategy (2012) states that *“New development must respect and enhance the character and appearance of the area in which it is proposed whilst making the best use of the land available. New development should also make a positive contribution to the character, distinctiveness and significance of the historic environment, including heritage assets at risk through neglect, decay or other threats. The heritage assets of the Borough will be protected and enhanced in accordance with relevant legislation and national guidance as set out in the National Planning Policy Framework”*. SPD Design (2015) provides supplementary guidance on the design of new development affecting heritage assets.
42. Policy DM20 of the Development Management Policies DPD (2016) provides more detail on the design of development proposals which affect a heritage asset and/or their setting. In respect of the adjacent Basingstoke Canal Conservation Area Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention must be paid to the desirability of *“preserving or enhancing the character or appearance of that area”*.
43. The Glossary to the NPPF provides a number of definitions with regard to assessing the impact upon heritage assets:

*“Setting of a heritage asset: The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings 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]*

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*Significance (for heritage policy): The value of a heritage asset to this and future generations because of its heritage interest. The interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting."*

44. Chapter 16 of the NPPF (Conserving and enhancing the historic environment) sets out that heritage assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance (para 189) and that local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal (para 195). Paragraphs 199-208 (incl.) of the NPPF set out the framework for decision making in planning applications relating to heritage assets and this application takes account of the relevant considerations in these paragraphs.
45. In terms of heritage impacts it is the degree of harm, rather than the scale of development, which must be assessed. Harm may arise from works to a heritage asset itself or from development within its setting. In this instance the proposed development includes no works to heritage assets and therefore the only heritage harm (archaeology is considered separately) which may potentially arise would be as a consequence of development within the setting of the adjacent Basingstoke Canal Conservation Area.
46. The site is also adjacent to (although again not within) the Basingstoke Canal Corridor and Urban Open Space, designations which are broadly contiguous with that of the Basingstoke Canal Conservation Area. Policy DM4 of the Development Management Policies DPD (2016) states, inter alia, that "*Development proposals which would conserve and enhance the landscape, heritage, architectural or ecological character, setting or enjoyment of the Basingstoke Canal and would not result in the loss of important views in the vicinity of the Canal will be permitted, if all other relevant Development Plan policies are met.*"
47. The towpath to this section of the canal is on its northern side (effectively running alongside Lockfield Drive, south of an intervening belt of trees/undergrowth). There is no towpath on the south side of this section of the canal and thus public views towards the site, from the canal, only take place from the northern side (across the water channel) and from Step Bridge (which crosses over the canal to the east). Whilst there are numerous trees and undergrowth along the immediate banks and towpath of the canal, development along the southern side is relatively dense, predominantly in residential uses although with commercial/industrial uses already in-situ on the site. The heavily used Lockfield Drive runs to the northern side with the Jewsons Timber Yard on the opposite, northern side of this section of the canal (beyond Lockfield Drive). As such, the environs of this part of the Basingstoke Canal have a readily urban character.
48. The site comprises the existing Goldsworth Road Industrial Estate and contains a number of commercial/industrial buildings which vary in height between single and two storeys; the majority of which are constructed from cement with pebble-dash external render and flat roofing and date from the

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1960s. The existing buildings within the northern section of the site have some visibility from the towpath on the northern bank of the canal, through the intervening tree canopies and undergrowth which is present on the southern bank of the canal. There is also glazing within the north elevations of the existing north buildings, through which lighting is apparent when viewed from the towpath, emphasising the presence of first floor level windows facing towards the canal.

49. It is important to note at this point that the submitted arboricultural information demonstrates that, with the exception of two trees which are recommended for removal for safety reasons, all other trees which fall within the canal 'corridor' (to the north of the site) would be retained.
50. Whilst the proposed development would result in taller buildings to the northern part of the site Units 5, 6, 7 & 8 would be no closer to the canal than the existing buildings which are to be demolished within this area of the site. Whilst Unit 9 would 'fill in' a 'break' in the existing northern tier of development this 'break' is not readily visible through the tree canopies and undergrowth from the towpath on the northern bank of the canal (nor from Step Bridge a short distance to the east). Unit 9 would also be set slightly further back from the canal compared to the existing building in this location. Units 10 and 11 would, at their closest points, encroach no closer to the canal than the existing buildings in these locations and Unit 12 would be set further away from the canal than the existing building to be demolished in this north-west corner of the site. Unit 5 would have heights along its northern elevation of between around 6.0m and 6.4m (due to monopitched roof), along their north elevations Units 6-11 would have heights of around 8.8m (around 8.7m to Unit 11), and along its east elevation Unit 11 would have a height of around 7.0m.
51. Where Units 5-12 would present their north (east and north in the case of Unit 12) elevations to the Basingstoke Canal Conservation Area / Corridor / Urban Open Space these elevations would contain only pedestrian doors and would demonstrate no glazing or mezzanine level windows such that internal lighting within the proposed buildings would not be visible along the Canal, unlike the existing situation. These elevations would be clad with lighter cladding with a horizontal emphasis (at lower level) and a darker cladding with a vertical emphasis (at higher level). This approach to external materials and cladding would serve to 'recess' the respective elevations, particularly the upper sections which would be less screened by undergrowth, when they are viewed (from the towpath on the northern side of the canal) across the water channel and beyond the intervening tree canopies and undergrowth.
52. For the preceding combined reasons it is considered that the proposed development would preserve the setting of the adjacent Basingstoke Canal Conservation Area / and thus would not harm the significance of that Conservation Area. Furthermore, for the same preceding combined reasons, it is considered that the proposed development would conserve the landscape, heritage, ecological character, setting and enjoyment of the Basingstoke Canal and would not result in the loss of important views in the vicinity of the canal. The proposed development would therefore accord with Policy CS20 of the Woking Core Strategy (2012), Policies DM20 and DM4 of the Development Management Policies DPD (2016), SPD Design (2015), SPG Heritage of Woking (2000), the Planning (Listed Buildings and

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Conservation Areas) Act 1990 and the National Planning Policy Framework (NPPF) in these respects.

### Neighbouring amenity (excluding noise)

53. Policy CS21 of the Woking Core Strategy (2012) states that “*Proposals for new development should...Achieve a satisfactory relationship to adjoining properties, avoiding significant harmful impact in terms of loss of privacy, daylight or sunlight, or an overbearing effect due to bulk, proximity or outlook*” and “*Be designed to avoid significant harm to the environment and general amenity, resulting from noise, dust, vibrations, light or other releases*”. More detailed guidance is provided within SPDs Outlook, Amenity, Privacy and Daylight (2022) and Design (2015).
54. The potential loss of enjoyment of a view is not a ground on which planning permission can potentially be refused although the impact of a development on outlook is a material planning consideration and stems on whether the development would give rise to an undue sense of enclosure or overbearing effect to neighbouring/nearby residential properties. There are no established guidelines for what is acceptable or unacceptable in this regard, with any assessment subjective as opposed to empirical, with key factors in this assessment being the existing local context and the existing and proposed arrangement of buildings and uses. However, paragraph 2.5 of SPD Outlook, Amenity, Privacy and Daylight (2022) states that “*Outlook from a principal window will generally become adversely affected when the height of any vertical facing structure exceeds the separation distance from the window. When a structure is placed too close to a window so that it completely dominates the outlook it will have an overbearing impact*”. It must also be noted that Policy CS21 of the Woking Core Strategy (2012) refers to “*significant harmful impact*”, this is the threshold which must be reached to form any potentially robust, and defensible, reason for refusal on neighbouring amenity grounds.
55. Appendix 1 of SPD Outlook, Amenity, Privacy and Daylight (2022) sets out minimum separation distances for achieving privacy, most relevant are shown below:

Number of storeys	Measured Dimension	Distance (metres)
Two	Front to front elevation	10
	Rear to rear elevation	20
	Front or rear to boundary/flank	10
	Side to boundary	1

56. In respect of daylight, and where existing habitable room windows/openings are orientated at 90° in relation to a proposed development, SPD Outlook, Amenity, Privacy and Daylight (2022) states (at para 5.10) that “*they may affect the daylighting of an adjoining dwelling if they project beyond 3 metres of the building elevation, particularly if positioned close to a common boundary. Significant loss of daylight will occur if the centre of the affected window (or a point 1.6m in height above the ground for floor to ceiling windows/patio doors) lies within a zone measured at 45° in both plan and elevation*”. Where existing habitable room windows/openings are located directly opposite a proposed development the SPD (at para 5.9) identifies that suitable daylight is achieved where an unobstructed vertical angle of

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25° can be drawn from a point taken from the middle of each of the existing window openings.

57. The key neighbouring amenity impacts to consider in this instance are (noise is considered separately):

No.163 Goldsworth Road:

58. No.163 Goldsworth Road is a two storey detached house to the south-east of the site, it fronts Goldsworth Road and has a rear garden which has the site to its north and west. No.163 has an attached garage on its west side. The existing building within this part of the site has a single storey element which stems along the angled part of the common boundary with No.163 and thus projects some distance beyond the rear elevation of No.163, albeit at single storey scale. Unit 4 would be the closest to No.163, its side (east) elevation would remain the same distance away from the common boundary as the existing situation, as would its north elevation. The south elevation of Unit 4 would align with that of the existing unit in this location and it would have no openings within its side (east) elevation.
59. Whilst Unit 4 would see an increase in height (compared to that of the main element of the existing building in this location) of around 2.8m (i.e., from existing approx. 4.2m to proposed approx. 7.0m) this increase would be offset, in respect of overbearing effect and loss of sunlight, by the removal of the existing single storey element which stems along the common boundary with No.163. There are no side-facing (west) habitable room openings within No.163 and the 45° angle test for daylight would be passed in respect of the front and rear facing windows/openings within No.163 such that no significant harmful loss of daylight would arise to No.163 (the attached garage of No.163 does not constitute a habitable room).
60. Unit 5 would be positioned around 9.0m beyond the (north) end of the rear garden of No.163, slightly closer than the existing building in this location. Given the maximum height of Unit 5 (approx. 6.4m), together with the absence of mezzanine level windows, its location to the north of No.163 and the approximate 15.0m depth of the rear garden of No.163, Unit 5 would not have any significant harmful overbearing or loss of sunlight effects upon No.163.
61. Unit 6 would be positioned around 15.5m north-west of the very north-west corner of the rear garden of No.163 and around 27.5m away from the rear elevation of No.163. Given the maximum height of Unit 6 (around 9.4m), its location to the north-west of No.163 and the approximate 15.0m depth of the rear garden of No.163, Unit 6 would not have any significant harmful overbearing or loss of sunlight effects upon No.163. Whilst Unit 6 would have mezzanine level windows within its south elevation the distance between these windows and the boundary and rear elevation of No.163 would exceed the distances set out within SPD Outlook, Amenity, Privacy and Daylight (2022) such that no significant harmful loss of privacy would arise to No.163.

Stepbridge House, No.161 Goldsworth Road:

62. Stepbridge House is located to the south-east of the site (east of intervening No.163 Goldsworth Road) and provides flats across three storeys, it fronts

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Goldsworth Road (with its east (side) elevation along Stepbridge Path) and has a surface car park to its rear which is accessed via an undercroft from Goldsworth Road. Whilst Stepbridge House doesn't directly adjoin the site it is only a short distance away from it (at its north-west site corner).

63. Unit 5 would be positioned around 9.5m away from the north-west corner of the rear surface car park and in excess of 20.0m away from the rear elevation of Stepbridge House. Given the maximum height of Unit 5 (approx. 6.4m), together with the absence of any mezzanine level windows, its location to the north-west and the intervening surface car park, Unit 5 would not have any significant harmful overbearing, overlooking or loss of daylight and sunlight effects upon Stepbridge House.
64. Unit 6 would be positioned around 22.0m north-west of the north-west corner of the rear surface car park of Stepbridge House and around 32.0m away from its rear elevation. Given these separation distances, together with the maximum height of Unit 6 (around 9.4m) and its location to the north-west of Stepbridge House, it would not have any significant harmful overbearing, overlooking or loss of daylight and sunlight effects upon Stepbridge House, notwithstanding that it would have mezzanine level windows within its south elevation.

### Redcliffe and Nos.1 & 2 Highbridge Villas, Stepbridge Path:

65. Redcliffe is a detached house, and Nos.1 & 2 Highbridge Villas a semi-detached pair, all three houses are two storeys in height. These three houses all front Stepbridge Path and have rear gardens to their west, which adjoin the site. The impacts on all three properties would be similar thus they are taken together. The case officer visited No.1 Highbridge Villas to inform assessment of the application (the impacts on the other two Stepbridge Path properties being similar to those of No.1). The levels of the rear gardens, and houses, of all three of these Stepbridge Path properties are around 1.2m below the ground level of the site. No.1 Highbridge Villas has an outbuilding close to the common boundary with floor-to-ceiling windows within it facing east (i.e., back towards the rear of the house) and No.2 Highbridge Villas has a shed close to the common boundary. The rear garden of Redcliffe measures around 6.4m in depth at its shallowest point although it is deeper than this towards both sides.
66. The existing detached building within the north-east corner of the site measures around 4.1m (to its flat roofed height) and is positioned seemingly on/immediately adjacent to the common boundaries with Nos.1 & 2 Highbridge Villas and spans across the width of both of these rear gardens as existing. A combination of the height of this existing building, its proximity to the common boundaries and that it is on a higher ground level means that this existing building has an overbearing effect on Nos.1 & 2 Highbridge Villas, particularly on their private rear garden areas which are fairly modest in depth (i.e., around 11.0m deep at No.1 and around 9.5m deep at No.2). However, this overbearing effect is somewhat reduced by the growth of ivy and other plants on the side (east) elevation of the existing building. Whilst this growth could be removed at any time it nonetheless serves to soften (or 'green') the visual/overbearing impact of the existing building on Nos.1 & 2 Highbridge Villas.
67. Unit 5 would be positioned further away from the common boundaries with

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Stepbridge Path properties and so would be positioned between around 1.9m and 2.2m away from that with No.2 Highbridge Villas and between around 2.2m and 2.5m away from that with No.1 Highbridge Villas (distances differ due to the angled nature of the site boundary in this area). Following negotiation with the case officer the applicant has reduced the height of Unit 5 by around 1.0m (through amended plans). Unit 5 would now have an eaves height (i.e., along the east elevation) of around 6.0m, which would monopitch (to the west elevation) upwards to around 6.4m. As such, the height along the east elevation (i.e., that presenting to Stepbridge Path properties) would increase by around 1.9m (i.e., from existing around 4.1m to around 6.0m). However, this increase in height would be offset by the positioning of Unit 5 a minimum of 1.9m away from the common boundaries with Nos.1 & 2 Highbridge Villas (in most places the distance from the common boundary would be greater than 1.9m).

68. As such, whilst Unit 5 cannot be said to improve the existing relationship with Nos.1 & 2 Highbridge Villas, in respect of overbearing and daylight and sunlight impacts, it is considered that the proposed situation would also not be any more harmful to Nos.1 & 2 in these respects than the existing situation, which must form the 'baseline' for assessment. However, this conclusion is subject to some form of visual screening being provided between the east elevation of Unit 5 and the common boundaries with Stepbridge Path properties, to, over time, seek to replicate the existing 'greenery' which is apparent on the east elevation of the existing building in this location. The applicant has suggested a form of 'vertical climber planting' be provided, condition 27 is recommended to secure further details (and implementation, maintenance etc.) of this.
69. Unit 5 would be positioned between around 1.3m and 1.7m away from the common boundary with Redcliffe. Whilst Unit 5 would also span across part of the common boundary with Redcliffe (which the present building in this location does not) it would do so by a relatively modest approximate 2.5m width and therefore would leave the remainder of the common boundary with Redcliffe free of built form. The east elevation of Unit 5 would not be situated opposite the closest part of the rear elevation of Redcliffe, which demonstrates a heavily glazed conservatory, thus passes the 25° angle test and therefore would not cause a significant harmful loss of daylight to windows/openings within the rear elevation of Redcliffe. Whilst Unit 5 would be readily apparent through windows/openings within the rear elevation, and from within the rear garden, of Redcliffe given that it would span across only part of the common boundary and having regard to its height and positioning slightly away from the common boundary (and the provision of intervening 'vertical climber planting', condition 27 refers) it would, on balance, not cause a significant harmful overbearing effect, nor a significant harmful loss of daylight, to Redcliffe.
70. Unit 5 would contain no windows/openings within its east elevation and therefore would cause no harmful overlooking of Stepbridge Path properties. Whilst Unit 5 would monopitch up to a maximum height of around 6.4m (to the west elevation) this maximum height would occur around 8.1m further away from the common boundaries with Stepbridge Path properties (than the approximate 6.0m height of the east elevation) and thus would cause no significant harmful impacts to Stepbridge Path properties.
71. Whilst Unit 6 would be apparent to Stepbridge Path properties, most notably



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its east elevation, Unit 6 would be positioned a minimum of around 19.0m away from the common boundaries of Stepbridge Path properties, and further distant from their rear elevations (i.e., at least 25.0m away). Given these separation distances, together with the maximum height of Unit 6 (around 9.4m), the absence of mezzanine level windows within its east (side) elevation, and its positioning the stated distances to the west of Stepbridge Path properties, it would (notwithstanding that it would be at a slightly higher ground level) not have any significant harmful overbearing, overlooking and loss of daylight and sunlight effects upon Stepbridge Path properties.

### No.169 Goldsworth Road:

72. No.169 Goldsworth Road is a two storey end-of-terrace house to the south-west of the site. It fronts Goldsworth Road and has a rear garden which has the site to its east/north-east and north/north-west. The rear garden of No.169 measures around 21.0m in depth and around 8.5m in width. The area between the side (east) of No.169 and the common boundary with the site is used for car parking provision. No.169 has a ground floor level window within its side (east) elevation which serves as single aspect to a dining room (a habitable room). There is also a first floor window within this side (east) elevation.
73. The existing building adjacent to No.169 has a flat roof height of around 4.1m and is positioned around 4.7m away from the side of the house of No.169, and almost immediately adjacent to the common boundary. As such, the existing building within this south-west part of the site exerts some harmful overbearing and loss of light (both daylight and sunlight) effects on the ground floor level side-facing window within No.169. The adjoining existing building breaches the 25° angle test for daylight, such that it causes a harmful loss of daylight to the ground floor side-facing window within No.169.
74. Following negotiation with the case officer the applicant has reduced the height of Unit 1 (during the application process) such that it would now have an eaves height of around 5.75m to its side (west) elevation. Unit 1 would be set slightly further away from the common boundary with No.169, compared to the existing building to be demolished, and the result of this is that the side (west) elevation of Unit 1 would be around 6.0m away from the side elevation of No.169. Whilst Unit 1 would have a greater eaves height on its western side (of around 5.75m) than the existing c.4.1m flat roofed height of the building to be demolished this increase in height (of around 1.6m) would be offset through the increased separation between Unit 1 and the common boundary, and side (east) elevation of the house of No.169.
75. Because the separation distance would exceed the vertical height of the west elevation of Unit 1 no significant harmful overbearing effect and loss of outlook would arise to the ground floor level side-facing window within No.169, particularly taking into account the existing relationship between this window and the adjacent existing building on the site. Whilst there would be an increased extent of breach of the 25° angle daylight test in respect of this side-facing ground floor window, which would result in some harmful (additional) loss of daylight, given that there is an existing breach of the 25° angle test, and that the increased extent of breach would not be significant compared to the existing situation, it is considered that the harm which

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would arise to the daylighting of the ground floor side-facing (east) window within No.169 would not reach the threshold of 'significant' harmful impact so as to conflict with Policy CS21 of the Woking Core Strategy (2012). The reduced (by amended plans) height of the western side elevation of Unit 1 would preclude significant harmful loss of outlook, and significant harmful loss of daylight and sunlight, to the first floor level side-facing (east) window within No.169.

76. Whilst Unit 1 would step forwards (towards Goldsworth Road) by around 1.3m, compared to the existing situation (where closest to No.169) the extent of projection beyond the front elevation of No.169 would be very modest and set away from the common boundary such that this projection would not give rise to significant harmful overbearing effect or loss of daylight and sunlight to windows within the front elevation of No.169. The side (west) elevation of Unit 1 would contain no windows or other openings and thus would not give rise to significant harmful loss of privacy to No.169.
77. Unit 10 would be positioned between around 1.7m and 3.5m away, and Unit 11 between around 1.5m and 2.0m away, from the common boundary with No.169 Goldsworth Road, that element of the common boundary forming the end of the rear garden of No.169. Both Units 10 and 11 would have maximum heights of around 9.4m, whilst representing an increase of around 1.7m in height in comparison to the existing situation (i.e., from existing around 7.7m to around 9.4m) this increase would be offset, in terms of overbearing effect, by the increased separation which would be provided between the south elevations of these units and the common boundary with No.169. In overbearing effect terms the proposed situation would be no more harmful to No.169 than the existing situation, which must form the 'baseline' for assessment. It must also be noted that the south elevations of Units 10 and 11 would remain around 24.0m away from the rear elevation of the house of No.169, and at a slightly oblique angle.
78. Whilst Unit 10 would have mezzanine level windows within its south elevation these would be no closer to the common boundary with No.169 than the first floor level windows within the south elevation of the existing two storey building in this position. Moreover, condition 32 is recommended to secure the obscure-glazing and non-opening of these windows in order to preclude actual overlooking of No.169 and its rear garden area. Whilst it is acknowledged that a perception of overlooking of No.169 and its rear garden area would remain this would be less harmful to the privacy of No.169 than the existing situation. The south elevation of Unit 11 would contain no mezzanine level windows. Units 10 and 11 pass the 25° angle test for daylight, in respect of windows/openings within the rear elevation of No.169, such that no significant harmful loss of daylight would be sustained to rear-facing openings within No.169. Given the positioning of Units 10 and 11 to the north/north-west of the house and rear garden of No.169 there would be no significant harmful loss of sunlight to No.169.

### Nos.171, 173 & 175 Goldsworth Road:

79. Nos.171, 173 & 175 Goldsworth Road form the rest (together with No.169, considered previously) of a terrace of two storey houses on the south-west side of the site (No.175 'turns the corner' into Mabel Street). These three houses all address Goldsworth Road and have the site beyond the ends of their rear gardens to the north/north-west. Their rear gardens vary in depth

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between around 21.0m (No.171), around 18.5m (No.173) and around 17.0m (No.175) although it should be noted that the preceding measurements exclude the pedestrian access at their ends such that the separation distances to the site are slightly greater. The existing building within this part of the site is two storeys in scale, demonstrates first floor level windows (facing south, east & west), is located very close to the common boundaries with Nos.171 & 173 in particular, and measures around 7.7m in height.

80. Unit 11 would be positioned between around 2.1m to 3.5m away from the common boundary with No.171 Goldsworth Road, at an oblique angle, with a height of around 9.4m. Whilst the south elevation of Unit 11 would represent an increase of around 1.7m in height in comparison to the existing situation (i.e., from existing around 7.7m to around 9.4m) this increase would be offset, in terms of overbearing effect, by the increased separation which would be provided between the south elevation and the common boundary with No.171. In overbearing effect terms the proposed situation would be no more harmful to No.171 than the existing situation, which must form the 'baseline' for assessment. It must also be noted that the south elevation of Unit 11 would remain around 25.0m away from the rear elevation of the house of No.171, and at an oblique angle.
81. The proposed development would result in a notable improvement in the privacy of the rear garden of No.171 (and, albeit more distant, its rear elevation) because Unit 11 would have no windows/openings within its south elevation, in comparison to the high levels of glazing which are apparent, including at first floor level, within the south elevation of the existing building. Unit 11 passes the 25° angle test for daylight, in respect of windows/openings within the rear elevation of No.171, such that no significant harmful loss of daylight would be sustained to No.171. Given the positioning of Unit 11 to the north/north-west of the house and rear garden of No.171 there would be no significant harmful loss of sunlight to No.171.
82. The 'main' building of Unit 11 would be positioned between around 3.7m to 4.7m away from the common boundary with No.173 Goldsworth Road, at an oblique angle, with a height of around 9.4m. Again, the increased height of Unit 11 (i.e., from existing around 7.7m to around 9.4m) would be offset, in terms of overbearing effect, by the increased separation which would be provided between the elevation and the common boundary with No.173. In overbearing effect terms the proposed situation would be no more harmful to No.173 than the existing situation, which must form the 'baseline' for assessment. It must also be noted that the south elevation of Unit 11 would remain around 27.0m away from the rear elevation of the house of No.173, and at an oblique angle.
83. Again, the proposed development would result in a notable improvement in the privacy of the rear garden of No.173 (and, albeit more distant, its rear elevation) because Unit 11 would have no windows/openings within its south elevation, in comparison to the high levels of glazing which are apparent, including at first floor level, within the south elevation of the existing building. Unit 11 passes the 25° angle test for daylight, in respect of windows/openings within the rear elevation of No.173, such that no significant harmful loss of daylight would be sustained to No.173. Given the positioning of Unit 11 to the north/north-west of the house and rear garden of No.173 there would be no significant harmful loss of sunlight to No.173. The single storey element of Unit 11 would be positioned between around 2.5m

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and 5.4m away from the common boundary with No.173. Given the approximate 4.0m height of this single storey element, together with the levels of separation and positioning to the north/north-west of No.173 and its rear garden area, this single storey element would result in no significant harmful impact to No.173.

84. Whilst Unit 10 would have mezzanine level windows within its south elevation these would be no closer to the common boundaries with Nos.171 and 173 than the first floor level windows within the south elevation of the existing two storey building in this position. Moreover, condition 32 is recommended to secure the obscure-glazing and non-opening of these windows in order to preclude actual overlooking of Nos.171 and 173 and their rear garden areas. Whilst it is acknowledged that a perception of overlooking of Nos.171 and 173 and their rear garden areas would remain this would be less harmful to the privacy of these properties than the existing situation.
85. The 'main' building of Unit 11 would be positioned largely offset from the common boundary with No.175 Goldsworth Road, at an oblique angle, although would be positioned around 9.7m away from this common boundary at its closest point. Whilst the single storey element of Unit 11 would be closer to the common boundary this element would nonetheless remain over 5.0m away from the common boundary, in excess of its height (around 4.0m). For the preceding reasons there would be no significant harmful overbearing effect upon No.175, including to its rear garden. It must also be noted that the south elevation of the 'main' building of Unit 11 would remain around 27.0m away from the rear elevation of the house of No.175, (and at an oblique angle) and that the single storey element of Unit 11 would remain around 24.0m away from the rear elevation of the house of No.175.
86. Again, the proposed development would result in a notable improvement in the privacy of the rear garden of No.175 (and, albeit more distant, its rear elevation) because Unit 11 would have no windows/openings within its south elevation, in comparison to the high levels of glazing which are apparent, including at first floor level, within the south elevation of the existing building. Unit 11 passes the 25° angle test for daylight, in respect of windows/openings within the rear elevation of No.175, such that no significant harmful loss of daylight would be sustained to No.175. Given the positioning of Unit 11 to the north/north-west of the house and rear garden of No.175 there would be no significant harmful loss of sunlight to No.175.

### No.2 Mabel Street:

87. No.2 Mabel Street is a two storey semi-detached house which 'turns the corner' of Mabel Street to the west of the site. Its front elevation faces north, and its rear garden is to the south. Unit 11 would address Mabel Street and have an 'across the street' relationship with No.2.
88. The 'main' building of Unit 11 would largely face 'down' the carriageway of Mable Street (to the west) although would, in part, be positioned opposite the side (east) elevation of No.2, which seemingly contains no habitable room windows/openings. The 'main' building of Unit 11 would be positioned around 18.5m away from the boundary of the curtilage of No.2 with the single storey element of Unit 11 around 15.0m away. Given these levels of separation, combined with the maximum height of Unit 11 (around 9.4m)

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there would be no significant harmful overbearing effect, loss of daylight and loss of sunlight to No.2 Mabel Street. It must also be noted that Unit 11 would be a relatively modest 1.7m taller than the existing two storey building in this location.

89. Whilst Unit 11 would have mezzanine level windows within its west elevation the distance between these and the boundary of the curtilage of No.2 would exceed the distances set out within SPD Outlook, Amenity, Privacy and Daylight (2022) such that no significant harmful loss of privacy would arise to No.2 Mabel Street. The high levels of glazing which are apparent within the west elevation of the existing building in this location, including at first floor level, must also be noted in this respect.

### No.13 Mabel Street:

90. No.13 Mabel Street is a two storey semi-detached house to the west of the site. Its front elevation faces south, and its rear garden is to the north. There are windows at both ground and first floor levels within its side (east) elevation.
91. Unit 11 would largely face 'down' the carriageway of Mable Street (to the west) although would, in part, be positioned opposite the common boundary of No.13, although would not be positioned opposite the house of No.13 where it demonstrates side-facing (east) windows. Unit 11 would be positioned, at its closest, around 19.0m away from the common boundary with No.13. Given this level of separation, combined with the maximum height of Unit 11 (around 9.4m) there would be no significant harmful overbearing effect, loss of daylight and loss of sunlight to No.13 Mabel Street. It must also be noted that Unit 11 would be a not significant 1.7m taller than the existing (two storey) building in this location.
92. Whilst Unit 11 would have mezzanine level windows within its west elevation the distance between these and the common boundary of No.13 would exceed the distance set out within SPD Outlook, Amenity, Privacy and Daylight (2022) such that no significant harmful loss of privacy would arise to No.13. The high levels of glazing which are apparent within the west elevation of the existing two storey building in this location, including at first floor level, must also be noted in this respect.
93. Unit 12 would be positioned to the east of No.13 Mabel Street and would remain much further distant from the common boundary than the existing building in this location which is to be demolished. Whilst Unit 12 would be positioned opposite the side (east) elevation of the house at No.13, which contains ground and first floor windows, and opposite part of the rear garden boundary of No.13, Unit 12 would be between around 17.5m and 19.0m away from the common boundary (due to the stepped boundary), distances which very notably exceed its maximum height (around 7.4m) such that no significant harmful overbearing effect, nor loss of daylight and sunlight, would arise to No.13 Mabel Street, including to its rear garden. Unit 12 would have no mezzanine level and thus windows and openings within that unit would be restricted to ground floor level, where they would be the preceding distances away from the common boundary, precluding any harmful loss of privacy to No.13 Mabel Street.

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### Other properties:

94. Having regard to the nature, scale, siting and form of the proposed development no material neighbouring amenity impacts would arise to nearby properties other than those assessed previously.
95. Overall, subject to recommended conditions, and taking into account the 'baseline' for assessment, which is formed by the existing site, the proposed development would avoid significant harmful neighbouring amenity impacts. Noise will be considered separately below.

### Noise

96. The NPPF sets out (at para 174e) that planning decisions should contribute to and enhance the natural and local environment by (among other things) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of, inter alia, noise pollution. Paragraph 185 of the NPPF states that planning decisions should, inter alia, *"mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life"*.
97. Policy CS21 of the Woking Core Strategy (2012) requires proposals for new development to *"be designed to avoid significant harm to the environment and general amenity, resulting from noise"*. For noise generating forms of development, or proposals that would affect noise-sensitive uses, Policy DM7 of the Development Management Policies DPD (2016) requires a statement detailing potential noise generation levels and any mitigation measures proposed to ensure that all noise is reduced to an acceptable level, stating that development will only be permitted where mitigation can be provided to an appropriate standard with an acceptable design, particularly in proximity to sensitive existing uses or sites.
98. In respect of noise it is stressed that the site constitutes an existing Employment Area which is protected for B Class Uses by the Development Plan (Policy CS15 of the Woking Core Strategy (2012)). It must also be noted that there is no evidence of any planning conditions (being attached to previous planning permissions on the site) restricting hours of use or operation within the existing Goldsworth Road Industrial Estate.
99. The application has been submitted with an Acoustic Assessment Report, which was prepared by the applicant (as stated at para 1.1) on the basis of the development being *"for a total of twelve industrial units with the classification of Class E(g) flexible use or B8, with the exception of unit 11 & 12 which could be E(g) flexible use, B8 or Sui Generis (car repair)."*
100. For clarity, and for the avoidance of any doubt, following negotiations with the case officer, the applicant no longer seeks Use Class B2 (*"general industrial use"*, which would include car repair) anywhere within the site. In this respect it is important to note that the Acoustic Assessment Report states (at para 3.5) that *"All units are expected to be Class E(g) flexible use or B8, with the exception of unit 11 & 12 which could be E(g) flexible use, B8 or Sui Generis (car repair). This means the potential noise, if the units are Sui Generis (car repair), could be much greater than Class E(g) flexible use"*

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or B8" (emphasis added). Following the amendment to the application this will no longer be the case.

101. Those Units which would have the closest relationships with adjoining housing - being Units 1, 4 and 5 - are proposed within Use Class E(g) only, that being (emphasis added):

"(g) for-

- (i) *an office to carry out any operational or administrative functions* [formerly Use Class B1(a)],
- (ii) *the research and development of products or processes* [formerly Use Class B1(b)], or
- (iii) *any industrial process* [formerly Use Class B1(c)],

***being a use [in all three cases, as in the former Use Class B1] which can be carried out in any residential area without detriment to the amenity of that area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit.***

102. All other Units are proposed within Use Class E(g) (as above) or Use Class B8 (*"Use for storage or as a distribution centre"*). For clarity the Acoustic Assessment Report considers 'all units B1 [case officer note: now Use Class E(g)] or B8 doors closed' and 'all units B1 [case officer note: now Use Class E(g)] or B8 doors open'.

103. The Acoustic Assessment Report states (at para 3.4) that *"The units themselves will provide mitigation, but there should be at least 30dB in noise reduction via cladding/structure"* and (at para 3.7) that *"It is assumed that none of the industrial units will be occupied during the evening (7pm till 11pm) and night time periods (11pm till 7am)"* and (at para 4.1) that *"It is assumed all units will only operate during day-time periods (7am till 7pm)"*. In line with the Acoustic Assessment Report recommended condition 22 can require that at least 30dB in noise reduction is provided by the cladding/structure of the units (i.e., at detailed design / construction stages) and recommended condition 20 can secure that use(s) of the twelve units must not operate other than between the following hours, and also that no deliveries must be taken at or dispatched from the site except between the following hours (condition 21 refers):

- 07:00 and 19:00 hours on Mondays to Fridays (inclusive) (excluding Bank and Public Holidays);
- 08:00 and 18:00 hours on Saturdays; and
- 10:00 and 16:00 hours on Sundays, Bank and Public Holidays.

104. The Acoustic Assessment report states (at para 4.2) that *"Predicted noise levels are shown to be low and below the current background level at the nearest neighbouring residential properties close to Unit 11 & 12, if an acoustic fence of at least 2m is installed and roller shutters are kept closed as much as possible (especially during any noisy car repairs)." Whilst no Class B2 use is now proposed within the application site (which would include car repairs) a 2 metre high acoustic fence would still have acoustic benefits, particularly to Nos.2 and 13 Mabel Street (recommended condition 23 refers). The Acoustic Assessment report goes on to state (also at para*

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4.2) that *“The houses close to the eastern side of the site, mainly 163 Goldsworth Road and 1 & 2 Highbridge Villas will not be affected by the industrial estate during day-time periods if the units have sufficient insulation of at least Rw 30dB and an acoustic fence of at least 2m is installed”*. It should be noted that an acoustic fence of 2 metres in height (where it does not front a highway) is ‘permitted development’ (PD) (under Schedule 2, Part 2, Class A of the GPDO 2015). Again, recommended conditions 20, 21, 22 & 23 refer in respect in requiring that at least 30dB in noise reduction is provided by the cladding/structure of the units, that the units are only used during specified (daytime) hours and to secure the provision of acoustic fences.

105. The Council’s Senior Environmental Health Officer (EHO) comments (most recent response, dated 7 August 2023) that *“With reference to the acoustic report and in particular [Figure] A10, I agree with your statement that removal of Use Class B2 (General Industrial) will markedly reduce the noise impact on nearby residential and no further adverse comments are submitted on behalf of EH. This would not however preclude EH from taking statutory nuisance action in the event that noise complaints are received and found to be justified.”* Some of the original conditions recommended by the EHO are no longer required because Use Class B2 is no longer proposed anywhere within the site, recommended conditions 20-24 (incl.) otherwise refer in respect of hours of use/deliveries and noise, recommended condition 07 refers in respect of a Demolition & Construction Method Statement (to include hours of site works) and condition 29 refers in respect of external lighting.
106. Overall, subject to recommended conditions, the proposed development would not give rise to unacceptable levels of noise pollution and would avoid significant harm to the environment and general amenity, resulting from noise. The proposed development would therefore comply with Policy CS21 of the Woking Core Strategy (2012), Policy DM7 of the Development Management Policies DPD (2016) and the provisions of the National Planning Policy Framework (NPPF) (most notably at paragraphs 174e and 185).

### Highways and parking

107. Policy CS18 of the Woking Core Strategy (2012) states that *“The Council is committed to developing a well-integrated community connected by a sustainable transport system which connects people to jobs, services and community facilities, and minimises impacts on biodiversity and that this will be achieved by taking the following steps [inter alia] (emphasis added):*
- ***“Locating most new development in the main urban areas, served by a range of sustainable transport modes, such as public transport, walking and cycling to minimise the need to travel and distance travelled.***
  - *Ensuring development proposals provide appropriate infrastructure measures to mitigate the adverse effects of development traffic and other environmental and safety impacts (direct or cumulative). Transport Assessments will be required for development proposals, where relevant, to fully assess the impacts of development and identify appropriate mitigation measures.*



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*Developer contributions will be secured to implement transport mitigation schemes.*

- *Requiring development proposals that generate significant traffic or have significant impact on the Strategic Road Network to be accompanied by a travel plan, clearly setting out how the travel needs of occupiers and visitors will be managed in a sustainable manner.*
- ***Implementing maximum car parking standards for all types of non-residential development, including consideration of zero parking in Woking Town Centre, providing it does not create new or exacerbate existing on-street car parking problems. Minimum standards will be set for residential development. However, in applying these standards, the Council will seek to ensure that this will not undermine the overall sustainability objectives of the Core Strategy, including the effects on highway safety. If necessary, the Council will consider managing the demand and supply of parking in order to control congestion and encourage use of sustainable transport.”***

108. The reasoned justification text to Policy CS18 states (at para 5.165) that:

*“The main urban centres offer a wide range of retail, employment and community services. It is in these areas where public transport interchanges and walking and cycling networks are readily available. By concentrating development in the main urban centres, the amount and length of journeys can be minimised, particularly by private car, as the needs of the population can be met by the services and facilities around them, and use of sustainable transport modes can be maximised. This will lead to a reduction in energy consumption, efficient use of public transport, lower transport carbon emissions and an overall improvement in the well being of the population due to the health benefits of walking and cycling and increased social inclusion.”*

109. Policy DM16 of the Development Management Policies DPD (2016) states that:

*“The Council will require servicing facilities to be well designed, built to accommodate the demands of new development and sensitively integrated into the development and the surrounding townscape and streetscape. In particular, servicing activities should not give rise to traffic congestion, conflict with pedestrians, or other road users, or be detrimental to residential amenity”.*

110. Section 9 of the NPPF (Promoting sustainable transport) states, at paragraph 107, that *“If setting local parking standards for residential and non-residential development, policies should take into account:*

- a) the accessibility of the development;*
- b) the type, mix and use of development;*
- c) the availability of and opportunities for public transport;*
- d) local car ownership levels; and*
- e) the need to ensure an adequate provision of spaces for charging plug-in and other ultra-low emission vehicles.”*

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111. Paragraph 110 of the NPPF states that “*In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:*

- a) *appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;*
- b) *safe and suitable access to the site can be achieved for all users;*
- c) *the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code; and*
- d) *any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.”*

112. Paragraph 111 of the NPPF states that “*Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.*”

113. The application has been submitted with a Transport Statement (TS) which identifies that the existing site access from Goldsworth Road will be maintained, with the existing access on Mabel Street to be modified.

### Parking (incl. accessible, cycle & EV charging provision)

114. SPD Parking Standards (2018) states (at para 4.3) that “*As set out in the Core Strategy, maximum parking standards will be implemented for all types of non-residential parking standards, including consideration of zero parking in Woking town centre*” (emphasis added).

115. In respect of B Use Classes SPD Parking Standards (2018) sets out a maximum parking standard of 1 car space per 30 sq.m for Use Class B1 (Business - *Offices, research & development, light industry appropriate in a residential area*). As set out previously following substantive changes to the Use Classes Order (which came into force on 1 September 2020) Use Class B1 no longer exists although Use Class E(g) includes uses for the same purposes as fell within the former Use Class B1 (hence the requirement for Class B1 has been used for Class E(g) in this officer assessment). The SPD also sets out maximum parking standards for Use Class B8 (Storage/distribution) these being 1 car space per 100 sq.m for warehouse - storage and 1 car space per 70 sq.m for warehouse – distribution with a maximum of 1 lorry space per 200 sq.m for both types of warehouse.

116. As can be seen from the table on the following page on the basis of the SPD Parking Standards (2018) maximum standards the proposed development would have a total maximum parking requirement of 91.3 spaces on the basis of all floorspace being in use for purposes within Use Class E(g) (i.e., equivalent to former Use Class B1). As can also be seen on the following table the proposed development would have a total maximum parking requirement of 38.6 spaces on the basis of all floorspace, other than that within Units 1, 4 and 5 (which would be restricted to purposes falling within Class E(g)), being in use for purposes falling within Use Class B8. It must be stressed that these non-residential parking standards are expressed within

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the SPD as being maximum parking standards. A swept path analysis within the TS demonstrates that a large family car would be able to enter and exit the site accesses from Goldsworth Road and Mabel Street and would be able to manoeuvre into/out of parking spaces.

117. It is also very highly material in this instance that the site is located only a very short distance (around 85 metres) west of the Woking Town Centre boundary (as this is defined on the Council’s Proposals Map). For spatial context the flats at Goldsworth Reach, No.135 Goldsworth Road fall within the (eastern-most part of) Woking Town Centre. As such, it is clear that the location of the site is highly sustainable in transportation terms. For context were the site to fall within the boundary of Woking Town Centre (i.e., around 85 metres to the east) the SPD sets a maximum parking standard of 1 car space per 100 sq.m for purposes falling within Class E(g) (as opposed to 1 car space per 30 sq.m) and allows for a 50% reduction in the maximum parking requirements for uses falling within Use Class B8 (i.e., to 0.5 car spaces per 100 sq.m for Warehouse - Storage). For context in this (albeit hypothetical) scenario the proposed development would have a total maximum parking requirement of 27.5 spaces, on the basis of all floorspace being in use for purposes within Use Class E(g), and of 27.7 spaces on the basis of all floorspace, other than that within Units 1, 4 and 5 (which would be restricted to purposes falling within Class E(g)), being in use for purposes falling within Use Class B8.

118. The proposed development would provide a total of 56 on-site parking spaces (including loading bay spaces), 46 of which would be accessed via Goldsworth Road (serving Units 1-10) and 10 of which would be accessed via Mabel Street (serving Units 11 & 12).

Unit	Use Classes	Proposed GIA (sq.m) (incl. Mezzanine)	‘Worst case’ SPD Maximum parking standard (1 space per 30 sq.m - Class E(g) / equiv. to Class B1)	‘Best case’ SPD Maximum parking standard (1 space per 100 sq.m - Class B8 Warehouse - Storage)	Proposed parking spaces (incl. loading bay space)
<b>Goldsworth Road</b>					
1	E(g) only	200.70	6.6	6.6 (Class E(g))	4
2	E(g) or B8	174.60	5.8	1.7	4
3		234.00	7.8	2.3	5
4	E(g) only	203.40	6.7	6.7 (Class E(g))	5
5		98.10	3.2	3.2 (Class E(g))	3
6	E(g) or B8	244.80	8.1	2.4	5
7		284.40	9.4	2.8	5
8		305.10	10.1	3.0	5
9		300.60	10.2	3.0	5
10		308.70	10.2	3.0	5
<b>Total 1-10</b>		<b>2,354.40</b>	<b>78.1</b>	<b>34.7</b>	<b>46</b>

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<b>Mabel Street</b>					
11	E(g) or	308.70	10.2	3.0	5
12	B8	90.90	3	0.9	5
<b>Total 11-12</b>		<b>399.60</b>	<b>13.2</b>	<b>3.9</b>	<b>10</b>
<b>Grand Totals</b>		<b>2,754.00</b>	<b>91.3</b>	<b>38.6</b>	<b>56</b>

119. SPD Parking Standards (2018) states (at para 4.4) that *“For non-residential development it is the responsibility of site occupiers to ensure adequate exclusive provision is made for the needs of people with disabilities to provide access in a socially inclusive way, under the Equalities Act 2010”* and that where a car park is used for ‘Employees and visitors to business premises’ (up to 200 bays) that *“Individual bays for each disabled employee plus 2 bays, or 5% of total capacity, whichever is greater”* should be provided. A total of 12 accessible parking spaces would be provided on-site, 1 space to each proposed unit. This level of accessible space provision represents 21% of total parking spaces across the site (i.e., 12 of 56 spaces) and would provide between 33% and 20% accessible parking to each unit. This level of accessible parking provision is considered appropriate given that it is not known how many disabled employees will work on-site post-development.
120. SPD Parking Standards (2018) states (at para 4.6) that *“The provision of good quality cycle parking supports cycling as a means of transport and is therefore critical to increasing the use of cycles”* and sets out minimum cycle parking standards as follows (only relevant uses shown):

<b>B1 Business (Now Class E(g))</b>	
Offices - Class E(g)(i)	1 space per 125 sq.m (min. 2 spaces)
Research & development / light industry - Class E(g)(ii) & (iii)	1 space per 250 sq.m (min. 2 spaces)
<b>B8 Storage or distribution</b>	
B8 Storage or distribution	1 space per 500 sq.m (min. 2 spaces)

121. The TS states (at para 5.13) that *“Each individual unit will be provided with a dedicated cycle parking area. A locker room will be provided in each unit to allow for staff/visitors to change into and out of cyclist equipment. The locker room will be large enough to store cyclist equipment”*. Given that the largest units (Unit 10 & 11) would each provide 308.70 sq.m GIA the provision of sheltered secure and lit cycle parking for x2 spaces to each and every unit would be appropriate, and compliant with the SPD requirements. Cycle parking is proposed to be provided internally within each unit and further details in this respect can be secured through recommended condition 10.
122. In respect of Electric vehicle (EV) charging points SPD Parking Standards (2018) states (at section 5) that *“As part of the Council’s commitment to achieving an energy efficient transport system and to cut carbon emissions the Council has produced a Climate Change SPD which sets out the requirement for new developments to provide EV charging points, in line with Core Strategy Policy CS22: Sustainable construction”*. Section 6.1 of SPD Climate Change (2013) sets out that 5% of total parking spaces should be provided as active charging points and that 10% of total parking spaces should be provided as passive charging points. A total of 9 EV spaces are shown on the proposed site plan, this represents 16% of the total number of

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parking spaces (i.e., 9 out of 56 spaces). The TS states (at para 5.9) that “5% of available spaces will be fitted with a fast electric charging socket plus a further 10% of total spaces to be provided with power supply to provide additional fast charge sockets.” Recommended condition 11 can secure further details of EV charging points and provision of active/passive points in accordance with SPD Climate Change (2013).

### Public transport and cycle & pedestrian accessibility

123. The TS sets out that a number of bus routes serve the site, including bus services 28, 34 and 35, that the closest bus stops to the site are on Goldsworth Road immediately to the west and therefore future employees and visitors would be able to access the site via bus. Woking railway station is situated within Woking Town Centre approximately 1 kilometre to the east of the site and accessed via pedestrian footways. As the TS acknowledges the site is outside of what can be conceived as a reasonable walking distance to Woking railway station (which serves destinations including Clapham Junction, London Waterloo, Guildford and Portsmouth) although local bus services run directly between the site and Woking Town Centre. As such, the site is therefore well served by Woking railway station as part of linked trips with local bus services for future employees and visitors of the proposed development.
124. There are high quality pedestrian facilities within the vicinity of the site. Footways on Goldsworth Road provide easy and convenient walking routes to the central part of Woking Town Centre, to Woking railway station and to local bus stops. Cycle routes within the local area provide good connections to facilities and amenities that are located throughout Woking Town Centre and the surrounding area. An off-road cycle path is routed along the Saturn Trail canal towpath which has a northeast-southwest alignment to the north of the site and can be accessed across the Stepbridge Path bridge or across nearby Arthurs Bridge (to the west).

### Trip generation & impact

125. The TS identifies (at para 4.3) that “*The existing industrial floorspace is 2706.26 sqm GIA. The proposed scheme is similar in scale to the current site, so little or no net increase in floor space under the proposals. The proposed site has a floorspace of 2754 sqm GIA.*”
126. The TS uses TRICS (Trip Rate Information Computer System) data to determine the total number of vehicle trips the existing site likely generates, stating that the existing use as an ‘Industrial Estate’ (the use of the existing units accessed from Goldsworth Road falls under Use Classes B2, B8 and E(g), these being grouped together as ‘Industrial Estate’ within the TRICS database) could reasonably be expected to generate is in the order of 116 total two-way vehicle trips from/to Goldsworth Road over the course of a typical weekday and that the existing use as ‘General Industrial’ (the use of the existing units accessed from Mabel Street as vehicle repair garages falls within Use Class B2 ‘General industrial’) could reasonably be expected to generate is in the order of 22 total two-way vehicle trips over the course of a typical weekday via the Mabel Street access. Whilst one of the existing units accessed from Mabel Street appears to be presently vacant, and appears to have been vacant for some time, the planning position is that use of this

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vacant unit could recommence at any time and therefore the existing 'baseline' scenario must include that unit being within active use.

127. The TS, using TRICS, states that the proposed development could reasonably be expected to generate in the order of 143 total two-way vehicle trips from/to Goldsworth Road over the course of a typical weekday and that the proposed development could reasonably be expected to generate in the order of 24 total two way vehicle trips via the Mabel Street access over the course of a typical weekday. The following table summarises the preceding:

<b>Trip Generation from/to</b>	<b>Existing Trips</b>	<b>Proposed Trips</b>	<b>Net Trips</b>
Goldsworth Road	116	143	+27
Mabel Street	22	24	+2
Total	138	167	+29

128. As such, the proposed development is expected to generate 29 more vehicle trips spread over the course of a typical weekday when compared against the sites extant use, only two additional vehicle trips via Mabel Street (across a typical weekday) are expected to be generated when compared against the extant use. The TS therefore concludes that the traffic impact of the proposed development is therefore projected to result in a minimal and insignificant traffic impact on the adjoining highway in terms of traffic capacity, safety, and neighbouring amenity and that it has not been deemed necessary to carry out any further detailed traffic impact assessment or junction capacity testing.

### Servicing

129. Servicing of the proposed units will comprise refuse collection as well as site specific deliveries. The TS includes swept path analyses which demonstrate that the largest of goods vehicles (16.5 metre articulated lorry), and a 7.5 tonne panel van, can access and egress the site in forward gears. A swept path analysis has also been submitted to demonstrate that a refuse vehicle can access and exit the site in forward gear from Goldsworth Road, refuse collection for Units 11 and 12 will take place from the kerbside as per the existing arrangement on Mabel Street.
130. The proposed development has been considered by the County Highway Authority (CHA) (Surrey County Council) who, having assessed the application on safety, capacity and policy grounds, raises no objection subject to conditions to secure: (i) space laid out within the site for vehicles to park and turn (condition 08), (ii) the proposed access to Mabel Street is modified and provided with pedestrian visibility zones and adequate pedestrian crossing facilities with tactile paving either side of the access (condition 09) (iii) provision for bicycle parking, cyclist changing/shower facilities and facilities for cyclists to store cyclist equipment (condition 10) and (iv) Electric Vehicle (EV) charging points (condition 11). The CHA has stated that they consider the level of parking provision for the proposed development to be acceptable.

Mabel Street access

131. The applicant has also submitted a feasibility report in response to the initial concerns of the CHA regarding the Mabel Street Access, which is proposed to be modified. The report identifies that the two existing Mabel Street vehicular accesses give access to Woking Community Transport's existing bus repair garage (marked as Site Access 2), and to a car repair garage located to the north of the bus repair garage (marked as Site Access 1). The applicant proposes that the kerb line and footway will be reinstated at Site Access 2 (because this access will become redundant) and that Site Access 1 will be modified to provide a single access point from Mabel Street to serve Units 11 and 12 of the proposed development. Following submission of the feasibility report the CHA stated that they were still concerned about the width of the footway adjacent to the telegraph pole and suggested strongly that the applicant extend it, stating that the CHA would want to see the retention of the full width of the footway across the Mabel Street site access in any future section 278 package.
132. As such, the applicant now proposes to extend the footway on the corner of Mabel Street to achieve a 2m wide footway between the telegraph pole and the carriageway. A plan has been submitted which demonstrates that the narrowest width in the carriageway (after footway widening) would be 5.4m and a swept path analysis demonstrates that two cars will remain able to safely pass each other around this corner. Tactile paving would be installed on the footway where the modified vehicular access would cross the footway. The CHA has commented that they are now content with the works to Mabel Street. It must be noted however that these works (which would extend onto the public highway beyond the red line of the application site) would need to be brought forwards through a (separate) agreement between the applicant and the CHA, under Section 278 of the Highways Act 1980. The extension of the footway around this corner of Mabel Street would improve the safety of pedestrians because the current layout of the Mabel Street access pushes pedestrians onto the carriageway.
133. Whilst it is acknowledged that numerous letters of representation raise concern in respect of the impact of increased traffic on Mabel Street, in the absence of objection being raised by the County Highway Authority (Surrey CC) on highway safety, capacity and policy grounds, any such potential refusal on this basis would not be robust and would very likely not be defensible.
134. Overall therefore, subject to recommended conditions, the impact upon highways and parking is acceptable and the proposed development complies with Policy CS18 of the Woking Core Strategy (2012), Policy DM16 of the Development Management Policies DPD (2016), SPDs Parking Standards (2018) and Climate Change (2013) and the provisions of the National Planning Policy Framework (NPPF).

Arboriculture

135. Policy CS21 of the Woking Core Strategy (2012) states, inter alia, that "*Proposals for new development should...incorporate landscaping to enhance the setting of the development, including the retention of any trees of amenity value, and other significant landscape features of merit, and provide for suitable boundary treatment/s*". Policy CS24 of the Woking Core

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Strategy (2012) states that development will be expected to, inter alia, “Protect and encourage the planting of new trees where it is relevant to do so”.

136. Policy DM2 of the Development Management Policies DPD (2016) states that “Trees, hedgerows and other vegetation of amenity and/or environmental significance or which form part of the intrinsic character of an area must be considered holistically as part of the landscaping treatment of new development. When considering development proposals, the Council will...require landscape proposals for new development to retain existing trees and other important landscape features where practicable...require any trees which are to be retained to be adequately protected to avoid damage during construction...require adequate space to be provided between any trees to be retained and the proposed development (including impervious surfaces)”.
137. Paragraph 131 of the NPPF states that “Trees make an important contribution to the character and quality of urban environments, and can also help mitigate and adapt to climate change...that [developments should ensure that] appropriate measures are in place to secure the long-term maintenance of newly-planted trees, and that existing trees are retained wherever possible”.
138. The application has been submitted with an arboricultural report and arboricultural impact assessment, and a tree constraints and tree protection plan. There are trees within the rear gardens of adjoining Stepbridge Path and Goldsworth Road properties, with the most notable ‘belt’ of trees to the north (within the Basingstoke Canal Conservation Area / Corridor / Urban Open Space). Collectively the trees make a positive visual contribution to the appearance of the local area more generally and particularly to the Basingstoke Canal Conservation Area / Corridor / Urban Open Space to the north.
139. The submitted information identifies that only three trees are proposed for removal (T05, T15, White Willow and T16, Sycamore). Both trees T15 and T16 fall within the G21 group area to the north of the site (Basingstoke Canal) and have been identified to have significant trunk decay (with fungal fruiting bodies present) and their removals are recommended due to their poor condition and the potential hazard that they represent (as opposed to being necessitated by the proposed development). Given their presence within the G21 group area, which forms a tree ‘belt’ on the southern side of the Basingstoke Canal, their removal would not have a significant visual impact. Tree T05 is a small tree on the verge at the front of the site.
140. It is proposed to cut the crowns of trees T12 and T13 (Pedunculate Oak, both Cat B1/2.), and groups G20 (Mostly Sycamore and understorey species, Cat C2) and G21 (Mix of White Willow, Sycamore and understorey species, Cat C2), all of which are to the north of the site, back to the site boundary (these trees overhang the existing roofs of the northern buildings). It is not anticipated that the proposed development will increase pressure for future tree pruning or removal as a result of overshadowing (most trees are to the north of the proposed development, and no windows within the proposed development will face north).
141. Whilst there would be incursions into some Root Protection Areas (RPAs),



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due to the footprints of the proposed buildings and the hardstanding of parking bays, these incursions would be small (up to around 10% of RPA) or would be no greater than existing incursions. Where RPA incursions would take place, this would be achieved either through a no-dig solution, hand-digging or no further incursion than already exists.

142. The Senior Arboricultural Officer (WBC) considers the arboricultural implications to be acceptable. Further information is required to be submitted for LPA approval prior to the commencement of development (condition 25 refers). Overall, subject to recommended conditions, the arboricultural impacts of the proposed development are acceptable.

### Biodiversity and protected species

143. The NPPF states that *“planning...decisions should contribute to and enhance the natural and local environment by... minimising impacts on and providing net gains for biodiversity”* (paragraph 174). Circular 06/05 - Biodiversity and Geological Conservation provides further guidance in respect of statutory obligations for biodiversity and geological conservation and their impact within the planning system and requires the impact of a development on protected species to be established before planning permission is granted. These provisions are reflected within Policy CS7 of the Woking Core Strategy (2012). Paragraph 180 of the NPPF sets out the principles that local planning authorities should apply when determining planning applications.
144. The application has been submitted with a Preliminary Ecological Assessment (PEA), which identifies that the nearest Site of Nature Conservation Importance (SNCI) is (the water channel of the) Basingstoke Canal, directly to the north of the site, which is recognised for its aquatic plants and invertebrates including nationally rare species. The PEA identifies that the main part of the site constitutes an area of hardstanding concrete, being used for parking and loading associated with the existing buildings, that to the southern edge of the site (either side of the site entrance) are areas of modified grassland with ornamental shrub species and trees. Along the outer northern edge of the site boundary is a tree ‘belt’ running next to the Basingstoke Canal with a further three trees adjacent to the site to the east.

### Bats

145. The PEA identifies that the existing buildings are all very similar, being predominately of flat roofed and prefabricated panel design and that externally the buildings were observed (by the applicants ecological consultant) to be well sealed with the prefabricated panel wall joints filled with a masticated bonding agent, with limited holes, gaps, or any crevices suitable for the ingress of bats. The PEA considers there to be a negligible likelihood of bat roosts being present within all existing buildings.
146. The PEA identifies that trees to the north and east of the site are understood to be retained and not expected to be directly impacted by the proposed development. However, the PEA identifies that significantly increased lighting could render the trees less attractive for roosting bats and thereby risk disturbing bats or obstructing bat roosts. Surrey Wildlife Trust Ecology Planning Advice Service (SWT, the ecology adviser to the LPA) advise that a

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lighting plan or strategy should demonstrate that there will be no net increase of artificial lighting on the Basingstoke Canal, to include bankside terrestrial habitat. Whilst SWT advise that this lighting plan/strategy should be submitted prior to commencement it is considered more in line with the 'six tests' for planning conditions (NPPF, para 56) for these details to be submitted to, and approved by, the LPA prior to installation of any permanent external lighting (condition 29 refers). The PEA identifies that the small area of grassland and individual trees and shrubs to the south of the site (on the verge) were considered to provide negligible value to foraging bats and as such the risk to foraging and commuting bats in this area was considered negligible.

### Nesting birds

147. The PEA identifies that trees adjacent to site's northern and eastern boundaries, and the two trees and several shrubs at the southern boundary of the site, were considered suitable for common nesting birds and therefore that the removal of or cutting back of trees and shrubs or dense scrub, if undertaken between March and end August (i.e., during the bird nesting season) would pose a high risk of harm to likely no more than low numbers of nesting birds on the site.
148. The PEA considers that the methods of working / impact avoidance precautions, in respect of potential bat roosts in trees, nesting birds and general precautions (to be secured by condition 26), would be sufficient to reduce the risk to bats and nesting birds to negligible and therefore that further survey work would be disproportionate to the risk and unnecessary. Condition 26 includes that the removal of trees must be completed under a 'soft fell' precautionary approach. The PEA also considers that no further surveys were considered necessary for other species as their likelihood of occurring and being impacted by the proposed development was considered to be negligible.
149. SWT comment that "*Despite the presence of crevices on all the buildings, in their professional opinion, Adonis Ecology has concluded that these buildings have negligible suitability to support a bat roost. If the application is granted by the LPA, then we would advise that they require the Applicant to proceed under a precautionary method. We would advise that if evidence of a bat roost is found, then works cease and an ecologist is contacted for advice on how to proceed. We would advise that the recommendations for trees with low suitability to support bat roosts provided in the Preliminary Ecological Assessment are followed if the application is granted*". Recommended informative 18 refers (as does condition 26).
150. The PEA includes outline recommendations for ecological enhancements (at section 5.3), which include planting recommendations and bat and bird box provision and states (at para 6.1.1) that "*with the biodiversity enhancements undertaken, there would be an increase in biodiversity that would be significant at the site level*". A Landscape Strategy has been submitted with the application. SWT advise that if the application is granted, the applicant should be required to submit an Ecological Enhancement Plan (EMP). However, given the very modest existing planting and soft landscaping which is present within the application site, combined with the fact that limited planting and soft landscaping is proposed within the proposed site, it is not considered to meet the 'six tests' for planning conditions (NPPF, para

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56) to require an Ecological Enhancement Plan (EMP) *per se* in this case although condition 28 is recommended to secure that measures for the enhancement of biodiversity on the site be submitted, and thereafter implemented.

151. Overall, subject to recommended conditions and informatives, the impact on biodiversity and protected species is acceptable and accords 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 (NPPF).

### Flooding and water management

152. Policy CS9 of the Woking Core Strategy (2012) states that “*The Council will determine planning applications in accordance with the guidance contained within the NPPF. The SFRA will inform the application of the Sequential and Exceptional Test set out in the NPPF*”. Policy CS9 also states that “*The Council expects development to be in Flood Zone 1 as defined in the SFRA*”. Paragraph 159 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 (whether existing or future)*”.
153. The application has been submitted with a Flood Risk Assessment & Surface Water Drainage Strategy report (for brevity hereafter referred to as the FRA) which identifies that the site falls within the lowest probability of fluvial (i.e., river and sea) flooding, as identified on the Gov.uk Flood map for planning, and therefore no fluvial flooding issues arise, but that there is a risk of surface water flooding within the site boundary.
154. In respect of foul water the Thames Water sewer records show a foul rising main and associated pump station within the site boundary. Following discussions between the applicant and Thames Water, the proposed site layout has ensured that the proposed buildings are no closer to the pump station (which will be retained as existing) than the existing buildings and the foul rising main will be diverted as part of a S185 application (a separate regulatory process) and replaced by a section of gravity sewer underneath the proposed building. This will be subject to a build over agreement with Thames Water (again, a separate regulatory process which is referred to here only for information purposes).
155. In respect of surface water flooding the FRA sets out that the natural flow paths through the site will be maintained as the new buildings will be located in the positions of the existing ones, that all buildings are proposed to be located outside of areas at a high risk of surface water flooding and therefore not displacing flood water, negating the requirement for flood compensation. The FRA also sets out that, based on a review of the topographic survey and lidar data, the surface water flood extent appears to follow the 28.50m AOD contour and therefore, the finished floor levels (FFL) of the buildings will be set at least 300mm (i.e., 0.3m) above the modelled surface water flood level, meaning the minimum FFL will be 28.80m AOD.
156. The FRA provides a flood risk summary table (at Tables 4.1 and 6.1) which is replicated on the following page:

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<b>Flood Mechanism</b>	<b>Source</b>	<b>Flood Risk to the Development</b>	<b>Mitigation Required?</b>
Fluvial	N/A	Low	No
Tidal	N/A	Low	No
Groundwater	Underlying geology and groundwater levels	Medium	No basement development proposed and FFL's to be set no lower than existing ground levels.
Surface Water / Overland Flow	Runoff from surrounding elevated land	Low-High	Natural flow paths to be maintained, no buildings proposed in high risk area, preventing displacement of flood water & FFL's set at least 300mm above modelled flood depth.
Infrastructure failure	Surface water systems and Water mains	Low	No
Reservoir Flooding	Local Reservoirs	Low	No

157. The FRA identifies that, in respect of surface water, the existing site drains via a series of gullies and a surface water piped network which discharges into the Thames Water public surface water sewer that runs through the site and underneath the Basingstoke Canal.

158. In respect of potentially discharging surface water runoff to a soakaway or other infiltration system, in line with the sustainable drainage (SuDS) hierarchy, the FRA sets out that the Strategic Flood Risk Assessment (SFRA) map shows the site is susceptible to groundwater flooding to property below ground level, making infiltration drainage unsuitable due to groundwater levels, that the site is underlain by Bagshot Formation - sand, and that there are concerns relating to contamination due to previous engineering-based activities on the site - it *“has to be considered possible that any supporting underlying hardcore introduced during the construction of the present site in the 1960s could have contained residue from asbestos contaminating materials”* (Environmental Desk Study and Preliminary Risk Assessment, para 10.1). Therefore, the FRA concludes that infiltration drainage is unsuitable at the site. In respect of potentially discharging surface water runoff to the Basingstoke Canal the FRA sets out that this would involve crossing third party land (outside of the applicants control) and would require agreement from the Canal and River Trust and Basingstoke Canal Authority. Furthermore, the FRA sets out that the canal is situated approximately 1 metre higher than the lowest level at the site meaning it is unlikely that surface water drainage could discharge to the canal via gravity.

159. As such, the FRA sets out that it is proposed to continue to discharge the surface water runoff from the site to the existing Thames Water public surface water sewer, albeit at (reduced) greenfield run-off rates. The

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proposed SuDS features will reduce the rate of surface water discharge into the Thames Water network by providing on-site storage during heavy rainfall events, reducing the risk of surface water flooding (a petrol interceptor is also proposed to remove oil or hydrocarbons before the water is discharged from the site). Run-off from the roof's will be collected via rainwater downpipes that will discharge into the piped network underground and be temporarily stored within the (underground) attenuation tanks. Parking bays will be constructed with permeable paving, which will provide treatment before being discharged into the underground piped network and into the attenuation tanks. Run-off from the asphalt roads and other hardstanding will drain via the permeable paving, into the piped network underground and into the attenuation tanks.

160. A flow control chamber will restrict the peak discharge rate (into the Thames Water surface water network) to the greenfield run-off rate of 2.0 litres per second (l/s), with any excess water backing up into the attenuation tanks provided underground. It must be noted that surface water discharges from the existing site (into the Thames Water surface water network) at an unrestricted rate, and thus the proposed development would result in a betterment in this respect.
161. The FRA sets out that the proposed SuDS features will ensure that surface water run-off from the proposed development would be contained on-site for up to and including the worst case 1 in 100 year storm event, plus an additional 45% increase in peak rainfall intensity for climate change. Thames Water have confirmed (to the applicant, this letter is on the application case file) that their surface water network has sufficient capacity to accommodate the surface water from the proposed development.
162. Whilst the Council's Strategic Flood Risk Assessment (SFRA) (November 2015) identifies parts of the site to be at risk of surface water flooding the site is designated (and protected by Policy CS15 of the Woking Core Strategy (2012)) as an Employment Area within the Development Plan. The proposed development would re-provide employment floorspace (within Use Classes E(g) and B8) within the site and would not introduce higher vulnerability uses (i.e., such as residential uses), retaining the existing 'less vulnerable' commercial/industrial uses on the site. For these combined reasons, it is not considered necessary to apply the sequential test (due to surface water flood risk) in this instance. In addition, as set out within the FRA, the natural (surface water) flow paths would be maintained, no buildings are proposed in the high risk (surface water) area and FFL's are to be set at least 300mm above modelled (surface water) flood depth.
163. The Lead Local Flood Authority (LLFA) (Surrey County Council) have reviewed the surface water drainage strategy for the proposed development and assessed it against the requirements of the NPPF, its accompanying PPG and the Non-Statutory Technical Standards for sustainable drainage systems and are satisfied that the proposed drainage scheme meets the requirements set out in the aforementioned documents and are content with the development proposed, subject to recommended conditions 12 and 13.
164. Thames Water have commented that if the developer follows the sequential approach to the disposal of surface water (which the submitted sustainable drainage proposal does) they would have no objection. Thames Water have advised that, with regard to waste water network and sewage treatment

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works infrastructure capacity, they do not have any objection.

165. Thames Water have also commented that the proposed development is located within 20m of a Thames Water Sewage Pumping Station (Officer Note: this falls within the existing site between Units 5 and 6) and that given the nature of the function of the pumping station and the close proximity of the proposed development to the pumping station Thames Water consider that any occupied premises should be located at least 20m away from the pumping station. Thames Water comment that the amenity of those that will occupy the new development must be a consideration in determining the application and that given the close proximity of the proposed development to the pumping station Thames Water consider that it is likely that amenity will be impacted and therefore object.
166. Whilst the preceding comments from Thames Water are noted the proposed development would provide industrial/commercial units within Use Classes E(g) and B8. The proposed development would provide no residential accommodation and the industrial/commercial floorspace provided within the site would not be particularly vulnerable to periodic impacts from the pumping station in the form of odour, light, vibration and/or noise (as would new residential accommodation for example). Furthermore, Units 4, 5, and 6 (which would be closest to the pumping station, which is to be retained as existing) would be no closer to the pumping station than the existing buildings on the site which are to be demolished. Moreover, the new buildings would have a facade construction which would achieve a minimum of the 30 dB Rw criterion, as specified within the Acoustic Assessment Report (recommended condition 22 refers). Whilst this facade construction is principally for the containment of internally generated noise it would also have some benefit in reducing the impact of externally generated noise (i.e., such as that from the pumping station) within the proposed buildings. For these combined reasons the objection of Thames Water in this respect is considered without sufficient reasoned justification.
167. Overall, subject to recommended conditions, the impact upon flooding and water management is acceptable and complies with Policy CS9 of the Woking Core Strategy (2012), the SFRA (November 2015), the NPPF, the PPG and the Non-Statutory Technical Standards for sustainable drainage systems.

### Archaeology (below-ground heritage)

168. Section 16 of the NPPF places the conservation of archaeological interest as a material planning consideration. Paragraph 194 of the NPPF states that *"Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation"*. Policy CS20 of the Woking Core Strategy (2012) states that *"On all development sites over 0.4 hectares an archaeological evaluation and investigation will be necessary if, in the opinion of the County Archaeologist, an archaeological assessment demonstrates that the site has archaeological potential."*
169. Whilst the site does not fall within an Area of High Archaeological Potential (AHAP) the site area exceeds 0.4 hectares. An archaeological desk-based assessment report has been submitted with the application and assesses

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the archaeological potential of the site and the likely impact of the proposed development on archaeological remains. The principal conclusions of the assessment are that the Historic Environment Record (HER) shows a limited number of archaeological discoveries from within the 1km search radius, suggesting the archaeological potential for the site is low, or perhaps more accurately in view of the very limited amount of archaeological work that has occurred in the area, uncertain. The assessment identifies that the underlying sandy geology is likely to have a bearing on the presence of archaeological remains, with Mesolithic and Bronze Age material being most likely, whilst the presence of the Basingstoke Canal could be a factor in the presence of medieval and post medieval remains.

170. The assessment sets out that it is probable that the groundworks that have been undertaken during the construction of the existing structures have impacted upon the underlying undisturbed sub-strata, and although the extent to which this has occurred is uncertain, the likelihood is that such impact would have been sufficient to remove evidence of all but the deepest archaeological remains (if present). The assessment therefore recommends that, in view of the limited archaeological potential and likely severe impact of previous development, that no further archaeological investigation need be undertaken in this instance.
171. The County Archaeological Officer (CAO) comments that the submitted desk-based assessment report is of good quality, and assesses all resources reasonably available, but draws conclusions that whilst the site may have had archaeological potential, this potential will have been significantly reduced by past development impacts, to the point where any archaeological remains that have survived will be of negligible significance. The CAO further comments that no evidence has, at this time, been submitted to indicate that the past development impacts are indeed as deep as has been assumed by the assessment and it is therefore reasonable to undertake a scheme of limited test pitting to demonstrate past depths of impacts across the site to confirm the assertions made by the desk-based assessment that supports the application.
172. The CAO therefore recommends condition 14 in order to mitigate the impacts of the proposed development, in accordance with Paragraph 205 of the NPPF which states that LPA's should "*require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible*". Overall, subject to recommended condition, the proposed development complies with Policy CS20 of the Woking Core Strategy (2012), Policy DM20 of the DM Policies DPD (2016) and the relevant provisions of the NPPF in respect of archaeology.

### Contamination

173. Paragraph 174 of the NPPF states that "*planning...decisions should contribute to and enhance the natural and local environment by [inter alia] remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate*". Paragraph 183 of the NPPF states that "*planning...decisions should ensure that: a site is suitable for its proposed use taking account of ground conditions and any risks arising from land*

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*instability and contamination...after remediation, as a minimum, land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990; and...adequate site investigation information, prepared by a competent person, is available to inform these assessments.” Paragraph 184 of the NPPF states that “Where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.”*

174. Policy DM8 of the Development Management Policies DPD (2016) states, inter alia, that *“Adequate site investigation information should be provided with development proposals, including the site’s history, potential contamination sources, pathways and receptors, and where appropriate, physical investigation, chemical testing, and a risk assessment to cover ground gas and groundwater.”*
175. The application has been submitted with an Environmental Desk Study and Preliminary Risk Assessment (i.e., a Phase I report). The report identifies that the site (and some of the neighbouring land to the east) appears to have seen commercial and/or industrial use spanning a period of at least 60 years, prior to which the site was largely undeveloped and that currently there are a number of vehicle repair facilities on the site along with other light engineering works. As such, the report has identified a potential contamination concern due to these engineering-based activities, along with the possible presence of either imported made-ground or redistributed ground, as well as hardcore, that may have been introduced during the original preparation of the area for the existing commercial development. The report also states (at para 10.1) that it *“has to be considered possible that any supporting underlying hardcore introduced during the construction of the present site in the 1960s could have contained residue from asbestos contaminating materials”*.
176. The Council’s Contaminated Land Officer (CLO) advises that the report concludes that a site investigation is required to determine risk to future users (and that it is understood that soft landscape is proposed and that there is unlikely to be the growing of vegetables on-site). The CLO comments that the proposed site investigation, which is proposed within the report, only covers the proposed soft landscape areas and that it is considered that a more site-wide approach is required to ensure previous uses of the site have not impacted the underlying ground to a degree that significant risk is posed to receptors and to determine if any off site migration of fuels has taken place. As such, the CLO advises that a revised version of the Phase I report should be submitted, with a revised investigation strategy, and that this can be secured through a pre-commencement condition (recommended condition 15 refers). The CLO also recommends further conditions to secure investigation and risk assessment, remediation method statement, and remediation validation report, and in respect of unexpected ground contamination (recommended conditions 16, 17, 18 and 19 refer).
177. Overall, subject to recommended conditions, the proposed development complies with Policy DM8 of the Development Management Policies DPD (2016) and the relevant provisions of the National Planning Policy Framework (NPPF) in respect of land contamination.



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### Sustainable construction

178. The Council has adopted BREEAM (Building Research Establishment Environmental Assessment Method) standards in Policy CS22 of the Woking Core Strategy (2012) in order to deliver more sustainable non-residential development across the Borough:

*“New non-residential development of over 1,000 sq,m or more (gross) floorspace is required to comply with the BREEAM very good standards (or any future national equivalent).”*

179. To encourage renewable and low carbon energy generation in the Borough, Policy CS23 of the Woking Core Strategy (2012) sets out the following:

*“Applicants should take appropriate steps to mitigate any adverse impacts of proposed development through careful consideration of location, scale, design and other measures. All reasonable steps to minimise noise impacts should be taken”.*

*“Applicants should provide sound evidence of the availability of the resource which will be harnessed or the fuel to be used, including details of the adequacy of transport networks where applicable and detailed studies to assess potential impacts such as noise nuisance, flood risk, shadow flicker and interference with telecommunications”.*

180. The application has been submitted with a sustainable construction statement which sets out (at para 5.2) that *“the proposal has undergone BREEAM pre-assessment exercises to assess the potential BREEAM score and rating for the proposed 12 industrial units...The pre-assessment is based upon the BREEAM New Construction 2018 Shell Only non-domestic methodology (SD5078:3.0-2018) with the appropriate measures applied under the BREEAM ‘Industrial, Shell Only’ methodology. This represents the most appropriate and most recent methodology for the development...The credits targeted result in a potential score of 61.60%, equivalent to a BREEAM ‘Very Good’ rating.”*

181. The sustainable construction statement sets out that new fabric elements (i.e., external walls, roofs, glazing, doors etc.) will reduce emissions and energy demand and that the renewable and/or low carbon technologies considered to be most feasible for the proposed development, and subject to further detailed review (and tenant requirements/ fit out specification), are Air Source Heat Pump (ASHP) and Solar Photovoltaic (PV) systems.

182. The application has also been submitted with a BREEAM New Construction 2018 Pre-Assessment Report which states that *“the proposed development could provisionally achieve a maximum BREEAM ‘Very Good’ rating of 61.60% (all reasonable measures targeted). This ensures an adequate sustainability rating and maximum improvement in energy efficiency is achieved, which reflects the proposed building type and function”.* It should be noted that BREEAM ‘Very Good’ standard is awarded where the overall BREEAM score/rating is between 55% - 69%. Whilst the stated 61.60% BREEAM score/rating is provisional, and stated to be a maximum, at this pre-construction phase, the evidence suggests that achieving a (lower) BREEAM score/rating of 55% is realistic, which would result in a BREEAM ‘Very Good’ score/rating, in line with the requirement of Policy CS22 of the

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Woking Core Strategy (2012). Recommended condition 31 refers in respect of BREEAM.

### Local finance considerations

183. The proposed development would not be Community Infrastructure Levy (CIL) liable because it would contain no residential or retail floorspace.

### Conclusion

184. In conclusion, the proposed development would safeguard an existing designated Employment Area for B Class uses (Use Class E(g) being readily comparable to former Use Class B1), whilst achieving the redevelopment of outmoded employment floorspace to cater for modern business needs, thus improving the quality of the commercial/industrial employment floorspace which is available within the Borough and helping Woking's economy to grow. The proposed development would help to meet a requirement for industrial/warehousing space (which would also be appropriate for potential high technology manufacturing) and would support small and medium sized enterprise (SME) formation and development by providing a range of unit sizes. The proposed development would therefore comply with Policy CS15 of the Woking Core Strategy (2012) and the provisions of the National Planning Policy Framework (NPPF) (most notably paragraph 81).
185. Taking into account the appearance of the existing site, as well as the protection afforded to it (as a designated Employment Area) by Policy CS15 of the Woking Core Strategy (2012), the proposed development is considered to be a visually and spatially acceptable form of development which would have an acceptable impact on the character, grain and pattern of development within the area. Furthermore, the proposed development would preserve the setting of the adjacent Basingstoke Canal Conservation Area, and thus would not harm the significance of that Conservation Area, it would conserve the landscape, heritage, ecological character, setting and enjoyment of the Basingstoke Canal and would not result in the loss of important views in the vicinity of the canal. Considering the 'baseline' for assessment which is formed by the existing site the proposed development would avoid significant harmful neighbouring amenity impacts and, subject to recommended conditions, would not give rise to unacceptable levels of noise pollution and would avoid significant harm to the environment and general amenity, resulting from noise.
186. Subject to recommended conditions, the impacts in respect of highways and parking, arboriculture, biodiversity and protected species, flooding and water management, archaeology, contamination and sustainable construction are acceptable. The application therefore complies with relevant Development Plan policies, and other material considerations, and is therefore recommended for approval subject to recommended conditions.

### **BACKGROUND PAPERS**

Site & Press Notices (Regulation 3/4 Development, Major Development & Development Affecting a Conservation Area)

x36 Letters of representation (plus petition containing x55 signatories)

Consultation response(s) from County Highway Authority (CHA) (Surrey CC)

Consultation response from Lead Local Flood Authority (LLFA) (Surrey CC)

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Consultation response from County Archaeological Officer (Surrey CC)  
Consultation response from Contaminated Land Officer (CLO) (WBC)  
Consultation response(s) from Senior Environmental Health Officer (WBC)  
Consultation response from Senior Arboricultural Officer (WBC)  
Consultation response from Surrey Wildlife Trust Ecology Planning Advice Service  
Consultation response from Thames Water Development Planning  
Consultation response from National Grid Asset Protection Team

### **RECOMMENDATION**

**Grant** planning permission subject to the following conditions:

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

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

02. The development hereby permitted must be carried out only in accordance with the approved plans and documents listed below, unless where required or allowed by other conditions attached to this planning permission:

22045-HNW-ZZ-ZZ-DR-A-1000 Rev P02 (Location Plan), dated 21/04/23 (rec'd by LPA 12.05.2023)

22045-HNW-ZZ-ZZ-DR-A-2100 Rev P08 (Site Plan As Proposed), dated 17/08/23 (rec'd by LPA 17.08.2023)

22045-HNW-ZZ-ZZ-DR-A-2101 Rev P01 (Roof Site Plan As Proposed), dated 21/04/23 (rec'd by LPA 12.05.2023)

22045-HNW-ZZ-ZZ-DR-A-2200 Rev P02 (Proposed Floor Plans Units 1 to 5), dated 21/04/23 (rec'd by LPA 12.05.2023)

22045-HNW-ZZ-ZZ-DR-A-2201 Rev P02 (Proposed Floor Plans Units 6 to 12), dated 21/04/23 (rec'd by LPA 12.05.2023)

22045-HNW-ZZ-ZZ-DR-A-2300 Rev P04 (Proposed Elevations Units 1 to 4), dated 17/08/23 (rec'd by LPA 17.08.2023)

22045-HNW-ZZ-ZZ-DR-A-2301 Rev P04 (Proposed Elevations Units 5 to 10), dated 07/08/23 (rec'd by LPA 08.08.2023)

22045-HNW-ZZ-ZZ-DR-A-2302 Rev P02 (Proposed Elevations Units 11-12), dated 21/04/23 (rec'd by LPA 12.05.2023)

22045-HNW-ZZ-ZZ-DR-A-2305 Rev P03 (Proposed and Existing Street Scenes), dated 17/08/23 (rec'd by LPA 17.08.2023)

22045-HNW-ZZ-ZZ-DR-A-2306 Rev P01 (Proposed and Existing Street Scenes 2), dated 17/07/23 (rec'd by LPA 20.07.2023)

22045-HNW-ZZ-ZZ-DR-A-2310 Rev P03 (Typical Sections), dated 17/08/23 (rec'd by LPA 17.08.2023)

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22045-HNW-ZZ-ZZ-DR-A-2900 Rev P03 (Landscape Strategy As Proposed), dated 17/08/23 (rec'd by LPA 17.08.2023)

Flood Risk Assessment & Surface Water Drainage Strategy, prepared by Mayer Brown Limited, dated May 2023.

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

### Levels

03. ++ Notwithstanding any information shown on the approved plans listed within condition 02 of this notice no development must take place pursuant to this planning permission (with the exception of site preparation works and the demolition of existing building(s) down to ground level) until full details of the finished floor levels, above ordnance datum, of the ground floor(s) of the proposed building(s), and of the finished ground levels of hard and soft landscaped areas within the site, all in relation to existing ground levels within the site, have been submitted to and approved in writing by the Local Planning Authority. The development must thereafter be carried out in accordance with the approved finished levels.

Reason: In the interests of the visual amenities of the site and surrounding area in accordance with Policy CS21 of the Woking Core Strategy (2012), SPD Design (2015) and the National Planning Policy Framework (NPPF). This condition is required to be addressed prior to commencement (other than site preparation works and demolition) in order that the ability to discharge its requirement is not prejudiced by the carrying out of building works or other operations on the site.

### Materials

04. ++ Notwithstanding the details submitted with the application (including any shown and/or annotated on the approved plans listed within condition 02 of this notice) prior to the application/installation of external materials/finishes to a building hereby permitted, full details of all external facing materials of that building must first be submitted to and approved in writing by the Local Planning Authority. The submitted details must include details of all facing / cladding materials / panels (including timber and timber effect panels), roof covering materials, downpipes/gutters/verges (including colour and material) and RAL colour(s) and material for window(s), loading doors and personnel door frames.

The submitted details must generally accord with the type and quality of materials indicated within the application. The building(s) must thereafter be carried out and permanently maintained in accordance with the approved details unless the Local Planning Authority first agrees in writing to any variation.

Reason: To ensure the development respects and makes a positive contribution to the street scenes and the character of the area in which it is situated in accordance with Policy CS21 of the Woking Core Strategy (2012), SPD Design (2015) and the National Planning Policy Framework (NPPF).

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### Use(s) & Mezzanine floors

05. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (and/or any Order(s) revoking and/or re-enacting or amending that Order with or without modification(s)), the following units hereby permitted must not be used other than for the following purposes as defined within The Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification(s)) with any change between the uses permitted within Units 2, 3, 6, 7, 8, 9, 10, 11 & 12 (inclusive) for up to 10 years following first occupation of any relevant unit:

#### Units 1, 4 and 5 (inclusive):

- For purposes falling within Class E(g) only of Schedule 2 to the Town and Country Planning (Use Classes) Order 1987 (as amended) and for no other purpose (including any other purpose(s) within Class E of Schedule 2 to the Town and Country Planning (Use Classes) Order 1987 (as amended) or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification(s) and for no other purpose(s) whatsoever without express planning permission from the Local Planning Authority first being obtained.

#### Units 2, 3, 6, 7, 8, 9, 10, 11 & 12 (inclusive):

- For purposes falling within Class E(g) only of Schedule 2 to the Town and Country Planning (Use Classes) Order 1987 (as amended) and for no other purpose (including any other purpose(s) in Class E of Schedule 2 to the Town and Country Planning (Use Classes) Order 1987 (as amended) or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification(s) or;
- For purposes falling within Class B8 of Schedule 2 to the Town and Country Planning (Use Classes) Order 1987 (as amended) and for no other purpose(s) whatsoever without express planning permission from the Local Planning Authority first being obtained.

Furthermore, the uses hereby permitted must occur only within the buildings hereby permitted and must not take place externally to the buildings.

Reason: To protect the status of the site as an Employment Area (designated by the Development Plan) and to protect the amenity of the surrounding area in respect of noise and disturbance, vehicle movements and highway impacts and parking provision in accordance with Policy CS21 of the Woking Core Strategy (2012), Policy DM7 of the Development Management Policies DPD (2016), SPD Parking Standards (2018) and the National Planning Policy Framework (NPPF).

06. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (and/or any equivalent Order(s), replacing, amending and/or re-enacting that Order(s) with or without modification(s)) no additional floors, including mezzanine floors, other than as shown and detailed on the approved plans

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listed within condition 02 of this notice shall be erected within any of the twelve units hereby permitted.

Reason: To avoid potential over-intensification of use of the site and subsequent adverse implications for car parking, noise and neighbouring amenity in accordance with Policies CS18 and CS21 of the Woking Core Strategy (2012), Policy DM7 of the Development Management Policies DPD (2016) and the National Planning Policy Framework (NPPF).

### Demolition & Construction Method Statement

07. ++ Development pursuant to this planning permission must not commence (including any site preparation and / or demolition works), until a Demolition and Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The Demolition and Construction Method Statement must provide the following details:

- a) the parking of vehicles of site personnel, operatives and visitors;
- b) loading/unloading and storage of plant and materials;
- c) the erection and maintenance of security hoarding;
- d) measures to prevent the deposit of materials on the highway;
- e) measures to minimise dust levels during demolition and construction;
- f) hours of demolition and construction work, deliveries and removal of materials as well as measures to minimise noise and vibration levels during demolition and construction works;
- g) full details of any piling technique(s) to be employed, if relevant;
- h) location of any temporary buildings and associated generators, compounds, structures and enclosures.

The approved Demolition and Construction Method Statement must be adhered to throughout the site preparation, demolition and construction period of the development hereby permitted.

Reason: To protect the amenity of the area in accordance with Policies CS18 and CS21 of the Woking Core Strategy (2012) and the provisions of the National Planning Policy Framework (NPPF). This condition is required to be addressed prior to commencement in order that the ability to discharge its requirement is not prejudiced by the carrying out of building works or other operations on the site.

### Highways

08. The development hereby permitted must not be first opened for trading unless and until space has been laid out within the site in accordance with the approved plans listed within condition 02 of this notice for vehicles to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the vehicle parking and turning areas must be permanently retained and maintained for their designated purpose(s).

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), SPD Parking Standards (2018) and the provisions of the National Planning Policy Framework (NPPF).

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09. Units 11 and/or 12 of the development hereby permitted must not be first opened for trading unless and until the vehicular access to Mabel Street has been modified and provided with pedestrian visibility zones and adequate pedestrian crossing facilities with tactile paving either side of the access in accordance with the approved plans listed within condition 02 of this decision notice (and with the following plans prepared by Paul Mews Associates Traffic Consultants, both dated 01/August/2023; P2772/TN/1 (Existing and Proposed Footway on Mabel Street) and P2772/TN/2 (Proposed Extension to the Footpath on Mabel Street by 2.0m)). Thereafter the visibility zones must be kept permanently clear of any obstruction over 1.05m high.

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

10. ++ A unit within the development hereby permitted must not be first opened for trading unless and until the following facilities have been provided to that unit in accordance with the following details which must first be submitted to and approved in writing by the Local Planning Authority:

- (a) The secure, covered and lit parking of bicycles (providing a minimum of 2 bicycle spaces to serve each unit hereby permitted);
- (b) Facilities within each unit hereby permitted for cyclists to change into and out of cyclist equipment / shower; and
- (c) Facilities within each unit hereby permitted for cyclists to store cyclist equipment.

Thereafter the approved cycle parking and cyclist facilities must be permanently retained and maintained for the lifetime of that unit.

Reason: To promote modes of travel other than via the private vehicle through ensuring that cycle parking and cyclist equipment is available within the development in accordance with Policy CS18 of the Woking Core Strategy (2012), SPD Parking Standards (2018) and the provisions of the National Planning Policy Framework (NPPF).

11. ++ Development pursuant to this planning permission must not commence (with the exception of site preparation and demolition works) until details of at least:

- 5% of total parking spaces to be provided as active charging points; and
- 10% of total of parking spaces to be provided as passive charging points

to be provided within the site have been submitted to and approved in writing by the Local Planning Authority. The active and passive electric vehicle charging points must be provided in accordance with the approved details prior to the first use / first occupation of the unit which they will serve and must thereafter be permanently retained in accordance with the approved details unless replaced with more advanced technology serving the same objective.

Reason: In order that suitable provision for electric vehicle charging points is made in accordance with Policy CS22 of the Woking Core Strategy (2012), SPDs Parking Standards (2018) and Climate Change (2014) and the provisions of the National Planning Policy Framework (NPPF). This condition is required

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to be addressed prior to commencement (other than site preparation works and demolition) in order that the ability to discharge its requirement is not prejudiced by the carrying out of building works or other operations on the site.

### Sustainable drainage (SuDS)

12. ++ The development hereby permitted must not commence (including any site clearance, preparation or demolition works) until details of the design of a surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The design must satisfy the SuDS Hierarchy and be compliant with the national Non-Statutory Technical Standards for SuDS, National Planning Policy Framework (NPPF) and Ministerial Statement on SuDS. The required drainage details must include:
- a) Evidence that the proposed final solution will effectively manage the 1 in 30 (+35% allowance for climate change) & 1 in 100 (+45% allowance for climate change) storm events during all stages of the development. The final solution must follow the principles set out in the approved drainage strategy (Flood Risk Assessment & Surface Water Drainage Strategy, prepared by Mayer Brown Limited, dated May 2023). Associated discharge rates and storage volumes must be provided using a maximum discharge rate equivalent to the pre-development Greenfield run-off.
  - b) Detailed drainage design drawings and calculations to include: a finalised drainage layout detailing the location of drainage elements, pipe diameters, levels, and long and cross sections of each element including details of any flow restrictions and maintenance/risk reducing features (silt traps, inspection chambers etc.);
  - c) A plan showing exceedance flows (i.e., during rainfall greater than design events or during blockage) and how property on and off site will be protected from increased flood risk;
  - d) Details of drainage management responsibilities and maintenance regimes for the drainage system; and
  - e) Details of how the drainage system will be protected during construction and how runoff (including any pollutants) from the development site will be managed before the drainage system is operational.

Reason: To ensure the design meets the national Non-Statutory Technical Standards for SuDS and the final drainage design does not increase flood risk on or off site in accordance with Policy CS9 of the Woking Core Strategy (2012), National Planning Policy Framework (NPPF) and Ministerial Statement on SuDS. This condition is required to be addressed prior to commencement in order that the ability to discharge its requirement is not prejudiced by the carrying out of building works or other operations on the site.

13. ++ Prior to the first occupation / first use of the development hereby permitted, a verification report carried out by a qualified drainage engineer must be submitted to and approved by the Local Planning Authority. The drainage verification report must demonstrate that the surface water drainage system has been constructed as per the agreed scheme (or detail any minor variations), provide the details of any management company and state the national grid reference of any key drainage elements (surface water attenuation devices/areas, flow restriction devices and outfalls), and confirm any defects have been rectified.



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Reason: To ensure the constructed surface water drainage system meets the national Non-Statutory Technical Standards for SuDS in accordance with Policy CS9 of the Woking Core Strategy (2012), National Planning Policy Framework (NPPF) and Ministerial Statement on SuDS.

### Archaeology

14. ++ Development pursuant to this planning permission must not commence (including any site clearance, preparation or demolition works) until the applicant (or their agents or successors in title) has secured the implementation of a programme of archaeological work to be conducted in accordance with an Archaeological Written Scheme of Investigation (AWSI) which must first be submitted to and approved in writing by the Local Planning Authority. For land that is included within the AWSI, no development must take place other than in accordance with the agreed AWSI, the programme and methodology of site investigation and the nomination of a competent person(s) or organisation to undertake the agreed works. The AWSI must accord with the appropriate Historic England guidelines and include:
- (a) a statement of significance and research objectives, the programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works; and
  - (b) a programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material.

The AWSI must be prepared and implemented by a suitably qualified professionally accredited archaeological person(s) or organisation.

Reason: To ensure that the potential for archaeological remains is properly addressed in accordance with Policy CS20 of the Woking Core Strategy (2012), Policy DM20 of the Development Management Policies DPD (2016) and the National Planning Policy Framework (NPPF). This condition is required to be addressed prior to commencement in order that the ability to discharge its requirement is not prejudiced by the carrying out of building works or other operations on the site.

### Contamination

15. ++ Prior to the commencement of the development hereby permitted (including any on-site contaminated land site investigations) and in follow-up to the environmental desktop study report a contaminated land site investigation proposal must be submitted to and approved in writing by the Local Planning Authority (including any additional requirements that the Local Planning Authority may specify). The contaminated land site investigation proposal must provide details of the extent and methodologies of sampling, analyses and proposed assessment criteria required to enable the characterisation of the plausible pollutant linkages identified in the preliminary conceptual model. Following approval of the contaminated land site investigation proposal, the Local Planning Authority must be given a minimum of two weeks written prior notice of the commencement of on-site investigation works. The site investigation works must then be undertaken in accordance with the approved details.

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Reason: To ensure that a satisfactory strategy is put in place for addressing contaminated land, making the land suitable for the development hereby permitted without resulting in risk to construction workers, future users of the land, occupiers of nearby land and the environment in accordance with Policy DM8 of the Development Management Policies DPD (2016) and the provisions of the National Planning Policy Framework (NPPF). This condition is required to be addressed prior to commencement of development in order that the ability to discharge its requirement is not prejudiced by the carrying out of building works or other operations on the site.

16. ++ Prior to the commencement of the development hereby permitted a contaminated land site investigation and risk assessment, undertaken in accordance with the approved site investigation proposal, that determines the extent and nature of contamination on site and reported in accordance with the current best practice and guidance such as Land Contamination Risk Management (LCRM) and British Standard BS 10175, must be submitted to and approved in writing by the Local Planning Authority (including any additional requirements that the Local Planning Authority may specify). If applicable, ground gas risk assessments must be completed in line with CIRIA C665 guidance.

Reason: To ensure that a satisfactory strategy is put in place for addressing contaminated land, making the land suitable for the development hereby permitted without resulting in risk to construction workers, future users of the land, occupiers of nearby land and the environment in accordance with Policy DM8 of the Development Management Policies DPD (2016) and the provisions of the National Planning Policy Framework (NPPF). This condition is required to be addressed prior to commencement of development in order that the ability to discharge its requirement is not prejudiced by the carrying out of building works or other operations on the site.

17. ++ Prior to the commencement of the development hereby permitted a detailed remediation method statement must be submitted to and approved in writing by the Local Planning Authority (including any additional requirements that the Local Planning Authority may specify). The remediation method statement must detail the extent and method(s) by which the site is to be remediated, to ensure that unacceptable risks are not posed to identified receptors at the site and must detail the information to be included in a validation report. The remediation method statement must also provide information on a suitable discovery strategy to be utilised on site should contamination manifest itself during site works that was not anticipated. The Local Planning Authority must be given a minimum of two weeks written prior notice of the commencement of the remediation works on site. The development must then be undertaken in accordance with the approved details.

Reason: To ensure that a satisfactory strategy is put in place for addressing contaminated land, making the land suitable for the development hereby permitted without resulting in risk to construction workers, future users of the land, occupiers of nearby land and the environment in accordance with Policy DM8 of the Development Management Policies DPD (2016) and the provisions of the National Planning Policy Framework (NPPF). This condition is required to be addressed prior to commencement of development in order that the ability to discharge its requirement is not prejudiced by the carrying out of building works or other operations on the site.

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18. ++ Prior to the first occupation / first use of the development hereby permitted, a remediation validation report for the site must be submitted to and approved in writing by the Local Planning Authority. The remediation validation report must detail evidence of the remediation, the effectiveness of the remediation carried out and the results of post remediation works, in accordance with the approved remediation method statement and any addenda thereto, so as to enable future interested parties, including regulators, to have a single record of the remediation undertaken at the site. Should specific ground gas mitigation measures be required to be incorporated into the development the testing and verification of such systems must have regard to current best practice and guidance for the design of protective measures for methane and carbon dioxide ground gases for new buildings.

Reason: To ensure that a satisfactory strategy is put in place for addressing contaminated land, making the land suitable for the development hereby permitted without resulting in risk to construction workers, future users of the land, occupiers of nearby land and the environment in accordance with Policy DM8 of the Development Management Policies DPD (2016) and the provisions of the National Planning Policy Framework (NPPF).

19. Contamination not previously identified by the site investigation, but subsequently found to be present at the site must be reported to the Local Planning Authority as soon as is practicable. If deemed necessary development must cease on site until an addendum to the remediation method statement, detailing how the unsuspected contamination is to be dealt with, has been submitted to and approved in writing to the Local Planning Authority (including any additional requirements that the Local Planning Authority may specify). The development must then be undertaken in accordance with the approved details. Should no further contamination be identified then a brief comment to this effect must be submitted to and approved in writing by the Local Planning Authority prior to the first occupation / first use of the development hereby permitted.

Reason: To ensure that a satisfactory strategy is put in place for addressing contaminated land, making the land suitable for the development hereby permitted without resulting in risk to construction workers, future users of the land, occupiers of nearby land and the environment in accordance with Policy DM8 of the Development Management Policies DPD (2016) and the provisions of the National Planning Policy Framework (NPPF).

### Hours of use and Noise

20. The use(s) of the twelve units hereby permitted must not operate other than between the following hours:
- 07:00 and 19:00 hours on Mondays to Fridays (inclusive) (excluding Bank and Public Holidays);
  - 08:00 and 18:00 hours on Saturdays; and
  - 10:00 and 16:00 hours on Sundays, Bank and Public Holidays.

Reason: To safeguard the residential amenities of existing adjoining and nearby residential occupiers in accordance with Policy CS21 of the Woking Core Strategy (2012), Policy DM7 of the Development Management Policies

## 5 SEPTEMBER 2023 PLANNING COMMITTEE

DPD (2016) and the provisions of the National Planning Policy Framework (NPPF).

21. No deliveries must be taken at or dispatched from the site except between the following hours:
- 07:00 and 19:00 hours on Mondays to Fridays (inclusive) (excluding Bank and Public Holidays);
  - 08:00 and 18:00 hours on Saturdays; and
  - 10:00 and 16:00 hours on Sundays, Bank and Public Holidays.

Reason: To safeguard the residential amenities of existing adjoining and nearby residential occupiers in accordance with Policy CS21 of the Woking Core Strategy (2012), Policy DM7 of the Development Management Policies DPD (2016) and the provisions of the National Planning Policy Framework (NPPF).

22. ++ (a) Prior to the commencement of above ground development (with the exception of site preparation and demolition works) to construct a building hereby permitted details of facade construction for that building must first be submitted to and approved in writing by the Local Planning Authority. The submitted details must confirm that the facade construction for that building will meet the minimum 30 dB Rw criterion specified within the Acoustic Assessment Report, prepared by PC Environmental Ltd (dated 16th March 2023).

(b) Prior to the first use / first occupation of a building hereby permitted a verification report (appended with substantiating evidence), prepared by a suitably qualified and experienced acoustic/noise consultant, demonstrating that the facade construction for that building has achieved the minimum 30 dB Rw criterion specified within the Acoustic Assessment Report, prepared by PC Environmental Ltd (dated 16th March 2023) (for the containment of internally generated noise) must be submitted to and approved in writing by the Local Planning Authority. The building must thereafter be permanently maintained in accordance with the approved details for the lifetime of that building.

Reason: To safeguard the residential amenities of existing adjoining and nearby residential occupiers in accordance with Policy CS21 of the Woking Core Strategy (2012), Policy DM7 of the Development Management Policies PDPD (2016) and the provisions of the National Planning Policy Framework (NPPF). This condition is required to be addressed prior to commencement (other than site preparation works and demolition) in order that the ability to discharge its requirement is not prejudiced by the carrying out of building works or other operations on the site.

23. ++ (a) Prior to first occupation of the development hereby permitted details of the acoustic fence(s) to be installed must first be submitted to and approved in writing by the Local Planning Authority. The submitted details must include:
- plan(s) (at 1:50 scale) showing the position and extent of the acoustic fence; and manufacturers' specification; and
  - the selected acoustic fence must be 2.0 metres in height and possess a minimum surface density of 15 kg/m<sup>2</sup>.

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(b) Prior to first occupation of the development hereby permitted the approved acoustic fence(s) must be installed in the approved location(s) and to the manufacturers' specification. The acoustic fence(s) must be permanently maintained for the lifetime of the development to ensure no gaps. Where gaps develop in the fence, the affected panels must be replaced within 21 days unless a longer timeframe is otherwise first agreed in writing by the Local Planning Authority.

Reason: To safeguard the residential amenities of existing adjoining and nearby residential occupiers in accordance with Policy CS21 of the Woking Core Strategy (2012), Policy DM7 of the Development Management Policies PDPD (2016) and the provisions of the National Planning Policy Framework (NPPF).

24. ++ Fixed plant and / or equipment associated with air moving equipment, compressors, generators or plant or similar equipment must not be installed within the development site until full details, including acoustic specifications and measures to attenuate noise and vibration from such plant and / or equipment, have first been submitted to and approved in writing by the Local Planning Authority. Any fixed plant and/or equipment associated with air moving equipment, compressors, generators or plant or similar equipment must thereafter be permanently maintained in accordance with the approved details.

Reason: To safeguard the residential amenities of existing adjoining and nearby residential occupiers in accordance with Policy CS21 of the Woking Core Strategy (2012), Policy DM7 of the Development Management Policies PDPD (2016) and the provisions of the National Planning Policy Framework (NPPF).

### Trees

25. ++ Notwithstanding the BS5837 Arboricultural Report and Arboricultural Impact Assessment and Tree Constraints Plan and Tree Protection Plan submitted with the application (both prepared by Arbor Cultural Ltd.) development pursuant to this planning permission must not commence (including any site clearance, preparation or demolition works) until a scheme for the protection of the retained trees, in accordance with BS 5837:2012 (or any future equivalent(s)), including a revised Tree Protection Plan(s) (TPP) and an Arboricultural Method Statement (AMS) have been submitted to and approved in writing by the Local Planning Authority. The following specific issues must be addressed within the TPP and AMS:

- a) Details (including a method statement) for the demolition of existing building(s) within the Root Protection Areas of retained trees;
- b) Details and locations of all below ground services / utilities / drainage runs (including SuDS features), demonstrating that they do not encroach within the Root Protection Areas of retained trees;
- c) Details of special engineering of foundations and specialist methods of construction (including a method statement which must include details of the no-dig construction and extent of the areas to be constructed using a no-dig specification where applicable) for building construction within the Root Protection Areas of retained trees;

## 5 SEPTEMBER 2023 PLANNING COMMITTEE

- d) Details (including a method statement) for the construction and/or replacement of hard surfaces (including parking bays) within the Root Protection Areas of retained trees;
- e) A specification for protective fencing and ground protection (where work access is required) to safeguard retained trees during both demolition and construction phases;
- f) Tree protection during demolition and construction indicated on a Tree Protection Plan and demolition and construction activities clearly identified as prohibited in these area(s);
- g) Details of any new and / or replacement boundary treatments within Root Protection Areas of retained trees and methods of installation;
- h) Details of contractor's parking, welfare facilities and storage areas demonstrating that these areas will not be located within the Root Protection Areas of retained trees or, if they will, that adequate ground protection will be provided;
- i) Provision for the convening of a pre-commencement site meeting attended by the developers appointed arboricultural consultant, the site manager/foreman and a representative from the Local Planning Authority to discuss details of the working procedures and agree either the precise position of the approved tree protection measures to be installed or that all tree protection measures have been installed in accordance with the approved tree protection plan;
- j) Provision for arboricultural supervision and inspection(s) by suitably qualified and experienced arboricultural consultant(s) where required, including for works within Root Protection Areas of retained trees; and
- k) Reporting of arboricultural inspection and supervision.

Demolition, site clearance or building operations must not commence until tree and ground protection has been installed in accordance with BS 5837: 2012 (or any future equivalent(s)) and as detailed within the approved TPP and AMS. The development must thereafter only be carried out only in accordance with the approved details, or any variation as may subsequently be first agreed in writing by the Local Planning Authority. All tree protection measures must be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing must be stored or placed in any area fenced in accordance with this condition. Any deviation from the works prescribed or methods agreed will require prior written approval from the Local Planning Authority.

Reason: To ensure the retention and protection of trees in the interests of the visual amenities of the area (including of the adjacent Basingstoke Canal Conservation Area / Corridor) and the appearance of the development in accordance with Policy CS21 of the Woking Core Strategy (2012), Policy DM2 of the Development Management Policies DPD (2016), and the provisions of the National Planning Policy Framework (NPPF). This condition is required to be addressed prior to commencement in order that the Local Planning Authority may be satisfied that the trees to be retained will not be damaged during development works (including site preparation and demolition works).

### Ecology / Biodiversity and external lighting

- 26. Works on the application site pursuant to the planning permission hereby granted must proceed strictly in line with the following methods of working / impact avoidance precautions as set out within the Preliminary Ecological Assessment, prepared by Adonis Ecology (Project Ref: 1722):

## 5 SEPTEMBER 2023 PLANNING COMMITTEE

- Paragraphs 5.2.1 and 5.2.2 (Potential Bat Roosts in Trees);
- Paragraphs 5.2.3 and 5.2.4 (Nesting Birds);
- Paragraph 5.2.5 (General Precautions); and
- Paragraph 5.3.7 (Expiry of Report).

In addition, the removal of trees must be completed under a 'soft fell' precautionary approach, whereby suitably qualified tree surgeons will cut and lower any substantial limbs to the ground to be left overnight to allow bats (if present) to make their way out.

Reason: To prevent animals (including bats and nesting birds) being injured or killed during site works and to comply with Policy CS7 of the Woking Core Strategy (2012), Circular 06/05 Biodiversity and the provisions of the National Planning Policy Framework (NPPF).

27. ++ The overall layout, extent and type of hard and soft landscaping for the development hereby permitted must generally accord with the approved plans listed within condition 02 of this notice. The development hereby permitted must not be first occupied / first brought into use until hard and soft landscaping has been implemented in accordance with details which have first been submitted to and approved in writing by the Local Planning Authority. The submitted details must include:
- a) details of soft planting, grassed/turfed areas, shrubs and herbaceous areas detailing species, sizes and numbers/densities;
  - b) specifications for operations associated with plant establishment and maintenance that are compliant with best practice;
  - c) hard landscaping, including specifications of all ground surface materials, kerbs, edges, steps and any synthetic surfaces; and
  - d) details of vertical climber planting to the east of Unit 5 and west of Unit 1;
  - e) a wayfinding and signage strategy.

All landscaping must be completed/planting must be completed in accordance with the approved details during the first planting season following practical completion of the development hereby permitted or in accordance with a programme otherwise first agreed in writing with the Local Planning Authority. Any new planting which dies, is removed, becomes severely damaged or diseased within five years of planting must be replaced during the following planting season. Unless further specific written permission has first been given by the Local Planning Authority replacement planting must be in accordance with the approved details.

Reason: To ensure a high quality development in accordance with Policy CS21 of the Woking Core Strategy (2012), Policy DM2 of the Development Management Policies DPD (2016), SPD Design (2015) and the provisions of the National Planning Policy Framework (NPPF).

28. ++ The development hereby permitted must not be first occupied / first brought into use until measures for the enhancement of biodiversity on the site have been submitted to and approved in writing by the Local Planning Authority together with a timetable for the implementation of such measures. Biodiversity enhancements must include, albeit not be limited to, the measures set out within Section 5.3 (Biodiversity Enhancement Recommendations) of the

## 5 SEPTEMBER 2023 PLANNING COMMITTEE

Preliminary Ecological Assessment, prepared by Adonis Ecology (Project Ref: 1722).

The measures as are approved must be implemented in full accordance with the agreed details prior to the first occupation / first use of the development hereby permitted and thereafter be permanently retained for the lifetime of the development.

Reason: To ensure that there is a net gain in biodiversity on the site in accordance with Policies CS7 and CS21 of the Woking Core Strategy (2012) and the provisions of the National Planning Policy Framework (NPPF).

29. ++ External lighting must not be installed within the red line of the development hereby permitted (with the exception of any temporary demolition/construction required external lighting) until full details (to include a layout plan with beam orientation and a schedule of equipment in the design (luminaire type, mounting height, aiming angles and luminaire profiles)) and demonstrating compliance with both the recommendations of the Bat Conservation Trusts' document entitled "Bats and Lighting in the UK - Bats and The Built Environment Series" (or any future equivalent) and the recommendations of the Institute of Lighting Professionals Guidance Note GN01/21 for The Reduction of Obtrusive Light (2021) (or any future equivalent) have been submitted to and approved in writing by the Local Planning Authority. The external lighting scheme must thereafter be installed and permanently maintained in accordance with the approved details unless otherwise first agreed in writing by the Local Planning Authority.

External lighting (other than security lighting) within the development hereby permitted must be switched off at the latest 1 hour after the hours of use set out within condition 20 of this planning permission and switched on at the earliest 1 hour before the hours of use set out within condition 20 of this planning permission.

Reason: To protect the general environment, the amenities of the area, the residential amenities of neighbouring and nearby existing properties and the adjacent Canal Corridor habitat for bats and other nocturnal animals. Nocturnal animals, including bats, are sensitive to any increase in artificial lighting of their roosting and foraging places and commuting routes. To accord with Policies CS7 and CS21 of the Woking Core Strategy (2012), the provisions of the National Planning Policy Framework (NPPF) and Circular 06/05 Biodiversity and Geological Conservation.

### Bin storage areas

30. The refuse and recycling bin storage areas shown on the approved plans listed within condition 02 of this notice must be provided prior to the first use / first occupation of the development hereby permitted and thereafter made permanently available for the lifetime of the development.

Reason: To ensure the provision of satisfactory facilities for the storage and recycling of refuse and to protect the general amenity of the area in accordance with Policy CS21 of the Woking Core Strategy (2012), SPD Design (2015) and the provisions of the National Planning Policy Framework (NPPF).



## 5 SEPTEMBER 2023 PLANNING COMMITTEE

### BREEAM

31. ++ Prior to the commencement of superstructure works for the development hereby permitted evidence that the development is registered with a BREEAM certification body and a pre-assessment report (or design stage certificate with interim rating if available) demonstrating that the development can achieve not less than BREEAM 'Very Good' in accordance with the relevant BRE standards (or the equivalent standard in such measure of sustainability for non-residential building design which may replace that scheme) must be submitted to and approved in writing by the Local Planning Authority.

Unless otherwise first agreed in writing by the Local Planning Authority within 3 months of first occupation of the development hereby permitted a final Certificate must be submitted to and approved in writing by the Local Planning Authority certifying that not less than BREEAM 'Very Good' in accordance with the relevant BRE standards (or the equivalent standard in such measure of sustainability for non-residential building design which may replace that scheme) has been achieved for the development.

Reason: To ensure that the development achieves a high standard of sustainability and makes efficient use of resources in accordance with Policy CS22 of the Woking Core Strategy (2012) and SPD Climate Change (2014). This condition is required to be addressed prior to commencement in order that the ability to discharge its requirement is not prejudiced by the carrying out of building works or other operations on the site.

32. Notwithstanding any indication otherwise shown on the approved plans listed within condition 02 of this notice at first installation all South Elevation mezzanine floor window(s) within Unit 10 of the development hereby permitted must be glazed entirely with obscure glass and non-opening unless the parts of the window(s) which can be opened are more than 1.7 metres above the finished mezzanine floor. Once installed the window(s) of Unit 10 must be permanently retained in that condition.

Reason: To protect the privacy of adjoining Nos.169 and 171 Goldsworth Road in accordance with Policy CS21 of the Woking Core Strategy (2012), SPDs Design (2015) and Outlook, Amenity, Privacy and Daylight (2022) and the provisions of the National Planning Policy Framework (NPPF).

33. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (and/or any equivalent Order(s), replacing, amending and/or re-enacting that Order(s) with or without modification(s)) windows, doors or glazed areas (other than as shown on the approved plans listed within condition 02 of this notice) must not be inserted/installed within any elevation of any of the twelve units hereby permitted.

Reason: To safeguard the residential amenities of existing adjoining and nearby residential occupiers in accordance with Policy CS21 of the Woking Core Strategy (2012), Policy DM7 of the Development Management Policies DPD (2016) and the provisions of the National Planning Policy Framework (NPPF).

## 5 SEPTEMBER 2023 PLANNING COMMITTEE

### Informatives

01. The Council confirms that in assessing this planning application it has worked with the applicant in a positive and proactive way, in line with the requirements of the National Planning Policy Framework (NPPF).
02. The applicant is advised that Council officers may undertake inspections without prior warning to check compliance with approved plans and to establish that all planning conditions are being complied with in full. Inspections may be undertaken both during and after construction.
03. The applicant's attention is specifically drawn to the conditions above marked ++. These conditions require the submission of details, information, drawings, etc. to the Local Planning Authority PRIOR TO THE RELEVANT TRIGGER POINT(S). Failure to observe this requirement will result in a contravention of the terms of the permission and the Local Planning Authority may serve Breach of Condition Notices (BCNs) to secure compliance. The applicant is advised that sufficient time needs to be given when submitting details in response to conditions, to allow the Local Planning Authority to consider the details and discharge the condition(s). A period of between five and eight weeks should be allowed for.
04. 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 (Surrey County Council) 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).
05. Section 59 of the Highways Act permits the Highway Authority (Surrey County Council) 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.
06. The applicant is expected to ensure the safe operation of all construction traffic to prevent unnecessary disturbance obstruction and inconvenience to other highway users. Care should be taken to ensure that the waiting, parking, loading and unloading of construction vehicles does not hinder the free flow of any carriageway, footway, bridleway, footpath, cycle route, right of way or private driveway or entrance. The developer is also expected to require their contractors to sign up to the "Considerate Constructors Scheme" Code of Practice, ([www.ccscheme.org.uk](http://www.ccscheme.org.uk)) and to follow this throughout the period of construction within the site, and within adjacent areas such as on the adjoining public highway and other areas of public realm.
07. It is the responsibility of the developer to ensure that the electricity supply is sufficient to meet future demands of Electric Vehicle (EV) charging points and that any power balancing technology is in place if required.
08. The applicant is advised that if proposed site works affect an Ordinary Watercourse, Surrey County Council, as the Lead Local Flood Authority (LLFA), should be contacted to obtain prior written Consent. More details are available on the Surrey County Council website. If the proposed works result in infiltration of surface water to ground within a Source Protection Zone the

## 5 SEPTEMBER 2023 PLANNING COMMITTEE

Environment Agency (EA) will require proof of surface water treatment to achieve water quality standards. Sub ground structures should be designed so they do not have an adverse effect on groundwater.

09. In respect of the above archaeological condition the applicant is advised that , in view of the nature and scale of the development and the low likelihood of the potential archaeology, should it exist, meriting preservation in-situ, a scheme of archaeological test pitting would represent an appropriate initial phase of work in order to determine the archaeological potential and levels of previous truncation and the need for any further phases of work.

It is possible that observations by a suitably qualified archaeologist over any proposed geotechnical window samples, or examination by suitably qualified archaeologist of geotechnical boreholes would represent a suitable scheme to demonstrate the depth of past impacts and reduced archaeological potential, and therefore the County Archaeological Officer would highly encourage the applicant to discuss any proposed geotechnical works with their archaeological consultant at the earliest opportunity. The County Archaeological Officer would be pleased to discuss the approach with the applicant or their archaeological consultant following the grant of planning permission.

10. In respect of the above contamination conditions the Council is aware that there was leakage of fuel at the former garage at No.161 Goldsworth Road and risk to nearby residents from vapour was identified. Whilst there is no information to indicate the current users of Goldsworth Industrial Estate are at risk this needs investigating prior to the development hereby permitted. The proposed site investigation - figure 5 - only covers the proposed soft landscape areas. In submitting details pursuant to the above contamination conditions the applicant is advised that a more site-wide approach is required to ensure previous uses of the site have not impacted the underlying ground to a degree that significant risk is posed to receptors and to determine if any off site migration of fuels has taken place.
11. The applicant is advised that, in accordance with the Town Improvement Clause Act 1987 Sections 64 & 65 and the Public Health Act 1925 Section 17, Woking Borough Council is the authority responsible for the numbering and naming of properties and new streets. You should make a formal application electronically to Woking Borough Council using the following link: [www.woking.gov.uk/planning-and-building-control/street-naming-and-numbering/about-street-naming-and-numbering](http://www.woking.gov.uk/planning-and-building-control/street-naming-and-numbering/about-street-naming-and-numbering) before addressing any property or installing or displaying any property name or number or street name in connection with any development the subject of this Planning Permission.
12. The permission hereby granted must 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 (Surrey County Council) before any works are carried out on any footway, footpath, carriageway, or verge to form a vehicle crossover to install dropped kerbs. Please see: [www.surreycc.gov.uk/roads-and-transport/permits-and-licences/vehicle-crossovers-or-dropped-kerbs](http://www.surreycc.gov.uk/roads-and-transport/permits-and-licences/vehicle-crossovers-or-dropped-kerbs)
13. The developer is advised that as part of the detailed design of the highway works required by the above conditions, the County Highway Authority may require necessary accommodation works to street lights, road signs, road markings, highway drainage, surface covers, street trees, highway verges,

## 5 SEPTEMBER 2023 PLANNING COMMITTEE

highway surfaces, surface edge restraints and any other street furniture/equipment.

14. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please refer to the Thames Water website. <https://www.thameswater.co.uk/developers/larger-scale-developments/planning-your-development/working-near-our-pipes>
15. The proposed development is located within 20m of a Thames Water Sewage Pumping Station, and this is contrary to best practice set out in Codes for Adoption (<https://www.thameswater.co.uk/developers/larger-scale-developments/sewers-and-wastewater/adopting-a-sewer>). Future occupiers of the development should be made aware that they could periodically experience adverse amenity impacts from the pumping station in the form of odour; light; vibration and/or noise.
16. There are public sewers crossing or close to your development. If you're planning significant work near Thames Water sewers, it's important that you minimize the risk of damage. Thames Water will need to check that your development doesn't limit repair or maintenance activities or inhibit the services Thames Water provide in any other way. The applicant is advised to read the Thames Water guide working near or diverting pipes. <https://www.thameswater.co.uk/developers/larger-scale-developments/planning-your-development/working-near-our-pipes>
17. With regard to water supply, this comes within the area covered by the Affinity Water Company. For your information the address to write to is - Affinity Water Company The Hub, Tamblin Way, Hatfield, Herts, AL10 9EZ - Tel - 0845 782 3333.
18. In respect of the demolition of the existing buildings and structures the applicant should proceed under a precautionary method. If evidence of a bat roost is found, then works should cease and a suitably qualified and experienced ecologist be immediately contacted for advice on how to proceed.
19. The applicant is reminded that the planning permission hereby granted is granted solely on the basis of the approved plans as listed within condition 02 of this notice, including those listed amended plans which were submitted during the application process. Any deviation from the approved plans listed within condition 02 of this notice would represent a breach of planning control and thus be liable to planning enforcement action.
20. The provisions of the Party Wall etc. Act 1996 may be applicable and relates to work on an existing wall shared with another property; building on the boundary with a neighbouring property; or excavating near a neighbouring building. Please refer to the following address for further information: <https://www.gov.uk/party-walls-building-works>

# Globe House, Lavender Park Road, West Byfleet, Woking.

## PLAN/2023/0407

Proposed three storey extension with accommodation in the roof served by dormers and rooflights to create 7no self contained flats with associated landscaping works, refuse and parking.







PLAN/2023/0407



Globe House, Lavender Park Road



**Comments**  
Not Set

N  
SCALE 1:1,250  
0 5 10 20 30 40 Metres  
Planning  
Woking Borough Council  
Civic Offices  
Gloucester Square  
Woking, Surrey GU21 6YL





6b PLAN/2023/0407

WARD: BWB

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

**PROPOSAL:** Proposed three storey extension with accommodation in the roof served by dormers and rooflights to create 7no self-contained flats with associated landscaping works, refuse and parking.

**APPLICANT:** Mr Graeme Ingham

**OFFICER:** Barry Curran

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

The proposal is of a development type which falls outside the Management Arrangements and Scheme of Delegation.

### **SUMMARY OF PROPOSED DEVELOPMENT**

Planning consent is sought for the erection of a three-storey extension with accommodation in the roof served by roof dormers and roof lights to accommodate 7no flats with associated landscaping works, refuse and parking.

### **PLANNING STATUS**

- Urban Area
- Allocated Site (UA40)
- 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, originally an office building which has been converted to residential use and located within the West Byfleet District Centre just outside of the Primary Shopping Area. As well as being located within the District Centre, the site is bound by the Station Approach Conservation Area to the north-west. A three-storey building occupies the site (with accommodation in the roof space) fronting Lavender Park Road and wraps around onto Madeira Road with a large area of hard standing accessed off Madeira Road towards the rear serving as parking.

### **PLANNING HISTORY**

PLAN/2021/0952 – Variation of condition 3 to PLAN/2016/0990 (Extension of the existing Globe House to increase living space on existing apartments and to create

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6no self contained flats (3no studio and 3no 1 bed units) with associated landscaping works (Amended Description) (Amended Plans)) to allow for internal changes to the ground floor cycle and waste storage facilities for the increase in size of one of the first floor flats – Permitted 28.10.2021

PLAN/2021/0441 - Variation of condition 3 to 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)) to allow for internal changes to the ground floor cycle and waste storage facilities for the increase in size of one of the first floor flats – Refused 01.07.2021

### *Reasons:*

- 1. It has not been demonstrated that the proposal is capable of incorporating adequate enclosed space for the storage of waste and recyclable materials, arising from the net increase in the number of dwellings and rearrangement of the proposed units, without harm to residential amenity and the character of the area contrary to Policy CS21 of the Woking Core Strategy 2012 and Policy DM11 of the Development Management Policies DPD 2016.*
- 2. In the absence of a Legal Agreement or other appropriate mechanism to secure contributions towards mitigation measures, the Local Planning Authority is unable to determine that the additional bedrooms within the development would not have a significant impact upon the Thames Basin Heaths Special Protection Area, contrary to Policy CS8 of the Woking Core Strategy 2012, the Thames Basin Heaths Avoidance Strategy, saved Policy NRM6 of the South East Plan (2009), the Conservation of Habitats and Species Regulations 2017 (SI No.1012 - the "Habitats Regulations").*

PLAN/2020/0475 - Variation of Condition 3 of 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)) to allow for internal changes to the ground floor cycle and waste storage facilities for the increase in size of one of the first floor flats – Refused 03.08.2020

### *Reasons:*

- 1. The proposal, by reason of poor light penetration, inadequate privacy and noise and disturbance at ground floor level would create poor living conditions for future occupants of the Flat 1 due to the arrangement of accommodation in close proximity to the access and egress point for Globe House and adjacent parking facilities. This would be contrary to National Planning Policy Framework, Policy CS21 of the Core Strategy, Policy BE2 of the West Byfleet Neighbourhood Plan 2017 and Supplementary Planning Documents 'Outlook, Amenity, Privacy and Daylight' 2008.*
- 2. It has not been demonstrated that the proposal is capable of incorporating adequate enclosed space for the storage of waste and recyclable materials, arising from the net increase in the number of dwellings, without harm to residential amenity and the character of the area contrary to Policy CS21 of the Woking Core Strategy 2012.*

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- 3. In the absence of a Legal Agreement or other appropriate mechanism to secure contributions towards mitigation measures, the Local Planning Authority is unable to determine that the additional bedrooms within the development would not have a significant impact upon the Thames Basin Heaths Special Protection Area, contrary to Policy CS8 of the Woking Core Strategy 2012, the Thames Basin Heaths Avoidance Strategy, saved Policy NRM6 of the South East Plan (2009), the Conservation of Habitats and Species Regulations 2017 (SI No.1012 - the "Habitats Regulations").*

PLAN/2020/0082 - Erection of a part three storey, part single storey extension to Globe House to extend 3No existing flats with associated landscaping works (Part Retrospective) – Permitted 10.06.2020

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) – Permitted 21.02.2018

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)'.*

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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 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

### **PROPOSED DEVELOPMENT**

Planning consent is sought for the erection of a three-storey extension with accommodation in the roof served by roof dormers and roof lights to accommodate 7no flats with associated landscaping works, refuse and parking.

### **CONSULTATIONS**

County Highways Authority: Recommend a number of conditions (11.05.2023)

Lead Local Flood Authority: Reviewed the submitted documents and consider the Applicant has considered the surface water flood risk to and from the site and has suggested appropriate mitigation measures to inform the Planning Application. Recommend a condition to ensure compliance (09.05.2023)

Surrey Archaeology: Recommend that development is carried out in accordance with the Written Scheme of Archaeological Investigation (18.05.2023)

Conservation Officer: The proposed development seeks an amendment merely to add an additional one bed flat in the roof space using dormers and roof windows. It would not materially alter the consented scheme in visual terms. No adverse comments (04.05.2023)

Scientific Officer: No comments received

West Byfleet Neighbourhood Forum: No comments received

### **REPRESENTATIONS**

There has been 15no third party letters of representation received in relation to the proposed development. The concerns raised in these letters summarised as follows;

- Overbearing impact and loss of privacy
- Overdevelopment of the existing building
- Loss of sunlight and daylight
- Potential highways safety impact due to lack of parking and increased traffic onto the highway

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- Extension of the building will lead to significant impact on neighbours in terms of noise and activity
- Concerns over the potential breach of guidance set out in the Council's SPD 'Outlook, Amenity, Privacy and Daylight'
- Potential impact on the existing parking spaces for Globe House during the construction process
- Detrimental impact on the occupants of Globe House due to noise and air pollution from the development in combination with the construction of Botanical Place

### Other Matters

- Insufficient public consultation and notification about the development

### **RELEVANT PLANNING POLICIES**

#### National Planning Policy Framework 2021

Section 2 - Achieving sustainable development

Section 5 - Delivering a sufficient supply of homes

Section 9 - Promoting sustainable transport

Section 11 - Making effective use of land

Section 12 - Achieving well-designed places

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

#### Core Strategy Document 2012

CS3 – West Byfleet District Centre

CS8 - Thames Basin Heaths Special Protection Area

CS9 – Flooding and water management

CS10 – Housing provisions 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

CS25 - Presumption in Favour of Sustainable Development

#### Development Management Policies DPD (2015)

DM8 - Land Contamination and Hazards

DM20 – Heritage Assets and their Setting

#### West Byfleet Neighbourhood Plan

Policy BE2

#### Supplementary Planning Guidance

Supplementary Planning Document 'Parking Standards' 2018

Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight' 2022

Supplementary Planning Document 'Design' 2015

Supplementary Planning Document 'Climate Change' 2013

Supplementary Planning Document 'Affordable Housing Delivery' 2023

#### Other Material Consideration

Planning Practice Guidance (PPG) (online resource)

Conservation of Habitats and Species Regulations 2017

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South East Plan (2009) (Saved policy) NRM6 - Thames Basin Heaths Special Protection Area

Thames Basin Heaths Special Protection Area Avoidance Strategy

Technical Housing Standards - Nationally Described Space Standard (NDSS) (March 2015)

Waste and recycling provisions for new residential developments

### **PLANNING ISSUES**

1. The principle of development has been established under the original permission and subsequent Section 73 applications. This application, however, is not a Section 73 application and proposes a materially different scheme. As such, the issues to consider in determining this application are; the principle of development, design considerations and the impact of the proposal on the streetscene and character of the area and Conservation Area, impact on neighbour amenity, layout and creation of acceptable residential development for proposed occupiers, highways and parking implications, sustainability, affordable housing, impact on flooding, archaeological potential, impact on contamination, the impact on the Thames Basin Heaths Special Protection Area having regard to the relevant policies of the Development Plan and local finance considerations.

#### Principle of Development

2. It is acknowledged that the application for the extension to Globe House was considered under PLAN/2016/0990 where it was found to be acceptable. This permission allowed for the extension of the existing 3no flats within Globe House and the erection of a three-storey extension on its south-western elevation to accommodate 6no additional units. The current proposal emulates this extant permission (part of which has already been carried out) although the number of proposed units within the extension increases from 6no units to 7no units with a minor increase in the overall height of the proposed extension.
3. 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.
4. Policy CS1 of the Woking Core Strategy 2012 states: "Development located in the District, Local and Neighbourhood Centres to provide housing, jobs and convenient access to everyday shops, services and local community facilities will also be encouraged". This policy of the Core Strategy notes that developments located in Neighbourhood Centres will provide housing and convenient access to services and local community facilities. The net increase of 7no 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

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to 13,000 sqm of ‘A Class’ floorspace. The proposal will provide 7 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.

5. Policy CS10 makes provision for 250 dwellings as infill development in the Borough’s urban area between 2010 and 2027, at a density of 30-60dph. The reasoned justification for the policy states that in Neighbourhood Centres “infill and other forms of residential development within these centres will be permitted within the boundaries as shown on the Proposals Map”. The Core Strategy implies that these density figures are only to be used as indicative, where it goes on to state that density levels will depend on the nature of the site and will be influenced by design with the aim to achieve the most efficient use of land. Higher densities than these guidelines will be permitted in principle where they can be justified in terms of the sustainability of the location and where the character of the area would not be compromised. This proposal would result in a density of 259dph which is slightly 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.
  
6. As previously noted, the Globe House building was subject to a Prior Notification in 2015 which converted the existing office building into a residential block at 382dph (excluding the wider site). The proposed development (within red line) will include a density range of 259dph and total site amounting to 240dph 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. 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 low density. 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 states that all residential proposals will be expected to provide a mix of dwelling types and sizes to address the nature of local needs, as evidenced in the latest Strategic Housing Market Assessment (SHMA - 2015) to create sustainable and balanced communities. Policy CS11 does, however, state that the appropriate percentage of different housing types and sizes for each site will depend upon the established character and density of the neighbourhood and the viability of the scheme. The following table compares the latest SHMA market housing requirements against the proposal:

	<b>SHMA need-market dwellings</b>	<b>Proposed Mix</b>
1 Bedroom	10%	6 (86%)

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2 Bedroom	30%	1 (14%)
3 Bedroom	40%	0
4 Bedroom	20%	0
Total		7 (100%)

8. It is acknowledged that not every development site will deliver the complete mix of unit sizes and that Policy CS11 operates, and is monitored, Borough wide. The proposed mix, however, at 86% and 14% fails to adhere to the SHMA market need of housing mixes but it has to be acknowledged that there is an extant scheme on site which includes a similar mix albeit with one less 1no-bedroom unit. This is a material planning consideration and this along with the significantly sustainable location in the centre of a District Centre adjacent to a rail station serves a justification for departing from this identified mix. Whilst the mix does not wholly accord with the SHMA, the proposal is seen to contribute positively to the West Byfleet District Centre. As such, the provision is considered to be appropriate in this instance, reflecting the established character and density of the centre, and thus accord with Policy CS11.
9. Overall, subject to the further, detailed planning considerations set out within this report, the principle of development is acceptable.

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

10. The 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. The National Planning Policy Framework is to seek to secure high quality design and states at Paragraph 190 echoes the provisions of the Core Strategy policies in that Local Planning Authorities should take account of the “the desirability of new development making a positive contribution to local character and distinctiveness”.
11. 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.
12. The proposal would stem off the existing addition (approved and carried out under PLAN/2016/0990) on the rear (south-west) elevation of Globe House at three-storeys with accommodation in the roof adjoining the host building via the existing link extension across the three floors which is set down 1.4 metres from the ridge line of Globe House. The link accentuates the new addition creating an intermediary for the transition between the existing and proposed built elements. Standing at 15.1 metres in height, the extension would project above the existing Globe House by 1.8 metres without the immediate stark difference becoming too prevalent due to the lower link. This



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height would amount to an increase of 0.8 metres higher than that of the extant scheme demonstrated by an increased ridge line. Further to this, the ground at which the extension would be sited is slightly lower than the ground at which the existing Globe House stands.

13. The Council's Supplementary Planning Document 'Design' 2015 states that facades should complement 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 design which was distinctly commercial. 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.
14. 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. Each elevation corresponds well in the relationship with a central obscured glazed feature on the south-west elevation adding articulation to this elevation. 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.
15. 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.
16. 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 the existing 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

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been consulted on this application and raises no objection, in design terms, to the extension as the proposed development seeks an amendment to add an additional one bed flat in the roof space using dormers and roof windows. The Conservation Officer considers that it would not materially alter the consented scheme in visual terms.

17. 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 West Byfleet Neighbourhood Plan 2017, Policy DM20 of the Development Management Policies DPD 2016 and the Council's Supplementary Planning Document 'Design' 2015 and Supplementary Planning Guidance 'Byfleet Corner/Rosemount Parade Station Approach, West Byfleet Conservation Areas Character Appraisal and Design Guidance'.

### Impact on Neighbour Amenity

18. The 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' 2022. The proposed residential block will be located on the south-west rear elevation of Globe House which has been converted into 16 residential units split across 3 floors. The extension will adjoin Globe House via the existing 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.
19. It is a material planning consideration that a scheme of similar scale and design was approved under PLAN/2016/0990, and subsequently amended via Section 73 applications and remains extant. These permissions assessed the impact of the proposal against the existing units in Globe House in terms of daylight and sunlight and found that although the proposal caused 2no of the existing windows to fail the BRE test marginally, these failures were negligibly short. Whilst the proposed scheme results in a marginally higher building, the findings of these assessments remain relevant, and the findings have been accepted given the minor fails and the internal layouts of neighbouring flats. Notwithstanding the above, it has to be noted that the application 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.
20. 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.
21. 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, windows and dormers 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

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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, 3no Juliet Balconies and roof dormer 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. 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.

22. Work has commenced on the site to the south-west and south of the application site (Botanical Place). This development has been through the reserved matters stage of the development process and the detailed layout of this development is now known. In terms of the extension proposed under this current application, the increase in height would occur at ridge level which slopes away from the buildings at Botanical Place and is not deemed to result in a materially more harmful structure than what there is extant permission for.
23. With regards to the fenestration alteration, the proposed south-western elevation which would face onto Botanical Place and be positioned approximately 2.5 metres from the north-eastern elevation of the nearest building. This building would serve residential units at upper ground floor and above and would include primarily secondary windows to the living/kitchen areas and a window serving the single bedroom of these two-bedroom units. Similar to the extant permission for the extension at Globe House, there would be fenestration serving the bathrooms of the units at first floor level and above. These can be conditioned to be obscurely glazed and non-opening below 1.7 metres of floor level. In addition to these windows, it is now proposed to install high level windows to serve the habitable space including bedrooms. As per the submitted plans, these windows would be obscurely glazed and can be conditioned to be set at least 1.7 metres above floor level in a bid to preserve the amenities of the neighbouring occupiers of Botanical Place as well as the amenities of potential occupiers of the units themselves. One exception to this relates to the staircase of the duplex at first floor. A condition can be attached to ensure that this high-level window includes obscure glazing and is non-opening.
24. As well as the additional high-level windows on this south-western elevation, two rooflights are proposed on the roof slope on this side. These dormers are proposed to serve a bathroom and secondary window to the bedroom at roof level. Submitted plans annotate these windows as being obscurely glazed and an appropriately worded condition can be attached to ensure this as well as limiting the opening of these windows to 1.7 metres above floor level.
25. 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 the provisions of the

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National Planning Policy Framework, Policy CS21 of the Core Strategy 2012 and Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight' 2022.

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

26. One of the objectives of the National Planning Policy Framework (NPPF) is to ensure good standard of amenity for all existing and future occupants of land and buildings. Policy CS21 of the Woking Core Strategy 2012 echoes this provision with detailed guidance set out within the Council's Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight' 2022.
27. It is proposed to increase the number of units within the proposed extension from 6no to 7no with the additional unit located within the roof. The principle and layout of the 6no units at ground floor and above has been established and remains extant considering the most recent Section 73 application (PLAN/2021/0952). Given the size of the flats (all below 65 sqm), there is no specific requirement for private amenity space. Policy BE2 of the West Byfleet Neighbourhood Plan 2016 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 all units achieving dual with an acceptable level of outlook and adequate privacy levels.
28. The application has been supported with a Noise Impact Assessment (CST Environmental and Acoustic Consultants dated March 2023). The outcome of the Noise Impact Assessment concludes that even in a worst case scenario the impact on the movements of vehicles through the proposed access point will not result in significant harm on potential future occupiers of the proposed duplex unit and ground and first floor.
29. Regarding private amenity space, the Council's SPD 'Outlook, Amenity, Privacy and Daylight' 2022 identifies that "whilst generally 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, applicants are encouraged to do so where it is feasible". It notes that "non family accommodation will be taken to mean studio and one-bedroom flats and any other forms of dwellings of less than 61sqm". The proposed development includes a duplex unit at ground and first floor amounting to approximately 81.5 sq.m in floorspace and would constitute 'family accommodation'. Providing 'family accommodation', the proposed two-bedroom unit would also allocate a small area of amenity outside the living/kitchen area.
30. Considering the locational characteristic of the application site within the West Byfleet District Centre, it is considered that this along with the provision of a space area of amenity space to serve the two-bedroom units would not be unduly harmful to the residential amenity of future occupiers. On the first, second and third the 1no bedroom units include a floor area of between 42 and 55 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

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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 commensurate solution to providing new dwellings within a constrained site on previously developed land within the Urban Area.

### Highways and Parking Implications

31. The site currently incorporates 21 underground and surface car parking spaces for the residential use of Globe House. It is proposed to support the residential extension within these 21 spaces which would equate to 0.9 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.
32. The Council's Supplementary Planning Document on 'Parking Standards' 2018 recommends a minimum of 0.5 parking space per studio/1 bedroom apartment and 1 space per 2-bedroom apartment. Considering the existing units on site which include 7no 1-bedroom units and 9no 2-bedroom units, this carries a minimum provision of 13 spaces. The proposed development would result in 6no 1-bedroom units and 1no 2-bedroom unit which requires a minimum on-site provision of 4no spaces. Considering the existing allocation of 21no spaces on site for the Globe House residential complex, the minimum parking provision would be met.
33. There are at ample cycle spaces provided for at basement 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 spaces satisfy this provision with additional spaces provided.
34. 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.

### Sustainability

35. Paragraph 152 of the NPPF states that "The planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure".
36. Policy CS22 of the Core Strategy sets out local policy relating to sustainable construction which new developments should achieve. It calls for new residential development on greenfield sites to meet Level 5 of the Code for Sustainable Homes. The Planning and Energy Act 2008 allows LPAs to set energy efficiency standards in their Development Plan policies that exceed the energy efficiency requirements of the Building Regulations. However,

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such policies must not be inconsistent with relevant national policies for England. A Written Ministerial Statement to Parliament, dated 25 March 2015, set out the Government's expectation that such policies should not be used to set conditions on planning permissions with requirements above the equivalent of the energy requirement of Level 4 of the (now abolished) Code for Sustainable Homes; this is equivalent to approximately 19% above the requirements of Part L1A of the 2010 Building Regulations. This is reiterated in Planning Practice Guidance (PPG) on Climate Change, which supports the NPPF.

37. Therefore, notwithstanding the requirements of Policy CS22, standards have been 'capped' at the equivalent energy performance standards of Code Level 4. Part L of the Building Regulations was updated in June 2022 and now requires an energy performance improvement of 31% compared to the 2010 Building Regulations. The current Building Regulations therefore effectively require a higher energy performance standard than what Policy CS22 would ordinarily require. It is not necessary to attach a condition relating to energy performance as more stringent standards are required by separate legislation. The LPA does, however, require all new residential development to achieve as a minimum the optional requirement set through Part G of the Building Regulations for water efficiency, which requires estimated water use of no more than 110 litres/person/day. Despite submitted information which may demonstrate this, a condition is necessary to ensure that this standard is met.

### 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 fewer than five new dwellings, the Council will require a financial contribution equivalent to the cost to the developer of providing 10% of the number of dwellings to be affordable on site.
39. However, Paragraph 64 of the NPPF sets out that the provision of affordable housing should not be sought for residential developments that are not major developments, other than in designated rural areas (where policies may set out a lower threshold of 5 units or fewer).
40. Whilst it is considered that weight should still be afforded to Policy CS12 of the Woking Core Strategy 2012 it is considered that more significant weight should be afforded to the policies within the NPPF. The proposal is not major development and as the proposal result in 7no net additional residential units, no affordable housing is sought.

### Impact on Flooding

41. A portion of the proposed extension would be located within a medium risk surface water flood risk area due to the drop in ground level in this area. A number of supporting documentation has been submitted along with this application including;
- Phase 2 report on a Site Investigation, Albury S.I. Ltd, August 2018, revision 0, document reference: 18/11293/A/GO;
  - Surface Water Drainage Strategy, VKHP Consulting, June 2018, revision -, document reference: 326418;

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- Drainage Layout, VKHP Consulting, January 2019, revision -, document reference: 326418/110;
  - Letter to Drainage Team at Woking Borough Council, VKHP Consulting, February 2019, revision -, document reference: MW/ATB/326418
42. These have been reviewed by the Lead Local Flood Authority who consider the scheme to have been considered against the surface water risk to and from the site. An appropriately worded condition to ensure the development does not increase the risk of flooding on or off site is recommended.

### Archaeological Potential

43. 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. A Written Scheme of Investigation carried out by Surrey County Archaeological Unit has been submitted in support of this application. Surrey Archaeology have been consulted on this and find that the approach outlined in the document is acceptable and the quality of the document is suitable. They consider it acceptable for the archaeological work to be secured by condition in line with this document.

### Impact on Contamination

44. The application has been submitted with a Phase 1 Desk Study ref: 18/11293/GO, Phase 2 Report on a Site Investigation Ref: 18/11293/A/GO and a Phase 3 Remediation Method Statement Ref: 19/11293/B/GO Rev 1 carried out by Albury S.I Ltd. It is apparent that these documents have been submitted as part of 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*) under COND/2018/0110 and COND/2019/0193. The development approved under PLAN/2016/0990 essentially mirrors the proposed development in terms of footprint and potential impact on contamination which the Council's Scientific Officer found to be acceptable. Under the previous application a contamination condition required a number of assessments prior to the commencement of development, these included;
- (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.
45. Under COND/2018/0110 and COND/2019/0193, Parts A-D have been addressed as per the submitted documentation by Albury S.I Ltd listed above. As such, it is necessary to word a condition that reflects this as well as setting out the remaining requirements for this condition including a validation strategy and verification report.

Impact on the Thames Basin Heaths Special Protection Area

46. The Special Protection Areas (SPAs) in this area are internationally-important and designated for their interest as habitats for ground-nesting and other birds. 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).
47. The Suitable Alternative Natural Greenspace (SANG) and Landowner Payment elements of the SPA tariff are encompassed within the Community Infrastructure Levy (CIL) however the Strategic Access Management and Monitoring (SAMM) element of the SPA tariff is required to be addressed outside of CIL. The applicant has agreed to make a SAMM contribution of £4,869 (£662 per 1-bedroom/studio unit and £897 per 2-bedroom unit) in line with the Thames Basin Heaths Special Protection Area Avoidance Strategy (February 2022 update) as a result of the uplift of 1no 2-bedroom unit and 6no 1/studio-unit which would arise from the proposal. This would need to be secured through a S106 Legal Agreement.
48. Subject to the completion of an appropriate S106 Legal Agreement, 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'.

Local Finance Considerations

49. CIL is a mechanism adopted by Woking Borough Council which came into force on 1st April 2015, as a primary means of securing developer contributions towards infrastructure provisions in the Borough. In this case, the proposed residential development will increase the floor space by 493.3 sq. m and incur a cost of £125 per sq. m which equates to a contribution of **£84,518.10** (2023 indexation).

Conclusion

50. The proposal is considered to be acceptable development, it is considered to preserve the visual amenity of the area preserving the character of the adjacent Conservation Area. The proposal will not result in significant material harm on the amenities enjoyed by the occupiers of surrounding properties, in



## 05 SEPTEMBER 2023 PLANNING COMMITTEE

terms of loss of light, overbearing impact or loss of privacy. In addition, the proposal is considered to have an acceptable impact on highway safety, archaeological potential and contamination. A legal agreement is considered necessary to address Thames Basin Heaths Special Protection Area (TBH SPA) mitigation.

51. The proposal is considered to be an acceptable form of development that complies with the provisions of the National Planning Policy Framework, Policies CS3, CS8, CS9, CS10, CS11, CS12, CS18, CS20, CS21, CS22, CS24 and CS25 of the Woking Core Strategy 2012, Policies DM8 and DM20 of the Development Management Policies DPD 2016, Supplementary Planning Documents 'Outlook, Amenity, Privacy and Daylight' 2022, 'Parking Standards' 2018 and 'Design' 2015, 'Climate Change' 2012 and 'Affordable Housing' 2023 and Policies BE1, BE2 and BE6 of the West Byfleet Neighbourhood Plan 2017, Thames Basin Heaths Special Protection Area Avoidance Strategy 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.

### **BACKGROUND PAPERS**

1. Site visit photographs.
2. Response from County Highways Authority
3. Response from Surrey Archaeology
4. Response from Lead Local Flood Authority
5. Response from Conservation Officer

### **RECOMMENDATION**

It is recommended that Planning Permission be Granted subject to the following Conditions and a SAMM (TBH SPA) contribution secured by way of S106 Legal 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. The materials to be used in the construction of the external surfaces of the building hereby approved shall match those shown in the schedule of materials received 02.05.2023

Reason: In the interests of the visual amenities of the area.

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

Drawing No. 3896-PL-01  
Drawing No. 3896-PL-02  
Drawing No. 3896-PL-F01b

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Drawing No. 3896-PL-F02a  
Drawing No. 3896-PL-E01  
Drawing No. 3896-PL-E02  
Drawing No. 3896-PL-E03a  
Drawing No. 3896-PL-E04  
Drawing No. 3896-PL-S01a  
Drawing No. 3896-PL-R01a

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

4. The windows/dormer 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, serving the proposed ground and first floor flat, hereby approved shall have a minimum internal cill height of 1.7 metres above finished floor level and 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: In the interests of amenity of neighbouring and occupier amenity.

6. The high-level windows in the south-west 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

7. 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

8. Prior to the commencement of superstructure works, hereby approved, written evidence must be submitted to, and approved in writing by, the Local Planning Authority demonstrating that the dwellings within the development will achieve a maximum water use of no more than 110 litres per person per day as defined in paragraph 36(2b) of the Building Regulations 2010 (as amended), measured in accordance with the methodology set out in Approved Document G (2015 edition). Such evidence must be in the form of a Design Stage water efficiency calculator.

Development must be carried out wholly in accordance with such details as may be approved and the approved details must be permanently maintained

## 05 SEPTEMBER 2023 PLANNING COMMITTEE

and operated for the lifetime of the relevant dwelling(s) unless otherwise first agreed in writing by the Local Planning Authority.

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

9. The development hereby approved shall not be first occupied unless and until space has been laid out within the site in accordance with the approved plans for vehicles and cycles 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.

10. The development hereby approved shall not be occupied unless and until each of the proposed dwellings are provided with a fast-charge Electric Vehicle charging point (current minimum requirements - 7 kw Mode 3 with Type 2 connector - 230v AC 32 Amp single phase dedicated supply) in accordance with a scheme to be submitted and approved in writing by the Local Planning Authority and thereafter retained and maintained to the satisfaction of the Local Planning Authority.

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

11. ++ 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.

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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.

12. No part of the development, hereby approved, should be occupied until details of the waste and recycling storage provisions have been submitted to and approved in writing by the Local Planning Authority. This storage facility should thereafter be kept available for the storage of refuse bins at all times.

Reason: In the interests of road safety and vehicle movement.

13. The drainage system shall be installed in accordance with the approved documents

- Phase 2 report on a Site Investigation, Albury S.I. Ltd, August 2018, revision 0, document reference: 18/11293/A/GO;
- Surface Water Drainage Strategy, VKHP Consulting, June 2018, revision -, document reference: 326418;
- Drainage Layout, VKHP Consulting, January 2019, revision -, document reference: 326418/110;
- Letter to Drainage Team at Woking Borough Council, VKHP Consulting, February 2019, revision -, document reference: MW/ATB/326418;

The development shall be carried out strictly in accordance with the details so approved and maintained as such thereafter.

Reason: To ensure the development does not increase flood risk on or off site and is maintained for the lifetime of the development.

14. The development shall be conducted in accordance with the Written Scheme of Archaeological Investigation "Archae report\_globe house west byfleetwb wsi" as submitted in support of the application.

Reason: The site lies in an area of archaeological potential. The potential impacts of the development can be mitigated through a programme of archaeological work. This is in accordance with national and local plan policy.

15. The development hereby permitted shall not be implemented other than in accordance with the details set out in Phase 1 Desk Study ref: 18/11293/GO, Phase 2 Report on a Site Investigation Ref: 18/11293/A/GO and a Phase 3 Remediation Method Statement Ref: 19/11293/B/GO Rev 1 carried out by Albury S.I Ltd. The development shall be carried out and thereafter retained in accordance with the approved details unless otherwise first approved in writing by the Local Planning Authority.

## 05 SEPTEMBER 2023 PLANNING COMMITTEE

Prior to first occupation of the rest of the development hereby approved a verification report appended with substantiating evidence demonstrating that the remediation in accordance with the above documentation by Albury S.1 Ltd has been carried out shall be submitted to and approved in writing by the Local Planning Authority.

To achieve full discharge of this condition the applicant should submit, with report reference numbers and associated planning numbers, a full summary of the remedial works undertaken at the site for approval of the Local Planning Authority. The summary shall by reference to the remedial strategy confirm that all remedial works have been completed as required, for the site and the site is considered, by the author of the summary, to be suitable for residential use.

Reason: To ensure that a satisfactory strategy is put in place for addressing contaminated land, making the land suitable for the development hereby approved 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 the National Planning Policy Framework 2021.
2. The applicant is advised that this planning permission does not convey the right to enter onto or build on land not within his ownership.
3. 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.
4. 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.
5. 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.
6. 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](http://www.woking.gov.uk/recycling)

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7. 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).
8. 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.
9. 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](http://www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/vehicle-crossovers-or-dropped-kerbs)
10. 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.
11. 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 [wwqriskmanagement@thameswater.co.uk](mailto:wwqriskmanagement@thameswater.co.uk). Application forms should be completed on line via [www.thameswater.co.uk/wastewaterquality](http://www.thameswater.co.uk/wastewaterquality)
12. 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](mailto:developer.services@thameswater.co.uk) to determine if a building over / near to agreement is required.

**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)**





**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)**



# 5 Barton Close, Knaphill, Woking.

ENF/2020/00063

Retrospective planning permission for a rear aviary.



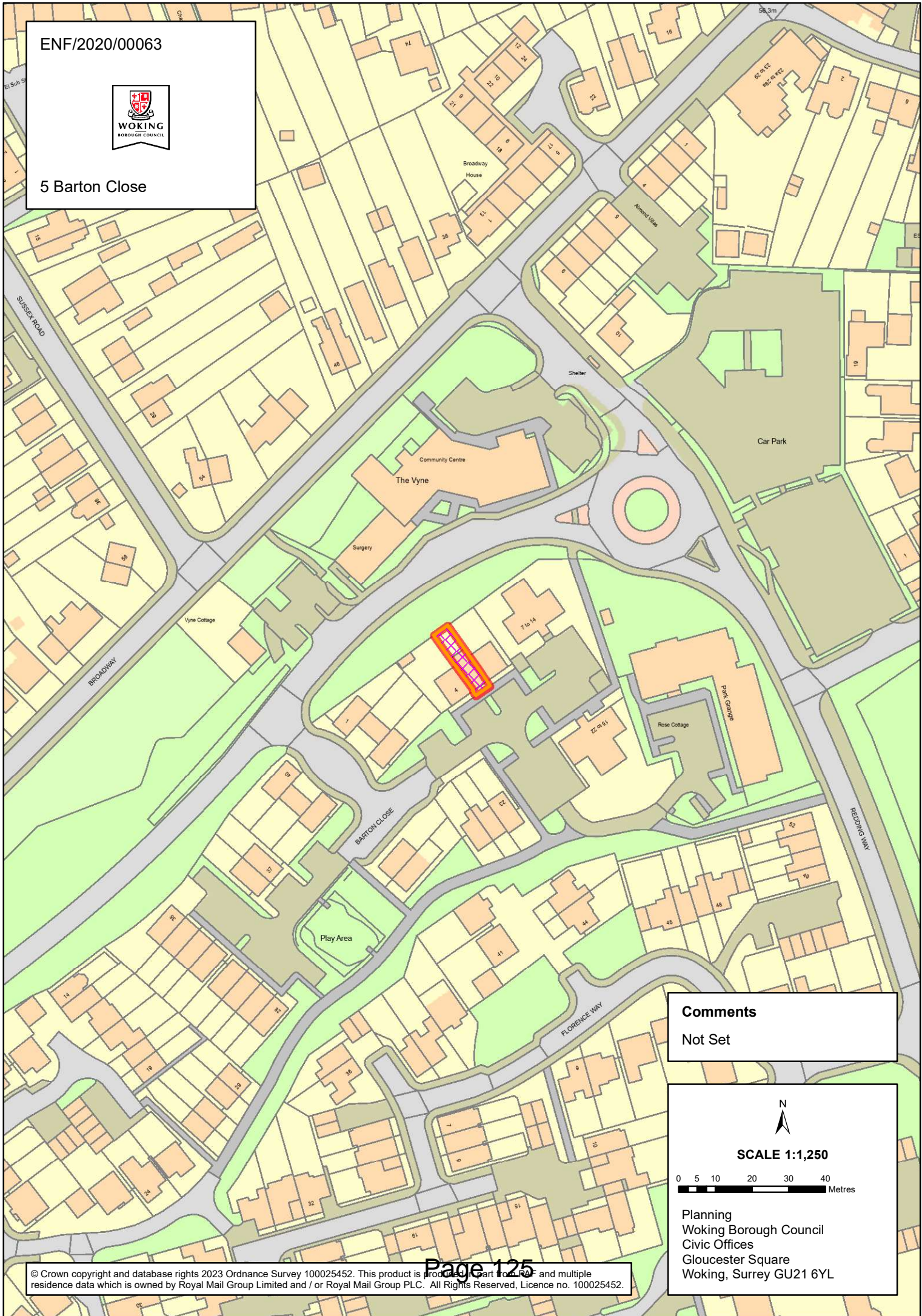




ENF/2020/00063



5 Barton Close



**Comments**  
Not Set

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

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



## 5 SEPTEMBER 2023 PLANNING COMMITTEE

6c ENF/2020/00063

WARD: Knaphill

LOCATION: 5 Barton Close, Knaphill, Woking, Surrey, GU21 2FD

DESCRIPTION: Unauthorised construction of an aviary/enclosure in rear garden

OFFICER: Mike Ferguson (Senior Planning Enforcement Officer)

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### **PURPOSE**

To seek Committee approval for enforcement action and to authorise all actions necessary to remedy the breach of planning control including proceedings in the courts.

### **SITE STATUS**

- Urban Area

### **RECOMMENDATION**

1. Issue an Enforcement Notice in respect of the above land requiring the following within six (6) months of the notice taking effect:
  - a) Permanently demolish/dismantle/remove the aviary/enclosure comprising wooden posts and wire mesh (but excluding the outbuilding within it) from the rear garden of the dwellinghouse known as No.5 Barton Close.
2. That the Director of Democratic and Legal Services be instructed to issue an Enforcement Notice under Section 172 of the Town & Country Planning Act 1990 as amended, and officers be authorised in the event of non-compliance to prosecute under Section 179 of the Town & Country Planning Act 1990 or appropriate power and/or take direct action under Section 178.

### **SITE DESCRIPTION**

The application site is a two-storey mid-terraced house located on the north side of Barton Close, Knaphill within the urban area. The rear garden of the property fronts Redding Way and is bounded by a 2m high close-boarded timber fence.

### **PLANNING HISTORY**

The application site forms part of the former Brookwood Hospital development. The most recent notable planning history is set out in the Delegation Report for PLAN/2022/0688. It is that application that is pertinent to the content of this report:



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- PLAN/2022/0688 “Retrospective planning permission for a rear aviary” was received on 18/07/22 but subsequently REFUSED on 17/07/23.

### **REPORT**

This matter was reported to Planning Enforcement by a member of the public in September 2020 (during a difficult period in terms of staffing and Covid considerations).

The alleged breach of planning control was: “*A large aviary has been erected in the whole of the rear garden of a property in Barton Close.*”

Investigation only subsequently truly commenced in January 2022 and an initial letter was sent to the applicant at that time.

Following a second letter to the applicant in March 2022, return contact was received and a site visit took place on 11/03/22. As the applicant expressed a desire to justify the retention of the aviary, suitable guidance was provided on the process for submitting a retrospective planning application.

The planning application, PLAN/2022/0688 “*Retrospective planning permission for a rear aviary*”, was eventually received on 18/07/22 and validated on 24/08/22 such that enforcement considerations were put ‘on hold’ pending its determination.

It is noteworthy that within the application form it is stated that the development commenced on 01/03/20 and that the aviary was complete by 04/03/20.

PLAN/2022/0688 was REFUSED on 17/07/23 for the following reasons:

1. *The rear aviary, by reason of its siting, scale, massing and appearance is an incongruous addition which fails to respect and make a positive contribution to the host dwelling and the character and appearance of the street scene and wider area. The proposal is therefore considered to be contrary to policies CS21 and CS24 of the Woking Core Strategy (2012), Supplementary Planning Document ‘Woking Design’ (2015) and the National Planning Policy Framework (2021).*
2. *The rear aviary, by reason of its covering of the whole garden, fails to provide an acceptable amenity space for the occupants of the host dwellinghouse detrimental to their residential amenity, contrary to policy CS21 of the Woking Core Strategy (2012), Supplementary Planning Document ‘Outlook, Amenity, Privacy and Daylight’ (2022) and the National Planning Policy Framework (2021).*

There was also an informative in the Decision Notice stating the following: “*The applicant is advised that the rear aviary should be removed in its entirety as it comprises a breach of planning control. Enforcement action will be duly considered by the Local Planning Authority to remedy the breach of planning control.*”

In the Delegation Report for PLAN/2022/0688 it was noted that “*There is an outbuilding/shed to the rear of the garden which is considered to be acceptable in terms of size and massing and is comparable to that situated at No.4 Barton Close*”. Consequently, no assessment has been made as to the length of time this outbuilding/shed has been present or indeed whether (as per that at No.4 Barton Close) it is immune from enforcement action through the passage of time. The Council is not asserting that the outbuilding is now unlawful and rather it is, for the sake of clarity, explicitly excluded from the proposed requirements.



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A compliance period of 6 months is suggested not because of the estimated length of time remediation would physically take but rather to give the applicant ample opportunity to make alternative arrangements to accommodate her parrots.

Contact was made with the applicant again on 19/07/23 regarding the above refusal to first explore they would be willing to remove the aviary on a voluntary basis or indeed whether they would be appealing the refusal decision.

A follow-up email was sent to the applicant on 07/08/23 prompting a response from a planning agent to advise that their client's intention is to appeal against the refusal of planning permission.

As the evidence is that the development was substantially completed in March 2020, this means that the aviary/enclosure has now been present for approximately 3 years and 6 months (which is approaching the statutory time limit of 4 years which would gain immunity from enforcement action and become lawful through the passage of time).

In the interests of transparency, the Senior Planning Enforcement Officer has been clear to the applicant and planning agent that (particularly given how long the unauthorised development has already been present and the length of time an appeal will take) a decision on whether it is appropriate to pursue formal enforcement action will be reached within a matter of weeks regardless of whether an appeal is submitted against the refusal of planning permission.

In the evident absence of informal cooperation, such that other means to remedy the breach of planning control have been exhausted, it is considered that the Senior Planning Enforcement Officer is left with little option but to recommend the taking of enforcement action.

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

It is therefore considered expedient to serve an Enforcement Notice having regard to the provisions of the development plan and to other material considerations and authority is sought to serve an Enforcement Notice.

### **EXPEDIENCY OF TAKING ACTION**

It is considered expedient to take enforcement action for the following reasons:

1. It appears to the Council that the unauthorised development was substantially completed within the last four (4) years and so it is not immune from enforcement action.
2. Permitted Development rights under Schedule 2, Part 1, Classes A to E of The Town and County Planning (General Permitted Development) (England) Order 2015 (as amended) have been removed by Condition 9 of PLAN/1999/0970.
3. The unauthorised development would not constitute Permitted Development under Schedule 2, Part 1, Classes A or E of The Town and County Planning (General Permitted Development) (England) Order 2015 (as amended) anyway because it fails to adhere to all the relevant limitations and conditions.

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4. Permitted Development rights under Schedule 2, Part 2, Class A of The Town and County Planning (General Permitted Development) (England) Order 2015 (as amended) have been removed by Condition 10 of PLAN/1999/0970.
5. The unauthorised development would not constitute Permitted Development under Schedule 2, Part 2, Class A of The Town and County Planning (General Permitted Development) (England) Order 2015 (as amended) anyway because its height exceeds 2 metres above ground level.
6. The unauthorised development is considered to be an incongruous addition which fails to respect and make a positive contribution to the host dwelling and the character and appearance of the street scene and wider area and fails to provide an acceptable amenity space for the occupants of the host dwellinghouse detrimental to their residential amenity contrary to policies CS21 and CS24 of the *Woking Core Strategy* (2012), Supplementary Planning Documents *Woking Design* (2015) and *Outlook, Amenity, Privacy and Daylight* (2022) and the *National Planning Policy Framework* (2021).
7. Paragraph 59 of the NPPF (2021) states that “Effective enforcement is important to maintain public confidence in the planning system. Enforcement action is discretionary, and local planning authorities should act proportionately in responding to suspected breaches of planning control”. It is considered that enforcement action is proportionate for the reasons listed above.

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

### **FINANCIAL IMPLICATIONS**

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

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

If the Committee decide to take enforcement action and the applicant decides to exercise their right of appeal, it is thought unlikely that this case would be determined by Public Inquiry and therefore costs are likely to be comparatively minimal.

If the applicant appeals against the refusal of planning permission then any additional costs associated with an appeal against the Enforcement Notice would be minimal as both appeals would be linked.

### **BACKGROUND PAPERS**

- Site visit photographs dated 11/03/22.
- Delegation Report and Decision Notice for PLAN/2022/0688.

**RECOMMENDATION**

1. Issue an Enforcement Notice in respect of the above land requiring the following within six (6) months of the notice taking effect:
  - a) Permanently demolish/dismantle/remove the aviary/enclosure comprising wooden posts and wire mesh (but excluding the outbuilding within it) from the rear garden of the dwellinghouse known as No.5 Barton Close.
2. That the Director of Democratic and Legal Services be instructed to issue an Enforcement Notice under Section 172 of the Town & Country Planning Act 1990 as amended, and officers be authorised in the event of non-compliance to prosecute under Section 179 of the Town & Country Planning Act 1990 or appropriate power and/or take direct action under Section 178.

