

# 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, 16 April 2024 at 7.00 pm in the Council Chamber - Civic Offices.

The agenda for the meeting is set out below.

RICHARD CARR  
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. Minutes (Pages 3 - 10)

To approve the minutes of the meeting of the Planning Committee held on 19 March 2024 as published.
4. Urgent Business

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

### **Matters for Determination**

5. Planning and Enforcement Appeals (Pages 11 - 12)

6. Planning Applications (Pages 13 - 16)

**Section A - Applications for Public Speaking**

6a. 2023/0985 McLaren Technology Centre (Pages 19 - 44)

6b. 2024/0054 Gifford, Guilford Lane (Pages 45 - 66)

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

6c. 2023/0980 65-79 Westfield Avenue, Westfield (Pages 69 - 112)

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

There are no applications under this section.

AGENDA ENDS

Date Published - 8 April 2024

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



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Planning Committee 19 March 2024

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

held on 19 March 2024

Present:

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

Cllr C Martin            Cllr T Spenser  
Cllr S Oades

Also Present: Councillors P Graves, A Javaid and L Lyons.

Absent: Councillors G Cosnahan, S Dorsett, S Greentree, D Jordan and S Mukherjee

**1. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor G Cosnahan, S Dorsett, S Greentree, D Jordan and S Mukherjee.

**2. DECLARATIONS OF INTEREST**

No declarations of interest were received.

**3. MINUTES**

RESOLVED

That the minutes of the meeting of the Committee held on 20 February be approved and signed as a true and correct record.

**4. URGENT BUSINESS**

There were no items of Urgent Business.

**5. PLANNING AND ENFORCEMENT APPEALS**

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

Dan Freeland advised that, whilst there were no recent Appeal decisions reported, Members would have been aware that since the agenda was published the Appeal in relation to Technology House in Goldsworth Road had been allowed. That decision would be reported more fully at a future meeting.

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. 2023/0911 Former BHS, 81 Commercial Way

[NOTE 1: The Planning Officer reported that there was a slight typographical error within the Committee report. Where it referred, at paragraphs 152, 236, 247, 253 and 346, to the 'Chobham Road Island' scheme (ref: PLAN/2023/0835), on the directly opposite side of Church Street East to the north, as being up to 12 storeys in height, this should instead read up to 11 storeys in height.]

[NOTE 2: The Planning Officer reported that since the report had been published a letter of support had been received from Surrey Chambers of Commerce.]

[NOTE 3: The Planning Officer reported that since the report had been published the applicant had provided an update on the number of affordable dwellings which were: twelve one-bedroom dwellings, eight two-bedroom dwellings and eight three-bedroom dwellings.]

[NOTE 4: In accordance with the procedure for public speaking at Planning Committee, James Simondson attended the meeting spoke in support of the application. There were no other registered speakers.]

The Committee considered an application for the demolition of existing building and redevelopment of the site to create a residential-led development comprising up to 272 apartments (Use Class C3) and up to 550 sq.m. of retail and commercial floorspace (Use Class E) at ground level, shared residential amenity spaces, building management facilities, plant space, refuse and cycle stores, in a building which ranges in height from a single storey ground floor (with mezzanine in the central block) to a ground floor with a maximum of 25 storeys above. Works to create new public realm within and highway works to Church Path, Church Street East, Chobham Road and Commercial Way, including alterations to and provision of new parking, servicing and delivery bays (Environmental Statement submitted).

Councillor A Javaid, Ward Councillor, wanted to voice some concerns about the application which included the height of the building and lack of parking provision. Councillor Javaid referred to the 'Masterplan' when talking about the proposed height of the development; the Chairman reminded Councillor Javaid that the Masterplan was not adopted planning policy and therefore carried no weight whatsoever in the consideration of this application.

Following a question, the Planning Officer confirmed that the number of disabled parking spaces was equivalent to the number of dwellings that would meet category M(4)3 of the Building Regulations.

Following a question about the percentage of affordable dwellings that would be provided, the Planning Officer confirmed that 10% [28 no. dwellings] were being offered by the Developer as affordable, which was short of the 20% usually required by the Planning Practice Guidance. It was confirmed that this offer had gone through an external viability assessment which had confirmed that the 10% offer made by the applicant was reasonable. In addition to this the proposed development was 'build to rent' which was not covered in current policy within the Woking Core Strategy (2012), so overall the offer had been considered acceptable by the Planning Officer following input from the external viability consultant and having regard to the Planning Practice Guidance.

In response to a question, it was confirmed that there was no specific mobility scooter parking. However, there was a cycle store, and it was noted that all dwellings were accessible.

Following an explanation from the Planning Officer around the terminology of 'less than substantial harm' in heritage terms, the Committee were advised that the Crown Place Appeal decision was material to this application. The Inspector had deemed the Crown Place application to have a 'less than substantial' level of harm on Christ Church which would be outweighed by the public benefits of that development; this application was closer, but the harm was still considered to be 'less than substantial' by Officers following input from an experienced external Built Heritage Advisor. There were also the benefits of landscaping and planting, which would replace the current loading/parking area off Church Path, which would have a positive effect on the heritage setting of Christ Church. It was noted that Christ Church also had extant planning permission for extensions that were contemporary and modern, so this should be taken into consideration also.

Councillor T Aziz, Ward Councillor, commented that this was an ambitious application, and although it was a reduction in height from the previous application, he did not think it was acceptable on the site in its current form. Councillor T Aziz commented that because another application was approved on Appeal, he did not think that should mean the Committee had to support this application, which he thought would have a significant impact on the character of the area, with its bulk and mass. Councillor T Aziz also thought the parking provisions (including disabled parking) was lacking.

Councillor T Aziz proposed, and it was duly seconded by Cllr S Oades that the application be refused on the grounds of bulk and mass, that its benefits did not outweigh the 'less than substantial' harm caused to the heritage of Christ Church, the War Memorial and the Woking Town Centre Conservation Area and the lack of sufficient parking provisions (including insufficient disabled parking).

Councillor S Oades asked that the grounds of 'lack of affordable homes' be added to the motion to refuse. Planning Officers reminded the Committee that the provision of affordable homes had been independently tested by a viability consultant and that 10% provision in this case had been deemed acceptable. This reason for refusal would be difficult to defend on Appeal.

The Planning Officer commented that the recent decision to approve the Technology House application on Appeal, would likely impact the ability to defend parking as a reason for refusal at any potential Appeal. This application was in a central location and located close to town centre car parks in which residents could purchase a season ticket if they wished to.

Planning Officers asked that Members be clear on how this development would impact the heritage assets and what harm would be caused. This was a subjective matter, but

Members were asked to weigh up whether the benefits outweighed the harm. Some Councillors thought that the development would dominate the appearance of the Church and War Memorial and therefore cause harm.

Members were keen that a combination of reasons were cited in the reasons for refusal, and these were not watered down. Beverly Kuchar commented that Members were entitled to refuse matters on the grounds that they choose, however Officers were there to advise on the technical details of a scheme and to explain what they thought could and could not be defended at any potential Appeal.

Following a question around a representation raised by Network Rail, the Planning Officer commented that Planning Officers had met with Network Rail and had asked Network Rail for evidence/ justification that a financial contribution should be made to them by the Developer. No further communication had been received from Network Rail and in the absence of any evidence, no financial contribution could be secured from the Developer on this basis.

Following a question from the Chairman about outdoor amenity space, the Planning Officer confirmed that this was covered in the report and that part of the Community Infrastructure Levy contributions that the development would have to make could be used towards new and/or improved off-site amenity space.

Kuldip Channa, Solicitor, informed the Committee that Officers were obliged to provide advice on the risk of potential costs being awarded against the Council at any potential Appeal and reputational harm which may follow. She advised the Committee that whilst a potential costs award against the Council was not a material planning consideration, it was prudent to provide legal advice to Councillors in that if they were minded to refuse the Planning Application they should have robust Planning reasons for refusal which could stand up to the scrutiny of an Appeal.

Councillor T Aziz proposed and it was duly seconded by Cllr S Oades that the application be refused on the grounds of bulk and mass, that its benefits did not outweigh the 'less than substantial' harm caused to the heritage of Christ Church, the War Memorial and the Woking Town Centre Conservation Area, lack of sufficient parking provisions (including sufficient disabled parking) and lack of a Section 1016 Legal Agreement to secure mitigation of impacts on the Thames Basin Heaths SPA and to secure affordable housing. .

In accordance with the Standing Order set out in the Constitution, the Chairman deemed that a division should be taken on the motion to refuse the application. The votes for and against refusal of the application were recorded as follows.

In favour: Cllrs T Aziz, S Oades, C Martin and T Spenser.

TOTAL: 4

Against: None.

TOTAL: 0

Present but not voting: Cllr L Morales (Chairman)

TOTAL: 1

The application was therefore REFUSED.

RESOLVED

That the application be REFUSED.

**6b. 2023/0791 Avens Court, 1 Broomcroft Drive**

[NOTE 1: The Planning Officer advised the committee of an error in paragraph 50 of the report which stated 'It is considered appropriate to allow for on-site visitor parking provision' when in fact it should refer to visitor parking provision on-street.]

[NOTE 2: In accordance with the procedure for public speaking at Planning Committee, Andrew Grimshaw attended the meeting and spoke in objection to the application and Elaine Kimber spoke in support.]

The Committee considered an application for the change of use from care home (Use Class C2) to residential (Use Class C3) comprising 13 flats and alterations to fenestration, with car parking, cycle parking and bin store.

Councillor P Graves, Ward Councillor, spoke on the application and stated that he had carefully studied all the representations that had been received and the concerns. Councillor P Graves was keen to comment that all residents were keen that the building be brought back into use but were worried by the volume of traffic/parking it would create and the insufficient parking proposed on site. Councillor P Graves commented that the road the development was located on was narrow and not suitable for on street parking. The Councillor noted that the lack of parking provision was contrary to the Pyrford Neighbourhood Plan Policy BE2.

Some Members of the Committee were concerned about lack of parking and also that some bedrooms in the proposed plans of this development did not meet the minimum standards. The Planning Officer commented that paragraph 36 acknowledged the shortfall in bedroom sizes. That said, Woking did not have a development plan in place to insist this development complied with National Space standards. The Planning Officer commented that applications such as this were a balancing act between these standards and professional judgement.

Councillor C Martin proposed, and it was duly seconded by Cllr T Spenser that the application be refused on the grounds of lack of parking contrary to policy BE2 of the Pyrford Neighbourhood Plan and the shortfall on the bedroom size in relation to national standards.

Planning Officers advised the Committee that Woking had not yet adopted the described national space standards and therefore this point would be difficult to argue at Appeal. It was also noted that these rooms were in the original part of the house, and as a locally listed building it may be difficult to change the size of them to any extent. Some Members were keen that the building internal layout be designed differently in order to meet the standards and in turn mean less vehicles.

The Planning Officer also cautioned that the application did meet the minimum parking standards of the Parking SPD, so this reason may also be difficult to defend on Appeal.

The Chairman commented that the planning Committee should have discretion to require more parking than the minimum standard as this was a remote site and the options for

alternative parking nearby, or public transport were limited. The Planning Officer commented that they thought remote sites would have been taken into account when the minimum parking standard was approved.

Some Members thought that minimum standards should be just that 'a minimum' and that developers should be trying to ensure these thresholds were exceeded.

Members felt that the application was in contrary to the Pyrford Neighbourhood Plan (2017) Policy BE2, which states that development proposals must demonstrate that they will not result in on-road parking to the detriment of highway safety or adverse impact on the character of the area.

A Member commented that the proposal stated that there would be a concierge on site and queried whether consideration had been given to their parking provision. It was noted that it had not and the 12 space parking provision on site was solely for the use of residents.

Following advice from Planning Officers the Cllr C Martin agreed to alter his motion and the grounds on which he proposed to refuse the application.

Councillor C Martin proposed, and it was duly seconded by Cllr T Spenser that the application be refused on the grounds of lack of parking contrary to policy BE2 of the Pyrford Neighbourhood Plan and SPA lack of S106 funding.

Kuldip Channa, Solicitor provided a reminder of the earlier legal advice relating to the risk of a potential costs award against the Council (under item 6a) and therefore the need to have robust planning reasons for refusal should the Application go to Appeal.

In accordance with the Standing Order set out in the Constitution, the Chairman deemed that a division should be taken on the motion to refuse the application. The votes for and against refusal of the application were recorded as follows.

In favour: Cllrs T Aziz, S Oades, C Martin and T Spenser.

TOTAL: 4

Against: None.

TOTAL: 0

Present but not voting: Cllr L Morales (Chairman)

TOTAL: 1

The application was therefore REFUSED.

RESOLVED

That the application be REFUSED.

#### **6c. 2023/0214 Wisley Golf Club**

The Committee considered an application for a proposed redevelopment of the outfield to the east of the existing approach road, including replacement driving range building and



replacement range/performance building, engineering / landscaping works to facilitate the enlargement of the short game area and associated works including alterations to the internal access roads and addition of two bridges.

RESOLVED

That planning permission be GRANTED subject to conditions.

The meeting commenced at 7.00 pm  
and ended at 9.25 pm

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

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



PLANNING COMMITTEE – 16 APRIL 2024

## PLANNING AND ENFORCEMENT APPEALS

The Committee is requested to:

### RESOLVE:

That the report be noted.

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

### Background Papers:

Planning Inspectorate Reports

### Reporting Person:

Dan Freeland, Deputy Development Manager

### APPEALS LODGED

#### 2023/1013

Application for Certificate of Proposed Lawful Development to reinstate six external lighting poles surrounding horse menage at Beech Rise, Lock Lane, Pyrford, Woking, Surrey.

Refused under Delegated Authority  
19 February 2024.  
Appeal Lodged  
11 March 2024.

#### 2023/0342 & 2023/0823

Application for Prior approval under the provisions of Schedule 2, Part 20, Class ZA of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) for the demolition of existing two storey detached building together with the construction of a replacement four storey building providing x32 flats together with associated works permitted by Part 20, Class ZA at Allenbuild House, Oyster Lane, Byfleet, West Byfleet, KT14 7JQ.

Refused under Delegated Authority  
6 June 2023 and 22 November  
2023.  
Appeal Lodged  
21 March 2024.

### APPEALS DECISION

#### 2022/1018

Application for Section 73 application to vary Condition 2 (Approved Plans) of permission ref: PLAN/2019/0206 dated 15/07/2020 (Erection of 2x two storey dwellings (2x bed) following demolition of part of No. 117 Princess Road and erection of a part two storey, part single storey rear extension and single storey front extension to No.117 and associated landscaping and parking) to allow changes to landscaping and parking at 117 Princess Road Maybury Woking, GU22 8ER.

Refused under Delegated Authority  
24 May 2023.  
Appeal Lodged  
5 December 2023.  
Appeal Dismissed  
28 March 2024.

2023/0135

Application for erection of a first-floor side extension with carport below at Green Edge Pyrford Road, Woking, GU22 8UQ.

Refused by Delegated Authority  
2 November 2023.  
Appeal Lodged  
21 November 2023.  
Appeal Dismissed  
28 March 2024.

2022/0685

Application for demolition of existing buildings and erection of a building of up to 25x storeys comprising 224x residential units, ground floor commercial units, landscaping, bin and cycle storage, public realm works and associated works and facilities (Amended Plans) at Technology House 48 - 54 Goldsworth Road, Woking Surrey GU21 6LE.

Refused by Planning Committee  
28 February 2024.  
Appeal Lodged  
26 September 2023.  
Appeal Allowed  
13 March 2024.

## PLANNING COMMITTEE AGENDA

### PLANNING APPLICATIONS AS AT 16 APRIL 2024

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/2023/0985  
**Recommendation:** Permit  
**Ward:** Horsell  
**Address:** McLaren Technology Centre, Chertsey Road, Woking, Surrey, GU21 4YH

**Item:** 6B  
**Case ref:** PLAN/2024/0054  
**Recommendation:** Refuse  
**Ward:** Heathlands  
**Address:** Gifford , Guildford Lane, Woking, Surrey, GU22 0AS

**Item:** 6C  
**Case ref:** PLAN/2023/0980  
**Recommendation:** Permit  
**Ward:** Hoe Valley  
**Address:** 65 - 79 Westfield Avenue, Westfield, Woking, Surrey, GU22 9PG

Section A – A -B

Section B - C





**SECTION A**

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

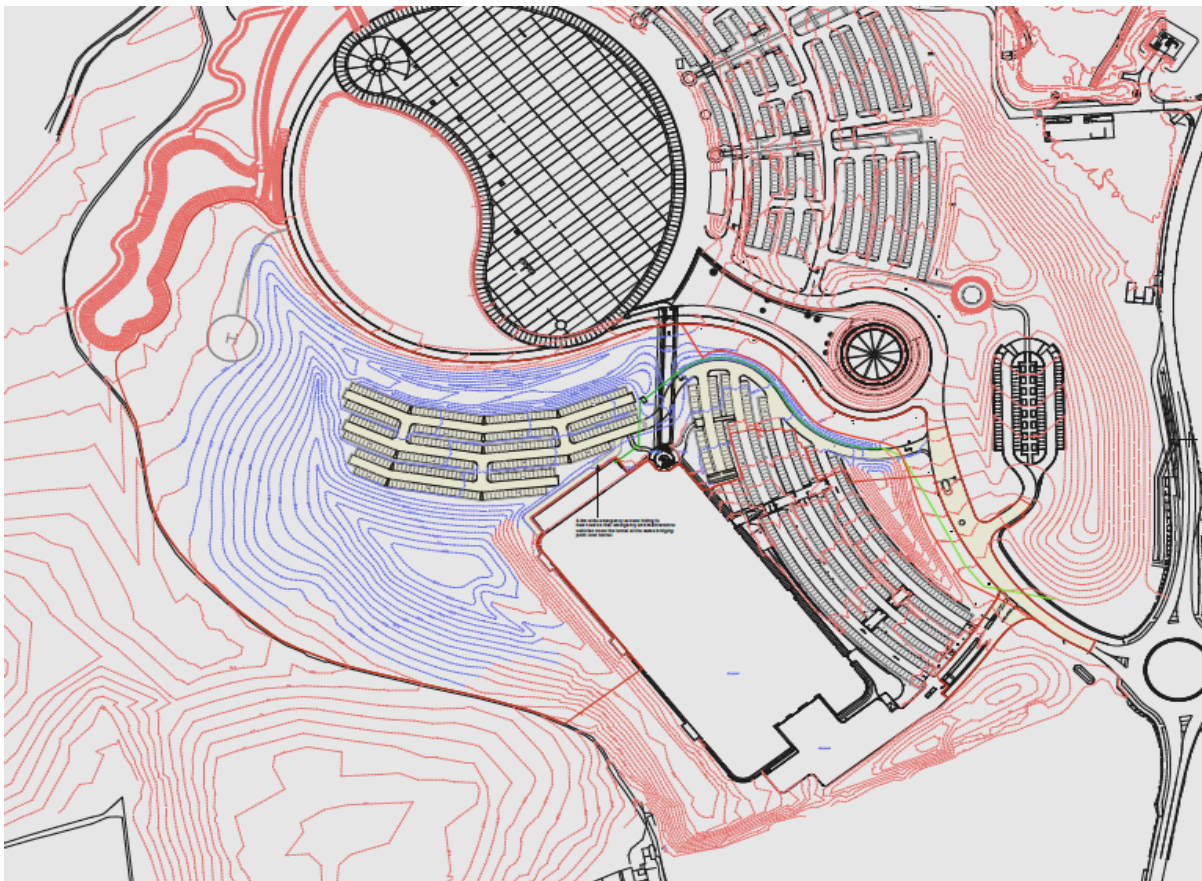
**(Note: Ordnance Survey Extracts appended to the reports are for locational purposes only and may not include all current developments either major or minor within the site or the area generally)**



# McLaren Technology Centre, Chertsey Road.

## PLAN/2023/0985

Full planning application for replacement and additional car parking spaces, cycle parking, associated internal access road, earthworks and re-contouring of the open parkland, hard and soft landscape works, re-surfacing of existing access road, along with new and replacement CCTV columns, access control totems, signage, low level security fencing and security barrier systems.

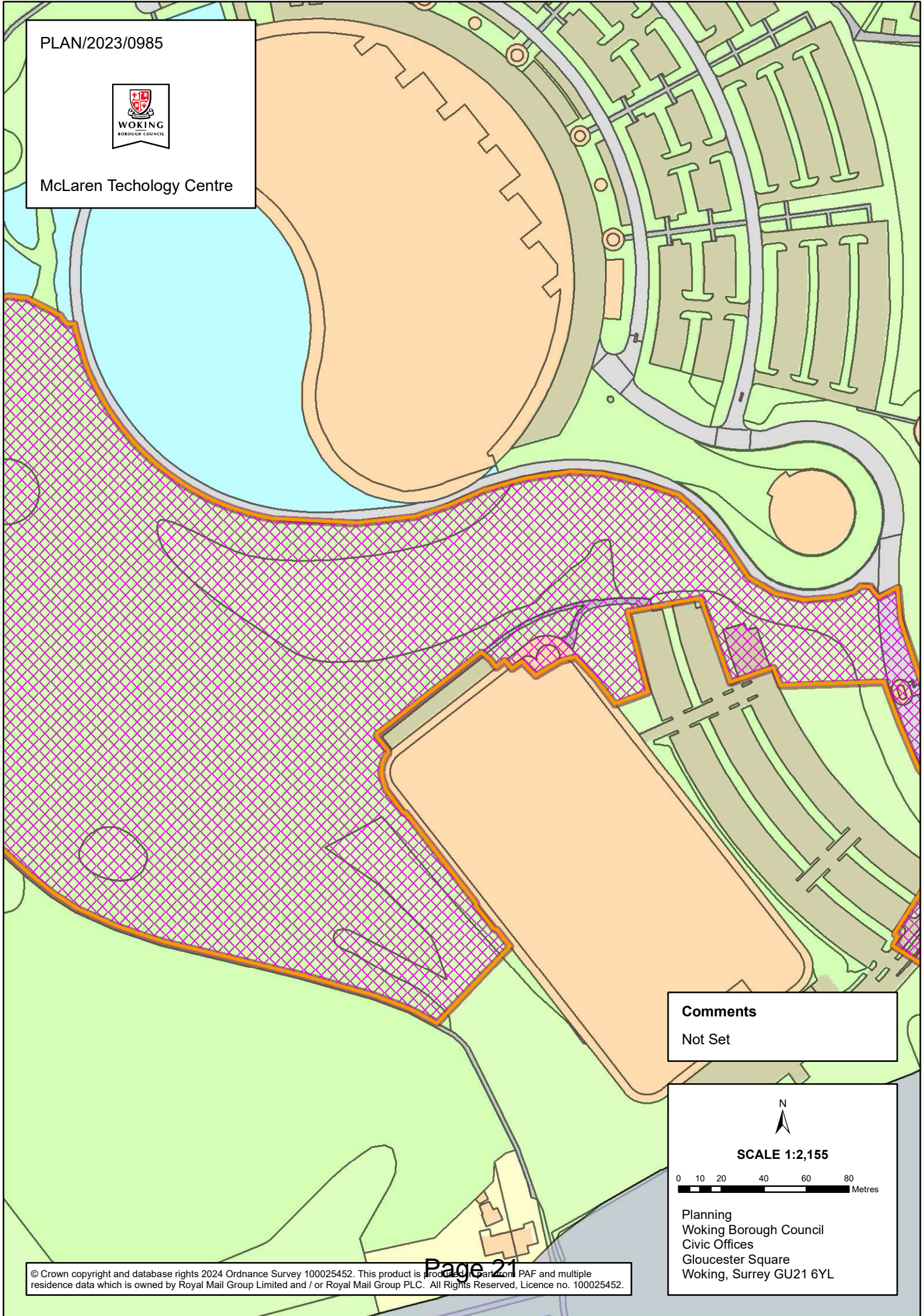




PLAN/2023/0985



McLaren Techology Centre



**Comments**  
Not Set

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SCALE 1:2,155  
0 10 20 40 60 80 Metres

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



**6A PLAN/2023/0985**

**WARD: HO**

**LOCATION:** McLaren Technology Centre, Chertsey Road, Woking, Surrey, GU21 4YH

**PROPOSAL:** Full planning application for replacement and additional car parking spaces, cycle parking, associated internal access road, earthworks and re-contouring of the open parkland, hard and soft landscape works, re-surfacing of existing access road, along with new and replacement CCTV columns, access control totems, signage, low level security fencing and security barrier systems.

**APPLICANT:** McLaren Services Ltd

**OFFICER:** Russell Ellis

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**REASON FOR REFERRAL TO PLANNING COMMITTEE**

The application is for a 'major' development by virtue of site area (over one hectare) where the recommendation is for approval. As such, the application falls outside of the Scheme of Delegation.

**PLANNING STATUS**

- Green Belt
- Adjacent to Site of Nature Conservation Importance (SNCI)
- Zone A (within 400m) of the Thames Basin Heaths Special Protection Area (SPA)
- Adjacent to Common Land
- Elements of the northern periphery of the site are within Flood Zones 2 and 3

**RECOMMENDATION**

Refer to the Secretary of State with the recommendation that the Local Planning Authority be minded to:

Grant Planning Permission subject to conditions.

**SITE DESCRIPTION**

The site is located 3km to the north of the town centre and is accessed by vehicles off a roundabout on the A320 Chertsey Road between Woking and Chertsey. The overall site extends to approximately 55 ha comprising the existing McLaren Technology Centre (MTC) (originally permitted under PLAN/1995/0641) and the McLaren Production Centre (MPC) (originally permitted under PLAN/2009/0440).

The remainder of the site predominantly comprises a man-made parkland landscape, with relatively new tree cover and meadow grassland planted as part of the landscaping schemes for the MTC and latterly the MPC. A capped, former landfill area extending to 6.65 ha is located within the south eastern part of the site. This corresponds with an area of public access land, with further areas of public access land within the site to the west. The total area of public access land provided is approximately 20.44 hectares.

The site is crossed by a public footpath, which runs south to north to the west of the MTC and MPC buildings. A landscape feature known as 'the knoll' between the MPC and MTC forms the highest part of the site at 31m AOD. There is also a stand of trees on a high point in the centre of the parkland. With the exception of this and new tree planting for the MPC and MPC,

tree cover is mainly found on the site boundaries, including a significant tree band along the edge of Horsell Common.

The site is bounded by the existing MTC access road to the east and agricultural fields to the west. The River Bourne adjoins the site to the north, beyond which lies Fair Oaks Airport. The River Bourne forms the Borough Boundary with Surrey Heath Borough Council and Runnymede Borough Council. Horsell Common, part of the Thames Basin Heaths Special Protection Area (TBH SPA) is located immediately to the south, together with Horsell Common SSSI and Site of Nature Conservation Importance. Part of the parkland is common land.

### **PLANNING HISTORY**

The following permissions are the main consents for the MTC and MPC:

McLaren Technology Centre (MTC):

PLAN/1995/0641 - Corporate HQ with research, development an automotive production and associated museum together with associated highway works (Granted by Secretary of State following a call-in 07.03.97).

McLaren Production Centre (MPC):

PLAN/2009/0440 - A new production centre together with a new pedestrian link and tunnel, entrance rotunda, hard and soft landscape proposals, vehicular and cycle parking and associated infrastructure and works (Granted 01.09.09).

The permissions have been the subject of subsequent S.73 applications to make minor material amendments to the originally permitted schemes.

PLAN/2014/1297 - Development of an “applied technology centre” of 57,000sq m (G.E.A.) as an extension to the McLaren Production Centre, to include an aerodynamic research facility, workshops, research and development space, offices, meeting rooms, teaching and training space, vehicle preparation and assembly spaces, together with terraced car parking and two car park decks, cycle parking, a replacement helipad, and service areas. Associated earthworks and re-contouring of the open parkland, hard and soft landscape and infrastructure works, including an electrical substation and foul water pumping station and the temporary diversion of a public right of way during the construction of the development – Permitted subject to conditions and Legal Agreement 18.03.2016

PLAN/2018/0114 - Section 73 application to vary Condition 4 (approved plans), to revise the parking configuration and phase implementation, of Planning Permission PLAN/2014/1297 for the development of an applied technology centre of 57,000sq m (G.E.A.) as an extension to the McLaren Production Centre, to include an aerodynamic research facility, workshops, research and development space, offices, meeting rooms, teaching and training space, vehicle preparation and assembly spaces, together with terraced car parking and two car park decks, cycle parking, a replacement helipad, and service areas. Associated earthworks and re-contouring of the open parkland, hard and soft landscape and infrastructure works, including an electrical substation and foul water pumping station and the temporary diversion of a public right of way during the construction of the development – Permitted subject to conditions 08.01.2019

Officer note: PLAN/2018/0114 which amended and updated PLAN/2014/1297 was not implemented and therefore lapsed on 08.01.2022.



## 16<sup>th</sup> APRIL 2024 PLANNING COMMITTEE

In addition, the following related permissions relate to adjacent land to the east of the A320:

PLAN/2011/0823 - Outline planning application for a new applied technology centre of up to 60,000sqm floorspace, together with hard and soft landscape proposals, earthworks including creation of new lakes, a new vehicular access, an underground circulation tunnel, vehicular and cycle parking, service areas, and associated infrastructure and works including a foul water pumping station and electricity substations (Granted 29.07.13).

PLAN/2013/1299 - First reserved matters application for agreement of landscaping, appearance, scale, access and layout pursuant to outline planning permission PLAN/2011/0823 for the development of an aerodynamic research facility (wind tunnel) and associated control rooms, support accommodation and workshops, together with necessary plant and equipment, foul and surface water pumping stations, a temporary security hut, a new vehicular access junction off the A320 roundabout, access road, car and cycle parking and a service yard, landscaping and earth movement, along with the partial discharge of conditions in respect of phase 1. (Granted 20.05.14).

These permissions have not been implemented but remain extant.

### **PROPOSED DEVELOPMENT**

The proposal is a full planning application for replacement and additional car parking spaces, cycle parking, associated internal access road, earthworks and re-contouring of the open parkland, hard and soft landscape works, re-surfacing of existing access road, along with new and replacement CCTV columns, access control totems, signage, low level security fencing and security barrier systems.

### **BACKGROUND:**

The following additional information was received during the course of the application:

- Updated Travel Plan
- Updated drainage information
- Updated ecology information

### **CONSULTATIONS**

- **Surrey County Highway Authority** - No objection subject to conditions.
- **Lead Local Flood Authority** - No objection subject to conditions.
- **Environment Agency** - No objection subject to conditions.
- **Natural England** - No objection.
- **Surrey Wildlife Trust** - No objection subject to conditions.
- **WBC Tree Officer** - No objection.
- **WBC Environmental Health** - No objection.
- **WBC Scientific Officer** - No objection.

## 16<sup>th</sup> APRIL 2024 PLANNING COMMITTEE

- **Surrey Minerals and Waste** - No objection subject to conditions.
- **Surrey CC Rights of Way** - No objection.
- **Surrey CC Archaeology** - No objection.
- **Affinity Water** - No comments to make.
- **Fairoaks Airport** - No safeguarding objections.
- **Horsell Common Preservation Society** - Concerned over the potential increase in vehicle movements and the associated environmental impact. Suggest that the Travel Plan and Car Parking Management Plan be improved.
- **Surrey Heath BC** - No objection.
- **Runnymede BC** - No objection.
- **WBC Planning Policy** - The policy context with regard to very special circumstances has not changed since the approval PLAN/2018/0114). The NPPF 2023 still applies. Whilst the previous consents (not implemented) are a material consideration, development in the Green Belt is inappropriate and the Very Special Circumstances should still be addressed.

### **REPRESENTATIONS**

3x representations have been received, including one from Chobham Parish Council, raising no objection but raising the following summarised comments:

- No objection providing there is no encroachment onto public access land and no interference with the Public Right of Way.
- No objection providing the LPA is satisfied that the development would not increase flood risk on or off site.
- No objection providing the recontouring and landscape works sufficiently screen the urbanising effect of the development from users of the Public Right of Way.

These matters are addressed below under 'Planning Issues' where appropriate.

### **APPLICANT'S POINTS**

The applicant has submitted the required drawings, extensive drainage proposals and the following documents in support of the application:

- Planning Statement
- Planning Application Summary Document
- Arboricultural Assessment and Method Statement
- Management Plan
- Design and Access Statement
- Transport Statement & Travel Plan
- Car Park Management Plan
- Flood Risk Assessment including Drainage Proposals
- Archaeology Impact Assessment
- Lighting Assessment
- Utilities Statement

- Biodiversity Net Gain assessment
- Climate Neutral Checklist
- Landscape Topography
- Waste Management Plan (Construction & Operation)
- Construction Method Statement
- Thames Basin Heaths SPA Appropriate Assessment Information Report
- EIA Screening Request inc. EIA Screening Checklist

**RELEVANT PLANNING POLICIES**

National Planning Policy Framework (2023):

Section 2 – Achieving sustainable development

Section 4 – Decision Making

Section 6 – Building a strong competitive economy

Section 9 – Promoting sustainable transport

Section 12 – Achieving well-designed and beautiful places

Section 13 – Protecting Green Belt land

Section 14 – Meeting the challenge of climate change, flooding, 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

CS6 – Green Belt

CS7 – Biodiversity and nature conservation

CS8 – Thames Basin Heaths Special Protection Areas

CS9 – Flooding and water management

CS15 – Sustainable economic development

CS16 – Infrastructure delivery

CS17 – Open space, green infrastructure, sport and recreation

CS18 – Transport and accessibility

CS20 – Heritage and conservation

CS21 – Design

CS22 – Sustainable construction

CS24 – Woking's landscape and townscape

CS25 – Presumption in favour of sustainable development

Development Management Policies DPD (2016):

DM2 – Trees and Landscaping

DM7 – Noise and Light Pollution

DM8 – Land Contamination and Hazards

DM13 – Buildings in and Adjacent to the Green Belt

DM20 – Heritage assets and their settings

'Saved' Policy of the South East Plan 2009:

NRM6 - Thames Basin Heaths SPA

Supplementary Planning Documents:

Parking Standards (2018)

Design (2015)

Climate Change (2023)

Thames Basin Heaths Special Protection Area Avoidance Strategy (2022)

Other Relevant Guidance:

## 16<sup>th</sup> APRIL 2024 PLANNING COMMITTEE

Conservation of Habitats and Species Regulations 2017

Circular 06/05 – Biodiversity and Geological Conservation – Statutory Obligations and their Impact within the Planning System

Woking Character Study (2010)

Surrey Landscape Character Assessment: Woking Borough (2015)

National Planning Practice Guidance

### **PLANNING ISSUES**

#### Background:

1. The McLaren Technology Centre (MTC) was originally permitted by the Secretary of State in 1997 (PLAN/1995/0641). This comprised the existing 'Yin Yang' building and lake, 625x parking spaces and associated landscaping and highway works.
2. Planning permission was subsequently granted under for the McLaren Production Centre (MPC) under PLAN/2009/0440. This comprises the rectangular building to the south of the MTC and 400x parking spaces located to the east of the MPC building and associated works. This has been implemented.
3. In 2013 outline permission was granted for a new McLaren Applied Technology Centre (MATC) under PLAN/2011/0823. This comprised a 60,000sqm facility on land to the east of the A320 along with 860x parking spaces and associated works including a tunnel linking the MATC to the main MTC site. Reserved Matters were subsequently approved under PLAN/2013/1299. This has not been implemented and has therefore lapsed.
4. In 2016 planning permission was granted for an MATC in the form of a 57,000sqm extension to the existing rectangular MPC building under PLAN/2014/1297. This included the provision of 860x additional parking spaces comprising 301x spaces in an extension to the existing MTC car park, including decked parking, 304x spaces in an extension to the existing MPC car park, including decked parking and a 255x terraced surface car park to the north-west of the MPC. 450x of these spaces were intended to serve the proposed MATC facility and 410x were intended to serve existing parking demand and alleviate existing parking issues. This development was intended to be in-lieu of the consented MATC to the east of the A320 discussed above and was essentially a revised MATC in a more consolidated form of development. PLAN/2014/1297 was granted on basis of a condition that it not be implemented in addition to the larger permitted MATC on the east side of the A320 (PLAN/2011/0823).
5. In 2019 a Section 73 application to vary the approved plans of PLAN/2014/1297 was permitted (PLAN/2018/0114). The intention of this application was to reconfigure the 860x parking spaces approved under PLAN/2014/1297 and to introduce a phased approach to parking provision. The approved surface car park to the north-west of the approved MATC and existing MPC was omitted, and the parking spaces were distributed around the existing MTC car park as surface parking. This was approved however this has not been implemented and has lapsed.
6. There is therefore no extant permission for additional parking or an MATC facility. The applicant has indicated that there is no longer a requirement for a MATC facility.
7. The current application is a Full application for the provision of 400x parking spaces in the form of a surface level car park to the north and north-west of the existing MPC building. The intention of the proposed parking is to address existing parking issues

## 16<sup>th</sup> APRIL 2024 PLANNING COMMITTEE

which exist on the site. As evidenced by the applicant in their submissions and the Officer's site visit, parking is oversubscribed with double and triple parking taking place whereby parking bays are blocked in by other cars. The applicant states that there is an urgent need to deliver additional parking as a result of intensification of existing operational activities which the applicant suggests is frustrating business and investment opportunities for McLaren.

8. Whilst these previous permissions are a material consideration, the application has been assessed on its own merits as set out below.

### Impact on the Openness of the Green Belt:

9. The proposal site is in the Green Belt and as such Woking Core Strategy (2012) policy CS6 'Green Belt', Woking Development Management Policies DPD (2016) policy DM13 'Buildings Within and Adjoining the Green Belt' and Section 13 of the NPPF (2023) apply and these policies seek to preserve the openness of the Green Belt. The NPPF (2023) states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open and that the essential characteristics of Green Belts are their openness and their permanence. Paragraph 143 of the NPPF (2023) sets out the five purposes of the Green Belt:
  - a) to check the unrestricted sprawl of large built-up areas;
  - b) to prevent neighbouring towns merging into one another;
  - c) to assist in safeguarding the countryside from encroachment;
  - d) to preserve the setting and special character of historic towns; and
  - e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.
10. The NPPF (2023) establishes that the erection of new buildings in the Green Belt is 'inappropriate development' with a limited number of exceptions. The NPPF goes on to say that certain other forms of development, including engineering operations and local transport infrastructure, are also not inappropriate development, provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land within it. The proposed development comprises an engineering operation and can only therefore be considered appropriate development in the Green Belt if it preserves the openness of the Green Belt and does not conflict with the purposes of the Green Belt.
11. The NPPF (2023) states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in 'Very Special Circumstances'.
12. In Turner v SSCLG [2016] EWCA Civ 466 it was established that the concept of 'openness' is capable of having both a spatial and visual dimension and that the decision maker should consider how the visual effect of the development would bear on whether the development would preserve the openness of the Green Belt. Furthermore, current Planning Practice Guidance sets out what factors can be taken into account when considering the impact on openness and includes "*the degree of activity likely to be generated, such as traffic generation*" and states that "*openness is capable of having both spatial and visual aspects*" (Paragraph: 001 Reference ID: 64-001-20190722 Revision date: 22.07. 2019).
13. Whilst the additional parking and associated works would have no volume and therefore no spatial impact on the openness of the Green Belt, the visual impact on openness is a consideration. The proposal would result in a significant amount of additional hardstanding which would largely occupy what is currently undeveloped, landscaped

land. Whilst this comprises parkland within the McLaren campus, it nonetheless comprises open space, grass and vegetation which contributes positively to the openness of the Green Belt. The car park would result in large new areas of hardstanding which would encroach into undeveloped Green Belt land. The proposal is therefore considered to conflict with one of the aims of the Green Belt, which is to safeguard the countryside from encroachment. The proposal is considered to result in a harmful loss of Green Belt openness and would constitute inappropriate development in the Green Belt. The additional lighting, cctv columns and barriers etc. would be in association with the additional parking and are themselves considered to have a negligible impact on Green Belt openness.

14. The proposal includes recontouring of the land around the proposed parking spaces to create landscaped bunds. These would assist in screening views of the car parking from public vantage points and from the nearby Public Right of Way and would effectively lower the parking into the landscape. Public views of the proposed development would therefore be limited by the proposed recontouring and landscaping. Whilst these factors assist in mitigating the Green Belt harm, the proposal nonetheless constitutes inappropriate development in the Green Belt which would result in a harmful loss of Green Belt openness.

*Very Special Circumstances (VSC):*

15. The NPPF (2023) states that:

*“Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances...When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. ‘Very special circumstances’ will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations”*

16. The original MTC and MPC were granted planning permission on the basis of ‘Very Special Circumstances’ (VSC). The MATC facility was also granted on the basis of VSC which were considered to outweigh the harm to the Green Belt. These can be summarised as follows:

- The unique nature of McLaren’s business activities and their national significance to the UK economy
- The essential needs of McLaren to consolidate operations and the need for a bespoke McLaren Wind Tunnel and McLaren Special Operations facilities in close physical proximity to the MTC
- The contribution of McLaren to the local, regional and national economy, and the additional significant benefits that will be delivered to the Woking and regional economy.

17. These have previously been accepted by the LPA as VSC. The applicant argues in their submission for the current application that the above VSC remain and justify a departure from normal green belt policy to permit the additional surface car parking. The applicant also argues that alleviating an ongoing existing operational problem caused by parking issues would be a significant benefit to the staff and company as a whole, and that the benefits of the McLaren Campus satisfy the requirement of the NPPF to demonstrate VSC. The applicant also argues that any potential harm to the Green Belt has been minimised through the proposed layout and landscape-led design approach.

## 16<sup>th</sup> APRIL 2024 PLANNING COMMITTEE

18. No other above ground development in the form of new buildings/structures is proposed with the exception of some minor additional lighting poles, CCTV, infrastructure etc. and the current contoured and landscaped land is to be re-contoured to effectively “sink” the majority of the new parking into the landscape.
19. Whilst the 400x additional parking spaces to alleviate existing parking issues has previously been considered acceptable by the LPA in Green Belt terms, this was in addition to the provision of a MATC facility and the benefits such a facility would bring. The current application must therefore be considered on its own merits.
20. The VSC outlined above are still considered applicable in terms of the valuable contribution McLaren make to the local, regional and national economy. The intention of the proposed parking is to address existing parking issues which exist on the site. As evidenced by the applicant in their submissions and the Officer’s site visit, parking is oversubscribed with double and triple parking taking place whereby parking bays are blocked in by other cars. The applicant states that there is an urgent need to deliver additional parking as a result of intensification of existing operational activities which the applicant suggests is frustrating business and investment opportunities for McLaren.
21. The applicant suggests that on a daily basis up to 450x cars are double or triple parked which causes major disruption to McLaren’s day-to-day operations. The applicant states that this leads to significant loss of working hours and productivity due to staff needing to regularly move their cars. The applicant also argues that during the daytime shift change this results in cars queuing back up to the A320 roundabout waiting for spaces to become available.
22. The chronic issues with parking have been corroborated on the Officer’s site visit and clearly present significant issues with operations on the site. The proposed parking would directly assist in alleviating significant parking issues which exist on the site. McLaren make a significant contribution to the local, regional and national economy and their continued operation and productivity is a very important consideration which should be given substantial weight.
23. As discussed above, the siting and design of the proposed development mitigates the visual harm to Green Belt openness and the car park would be viewed in association with the existing substantial development on the site. The harm to the openness of the Green Belt is still considered significant. However, as discussed above, the proposed would help alleviate a chronic parking issue which is frustrating business operations on the site. This is considered a significant benefit of the scheme which constitutes a Very Special Circumstance which clearly outweighs the harm to the Green Belt identified above.

### Impact on Character:

24. The McLaren campus is a well-established two centred engineering facility and conference site set within landscaped grounds. The proposal site is well-hidden from the main road (A320) bar the main entrance and is screened by a combination of planting and design with bulk of facilities sunken into the landscape. The wider surrounding area is largely rural in nature and is sparsely populated with residential properties.
25. The proposal would result in 400x additional parking spaces and associated access roads and works. The additional parking and associated works would be viewed in the

## 16<sup>th</sup> APRIL 2024 PLANNING COMMITTEE

context of the existing large scale buildings and surface parking which exist on the site. The proposal includes recontouring of the land around the proposed parking spaces to create landscaped bunds. These would assist in screening views of the car parking from public vantage points and from the nearby Public Right of Way and would effectively sink the parking into the landscape. Public views of the proposed development would therefore be limited by the proposed recontouring and landscaping. The applicant has provided section drawings which demonstrate how views of the proposed parking would be restricted by the proposed earthworks and landscaping. The applicant has prepared a Landscape and Visual Impact Assessment at Appendix 2 of the Planning, Design and Access Statement which assesses the likely visual impact on the site, and surrounding areas. This concludes visual effects ranging from negligible to moderate.

26. The proposed development is considered consistent with the character of the McLaren site and the proposal is not considered to result in an unduly harmful impact on the character of the site or surrounding area.

### Impact on Trees and Landscaping:

27. The proposal site is interspersed with groups of trees and individual trees, many of which were planted when the site was first developed. None of the trees on the proposal site are protected by a Tree Preservation Order. The application is accompanied by an Arboricultural Impact Assessment including a Tree Survey Schedule and Tree Protection Plan. The tree schedule assesses 226x individual trees and groups of trees. The quality of trees is graded in accordance with BS5837:2012 (Grade A, B, C and U) with 'A' grade trees being the best quality and 'U' being the worst. The vast majority of trees which have been assessed have been graded as Grade 'B' and 'C'.
28. 118x trees and groups of trees are identified as being removed, most of which would be relatively young trees planted when the site was developed. Most of these would be Grade 'B' and 'C' trees however two 'A' category trees would be removed (T179; a Norway Maple and T213; an Oak). Whilst the loss of 2 'A' category tree is undesirable, overall the proposal would retain a high proportion of existing trees. A detailed landscaping scheme has been provided which includes the planting of a minimum 129x trees.
29. The Council's Tree Officer has been consulted and raises no objection on arboricultural grounds subject to conditions. The Tree Officer has raised a concern about the lack of tree planting in the western part of the proposed car park. The applicant has responded to this by stating that native hedging has been consciously proposed in the western part of the car park in order to achieve a more restrained and 'low key appearance'.
30. Whilst the main body of the car park would not include tree planting within the areas of hardstanding, the native hedging is considered to soften the appearance of the hardstanding and the car park would be surrounded by tree planting and native scrub planting. The proposed landscaping scheme is considered comprehensive and includes native hedging, wildflower rich grass seeded areas, mixed native scrub planting and tree planting.
31. Overall, the proposal is considered acceptable on arboricultural grounds and the proposed landscaping is considered acceptable subject to conditions.

### Traffic and Highways Implications



## 16<sup>th</sup> APRIL 2024 PLANNING COMMITTEE

32. The McLaren Campus currently has a total of 1,083 parking spaces. The proposal would add an additional 400x parking spaces, resulting in a total of 1,483x spaces.
33. The original permission for the MTC included a condition which requires a parking ratio of no more than 62.5% (i.e. the number of employees per parking space). The applicant indicates that the number of employees has increased from 2,450 people in 2014 to 3,604 people in 2023, which has resulted in a corresponding increase in demand for parking. The applicant indicates that there are regularly more than 2,000 people on the campus before midday with the highest number of employees on-site since May 2022 being 2,303 people. With the additional proposed parking, the proposal would result in a parking ratio of 41.1% which is in-line with the additional condition.
34. As discussed above, the proposed parking is intended to address an existing chronic parking issue to accommodate double and triple parking which is already taking place on site. The proposal does not involve an extension to the existing commercial facilities as with previous applications but rather is intended to accommodate existing parking which takes place on the site. The proposal is not therefore considered to result in an increase in vehicle movements to and from the site.

### *Travel Plan and Sustainable Transport Measures:*

35. The McLaren Campus is located approximately 2.5km north of Woking Town Centre. The A320 links the site with Woking which provides a pedestrian and cycle link to Woking. The nearest bus stop is served by two bus services which link the site to Woking.
36. The application is accompanied by a Travel Plan which examines the modal share of different modes of transport used by employees. The Travel Plan compares the modal share of 2014 with 2023 and identifies that in 2014 the majority of trips (84.3%) were taken by car (single occupancy), with 5% by train, 4% by car share and 3.3% by bus/McLaren bus. By 2023 the modal share of single occupancy cars had reduced to 82% and bus/McLaren bus had increased to 10.5% (this encapsulates journeys made by train due to the way the figures are recorded).
37. The Travel Plan seeks to achieve an overall reduction in the number of private car journeys and to promote sustainable modes of travel. The Travel Plan makes provision for the appointment of a Travel Plan Coordinator to implement, manage and monitor the Travel Plan. The Travel Plan sets a target to reduce the modal share of single occupancy car journeys by five percentage points to 77% within five years and to increase the modal share of cycling, bus/McLaren bus and car sharing. This is to be achieved through the provision of information to staff, the provision of additional cycle parking and the provision of a car-sharing scheme. The principles of the Travel Plan are considered acceptable however a final Travel Plan can be secured by condition.

### *EV Charging Points:*

38. The Climate Change (2023) states (at paragraph 6.2.3) that “*Policy CS22 of the Core Strategy states that new development in Woking Borough will be expected to contribute to charging infrastructure. This SPD sets out the minimum requirements for the provision of EV charge points in accordance with the current Building Regulations Part S as summarised in Table 6.2*”. Table 6.2 of the SPD provides a summary of the installation and charge point requirements in Part S to the Building Regulations which applies, inter alia, to new residential and non-residential buildings. There is no requirement for EV charging points in this case as the proposal does not involve the erection of residential or non-residential buildings. Nevertheless, 20x EV charging

## 16<sup>th</sup> APRIL 2024 PLANNING COMMITTEE

points providing 40x EV charging bays, along with cabling for a further 40x passive EV charging bays in the future. The proposal is considered to achieve an acceptable number of EV charging points to meet the sustainability aims of the Development Plan.

### *Disabled Parking Spaces:*

39. The Council's Parking Standards (2018) set parking standards for different forms of development and set minimum standards for disabled parking spaces. The minimum standard identified for car parks of over 200x bays for business premises is 6x bays plus 2% of the total capacity of the car park. In this instance this would equate to a minimum standard of 14x spaces (6+8). The proposed car park would provide a total of 14x disabled parking spaces in accordance with the SPD. The proposal would therefore meet this requirement and is considered acceptable in this regard.

### *Cycle Parking:*

40. The proposal also includes the provision of 34x 'Sheffield' stands providing cycle parking for 68x bicycles. Shower, changing and storage facilities are already provided within the existing campus buildings. Further details of facilities for cyclists can be secured by condition.

### *Summary:*

41. The proposed additional parking is intended to address an existing chronic issue with parking on the McLaren Campus and is not considered to result in additional vehicle movements to and from the site. The proposed parking provision would go hand-in-hand with a Travel Plan which seeks to promote more sustainable modes of transport and reduce single-occupancy private vehicle use, as well as provision of additional cycle storage and EV charging points. The County Highway Authority has reviewed the proposal and raises no objection subject to conditions.
42. The proposal is considered to have an acceptable transportation impact and appropriate opportunities have been taken to promote more sustainable modes of transport.

### Impact on Ecology:

43. The Wildlife and Countryside Act (1981) (as amended) affords statutory protection to various UK flora and fauna species, including wild birds and their nests and reptiles. The Conservation of Habitats and Species Regulations (2017) (as amended) transpose the Habitats Directive into national law and establishes further protection for certain species, including all species of bats and their roosts and Great Crested Newts, which are all therefore European Protected Species. The Protection of Badgers Act (1992) protects badgers and their setts. Circular 06/05 'Biodiversity and Geological Conservation' provides guidance on the application of the law relating to planning and nature conservation as it applies in England and complements the national planning policy in the NPPF and the Planning Practice Guidance.
44. The NPPF (2023) states that the planning policies and decisions should contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity. This approach is supported by Woking Core Strategy (2012) policy CS7 'Biodiversity and Nature Conservation'. Policy CS7 states that "*Within locally designated sites development will not be permitted unless it is necessary for appropriate on-site management measures and can demonstrate no adverse impacts to the integrity of the nature conservation interest. Development adjacent to locally designated sites*

## 16<sup>th</sup> APRIL 2024 PLANNING COMMITTEE

*will not be permitted where it has an adverse impact on the integrity of the nature conservation interest that cannot be mitigated’.*

45. The application is accompanied by an Ecological Impact Assessment which assesses the ecological value of the site and the presence of different habitats and species, the likely impact on these species and habitats resulting from the proposed development and proposed enhancement and mitigation measures.
46. The habitats on the proposal site comprise:
  - Modified grassland
  - Other neutral grassland
  - Developed sealed surface
  - Artificial sealed surface
  - Ornamental planting
  - Line of Trees
  - Other mixed woodland
47. The Ecological Impact Assessment concludes that with the described mitigation measures and enhancements in the report, there will be no adverse impact from the proposal. Surrey Wildlife Trust raises no objection subject to several conditions.
48. The Environment Act (2021) sets out a statutory requirement for biodiversity net gain to be a condition of planning permissions in England. This came into effect on 12th February 2024 and ‘major’ planning applications submitted after this date will need to demonstrate a 10% Biodiversity Net Gain. It must be noted that whilst the relevant provisions in The Environment Act (2021) came into force on 12th February 2024, the requirement for BNG only applies to new planning applications submitted on or after that relevant date (for clarity this planning application was submitted to the Council on 28.11.2023).
49. Whilst there is no current mandatory requirement for BNG in adopted policies or legislation, Policy CS7 and the NPPF do call for developments to contribute to the enhancement of biodiversity. The applicant has provided a BNG Assessment which concludes that there will be a +15.59% net gain in habitat units based on the remodelling and habitat enhancements proposed. The proposal is therefore considered to achieve an appropriate biodiversity net gain on the proposal site.
50. Overall, the proposal is therefore considered to result in an acceptable impact on biodiversity and protected species and would result in Biodiversity Net Gain on the site.

### Flooding & Drainage:

51. The application is supported by a Flood Risk Assessment including drainage proposals produced by Hydrock based on flood level models from the Environment Agency. The majority of the site is within Flood Zone 1 (low risk) with parts of the north of the site within Zone 3 (high risk) and parts within Zone 2 (medium risk) but these areas are not part of this proposal. All proposed development and re-contouring will remain within Zone 1. The area of proposal is not in any Surface Water risk area but mitigation is included.
52. The Lead Local Flood Authority raises no objections subject to conditions securing compliance with documents submitted and a Verification Report. The proposal is considered to have an acceptable impact on drainage and flood risk and the proposal

## 16<sup>th</sup> APRIL 2024 PLANNING COMMITTEE

accords with the NPPF, Core Strategy (2012) Policy CS9 and SuDS requirements in respect of flooding and drainage.

### Impact on Thames Basin Heath Special Protection Area (TBH SPA):

53. The proposal site is not within the SPA but is within 400m of the Horsell Common SPA (Zone A). The proposal is not considered to impact detrimentally on the integrity of the SPA and is not considered to result in additional vehicle movements. In accordance with the Habitats Directive and Habitats Regs, the Local Planning Authority concluded that the previous unimplemented application was unlikely to have a significant effect on the TBH SPA, either alone or in combination, and therefore that an Appropriate Assessment is not required. It is not considered that there has been any material change in circumstance, policy or the nature of this proposal which would justify deviating from that opinion.

### Site Waste Management:

54. The application is accompanied by a Site Waste Management Plan which details how waste arising from the proposed development would be managed. This specifies that excavated earthworks would be reused on site for land reprofiling. The Surrey Minerals and Waste Team has reviewed the submission and raises no objection subject to compliance with the submitted information.

### Archaeology:

55. The proposal site is not within an area of High Archaeological Potential however given the size of the site, the application is accompanied by a desk-based archaeological assessment which assesses the archaeological potential of the proposal site. The assessment concludes that the site has low to negligible archaeological potential and therefore no mitigation measures are recommended. The Surrey County Council Archaeologist has reviewed the assessment and raises no objection; the proposal is therefore considered acceptable in this regard.

### Contamination:

56. Parts of the surrounding site are identified as being potentially contaminated. The Council's Scientific Officer has been consulted and raises no objection. The proposal is therefore considered acceptable in this regard.

### Local Finance Considerations:

57. The proposals would not attract a levy under the Community Infrastructure Levy Regulations because they are for commercial, non-retail uses and are consequently nil rated on the charging schedule.

## **CONCLUSION and PLANNING BALANCE**

58. The proposal constitutes inappropriate development in the Green Belt, which would result in a significantly harmful loss of Green Belt openness, which should be given substantial weight. The proposed development would help alleviate a chronic existing parking issue which results in double and triple parking which disrupts the business operations on the site. The McLaren Campus makes a significant contribution to the local, regional and national economy and is a major local employer their continued operation and productivity is a very important consideration which should be given substantial weight. This is considered a substantial benefit which would clearly outweigh

## 16<sup>th</sup> APRIL 2024 PLANNING COMMITTEE

the harm caused to the Green Belt by reason of the proposal's inappropriateness. The harm to the Green Belt would be mitigated by the landscape-led design of the proposed development and the resulting screening of the development. The proposed additional parking would go hand-in-hand with a Travel Plan to promote more sustainable modest of transport along with EV charging points and cycle storage.

59. The proposal would result in a biodiversity net gain and is considered to have an acceptable impact on ecology, trees, drainage and flood risk, contamination and on the integrity of the SPA. Overall, the proposal is considered an acceptable form of development and is recommended for approval subject to conditions.

### **RECOMMENDATION**

It is recommended that the application be referred to the Secretary of State with the recommendation that the Local Planning Authority be minded to:

Grant Planning Permission subject to the following conditions:

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

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

02. Unless otherwise agreed in writing by the Local Planning Authority, the development hereby permitted shall be carried out in accordance with the approved plans and documents listed:

- McLaren Campus Additional Parking Electrical Equipment Manufacturer List Ref: 2804-HYD-XX-XX-SH-E-0001
- McLaren Campus Additional Parking Electrical Services and Lighting Layout 28044-HYD-XX-00-DR-E-2001 Rev P06
- McLaren Campus Additional Parking Electrical Underground Layout 28044-HYD-XX-00-DR-E-2002 Rev P06
- McLaren Campus Additional Parking Lighting Direction 28044-HYD-XX-00-DR-E-2005 Rev P01
- TOR-XX-DR-L-P-002 Rev C Existing site plan dated 04/2023
- TOR-XX-DR-L-P-001 Rev L Proposed site plan dated 06/2023
- TOR-XX-DR-L-P-003 Rev C Existing Contours dated 06/2023
- TOR-XX-DR-L-P-004 Rev J Proposed Contours dated 07/2023
- TOR-XX-DR-L-P-007 Rev E Vegetation retained and removed dated 07/2023
- TOR-XX-DR-L-P-008 Rev D Proposed hard works 1 of 3 dated 07/2023
- TOR-XX-DR-L-P-009 Rev C Proposed hard works 2 of 3 dated 07/2023
- TOR-XX-DR-L-P-010 Rev C Proposed hard works 3 of 3 dated 07/2023
- TOR-XX-DR-L-P-011 Rev C Proposed soft works 1 of 3 dated 07/2023
- TOR-XX-DR-L-P-012 Rev D Proposed soft works 2 of 3 dated 07/2023
- TOR-XX-DR-L-P-013 Rev E Proposed soft works 3 of 3 dated 07/2023
- TOR-XX-DR-L-P-014 Rev C Section A-A dated 07/2023
- TOR-XX-DR-L-P-015 Rev C Sections B-B, C-C, D-D and E-E dated 07/2023
- TOR-XX-DR-L-P-016 Rev D Seeding plan dated 07/2023
- TOR-XX-DR-L-P-017 Rev D Management plan dated 07/2023
- TOR-XX-DR-L-P-100 Rev A Location plan dated 16 November 2023

## 16<sup>th</sup> APRIL 2024 PLANNING COMMITTEE

- McLaren Campus Additional Parking Planning Statement Inc. Design and Access Statement
- McLaren Campus Additional Parking Archaeological Impact Assessment
- McLaren Campus Additional Parking Lighting Assessment 28044-HYD-XX-XX-RP-E-0001
- McLaren Campus Additional Parking Contamination Assessment 28044-HYD-XX-XX-RP-GE-1000 Segment 1
- McLaren Campus Additional Parking Contamination Assessment 28044-HYD-XX-XX-RP-GE-1000 Segment 2
- McLaren Campus Additional Parking Contamination Assessment 28044-HYD-XX-XX-RP-GE-1000 Segment 3
- McLaren Campus Additional Parking Contamination Assessment 28044-HYD-XX-XX-RP-GE-1000 Segment 4
- McLaren Campus Additional Parking Drainage Strategy and Maintenance Schedule 28044-HYD-00-XX-RP-C-1000 Updated Fed 2024
- McLaren Campus Additional Parking Flood Risk Assessment 28044-HYD-XX-XX-RP-WENV-0001
- Site Waste Management Plan (updated) by Edburton Contractors Ltd Ref: T4623 ECL dated 08.02.2024
- McLaren Services Ltd Transport Statement dated Nov 2023 by Vectos
- McLaren Services Ltd Travel Plan dated Nov 2023 by Vectos
- McLaren Services Ltd Car Park Proposals and Management Plan dated Nov 2023 by Vectos
- Biodiversity Net Gain Report by LC Ecological Services dated Oct 2023
- Ecological Impact Assessment by LC Ecological Services dated Oct 2023
- Manual for Managing Trees on Development Sites – Barrell Tree Consultancy
- Biodiversity Matrix Tool and Great Crested Newt Report
- Utilities Statement

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

03. The development shall be carried out wholly in accordance with the Arboricultural information provided by Barrell Tree Consultancy Ref. 23050-AIA2-CA dated 28.09.2023 and Tree Survey Plan Barrell Ref: 23050-2 A0-LS R, including the plans below or any additional information already contained within approved plans, including the convening of a pre-commencement meeting unless otherwise agreed in writing.

Reason: To ensure an appropriate landscaping scheme in accordance with Policy CS7 of the Woking Core Strategy 2012.

04. The soft landscaping scheme specified shall be carried out and thereafter retained in accordance with drawings numbered TOR-XX-DR-L-P-011 Rev C Proposed soft works 1 of 3, TOR-XX-DR-L-P-012 Rev D Proposed soft works 2 of 3 and TOR-XX-DR-L-P-013 Rev E Proposed soft works 3 of 3 dated 07/2023 and received by the LPA unless otherwise first agreed in writing by the Local Planning Authority on 28.11.2023. The soft landscaping scheme shall be carried out in accordance with the approved details in the first planting season (November-March) following the first beneficial use of the development hereby permitted or the completion of the development, whichever is the sooner, and shall be maintained thereafter. Any retained or newly planted trees, shrubs or hedges which die, become seriously damaged or diseased or are removed or destroyed within a period of 5 years from the date of planting shall be replaced during

## 16<sup>th</sup> APRIL 2024 PLANNING COMMITTEE

the next planting season with specimens of the same size and species unless otherwise agreed in writing by the Local Planning Authority.

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

05. The development hereby permitted shall be constructed in the materials shown on the approved plans including drainage, Design and Access Statement and Lighting Assessment.

Reason: To protect the visual amenities of the area and in accordance with Policy CS6 and Policy CS21 of the Woking Core Strategy 2012.

06. ++Prior to the first beneficial use of the additional parking spaces hereby permitted, a Staff Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall accord with the sustainable development aims and objectives of the National Planning Policy Framework, Surrey County Council's "Travel Plans Good Practice Guide", and in general accordance with the updated Travel Plan received by the Local Planning Authority on 6 March 2024. Thereafter, the approved Travel Plan shall be implemented prior to the first beneficial use of the additional parking spaces hereby permitted and monitored for each relevant target year up to 5 years and thereafter maintained and developed in agreement with the Local Planning Authority unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to promote sustainable modes of transport in accordance with the National Planning Policy Framework and Policy CS18 of the Woking Core Strategy 2012.

07. ++Prior to the first beneficial use of the additional parking spaces hereby permitted, details of the following facilities shall be submitted to and approved in writing by the Local Planning Authority:

- (a) The secure parking of e-bicycles within the development site,
- (b) Changing and shower facilities within the development site for cyclists
- (c) Facilities within the development site for cyclists to store cyclist equipment
- (d) Information to be provided to staff and visitors regarding the availability of and whereabouts of cycling storage and facilities and local public transport, walking, cycling and car sharing clubs

The approved details shall thereafter be implemented prior to the first beneficial use of the additional parking spaces hereby permitted and thereafter shall be permanently retained and maintained in accordance with the agreed details unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to promote sustainable modes of transport in accordance with the National Planning Policy Framework and Policy CS18 of the Woking Core Strategy 2012.

08. The parking spaces shown on the plans hereby approved shall only be used for the parking of vehicles ancillary to the use of the site and shall be retained thereafter solely for that purpose and made available to the occupiers of the site at all times for parking purposes unless otherwise first agreed in writing by the Local Planning Authority.

Reason: In the interests of amenity and the Green Belt to ensure a satisfactory form of development in accordance with Policies CS6, CS18 and CS21 of the Woking Core Strategy 2012.

## 16<sup>th</sup> APRIL 2024 PLANNING COMMITTEE

09. The Electric Vehicle charging points specified on the approved plans listed in this notice shall be provided in accordance with the approved plans prior to first beneficial use of the development hereby permitted and thereafter shall be retained in accordance with the approved details unless the Local Planning Authority subsequently agrees in writing to their replacement with more advanced technology serving the same objective.

Reason: In the interests of achieving a high standard of sustainability with regards to electric vehicle charging infrastructure requirements.

10. The proposal shall be carried out wholly in accordance with the recommendations of and proposed mitigation works set out in Biodiversity Net Gain and Ecological Impact Reports by LC Ecological Services dated Oct 2023 unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure protection of protected species and to enhance the biodiversity of the site in accordance with Policies CS6, CS7 and CS8 of the Woking Core Strategy 2012.

11. ++No development shall take place in connection with the additional car parking spaces hereby permitted until a Construction Environmental Management Plan (CEMP), has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include measures to minimise the risk of disturbance to wildlife, including the Woodham Common Site of Nature Conservation Importance (SNCI), Horsell Common Site of Special Scientific Interest (SSSI) and Thames Basin Heaths Special Protection Area (SPA) from development related works and shall include details of the following:
- Storage of construction materials/chemicals and equipment
  - Dust suppression and management measures
  - Measures to prevent chemical and/or fuel run-off from construction into nearby watercourse(s)
  - Measures to control noise and vibration during demolition and construction
  - Measures to ensure no materials, machinery, vehicles or works will encroach onto the SNCI, SSSI or SPA.

Development shall thereafter be carried out only in accordance with the approved CEMP.

Reason: To protect the environmental interests and the amenity of the area and to comply with Policies CS7, CS8 and CS21 of the Woking Core Strategy.

12. ++Prior to the first beneficial use of the development hereby permitted, details of the measures for the enhancement of biodiversity on the site, a timetable for their provision on the site and a Landscape Ecological Management Plan, shall be submitted to and approved in writing by the Local Planning Authority. The measures shall be implemented in full accordance with the agreed details prior to the first occupation of the development hereby permitted and thereafter shall be permanently retained and maintained in accordance with the agreed details.

Reason: To ensure protection of protected species and to enhance the biodiversity of the site in accordance with Policies CS6, CS7 and CS8 of the Woking Core Strategy 2012.



## 16<sup>th</sup> APRIL 2024 PLANNING COMMITTEE

13. All external lighting shall be installed in accordance with the Lighting Assessment ref: 28044-HYD-XX-XX-RP-E-0001 prepared by Hydrock dated 27.10.23 received by the LPA on 28.11.2023 and thereafter permanently retained and maintained in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority. Prior to the installation of any additional external lighting, including floodlighting, details of the lighting (demonstrating compliance with the recommendations of the Bat Conservation Trusts' "Bats and Lighting in the UK - Bats and The Built Environment Series" guidance) shall be submitted to and approved in writing by the Local Planning Authority. The approved lighting scheme shall be installed and maintained in accordance with the agreed details thereafter.

Reason: In the interests of visual amenity and biodiversity.

14. The development shall be carried out wholly in accordance with the drainage information and plans listed below:

- Soakaway testing technical note ref: 2804-HYD-XX-XX-TN-GE-1001
- McLaren Campus Additional Parking Ground Investigation Report 28044-HYD-XX-XX-RP-GE-1001 Section 1
- McLaren Campus Additional Parking Ground Investigation Report 28044-HYD-XX-XX-RP-GE-1001 Section 2
- McLaren Campus Additional Parking Ground Investigation Report 28044-HYD-XX-XX-RP-GE-1001 Section 3
- McLaren Campus Additional Parking Ground Investigation Report 28044-HYD-XX-XX-RP-GE-1001 Section 4
- McLaren Campus Additional Parking Ground Investigation Report 28044-HYD-XX-XX-RP-GE-1001 Section 5
- McLaren Campus Additional Parking Ground Investigation Report 28044-HYD-XX-XX-RP-GE-1001 Section 6
- McLaren Campus Additional Parking Proposed Drainage Overview 28044-HYD-XX-XX-DR-C-70000 Rev P06
- McLaren Campus Additional Parking Proposed Drainage Sheet 1 28044-HYD-XX-XX-DR-C-70001 Rev P06
- McLaren Campus Additional Parking Proposed Drainage Sheet 2 28044-HYD-XX-XX-DR-C-70002 Rev P06
- McLaren Campus Additional Parking Proposed Drainage Sheet 3 28044-HYD-XX-XX-DR-C-70003 Rev P06
- McLaren Campus Additional Parking Proposed Drainage Sheet 4 28044-HYD-XX-XX-DR-C-7000 Rev P06
- McLaren Campus Additional Parking Existing Drainage Area Plans 28044-HYD-XX-XX-DR-C-70500 Rev P03
- McLaren Campus Additional Parking Proposed Drainage Area Plans 28044-HYD-XX-XX-DR-C-70501 Rev P03
- McLaren Campus Additional Parking Proposed Drainage Details Sheet 1 28044-HYD-XX-XX-DR-C-71000 Rev P01
- McLaren Campus Additional Parking Proposed Drainage Details Sheet 2 28044-HYD-XX-XX-DR-C-71001 Rev P02
- McLaren Campus Additional Parking External Finishes 28044-HYD-XX-XX-DR-C-72000 Rev P02
- McLaren Campus Additional Parking External Works Levels Sheet 1 28044-HYD-XX-XX-DR-C-72001 Rev P02
- McLaren Campus Additional Parking External Works Levels Sheet 2 28044-HYD-XX-XX-DR-C-72002 Rev P02

## 16<sup>th</sup> APRIL 2024 PLANNING COMMITTEE

- McLaren Campus Additional Parking External Works Levels Sheet 2 28044-HYD-XX-XX-DR-C-72003 Rev P01
- McLaren Campus Additional Parking Proposed External Details 28044-HYD-XX-XX-DR-C-72200 Rev P02

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

15. The proposal shall be carried out in accordance with the Site Waste Management Plan (updated) by Edburton Contractors Ltd Ref: T4623 ECL dated 08.02.2024 unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the development satisfies the objectives of Surrey Waste Plan Policies CW1 and Minerals Plan Core Strategy Policies MC4 and MC5 and Policy CS22 of the Woking Core Strategy 2012.

16. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the local planning authority. The remediation strategy shall then be implemented as approved.

Reason: To ensure that the development does not contribute to and is not put at unacceptable risk from, or adversely affected by unacceptable levels of water pollution from previously unidentified contamination sources at the development site. This is in line with paragraph 180 of the National Planning Policy Framework.

17. A scheme for managing any borehole installed for the investigation of soils, groundwater or geotechnical purposes shall be submitted to and approved in writing by the Local Planning Authority prior to the boreholes being installed. The scheme shall provide details of how redundant boreholes are to be decommissioned and how any boreholes that need to be retained, post-development, for monitoring purposes will be secured, protected, and inspected. The scheme as approved shall be implemented prior to the occupation of any part of the permitted development.

Reason: To ensure that redundant boreholes are safe and secure, and do not cause groundwater pollution or loss of water supplies in line with paragraph 180 of the National Planning Policy Framework.

### **Informatives**

1. The applicant is advised that under the Control of Pollution Act 1974, construction work which will be audible at the site boundary will be restricted to the following hours:-

8.00 a.m. - 6.00 p.m. Monday to Friday

8.00 a.m. - 1.00 p.m. Saturday

and not at all on Sundays and Bank Holidays

2. The applicant is advised that Council Officers may undertake inspections without prior warning to check compliance with approved plans and to establish that all planning conditions are being complied with in full. Inspections may be undertaken both during and after construction.

## 16<sup>th</sup> APRIL 2024 PLANNING COMMITTEE

3. The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders. (Highways Act 1980 Sections 131, 148, 149).
4. Your attention is specifically drawn to the conditions above marked ++. These condition(s) require the submission of details, information, drawings, etc. to the Local Planning Authority PRIOR TO THE COMMENCEMENT OF ANY DEVELOPMENT ON THE SITE or prior to the relevant trigger point. Failure to observe these requirements will result in a contravention of the terms of the permission and the Local Planning Authority may serve Breach of Condition Notices to secure compliance.

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

5. All species of Bat and their roost sites are protected under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) and Schedule 2 of the Conservation of Habitats and Species Regulations 2017. All Bats are therefore European Protected species. Offences under this legislation include any activities that may kill, injure or disturb an individual or damages or destroys a breeding site or resting place of that individual. Destruction of a Bat roost is therefore an offence, even if the bat is not present at the time of roost removal. An EPS Mitigation Licence will be required from Natural England before any actions which may affect bats are undertaken.
6. The applicant is advised that all birds, their nest and eggs are protected by the Wildlife & Countryside Act 1981 and is thus an offence to damage or destroy and active nest or prevent parent birds access to their nests. Any clearance of nesting habitat should take place outside of the nesting season (outside of March to August).
7. All native UK reptile species are legally protected under Schedule 5 of the Wildlife and Countryside Act (1981) (as amended) and as such are protected from killing or injuring. Great Crested Newts are protected under Schedule 2 of the Conservation of Habitats and Species Regulations 2017. Great Crested Newts are therefore European Protected species. Offences under this legislation include any activities that may kill, injure or disturb an individual or damages or destroys a breeding site or resting place of that individual.
8. The proposal site is in the vicinity of a Public Right of Way and the applicant is advised of the following:
  - Safe public access must be maintained at all times and no access should be made via the footpath at any time.
  - Should the applicant feel they are unable to ensure public safety while work is underway, a temporary closure may be necessary. A minimum of 3 weeks' notice must be given and there is a charge. Please contact the Countryside Access Officer if this is required.
  - Any down pipes or soakaways associated with the development should either discharge into a drainage system or away from the surface of the right of way.
  - There must be no obstructions on the public right of way at any time, this is to include vehicles, plant, scaffolding or the temporary storage of materials and/or chemicals.

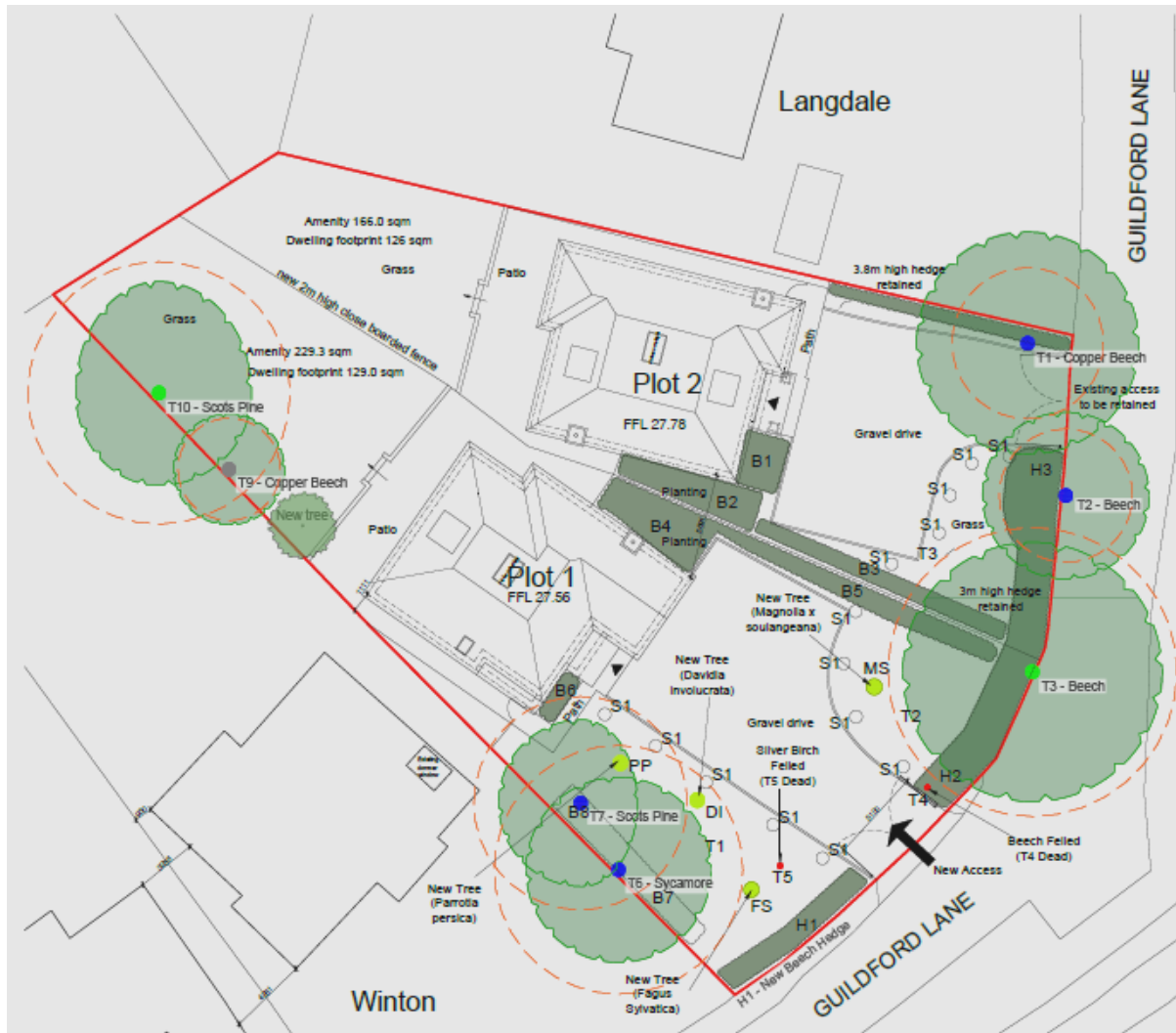
## 16<sup>th</sup> APRIL 2024 PLANNING COMMITTEE

- Any alteration to, or replacement of, the existing boundary with the public right of way, or erection of new fence lines, must be done in consultation with the Countryside Access Officer. Please give at least 3 weeks notice.
- Any alteration or replacement of the existing surface or level of the Public Right of Way must first be agreed in writing with The Countryside Access Officer
- Contractor's vehicles, plant or deliveries may only access along a right of way if the applicant can prove that they have a vehicular right. Surrey County Councils' Rights of Way Group will expect the applicant to make good any damage caused to the surface of the right of way connected to the development. If the applicant is unsure of the correct line and width of the right of way, Countryside Access will mark out the route on the ground. Applicants are reminded that the granting of planning permission does not authorise obstructing or interfering in any way with a public right of way. This can only be done with the prior permission of the Highway Authority (Surrey County Council, Countryside Access Group).

# Gifford, Guildford Lane.

## PLAN/2024/0054

Section 73 application to vary Condition 2 (approved plans), Condition 7 (removal of 'permitted development' rights for gates and enclosures) and Condition 8 (landscaping) of planning permission PLAN/2019/0403 (Proposed construction of 2no. detached two storey dwellings (each with 5no. bedrooms) with accommodation within the roofspace with dormer windows following demolition of existing property, retention of existing access and associated hard surfacing) to allow for a new vehicular access and separate drive to Plot 1 and to allow the provision of gates for both vehicular accesses.



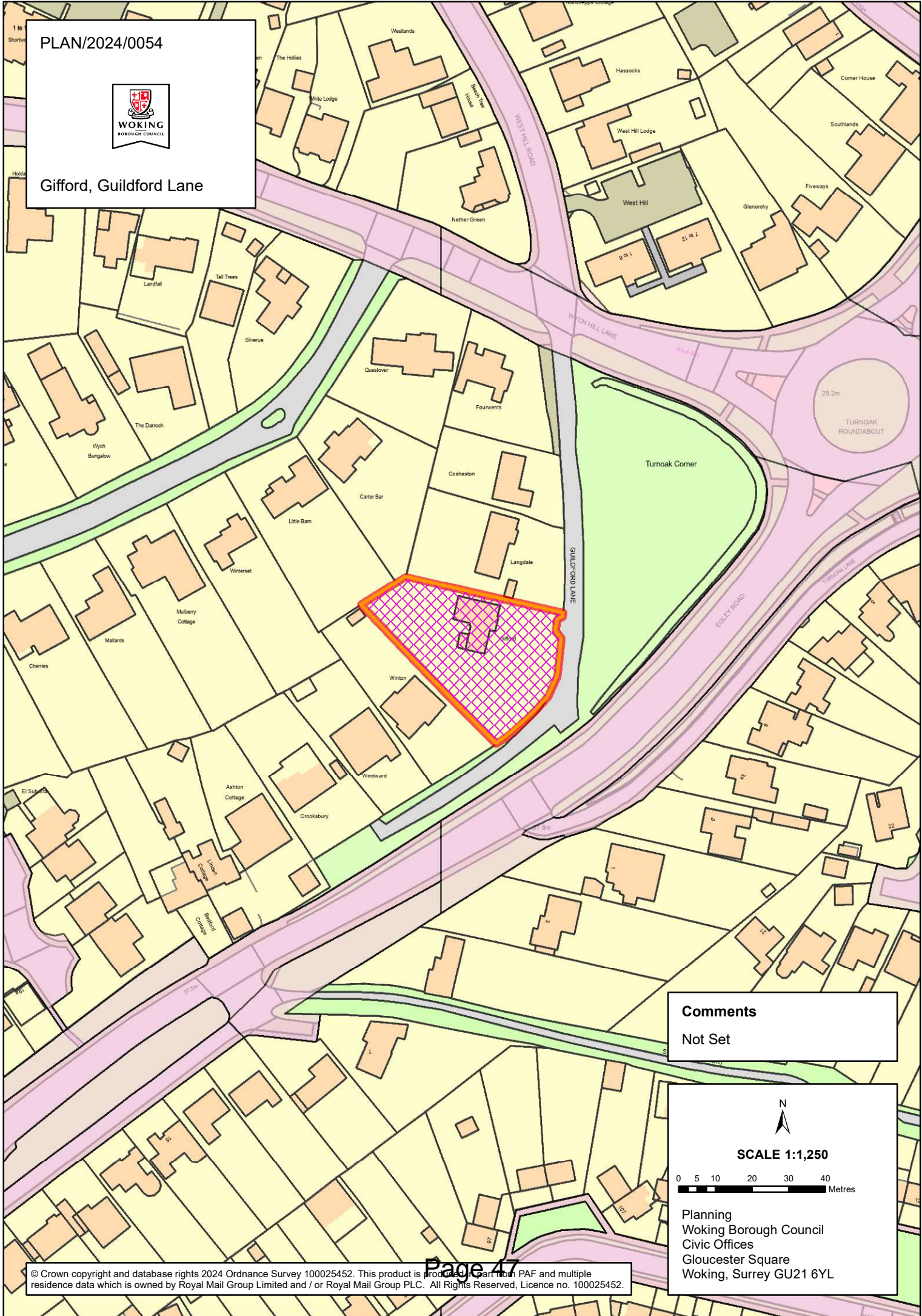




PLAN/2024/0054



Gifford, Guildford Lane



**Comments**  
Not Set

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

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





6a PLAN/2024/0054

WARD: Heathlands

LOCATION: Gifford , Guildford Lane, Woking, Surrey, GU22 0AS

PROPOSAL: Section 73 application to vary Condition 2 (approved plans), Condition 7 (removal of 'permitted development' rights for gates and enclosures) and Condition 8 (landscaping) of planning permission PLAN/2019/0403 (Proposed construction of 2no. detached two storey dwellings (each with 5no. bedrooms) with accommodation within the roofspace with dormer windows following demolition of existing property, retention of existing access and associated hard surfacing) to allow for a new vehicular access and separate drive to Plot 1 and to allow the provision of gates for both vehicular accesses.

APPLICANT: Mr S Hussain

OFFICER: Josey Short

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**REASON FOR REFERRAL TO COMMITTEE**

The application was called to the Committee by Cllr Rice if officers were minded to refuse as the reasons for the previous application on this site have substantially been addressed and that the proposed siting of the replacement tree(s) are such that any ultimate loss of amenity is minimal.

**PROPOSED DEVELOPMENT**

The Section 73 application seeks to vary Conditions 2, 7 and 8 of planning permission PLAN/2019/0403, which granted conditional planning consent (subject to a S106 agreement to secure SAMM payment) for Proposed construction of 2no. detached two storey dwellings (each with 5no. bedrooms) with accommodation within the roofspace with dormer windows following demolition of existing property, retention of existing access and associated hard surfacing.

Condition 2 of planning permission PLAN/2019/0403 states:-

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

*Site Location Plan (L.301) received on 18.04.19*

*Block Plan (B.301) received on 18.04.19*

*Proposed Site Layout Plan (P.301 Rev A) received on 22.05.19*

*Plot 1 Plans and Elevations (P.302 Rev A) received on 22.05.19*

*Plot 2 Plans and Elevations (P.303) received on 18.04.19*

*Proposed Street Scene (P.304) received on 18.04.19*

*Tree Protection Plan PRI22104-03A received on 18.04.19*

*Topographical Survey received on 18.04.19*

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

Condition 7 of planning permission PLAN/2019/0403 states:-

*Notwithstanding the provisions of Article 3 and Schedule 2, Part 2 and Class A of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any orders amending or re-enacting that Order with or without modification) no fences,*

## 16<sup>th</sup> APRIL 2024 PLANNING COMMITTEE

*gates or walls or other means of enclosures other than those expressly authorised by this permission shall be erected anywhere on the site/within the curtilage of any dwellinghouse without planning permission being first obtained from the Local Planning Authority in accordance with Policies CS7, CS21 and CS24 of the Woking Core Strategy 2012.*

*Reason: To preserve the character and appearance of the development and protect the existing trees and vegetation on the site.*

Condition 8 of planning permission PLAN/2019/0403 states:-

*No above ground development associated with the development hereby permitted shall commence until a detailed landscaping scheme has been submitted to and approved in writing by the Local Planning Authority which specifies all existing trees and vegetation shown to be retained in accordance with the approved plans and species, planting sizes, spaces and numbers of trees/ shrubs and hedges to be planted. All landscaping shall be carried out in accordance with the approved scheme in the first planting season (November-March) following the occupation of the buildings or the completion of the development (in that phase) whichever is the sooner and maintained thereafter. Any retained or newly planted trees, shrubs or hedges which die, become seriously damaged or diseased or are removed or destroyed within a period of 5 years from the date of planting shall be replaced during the next planting season with specimens of the same size and species unless otherwise agreed in writing by the Local Planning Authority.*

*Reason: To preserve and enhance the character and appearance of the locality.*

Condition 8 of planning permission PLAN/2019/0403 was discharged under conditions application COND/2020/0179 with landscaping plan L1 Landscape Proposals Plan dated 13.10.2020.

The application seeks to omit approved drawings P.301 rev A, and replace it with drawing nos. P401 and P402.

The proposed amendments would allow for a new vehicular access point to provide a separate drive to plot 1. The additional vehicular access point would be located to the south west corner of the site, close to the shared boundary with the south neighbouring dwelling 'Winton'. The works would also include landscaping within the site to provide a boundary to the front between plot 1 and plot 2 and access gates to the front of both plots 1 and 2.

The application follows the recent refusal of application PLAN/2023/0568. The current application, subject of this report, has made the following changes:-

- The addition of steel double gates to the front of each plot
- Repositioning of vehicular access to plot 1 centrally on the plot
- Increased width of vehicular access to plot 1 from 4.3 metres to 5.1 metres (increase of 0.8 metres)
- Change of shape and positioning of hardstanding to the front of both plots 1 and 2
- Planting of 4 x trees to front of Plot 1
- Addition of hedging to front boundary of the site and between the two plots to the front

### **PLANNING STATUS**

- Urban Area
- Tree Preservation Order (TPO/0014/2018)
- Surface Water Flood Risk Area – Medium Risk
- Thames Basin Heaths Special Protection Area (TBH SPA) Zone B (400m-5km)

**RECOMMENDATION**

REFUSE planning permission.

**SITE DESCRIPTION**

The application site is located on the northwest bend on Guildford Lane within the urban area in Woking. The site is accessed via Guildford Lane which is a narrow private road. The site previously comprised a detached dwelling on a generous plot, however at the time of the site visit on 21.03.2024, the works for application PLAN/2019/0403 had been built out and were nearing completion. Guildford Lane is characterised by sizeable, detached dwellings of varied architectural styles, set on generous plots. To the south-west is a detached dwelling known as Winton House and to the north-east is a detached dwelling known as Langdale. To the rear the site is adjoined by detached dwellings on substantial plots fronting Wych Hill Way.

It is noted that at the time of the site visit on 21.03.2024, the boundary fence between the two plots to the front was in situ. Additionally, the gates serving plot 2 were in situ, whilst the gate posts for plot 1 were in place. Therefore, a number of the works subject of this application would be retrospective.

**PLANNING HISTORY**

PLAN/2023/0568 - Section 73 application to vary Condition 2 of planning permission PLAN/2019/0403 (Proposed construction of 2no. detached two storey dwellings (each with 5no. bedrooms) with accommodation within the roofspace with dormer windows following demolition of existing property, retention of existing access and associated hard surfacing) to allow for a new access and separate drive to Plot 1 – Refused 15.12.2023 for the following reason:-

- 1. The proposal, by reason of the removal of significant trees, understory and mature vegetation of high public amenity value, which make a positive and important contribution to the verdant character of the area, to accommodate the proposed access for plot 1, results in a visually intrusive and detrimental impact on the character and appearance of the site and surrounding area and would undermine the ability to replace the felled Tree Preservation Order trees, resulting in a permanent loss of trees and understory to the front boundary of the site. The proposed development would be detrimental to, and would fail to make a positive contribution to, the attractive verdant character and quality of the site. The proposal is therefore contrary to Policies CS21 and CS24 of the Woking Core Strategy (2012), Policies DM2 and DM10 of the DM Policies DPD (2016), Design SPD (2015) the National Planning Policy Framework (2023) and section 206 of the Town and Country Planning Act (1990).*

ENF/2023/00098 - Breach of condition re landscaping and access – DC application submitted

TRDD/2023/0010 - Removal of one dead Silver Birch tree located in the front garden of the property – Prior Approval Approved – 22.06.2023

COND/2020/0179 - Approval of details pursuant to Conditions 3 (materials), 8 (landscaping), 9 (boundary treatment), 11 (electric vehicle charging points), 12 (drainage) and 13 (energy and water use) of planning permission PLAN/2019/0403 dated 12.08.2020 (Proposed construction of 2no. detached two storey dwellings (each with 5no. bedrooms) with accommodation within the roofspace with dormer windows following demolition of existing property, retention of existing access and associated hard surfacing (Amended plans received 22.05.19)). – Permitted – 05.02.2021

## 16<sup>th</sup> APRIL 2024 PLANNING COMMITTEE

PLAN/2020/1094 - Variation of condition 2 to PLAN/2019/0403 (Proposed construction of 2no. detached two storey dwellings (each with 5no. bedrooms) with accommodation within the roofspace with dormer windows following demolition of existing property, retention of existing access and associated hard surfacing (Amended plans received 22.05.19) – Refused 28.01.2021 for the following reasons:-

1. *The proposed amendments, would by reason of the layout of the development, scale, massing, bulk and depth of the proposed dwellings, dominant roof form result in a bulky, cramped and incongruous form of development that would be dominant, visually intrusive and detrimental to the established spacious and verdant character of the site and surrounding area. The proposal would also fail to take the opportunity for improving the character and quality of the area contrary to Policies CS21 and CS24 of the Woking Core Strategy 2012, SPD Design and the NPPF.*
2. *The proposed amendments to the dwelling on Plot 1 would result in a significant loss of outlook from and sense of enclosure to the neighbouring first floor bedroom window at Winton House to the significant detriment of amenities of the neighbouring property. In this regard the proposed development is therefore contrary to Policy CS21 of the Woking Core Strategy 2012, the SPD Outlook, Amenity, Privacy and Daylight 2008 and the NPPF.*

The above decision was dismissed at appeal on 10.12.2021 as the Inspector concluded that the proposal would materially harm the character and appearance of the area and would conflict with policies CS21 and CS24 of the Woking Core Strategy. In respect of neighbour impact, the Inspector also concluded that the proposed variation would harm the living conditions of the neighbouring property, Winton House, in terms of privacy and outlook, and therefore would fail to comply with policy CS21 of the Core Strategy.

PLAN/2020/0732 - Section 73 application to vary Condition 2 of planning permission PLAN/2019/0403 dated 12.08.2020 for Proposed construction of 2no. detached two storey dwellings (each with 5no. bedrooms) with accommodation within the roofspace with dormer windows following demolition of existing property, retention of existing access and associated hard surfacing – Refused 10.11.2020 for the following reasons;-

1. *The proposed amendments would, by reason of the layout of the development, scale, massing, bulk and depth of the proposed dwellings, dominant roof form result in a bulky, cramped and incongruous form of development that would be dominant, visually intrusive and detrimental to the established spacious and verdant character of the site and surrounding area. The proposal would also fail to take the opportunity for improving the character and quality of the area contrary to Policies CS21 and CS24 of the Woking Core Strategy 2012, SPD Design and the NPPF.*
2. *The proposed amendments to the dwelling on Plot 1 would result in a significant loss of outlook from and sense of enclosure to the neighbouring first floor bedroom window at Winton House to the significant detriment of amenities of the neighbouring property. In this regard the proposed development is therefore contrary to Policy CS21 of the Woking Core Strategy 2012, the SPD Outlook, Amenity, Privacy and Daylight 2008 and the NPPF.*

PLAN/2019/0403 – Proposed construction of 2no. detached two storey dwellings (each with 5no. bedrooms) with accommodation within the roofspace with dormer windows following demolition of existing property, retention of existing access and associated hard surfacing (Amended plans received 22.05.19) – Permitted Subject to S106 Agreement – 12.08.2020

## 16<sup>th</sup> APRIL 2024 PLANNING COMMITTEE

PLAN/2018/1048 - Construction of 2no. detached two storey dwellings (each 5no. beds) with accommodation within the roofslope with dormer windows following demolition of existing property, retention of existing access, new access and associated hard surfacing. – Refused 21.11.2018 for the following reasons:-

1. *The proposed development would by reason of the plot shape and size, layout of the development, the small rear gardens, the positioning of dwellings, lack of spacing to boundaries, scale, massing, bulk and depth of the proposed dwellings, dominant roof form and loss of trees and vegetation, result in a cramped and incongruous form of development that would be dominant, visually intrusive and detrimental to the established spacious and verdant character of the site and surrounding area. The proposal would also fail to take the opportunity for improving the character and quality of the area contrary to Policies CS21 and CS24 of the Woking Core Strategy 2012, Policies DM2 and DM10 of the DM Policies DPD 2016, SPD Design and the NPPF.*
2. *The proposal would, by reason of the removal of significant trees, understory and mature vegetation of high public amenity value which make a positive and important contribution to the verdant character of the area to accommodate the proposed dwelling and access for plot 1 would result in a detrimental impact on the character and appearance of the site and would be prejudicial to the long term health and retention of the retained trees which may result in further loss of trees from the site. The proposed development would be detrimental to and would fail to make a positive contribution to the verdant character and quality of the site. The proposal is therefore contrary to Policies CS21 and CS24 of the Woking Core Strategy 2012, Policy DM2 of the DM Policies DPD 2016 and the NPPF.*
3. *The proposed dwelling on plot 1 in relation to the neighbouring first floor bedroom window at Winton House would result in a significant loss of outlook from the sense of enclosure to this window to the detriment of the amenities of the neighbouring property. In addition given the proximity of the dwelling on plot 1 to the shared boundary and the first floor bedroom window in Winton House it has not been demonstrated that the proposal would not result in an unacceptable loss of daylight to this first floor bedroom window which would be detrimental to the amenities of the neighbouring property. In this regard the proposed development is therefore contrary to Policy CS21 of the Woking Core Strategy 2012, the SPD Outlook, Amenity, Privacy and Daylight 2008 and the NPPF.*
4. *The size of the rear amenity space for both plots is significantly below the size of the dwelling and given their tapering form are not considered to result in a suitable area of private amenity space which is in scale with the substantial size of the proposed dwellings. It is considered that this is symptomatic of the size of the proposed dwellings in relation to their plot sizes and would exacerbate the cramped nature of the proposed development and would not result in a high standard of amenity for the future occupiers of the site contrary to Policy CS21 of the Woking Core Strategy 2012, SPD Outlook, Amenity, Privacy and Daylight 2008 and the NPPF.*
5. *No ecology report has been submitted with the application. The application includes the demolition of the existing dwelling which dates from the 1930s and the removal of 3no. mature trees. No assessment has been made with regard to whether the buildings and/or trees are suitable for bats. In the absence of an ecological appraisal it has not been demonstrated that the proposal would not result in an adverse impact on ecology contrary to Policy CS7 of the Woking Core Strategy 2012, Circular 06/05 - Biodiversity and Geological Conservation and the NPPF.*
6. *In the absence of a Legal Agreement to secure contributions towards mitigation measures, the Local Planning Authority is unable to determine that the additional dwelling would not have an adverse effect on the integrity of the Thames Basin Heaths Special Protection*

## 16<sup>th</sup> APRIL 2024 PLANNING COMMITTEE

*Area, either alone or in combination with other plans and projects in relation to urbanisation and recreational pressure effects, contrary to the Conservation of Habitats and Species Regulations 2010 (SI No. 490 - the "Habitats Regulations"), saved Policy NRM6 of the South East Plan 2009, Policy CS8 of the Woking Core Strategy 2012 and the Thames Basin Heaths Avoidance Strategy 2010-2015.*

PLAN/2015/0399 – *Erection of a detached dwelling with associated landscaping* - Refused 11.11.15 for the following reasons:

- 1. The proposal by reason of the plot shape, layout, positioning, spacing, depth of the proposed dwelling and potential loss of trees, would result in a cramped form of development that would be out of keeping with the established spacious and verdant character of the area. The proposal would therefore fail to respect and make a positive contribution to the character and appearance of the area contrary to Policies CS21 and CS24 of Woking Core Strategy (October 2012), Policy HSG22 of the Local Plan (1999), Design SPD, Plot Sub-division: 'Infilling' and 'Backland Development' SPG and Section 7 of the National Planning Policy Framework (2012).*
- 2. The proposed dwelling, by reason of the first floor middle bedroom window on the rear elevation and limited separation distance to the rear garden of Winton, would result in an unacceptable loss of privacy and degree of overlooking which would have a significant harmful impact on their residential amenity contrary to Policy CS21 of the Core Strategy 2012 and Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight' and the core principle of the National Planning Policy Framework to secure a good standard of amenity for existing and future occupiers of land and buildings.*
- 3. The arboricultural information submitted fails to take into account the positioning of the proposed dwelling and associated works and the implications for on site trees. The information is therefore insufficient to demonstrate that the proposed development would not damage the existing on site trees. This is contrary to Policy NE9 of the Local Plan (1999) and Policy CS21 of the Core Strategy and the National Planning Policy Framework 2012.*
- 4. In the absence of a Legal Agreement or other appropriate mechanism to secure contributions towards affordable housing, it cannot be determined that the proposed dwelling would make sufficient contribution towards affordable housing. The proposal is therefore contrary to Policy CS12 of the Woking Core Strategy 2012 and Supplementary Planning Document 'Affordable Housing Delivery (2014)'.*
- 5. In the absence of a Legal Agreement or other appropriate mechanism to secure contributions towards mitigation measures, it cannot be determined that the additional dwelling 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").*

The above decision was dismissed at appeal 23.02.16 and in respect of neighbour impact to Winton House, the Inspector also concluded that the proposed new dwelling would “*by virtue of its size and proximity, would seriously impair the outlook from the flank bedroom window, creating a ‘hemmed in’ feeling. The occupiers of that house would experience a much greater sense of enclosure from that window, making living conditions much less pleasant.*”

PLAN/2004/0869 – *Erection of a two storey side and a single storey rear extension* - Permitted 20.09.04

## **CONSULTATIONS**

SCC Highways – (dated 19.02.2024) – The County Highway Authority has undertaken an assessment in terms of the likely net additional traffic generation, access arrangements and parking provision and are satisfied that the application would not have a material impact on the safety and operation of the adjoining public highway. The County Highway Authority therefore has no highway requirements.

WBC Arboriculturist – (received 09.02.2024) -From an arboricultural perspective the proposed is considered acceptable this includes the replacement trees and hedges as indicated. The arboricultural information should be complied with in full.

Surrey Wildlife Trust– (dated 05.03.2024) – We recommend that prior to the determination of this planning application, the development site is surveyed by a suitably qualified ecologist to help determine the status of ecological features on site, which could be adversely affected by the proposed development works and to put forward for consideration by the LPA any required any required impact avoidance and mitigated proposals to prevent such effect. All surveys should conform to best practice guidance.

## **REPRESENTATIONS**

Nine (9) letters of objection were received from eight (8) neighbouring dwellings. The letters raise concerns for:-

### Visual impact

- The proposal will cause detrimental harm and damage to the verdant nature and character of this unique area. This section 73 application fails to achieve and deliver the requirements to respect and make a positive contribution to the street scene and character of the area in which they are situated, which will cause harm to the neighbourhood and environment, whilst having the potential to incur safety issues. With the removal of trees /hedgerow, both houses are visually prominent and overbearing and the materiality of the hardstanding is out of character with the neighbourhood and area. The proposal conflicts with the principles and standards contained within the NPPF, Woking Core Strategy; namely CS7, CS21 and CS24

*Please see 'Impact on Visual amenity and character of the Area' section of report*

### Neighbour impact

- The proposals will cause detriment to the amenities of nearby properties and fails to ensure that the proposed development does not adversely affect the amenities at present enjoyed by the occupiers of the adjoining and nearby properties

*Please see 'Impact on Neighbouring Amenity' section of report*

### Parking and Highways

- Increases risk where the development will prejudice highway safety and cause inconvenience to other highway users and the interests of public safety and amenity

*Please see 'Impact on Highways and Parking' section of report*

### Trees and Landscaping

- Removal of condition 8 of planning permission PLAN/2019/0403 would give the developer permission to remove even more trees and shrubs front the site than has already taken place which would further impact on the visual amenity and character.

## 16<sup>th</sup> APRIL 2024 PLANNING COMMITTEE

*The application does not seek to remove condition 8 of planning permission PLAN/2019/0403, it seeks to amend this condition (the details of which were approved under discharge of conditions application COND/2020/0179).*

- The gate posts and gates for plot 2 are already in place, as well as close boarded fencing erected between the two properties at the front which is contrary to condition 7 of planning permission PLAN/2019/0403

*The application seeks to regularise the current breach of condition 7 of planning permission PLAN/2019/0403.*

- The developer has uprooted all the mature hedgerow and vegetation along the frontage of Guildford Lane and no replanting has taken place.

*Please see 'Impact on Visual amenity and character of the Area' and 'Impact on trees and Landscaping' sections of this report for the assessment of the loss of mature hedgerow and vegetation on the frontage of Guildford Lane.*

- TRDD/2023/0010 relates only to the Silver Birch and nothing exists for the mature Beech Tree which was also felled.

*TRDD/2023/0010 relates to both the Silver Birch and Beech trees which were previously to the front of the site.*

### Planning History

- The latest application has increased the size of the driveway to plot 1 and located it more centrally on the plot in breach of the original approval.

*It is acknowledged that the development is currently in breach of a number of planning conditions attached to planning permission PLAN/2019/0403 and that the current application, subject of this report, seeks to regularise this.*

- Given the planning history of the site, it would not be rational to approve the proposal. The application must be looked at in the context of the history of the site. The new application attempts to override the conditions of planning permission PLAN/2019/0403 and the previous reasons for refusal at the site.

*A sites planning history forms a material planning consideration in the assessment of an application.*

### Other Matters

- A similar application was refused by the Council in December 2023. To issue a new application instead of appealing the decision seems to be an abuse of process and inappropriate use of the planning system.

*A sites planning history forms a material planning consideration in the assessment of an application. The planning system does not prevent a new application being submitted, irrespective of whether previous refusals have been appealed or not and as such, the applicant has exercised their right to submit a new application.*

- The reasons for refusal of application PLAN/2023/0568 have not been dealt with in this new application. The proposals seek to mitigate a significant number of conditions of



## 16<sup>th</sup> APRIL 2024 PLANNING COMMITTEE

planning permission PLAN/2019/0403. How many more applications will be submitted by the developer

*The assessment contained within this report will include whether or not the current scheme is acceptable against relevant national and local policies with the planning history of the site forming a material planning consideration. There is no limit to the number of applications a developer can submit at any one site and as such, it is the role of the LPA to assess the application put before them.*

- The application fails to justify the necessity and requirement for the new access other than financial benefit

*Financial implications would not form a planning consideration in the assessment of an application.*

- There is a current enforcement case at the application site however, WBC have taken no action to prevent the developer from continuing works contrary to the permission, despite neighbouring reports.

*It is noted that the reports from neighbouring dwellings have been taken into account and enforcement case ENF/2023/00098 is ongoing. The current status of this enforcement case is that a DC application has been submitted. The application subject of this report, seeks to regularise current breaches and therefore, it is necessary to await the outcome of this application to be in a position to move forward with the enforcement case. It is advised that procedure must be adhered to in the planning and enforcement processes and that any works carried out without planning permission or in breach of planning consideration are at the risk of the applicant/developer.*

### **RELEVANT PLANNING POLICY**

#### National Planning Policy Framework (NPPF) (2023):

Section 12 – Achieving well-designed and beautiful places

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

#### Woking Development Management Policies DPD (2016):

DM2 – Trees and Landscaping

DM10 – Development on Garden Land

#### Woking Core Strategy (2012):

CS1 – A spatial strategy for Woking Borough

CS7 – Biodiversity and nature conservation

CS8 – Thames Basin Heaths Special Protection Area

CS9 – Flooding and Water Management

CS10 – Housing provision and distribution

CS11 – Housing mix

CS12 – Affordable housing

CS18 – Transport and Accessibility

CS21 – Design

CS24 – Woking's Landscape and Townscape

CS25 – Presumption in favour of sustainable development

#### Supplementary Planning Documents (SPD):

Design (2015)

Parking Standards (2018)

Outlook, Amenity, Privacy and Daylight (2022)

## 16<sup>th</sup> APRIL 2024 PLANNING COMMITTEE

Affordable Housing Delivery (2023)

Thames Basin Heaths Special Protection Area Avoidance Strategy (2022)

### Other Material Considerations

Waste and Recycling provisions for new residential developments

Community Infrastructure Levy (CIL) Charging Schedule (2015)

### **PLANNING ISSUES**

1. Given the proposed amendments to PLAN/2019/0403 the main planning considerations in the determination of this application are:
  - Impact upon visual amenity and character of the area
  - Impact on neighbouring amenity
  - Impact on Highways and parking
  - Impact on Trees and landscaping
  - Other matters
2. having regard to the relevant policies of the Development Plan, other relevant material planning considerations and national planning policy and guidance. The previous appeal decision in relation to application PLAN/2015/0399 and the refusal of planning permission under PLAN/2018/1048 are also material considerations as to whether the objections raised in these previous applications have been overcome by the current proposal.

#### Impact upon visual amenity and character of the area:

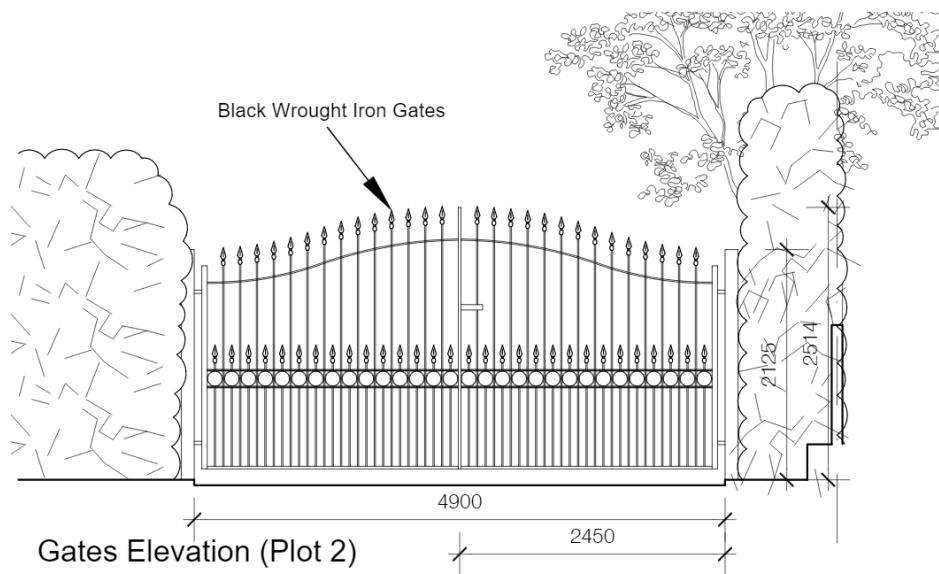
3. Paragraph 126 of the National Planning Policy Framework (NPPF) (2023) states that “*the creation of high-quality buildings and places is fundamental to what the planning and development process should achieve*”. Planning decisions should *inter alia* ensure that developments will function well and add to the overall quality of the area, are visually attractive as a result of good architecture, layout and appropriate and effective landscaping, maintain a strong sense of place and have a high standard of amenity for existing and future occupiers (paragraph 130).
4. Policy CS21 of the Woking Core Strategy 2012 states that buildings should respect and make a positive contribution to the street scene and the character of the area within which it is located. Policy CS24 requires all development proposals to provide a positive benefit in terms of landscape and townscape character. Policy DM10 of the DM Policies DPD (2016) states that housing development on garden land and/or that to the rear or side of an existing property will be supported provided that it meets the other relevant Development Plan policies and that:
  - i. it does not involve the inappropriate sub-division of existing curtilages to a size substantially below that prevailing in the area, taking account of the need to retain and enhance mature landscapes;*
  - ii. it presents a frontage in keeping with the existing street scene or the prevailing layout of streets in the area, including frontage width, building orientation, visual separation between buildings and distance from the road;*
  - iii. the means of access is appropriate in size and design to accommodate vehicles and pedestrians safely and prevent harm to the amenities of adjoining residents and is in keeping with the character of the area; and*

## 16<sup>th</sup> APRIL 2024 PLANNING COMMITTEE

- iv. suitable soft landscape is provided for the amenity of each dwelling appropriate in size to both the type of accommodation and the characteristic of the locality.*
5. In this case the area falls within the Arcadian typology as described within the Woking Design SPD (2015). It consists of low-density housing with large, detached dwellings set within generous sized plots set back from the road frontage with mature landscaped boundaries which creates an attractive, spacious and verdant environment. The proposal subject of this Section 73 application would not make any external alterations to the dwellings approved by planning permission PLAN/2019/0403 as the proposal involves the creation of an additional means of access onto Guildford Lane which in turn impacts the frontage on the street scene and associated soft landscaping.
  6. Planning permission PLAN/2019/0403 retained the mature trees and understory vegetation along the frontage of the site and on the southern side boundary with the trees protected by Tree Preservation Orders (TPO) (Reference TPO/0014/2018) as the scheme did not include a second access to plot 1, with both dwellings sharing the existing access to the site to the front of plot 2 and a shared drive to the front. The omission of the second access and retention of the trees and understory (alongside other changes to the scale, mass and bulk and separation distances to the dwellings) was considered to overcome reason no. 1 for refusal of application PLAN/2018/1048 as the well-established mature vegetation which makes a positive and important contribution to the greening of the site and the verdant character within the locality and this character would be retained as part of this proposal and thus the retention of it respected the prevailing character of development in the surrounding area.
  7. Exceptions relating to applications to carry out work on trees subject to a TPO includes work on dead trees and branches which is urgently necessary because there is an immediate risk of serious harm, subject to written notice to the Local Authority 5 working days before cutting down or carrying out other work on a dead tree and subsequently the authority's consent for such work is not required. In these instances, where the dead tree is not covered by a woodland classification is removed, the landowner has a duty to plant a replacement tree of an appropriate size and species at the same place as soon as they reasonably can in line with the Town and Country Planning Act 1990, Part VIII, Chapter I, Section 206(1).
  8. Following the approval of application PLAN/2019/0403, the protected Silver Birch and Beech trees to the front (southeast) boundary of the site have been felled following dead and dangerous notifications (WBC reference TRDD/2023/0010). The vegetation/understory and hedging on this part of the boundary has also been removed. This formed part of the well-established mature vegetation to the front boundary which was considered to make a positive and important contribution to the greening of the site and the verdant character within the locality. It is noted that neither the Silver Birch tree nor the Beech tree had been replaced at the time of the site visit for the current application on 21.03.2024.
  9. It should also be noted that the existing landscaping and vegetation to the front boundary of the site (some of which has now been removed) was protected by planning condition and the details approved by the LPA pursuant to Condition 8 (landscaping) of planning permission PLAN/2019/0403 under conditions application approval COND/2020/0179. The removal of the vegetation and landscaping to date is therefore in breach of Condition 8 and the approved landscaping details, and comprises a breach of planning control. The application subject of this report seeks to rectify this breach and seeks retrospective permission for the works carried out. Any other breaches will be pursued separately.



12. A new vehicular access is proposed to be provided for plot 1 and this would result in the permanent loss of substantial and mature trees and a significant amount of understory growth. The removal of the trees and vegetation has resulted in a significant alteration to the character of the frontage of the site, resulting in the proposed development on the site being more visually prominent within Guildford Lane and in the wider locality of Egley Road and Turnoak Lane, given the positioning of the application site close to the junction of Turnoak Roundabout. Whilst it is acknowledged that 4 replacement trees and a replacement hedge are proposed, the front of the site is more open visually due to the loss of mature trees and understory which in turn results in a loss of its verdant character in this location which would be further exacerbated by the introduction of black wrought iron gates which would span the width of the proposed vehicular access point with a post height of 2.1 metres and maximum height of 2.5 metres as this would be a stark contrast from the matures trees and understory by virtue of the proposed scale and design. It is noted that the gates at plot 2 are already in place and whilst submitted dwg nos. P.505 and P.504 demonstrate that these are of the same height as those proposed at plot 1, the width is 0.2 metres less (4.9 metres). It is also noted that there are minor differences in the design of the gate at plot 2 between the submitted drawing (P.505) and the gates in situ as can be seen below:





## 16<sup>th</sup> APRIL 2024 PLANNING COMMITTEE

13. Consequently, the loss of mature trees and hedgerow to plot one and the introduction of large iron gates to both plots would exacerbate the detrimental impact on the visual character of the proposed development on the character of the street scene and locality in general.
14. A photograph of the appearance of the site as seen during the site visit, on 21.03.2024, is shown below:



15. The above photograph (taken 21.03.2024) contrasts sharply with the site visit photograph below taken in 2017 showing the site frontage (where the access is proposed) below:



16. The submitted Tree Protection Plan and AMS (Dwg No. TPP 01 Rev 3, dated 12.01.2024) illustrates that the proposed vehicular access would have a width of approximately 5.1 metres and would be inset from the south corner of the site by approximately 9.5 metres. This drawing, as well as the Proposed Site Layout with Topo (Dwg No. P.501, dated

## 16<sup>th</sup> APRIL 2024 PLANNING COMMITTEE

19.01.2024) also illustrate that the proposed access drive to plot 1 would be straight on the southwestern side, whilst the north eastern side curves, resulting in a L shaped area of hardstanding. This hardstanding is mirrored on plot 2 and had already been laid out on both plots at the time of the site visit on 21.03.2024. It is noted that the hardstanding on both plots is larger than that which was proposed under previous S.73 application PLAN/2023/0568 which was subsequently refused. Whilst it is acknowledged that the proposal does include the planting of 4 x new trees to the front of Plot 1, the larger areas of hardstanding to the front of the plots result in a decreased density of the vegetation and understory to the front boundary of the site, particularly to plot 1, whilst the shape and central positioning of the access to plot 1 would create a large clearing, resulting in both dwellings appearing visually prominent from the public realm.

17. Irrespective of the above, the principle of creating a second access to serve plot 1 would result in a permanent loss of trees and understory and would instead maintain the sites existing open appearance. The loss of the mature vegetation to the front of the site detracts from the locality's green and verdant character and thus would appear inconsistent in this locality to the detriment of the character of the area. The laying of hardstanding in this location is likely to compromise the ability for the proposed replacement trees to grow to a similar scale as the felled trees and thus would undermine the ability to comply with the conditions of the Dead and Dangerous notice, which the trees were felled under. Though it is acknowledged that the proposal includes four new trees and a Beech hedge to the front of Plot 1, they would result in a loss of density to the former verdant character of the site given that the hedge would be of a significantly smaller scale and the proposal would include a 5.1 metre opening for vehicular access. Thus, it is considered that the additions would overcome the harm to the visual character which would be caused by additional access proposed. With this taken into account, it is considered that the works subject of this application result in a development which is detrimental to the visual importance of the site as detailed earlier in the report.
18. In relation to the dismissed appeal for application PLAN/2015/0399, the Inspector concluded that the appeal development "*would erode the locality's existing spacious and verdant character*". Given the characteristics of the proposal subject of application PLAN/2018/1048, the same conclusions were drawn, and it was concluded that the scheme did not overcome the conclusions of the Inspector in dealing with the dismissed appeal in relation to application PLAN/2015/0399. Subsequently, the current application (subject of this report) does not overcome the conclusions of the appeal decision for application PLAN/2015/0399 or reasons for refusal 1 and 2 of application PLAN/2018/1048 due to the permanent loss of mature vegetation and trees to the front of the site.
19. In consideration of the above matters, the lack of an objection to the proposal on grounds of density and dwelling type/size is not considered to outweigh the other identified objections to the proposal on visual amenity grounds. It is therefore considered that the proposed development, by reason of the loss of trees, understory and mature vegetation, results in a visually intrusive and detrimental impact to the established verdant character of the site and surrounding area and would undermine the ability to comply with the condition of the dead and dangerous notice for the protected trees which have been felled on the site. The proposal would also fail to take the opportunity for improving the character and quality of the area contrary to Policies CS21 and CS24 of the Woking Core Strategy 2012, Policies DM2 and DM10 of the DM Policies DPD 2016, SPD Design (2015) and the NPPF (2023) and section 206 of the Town and Country Planning Act 1990.

Impact on neighbouring amenity:

20. The proposed amendments would make no changes to the dwellings and as such would have no greater impact on the nearest neighbouring dwellings in terms of sunlight, daylight, privacy or overlooking. Had the application been otherwise considered acceptable, Condition 5 of planning permission PLAN/2019/0403 would have been re-imposed which would require the first floor rooflight in the south west roofslope of the dwelling on Plot 1 and in the southern and northern elevations of the dwelling on Plot 2 to be glazed entirely with obscure glazing and no openings below 1.7 metres of the internal floor height to safeguard the amenities of the adjoining properties.

Impact on highways and parking:

21. The proposal relates to the provision of a net increase of 1no. additional dwelling accessed off Guilford Lane, which is a private road. Although Guildford Lane meets the public highway at Wych Hill Lane, the County Highway Authority has advised that they have considered the wider impact of the proposed development and do not consider that it has a material impact on the safety and operation of the adjoining public highway. Consequently, the County Highway Authority has no requirements.
22. In terms of parking provision, the Parking Standards SPD 2018 states that dwellings with 5+ bedrooms should have 3 parking spaces. The proposed site layout plan shows a large L shaped areas of hardstanding for each plot, which would provide adequate space for the parking for at least 3 vehicles to park and turn. On this basis it is considered that the proposed development is acceptable in terms of parking provision. It should also be noted that sufficient parking provision was approved under PLAN/2019/0403 for both dwellings with the shared access.
23. It is also considered that each plot could accommodate any required cycle parking as may be required by future occupiers. In accordance with the Climate Change SPD, a condition was included with permission PLAN/2019/0403 to require 1no. passive charging point to be provided per dwelling (condition 11), the details of which were subsequently approved under application COND/2020/0179. In the event of planning permission being granted, a condition to a similar effect would have been included, taking into account the information which has been received and approved since.
24. Whilst particular concern has been raised for the increased risk where the development will prejudice highway safety and cause inconvenience to other highway users and the interests of public safety and amenity, given the comments of SCC Highways, it is considered that the proposed development would not prejudice highway safety in this location.
25. In highway safety and parking terms, the proposed development is considered to comply with Policy CS18 of the Core Strategy, the SPD's Parking Standards and Climate Change and the NPPF (2023).

Impact on trees:

26. Prior to the approval of planning application PLAN/2019/0403, the application site is host to a number of TPO trees (reference TPO/0014/2018) located on the south east and south west boundaries including of a Silver Birch tree, a Beech tree and mature hedgerow. Since the approval of application PLAN/2019/0403, the Silver Birch and Beech trees located on the south east boundary have been felled due to being dead and dangerous (WBC ref TRDD/2023/0010) and it is proposed that they will be replaced by a Parrotia Persica, Davidia Involucrata and Fagus Sylvatica adjacent to the south west boundary at the front of the site, a Magnolia x Soulangeana which would be adjacent to the shared



## 16<sup>th</sup> APRIL 2024 PLANNING COMMITTEE

boundary between plots 1 and 2 to the front of the site, which would be in a similar located to the trees which have been felled. The proposal also includes a new Beech hedge along the southeast boundary to partially replace that which has been removed.

27. The Council's Arboricultural Officer was consulted on the application and raised no objections on arboricultural grounds given that it includes the planting of two replacement trees, subject to a pre commencement meeting taking place prior to the installation, to include the LA tree officer and Arb consultant. It is considered that a condition to this effect would pass the 5-part test for planning conditions as set out in paragraph 56 of the NPPF (2023) and thus would have been included had the application been otherwise considered acceptable.
28. However, it is advised that the lack of objection from the Council's Arboricultural Officer does not contest the impact the works would have on the visual quality of the locality due to the permanent loss of trees, understory and vegetation to the frontage, as detailed within the *Impact on Visual Amenity and Character of the Area* section of this report.

### Other matters:

29. It is understood the Thames Basin Heaths SPA required financial contribution for SAMM has already been paid to avoid/mitigate harmful impacts to the SPA as a result of the net increase of 1 dwelling.
30. Had the application been otherwise considered acceptable, then all other planning conditions from the PLAN/2019/0403 permission, which remain relevant and/or have on-going requirements, would have been re-imposed on any new permission granted as required along with any additional conditions that may have been required as a result of this proposal.

## **CONCLUSION**

For the reasons set out above the proposed development is not considered to comply with the relevant local planning policies, forming the Development Plan or the NPPF (2023). In considering this application the Council has had regard to the provisions of the Development Plan, so far as material to the application, and to any other material considerations including any letters of representation. The lack of any objection to the application on the other grounds detailed in this report are not considered to outweigh the significant planning objections to the scheme in terms of impact on visual amenity and character as detailed in this report. As the proposed development is contrary to national and local planning policies the refusal of the application is justified in the public interest.

## **BACKGROUND PAPERS**

Site Photographs dated 21<sup>st</sup> March 2024.

## **RECOMMENDATION**

REFUSE Planning Permission for the following reason(s):

01. The proposal, by reason of the removal of significant trees, understory and mature vegetation of high public amenity value, which make a positive and important contribution to the verdant character of the area, to accommodate the proposed access for plot 1, results in a visually intrusive and detrimental impact on the character and appearance of the site and surrounding area and would undermine the ability to replace

## 16<sup>th</sup> APRIL 2024 PLANNING COMMITTEE

the felled Tree Preservation Order trees, resulting in a permanent loss of trees and understory to the front boundary of the site. The proposed development would be detrimental to, and would fail to make a positive contribution to, the attractive verdant character and quality of the site. The proposal is therefore contrary to Policies CS21 and CS24 of the Woking Core Strategy (2012), Policies DM2 and DM10 of the DM Policies DPD (2016), Design SPD (2015) the National Planning Policy Framework (2023) and section 206 of the Town and Country Planning Act (1990).

### **Informatives:**

01. The plans the subject of this refusal of planning permission as submitted with the application are:
  - Location Plan – L.501 – dated January 2024 and received by the Local Planning Authority 19.01.2024
  - Proposed Site Layout with Topo – P.501 – dated January 2024 and received by the Local Planning Authority 19.01.2024
  - Proposed Site Layout – P.502 - dated January 2024 and received by the Local Planning Authority 19.01.2024
  - Existing and Proposed Street Scene Elevations – P.503 - dated January 2024 and received by the Local Planning Authority 19.01.2024
  - Tree Planting Plans and AMS – TPP 01 Rev 3 - dated January 2024 and received by the Local Planning Authority 19.01.2024
  - Plot 1 Gates – Plan and Elevation – P.504 - dated February 2024 and received by the Local Planning Authority 01.02.2024
  - Plot 2 Gates – Plan and Elevation – P.505 - dated February 2024 and received by the Local Planning Authority 01.02.2024
02. 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 (2023). In this instance, the applicant has not engaged with the Council's pre application advice service and there are no minor alterations which could be made which would change the recommendation. Further to this, the recommendation is consistent with previous decisions for similar schemes at the applications site given that there have been no significant changes to national or local policy in this regard.
03. At the time of the site visit on the 21.03.2024, it is noted that gate posts appear to be in place to serve the driveway proposed by this application, gates and posts to serve plot 2 and 1.8 metre close boarded fencing between the two plots to the front of the site (as can be seen in the site photos). It is advised that condition 7 of planning permission PLAN/2019/0403 removed permitted development rights for gates, fencing and means of enclosure on the site or within the curtilage of any dwellinghouse without planning permission being first obtained from the Local Planning Authority. Thus, it is advised that this type of development would require planning permission and may be subject to enforcement action given that there is currently no planning permission in place for such a development in this location on the site.
04. The applicant is also advised that the removal of the vegetation and landscaping to the front of the site and laying of hardstanding is contrary to condition 8 (landscaping) of PLAN/2019/0403 and the conditions approval granted by the LPA under COND/2020/0179 and the removal of this landscaping is in breach of this planning condition. This matter will be pursued separately to remedy the breach of planning control.

**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)**



# 65 – 79 Westfield Avenue, Westfield.

## PLAN/2023/0980

Erection of 9no. part-two, part-three storey dwellings with 2no. detached car port buildings, parking courts, cycle stores and new vehicular accesses.



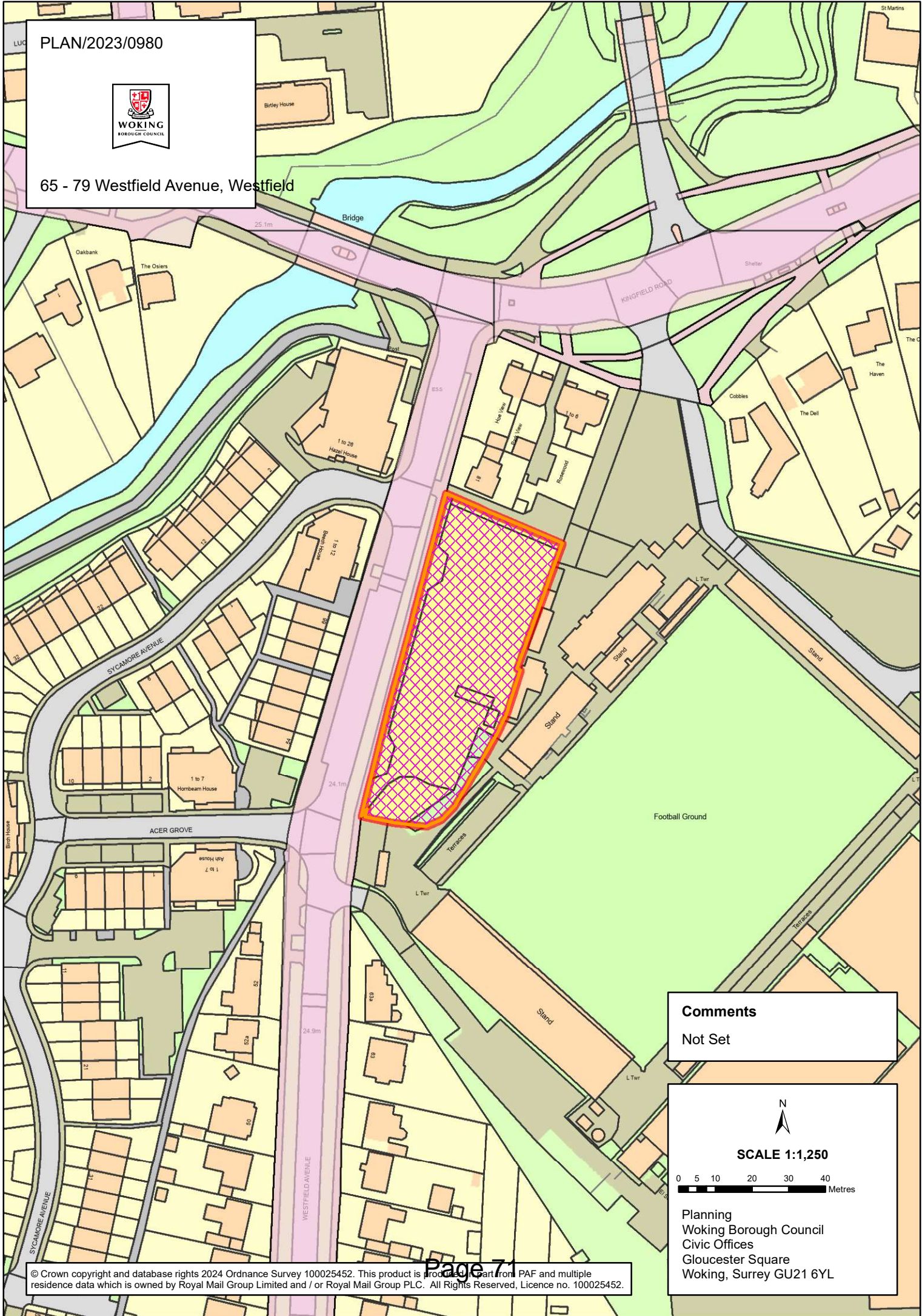




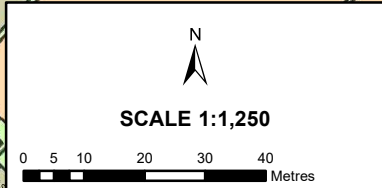
PLAN/2023/0980



65 - 79 Westfield Avenue, Westfield



**Comments**  
Not Set



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





## 16 APRIL 2024 PLANNING COMMITTEE

**6c PLAN/2023/0980**

**WARD:** Hoe Valley

**LOCATION:** 65 - 79 Westfield Avenue, Westfield, Woking, Surrey, GU22 9PG

**PROPOSAL:** Erection of 9no. part-two, part-three storey dwellings with 2no. detached car port buildings, parking courts, cycle stores and new vehicular accesses.

**APPLICANT:** Kyle Gellatly

**OFFICER:** Emily Fitzpatrick

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

The application is for the provision of 9no. dwellings and is submitted by Woking Borough Council.

### **SUMMARY OF PROPOSED DEVELOPMENT**

Erection of 9no. part-two, part-three storey dwellings with 2no. detached car port buildings, parking courts, cycle stores and new vehicular accesses.

- Units 1, 5 & 8: 3 bedrooms
- Units 2, 3, 4, 6, 7 & 8 4 bedrooms

Site Area: 0.25ha (2,476.8 sq.m)  
Existing dwelling(s): 0  
Proposed dwellings: 9  
Existing density: N/A  
Proposed density: 36 dph

### **PLANNING STATUS**

- Adjacent to very high surface water flood risk (1 in 30 year)
- Site Allocations (UA42)
- Urban Area

### **RECOMMENDATION**

**GRANT** planning permission subject to:

1. An executive undertaking to secure the SAMM contribution of £11,754 and a Great Crested Newt presence/likely absence survey
2. Planning conditions set out in this report

### **SITE DESCRIPTION**

The application site is a redundant parcel of land along the eastern elevation of Westfield Avenue. The Laithwaite Community Stadium (grounds to Woking Football Club) runs along the shared boundary to the south east with housing along the northern tip, a detached dwelling facing Westfield Avenue and two pairs of semi-detached dwellings beyond facing Kingfield Road. Dwellings sit opposite the application site, a series of townhouses at three storeys in height and a block of flats, three-four storeys in height facing Kingfield Road, this was part of the Hoe Valley Regeneration Scheme. The application site is currently laid to hardstanding

## 16 APRIL 2024 PLANNING COMMITTEE

with shipping containers on the site and mesh fencing along the western boundary. The application site has two accesses onto the site from Kingfield Road, where the kerb is subsequently dropped down. The site tapers to the southern end adjacent to the pedestrian access to Laithwaite Community Stadium, beyond this is an access road to David Lloyd Leisure centre, Woking Gymnastic Club and Woking Snooker Club.

The site originally contained 9 dwellings, 4 pairs of semi-detached chalet bungalows and a single detached dwelling. The houses were demolished in 2009-2010, and the site was temporarily used as the site offices and compound for the Hoe Valley Regeneration Scheme. The site currently serves as overflow parking on match days.

### **RELEVANT PLANNING HISTORY**

Ref:	Proposal:	Decision	Date
PLAN/2021/0718	Temporary change of use for storage (Class B8) and office (Class E(g)(i)) purposes ancillary to Woking Football Club until 31 <sup>st</sup> July 2023 including retention of 2no. portacabins and site hoarding (part retrospective).	Permitted	18.08.2021
PLAN/2019/1176	Redevelopment of site following demolition of all existing buildings and structures to provide replacement stadium with ancillary facilities including flexible retail, hospitality and community spaces, independent retail floorspace (Classes A1/A2/A3) and medical centre (Class D1) and vehicle parking plus residential accommodation comprising of 1,048 dwellings (Class C3) within 5 buildings of varying heights of between 3 and 11 storeys (plus lower ground floor and partial basement levels) on the south and west sides of the site together with hard and soft landscaping, highway works, vehicle parking, bin storage, cycle storage, plant and other ancillary works including ancillary structures and fencing/gates and provision of detached residential concierge building (Environmental Statement submitted).	Refused  Appeal dismissed	02.07.2020
PLAN/2017/0976	Temporary change of use for storage (Class B8) and office (Class B1(a)) purposes ancillary to Woking Football Club until 31 <sup>st</sup> July 2019 including retention of 2no, portacabins and site hoarding (part retrospective)	Permitted	18.08.2021
PLAN/2013/0659	Application for Minor-Material Amendments to the residential phase of the scheme. Changes to the approved drawings list as set out in Condition 2 are required. Other proposed consequential changes to and removal of conditions are as set out in attached Conditions	Permitted	05.10.2013

**16 APRIL 2024 PLANNING COMMITTEE**

	Schedule. - Please refer to the submitted drawing list for changes to condition 2. For other conditions, see attached Conditions Schedule.		
PLAN/2010/0514	Extension of time to begin development under planning permission PLAN/2006/1237 for the demolition of existing community and residential buildings, remediation of contaminated land fill and removal of surplus material off site, construction of flood protection works and flood water storage ponds. Improvements to hard and soft landscaping together with enhanced pedestrian access to new areas of public open space. Construction of 154 dwellings and 223 car parking spaces served by new estate roads, together with external works and landscaping. Off site highway improvement works including improvements at the junction of Westfield Avenue and Kingfield Road the erection of a new road bridge, and improvements along Westfield Avenue (amended description and plans).	Permitted subject to a legal agreement	07.07.2010
PLAN/2010/0460	Demolition of 65A & 73 – 79 Westfield Avenue (prior approval).	Prior approval not required	03.06.2010
PLAN/2009/0651	Demolition of 4 bungalows (prior approval).	Prior approval not required	28.08.2009
PLAN/2006/1237	Demolition of existing community and residential buildings, remediation of contaminated landfill and removal of surplus material off site, construction of flood protection works and floor water storage ponds. Improvements to hard and soft landscaping together with enhanced pedestrian access to new areas of public open space. Construction of 154 dwellings and 223 car parking spaces served by new estate roads, together with external works and landscaping. Off-site highway improvement works including improvements at the junction of Westfield Avenue and Kingfield Road the erection of a new road bridge, and improvements along Westfield Avenue (amended description and plans).	Permitted	09.07.2007
DC 0029484	Erection of a detached house and garage (land at plot next to 65 Westfield Avenue)	Approved	1972
DC 0028153	Erection of a detached house and garage	Refused	

## 16 APRIL 2024 PLANNING COMMITTEE

	(land at plot next to 65 Westfield Avenue)		
DC 0017210	The parking of a caravan and its use for residential purposes on land at 79 Westfield Avenue, Woking.	Permitted	27.11.1963

### **CONSULTATIONS**

**Arboricultural Officer:** No objections to the proposed, the arboricultural information provided is considered acceptable and should be complied with in full, this includes a pre-commencement meeting as indicated. A detailed landscape plan will be required and should include tree pit design.

**Archaeological Officer:** These proposals are sufficiently large in scale to need to consider the potential for their impact on as-yet unknown heritage assets, under the Woking Local Plan. Therefore the developer has submitted an archaeological assessment in support of the application. That assessment has found that *“in view of the two prior phases development, limited site area and generally low archaeological potential that no further archaeological work (should be) required in connection to the re-development of the site”*. This office considers the assessment to be an acceptable quality and accepts the view of the supporting document. Therefore I have **No Archaeological Concerns** regarding these proposals.

**Contaminated Land Officer:** No objection subject to a series of pre-commencement conditions regarding a contaminated land investigation, risk assessment and remediation method statement. A remediation validation report is required prior to first occupation.

**Environmental Health:** I have reviewed the amendments, which align with what we have already commented on in our previous consultee responses (i.e. a higher standard of glazing specification for match days to bring internal noise down to 35dB, fencing to bring external noise to within the 50-55dB range and black out blinds or control by the occupier as being the only practical and available option for mitigation from floodlights). Therefore, there are no further comments to submit from EH and the conclusions of the two revised reports are acknowledged.

**SCC Drainage:** No objection subject to the recommendation of inclusion of additional SuDS elements. Water butts implemented for each property would be beneficial for the site and for surface water flooding mitigation purposes. Additionally, we would recommend that all parking bays be made permeable.

**SCC Highways:** The proposed development has been considered by the County Highway Authority who having assessed the application on safety, capacity and policy grounds, recommends the following conditions be attached to any permission granted: (i) proposed vehicular/ pedestrian/ Cycle accesses (the 4 Townhouses Vehicle Cross-Overs) to Westfield Avenue have been constructed and provided with visibility zones, the proposed vehicular access (north of the site) has been constructed and provided with visibility zones, pedestrian inter-visibility splays measuring 2m by 2m have been provided on each side of the accesses to Westfield Avenue, space laid out within the site in accordance with plans, EV charging points to serve each dwelling and visitor parking space, secure parking of bicycles.

**Surrey Wildlife Trust:** *Please refer to consultation response for full response.* In summary, a bat preliminary ground level roost assessment and further survey if necessary, a great crested newt presence/likely absence survey, biodiversity net gain assessment are required prior to determination. A badger survey, a stag beetle mitigation and habitat enhancement strategy which could be included as part of a Construction Environmental Management Plan (CEMP)

## 16 APRIL 2024 PLANNING COMMITTEE

and Landscape and Ecological Management Plan (LEMP), mitigation measures for an possible adverse impacts on the Hoe Valley Site of Nature Conservation Importance (SNCI) prior to commencement. General recommendations include precautions should be taken during construction to ensure that terrestrial mammals, including fox, are protected during construction (include in CEMP), ensure no net increase in external lighting on any possible bat roosting, commuting or foraging features, building demolition/removal and vegetation clearance should take place outside of breeding bird season or following nesting bird checks, suggested biodiversity enhancements, including those for European hedgehog to be included in the final design and in the LEMP.

**UK Power Networks (UKPN):** No objection.

We may have Electrical equipment within the boundaries including underground cables. All works should be undertaken with due regard to Health & Safety Guidance notes HS(G)47 Avoiding Danger from Underground services. This document is available from local HSE offices. Prior to commencement of work accurate records should be obtained from our Plan Provision Department. Should any diversion works be necessary as a result of the development then enquiries should be made to our Customer Connections department.

**Waste Solutions:** No objection subject to recommendation of bin provision, type, cost and maximum pulling distance to serve the development.

### **REPRESENTATIONS**

Three letters of representation were received all raising an objection, including one comment from Hoe Valley Neighbourhood Forum, their Neighbourhood Plan is not yet adopted, the representations comment as follows;

#### Objection

- Object to building more houses down this road. The traffic is already a nightmare in the mornings and evening. In addition to this, building on this road would make the parking for football grounds much worse – where would all the football coaches go if this land is now houses?

Officer's Note: The lawful use on this site is not to serve the surplus coaches from the football stadium, with its history of accommodating nine dwellings here. The application site did have temporary lawful use which has now expired for storage and office use ancillary to Woking Football Club.

- I am also concerned about the level of construction noise this would cause – we already have to deal with a lot of noise from the football ground (but at least this is only every fortnight or so!). If you were building houses here, the noise would be daily for months!

Officer's Note: This would not be a material planning consideration.

- The building of houses on a well used road will cause further chaos and impact road access for residents on Westfield Avenue, Chestnut Grove, Lime Grove, Maple Grove, Bonsey Lane and the whole of Willow Reach, during rush hour, those attending the David Lloyd and those attending the football.
- The building work will cause noise whilst being carried out, impacting those working from home as well as early morning construction noise.
- Once built the houses will impact privacy by overlooking residents of Willow Reach on Westfield Avenue and residents in Hornbeam House.

Officer's Note: Impact to residential amenity is assessed in the relevant section below.

- The houses will mean further cars, with each of the 9 houses most likely having at least 2 cars per household and therefore in the space there will be inadequate room for parking at least 18 cars.

Officer's Note: The provision of parking and visitor complies with the Parking Standards SPD.

## 16 APRIL 2024 PLANNING COMMITTEE

- When the football is on all the Woking players, the manager, the officials, the opponents coach and ambulance park in the car park where the houses are planned to be built. Cars then park all along the road where the houses are being planned to be built.  
Officer's Note: This would not be a material planning consideration regarding existing parking provision to serve the football club.
- During match days when Woking are at home the roads are filled with cars parked everywhere. Parked all along Claremont Avenue, Westfield Avenue, Acer Grove, Sycamore Avenue and the surrounding residential roads. Cars are parked blocking driveways, paths and on kerbs.  
Officer's Note: This would not be a material planning consideration regarding existing parking provision to serve the football club.
- The building of further housing is going to exacerbate this issue, where will the Woking players park? Where will the officials park? Where will the opposition coach park? Where will the ambulance park?  
Officer's Note: The application site is currently in breach of permission PLAN/2021/0718. The current use is for open storage and office use as evidenced by the case officers site photos. Whilst the proposal would displace parking provision for football associated with The Laithwaite Community Stadium, this would not be a material planning consideration, given the lawful use of this site is not for parking provision to serve the stadium.
- During the day when Woking football aren't playing the car park where the planned houses are is used for cherry picker training, where will they go?  
Officer's Note: This would not be a material planning consideration.
- Two weeks ago I found a hedgehog on the pathway by the wooden fencing that should have been hibernating. There are also birds nesting in the trees nearby. This building work is going to affect nature, especially the likes of hedgehogs who are already in danger.  
Officer's Note: Surrey Wildlife Trust have been consulted and impact to ecology is assessed in the relevant section below.
- The plans are for houses, the local Schools are already at capacity where will all these children go to school? What about local doctors surgery's that are also over subscribed?  
Officer's Note: This would not be a material planning consideration.
- The land for this proposed development is currently being used as off-street parking for the Woking Football Club thereby taking some 40-50 cars off the roads around the grounds.  
Officer's Note: The application site has no lawful use to serve as surplus parking.
- Cars are currently being parked on double yellow lines, (an offence under the Highways Act), on the grass verges, (an offence of driving other than on a road), in the mouths of junctions, (an offence of causing an unlawful construction), parking across the footpath, causing pedestrians to walk on the road, (an offence of unlawfully obstructing the free passage of the highway). These are all offences for which the council are responsible but take no action against.  
Officer's Note: This would not be a material planning consideration.
- Car parking within the confines of Woking Park was free for the first 3 hours, however the council have seen fit to reduce this to free for 2 hours only. As a football match is 90 mins playing time, 15 minutes half time interval and a minimum of 15 minutes to get into the ground and a further 15 minutes to exit the ground and get to the car, making a total time of parking in excess of 2 hours, supporters are not using the parking facilities within Woking Park. As a result, should consent for this development be granted it will result in more cars being parked "on street" causing a hazard to residents living in the area, or illegally parking on the highways around the ground.  
Officer's Note: The operation of Woking Football club car park and provision of tariff is not a material planning consideration with regards to the determination of this application.

## 16 APRIL 2024 PLANNING COMMITTEE

- Whilst the design of proposed houses will complement the 3 storey town houses on the opposite side of Westfield Avenue they will not compliment the houses on Kingfield Road, or the bungalows on the same side of Westfield Avenue.

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 (2023):

Section 2– Achieving Sustainable Development

Section 4 – Decision making

Section 5 – Delivering a sufficient supply of homes

Section 8 – Promoting healthy and safe communities

Section 9 – Promoting sustainable transport

Section 11 – Making effective use of land

Section 12 – Achieving well-designed and beautiful places

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

Section 15 – Conserving and enhancing the natural environment

#### Woking Core Strategy (2012):

CS1 – A spatial strategy for Woking Borough

CS7 – Biodiversity and nature conservation

CS8 – Thames Basin Heaths Special Protection Areas

CS9 – Flooding and water management

CS10 – Housing provision and distribution

CS11 – Housing mix

CS12 – Affordable housing

CS18 – Transport and accessibility

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

#### Woking Development Management Policies Development Plan Document (2016):

DM2 – Trees and Landscaping

DM7 – Noise and Light Pollution

DM8 – Land Contamination and Hazards

#### Site Allocations DPD (2021)

Policy UA42

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

South East Plan (2009) (Saved Policy) NRM6 – Thames Basin Heaths Special Protection Area

#### Supplementary Planning Documents (SPDs):

Parking Standards SPD (2018)

Woking Design (2015)

Outlook, Amenity, Privacy and Daylight (2022)

Climate Change (2023)

Affordable Housing Delivery (2023)

## 16 APRIL 2024 PLANNING COMMITTEE

### Other Material Considerations:

Planning Practice Guidance (PPG)

Conservation of Habitats and Species Regulations (2017) (as amended)

Updated Thames Basin Heaths Avoidance Strategy (February 2022)

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

Waste and recycling provisions for new residential developments

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

BRE Site Layout Planning for Daylight and Sunlight (2022)

ProPG: Planning & Noise – Professional Practice Guidance on Planning & Noise, new residential development (2017)

### **PLANNING ISSUES**

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

- Principle of development, including housing mix;
- Design, character and appearance;
- Neighbouring amenity;
- Residential amenity of future occupiers;
- Noise and impact
- Highways and parking;
- Arboriculture;
- Archaeology
- Land contamination
- Biodiversity and protected species;
- Flooding and water management;
- Thames Basin Heaths Special Protection Area (TBH SPA);
- Affordable housing;
- Energy and water consumption; 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.

### Principle of Development

1. The application site is identified in the Site Allocations DPD (2021) as part of a wider site area under Policy UA42. The boundary includes The Laithwaite Community Stadium, David Lloyd Leisure Centre, Woking Gymnastics Club and Woking Snooker Club. The 4.64ha site is allocated for a mixed use development to include a replacement football stadium, residential including affordable housing, and retail uses to serve the local community and/or for merchandise directly linked to the Football Club. The site was subject to a planning application in 2019 which would have provided a new stadium and over 1000 dwellings. The application was refused and subsequently dismissed at appeal. To summarise the proposal was refused due to its scale and impact on character of the area (not an exhaustive list). This application seeks to piecemeal the site allocation focussing on the parcel of land facing Westfield Avenue to deliver 9no. residential units only.
2. The site is sustainably located within the Urban Area and within an established residential area. Both the National Planning Policy Framework (NPPF) (2023) and Policy CS25 of the Woking Core Strategy (2012) promote a presumption in favour of sustainable development, with the overarching policies of both the NPPF and the Development Plan as a whole emphasising the need for new housing. Policy CS10 of the Woking Core Strategy (2012) identifies that the Council will make provision for an additional 4,964 net



## 16 APRIL 2024 PLANNING COMMITTEE

additional dwellings in the Borough between 2010 and 2027, with an indicative number of 750 net additional dwellings as infill development in the rest of the Urban Area (i.e., outside of Woking Town Centre/ West Byfleet District Centre/ Local Centres etc), as is applicable in this instance, whereby an indicative density range of 30-40dph is set out by policy.

3. Policy CS10 states that (emphasis added):

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

4. The proposed development (as a whole) would result in a site density of 36 dph (dwellings per hectare), which is in accordance with the 30 – 40 dph requirement of Policy CS10. The density is somewhat varied, density ranging between 25 - 33.33 dph to the north (a mix of a detached dwelling and semi-detached dwellings), 16 dph - 33.33 dph to the south. To the west is a residential development of 154 dwellings (PLAN/2006/1237), predominantly townhouses and flatted development (mix of three and four storey buildings). The density is substantially greater along the western elevation of Westfield Avenue for an area of 0.25 hectares akin to the proposed site size, the density increases to 110 dph. Given the variety of density ranges, combined with the sustainable location and previous use of the site serving 9No dwellings, on balance and subject to the other material considerations the density would be considered acceptable.

5. Policy CS11 of the Woking Core Strategy 2012 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 in order to create sustainable and balanced communities.*

*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 Council will not permit the loss of family homes on sites capable of accommodating a mix of residential units unless there are overriding policy considerations justifying this loss.”*

6. The West Surrey Strategic Housing Market Assessment (SHMA) (September 2015) is the latest SHMA. The following table compares the latest SHMA market housing requirements against the proposed development.

Proposed gain	SHMA need-market dwellings	Proposed market dwellings
3 bedroom	38.3%	3 (33.33%)
4+ bedroom	22.7%	6 (66.66%)
<b>Total</b>		<b>9 (100%)</b>

## 16 APRIL 2024 PLANNING COMMITTEE

*\*Note: only relevant dwelling sizes are shown*

7. Family accommodation is defined within the Woking Core Strategy 2012 as “2+ bedroom units which may be houses or flats” (para 5.73, emphasis added). All x9 proposed dwellings would be 3+ bedroom units or more and would meet the criteria of a family home.
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. Whilst the proposal would under-deliver in the highest demand need (3 bedroom) and over-deliver in the provision of 4+ bedroom, the proposal would be contributing the greatest need of bedroom provision as outlined above, it is recognised that the proposed development is for a relatively modest x9 total dwellings. The proposal would be replacing what was formerly housing on site (x9 dwellings) until these were demolished between 2009-2010. The proposal would provide a mix of dwelling sizes. The proposal thus accords with Policy CS11 in this regard. Overall, subject to the further planning considerations set out within this report, the principle of development is acceptable.

### Design, character and appearance

9. 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, and provide for suitable boundary treatment/s”*.
10. The reasoned justification text to Policy CS21 states (at para 5.204) that *“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 13 (Westfield). Westfield is located to the south of Woking Town Centre. The accompanying map shows the application site with housing on identified as Inter-war/immediate Post War, this map is now outdated given the application site serves hardstanding and used for storage with the housing now demolished and furthermore does not reflect the housing development to the west. The area is primarily residential and consists of two storey detached and semi-detached properties with some short terraces of modern infill development. There are a large number of bungalows within the development. Brickwork is usually red or dark brown, with many properties having red/brown hung tiles or panels of white/cream render. The development opposite the application site comprises of townhouses with pitched roof forms, designed in brickwork and white render. The roof form has grey slate tiles with some grey cladding detailing along the front elevation at third storey to match the fenestration. There is minimal landscaping with extensive hardstanding.
11. A dual car port is proposed along the northern boundary of the plot, approximately 5m in depth x 9.8m in width. The ridge height would be approximately 4.05m. The car port would be open ended with a pitched roof form. The housing plots would be laid out as mostly pairs with the exception of terracing with units 1-3. The dwellings would be set back from the front boundary (west) by approximately between 8.6m-12m. The dwellings would be approximately 12.6m-15m from the rear boundary (east). The dwellings orientation would be front to rear east to west facing and sit opposite Beech House, a flatted development and townhouses No.54-64. The bulk and massing of the nine units has been mirrored to

## 16 APRIL 2024 PLANNING COMMITTEE

those opposite, however fragmented into pairs and some terracing (units 1-3). The terraced units (1-3) would be located towards the southern end with a car port approximately 6.8m to the south.

12. Design ques have been adopted from the townhouses opposite the application site, the rectangular design of the front and rear elevations with the third floor recessed in from the front and rear elevation. The Hoe Valley development includes architectural features such as a palette of two colours of brick and infill render sections on the lower floors with recessed upper floors in a composite board cladding. Unit 1 would have a flat roof with units 2 & 3 a pitched roof form designed in grey tiling. Unit 4 and 5 would sit as a pair, with unit 4 at three-storey with a pitched roof form and unit 5 two-storeys with a flat roof form. Unit 6 and 7 would also sit as a pair, both with pitched roof forms. Unit 8 and 9 would sit along the northern tip of the overall plot as a pair, with unit 8 at three storeys and a pitched roof form combined with unit 9 a two-storey flat roof dwelling. The dwellings with a flat roof (unit 1, 5 & 9) at both the north and south tip of the overall plot would be approximately 6.8m in height. The remaining dwellings would be approximately 10m. The overall widths to serve each dwelling would be approximately between 5m-5.8m and internal width approximately 4.8m. The depth of the dwellings would be approximately 12.1m. Amenity provision serves the rear of each dwelling with an enclosed terrace to the front and rear serving the three storey townhouses.
13. The dwellings are all proposed to be clad in a buff brick for the first two storeys. A recessed panel is framed on all elevations however would remain brick as oppose to white render serving the townhouses opposite. The fenestration is proposed in aluminium, with the frames and doors polyester powder coated in a matt grey. The top floor of the three storey townhouses would be designed in cladding with a grey colour to match the frames and surrounding roofs of neighbouring properties. The porch would also be recessed creating an undercroft at ground floor.
14. In terms of the grain and pattern of development, the proposed width, depth and distance from the front boundary facing Westfield Avenue would correlate with those townhouses along the west elevation, of which set a precedent to both the street scene and character of area as a most recent development in the immediate area combined with the proposal being read alongside this development. Furthermore, the proposal would replace what was once formerly 9x dwellings on this site albeit a greater density, however less than the Hoe Valley regeneration scheme. The design of the dwellings would in effect mirror these townhouses opposite albeit some modest changes, recessed porches, all brick to serve the exterior, some flat roof forms, cladding to serve all of the third floor. The design whilst complementing these dwellings, would also create individualism furthermore combined with the staggering of the layout. The proposed mix of flat roof forms and recessing the pitched roof forms away from the front boundary reduces the bulk and massing when approaching from the north or south of Westfield Avenue. The proposed car ports would serve as a buffer between the site and residential property to the north (No.81) and pedestrian access to The Laithwaite Community Stadium. A mix of parking provision and soft landscaping is proposed along the front elevation with further parking adjacent to either car port.
15. Overall, 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 development within the area. Furthermore, the proposed development would have a public benefit in providing x9 net additional dwellings within a sustainable location within the Urban Area. As such, the proposed development would not conflict with Policy CS21 of the Woking Core Strategy (2012), the provisions of SPD Design (2015) and the NPPF in respect of design and character.

## 16 APRIL 2024 PLANNING COMMITTEE

### Neighbouring amenity

16. 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 of 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).
17. 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 25° can be drawn from a point taken from the middle of each of the existing window openings. The existing dwellings opposite the application site (Beech House and Nos. 54 – 66) would pass the vertical angle with regards to the proposed development.

### North

18. The proposed dwelling Unit 9 along the north of the site would be sited approximately 16.2m from the side boundary serving No.81 Westfield Avenue. A car port would be sited along this boundary serving as a buffer between the proposed dwelling. A series of side windows are proposed to unit 9. The distance to north boundary would comply with the recommended minimum separation distances for achieving privacy. The recommended separation distance to prevent overlooking of dwellings is 20m for two storey accommodation (including dwellings with first floor dormer windows). The proposal would modestly fall short of this with the car port at approximately 3.9m in height. The two proposed first floor windows to serve a bathroom and en-suite would be conditioned as obscurely glazed and non-opening, unless the openings would be 1.7m above floor level. The side dormer serving No.81 accommodates a bathroom. The proposed car port and new dwelling would not be considered to cause an adverse impact to residential amenity along this elevation.
19. No.1 – 6 Rosewood would be approximately 12.6m from the side boundary serving the proposed application site (rear residential curtilage to side boundary). To the immediate rear of Rosewood is an access path with parking provision up to the shared boundary. The flats are considered an adequate distance away to cause any adverse impact to residential amenity.

### East

20. The development site borders The Laitwaite Community Stadium and site. There are no residential occupiers along this elevation. There would be no impact to residential amenity along this elevation.

### South

21. The southern tip of the application site borders the football club as above, the pedestrian access. The closest residential dwelling namely No.63a Westfield Avenue is approximately 28.6m away (side to side boundary). An access road into the David Lloyd Leisure Centre serves as a buffer. There would be no impact to residential amenity along this elevation.

## 16 APRIL 2024 PLANNING COMMITTEE

### West

#### Beech House

22. Beech House is a four storey flatted development with front balconies first to third level, sited approximately 25m from the closest residential properties (units 6-9) front to front elevation. The recommended separation distance for front to front elevation of a three storey and over building for achieving privacy is 15m, the proposal would exceed this requirement and be considered acceptable.

#### Nos. 54 – 66 Westfield Avenue

23. The dwellings along the western elevation are townhouses and up to three storeys with front balconies at this height. The distance to the proposed dwellings, a mix of two (units 1, 5 & 9) and three storeys (units 2, 3, 4, 6 & 7) would be within the range of 27-28m. The recommended distance is 15m and would be acceptable. The three storey townhouses would have provision of external terracing at third floor opposite these dwellings.

#### Residential amenity of future occupiers

24. Paragraph 135 of the NPPF states, that inter alia, that “*Planning...decisions should ensure that developments: f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users*”. Whilst the Council has not adopted the Technical housing standards – nationally described space standard (March 2015) (NDSS) (unless Policy DM11 of the DM Policies DPD (2016) is engaged, which it is not in this instance) they nonetheless remain a useful indicator of the standard of residential accommodation which is proposed. As can be seen from the following table all proposed dwellings would exceed 93 sq.m in gross internal area (GIA) for a three bedroom home and exceed 121 sq.m GIA for a four bedroom home. As such, all dwellings would very comfortably exceed the relevant minimum gross internal floor area requirement of the NDSS. The single bedrooms to serve all dwellings would fall short of the recommended floor area of 7.5m<sup>2</sup>, the floor area would be approximately 7.41m<sup>2</sup>. Given the width of these rooms is adequate combined with the modest shortfall and compliance with the overall GIA requirement this would be considered acceptable. The remaining bedrooms of all dwellings would be sufficiently sized in accordance with the NDSS.

Plot No.	No. of Bedrooms	GIA (sq.m)	NDSS GIA requirement (sq.m)
1	3	101.54	93
2	4	129.09	121
3	4	129.09	121
4	4	129.09	121
5	3	101.54	93
6	4	129.09	121
7	4	129.09	121
8	4	129.09	121
9	3	101.54	93

25. All dwellings would benefit from triple-aspect overall with large open-plan living/kitchen/dining rooms being dual-aspect at ground floor and opening directly onto rear amenity space. Those proposed three-storey dwellings houses have a front terrace at third floor accessible by the bedroom on this floor and a rear terrace at this level accessible by a rear single door. All dwellings would have enclosed private rear amenity space, with Units 2, 3, 4, 6, 7 and 8 a private terrace at third storey. Two parking bays are

## 16 APRIL 2024 PLANNING COMMITTEE

proposed along the front elevation serving units 2 – 9, fortunately the front elevation serves a hallway and ground floor toilet window only with landscaping. As such, a high standard of daylight, outlook and sunlight would be provided to future occupiers of all dwellings.

26. Policy CS21 of the Woking Core Strategy (2012) requires, inter alia, *“appropriate levels of private and public amenity space”*. SPD Outlook, Amenity, Privacy and Daylight (2022) states (at para 3.6) that *“All dwellings designed for family accommodation need to provide a suitable sunlit area of predominantly soft landscaped private amenity space, appropriate in size and shape for the outdoor domestic and recreational needs of the family, it is intended to support. For example, this will include space for sitting out, children’s play, drying clothes and plant cultivation. Private amenity space is best provided as an enclosed garden to the rear or side of the property where it is clearly separate from more public areas of the site. Such areas should be overlooked by the accommodation and have secure boundaries to allow children to play in safety.”*
27. The recommended provision of amenity space for a dwellinghouse over 70 sqm is a suitable area of private garden amenity in scale with the building but generally no smaller than the building footprint (depending on existing context). Plots 1, 5 & 9 comply with the sizing standards. The recommended provision of amenity space for a large family dwellinghouse e.g. over 150 sqm floorspace is a suitable area of private garden amenity in scale with the building, e.g. greater than the gross floor area of the building. The four bedroom, three-storey townhouses would provide a shortfall in the provision of recommended minimum private amenity space, including the front and rear terraces. The shortfall per unit of this size is 50m<sup>2</sup>.
28. However, the SPD says *in all cases evidence of quality of amenity provision and compatibility with the character of the local context will be of greater importance than dimensional compliance with the table above*. Given the housing development opposite the application site, the style and design of the dwellings with tapered rear gardens given the plot sizes and constraints, the proposal would be considered to commensurate with the local context. Each dwelling would have private amenity space with a lawn and patio, the three-storey dwellings would each accommodate further private terracing to the front and rear, these design features are similar to properties facing Westfield Avenue however with a front terrace only. The provision of private amenity space would be considered acceptable.

### Noise and light impact

29. Paragraph 191 of the NPPF says *planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should:*
  - a) *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;*
  - c) *limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.*

### Noise impact

## 16 APRIL 2024 PLANNING COMMITTEE

30. Policy DM7 says The Council will require noise generating forms of development or proposals that would affect noise-sensitive uses to be accompanied by a statement detailing potential noise generation levels and any mitigation measures proposed to ensure that all noise is reduced to an acceptable level. In assessing such a scheme of mitigation, account will be taken of: (ii) for noise-sensitive development: the location, design and layout of the proposed development; and measures to reduce noise within the development to acceptable levels, including external areas where possible; and the need to maintain adequate levels of natural light and ventilation to habitable areas of the development. 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.
31. Development proposals for noise-sensitive uses in areas of significant existing environmental or neighbourhood noise will only be supported where the need for development outweighs impact on amenity of future occupiers, and where a robust scheme of mitigation is provided. In general, the following values will be sought for residential development.
  - a. Day time (7am – 11pm) 35 dB LAeq 16 hours in all rooms and 50 dB in outdoor living areas.
  - b. Night time (11pm – 7am) 30 Db LAeq 8 hours and LAm<sub>ax</sub> less than 45 dB in bedrooms.
32. For proposals involving residential and other noise-sensitive development that would be sited close to commercial/industrial noise sources, the Council will consider applications against the current version of BS4142 (or any future equivalent) in order to assess the likelihood of complaints from future occupiers and therefore the acceptability of the proposed development. A similar approach will be taken for noise sensitive development sited close to any other form of noise-generating use.
33. An Environmental Noise Assessment Report & Acoustic Design Statement dated October 2023 was submitted with the proposal. The statement confirms that Woking Football Club (FC) have approximately 27 home games per calendar year which take place either on Saturday afternoon or Tuesday evenings. The assessment has been carried out in terms of worst case (i.e. match day) noise and vibration levels. The assessment has shown that, even on match days, noise and vibration levels are not excessive and will be readily mitigated. As the proposed site is next to a football stadium, a vibration measurement survey and assessment has also been carried out.
34. *Professional Practice Guidance of Planning and Noise (2017)* (ProPG) includes a framework to enable situations where noise is not an issue to be clearly determined, and to help identify the extent of risk at noisier sites (the latter as appropriate). Paragraph 1.1 of the framework identifies noise can have a significant effect on the environment and on the health and quality of life of individuals and communities. Noise can interfere with residential and community amenity and the utility of noise-sensitive land uses. Paragraph 1.2 says noise is a material consideration in the planning process and a key aspect of sustainable development. Noise must therefore be given serious attention when new developments might create additional noise and when new developments would be sensitive to prevailing acoustic conditions.
35. Vibration levels at the site have been measured on both match days and non-match days and are shown to be very low at  $0.07 \text{ ms}^{-1.75}$  and  $0.05 \text{ ms}^{-1.75}$  respectively. This is below the threshold of “low probability for adverse comment” for both day-time and night-time periods. The conclusion says vibration will not be an issue.

## 16 APRIL 2024 PLANNING COMMITTEE

36. An updated Environmental Noise Assessment Report & Acoustic Design Statement dated 21 March 2024 has been received. Paragraph 6.3 confirms noise levels at the site have been measured on both match days and non-match days. On non-match days, the average noise for the day-time period (07:00 till 23:00) was 51.3 dB. In order to achieve an indoor ambient noise level of 35 dB, at least 16.3 dB  $R_w+C_{tr}$  sound insulation is required. However, taking into account the more crucial night time noise (23:00 till 07:00), the minimum insulation required is 19.5 dB  $R_w+C_{tr}$ . Over-riding all of this, for match days, the noise levels during the 2.5 hr windows of the football match, with a bit of time either side, was 66.8 dB. In order to achieve an indoor ambient noise level of 35 dB, at least 32 dB  $R_w+C_{tr}$  sound insulation is required at all properties. This level of insulation can be achieved by using typical double glazing and cavity insulated masonry walls.
37. Paragraph 64 says the use of trickle ventilation and acoustic glazing will exceed the required indoor noise level of 35 dB. Typical acoustic glazing provides a minimum  $R_w + C_{tr}$  of 33 dB and a typical acoustic trickle ventilation system provides approx 55 dB  $D_{n,e,w}$ .
38. Paragraph 65 says the external amenity areas have also been assessed against a typical match day. The recommended maximum noise level in external amenity areas is 55dB. In order to achieve this level, a 6ft close boarded fence with a tall hedgerow at the ends of each space should provide adequate acoustic screening.
39. The Environmental Health team were re-consulted and comment as follows regarding the second revision of the noise survey dated 12<sup>th</sup> February 2024; *with reference to Section 6.4 of the report, it is noted that typical acoustic glazing is stated to provide a reduction of 33dB with the specified trickle ventilation proposed. This calculation would satisfy the BS8233:2014 requirement at location 2 (match day LAeq (2hr) = 59.9dB – 33dB = 26.5dB internal noise level). However, a higher level of glazing is required for location 1 to achieved BS8233:2014 internal noise levels, as this exceeds the target internal noise levels by 3Db (match day LAeq (2hr) Location 1) = 71.3Db – 33 Db = 38.3dB. These observations are based on the LAeq measurements only, and do not take account of the sudden impact/shouting, or the LMAX measurements provided for match day noise. Whilst EH notes that some level of noise reduction will be provided by the 2m fence, which the report states should satisfy the recommended target for gardens of 55dB, it is uncertain whether this can be achieved.*
40. Following the above comments an updated Environmental Noise Assessment Report & Acoustic Design Statement dated 21<sup>st</sup> March 2024 was received. The EH team were further consulted and comment as follows; *I have reviewed the amendments, which align with what we have already commented on in our previous consultee responses. There are no further comments and the conclusions of the two revised reports are acknowledged.*
41. A rear 2m high fence to serve the boundaries of these proposed dwellings would be secured by way of condition regarding outdoor noise. With regards to noise impact for future occupants whilst it cannot be secured or confirmed that outside noise levels would not exceed 55dB, given the proposal is sited adjacent to an existing football club by way of future occupier awareness of the existing surroundings and noise taking place on match days and charity/ social matches, it is somewhat limited by methods of control regarding outside noise. The noise report confirms on non-match days noise of external areas would be 51.3 dB and fall into an acceptable range. To ensure an acceptable indoor ambient noise level of 35dB to serve all properties (during both non-match days and match days), at least 32dB  $R_w + C_{tr}$  sound insulation is required at all properties. This would be subject to a planning condition requesting details of the glazing and ventilation specification. Given possible noise in excess of 55dB would take place on match days only and not all year around combined with mitigation measures of 2m high fencing and internal noise levels



## 16 APRIL 2024 PLANNING COMMITTEE

adequate during match days, impact of noise upon future occupiers of these properties would be considered acceptable.

### Light impact

42. The Design and Access Statement confirms there are 4 floodlights with an identified strength of 302 Lux. DWG No: 2100\_035 Rev A Floodlight Impact Plan show the application site in relation to the four floodlights at Woking Football Club. The nearest two floodlights are pointed away from the development (floodlight 1 and 2). Floodlight 1 is approximately 43.2m from the north eastern corner however faces a south orientation and floodlight 2 is approximately 19.3 from the southern tip of the site however faces a eastern orientation.
43. Of the two floodlights pointed towards the development one is 93.3m away, measured from the southern tip of the application site (floodlight 4). Floodlight 3 is approximately 114.8m to the north eastern corner of the application site and serves an area of amenity land adjacent to the proposed car port to the north.
44. At the request of the Environment Health Officer a lighting assessment was required that includes light spillage and intensity at the façade of the proposed properties. A Light Intrusion Survey Report has been submitted. The report confirms the light levels were taken on a horizontal plane at ground level and were in the region of 0-21.4 lux. From observation the main floodlight in the South East corner of the site and the South Stand lights under the canopy were directly visible from the compound and are likely to be the main source of light intrusion.
45. The ILP (Institute of Lighting Professionals) Guidance for obtrusive light is a maximum of 10 lux on a vertical plane at the centre of the window. The report summarises under paragraph 1.1 unless improvements are made to the existing lighting installation it is likely that there will be complaints from future occupants of the proposed housing development with reference to light intrusion from the Woking Football Club lighting installation when the floodlight and stand lights are illuminated. Recommended changes to reduce the light intrusion are to replace the stand lights and review the aiming points of the floodlights. However, Officer's note this would fall outside the jurisdiction of applicant control and such change would not be subject to the determination or outcome of this application. Paragraph 2.2 says from observation the main floodlight in the South East corner of the site and the South Stand lights under the canopy were directly visible from the compound and are likely to be the main source of light intrusion.
46. The application site is identified as Zone E3 (Suburban) the table (p.6) showing environmental zones comes from the ILP Guidance. Table 2 (p.6) shows the recommended limits for light intrusion into windows which for zone E3 are 10 lux pre-curfew and 2 lux post-curfew. This contrasts to the Light Intrusion Survey with levels up to 19.9 lux of the worst affected windows. The report says the guidance seems to be tailored towards permanent lighting installation which will be illuminated on most or all nights of the year. The stadium lighting is only illuminated during evening matches which was 13 times during the 2021/22 season with kick offs either 5:00pm or 7:45pm (mostly the latter). The lights are only on for circa 3 hours per match and are turned off at around 10pm.
47. The results show that existing lighting levels measured in the proposed new housing site are in excess of the ILP recommended levels of 10 lux. Those excessive levels are achieved to the southern and eastern parts of the site but likely to affect plots 1-7. Other areas of the site where the levels were lower, plots 8-9, were in shade from trees on the eastern perimeter of the site and existing containers on site. However, officer's note this

## 16 APRIL 2024 PLANNING COMMITTEE

assessment would be unreliable in the form of mitigation to plots 8-9, the tree as mentioned (T07 Common Ash) to the rear of these plots is subject to removal, furthermore the containers would be removed. An updated Light Intrusion Survey has been sought to reflect plots 8-9 correctly, however the Common Ash tree remains on the survey. The lighting advisor confirms *“the lighting survey involved measuring light levels on the ground with a lux meter; it is not computer generated and therefore cannot be adjusted to remove trees. To determine the light levels achieved by removing trees or adding barriers would require extensive and detailed 3D modelling and relies upon support from the football club with details of their existing lighting installation.”*

48. Mitigation measures have been sought within the realm of the application site. The light advisor confirms *“to reduce light intrusion to all windows from within the proposed housing site would involve installing a barrier, fence, trees or otherwise to block out direct light from the stand and floodlights. This would likely need to be around 10m in height due to the height of the lights within the stand. Alternatively, black out blinds or curtains could be used”*. The applicant confirms regarding the removal of tree T07 this is considered unlikely to have a major impact on light levels, as this part of the site is not the most affected by the floodlights.
49. Environmental Health comment as summarised; *I note from the intrusion survey that the 10 lux limit is exceeded in places. There are no recommendations within the control of the applicant. There it must be accepted, that if planning permission is approved, lighting complaints may be received by future occupants and that controls would be limited to homeowners installing their own mitigation.*
50. It is acknowledged that there is no development plan policy that covers the impact of a proposed noise sensitive uses such as housing to be adjacent to an existing intrusive light source. Whilst Policy DM7: Noise and light pollution from the Development Management Policies DPD (2016) covers light, it does not cover a scenario reflective of this application.
51. On balance the submitted light survey confirms the external lighting is switched on match days only, whilst it is unclear how many times a year this maybe, kick offs are typically either 5:00pm or 7:45pm. The lights are only on for three hours per match and turned off around 10:00pm. Officer’s acknowledge it is unknown quantitatively the number of days these floodlights are switched on and furthermore dependent on the seasoning when games take place, floodlights can come on before 5:00pm (autumn and/or winter). The lighting survey confirms light level readings were carried out within the compound/ car park area.
52. Whilst the frequency of light usage are outside the applicants control, given this would not be a daily occurrence or exceed 10:00pm, future occupancy awareness would prevail living in a dwelling adjacent to a football stadium with floodlights in-situ and sited/ some positioned towards the application site will be present. Furthermore, whilst a mitigation measure of high level fencing at 10m in height is proposed, this would not be considered acceptable with regards to the living conditions upon future occupiers given the height and outlook from affected rear windows combined with no detailed modelling as to the output of this mitigation measure. It is acknowledged there would be light impact by virtue of the proposal site adjacent to Woking Football Club with associated external lighting, mitigation measures on the application site are somewhat limited but available, given the above assessment officer’s consider that light impact on future occupiers would be considered acceptable.

Highways and parking

**16 APRIL 2024 PLANNING COMMITTEE**

53. The site is sustainably located within the Urban Area and within an established residential area. Paragraph 114 of the NPPF says *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 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.*
54. As existing two accesses serve the site facing Westfield Avenue, one to the north and one to the south. The proposal would retain the southern access for parking provision, the existing northern access would be removed and replaced with vehicular access to units 8-9. A new northern access is proposed for parking provision. The proposal would see four new accesses and vehicular crossovers from Westfield Avenue to serve the front of the dwellings only. The proposed development has been considered by the County Highway Authority (Surrey County Council) who, having assessed the application on highway safety, capacity and policy grounds, raise no objection and recommend that conditions be attached in respect of: (i) prior to occupation, the proposed vehicular/ pedestrian/ cycle accesses (the 4 Townhouses Vehicle Cross-Overs) have been constructed and provided with visibility zones, (ii) prior to occupation, the proposed modified vehicular access (north of the site) has been constructed and provided with visibility zones, (iii) prior to occupation pedestrian inter-visibility splays measuring 2m x 2m have been provided on each side of the accesses to Westfield Avenue, the depth measured from the back of the footway (or verge) and the widths outwards from the edges of the access, (iv) parking bays are laid out in accordance with plans and provision for turning to enter and leave in forward gear, (v) prior to occupation each of the proposed dwelling and 1 visitor parking space are provided with a fast charge socket in accordance with a scheme to be submitted, (vi) prior to occupation secure parking of bicycles in accordance with approved plans.
55. Condition 5 would not meet the six planning tests (necessary, relevant to planning, relevant to the development to be permitted, enforceable, precise and reasonable in all other aspects) given this requirement is now covered and required by Building Control legislation.
56. Policy CS18 of the Woking Core Strategy (2012) states that minimum car parking standards will be set for residential development (outside of Woking Town Centre).

Number of bedrooms	Number of houses	Spaces	Total spaces required
3 bedroom	3	2	3 x 2 (6)
4 bedroom	6	3	6 x 3 (18)
			24 Spaces

57. In total 24 spaces would be required. The Parking Standards SPD says visitor parking is encouraged where appropriate. However, such spaces do not contribute towards the minimum parking standards set out in the table, which provide spaces per dwelling. At the discretion of the Council and based on the merits of the proposal, extra car parking spaces for visitors parking will be provided at a minimum rate of 10% of the total number of car parking spaces required for the development, this would amount to approximately 2.4 additional spaces. In total 24 spaces are proposed to serve the nine dwellings, with

## 16 APRIL 2024 PLANNING COMMITTEE

additional provision of 3 visitor bays, taking the total to 27 bays. Units 2-9 each have one bay along the front elevation of the property, with unit 1 (an end unit) has provision of bays in close proximity to the dwelling. In respect of cycle parking SPD Parking Standards (2018) requires the provision of “2 spaces per dwelling” for “C3 Dwelling Houses”. Cycle parking is proposed to each dwelling and located in the rear garden. Details of the design of cycle parking would be subject to condition.

58. A swept path analysis (by M3 Mayer brown) has been submitted to demonstrate that vehicles would be able to manoeuvre into, and out of, parking spaces along the north and south entrances to housing site and driveways serving plots 2-9. The Transport Statement (by M3 Mayer Brown) confirms refuse collection will take place on-street and the development has been designed to meet WBC’s maximum required drag distance of 30m. Section 4.1 of the *Joint Waste Solutions Recycling and waste provision-guidance for property developers* which is the guidance the LPA adheres to is a 10m maximum pulling distance. Each proposed property would have side access to wheel refuse and recycling bins to the front of the property with a 10m distance from the front elevation to kerbside. Impact to highways and parking provision would be considered acceptable.

### Arboriculture

59. 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 DM2 of the DM 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)*”.
60. The application has been submitted with an Arboricultural Method Statement, Arboricultural Impact Assessment, Tree Constraints Plan and Tree Protection Plan (prepared by Arbor Cultural Ltd). The submitted arboricultural information identifies that T03 (Common Pear, poor condition), T07 (Common Ash, poor condition), T09 (Lawson Cypress, poor condition), T11 (Japanese Cherry) and T12 (Swedish Whitebeam) would be removed. Trees T03 and T07 are both category U trees which means trees that cannot be realistically retained. Tree T09 is category B, trees of moderate quality, T11 and T12 are category C as low quality. Paragraph 3.3.1 confirms there is no proposed construction of foundations within the RPA of any retained trees. Paragraph 3.6.3 says the processes of construction are highly unlikely to have a detrimental effect upon the health of the retained trees assuming recommendations made in this report are adhered to at all times by the contractors.
61. An outline landscaping strategy is included in the Design & Access Statement. The proposal seeks to minimise hard landscaping to assist with surface water drainage. Permeable paving is proposed to the driveways and parking. Paving is proposed to the garden patios and terraces with grass lawns to the rear and grass verges. A series of new trees and hedges are proposed along the site frontage to improve the street scene. Details of the types of trees and hedges, as well as a plan to scale proposing landscaping details would be subject to condition.

## 16 APRIL 2024 PLANNING COMMITTEE

62. The Council's Senior Arboricultural Officer considers the arboricultural implications to be acceptable in principle, and recommends this information should be compiled in full and includes a pre-commencement meeting as indicated. A detailed landscape plan will be required and should include tree pit design. This would be subject to a condition. Overall, subject to recommended conditions, the arboricultural impacts of the proposed development are acceptable.

### Archaeology

63. A Desk Based Archaeological Assessment has been submitted with the proposal, produced by Surrey County Archaeological Unit. The proposal area does not lie within any Designated Heritage Asset area and no new Heritage Assets were identified as part of this assessment. Paragraph 8.3 says the HER (Historic Environment Record) shows a limited number of archaeological discoveries from the within 1km search radius, suggesting the overall archaeological potential for this Site is low, or perhaps more accurately in view of the very limited amount of archaeological work that has occurred in the area. Paragraph 8.6 says it is likely that the prior development phases have removed any archaeological material that was present on the site. The impact of the new proposal is therefore considered to be low.
64. Surrey County Council Archaeology were consulted and comment as follows; these proposals are sufficiently large in scale to need to consider the potential for their impact on as-yet unknown heritage assets, under the Woking Local Plan. Therefore the developer has submitted an archaeological assessment in support of the application. That assessment has found that *"in view of the two prior phase development, limited site area and generally low archaeological potential that no further archaeological work (should be) required in connection to the re-development of the Site"*. This office considers the assessment to be an acceptable quality and accepts the view of the supporting document with No Archaeological Concerns regarding these proposals. Impact to archaeology would be considered acceptable.

### Land Contamination

65. Paragraph 189 of the NPPF (2023) says *planning policies and decisions should ensure that: a) a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. This includes risks arising from natural hazards or former activities such as mining, and any proposals for mitigation including land remediation (as well as potential impacts on the natural environment arising from that remediation).*
66. Policy DM8 says *sites that are known or suspected of being impacted by contamination should be identified at an early stage, and development proposals assessed to determine the suitability of the proposed use.*

*Proposals for new development, including change of use, should demonstrate that:*

- (i) any existing contamination of the land or groundwater will be addressed by appropriate mitigation measures, including the remediation of existing contamination, to ensure that the site is suitable for the proposed use and that there is no unacceptable risk of pollution within the site or in the surrounding area; and*
- (ii) the proposed development will not cause the land or groundwater to become contaminated, to the detriment of future use or restoration of the site or so that it would cause unacceptable risk of pollution in the surrounding area.*

## 16 APRIL 2024 PLANNING COMMITTEE

67. 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.
68. An Environmental Desk Study and Preliminary Risk Assessment by apple environmental has been submitted with the proposal. Under Section 7 of the report, paragraph 7.1 Environment Agency data, environmental datasheets and historic maps referenced during the compiling of the report indicate that there has been one historic landfill within 500m of the site. This was located 44m to the southwest of the site at Westfield Tip. Here they accepted commercial and household waste from 1970 to 1979. With reference to the aforementioned data supplied by WBC, this landfill site has been remediated under planning in 2006, following the excavation of interred waste down to natural ground, following by off-site removal. There are no current facilities within this same distance. Paragraph 7.2 confirms an unspecified pit was present 23m to the east on the site; although in the absence of any supporting information, it is suspected that this had not been a pit, but an engineered embankment stand for visitors to the football ground. Paragraph 7.3 says there are no recorded Environment Agency permitted waste, treatment, transfer or disposal sites within 250m of the site. There is however one permit exempted facility located 125m to the southwest, relating to the screening and blending of waste.
69. Paragraph 9.1 of the assessment says with regards to potential off-site sources, the land to the immediate west had been a landfill tip between 1970 and 1979. Despite data supplied by WBC indicating that the tip had been completely remediated, it is noted from previous planning decisions that ground gas generation is still considered to be a potential concern in this area. The following contaminants are deemed to be potentially present: heavy metals and other inorganics from the activities occurring on and off the site, as well as the expected deposition of made-ground and/or hardcore across the site; hydrocarbons (including PAHs) from the activities occurring on and off the site, as well as the expected deposition of made-ground and/or hardcore; asbestos containing from the demolition of previous structures across the site, as well as the expected deposition of made-ground and/or hardcore; and ground gases from the decomposition of any hydrocarbons, or from the decomposition of waste from the former historic landfill site to the west.
70. The Contamination Land Officer has been consulted and raises no objection subject to a series of conditions; prior to the commencement of development a contaminated land site investigation and risk assessment, that determines the extent and nature of contamination on site and reported is submitted to the LPA, prior to the commencement of development a detailed remediation method statement shall be submitted to the LPA. The remediation method statement shall detail the extent and method(s) by which the site is to be remediated. Furthermore prior to occupation a remediation validation report for the site shall be submitted to the LPA. A further condition would be required with regards to unexpected ground contamination, should this be found during the course of construction development shall cease until an addendum to the remediation strategy is submitted to the LPA. The applicant has agreed to the pre-commencement conditions. Subject to compliance with the above recommended conditions, impact to land contamination would be considered acceptable.

### Biodiversity and protected species

71. Paragraph 180 of the NPPF says planning policies and decisions should contribute to and enhance the natural and local environment by: d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more

## 16 APRIL 2024 PLANNING COMMITTEE

resilient to current and future pressures. Circular 06/05 – Biodiversity Geological Conservation also requires the impact of a development on protected species to be established before planning permission is granted and in relation to habitat types of principal importance to assess the impact of development on these as part of the planning application process. This approach is reflected in Policy CS7 of the Woking Core Strategy (2012).

72. Policy CS7 says the Council is committed to conserving and protecting existing biodiversity assets within the Borough. It will require development proposals to contribute to the enhancement of existing biodiversity and geodiversity features and also explore opportunities to create and manage new ones where it is appropriate.
73. The application has been submitted with an Ecology Report by Surrey Wildlife Trust (SWT) Rev 1.0 (dated 31.10.2023) and an updated Ecology Report Rev 1.1 (dated 29.02.2024), which identifies that surveys were undertaken to inform this planning application, including a walkover survey undertaken in August 2023.

### Bats

74. Six bat mitigation licenses granted within 2km of the survey area, including licenses for brown long-eared, common pipistrelle, Nathusius pipistrelle and soprano pipistrelle. The survey area falls within the core sustenance zones (CSZ) for these species, and is under 50m from Hoe Stream, which provides good commuting habitat. All four buildings in the survey area were assessed as having negligible bat roosting suitability. The survey area supports several trees: of these, two were surveyed for bat roosting suitability, due to being classified as grade U. Due to survey limitations, these could not be fully scoped by the surveyor, and so precautionary suitability has been assigned: one tree T03 was assessed as precautionarily moderate and one tree T07 was assessed as precautionarily low. All other trees in the survey area were not assessed and may also have bat roosting suitability.
75. The updated ecology survey 1.1 identifies low quality commuting habitat in immediate surrounds, however Hoe Stream is only 60m northwest, which is a high suitability community corridor that links to the Basingstoke Canal and the River Wey.
76. SWT updated consultation comments dated 13<sup>th</sup> March 2024 in response to Rev 1.1 of the Ecology Report confirms the report appears appropriate in scope and methodology and identifies that two trees to be impacted by the proposed development (referenced T03 and T07) were categorised as being PRF-1 (having features suitable for individual or very small numbers of bats) and therefore no further pre-determination survey is considered necessary. The Ecology Report goes on to state that *“appropriate compensation in the form of two general purpose bat boxes (one per tree) should be installed in advance of impacts, and a precautionary working method statement should be prepared and follows at all times during works.”* SWT advise that prior to commencement of the current planning application a Bat Precautionary Woking Method Statement should be submitted to the LPA for approval. This condition has been agreed.

### Terrestrial mammals

77. The survey has found suitable habitat present within the survey area for the West European Hedgehog. With the habitat connectivity to wider area present through collapsed and broken fencing. This species is known to do well in urban areas, and is known to be present within Woking. Hedgehogs were seen using the woodland area during the mammal hole monitoring survey.

## 16 APRIL 2024 PLANNING COMMITTEE

78. Mammal holes identified in broadleaved woodland, one for which was of suitable size for access by badger. Connectivity to wider area through areas of collapsed and broken fencing. No evidence of badger was found during the mammal hole monitoring. Surrey Wildlife Trust (SWT) were consulted and confirm the likely absence of active badger setts within and adjacent to the development site. Possible signs of badger activity have been identified within the development site and so badgers are known to be present locally. SWT advise prior to the commencement of works, a survey of the site by an appropriately qualified and experienced ecologist should be undertaken within the proposed development boundary and a 30m buffer, to search for any new badger setts and confirm that any setts present remain active. If any badger activity is found a suitable course of action shall be submitted to the LPA. This pre-commencement condition has been agreed with the applicant.
79. Evidence of fox including individuals using mammal holes were recorded with the site. SWT recommend that fox earths are only closed after an update walkover survey is undertaken by a suitably qualified ecologist. SWT recommends this is covered in a Construction Environment Management Plan (CEMP) which is a pre-commencement condition and has been agreed with the applicant.

### Breeding birds

80. The survey results confirmed a habitat suitable for generalist breeding bird species, particularly those found in urban situations such as house sparrow, wood pigeon, etc. SWT place advisory measure to the applicant to ensure that development activities such as building demolition/ removal and vegetation clearance are timed to avoid the breeding bird season of early March to August inclusive.

### Amphibians

81. The survey results confirmed four waterbodies within 250m of survey area, with low-moderate degree of connectivity between these and the survey area. The closest is a large, shaded pond north of Kingfield Green, under 205m east. Great crested newt recorded within Westfield Common under 825m southwest, with low-moderate connectivity along a series of waterbodies leading up to those within 250m of the survey area.
82. SWT consultation response says; the applicant should be made aware of the requirement for them to apply for a great crested newt mitigation licence from Natural England where development activities may cause an offence. The proposed development appears to affect suitable great crested newt terrestrial habitat. Suitable terrestrial and breeding habitat for great crested newt also exists locally and records indicate local presence. There is therefore a reasonable likelihood of great crested newt being present and adversely affected by the proposed development. The applicant has not submitted any supporting information as to the potential presence or likely absence of great crested newt at the development site. In line with the Conservation of Habitats and Species Regulations 2017 (as amended), planning policy and guidance, the LPA has a duty to consider impacts to newts when assessing applications and due to the lack of surveys the LPA does not have sufficient information on which to base a decision under Regulation 55(9)(b). SWT advise prior to determination the LPA should require the applicant to submit great crested newt presence/likely absence surveys in line with best practice guidance and the Baseline Table of the Ecology Report.
83. The recommendation reflects the need for a great crested newt survey to be provided to the Local Planning Authority prior to any grant of planning permission but enables this



## 16 APRIL 2024 PLANNING COMMITTEE

matter to be delegated to the Head of Planning (or authorised deputy) provided that (i) the submission of a great crested newt presence/likely absence survey (carried out from April to end of June) can be secured through planning condition or Undertaking of the Chief Executive of Woking Borough Council. This approach would ensure that the matter of protected species is correctly addressed, in line with circular 06/2005, prior to any grant of planning permission. If the great crested newt survey cannot be addressed as set out previously the application would be referred back to Planning Committee.

### Invertebrates

84. This survey covers saproxylic species (e.g. stag beetle), common pollinators and urban generalist species. The summary of results found common generalist species, including pollinators, recorded during the PEA, including small white, holly blue, seven spot ladybird and grasshoppers. Habitat for saproxylic species such as stag beetle present in the form of dead and decaying wood. Stag beetle is known to make use of urban and suburban habitats within Surrey.
85. SWT comment as follows; the report has identified habitat suitable to support stag beetle present within the site. Should the LPA be minded to grant planning permission of the proposed development, we recommend the applicant prepare a stag beetle mitigation and habitat enhancement strategy that will need to be submitted to and approved by the LPA prior to commencement. This could be included as part of a Construction Environmental Management Plan (CEMP) and Landscape and Ecological Management Plan (LEMP). The applicant has agreed to the pre-commencement condition.

### Sensitive lighting

86. SWT consultation comments confirm the applicant should ensure that the proposed development will result in no net increase in external artificial lighting. To comply with the above referenced legislation, any external lighting installed should follow the recommendations in BCT & ILP (2023) Guidance Note 08/23. *Bats and artificial lighting at night*. Bat Conservation Trust, London & Institution of Lighting Professionals, Rugby.
87. The proposal is for the erection of 9no dwellings adjacent to Woking Football Club, football grounds with four external lights, lighting to stands and fanzone. The proposal would not be considered to exacerbate existing external artificial lighting.

### Other matters

88. A Landscape and Ecological Management Plan (LEMP) details the management measures required to deliver the biodiversity net gain identified in a biodiversity net gain assessment. SWT consultation comments confirm should the application be recommended for approval, the LPA requires the development to be implemented in accordance with an appropriately detailed Landscape and Ecological Management Plan (LEMP).
89. SWT comment on the following; given the presence of ecological receptors on and in proximity to the site, there is a risk of causing ecological harm resulting from construction activities. Should the LPA be minded to grant permission for the proposal the applicant should be required to implement the development only in accordance with an appropriately detailed CEMP (Construction Environmental Management Plan). This document would need to be submitted prior to commencement of development. A condition is proposed at the end of this report requesting the submission of a CEMP, a pre-commencement condition which has been agreed by the applicant.

Flooding and water management

90. Policy CS9 of the Woking Core Strategy (2012) states that *“The Council 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)”*.
91. The site falls within the lowest probability of fluvial (i.e., river and sea) flooding, as identified in the Gov.uk Flood map for planning, and therefore no fluvial flooding issues arise. The application site is adjacent to an area of very high surface water flood risk (1 in 30) (Westfield Avenue itself) as per the Council’s Strategic Flood Risk Assessment (SFRA) (November 2015) and medium/high on site.
92. A Flood Risk Assessment and Surface Water Drainage Strategy for Planning has been submitted (by Unda Consulting Limited) dated November 2023. Paragraph 4.10 says the Environment Agency (EA) Risk of Flooding from Surface Water Map suggests that the site itself lies within an area of “Very Low” to “Medium” risk of flooding from surface water. Paragraph 4.9 says the EA do not consider this information suitable to be used to identify the risk to individual properties or sites.
93. Surrey County Council (SCC) Drainage Team were consulted and raise no objection subject to appropriate mitigation measures; the inclusion of additional SuDS elements and condition to insure the drainage system is implemented with the Flood Risk Assessment and Surface Water Drainage Strategy. SuDS elements include waterbutts implemented for each property would be beneficial for the site and for surface water flooding mitigation purposes. Additionally, we would recommend that all parking bays be made permeable.
94. Subject to the above recommended condition and inclusion of design features as outlined above the impact upon flooding and water management is acceptable and complies with Policy CS9 of the Woking Core Strategy (2012), the SFRA (November 2015) and the NPPF.

Thames Basin Heaths Special Protection Area (TBH SPA)

95. The Thames Basin Heaths Special Protection Area (TBH SPA) has been identified as an internationally important site of nature conservation and has been given the highest degree of protection. Policy CS8 of the Woking Core Strategy (2012) states that any proposal with potential significant impacts (alone or in combination with other relevant developments) on the TBH SPA will be subject to Habitats Regulations Assessment to determine the need for Appropriate Assessment. Following recent European Court of Justice rulings, a full and precise analysis of the measures capable of avoiding or reducing any significant effects on European sites must be carried out at an ‘Appropriate Assessment’ stage rather than taken into consideration at screening stage, for the purposes the Habitats Directive (as interpreted into English law by the Conservation of Habitats and Species Regulations 2017 (the “Habitat Regulations 2017”)). An Appropriate Assessment has therefore been undertaken for the site as it falls within 5 kilometres of the TBH SPA boundary.
96. Policy CS8 of Woking Core Strategy (2012) requires new residential development beyond a 400m threshold, but within 5 kilometres of the TBH SPA boundary to make an appropriate contribution towards the provision of Suitable Alternative Natural Greenspace (SANG) and Strategic Access Management and Monitoring (SAMM), to avoid impacts of

## 16 APRIL 2024 PLANNING COMMITTEE

such development on the SPA. The SANG and Landowner Payment elements of the SPA tariff are encompassed within the Community Infrastructure Levy (CIL), however the SAMM element of the SPA tariff is required to be addressed outside of CIL. The applicant has agreed to make a SAMM contribution of £11,754 in line with the Thames Basin Heaths SPA Avoidance Strategy tariff (April 2023 update). This would need to be secured through an Undertaking of the Chief Executive of Woking Borough Council. For the avoidance of doubt, sufficient SANG at Horsell Common has been identified to mitigate the impacts of the development proposal.

Size of dwelling (bedrooms)	SAMM contribution per dwelling (i)	Number of dwellings in proposal (ii)	Overall SAMM contribution (ie. i x ii)
3 bedroom	£1,180	3	£3,540
4 bedroom	£1,369	6	£8,214
<b>Total SAMM contribution</b>			<b>£11,754</b>

97. Subject to securing the provision of the SAMM tariff (as secured through an undertaking of the Chief Executive of Woking Borough Council) and an appropriate CIL contribution, and in line with the conclusions of the Appropriate Assessment (as supported by Natural England), the Local Planning Authority is able to determine that the development will not affect the integrity of the TBH SPA either alone or in combination with other plans and projects in relation to urbanisation and recreational pressure effects. The development therefore accords with Policy CS8 of Woking Core Strategy (2012), the measures set out in the Thames Basin Heaths SPA Avoidance Strategy, and the requirements of the Habitat Regulations 2017.

### Affordable housing

98. Woking Core Strategy Policy CS12 says all new residential development on previously developed (brownfield) land will be expected to contribute towards the provision of affordable housing in accordance with the following criteria. On sites providing between five and nine new dwellings, the Council will require 20% of dwellings to be affordable or a financial contribution equivalent to the cost to the developer of providing 20% of the number of dwellings to be affordable on site, which will be negotiated on a case-by-case basis.
99. The NPPF (2023) paragraph 65 says provision of affordable housing should not be sought for residential developments that are no major developments, other than in designated rural areas (where policies may set out at a lower threshold of 5 units or fewer). The NPPF defines 'major development' for housing: development where 10 or more homes will be provided, or the site has an area of 0.5 hectares or more.
100. Whilst it is considered that weight should still be afforded to Policy CS12 it is considered that more significant weight should be afforded to Paragraph 65 of the NPPF. The proposal would create nine new dwellings with a site area of approximately 0.25m. The NPPF most recent revision dated December 2023 exceeds those requirements set out in Woking Core Strategy 2012 and therefore no affordable housing is required subject to this application.

### Energy and water consumption

101. Policy CS22 of the Woking Core Strategy (2012) seeks to require new residential development to achieve Code for Sustainable Homes Level 5 from 2016 onwards. However, a Written Ministerial Statement to Parliament, dated 25 March 2015, sets out the Government's expectation that any Development Plan policies should not be used to set

## 16 APRIL 2024 PLANNING COMMITTEE

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.

102. Part L of the Building Regulations was updated in June 2022 and now requires an energy performance improvement for new dwellings 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. As such, it is not necessary to recommend a condition relating to energy performance as more stringent standards are required by separate regulatory provisions (i.e., the Building Regulations).
103. However, the LPA requires 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.

### Local finance considerations

104. The proposed development would be Community Infrastructure Levy (CIL) liable and would have a CIL chargeable area of 1090.43 sq.m (the net additional floorspace following demolition of the existing building(s)). The relevant CIL rate would be £125.00 per sq.m. The relevant CIL charge would therefore be **£175,419.64**.

### Conclusion

105. In conclusion, the principle of development is acceptable, and, in this site specific context, 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 development within the area. Furthermore, the proposed development would have a public benefit in providing x9 net additional dwellings within a sustainable location within the Urban Area. Further, subject to recommended conditions and S106 Legal Agreement, the impacts on neighbouring amenity, the residential amenity of future occupiers, highways and parking, arboriculture, biodiversity and protected species, land contamination, archaeology, flooding and water management, the Thames Basin Heaths Special Protection Area (TBH SPA), affordable housing and energy and water consumption would be acceptable. The application is therefore recommended for approval in the manner set out within this report.

### **BACKGROUND PAPERS**

Letters of representation

Consultation response from UK Power Networks (UKPN)

Consultation response from County Highway Authority (Surrey CC)

Consultation response from Local Lead Flood Authority (Surrey CC)

Consultation response from County Archaeology Officer (Surrey CC)

Consultation response from Contaminated Land Officer

Consultation response from Arboricultural Officer

Consultation response from Environmental Health

Consultation response from Surrey Wildlife Trust (SWT)

Consultation from Joint Waste Solutions (JWS)

### **RECOMMENDATION**

## 16 APRIL 2024 PLANNING COMMITTEE

That authority be delegated to the Head of Planning (or their authorised deputy) to **Grant** planning permission be subject to:

- (i) Submission of Great Crested Newt presence/likely absence survey being secured via planning condition or Undertaking of the Chief Executive of Woking Borough Council;
- (ii) Planning conditions set out in the report; and
- (iii) Undertaking of the Chief Executive of Woking Borough Council to secure:
  - SAMM (TBH SPA) contribution of £11,754;
  - Great Crested Newt presence/likely absence survey

### Conditions

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

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

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

DWG No: 2100\_001 Rev A Site Location Plan received 4 December 2023

DWG No: 2100\_002 Rev A Existing Block Plan received 4 December 2023

DWG No: 2100\_003 Rev B Proposed Block Plan received 4 December 2023

DWG No: 2100\_005 Rev D Proposed Site Plan received 20 March 2024

DWG No: 2100\_007 Rev A Existing and Proposed Street Elevation received 29 November 2023

DWG No: 2100\_010 Units 1, 2, 3 Proposed Ground and First Floor Plans received 29 November 2023

DWG No: 2100\_011 Units 1, 2, 3 Proposed Second Floor and Roof Plan received 29 November 2023

DWG No: 2100\_012 Units 1, 2, 3 Proposed West and South Elevations received 29 November 2023

DWG No: 2100\_013 Units 1, 2, 3 Proposed East and North Elevations received 29 November 2023

DWG No: 2100\_014 Units 4, 5 Proposed Ground and First Floor Plans received 29 November 2023

DWG No: 2100\_015 Units 4, 5 Proposed Second Floor and Roof Plan received 29 November 2023

DWG No: 2100\_016 Units 4, 5 Proposed West and South Elevations received 29 November 2023

DWG No: 2100\_017 Units 4, 5 Proposed East and North Elevations received 29 November 2023

DWG No: 2100\_018 Units 6, 7 Proposed Ground and First Floor Plan received 29 November 2023

DWG No: 2100\_019 Units 6, 7 Proposed Second Floor and Roof Plan received 29 November 2023

DWG No: 2100\_020 Units 6, 7 Proposed West and South Elevations received 29 November 2023

## 16 APRIL 2024 PLANNING COMMITTEE

DWG No: 2100\_021 Units 6, 7 Proposed East and North Elevations received 29 November 2023

DWG No: 2100\_022 Units 8, 9 Proposed Ground and First Floor Plans received 29 November 2023

DWG No: 2100\_023 Units 8, 9 Proposed Second Floor and Roof Plan received 29 November 2023

DWG No: 2100\_024 Rev A Units 8, 9 Proposed West and South Elevations received 29 November 2023

DWG No: 2100\_025 Rev A Units 8, 9 Proposed East and North Elevations received 29 November 2023

DWG No: 2100\_030 Rev B Car Port 1 Proposed Plan and Elevations received 20 March 2024

DWG No: 2100\_031 Rev B Car Port 2 Proposed Plan and Elevations received 20 March 2024

DWG No: 2100\_036 Rev B Proposed Outline Landscape Strategy Plan received 29 November 2023

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

03. ++ Notwithstanding the details submitted with the application (including any shown on the approved plans listed within this notice) prior to the application of external materials/finishes to a building/structure hereby permitted, full details of all external facing materials of that building/structure and details of bin storage provision must first be submitted to and approved in writing by the Local Planning Authority. The submitted details must include details of all brickwork (including mortar colour), cladding materials, roof covering materials, downpipes/gutters/soffits/fascias (including colour and material) and RAL colour and material for window, door and balcony frames.

The submitted details must generally accord with the type and quality of materials indicated within the application. The building(s)/structure(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).

04. The window(s) in the first floor north elevation of Unit 9 to serve an en-suite and bathroom hereby permitted shall be glazed entirely with obscure glass and non-opening unless the parts of the window/s which can be opened are more than 1.7 metres above the floor of the room in which the window is installed. Once installed the window shall be permanently retained in that condition unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard the amenities of the adjoining properties.

05. The drainage system shall be installed in accordance with the Flood Risk Assessment and Surface Water Drainage Strategy for Planning (by UNDA) dated November 2023 and received by the Local Planning Authority on the 12 December 2023. The inclusion of water butts should be implemented for each property and parking bays made permeable. The development shall be carried out strictly in accordance with the details so approved and maintained as such.

## 16 APRIL 2024 PLANNING COMMITTEE

Reason: To ensure the development does not increase flood risk on or off site and is maintained for the lifetime of the development in accordance with Policy CS9 of the Woking Core Strategy (2012) and the provisions of the National Planning Policy Framework (NPPF) (2023).

06. ++ Prior to the commencement of the development a contaminated land site investigation and risk assessment, 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 Standards BS 10175, shall be submitted to and approved in writing by the Local Planning Authority (including any additional requirements that it may specify). If applicable, ground gas risk assessments should 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 approved without resulting in risk to construction workers, future users of the land, occupiers or nearby land and the environment. 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. In accordance with Policy DM7 of the Development Management Policies DPD (2016) and the provisions of the National Planning Policy Framework (NPPF) (2023).

07. ++ Prior to the commencement of the development a detailed remediation method statement shall be submitted to and approved in writing by the Local Planning Authority (including any additional requirements that it may specify). The remediation method statement shall 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 shall detail the information to be included in a validation report. The remediation method statement shall also provide information on an suitable discovery strategy to be utilised on site should contamination manifest itself during site works that was not anticipated. The Local Planning Authority shall be given a minimum of two weeks written prior notice of the commencement of the remediation works on site. The development shall 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 approved without resulting in risk to construction workers, future users of the land, occupiers of nearby land and the environment. 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. In accordance with Policy DM7 of the Development Management Policies DPD (2016) and the provisions of the National Planning Policy Framework (NPPF) (2023).

08. ++ Prior to the first occupation of the development hereby permitted, a remediation validation report for the site shall be submitted to and approved in writing by the Local Planning Authority. The report shall 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 a development the testing and verification of such systems shall have regard to current best practice and guidance for the design of protective measures for methane and carbon dioxide ground gases for new buildings.

## 16 APRIL 2024 PLANNING COMMITTEE

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. In accordance with Policy DM7 of the Development Management Policies DPD (2016) and the provisions of the National Planning Policy Framework (NPPF) (2023)

09. Contamination not previously identified by the site investigation, but subsequently found to be present at the site shall be reported to the Local Planning Authority as soon as is practicable. If deemed necessary development shall 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 it may specify). The development shall then be undertaken in accordance with the approved details. Should no further contamination be identified then a brief comment to this effect shall be required to be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the development hereby approved.

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. In accordance with Policy DM7 of the Development Management Policies DPD (2016) and the provisions of the National Planning Policy Framework (NPPF) (2023)

10. No part of the development shall be first occupied unless and until the proposed vehicular/ pedestrian/ cycle accesses (the 4 Townhouses Vehicle Cross-Overs) to Westfield Avenue have been constructed and provided with visibility zones in accordance with the approved plans DWG No: 2100\_005 Rev D by the Local Planning Authority and thereafter the visibility zones shall be kept permanently clear of any obstruction over 1.05m high.

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with Surrey County Council Local Transport Plan 2022-2032 (LTP4), Surrey Climate Change Strategy (2020), Policy CS18 of the Woking Core Strategy (2012), SPD Parking Standards (2018) and the provisions of the NPPF.

11. No part of the development shall be occupied unless and until the proposed modified vehicular access (North of the site) to Westfield Avenue has been constructed and provided with visibility zones in accordance with the approved plans, DWG No: 2100-005 Rev D Proposed Site Plan by the Local Planning Authority and thereafter the visibility zones shall be kept permanently clear of any obstruction over 1.05m high.

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with Surrey County Council Local Transport Plan 2022-2032 (LTP4), Surrey Climate Change Strategy (2020), Policy CS18 of the Woking Core Strategy (2012), SPD Parking Standards (2018) and the provisions of the NPPF.

12. The development hereby approved shall not be first occupied unless and until pedestrian inter-visibility splays measuring 2m by 2m have been provided on each side of the accesses to Westfield Avenue, the depth measured from the back of the footway (or verge) and the widths outwards from the edges of the access. No obstruction to visibility



## 16 APRIL 2024 PLANNING COMMITTEE

between 0.6m and 2m in height above ground level shall be erected within the area of such splays.

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with Surrey County Council Local Transport Plan 2022-2032 (LTP4), Surrey Climate Change Strategy (2020), Policy CS18 of the Woking Core Strategy (2012), SPD Parking Standards (2018) and the provisions of the NPPF.

13. 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 plan DWG No: 2100\_005 Rev D Proposed Site Plan by the Local Planning Authority for vehicles to be parked and for the vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the parking turning areas shall be retained and maintained for their designated purposes.

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with Surrey County Council Local Transport Plan 2022-2032 (LTP4), Surrey Climate Change Strategy (2020), Policy CS18 of the Woking Core Strategy (2012), SPD Parking Standards (2018) and the provisions of the NPPF.

14. The development hereby approved shall not be first occupied unless and until the proposed dwellings have been provided in accordance with the approved plans by the Local Planning Authority for the secure parking of bicycles within the development site, thereafter the said approved facilities shall be provided, retained and maintained to the satisfaction of the Local Planning Authority.

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with Surrey County Council Local Transport Plan 2022-2032 (LTP4), Surrey Climate Change Strategy (2020), Policy CS18 of the Woking Core Strategy (2012), SPD Parking Standards (2018) and Section 9 'Promoting Sustainable Transport' of the NPPF.

15. Protective measures must be carried out in strict accordance with the arboricultural information, Arboricultural Report and Arboricultural Impact Assessment, DWG No: TPP-01 Rev A Tree Constraints Plan Tree Protection Plan (by Arbor cultural Ltd) received on 29 November 2023 including the convening of a pre-commencement meeting and arboricultural supervision as indicated. No works or demolition shall take place until the tree protection measures have been implemented. Any deviation from the works prescribed or methods agreed in the report will require prior written approval from the Local Planning Authority.

Reason: To ensure the retention and protection of trees in the interests of the visual amenities of the area 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).

16. ++ Notwithstanding any details shown on the approved plans listed within Condition 02 of this notice the development hereby permitted must not be first occupied 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:

## 16 APRIL 2024 PLANNING COMMITTEE

- a) full details of replacement and additional tree planting, including confirmation of location, species and sizes at planting;
- b) full details of soft planting, including of grassed/turfed areas, shrubs and herbaceous areas detailing species, sizes and numbers/densities;
- c) specifications for operations associated with plant establishment and maintenance that are compliant with best practice;
- d) full details of enclosures including type, dimensions and treatments of any walls, fences, barriers, railings and hedges; and
- e) hard landscaping, including specifications of all ground surface materials, kerbs, edges, steps and any synthetic surfaces.

All plantings 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).

17. ++ Prior to the commencement of superstructure works on the development hereby permitted written evidence must be submitted to, and approved in writing by, the Local Planning Authority demonstrating that 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 and operated for the lifetime of the development 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), SPD Climate Change (2014) 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.

18. ++ The development hereby permitted must not be first occupied until written documentary evidence has been submitted to and approved in writing by the Local Planning Authority demonstrating that dwellings within the development have achieved a maximum water use of 110 litres per person per day as defined in paragraph 35(2b) of the Building Regulations 2010 (as amended). Such evidence must be in the form of the notice given under Regulation 37 of the Building Regulations.

## 16 APRIL 2024 PLANNING COMMITTEE

Such approved details must be permanently maintained and operated for the lifetime of the dwellings 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), SPD Climate Change (2014) and the provisions of the National Planning Policy Framework (NPPF).

19. Prior to the first occupation of the development hereby permitted the 2.2m high timber closeboard fence (on the approved plan numbered/titled DWG No: 2100\_036 Rev B Proposed Outline Landscape Strategy Plan) must be fully installed in the locations, and to the extents, shown. Notwithstanding any details otherwise show/annotated on the approved plans listed within condition 02 of this notice this fencing must have a minimum surface mass of 10 kg/m<sup>2</sup>, be imperforate and well-sealed at the base and at any joints between the boards. The fencing must be permanently maintained for the lifetime of the development hereby permitted to ensure no gaps. Where gaps develop in the fencing, the affected panels must be replaced within 7 days unless a longer timeframe is otherwise first agreed in writing by the Local Planning Authority.

Reason: To avoid noise and general disturbance from giving rise to significant adverse impacts on health and the quality of life of the amenities of future 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 2023 (NPPF).

20. ++ Prior to the progression of works beyond superstructure stage for the building hereby permitted a detailed glazing and ventilation specification, at least 32dB Rw + Ctr sound insulation is required at all properties protecting the proposed development from match day noise in accordance with the recommendations and conclusions of Environmental Noise Assessment Report & Acoustic Design Statement dated 21 March 2024 (by PC Environmental Consultants), must be submitted to and approved in writing by the Local Planning Authority. The approved scheme must be carried out concurrently with the development of the site and must then be implemented in full as agreed in writing by the Local Planning Authority before each dwelling is occupied and must be permanently retained thereafter for the lifetime of the development.

Reason: To protect future residential occupiers from environmental noise in accordance with Policy CS21 of the Woking Core Strategy (2012), Policy DM7 of the DM Policies DPD (2016) and the NPPF.

21. Prior to the commencement of the development a Bat Precautionary Woking Method Statement should be submitted to the Local Planning Authority.

Reason: To contribute towards and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible in accordance with Policies CS21 and CS7 of the Woking Core Strategy (2012) and the NPPF.

22. Prior to the commencement of the development a survey of the site by an appropriately qualified and experienced ecologist should be undertaken within the proposed development boundary and a 30m buffer, to search for any new badger setts and confirm that any setts present remain inactive. If any badger activity is detected a suitable course of action shall be submitted to and approved in writing by the LPA to prevent harm to this species.

## 16 APRIL 2024 PLANNING COMMITTEE

Reason: To contribute towards and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible in accordance with Policies CS21 and CS7 of the Woking Core Strategy (2012) and the NPPF.

23. Prior to the commencement of the development a detailed Landscape and Ecological Management Plan (LEMP) shall be submitted to and approved in writing by the LPA. The LEMP should be based on the proposed impact avoidance, mitigation and enhancement measures specified in the Ecology Report Rev 1.1 dated 29 February 2024 provided by Surrey Wildlife Trust and should include, but not be limited to the following:

- a) Description and evaluation of features to be managed
- b) Ecological trends and constraints on site that might influence management
- c) Aims and objectives of management
- d) Appropriate management options for achieving aims and objectives
- e) Prescriptions for management actions, together with a plan of management compartments
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a 30-year period)
- g) Details of the body or organisation responsible for implementation of the plan
- h) Ongoing monitoring
- i) Legal and funding mechanisms by which the long-term implementation of the plan will be secured by the applicant with the management body(ies) responsible for its delivery
- j) Monitoring strategy, including details of how contingencies and/or remedial action will be identified, agreed, and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.

The LEMP must include a stag beetle mitigation and habitat enhancement strategy. This will need to be prepared by a suitability qualified ecologist and be appropriate to the local ecological context.

Reason: To contribute towards and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible in accordance with Policies CS21 and CS7 of the Woking Core Strategy (2012) and the NPPF.

24. Prior to the commencement of the development a detailed Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the LPA. The CEMP should include, but not be limited to:

- a) Map showing the location of all ecological features
- b) Risk assessment of the potentially damaging construction activities
- c) Practical measures to avoid and reduce impacts during construction
- d) Location and timing of works to avoid harm to biodiversity features
- e) Responsible persons and lines of communication
- f) Use of protective fencing, exclusion barriers and warning signs

The CEMP should also include mitigation for any possible adverse impacts on the Hoe Stream Site of Nature Conservation Importance (SNCI).

Furthermore, fox earths are only closed after an updated walkover survey undertaken by a suitably qualified ecologist confirms that they are disused, and if the earths must be closed to facilitate development.

## 16 APRIL 2024 PLANNING COMMITTEE

Reason: To contribute towards and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible in accordance with Policies CS21 and CS7 of the Woking Core Strategy (2012) and the NPPF.

### **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 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 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 applicant is advised that the development hereby permitted is subject to a Community Infrastructure Levy (CIL) liability. The Local Planning Authority will issue a Liability Notice as soon as practical after the granting of this permission.

The applicant is advised that, if he/she is intending to seek relief or exemptions from the levy such as for social/affordable housing, charitable development or self-build developments it is necessary that the relevant claim form is completed and submitted to the Council to claim the relief or exemption. In all cases (except exemptions relating to residential exemptions), it is essential that a Commencement Notice be submitted at least one day prior to the starting of the development. The exemption will be lost if a commencement notice is not served on the Council prior to commencement of the development and there is no discretion for the Council to waive payment. For the avoidance of doubt, commencement of the demolition of any existing structure(s) covering any part of the footprint of the proposed structure(s) would be considered as commencement for the purpose of CIL regulations. A blank commencement notice can be downloaded from:

[http://www.planningportal.gov.uk/uploads/1app/forms/form\\_6\\_commencement\\_notice.pdf](http://www.planningportal.gov.uk/uploads/1app/forms/form_6_commencement_notice.pdf)

Claims for relief must be made on the appropriate forms which are available on the Council's website at: <https://www.woking.gov.uk/planning/service/contributions>

Other conditions and requirements also apply and failure to comply with these will lead to claims for relief or exemption being rendered void. The Local Planning Authority has no discretion in these instances.

For full information on this please see the guidance and legislation here:  
<https://www.gov.uk/guidance/community-infrastructure-levy>

## 16 APRIL 2024 PLANNING COMMITTEE

<http://www.legislation.gov.uk/all?title=The%20Community%20Infrastructure%20Levy%20Regulations%20>

Please note this informative provides general advice and is without prejudice to the Local Planning Authority's role as Consenting, Charging and Collecting Authority under the Community Infrastructure Levy Regulations 2010 (as amended).

05. The applicant is advised that adequate control precautions should be taken to control noise emissions from any fixed plant, including generators, on site during demolition / construction activities. This may require the use of quiet plant or ensuring that the plant is sited appropriately and / or adequately attenuated. Exhaust emissions from such plant should be vented to atmosphere such that fumes do not ingress into any property. Due to the proximity of residential accommodation, there should be no burning of waste material on site. During demolition or construction phases, adequate control precautions should be taken to control the spread of dust on the site, to prevent a nuisance to residents within the locality. This may involve the use of dust screens and/ or utilising water supply to wet areas of the site to inhibit dust.
06. The applicant is advised that under the Control of Pollution Act 1974, works which will be audible at the site boundary will be restricted to the following hours: 8.00 a.m. - 6.00 p.m. Monday to Friday; 8.00 a.m. - 1.00 p.m. Saturday; and not at all on Sundays and Bank Holidays.
07. The applicant is advised that any excavations left open overnight should include a ramped means of escape for any animals that may fall in and that any open pipework should be capped overnight to avoid species becoming trapped.
08. The applicant is advised to proceed in line with the Wild Mammals (Protection) Act 1996. The applicant is advised that fox earths
09. The applicant should ensure that the proposed development will result in no net increase in external artificial lighting. To comply with paragraph 191 of the NPPF (2023) any external lighting installed should follow the recommendations in BCT & ILP (2023) Guidance Note 08/23. Bats and artificial lighting at night. Bat Conservation Trust, London & Institution of Lighting Professionals, Rugby.
10. The applicant should take action to ensure that development activities such as building demolition/removal and vegetation clearance are timed to avoid the breeding bird season of early March to August inclusive.
11. We may have Electrical equipment within the boundaries including underground cables. All works should be undertaken with due regard to Health & Safety Guidance notes HS(G)47 Avoiding Danger from Underground services. This document is available from local HSE offices. Prior to commencement of work accurate records should be obtained from our Plan Provision Department at UK Power Networks, Fore Hamlet, Ipswich, IP3 8AA.

Should any diversion works be necessary as a result of the development then enquiries should be made to our Customer Connections department. The address is UK Power Networks, Metropolitan house, Darkes Lane, Potters Bar, Herts, EN6 1AG.

12. The permission hereby granted shall not be construed as authority to carry out any works (including Stats connections/diversions required by the development itself or the associated highways works) on the highway or any works that may affect a drainage

## 16 APRIL 2024 PLANNING COMMITTEE

channel/culvert of water course. The applicant is advised that a permit and, potentially, a Section 278 agreement must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. All works (including Stats connections/diversions required by the development itself or the associated highway works) on the highway will require a permit and an application will need to be submitted to the County Council's Street Works Team up to 3 months in advance of the intended start date, depending on the scale of the works proposed and the classification of the road. Please see <http://www.surreycc.gov.uk/roads-and-transport/permits-and-licenses/traffic-management-permi-scheme>. The applicant is also advised that Consent may be required under Section 23 of the Land Drainage Act 1991. Please see [www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/flooding-advice](http://www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/flooding-advice).

13. 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.
14. The developer is advised that as part of the detailed design of the highway works required by the above conditions, the County Highways Authority may require necessary accommodation works to street lights, road signs, road markings, highway drainage, surface covers, street trees, highway verges, highway surfaces, surface edge restraints and any other street furniture/equipment.
15. A pedestrian inter-visibility splay of 2m by 2m shall be provided on each side of the accesses, the depth measured from the back of the footway and the widths outwards from the edges of the access. No fence, wall or other obstruction to visibility between 0.6m and 2m in height above ground level shall be erected within the area of such splays.
16. The applicant is advised that bins can be purchased directly from Amey by calling: 03332 340978.





**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)**

