

# 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, 12 December 2017 at 7.00 pm in the Council Chamber - Civic Offices.

The agenda for the meeting is set out below.

RAY MORGAN  
Chief Executive

NOTE: Filming Council Meetings

Please note the meeting will be filmed and will be broadcast live and subsequently as an archive on the Council's website ([www.woking.gov.uk](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. Minutes

To approve the minutes of the meeting of the Planning Committee held on 14 November 2017 as published.

#### 1a. 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 Members' Code of Conduct, any Member who is a Council-appointed Director of a Thamesway Group company will declare a non-pecuniary interest in any item involving that Thamesway Group company. The interest will not prevent the Member from participating in the consideration of that item.
- (iii) In accordance with the Officer Procedure Rules, any Officer who is a Council-appointed Director of a Thamesway Group company will declare an interest in any item involving that Thamesway Group company. The interest will not prevent the Officer from advising the Committee on that item.

3. Urgent Business

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

**Matters for Determination**

4. Planning and Enforcement Appeals (Pages 3 - 4)

5. Planning Applications

**Section A - Applications for Public Speaking**

5a. 2017/0566 Land at Martindale Road, Woking (Pages 11 - 26)

5b. 2017/1075 Apple Trees Place, Cinder Path, Woking (Pages 27 - 46)

5c. 2017/0802 46 Chertsey Road, Woking (Pages 47 - 70)

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

5d. 2017/1071 St Paul's Church, 70 Oriental Road, Woking (Pages 73 - 82)

5e. 2016/0530 Dormer Cottage, Bonsey Lane, Woking (Pages 83 - 92)

5f. 2016/1194 WL Sirman, 145 Goldsworth Road, Woking (Pages 93 - 112)

5g. 2017/1150 Greenleaves, Ridgway, Woking (Pages 113 - 130)

5h. 2017/1159 St Andrews School, Church Hill House, Wilson Way, Horsell (Pages 131 - 148)

5i. 2017/1084 Peterport, Lavender Road, Woking 2017/1084 (Pages 149 - 166)

5j. 2017/0735 Land at Copthorne Meadows Farm, Chobham Road, Knaphill (Pages 167 - 194)

5k. 2017/0827 5 Delta Road, Woking (Pages 195 - 212)

5l. 2017/0146 29-31 Walton Road, Woking (Pages 213 - 244)

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

5m. 2017/0962 Key Lodge, Hook Heath Road (Pages 247 - 260)

5n. Enforcement - Moles End Stables Yard, Horsell Common (Pages 261 - 266)

AGENDA ENDS

Date Published - 4 December 2017

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



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## PLANNING COMMITTEE - 12 DECEMBER 2017

### PLANNING AND ENFORCEMENT APPEALS

The Committee is requested to:

**RESOLVE:**

That the report be noted.

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

**Background Papers:**

Planning Inspectorate Reports

**Reporting Person:**

Peter Bryant, Head of Legal and Democratic Services

**Date Published:**

4 December 2017

### TREE APPEAL LODGED

TREE/2017/8211

Appeal against refusal to consent for works to trees covered by a TPO (T1 Oak – Fell) at 97 Balmoral Drive, Woking, Surrey, GU22 8EU

Refused by Delegated powers  
22 August 2017.  
Appeal Lodged  
16 November 2017.

### APPEAL DECISIONS

2017/0373

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

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

2017/0296

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

Refused by Delegated Powers  
12 May 2017.  
Appeal Lodged  
13 September 2017.  
Appeal - Split Decision  
10 November 2017.



**PLANNING COMMITTEE AGENDA**  
**PLANNING APPLICATIONS AS AT 12<sup>TH</sup> DECEMBER 2017**

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

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

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

Key to Ward Codes:

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

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



# Major Applications Index to Planning Committee

12 December 2017

<u>ITEM</u>	<u>LOCATION</u>	<u>APP. NO.</u>	<u>REC</u>	<u>WARD</u>
0005A	Land At Martindale Road, Woking, Surrey, GU21 3PJ	PLAN/2017/0566	LEGAL	GP
0005B	Apple Trees Place, Cinder Path, Woking, Surrey, GU22 0HD,	PLAN/2017/1075	LEGAL	HE
0005C	46 Chertsey Road, Woking, Surrey, ,	PLAN/2017/0802	LEGAL	C
0005D	St Pauls Church, 70 Oriental Road, Woking, Surrey, GU22 7BD	PLAN/2017/1071	PER	MH
0005E	Dormer Cottage, Bonsey Lane, Westfield, Woking, Surrey, GU22 9PP,	PLAN/2016/0530	REF	HV
0005F	W L Sirman, 145 Goldsworth Road, Woking, Surrey, GU21 6LS,	PLAN/2016/1194	LEGAL	SJS
0005G	Greenleaves, Ridgway, Woking, Surrey, GU22 8PN,	PLAN/2017/1150	PER	PY
0005H	St Andrews School, Church Hill House, Wilson Way, Horsell, Woking, Surrey, GU21 4QW,	PLAN/2017/1159	PER	HO
0005I	Peterport, Lavender Road, Woking, Surrey, GU21 8AY,	PLAN/2017/1084	LEGAL	MH
0005J	Land At Copthorne Meadows Farm, Chobham Road, Knaphill, Woking, Surrey, GU21 2TU,	PLAN/2017/0735	PER	KNA
0005K	5 Delta Road, Woking, Surrey, GU21 5HL	PLAN/2017/0827	LEGAL	C
0005L	29-31 Walton Road, Woking, Surrey, GU21 5DL	PLAN/2017/0146	LEGAL	C
0005M	Key Lodge, Hook Heath Road, Woking, Surrey, GU22 0LE	PLAN/2017/0962	PER	HE
0005N	Moles End Stables Yard, Horsell Common	ENFORCEMENT	ENF	HO

**SECTION A - A-C**

**SECTION B - D-L**

**SECTION C - M-N**

**PER - Grant Planning Permission**

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

**REF - Refuse**

**ENF - Enforcement**

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**SECTION A**

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

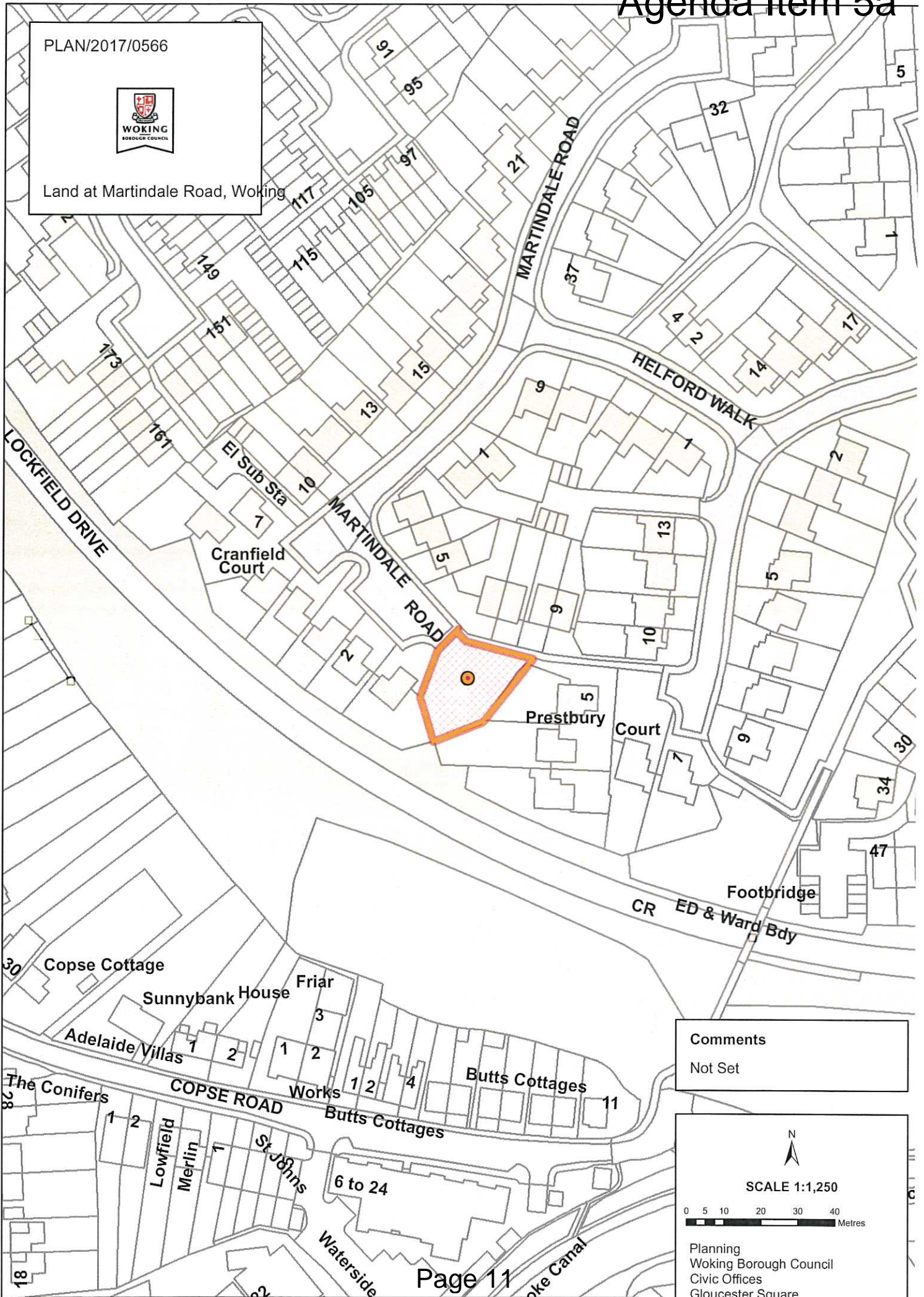
**(Note: Ordnance Survey Extracts appended to the reports are for locational purposes only and may not include all current developments either major or minor within the site or the area generally)**



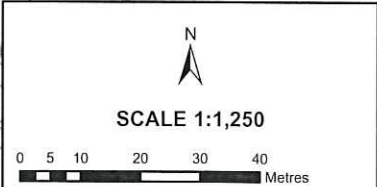
PLAN/2017/0566



Land at Martindale Road, Woking



Comments  
Not Set



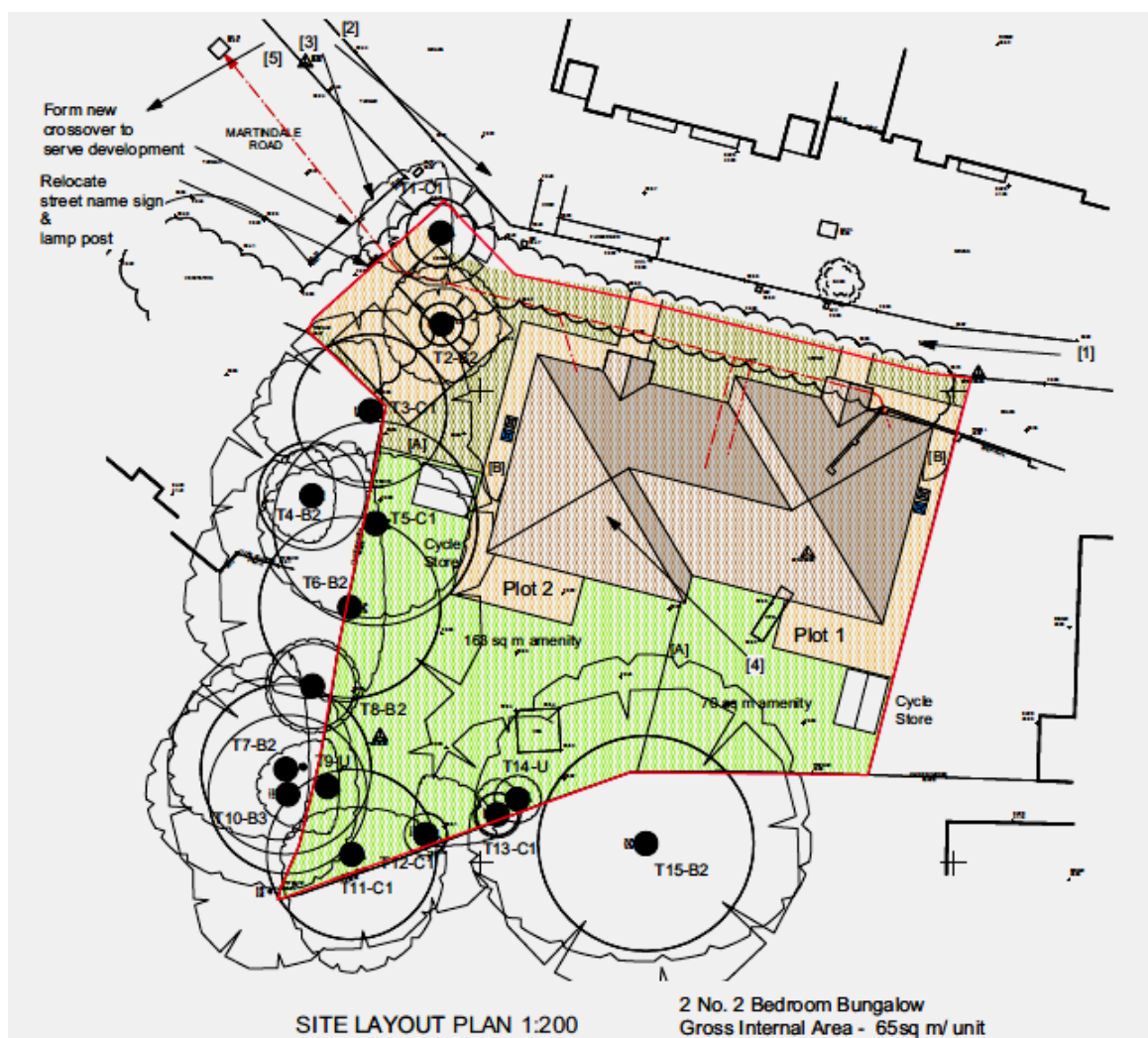
Planning  
Woking Borough Council  
Civic Offices  
Gloucester Square  
Woking, Surrey GU21 6YL



# Land At Martindale Road, Woking

PLAN/2017/0566

Erection of 2 x two bedroom semi detached bungalows with associated parking





## 12 December 2017 PLANNING COMMITTEE

5a 17/0566 Reg'd: 19.06.2017 Expires: 14.08.17 Ward: GP  
Nei. 20.07.17 BVPI Minor Number 17/8 On No  
Con. Target dwellings - 13 of Weeks Target?  
Exp: on Cttee'  
Day:

**LOCATION:** Land At, Martindale Road, Woking, Surrey, GU21 3PJ

**PROPOSAL:** Erection of 2 x two bedroom semi detached bungalows with associated parking

**TYPE:** Full Planning Application

**APPLICANT:** Lomcon Investments Limited

**OFFICER:** Brooke Bournague

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

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

### **PROPOSED DEVELOPMENT**

The proposal is for the erection of two semi detached bungalows (2xbed) on an area of land off Martindale Road. The proposed dwellings would have vehicular access from Martindale Road and pedestrian access from a path linking Martindale Road to Muirfield Road.

Site Area: 0.052 ha (522 sq.m)  
Existing units: 0  
Proposed units: 2  
Existing density: 0 dph (dwellings per hectare)  
Proposed density: 38 dph

### **PLANNING STATUS**

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

### **RECOMMENDATION**

Grant planning permission subject to conditions and Section 106 Agreement.

### **SITE DESCRIPTION**

The application site forms part of the Goldsworth Park development. The application site is currently largely laid to grass and enclosed with a close boarded fence to the east, south and west boundaries and hedge to the north boundary. There are a number of large trees to the south and west boundaries of the site. A footpath runs along the north of the site providing access from Martindale Road to Muirfield Road. Bungalows are sited to north, east and south of the site.

### **PLANNING HISTORY**

The site forms part of the Goldsworth Park development for which there are a number of related planning permission. This site falls within phase 16B as indicated on the planning history. The main planning permissions relating to this application site are as follows:

28268 - Comprehensive development; erection of dwellings, schools, shops, warehouses, provision of a lake, recreation spaces & community uses. Permitted

80/1027 - The erection of 12 dwellings. Permitted

81/0661 - Carrying out of landscaping works. Permitted

### **CONSULTATIONS**

County Highway Authority: No objection subject to condition 12 and 13

Arboricultural Officer: No objection subject to conditions 6 and 7

### **REPRESENTATIONS**

14 letters (2 letters have been received from the same address) raising the following points:

- Loss of privacy
- The previous owner, applied for 2 garages to be erected, to rent out, the Council turned it down (Officer note: There does not appear to be any record of this planning application)
- The sewerage should exit onto Muirfield Road (Officer note: not a planning matter)
- How would the houses be numbered there is already confusion (Officer note: not a planning matter)
- Increase in noise
- Loss of drainage – potential for flooding
- Increase in on street parking pressure
- Increase in traffic – danger for pedestrians and motorists
- No longer be plenty of space for ambulances
- Safety concerns during construction
- Removal of trees on the site has increased noise levels from traffic
- Increase density
- Increase parking congestion
- The plot is an area of open space
- Overlooking
- Disruption during construction phase
- Access to the path should be retained throughout and after construction
- The height and type of vegetation fronting the footpath should be considered
- Insufficient parking
- Loss of 2 parking spaces to create access to proposed dwellings

### **RELEVANT PLANNING POLICIES**

National Planning Policy Framework (NPPF) (2012):

Section 4 - Promoting sustainable transport

Section 6 - Delivering a wide choice of high quality homes

Section 7 - Requiring good design



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### Woking Core Strategy (2012):

- CS1 - A Spatial strategy for Woking Borough
- CS7 - Biodiversity and nature conservation
- CS8 - Thames Basin Heaths Special Protection Areas
- CS10 - Housing provision and distribution
- CS11 - Housing Mix
- CS12 - Affordable housing
- CS18 - Transport and accessibility
- CS21 - Design
- CS22 - Sustainable construction
- CS24 - Woking's landscape and townscape
- CS25 - Presumption in favour of sustainable development

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

- DM2 - Trees and Landscaping

### Supplementary Planning Documents (SPDs):

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

## **PLANNING ISSUES**

### Principle of Development:

1. The NPPF (2012) and Core Strategy (2012) policy CS25 promote a presumption in favour of sustainable development. The site lies within the designated Urban Area and within the 400m-5km (Zone B) Thames Basin Heaths Special Protection Area (SPA) buffer zone. Core Strategy (2012) policy CS10 seeks to ensure that sufficient homes are built in sustainable locations where existing infrastructure is in place.
2. From looking at the planning history of the application site the site appears to have been left undeveloped during the Goldsworth Park development as the area of land was heavily treed and an area Tree Preservation Order was placed on the site. A landscaping plan approved under application 81/0661 shows the application site as an area of landscaping with a screen of trees sited along the north, south and west boundaries. The site has been in private ownership with No.5 Prestbury Close, but has not been included within the residential curtilage of No.5 Prestbury Close. As the area of land has been heavily screened by mature natural screening and in private ownership the site has never been freely open and accessible to residents of Goldsworth Park and is not considered a classic area of open amenity space characterised by Goldsworth Park.
3. The Tree Preservation Order covering the application site was revoked in 2008 during a review of Area Tree Preservation Orders within Goldsworth Park. The site is currently clear, with the exception of mature trees to the south and west boundaries that have been retained and a hedge sited along the north boundary. Two close boarded fence panels have been temporarily placed along the north west boundary to keep the site enclosed as the site is within private ownership.
4. The site lies within the designed Urban Area. It is considered developing the land with 2x two bedroom bungalows would result in efficient use of the land and add to the housing mix. The principle of infill residential development is considered acceptable

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subject to further material planning considerations, specific development plan policies and national planning policy and guidance as discussed below.

### Impact on Character:

5. The surrounding area is characterised by detached and link detached two storey dwellings and bungalows. Proposed Plot 1 would be rectangular in shape with a width of approximately 9.4m. Proposed Plot 2 would be irregular in shape varying in width from 0.4m to 13.8m. Plots widths along Martindale Road to the north of the site, Prestbury Court to the east of the site and Cranfield Court to the west of the site vary from approximately 3m to 23.7m. No.1 Cranfield Court to the west of the site is irregular in shape varying in width from approximately 12.1m to 23.7m, No.6 Martindale Road to the north of the site is irregular in shape varying in width from approximately 6m to 20m, No.s 7 and 8 Martindale Road to the north of the site are approximately 7.1m, No.9 Martindale to the North east of the site is irregular in shape varying in width from approximately 3m to 7m, No.5 Prestbury Court to the east of the site is irregular in shape varying in width from approximately 13.3m to 15m and No.4 Prestbury Court to the south east is approximately 11.8m in width. It is considered the proposed plot widths and sizes which are generally consistent with the grain and pattern of development in the surrounding area. The principle of the proposed plot subdivision is therefore considered acceptable.
6. The immediate surrounding area is characterised by single storey dwellings. There are two storey dwellings further north of the site along Martindale Road and to the east along Muirfield Road. The proposed dwellings would be single storey with a hipped roof, no accommodation is proposed within the roofspace. The proposed bungalows would have a traditional design and be finished in brick under a tile roof. Details of external materials can be secured by condition (Condition 3). The proposed dwellings would have a maximum ridge height of approximately 5.1m. The single storey dwellings surrounding the application site have gable roofs with ridge heights varying from approximately 4m to 4.8m. In terms of building heights, the proposed difference in ridge heights in the street scene is not considered to result in an unacceptably detrimental impact on the character of the area. The roof form of the proposed dwelling has been designed to reduce the overall bulk and scale of the dwelling in the streetscene and reduce the impact on neighbouring properties.
7. The proposed dwellings would be sited approximately 1m from the boundary with No.5 Prestbury Court, approximately 6.4m from the boundary with No.4 Prestbury Court and approximately 5.2m from the boundary with No.1 Cranfield Court. An approximate 1m separation distance would be maintained to the front boundary adjacent to the footpath providing pedestrian access between Martindale Road and Muirfield Road. Overall these separation distances are considered acceptable and would retain sufficient spacing between dwellings.
8. Overall the proposed dwellings are therefore considered to have an acceptable impact on the character of the surrounding area and accord with Policies CS21 and CS24 of the Woking Core Strategy (2012), Supplementary Planning Document 'Woking Design' (2015) and the NPPF (2012).

### Impact on Neighbours:

9. The side elevation of Plot 2 would be sited approximately a minimum of 5.2m from the west side boundary and retain an approximate 13m separation to No.1 Cranfield Court. These separation distances comply with the recommended minimum distances set out in the Council's 'Outlook Amenity, Privacy and Daylight' SPD (2008) for one storey development (1m for side to boundary relationships). Due to the separation distance it is considered the proposed dwelling would not have an overbearing or loss

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of daylight impact on No.1 Cranfield Court. One ground floor window serving an open plan kitchen living room is proposed in the west side elevation orientated towards No.1 Cranfield Court. Due to the single storey nature and separation distance it is considered there would not be a significant loss of privacy or overlooking impact on No.1 Cranfield Court.

10. An approximate 1m separation distance would be maintained to the east side boundary and approximate 7.2m to No.5 Prestbury Court. These separation distances comply with the recommended minimum distances set out in the Council's 'Outlook Amenity, Privacy and Daylight' SPD (2008) for one storey development (1m for side to boundary relationships). There is a 1.8m high close boarded boundary fence on the boundary with No.5 Prestbury Court. Due to the separation distance it is considered the proposed dwelling would not have an overbearing or loss of daylight impact on No.5 Prestbury Court. One ground floor window serving an open plan kitchen living room is proposed in the east side elevation orientated towards No.5 Prestbury Court. Due to the single storey nature and boundary treatment it is considered there would not be a significant loss of privacy or overlooking impact on No.5 Prestbury Court.
11. The proposed dwellings would maintain a minimum 6.4m to the south (rear) boundary with No.4 Prestbury Court. This separation distance complies with the recommended minimum distances set out in the Council's 'Outlook Amenity, Privacy and Daylight' SPD (2008) for one storey development (6m for front or back to boundary/flank relationships). Two ground floor windows serving an open plan kitchen living room and bedroom are proposed in the rear elevation orientated towards No.4 Prestbury Court. Due to the single storey nature and separation distance it is considered there would not be a significant loss of privacy or overlooking impact on No.4 Prestbury Court.
12. An approximate 1m separation would be maintained to the north (front) boundary facing No's. 6, 7, 8 and 9 Martindale Road. An approximate 9.8m minimum separation distance would be maintained to No's. 6, 7, 8 and 9 Martindale Road. This separation distance complies with the recommended minimum distances set out in the Council's 'Outlook Amenity, Privacy and Daylight' SPD (2008) for one storey development (6m for front to front elevation relationships). Due to the separation distance and single storey nature of the dwellings it is considered the proposed dwellings would not result in a loss of daylight, overbearing impact or overlooking towards No's. 6, 7, 8 and 9 Martindale Road.
13. Overall the proposed development is considered to have an acceptable impact on neighbours in terms of loss of light, overlooking and overbearing impacts.

### Standard of Accommodation:

14. The proposed dwellings are considered to achieve an acceptable size and standard of accommodation with good quality outlooks to habitable rooms and private amenity space. Plot 1 would have a footprint of approximately 64sqm with a private amenity area of approximately 163sqm. Plot 2 would have a footprint of approximately 64sqm with a private amenity area of approximately 70sqm. The areas of private amenity space would be predominately soft landscaped. The proposal is therefore considered to have an acceptable impact on the living conditions of future occupants. There is sufficient space within the curtilages of both properties for bin and cycle storage.

### Impact on Trees:

15. The applicant has submitted an Arboricultural Report which details how trees would be protected during construction and the Council's Arboricultural Officer considers the information acceptable in principle but requires further detailed information relating to details of how service runs would connect to the development. Subject to conditions

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(condition 6 and 7) to ensure the submission of additional information and compliance with the submitted information, the proposal is considered to have an acceptable impact on trees within the application site.

16. A plan detailing boundary treatment and areas to be grassed and hard surfaced has been provided. Condition 4 is recommended to secure details of a soft landscaping scheme.

### Flood Risk:

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

### Transportation Impacts:

18. Policy CS18 states 'the Council is committed to developing a well integrated community connected by a sustainable transport system' this can be achieved by *'implementing maximum car parking standards for all types of non-residential development, including consideration of zero parking in Woking Town Centre, providing it does not create new or exacerbate existing on-street car parking problems. Minimum standards will be set for residential development. However in applying these standards, the Council will seek to ensure that this will not undermine the overall sustainability objectives of the Core Strategy...'* In addition Supplementary Planning Document Parking Standards (2006) sets maximum standards, with the objective of promoting sustainable non-car travel.
19. The two proposed dwellings would have vehicular access from a new access onto Martindale Road and pedestrian access from a path that runs along the north boundary of the site. It is noted that concerns have been raised over highway safety and increased on street parking pressure.
20. Supplementary Planning Document 'Parking Standards' (2006) requires dwellings with 2 bedrooms to provide 1.5 off street parking spaces. To comply with maximum parking standards a maximum of 3 off street parking spaces would be required. Each dwelling would be served by 1 off street parking space resulting in a shortfall from the maximum of 1 off street parking space.
21. The NPPF advises that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe (Para. 32). Supplementary Planning Document 'Parking Standards' (2006) states *'where developers propose parking standards below the maximum standards these will be critically examined to ensure that there would be no adverse effect on highway safety, the free flow of traffic or parking provision in the immediate area generally'*.
22. The proposed dwellings would be sited within walking distance (approximately 0.5km) of Goldsworth Park Shopping Centre and bus stops with direct routes to Woking Town Centre and Woking Station. A number of dwellings along Martindale Road have vehicle crossovers and hardstanding's to provide off street parking while other residents park on-street in unallocated parking bays. The County Highway Authority have been consulted and raised no objections to the proposal on highway safety or capacity grounds subject to conditions 12 and 13
23. A construction transport management plan condition is recommended (condition 11) to minimise disruption to local residents during the build period should planning permission be granted. It should also be noted that the proposal is for 2No. dwellings and would therefore be unlikely to result in long-term disruption during any build period. There is also potential storage space for materials on site during any build period.

24. Overall therefore the proposal is considered to result in an acceptable impact upon highway safety and car parking provision and accords with policy CS18 of the Woking Core Strategy 2012, Supplementary Planning Document 'Parking Standards' (2008) and the National Planning Policy Framework (2012).

Affordable Housing:

25. Following the recent Court of Appeal judgement of R (West Berkshire District Council and Reading Borough Council) v. Secretary of State for Communities and Local Government [2016] EWCA Civ 441, the policies within the Written Ministerial Statement of 28 November 2014 as to the specific circumstances where contributions towards affordable housing and tariff-style planning obligations should not be sought from small scale and self build development is a material consideration. In line with this statement, as the proposed development involves the creation of two residential units it is excluded from the affordable housing levy and as such no contribution is sought.

Sustainability

26. Following a Ministerial Written Statement to Parliament on 25 March 2015, the Code for Sustainable Homes (aside from the management of legacy cases) has now been withdrawn. For the specific issue of energy performance, Local Planning Authorities will continue to be able to set and apply policies in their Local Plans that require compliance with energy performance standards that exceed the energy requirements of Building Regulations until commencement of amendments to the Planning and Energy Act 2008 in the Deregulation Bill 2015. The Government has stated that the energy performance requirements in Building Regulations will be set at a level equivalent to the outgoing Code for Sustainable Homes Level 4.
27. Until the amendment is commenced, Local Planning Authorities are expected to take this statement of the Government's intention into account in applying existing policies and setting planning conditions. The Council has therefore amended its approach and an alternative condition will now be applied to all new residential permissions which seeks the equivalent water and energy improvements of the former Code Level 4 (Conditions 9 and 10).

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

28. The SPAs in this area are internationally-important and designated for their interest as habitats for ground-nesting and other birds. Core Strategy (2012) policy CS8 requires new residential development beyond a 400m threshold, but within 5km of the SPA boundary, to make an appropriate contribution towards the provisions of Suitable Alternative Natural Greenspace (SANG) and the Strategic Access Management and Monitoring (SAMM).
29. 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 £1,320.00 in line with the Thames Basin Heaths Special Protection Area Avoidance Strategy 2010-2015 as a result of the uplift of 2 x two bedroom dwellings that would arise from the proposal.
30. In view of the above, the Local Planning Authority is able to determine that the development would have no significant effect upon the SPA and therefore accords with Core Strategy (2012) policy CS8 and the 'Thames Basin Heaths Special Protection Area Avoidance Strategy 2010-2015'.

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### Community Infrastructure Levy (CIL):

31. The proposal would be liable for Community Infrastructure Levy (CIL) to the sum of £17,723.08.

### CONCLUSION

32. Considering the points discussed above, the proposal is considered an acceptable form of development which would have an acceptable impact on the amenities of neighbours, on the character of the surrounding area and on mature trees. The proposal therefore accords with Policies CS1, CS7, CS8, CS10, CS11, CS18, CS20, CS21 of the Woking Core Strategy (2012), Policy DM2 of the DM Policies DPD (2016), Supplementary Planning Documents 'Parking Standards' (2006), 'Outlook, Amenity, Privacy and Daylight' (2008), 'Woking Design' (2015) and the NPPF (2012) and is recommended for approval subject to conditions and subject to Section 106 Agreement.

	<b>Obligation</b>	<b>Reason for Agreeing Obligation</b>
1.	SAMM (SPA) contribution of <b>£1,320.00</b>	To accord with the Habitat Regulations, policy CS8 of the Woking Core Strategy 2012 and The Thames Basin Heaths SPA Avoidance Strategy 2010-2015.

### BACKGROUND PAPERS

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

### RECOMMENDATION

It is recommended that planning permission be granted subject to the following conditions and a Section 106 Agreement to secure the requisite SAMM contribution of £1,320.00.

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

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

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

1395/17P/01 dated April 2017 and received by the Local Planning Authority on 15.05.2017

1395/17P/02 dated April 2017 and received by the Local Planning Authority on 15.05.2017

1395/17P/03 dated April 2017 and received by the Local Planning Authority on 15.05.2017

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

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

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

4. ++ Notwithstanding any details shown on the approved plans listed within condition 02, prior to the first occupation of the development hereby approved, a hard and soft landscaping scheme showing details of shrubs, trees and hedges to be planted and details of materials for areas of hardstanding, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and thereafter retained in accordance with the approved details unless otherwise first agreed in writing by the Local Planning Authority. All landscaping shall be carried out in accordance with the approved scheme in the first planting season (November-March) following the occupation of the buildings or the completion of the development (in that phase) whichever is the sooner and maintained thereafter. Any retained or newly planted trees, shrubs or hedges which die, become seriously damaged or diseased or are removed or destroyed within a period of 5 years from the date of planting shall be replaced during the next planting season with specimens of the same size and species unless otherwise agreed in writing by the Local Planning Authority.

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

5. ++ Prior to the occupation of any part of the development hereby permitted, the boundary details listed on plan 1395/17/P/03 dated April 2017 shall be implemented in full and permanently maintained thereafter unless otherwise first agreed in writing by the Local Planning Authority.

Reason: In the interest of the amenities and privacy of the occupiers of adjoining residential properties, and the occupiers of the properties the subject of this permission in accordance with Policy CS21 of the Woking Core Strategy 2012.

6. ++ Prior to the commencement of the development hereby approved, full details of the foul water connections and service runs on the site shall be submitted to and approved in writing by the Local Planning Authority. The method shall adhere to the principles embodied in BS 5837:2012 and the involvement of an arboricultural consultant and engineer will be necessary. The development shall thereafter be carried out strictly in accordance with the agreed details.

Reason: To ensure the retention and protection of trees on and adjacent to the site in the interests of the visual amenities of the locality and the appearance of the development in accordance with Policy CS21 of the Woking Core Strategy 2012.

7. The development hereby approved shall take place in strict accordance with the Arboricultural information by Harper Tree Consulting ref: 2017044 v1.0 dated 30 March 2017, 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

## 12 December 2017 PLANNING COMMITTEE

or methods agreed in the report will require prior written approval from the Local Planning Authority.

Reason: To ensure reasonable measures are taken to safeguard trees in the interest of local amenity and the enhancement of the development itself to comply with Policy CS21 of the Woking Core Strategy 2012

8. Notwithstanding the provisions of Article 3 and Schedule 2, Part 1, Classes A, B and E 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 extension or enlargement of the new dwelling hereby approved shall be carried out without planning permission being first obtained from the Local Planning Authority.

Reason: The Local Planning Authority considers that further development could cause detriment to the amenities of nearby properties and the character of the area and for this reason would wish to control any future development in accordance with Policy CS21 of the Woking Core Strategy 2012.

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

Development shall be carried out wholly in accordance with the agreed details and maintained as such in perpetuity unless otherwise agreed in writing by the LPA.

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

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

Development shall be carried out wholly in accordance with the agreed details and maintained as such in perpetuity unless otherwise agreed in writing by the LPA.



## 12 December 2017 PLANNING COMMITTEE

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

11. ++Prior to the commencement of the development hereby permitted a Construction Transport Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
  - the parking of vehicles of site operatives and visitors;
  - loading and unloading of plant and materials;
  - storage of plant and materials used in constructing the development;
  - measures to prevent the deposit of materials onto the highway;

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

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

12. The development hereby approved shall not be first occupied unless and until space has been laid out within the site in accordance with the approved plans for vehicles and cycles to be parked. All cycle parking shall be secure covered and lit Thereafter the parking areas shall be retained and maintained for their designated purposes.

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

13. The development hereby approved shall not be first occupied unless and until the proposed vehicular access to Martindale Road has been constructed and provided with visibility zones in accordance with the approved plans 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 should it inconvenience other highway users.

### **Informatives**

1. The Council confirms that in assessing this planning application it has worked with the applicant in a positive and proactive way, in line with the requirements of paragraph 186-187 of the National Planning Policy Framework 2012.
2. The applicants 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 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.

## 12 December 2017 PLANNING COMMITTEE

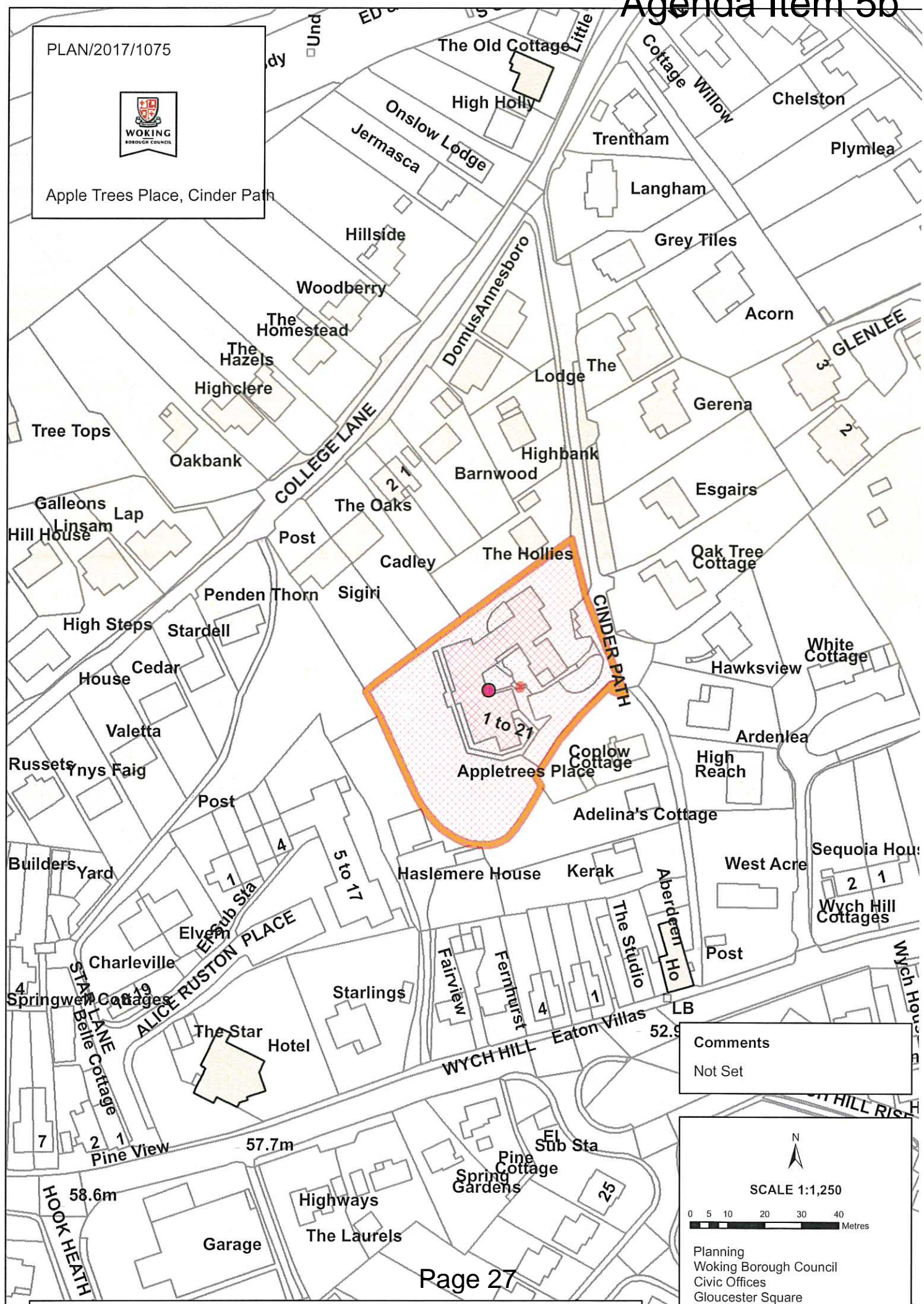
3. The applicant is advised that Council officers may undertake inspections without prior warning to check compliance with approved plans and to establish that all planning conditions are being complied with in full. Inspections may be undertaken both during and after construction.
4. The applicant is advised that, under the Control of Pollution Act 1974, site works which will be audible at the site boundaries are restricted to the following hours:-  
08.00 – 18.00 Monday to Friday  
08.00 – 13.00 Saturday  
and not at all on Sundays and Bank/Public Holidays.
5. The permission hereby granted shall not be construed as authority to carry out any works on the highway. The applicant is advised that prior approval must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, or verge to form a vehicle crossover or to install dropped kerbs. Please see [www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/vehicle-crossovers-or-dropped-kerbs](http://www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/vehicle-crossovers-or-dropped-kerbs).
6. The permission hereby granted shall not be construed as authority to carry out any works on the highway or any works that may affect a drainage channel/culvert or water course. The applicant is advised that a permit and, potentially, a Section 278 agreement must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. All works on the highway will require a permit and an application will need to be submitted to the County Council's Street Works Team up to 3 months in advance of the intended start date, depending on the scale of the works proposed and the classification of the road. Please see <http://www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/the-traffic-management-permit-scheme>. The applicant is also advised that Consent may be required under Section 23 of the Land Drainage Act 1991. Please see [www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/floodingadvice](http://www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/floodingadvice).
7. The permission hereby granted shall not be construed as authority to carry out works on the highway. The applicant is advised that a licence must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway.
8. 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).
9. This decision notice should be read in conjunction with the related legal agreement.
10. The applicant is advised that this application is liable to make a CIL contribution of £17,723.08. The applicant must complete and submit a Commencement (of development) Notice to the Local Planning Authority, which the Local Planning Authority must receive prior to commencement of the development.

PLAN/2017/1075

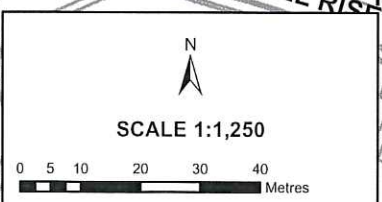


WOKING  
BOROUGH COUNCIL

Apple Trees Place, Cinder Path



Comments  
Not Set



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



# Apple Trees Place, Cinder Path, Woking.

## PLAN/2017/1075

Erection of first floor extension to create 1no. new flat (studio) and second floor extension to extend 1no. existing flat. Formation of additional parking.





## 12 DECEMBER 2017 PLANNING COMMITTEE

5b 17/1075 Reg'd: 22.08.17 Expires: 17.10.17 Ward: HE  
Nei. 26.10.17 BVPI Minor Number 16/8 On No  
Con. Target dwellings (13) of Weeks Target?  
Exp: on Cttee'  
Day:

**LOCATION:** Apple Trees Place, Cinder Path, Woking, GU22 0HD

**PROPOSAL:** Erection of first floor extension to create 1no. new flat (studio) and second floor extension to extend 1no. existing flat. Formation of additional parking.

**TYPE:** Full Application

**APPLICANT:** Sinclair Solomons Ltd

**OFFICER:** Benjamin Bailey

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

The proposal results in a net residential unit through extensions; a development type which falls outside the Management Arrangements and Scheme of Delegations.

### **SUMMARY OF PROPOSED DEVELOPMENT**

Erection of first floor extension to create 1no. new flat (studio) and second floor extension to extend 1no. existing flat. Formation of additional parking.

Site Area: 0.25 ha (2500 sq.m)  
Existing units: 21  
Proposed units: 22  
Existing density: 84 dph (dwellings per hectare)  
Proposed density: 88 dph

### **PLANNING STATUS**

- Urban Area
- Tree Preservation Order (Ref: TPO/0039/2007)
- Thames Basin Heaths Special Protection Area (TBH SPA) Zone B (400m-5km)
- Contaminated Land suspected

### **RECOMMENDATION**

**Grant** planning permission subject to recommended conditions and SAMM (TBH SPA) contribution secured by Legal Agreement.

### **SITE DESCRIPTION**

Apple Trees Place is sited off Cinder Path which is accessed from College Lane. The site has significant level changes within it, and is surrounded by residential properties also lying upon land with significant level changes. Cinder Path is a single track carriageway which terminates with a pedestrian footpath. The path sits at a lower level than all adjacent plots and the residential properties which lie either side of the carriageway are set back from their frontages and on undulating land.

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The occupation of Apple Trees Place was previously restricted by planning condition, applied during the 1970s, to persons nominated by and under the care of a registered charity. This condition was removed by application reference PLAN/2014/0726 during 2015. The building occupies the centre of the site and spreads out towards the front and rear to create 'wings'. The building makes use of the pronounced slope in the land, with single, two and three storey elements and a central courtyard. The rear of the site is laid partially to sloping lawn, and the site boundaries are relatively well screened by vegetation and several significant trees protected by Tree Preservation Order.

The front wing of the building is two storey and sited above a retaining wall which borders three car parking spaces adjacent to the carriageway of Cinder Path. Vehicular access is taken from Cinder Path at the south-eastern part of the site and ascends the slope towards the west to parking spaces set alongside this internal driveway and to the south-west of the site on higher ground. A retaining wall supports part of the driveway and the eight parking spaces to the rear.

### **RELEVANT PLANNING HISTORY**

PLAN/2017/1072 - Erection of second floor extension (including 2no. front dormers and 1no. side rooflight) to create 1no. new flat (2 bedroom) and part second floor, part three storey extension to extend 2no. existing flats. Formation of additional parking.  
Pending Consideration

AMEND/2017/0061 - Non-material amendment to PLAN/2017/0168 dated 15.06.2017 (Section 73 application to vary condition 01 of PLAN/2014/0726 dated 19.02.2015 (Removal of Condition 5 (restricting occupation of flats to persons nominated by and under the care of a registered charity) of permission 75/1370 dated 03.02.1976) to retrospectively revise the car parking layout and for siting of enclosed bin storage area) for relocation of car parking space no.8.  
Non-material amendment permitted (09.10.2017)

PLAN/2017/0168 - Section 73 application to vary condition 01 of PLAN/2014/0726 dated 19.02.2015 (Removal of Condition 5 (restricting occupation of flats to persons nominated by and under the care of a registered charity) of permission 75/1370 dated 03.02.1976) to retrospectively revise the car parking layout and for siting of enclosed bin storage area (amended plans received 24.05.2017).  
Permitted subject to conditions (15.06.2017)

PLAN/2016/1183 - Erection of second floor extension to provide 1No. 1 Bedroom apartment and 1No. Studio apartment, erection of first floor extension to provide 2No. Studio apartments (4No. apartments total) and formation of 4No. new car parking spaces.  
Refused (24.01.2017) for the following reasons:

- 01. The proposed building extensions, by reason of their overall height, mass, form, appearance and resultant relationship with the sloping ground level of the site, the reduction in visual separation and uplift in bulk and mass in relation to the southern site boundary and the reduction in existing variance in differing proportions and scales apparent within the existing building, would result in a significantly more urban, overbearing and oppressive structure at odds with the overriding characteristics of built form within the surrounding area. Furthermore the extension of existing hardstanding to accommodate car parking would urbanise the appearance of the site and result in the loss of an area of existing soft landscaping, whilst the provision of suitable refuse and recycling bin storage has not been demonstrated. The proposal would therefore fail to respect and make a positive*



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*contribution to the character of the area contrary to Policy CS21 of the Woking Core Strategy 2012, Section 7 of the National Planning Policy Framework (2012) and Supplementary Planning Document 'Design (2015)'.*

- 02. That three of the four additional proposed residential units fall short of the relevant minimum Technical Housing Standards - Nationally Described Space Standard (March 2015) is symptomatic of a cramped and contrived form of development which would both fail to represent high quality design and fail to provide a good quality of accommodation and good standard of amenity for future residential occupiers contrary to the core principles of the National Planning Policy Framework (2012) (paragraph 17), policy CS21 of the Woking Core Strategy 2012 and Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight (2008)'.*
- 03. In the absence of up-to-date arboricultural information in accordance with British Standard 5837:2012, and which takes into account previously constructed vehicular hardstanding, it has not been demonstrated how the proposed additional vehicular hardstanding area would be constructed without resulting in adverse impact upon nearby protected trees which are of significant amenity value. The proposal is therefore contrary to policy CS21 of the Woking Core Strategy 2012, policy DM2 of the Development Management Policies DPD (2016) and the core principles of the National Planning Policy Framework 2012.*
- 04. In the absence of up-to-date site investigation information which relates to the application proposal and current site conditions, it has not been demonstrated that there is no unacceptable risk of pollution within the site or in the surrounding area, contrary to Section 11 of the National Planning Policy Framework (2012) and policy DM8 of the Development Management Policies DPD (2016).*
- 05. In the absence of a Legal Agreement or other appropriate mechanism to secure contributions towards mitigation measures, the Local Planning Authority is unable to determine that the four additional residential units would not have a significant impact upon the Thames Basin Heaths Special Protection Area, contrary to Policy CS8 of the Woking Core Strategy 2012, the Thames Basin Heaths Avoidance Strategy, saved Policy NRM6 of the South East Plan (2009) and the Conservation of Habitats and Species Regulations 2010 (SI No. 490 - the "Habitats Regulations").*

COND/2015/0054 - Discharge condition 1 of PLAN/2014/0726.  
Condition 1 discharged (31.07.2015)

PLAN/2014/0726 - Proposed removal of Condition 5 (restricting occupation of flats to persons nominated by and under the care of a registered charity) of permission 75/1370 dated 03/02/1976.  
Permitted subject to conditions (19.02.2015)

PLAN/2010/0639 - Demolition of existing residential development and erection of 22 no. housing units comprising 4 x 1 bed flats, 16 x 2 bed flats and 2 x 2 bed maisonettes with associated access, parking and landscaping. (Amended plans received 22/9/10).  
Refused (25.11.2010) - Allowed on appeal (24.05.2011)

PLAN/2007/0275 - Demolition of existing residential development and erection of 24 units comprising 5 x 1 bed and 19 x 2 bed flats with associated access, parking and landscaping. (Amended plans received 16.04.07).  
Refused (19.06.2007)

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75/1370 - The execution of site works, the carrying out of alterations, the conversion of existing house into 1No. 2 bedroom flat, 1No. 1 bedroom flat, and guest room and the erection of an extension comprising 2No. 1 bedroom flats, 17No. 1 person flats, common room, a washroom and boiler room.  
Permitted subject to conditions (13.02.1976)

### CONSULTATIONS

- County Highway Authority (SCC):** The CHA notes that the application site is on Cinder Path, a private road outside of the jurisdiction of the CHA, therefore an assessment has been carried out at the point the local highway network is reached - the junction between Cinder Path and College Lane. The additional dwellings proposed by the applicant are unlikely to represent a significant or severe impact in terms of highway safety or capacity compared to the vehicular load currently served by this junction. Therefore the CHA raises no objection on these grounds.
- Contaminated Land Officer (WBC):** No objection subject to condition 4.
- Waste Services (WBC):** To be reported verbally at Planning Committee.

### REPRESENTATIONS

**x12 letters of objection** have been received raising the following main points:

- High density of over-development
- Impact upon parking provision
- Out of character
- Plans are in essence the same as the previous refused plans, particularly if taken in conjunction with PLAN/2017/1072  
(*Officer Note: Each application must be assessed on its individual merits. The current application does differ from refused PLAN/2016/1183*)
- Omissions and inaccuracies of submitted plans
- Would look more like a block of flats
- Reduction in green planted space due to new parking spaces would increase surface water runoff
- Impact of contamination
- Impact of additional vehicle movements/volume in Cinder Path
- Car park and bin store are unsightly  
(*Officer Note: The existing car park and bin store are lawful*)
- Loss of privacy
- Approval may set a precedent for future developments in the roof space and surrounding garden grounds  
(*Officer Note: Each application must be assessed on its individual merits*)
- The bin store is unauthorised

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*(Officer Note: As of an officer site visit undertaken on 17.11.2017 the unauthorised bin store has been removed from the front of the site and a replacement bin store has been constructed in the location approved under PLAN/2017/0168)*

### **RELEVANT PLANNING POLICIES**

#### National Planning Policy Framework (NPPF) (2012)

Section 4 - Promoting sustainable transport

Section 6 - Delivering a wide choice of high quality homes

Section 7 - Requiring good design

Section 11 - Conserving and enhancing the natural environment

#### Woking Core Strategy (2012)

CS1 - A spatial strategy for Woking Borough

CS8 - Thames Basin Heaths Special Protection Areas

CS10 - Housing provision and distribution

CS11 - Housing mix

CS12 - Affordable housing

CS18 - Transport and accessibility

CS21 - Design

CS25 - Presumption in favour of sustainable development

#### Development Management Policies DPD (2016)

DM8 - Land Contamination & Hazards

#### Supplementary Planning Documents (SPDs)

Outlook, Amenity, Privacy and Daylight (2008)

Design (2015)

Parking Standards (2006)

Affordable Housing Delivery (2014)

#### Other Material Considerations

National Planning Practice Guidance (NPPG)

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

Thames Basin Heaths Special Protection Area Avoidance Strategy

Waste and recycling provisions for new residential developments

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

### **PLANNING ISSUES**

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

- Principle of development
- Design and impact upon the character of the area
- Impact upon neighbouring amenity
- Amenities of future occupiers
- Highway safety and parking implications
- Thames Basin Heaths Special Protection Area (TBH SPA)
- Affordable Housing
- Contaminated Land

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

Principle of development

2. The application site is situated within the designated Urban Area, outside of the 400m (Zone A buffer) of the Thames Basin Heaths Special Protection Area (TBH SPA) and outside of identified fluvial and surface water flood zones. The predominant surrounding land use is residential and the existing building to which the application relates is within residential use.
3. Policy CS10 of the Woking Core Strategy (2012) identifies that the Council will make provision for 4,964 net additional dwellings in the Borough between 2010 and 2027. The justification text for Policy CS10 states that new residential development within the Urban Area will be provided through redevelopment, change of use, conversion and refurbishment of existing properties or through infilling.
4. Policy CS10 of the Woking Core Strategy (2012) sets out an indicative density range of between 30 - 40 dph for infill development within the rest of the Urban Area (ie. those areas outside of Woking Town Centre, West Byfleet District Centre and Local Centres).
5. The existing density of the application site is 84 dph (dwellings per hectare). The proposed development would increase this density to 88 dph. Whilst this is the case density itself is not determinative of overdevelopment of the site. The impact upon the character of the area, in terms of siting, mass and scale, the level of parking provision and the relationship formed with neighbouring dwellings, must also be considered.

Design and impact upon the character of the area

6. One of the core principles of the National Planning Policy Framework (NPPF) (2012) is to seek to secure high quality design. Furthermore 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 paying due regard to the scale, height, proportions, building lines, layout, materials and other characteristics of adjoining buildings and land.
7. Whilst the built form of Apple Trees Place differs, as existing, from the detached dwellings which characterise Cinder Path the existing building is itself part of the grain and character of the area and is not obviously out of keeping with the pattern of generally detached dwellings around it. The application site has significant level changes within it, and is surrounded by residential properties also lying upon land with significant level changes. The building occupies the centre of the site and spreads out towards the front and rear. The building makes use of the pronounced slope in the land, with single, two and three storey elements and a central courtyard. The front wing of the building is two storey and sited above a retaining wall which borders a small car parking area adjacent to the carriageway of Cinder Path. The rear wing utilises the pronounced level changes and is single storey in scale to its southern elevation although increases to two storey scale to the north. The remaining area is laid to lawn to the west of the building and rises in ground level from east to west. The proposed extensions are restricted to the southern section of the rear wing of the existing building.
8. The proposed rear wing extension would form an almost twin element of southern gable on the site of the existing single storey element. A new hipped element would occur to the north of this. Whilst a similar extension to this element of building was refused under PLAN/2016/1183 that application also proposed the erection of extensions to the front wing of the building and would have resulted in 4no. net

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dwellings. The current application proposes only extensions to the rear wing of the building and would result in 1no. net dwelling and extend 1no. existing dwelling. The eaves height of the extension proposed over the existing single storey element is also lower than the eaves height proposed under PLAN/2016/1183 with the extension currently proposed also stepping down from the height of the existing southern gable end to respect the sloping ground level within the site, which was not the case to the extent currently proposed in terms of refused PLAN/2016/1183.

9. Whilst the existing level of separation between the existing single storey element to be extended over and the southern side boundary would decrease at first floor level in comparison to the existing situation a minimum of approximately 8 metres separation would be retained to the southern side boundary which is considered sufficient to avoid a cramped or contrived appearance within the site, particularly taking into account the reduced eaves and maximum heights of the extension now proposed in comparison to that proposed under PLAN/2016/1183. Furthermore, the profile of the proposed extension, when viewed from Cinder Path to the north-east, would occur predominantly against the profile of the existing building. Whilst existing elements of pitched roof would be replaced by vertical elevations the extension would nonetheless appear clearly subordinate in scale to the host building when viewed from Cinder Path.
10. Whilst PLAN/2016/1183 proposed to extend the existing hardstanding to the rear (west) of the existing building to provide 4no. new parking spaces, alongside vehicle manoeuvring space, the current application proposes to provide 2no. new parking spaces to the south-west of the existing rear wing on a lawned margin. Whilst the provision of 2no. parking spaces in this location would slightly reduce the level of soft landscaping within the site this additional parking provision would occur within the context of existing immediately adjacent parking spaces and would not encroach into the primary area of amenity space to the rear (west) of the site as previously proposed under PLAN/2016/1183.
11. The existing building of Apple Trees Place, whilst forming one structure, is made up of various elements of differing proportions and scales. The proportions of the various elements, as defined by the changes in the roof scape, the changes in height and their relative orientation with the remainder of the building are similar to those of other buildings within the immediate area (ie. depths of between 9.0m and 12.0m and primarily two storey in height as viewed from Cinder Path). Whilst it is acknowledged that the resulting rear wing would be bulkier than existing the proposed extension is nonetheless considered to break up the roofscape and retain the existing variance in differing proportions and scales apparent within the overall building of Apple Trees Place to an acceptable extent so as to avoid a significantly urbanising or oppressive effect upon the character of the area and Cinder Path.
12. Overall, taking into account the factors discussed above, the resulting building of Apple Trees Place is considered to respect the character of the area and pay due regard to the scale, height, proportions, layout, materials and other characteristics of adjoining buildings and land in accordance with Section 7 of the National Planning Policy Framework (NPPF) (2012), Policy CS21 of the Woking Core Strategy (2012) and SPD 'Design (2015)'.

### Impact upon neighbouring amenity

13. Policy CS21 of the Woking Core Strategy (2012) advises that proposals for new development should achieve a satisfactory relationship to adjoining properties

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avoiding significant harmful impact in terms of loss of privacy, light, or an overbearing effect due to bulk, proximity or loss of outlook. Further guidance on assessing neighbouring amenity impacts is provided within SPD 'Outlook, Amenity, Privacy and Daylight (2008)'.

### Coplow Cottage:

14. Coplow Cottage is sited at an angle to the application site to the south-east with openings facing largely north-west and south-west and is separated from the application site by planting along the common (southern) boundary. Due to the obliquely angled nature of the common boundary the proposed extension would be located between approximately 8.0m and 12.0m from the common boundary with Coplow Cottage and would occur towards the terminus of the rear amenity space of Coplow Cottage. Taking into account the retained separation distances, together with the scale and form of the proposed extension, it is not considered that a significantly harmful impact, by reason of potential loss of light or overbearing effect, due to bulk, proximity or loss of outlook, would occur to Coplow Cottage, or to its rear amenity space, contrary to policy CS21.
15. The proposed extension would demonstrate two traditional windows within the southern (side) elevation together with a full height window and traditional window, also at first floor level within the eastern (front) elevation. It is a material consideration that the east-facing windows would demonstrate a very similar relationship with Coplow Cottage to windows proposed within refused application PLAN/2010/0639, subsequently allowed on appeal, with the Planning Inspector considering that distance would preclude the prospect of any harmful overlooking to Coplow Cottage. Whilst it is acknowledged that these new openings would facilitate some outlook towards the south and east, due to the cumulative factors of the retained levels of separation, planting along the common (southern) boundary and the depth of the rear amenity space serving Coplow Cottage, combined with the conclusions of the Planning Inspector in allowing the appeal against refusal of PLAN/2010/0639, it is not considered that a significantly harmful loss of privacy or overlooking would occur to Coplow Cottage contrary to Policy CS21.

### Other properties outside of the application site

16. Taking into account the retained separation distances, taken together with the scale and form of the proposed extension, it is not considered that a significantly harmful impact, by reason of potential loss of light, loss of privacy or overbearing effect, due to bulk, proximity or loss of outlook, would occur to properties outside of the red-lined application site, other than Coplow Cottage (which is assessed above) contrary to Policy CS21.

### Existing flats within Apple Trees Place

17. In terms of the impact upon other existing flats within Apple Trees Place the proposed extension would be largely offset from the front wing to the north-east. Whilst part of the second floor extension proposed would occur opposite part of the existing front wing, which is set on a lower ground level, a separation distance measuring a minimum of approximately 11.5m would be retained between the resulting rear wing and the existing front wing.
18. SPD 'Outlook, Amenity, Privacy and Daylight (2008)' states that "*outlook from a principal window will generally become adversely affected when the height of any*

*vertical facing structure exceeds the separation distance from the window*” and also recommends that suitable daylight to an existing dwelling 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. Taking into account the fall in ground level which occurs between the rear wing (as proposed) and the front wing (as existing) the resulting separation distance from openings within the front wing would exceed the height of the vertical facing element of the proposed extension. The proposed extension is therefore not considered to adversely affect outlook from openings to the extent that a significantly harmful overbearing effect would occur to existing flats within the front wing contrary to Policy CS21.

19. The proposed extension would also comply with the 25° angle test for retaining suitable daylight to south-west facing openings within the existing front wing. Furthermore the openings within the existing front wing, which face towards the area of the proposed extension, serve a living room and bedroom which are also served by openings within the north-east elevation (living room) and south-east elevation (bedroom). Taking all of the above into account it is considered that the proposed rear wing extension would achieve a satisfactory relationship to existing flats within the front wing, avoiding significantly harmful impact in terms of potential loss of privacy, loss of light, or overbearing effect due to bulk, proximity or loss of outlook.

#### Amenities of future occupiers

20. Although not locally adopted the Technical Housing Standards - Nationally Described Space Standard (March 2015) identifies a minimum gross internal floor area (GIA sq.m) for 1 bedroom, 1 person, 1 storey dwellings, measuring 39 sq.m. The proposed studio flat would measure 40 sq.m GIA and would therefore accord with these standards. The second floor level extension to an existing flat would increase the GIA of this existing flat from 23 sq.m to 46 sq.m. and again would accord with the Technical Housing Standards - Nationally Described Space Standard (March 2015). It is considered that a good standard of outlook, daylight and sunlight would be achieved to habitable rooms within both the new and extended flats.
21. Both the new and extended flats, in measuring 40 sq.m and 46 sq.m respectively, would fall below the 65 sq.m gross floorspace which SPD ‘Outlook, Amenity, Privacy and Daylight (2008)’ identifies as being suitable for family accommodation. SPD ‘Outlook, Amenity, Privacy and Daylight (2008)’ states that *“dwellings specifically designed not to be used for family accommodation do not require any specific area to be set aside for each as private amenity space. This would apply to one and two bedroom flats and any other forms of dwelling less than 65 sq.m floorspace”*. It is therefore considered that the absence of private amenity space to serve the resulting flats is acceptable, and would remain commensurate with the existing situation at Apple Trees Place in which flats benefit from communal amenity space.

#### Highway safety and parking implications

22. SPD ‘Parking Standards (2006)’ sets maximum parking standards, with the objective of promoting sustainable non-car travel. It advises that where car parking provision falls below the stated maximum standard the scheme needs to be examined to ensure it does not have an adverse impact upon highway safety, the free flow of traffic or parking provision in the locality. More recently, Policy CS18 of the Woking Core Strategy (2012) highlights the Council’s commitment to sustainable transport modes. With this in mind new development is steered to urban locations served by a range of sustainable transport options.

## 12 DECEMBER 2017 PLANNING COMMITTEE

23. The NPPF (2012) states that in setting local parking standards local planning authorities should take into account the accessibility of the development; the type and mix of the development; the availability and opportunities for public transport; local car ownership levels; and the need to reduce the use of high emission vehicles.
24. The application proposal includes the formation of 2no. additional car parking spaces on the site. The existing site contains 21no. flats and 21no. car parking spaces. The proposed development would provide 1 net studio flat, and would extend 1 existing studio flat to a 1 bedroom flat, although the relevant parking standard to serve this extended flat would not alter over and above the existing situation. SPD 'Parking Standards (2006)' identifies a maximum car parking standard, outside of the High Accessibility Zone, of 1 car parking space per 1 bedroom dwelling, stating that "*for car parking the standards define the maximum acceptable provision for the most common forms of development. Provision above this level will not normally be permitted. A minimum requirement will not normally be imposed unless under provision would result in road safety implications*". The NPPF advises that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe (Paragraph 32). The proposed development would comply with SPD 'Parking Standards (2006)'.
25. The increase in vehicle movements associated with the provision of 1 net studio flat, and the extension of 1 existing flat (from studio to 1 bedroom) is considered unlikely to cause highway safety problems or be otherwise unacceptable in comparison to the existing situation. The County Highway Authority (SCC) has been consulted on the application and comment that "*the application site is on Cinder Path, a private road outside of the jurisdiction of the CHA, therefore an assessment has been carried out at the point the local highway network is reached - the junction between Cinder Path and College Lane. The additional dwellings proposed by the applicant are unlikely to represent a significant or severe impact in terms of highway safety or capacity compared to the vehicular load currently served by this junction. Therefore the CHA raises no objection on these grounds*".
26. In light of the above it is considered that the provision of on-site parking proposed would mitigate any additional pressure upon car parking which would arise as a result of the 1 net studio flat proposed and that the proposed development would not result in undue pressure upon the availability of off-site parking in the locality or have a materially adverse impact upon the free flow of traffic and highway safety. The proposed development is therefore considered to comply with the National Planning Policy Framework (2012), Policy CS18 of the Woking Core Strategy (2012) and SPD 'Parking Standards (2006)'.

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

27. The application site falls within the 400m - 5km (Zone B) buffer of the Thames Basin Heaths Special Protection Area (TBH SPA). The TBH SPA is a European designated site afforded protection under the Conservation of Habitats and Species Regulations 2010 (as amended).
28. Policy CS8 of the Woking Core Strategy (2012) requires new residential development beyond a 400m threshold, but within 5 kilometres, of the TBH SPA boundary to make an appropriate contribution towards the provision of Suitable Alternative Natural Greenspace (SANG) and Strategic Access Management and Monitoring (SAMM).



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29. The Suitable Alternative Natural Greenspace (SANG) element of the TBH SPA avoidance tariff is encompassed within the Community Infrastructure Levy (CIL) however the Strategic Access Management and Monitoring (SAMM) element of the TBH SPA avoidance tariff is required to be addressed outside of CIL. The applicant has agreed to make a SAMM contribution of **£487** in line with the Thames Basin Heaths Special Protection Area Avoidance Strategy as a result of the uplift of 1no. studio dwelling which would arise from the proposal. The applicant is preparing a Legal Agreement to secure this financial contribution.
30. In view of the above, the Local Planning Authority is able to determine that the development would have no significant effect upon the TBH SPA and therefore accords with Policy CS8 of the Woking Core Strategy (2012) and the 'Thames Basin Heaths Special Protection Area Avoidance Strategy'.

### Affordable Housing

31. Policy CS12 of the Woking Core Strategy (2012) states that all new residential development will be expected to contribute towards the provision of affordable housing. However, following a Court of Appeal judgment in May 2016, the Planning Practice Guidance (Paragraph 031 - Revision date: 19.05.2016) sets out that there are specific circumstances where contributions for affordable housing planning obligations should not be sought from small scale and self-build development. These circumstances include that contributions should not be sought from developments of 10-units or less, and which have a maximum combined gross floorspace of no more than 1000 sq.m.
32. Whilst it is considered that weight should still be afforded to Policy CS12 of the Woking Core Strategy (2012) it is considered that greater weight should be afforded to the policies within the Written Ministerial Statement of 28<sup>th</sup> November 2014 and the Planning Practice Guidance (Paragraph 031 - Revision date: 19.05.2016). As the proposal represents a development of 10-units or less, and has a maximum combined gross floorspace of no more than 1000 sq.m, no affordable housing financial contribution is therefore sought from the application scheme.

### Contaminated Land

33. The application site appears as potentially contaminated land on the Council's records. Paragraph 120 of the NPPF (2012) advises that in order to prevent unacceptable risks from pollution and land instability, planning policies and decisions should ensure that new development is appropriate to its location. Policy DM8 of the Development Management Policies DPD (2016) seeks to ensure, amongst other things, that sites are suitable for the proposed use and states that, where a development site is known or suspected of being impacted by contamination, an appropriate level of supporting information should accompany any proposal for development and should typically consist of a desk-based study and site walkover as a minimum.
34. The application is supported by a Stage 1 Desktop Study and Preliminary Risk Assessment Report by Your Environment (Ref: YE3275), dated August 2017. The Council's Scientific Officer has been consulted upon the application, has reviewed the submitted report, and raises no objection to the proposed development subject to recommended condition 4.

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35. Overall, subject to recommended condition 4, the proposed development is considered to accord with the provisions of the NPPF (2012) and Policy DM8 of the Development Management Policies DPD (2016).

### **LOCAL FINANCE CONSIDERATIONS**

36. The proposed development would be Community Infrastructure Levy (CIL) liable to the sum of **£8,723** (including the April 2017 Indexation).

### **CONCLUSION**

37. Overall the principle of development is considered to be acceptable and the resulting building of Apple Trees Place is considered to respect the character of the area and pay due regard to the scale, height, proportions, layout, materials and other characteristics of adjoining buildings and land. The proposed development is considered to result in an acceptable impact upon neighbouring amenity, to provide a good standard of amenity to future occupiers and to result in acceptable highway safety and parking implications. Thames Basin Heaths impacts can be mitigated by way of the adopted Avoidance Strategy with contaminated land implications addressed via the recommended planning condition.
38. Having regard to the relevant policies of the Development Plan, other relevant material planning considerations and national planning policy and guidance the proposal is therefore considered to be an acceptable form of development which complies with Sections 4, 6, 7 and 11 of the National Planning Policy Framework (NPPF) (2012), Policies CS1, CS8, CS10, CS11, CS12, CS18, CS21 and CS25 of the Woking Core Strategy (2012), Policy DM8 of the Development Management Policies DPD (2016), Supplementary Planning Documents 'Outlook, Amenity, Privacy and Daylight (2008)', 'Design (2015)', 'Parking Standards (2006)' and 'Affordable Housing Delivery (2014)', South East Plan (2009) (Saved policy) NRM6, the Thames Basin Heaths Special Protection Area Avoidance Strategy and the National Planning Practice Guidance (NPPG). It is therefore recommended that planning permission is granted subject to conditions and planning obligations as set out below.

### **BACKGROUND PAPERS**

1. Site visit photographs
2. Consultation response from County Highway Authority (SCC)
3. Consultation response from Contaminated Land Officer (WBC)

### **PLANNING OBLIGATIONS**

	<b>Obligation</b>	<b>Reason for Agreeing Obligation</b>
1.	<b>£487</b> SAMM (TBH SPA) contribution.	To accord with the Habitat Regulations, Policy CS8 of the Woking Core Strategy (2012) and The Thames Basin Heaths Special Protection Area (SPA) Avoidance Strategy.

### **RECOMMENDATION**

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**Grant** planning permission subject to the following conditions and SAMM (TBH SPA) contribution secured by way of Legal Agreement:

1. 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).

2. The development hereby permitted shall be carried out in accordance with the following approved plans numbered/titled:

B - 2451 Revision B (Location Plan), dated 05.09.2014 and received by the Local Planning Authority on 21.08.2017.

1855/1B Revision 3 (Alterations & Extensions Block Plan (West)), dated 15 Aug 17 and received by the Local Planning Authority on 21.08.2017.

1855/10 (Existing Ground & First Floors), dated 5 Apr 17 and received by the Local Planning Authority on 02.10.2017.

1855/11 Revision 1 (Second Floor & Elevations - Existing), dated 27 Jun 17 and received by the Local Planning Authority on 02.10.2017.

1855/12 (Proposed West Block Ground & First Floor), dated 30 Sept 17 and received by the Local Planning Authority on 02.10.2017.

1855/13 (Proposed West Block Second Floor), dated 30 Sept 17 and received by the Local Planning Authority on 02.10.2017.

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

3. The external finishes of the development hereby permitted shall match those used in the existing building in material, colour, style, bonding and texture unless otherwise first agreed in writing by the Local Planning Authority.

Reason: To preserve the visual amenities of the area in accordance with Policy CS21 of the Woking Core Strategy (2012), SPD 'Design (2015)' and Section 7 of the National Planning Policy Framework (NPPF) (2012).

4. ++ The development hereby permitted shall not commence (including any demolition works) until a scheme to deal with contamination of the site has been submitted to, and approved in writing by, the Local Planning Authority.

(ii) The above scheme shall include:-

(a) a contaminated land desk study and suggested site assessment methodology;

(b) a site investigation report based upon (a);

(c) a remediation action plan based upon (a) and (b);

(d) a "discovery strategy" dealing with unforeseen contamination discovered during construction;

and (e) a "validation strategy" identifying measures to validate the works undertaken as a result of (c) and (d)

## 12 DECEMBER 2017 PLANNING COMMITTEE

(f) a verification report appended with substantiating evidence demonstrating the agreed remediation has been carried out

(ii) Unless otherwise first agreed in writing by the Local Planning Authority, the development shall be carried out and completed wholly in accordance with such details as may be agreed.

Reason: To ensure that a satisfactory strategy is put in place for addressing contaminated land, making the land suitable for the development hereby permitted without resulting in risk to construction workers, future users of the land, occupiers of nearby land and the environment generally in accordance with Policy DM8 of the Development Management Policies DPD (2016) and the provisions of the National Planning Policy Framework (NPPF) (2012).

5. The development hereby permitted shall not be first occupied unless and until space has been laid out within the site in accordance with the approved plan (Drawing No. 1855/1B) for vehicles to be parked. Thereafter the parking areas shall be retained and maintained for their designated purposes.

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

### **Informatives**

1. The Council confirms that in assessing this planning application it has worked with the applicant in a positive and proactive way, in line with the requirements of paragraph 186-187 of the National Planning Policy Framework (NPPF) (2012). The application was considered to be acceptable as initially submitted.
2. The applicant is advised that, under the Control of Pollution Act 1974, site works which will be audible at the site boundaries are restricted to the following hours:-  
0800 - 1800 Monday to Friday  
0800 - 1300 Saturday  
and not at all on Sundays and Bank/Public Holidays.
3. This decision notice should be read alongside the related legal agreement.
4. The development hereby permitted is subject to the Community Infrastructure Levy (CIL). The charge becomes due when development commences. A Commencement Notice, which is available from the Planning Portal website (Form 6: Commencement Notice:  
[https://ecab.planningportal.co.uk/uploads/1app/forms/form\\_6\\_commencement\\_notice.pdf](https://ecab.planningportal.co.uk/uploads/1app/forms/form_6_commencement_notice.pdf)) must be issued to the Local Planning Authority and all owners of the relevant land to notify them of the intended commencement date of the development.
5. For the avoidance of doubt, the following definitions apply to the above condition 4 relating to contaminated land:

Desk study- This will include: -

(i) a detailed assessment of the history of the site and its uses based upon all available information including the historic Ordnance Survey and any ownership records associated with the deeds.

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(ii) a detailed methodology for assessing and investigating the site for the existence of any form of contamination which is considered likely to be present on or under the land based upon the desk study.

Site Investigation Report: This will include: -

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

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

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

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

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

Validation strategy: This shall include : -

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

All of the above documents, investigations and operations should be carried out by a qualified, accredited consultant/contractor in accordance with a quality assured sampling, analysis and recording methodology. In addition to this it is expected that best practice guidance from authorities such as the EA, British Standards, CIRIA and NHBC would be followed where applicable.

6. The applicants attention is specifically drawn to the condition above marked ++. This condition requires the submission of details, information, drawings, etc. to the Local Planning Authority 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. 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. A period of between five and eight weeks should be allowed for.



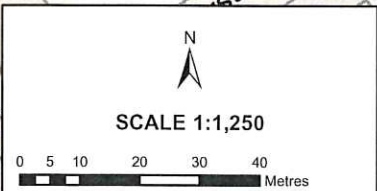
PLAN/2017/0802



46 Chertsey Road, Cinder Path



Comments  
Not Set



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

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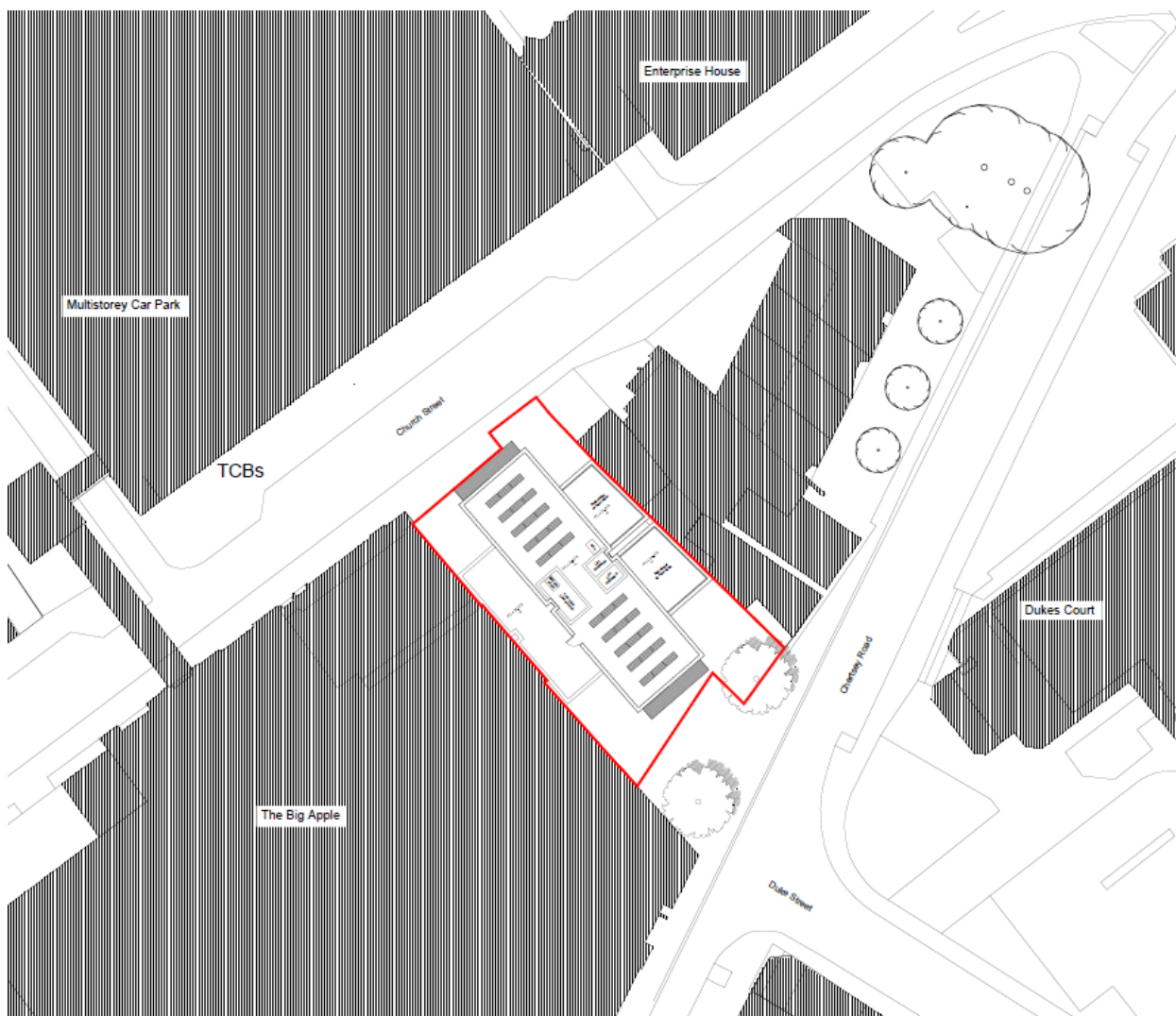




# 46 Chertsey Road, Woking

PLAN/2017/0802

Erection of a 12x storey building comprising 68x self-contained flats (50x one bed, 16x two bed & 2x three bed) including associated landscaping and parking following demolition of existing vacant Public House (Use Class A4).





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5c 17/0802 Reg'd: 17.07.17 Expires: 16.10.17 Ward: C  
Nei. 16.08.17 BVPI Minor Number 21/13 On No  
Con. Target dwellings -13 of Weeks Target?  
Exp: on Cttee'  
Day:

**LOCATION:** 46 Chertsey Road, Woking

**PROPOSAL:** Erection of a 12x storey building comprising 68x self-contained flats (50x one bed, 16x two bed & 2x three bed) including associated landscaping and parking following demolition of existing vacant Public House (Use Class A4).

**TYPE:** Full Planning Application

**APPLICANT:** Mr Michael Watkins & Mr Richard Lewczynski **OFFICER:** David Raper

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

The proposal is for major development which falls outside the scope of delegated powers as set out by the Management Arrangements and Scheme of Delegation.

### **SUMMARY OF PROPOSED DEVELOPMENT:**

The proposal is for the demolition of the existing vacant Public House on the site (Use Class A4) and the erection of a 12x storey building (including the ground floor) comprising 68x self-contained flats (50x one bed, 16x two bed & 2x three bed). The ground floor would include a lobby area with frontages on both Church Street East and Chertsey Road as well as bin and cycle storage and 2x disabled parking spaces accessed via Church Street East. The proposed building would adopt a contemporary design approach and would be finished in brick with integral and projecting balconies. Hard and soft landscaping is also proposed to the front and rear of the building.

Site Area: 0.07ha (700 sq.m)  
Existing units: 0  
Proposed units: 68  
Existing density: 0 (dwellings per hectare)  
Proposed density: 971 dph

### **PLANNING STATUS**

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

### **RECOMMENDATION**

GRANT planning permission subject to conditions and Section 106 Agreement.

### **SITE DESCRIPTION**

The proposal relates to 'The Rat and Parrot' Public House on Chertsey Road in Woking Town Centre which is vacant. The building is a relatively large two storey flat-roofed structure which has frontages on both Church Street East to the north and Chertsey Road to the south. On the Chertsey Road frontage there is an area of public realm with benches and street trees. Adjoining the site to the south-west is the large HG Wells entertainment and conference complex and to the north-west are two storey commercial buildings. To the north and north-west is the Victoria Way multi-storey car park and the 9x storey Enterprise Place block of flats. To the south-east is the large Dukes Court office complex and to the south-west is Chertsey Road which is characterised by 3-4x storey commercial development which forms part of the Woking Town Centre Conservation Area. The proposal site forms part of the designated Secondary Shopping Frontage in the town centre.

### **PLANNING HISTORY**

Detailed planning history with the below being the most relevant:

- PLAN/1998/0923 - Change of use from A1 retail to A3 bar/café – Permitted 22/10/1998

### **CONSULTATIONS**

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

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

**Environmental Health:** No objection subject to conditions.

**Planning Policy:** No objection.

**Scientific Officer:** No objection subject to conditions.

**Waste Services:** No objection subject to conditions.

**Thamewsey Energy:** No objection subject to conditions.

**Arboricultural Officer:** No objection subject to conditions.

### **REPRESENTATIONS**

6x representations received objecting to the proposal raising the following points:

- Proposal would cause loss of light, privacy and outlook
- Proposed building is too high and out of character with the area
- Proposal would provide insufficient parking and place pressure on existing parking
- Proposal would lead to further noise and congestion in the area
- Consideration should be given to keeping a pub use
- Construction phase would lead to noise pollution and disruption
- Proposed building would block existing views

### **RELEVANT PLANNING POLICIES**

National Planning Policy Framework (NPPF) (2012):

Section 2 - Ensuring the vitality of town centres

Section 4 - Promoting sustainable transport

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Section 6 - Delivering a wide choice of high quality homes  
Section 7 - Requiring good design  
Section 10 - Meeting the challenge of climate change, flooding and coastal change  
Section 11 - Conserving and enhancing the natural environment  
Section 12 - Conserving and enhancing the historic environment

### Woking Core Strategy (2012):

CS1 - A Spatial strategy for Woking Borough  
CS2 - Woking Town Centre  
CS7 - Biodiversity and nature conservation  
CS8 - Thames Basin Heaths Special Protection Areas  
CS9 - Flooding and water management  
CS10 - Housing provision and distribution  
CS11 - Housing Mix  
CS12 - Affordable housing  
CS15 - Sustainable Economic Development  
CS18 - Transport and accessibility  
CS19 - Social and Community Infrastructure  
CS20 - Heritage and Conservation  
CS21 - Design  
CS22 - Sustainable construction  
CS24 - Woking's landscape and townscape  
CS25 - Presumption in favour of sustainable development

### Development Management Policies DPD (2016):

DM2 – Trees and Landscaping  
DM7 – Noise and Light Pollution  
DM16 – Servicing Development  
DM17 – Public Realm  
DM20 – Heritage Assets and their Settings

### Supplementary Planning Documents (SPDs):

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

### Other Material Considerations:

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

## **PLANNING ISSUES**

### Principle of Development:

1. The proposal is for the demolition of the existing building and the erection of a 12x storey building comprising 68x flats in Woking Town Centre. Core Strategy (2012) policy CS2 'Woking Town Centre' seeks to protect A1 (retail) uses in Primary Frontages and other 'A' uses in Secondary Frontages. The proposal site is within the designated Secondary Shopping Frontage and its former use was as a drinking

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establishment (A4 use) is therefore offered protection in policy terms by policy CS2. The proposal site is however vacant and is understood to have been so for a period of nine years. The premises is vacant with windows and doors boarded up which results in a building which is not considered to contribute positively to the vitality and viability of the town centre.

2. Pubs can also be regarded as community facilities and are also offered protection by policy CS19 'Social and Community Infrastructure' however this policy states that the loss of such facilities can be considered acceptable where there is no identified need for the facility or where similar alternative facilities are available in the area for example. Given the long period of vacancy discussed above and the various pubs and other social and community facilities in the town centre, the proposal is not considered to result in the unacceptable loss of a social or community facility and is considered to comply with policy CS19.
3. The loss of the A4 use on the site is therefore considered acceptable when considering the prolonged period of vacancy and the visual state of the building. The redevelopment of the site with residential development is not therefore considered to unacceptably impact on the vitality and viability of Woking Town Centre.
4. The NPPF (2012) and Core Strategy policy CS25 (2012) promote a presumption in favour of sustainable development. The site constitutes previously developed land within the designated Urban Area, within Woking Town centre and within the 400m-5km (Zone B) Thames Basin Heaths Special Protection Area (SPA) buffer zone. Core Strategy policy CS10 seeks to ensure that sufficient homes are built in sustainable locations where existing infrastructure is in place and new residential development should seek to maximise the efficient use of land. Core Strategy (2012) policies CS1 and CS2 establish Woking Town Centre as the primary focus of sustainable growth including high density redevelopment of existing sites in the town centre.
5. The redevelopment of the site for residential development is considered consistent with the aims of policies CS1, CS2 and CS19 and would result in the efficient use of previously developed land in the town centre and the development of a vacant building which is considered to detract from the character of the area and the town centre. The proposal is therefore considered acceptable in principle and in land use terms subject to the detailed considerations set out below.

### Impact on Character:

6. Core Strategy (2012) policy CS1 'A Spatial Strategy for Woking Borough' establishes Woking Town Centre as the primary focus for sustainable growth and states that '*In the town centre, well designed, high density development that could include tall buildings and which enhances its image will be encouraged, but without comprising on its character and appearance and that of nearby areas*'. Policy CS2 'Woking Town Centre' places great weight on high quality development in the town centre and states that '*New Development proposals should deliver high quality, well designed public spaces and buildings, which make efficient use of land, contribute to the functionality of the centre and add to its attractiveness and competitiveness*'. Policy CS21 'Design' states that tall buildings can be supported in the town centre where they are well designed and can be justified within their context. The Woking Design (2015) SPD establishes that the criteria against which tall buildings will be considered and include being of exceptional design quality, contributing positively to Heritage Assets, impacts on key views and local environmental impacts.

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7. The proposal site is in a relatively prominent position which is clearly visible when approaching the town centre from the north-east. The existing building to be demolished is a large two storey, flat-roofed building with a simple, utilitarian form and design. The north-east flank elevation is large and prominent in views from Church Street East and is finished in a mixture of painted and unpainted brickwork and metal cladding. Windows and doors have been blocked-up and the building has been vacant for some time. These features results in a building which is considered to detract from the character of the area and the building is not considered to have any notable architectural merit. The demolition and replacement of the building can therefore be considered acceptable subject to the design of the proposed replacement building and its impact on the surrounding area.
8. The proposed building would be 12x storeys including the ground floor level and 39.4m in maximum height. Woking Town centre has an emerging character of taller buildings and high density development established by the 'Victoria Square' development of 34x storeys for example which is currently under construction. Other existing tall buildings in the town centre include the 'New Central' development at 21x storeys and the 'Centrium' development of 16x storeys. It is acknowledged however that these developments are in the western part of the town centre whereas the proposal site is towards the east. Building heights surrounding the proposal site are varied; Enterprise Place to the north-east is a relatively large building of 9x storeys and Dukes Court is a large office building of 8x storeys to the south-east. Regents Court on Victoria Way to the north-east is an 8x storey building located in a gateway location to the town centre towards the edge of the town centre, similar to the proposal site.
9. Remaining buildings in the area are generally lower in height, the adjoining neighbours at No.48-58 Chertsey Road are two storeys and development on Chertsey Road to the south-west is generally 3-4x storeys. A building of 12x storeys, although inevitably taller than adjoining neighbours, is considered to be consistent with the emerging character of Woking Town Centre for taller buildings and is considered generally consistent with building heights in the area which are varied as discussed above. The height and scale of the proposed building is considered acceptable in design terms and appropriate to the surrounding area and the town centre location of the proposal site. In terms of design, buildings vary considerably in age and style but the use of brick is relatively common in the area.
10. The proposal site effectively has two road frontages on Church Street East to the north and Chertsey Road to the south. The proposed development responds to both road frontages by featuring fenestration and an active frontage on both elevations at ground floor level by utilising a lobby area which extends the full depth of the ground floor with entrances on both road elevations. High quality hard and soft landscaping is shown on both road frontages which is considered to enhance the visual amenities of the site and the wider street scene. The existing street trees would also be retained as part of the proposal.
11. The building would adopt a distinctly contemporary design approach with generously sized windows and a mixture of integral and projecting balconies. Overall the proposed front and rear elevations are considered to exhibit balanced and well-considered elevations and the building is considered to constitute high quality design. The primary material would be brick which is considered a high quality material appropriate to the context of the proposal site.
12. The north-east facing flank elevation would be prominent in views from Church Street East and Chertsey Road when approaching the town centre from the north-east. In

order to avoid unduly prejudicing the development potential of neighbouring sites, the proposed building has been designed to avoid habitable room windows on the flank elevations. In order to create visually acceptable flank elevations, the building has been designed in a roughly cruciform footprint which creates a staggered flank elevation. This avoids a large expanse of masonry and the flank elevation itself is broken-up with an inset element which provides variation and relief on the elevation. The proposed building utilises panels of brick detailing and horizontal bands of brickwork in differing patterns which is considered to provide visual interest and variation on the flank elevations. The elevations are further broken-up by the use of secondary windows and cladding panels. In addition to this, the height of the building is varied with the 11x storey element on the eastern side of the site and the taller 12x storey element on the western side.

13. Overall the proposed development is considered of an acceptable size and scale appropriate to the context to the emerging character of Woking Town Centre and is considered to constitute high quality design and an innovative response to the constraints of the site. The proposal is therefore considered acceptable in design terms and is considered to have an acceptable impact on the character of the surrounding area in accordance with Core Strategy (2012) policies CS21, CS24 and CS25, Supplementary Planning Document 'Woking Design' (2015) and the National Planning Policy Framework (2012).

Impact on the Woking Town Centre Conservation Area:

14. The proposal site is not within a Conservation Area but is close to the boundary with the Woking Town Centre Conservation Area which ends to the south of the site. The impact on the setting of the Conservation Area and views from the Conservation Area must therefore be assessed. The proposed building would be set-back at least 8m from Chertsey Road and whilst the building would inevitably be visible from the Conservation Area, it would not terminate the key views from the Conservation Area down Chertsey Road as Chertsey Road extends to the north-east and the proposed building is stepped-back within the plot. The proposed building would also be viewed in the context of the adjacent HG Wells Centre which is a relatively large and imposing building which fronts onto the Conservation Area. Whilst the building would inevitably be taller than neighbouring buildings, this in itself is not considered to result in material harm to the character of the area or the Conservation Area and is considered consistent with the emerging character of the town centre as discussed above. The use of brick in the proposed building would reflect the prevalence of brick in the Conservation Area. Overall the proposed development is therefore considered to preserve the character and setting of the Conservation Area in accordance with Core Strategy (2012) policy CS20, Woking DPD (2016) DM20 and the NPPF (2012).

Impact on Neighbours:

15. The main residential neighbours are those on Chertsey Road to the north-east and south-west and in Enterprise Place and Bramwell Place to the north-east. The impact on these neighbours is discussed below.
16. In determining the potential impacts on neighbours in terms of loss of light, a key test is the analysis of the Vertical Sky Component (VSC) which quantifies the amount of skylight falling on a vertical wall or window, measured on the outer pane of the window. This is the ratio, expressed as a percentage, of the direct sky illuminance falling on a reference point (usually the centre of the window) to the simultaneous horizontal illuminance under an unobstructed sky (overcast sky conditions). According to the BRE Guide, if the VSC measured at the centre of a window, is at least 27%



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then enough daylight should still reach the window of the existing building. If the VSC, with the new development in place, is both less than 27% and less than 0.8 times its former value, occupants of the existing building will notice the reduction in the amount of light. The BRE Guide makes allowances for different target values in cases where a higher degree of obstruction may be unavoidable such as historic city centres or modern high rise buildings. The guide states that the 27% value is “*purely advisory and different targets may be used on the special requirements of the proposed development or its location*”.

### *Neighbours on Chertsey Road:*

17. The adjoining neighbour to the north-east at No.48 Chertsey Road is a two storey commercial building with no residential units. The neighbour further to the north-east at No.50-52 Chertsey Road features a commercial unit on the ground floor but is understood to contain a flat at first floor level and features windows on the front, side and rear. The submitted BRE Report identifies that two windows on the side elevation of this building would fail the BRE test outlined above however one of these is understood to serve a staircase, and therefore a non-habitable room, and the other serves as a secondary window. The window on the rear elevation would also fail the BRE guidance however it should be borne in mind that this window faces north and already achieves less than 27% VSC. The remaining windows serving No.50-52 pass the BRE guidance. No.54 Chertsey Road is in commercial use and the adjacent property at No.54a is understood to feature a first floor flat however windows serving these flats comply with the relevant BRE guidance, as do the remaining properties at No.56-58.
18. To the south of the site is No.59 Chertsey Road positioned on the corner with Duke Street. One window on the front elevation of this property fails the BRE guidance however this is a secondary window to a room served by other windows which pass the BRE guidance. Habitable room windows would not directly face these neighbours and the proposed building would be 30m from No.59 at its nearest point; the proposal is not therefore considered to result in an undue overlooking or overbearing impact on these neighbours.

### *Enterprise Place:*

19. Enterprise Place at No.175 Church Street is a 9x storey block of flats positioned to the north-east of the proposal site. The proposed building would be positioned 33m from Enterprise Place at its nearest point. The submitted BRE Assessment demonstrates an acceptable loss of light impact on all the windows on the front elevation of this block in accordance with BRE guidance. The proposed building would not be positioned directly opposite Enterprise Place and the separation distance complies with the recommended minimum of 15m set out in the Council's 'Outlook, Amenity, Privacy and Daylight' SPD (2008). The proposal is therefore considered to have an acceptable impact on these neighbours in terms of loss of light, overlooking and overbearing impacts.

### *Bramwell Place:*

20. Bramwell Place is a six storey block of flats positioned on the roundabout to the north-east approximately 110m from the proposal site. The submitted BRE Assessment demonstrates an acceptable loss of light impact on the windows in Bramwell Place and the separation distance exceeds the guidance within the Council's 'Outlook, Amenity, Privacy and Daylight' SPD (2008). The proposal is therefore considered to have an acceptable impact on these neighbours in terms of loss of light, overlooking and overbearing impacts.

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### *Other neighbours:*

21. The remaining neighbouring properties in the immediate area are in non-residential use; opposite the site to the north is the Victoria Way car park, to the south-east is Dukes Court which is a large office complex and the adjoining neighbour to the west is the HG Wells Centre.
22. Overall the proposal demonstrates a high degree of compliance with the BRE guidance in terms of daylight impact and the proposed development is considered to form an acceptable relationship with neighbours in terms of overbearing and overlooking impacts. The proposal is therefore considered to have an acceptable impact on the amenities of neighbours and accords with Core Strategy (2012) policy CS21, Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight' (2008) and the National Planning Policy Framework (2012).

### Transportation Impact:

23. The maximum parking standard for the proposed development would be 68x spaces in accordance with the Council's Parking Standards (2006). The Council's new Parking Standards SPD (2017) is in draft form and so is not afforded significant weight; in any case the SPD does allow for reduced standards in the Woking Town Centre where fully justified. The proposed development would include 2x off-street disabled parking spaces on the Church Street East frontage and the development would therefore effectively be car-free. The size of the site means the provision of a basement car parking level would not be feasible and there is limited scope for surface-level car parking at ground floor level.
24. The proposal site is in a particularly sustainable location within the town centre, close to local amenities and Woking Train Station and within the 'High Accessibility Zone' as established by the Council's Parking Standards (2006). Core Strategy (2012) policy CS18 seeks to direct new development to the main urban areas of the borough which are served by a range of sustainable transport modes in order to minimise the need to travel and states that zero parking can be considered in Woking Town Centre where proposals do not create new or exacerbate existing on-street parking problems. The proposal site is within CPZ 'Zone 1' of Woking Town Centre in which on-street parking is restricted between 8:30am and 6:00pm Monday-Sunday and in which residents living in the CPZ zone are not eligible for residential parking permits in accordance with the Council's current parking permit policy. Residents are however eligible for an 'off-peak' permit for parking within municipal car parks such as Victoria Way between 5pm and 9am and on weekends. It is not therefore considered that the proposal would place an unacceptable pressure on on-street parking availability. It is also borne in mind that the Council's current Parking Standards (2006) are maximum standards and the objectives set out in these standards include promoting sustainable modes of travel and reducing levels of car parking in new developments within the High Accessibility Zone.
25. A Transport Assessment has been provided which suggests that most trips are anticipated to be via sustainable modes of transportation and the assessment concludes that the proposal would not result in a significant transportation impact. The applicant has also agreed to a clause in a Section 106 Agreement which would secure funding to facilitate a year's membership of the car club scheme already operated by Enterprise within Woking to those new occupiers who wish to make use of it. The car club scheme is intended to provide a cheaper, greener and more convenient alternative to owning and using a private car. There are two car club vehicles currently available on-street on the A320 Guildford Road, north of its junction with Station Approach, two in the Yellow Car Park at the Peacocks Centre and an additional two

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vehicles available further south on Guildford Road at Quadrant Court. Secure cycle storage for 68x bicycles is accommodated within the building in accordance with the Council's Parking Standards (2006). A bin store is identified at ground floor level with sufficient capacity to accord with the Council's 'Waste and recycling provisions for new residential developments' guidance.

26. Given the sustainable location of the proposal site, the proximity to municipal car parks and the on-street parking controls in the town centre, the level of parking provision proposed is considered acceptable and consistent with the aims of the Core Strategy (2012) and NPPF (2012).
27. The County Highway Authority has reviewed the proposal and raises no objection on highway safety or capacity grounds subject to a number of conditions. One of these is to secure highways improvements in the form of a raised table junction at the corner of Duke Street and Chertsey Road and at the junction with Stanley Road and Maybury Road further to the south-east. The appropriate use of planning conditions is governed by the 'six tests' as set out by Paragraph 206 of the NPPF (2012) which establish that conditions must be necessary, relevant to planning, relevant to the development, enforceable, precise and reasonable. The Community Infrastructure Levy Regulations (2010) (as amended) govern the application of planning obligations; Section 122(2), Part 11 of the Regulations sets out three legal tests for the application of Section 106 Agreements as follows:
  - "A planning obligation may only constitute a reason for granting planning permission for the development if the obligation is—*
  - (a) necessary to make the development acceptable in planning terms;*
  - (b) directly related to the development; and*
  - (c) fairly and reasonably related in scale and kind to the development"*
28. It is not considered that it would be reasonable or necessary to require new raised table junctions to serve the proposed development. Traffic speeds at the Duke Street/Chertsey Road junction are already relatively low due to traffic calming measures already in place and there is a relatively unhindered pedestrian route from the site to the train station and other parts of the town centre. The proposed development would rely on pedestrian movements however there is already an established network of footpaths in the town centre and there is already access to local facilities. The Stanley Road/Maybury Road junction is remote from the proposal site and is approximately 170m to the south-east and is not considered directly related to the proposed development. Overall the highways works suggested are not considered necessary to make the proposed development acceptable or directly related to the proposed development and its transportation impact. The CHA also request a S106 clause excluding residents from parking permits however considering the points discussed above, future residents would already be excluded from on-street parking permits by the Council's parking permit policy as discussed above and such a clause is not therefore considered necessary.
29. Considering the sustainable location of the proposal site, the proposal is considered to result in an acceptable transportation impact and is considered consistent with the aims of Core Strategy (2012) policy CS18 and the NPPF (2012) in promoting sustainable forms of travel and directing development towards the town centre.

### Standard of Accommodation:

30. The proposed units would range in size from 37.5m<sup>2</sup> to 88.2m<sup>2</sup> and would comply with the minimum space standards set out in the National Technical Housing

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Standards (2015). Every unit would have access to a private balcony area in accordance with the Council's 'Outlook, Amenity, Privacy and Daylight' SPD (2008).

31. The applicant's BRE Assessment assesses the 'Average Daylight Factor' (ADF) within the proposed development which is a measure of the level of daylighting to internal rooms. The assessment concludes that 90% of habitable rooms within the development would achieve good levels of internal daylighting in accordance with BRE guidance which is considered acceptable when considering the town centre location of the proposal site. The applicant has provided a Noise Survey which demonstrates acceptable internal noise levels in the proposed units subject to the recommendations in the report which can be secured by condition (Condition 20).
32. Overall the proposal is therefore considered to achieve an acceptable standard of accommodation for future residents.

### Housing Mix:

33. Core Strategy (2012) policy CS11 requires proposals to address local needs as evidenced in the Strategic Housing Market Assessment (SHMA) which identifies a need for family accommodation of two bedrooms or more. The most recent published SHMA (September 2015) is broadly similar to the mix identified in policy CS11. Figure 2 below shows the comparison between the need for different sizes of homes across the West Surrey SHMA (September 2015), and the number and percentage of the housing by bedrooms size as proposed in the application.

<b>Unit Size</b>	<b>2015 SHMA split of all dwellings by size</b>	<b>Proposal – Total number of dwellings by size</b>	<b>% of dwellings proposed by size</b>
<b>1 bed</b>	<b>20%</b>	50	<b>73.5%</b>
<b>2 bed</b>	<b>30%</b>	16	<b>23.5%</b>
<b>3 bed</b>	<b>35%</b>	2	<b>3%</b>
<b>4 bed</b>	<b>15%</b>	0	<b>0%</b>
<b>5 bed</b>		0	<b>0%</b>
<b>Total</b>	<b>100%</b>	<b>86</b>	<b>100.0%</b>

34. The proposal would comprise 73.5% one bedroom flats, 23.5% two bedroom flats and 3% three bedroom. Whilst this mix does not deliver a majority of family sized units in accordance with the SHMA, the proposal is considered an appropriate mix for a high density development in the town centre. Policy CS11 does state that lower proportions of family accommodation can be considered acceptable in locations in the Borough, such as the town centre, which are suitable for higher density development. Overall the proposal is considered to result in an acceptable housing mix when considering the context of the proposal site.

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

35. The SPAs in this area are internationally-important and designated for their interest as habitats for ground-nesting and other birds. Core Strategy (2012) policy CS8 requires new residential development beyond a 400m threshold, but within 5km of the SPA boundary, to make an appropriate contribution towards the provisions of Suitable Alternative Natural Greenspace (SANG) and the Strategic Access Management and Monitoring (SAMM).

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36. The SANG and Landowner Payment elements of the SPA tariff are encompassed within the Community Infrastructure Levy (CIL) however the SAMP element of the SPA tariff is required to be addressed outside of CIL. The applicant has agreed to make a SAMP contribution of **£36,646** in line with the Thames Basin Heaths Special Protection Area Avoidance Strategy 2010-2015 as a result of the net gain of 68x dwellings which would arise from the proposal.
37. In view of the above, the Local Planning Authority is able to determine that the development would have no significant effect upon the SPA and therefore accords with Core Strategy (2012) policy CS8 and the 'Thames Basin Heaths Special Protection Area Avoidance Strategy 2010-2015'.

### Sustainability:

38. Following a Ministerial Written Statement to Parliament on 25 March 2015, the Code for Sustainable Homes (aside from the management of legacy cases) has now been withdrawn. For the specific issue of energy performance, Local Planning Authorities will continue to be able to set and apply policies in their Local Plans that require compliance with energy performance standards that exceed the energy requirements of Building Regulations until commencement of amendments to the Planning and Energy Act 2008 in the Deregulation Bill 2015. This is expected to happen alongside the introduction of Zero Carbon Homes policy in late 2016. The government has stated that the energy performance requirements in Building Regulations will be set at a level equivalent to the outgoing Code for Sustainable Homes Level 4.
39. Until the amendment is commenced, Local Planning Authorities are expected to take this statement of the Government's intention into account in applying existing policies and setting planning conditions. The Council has therefore amended its approach and an alternative condition will now be applied to all new residential permissions which seeks the equivalent water and energy improvements of the former Code Level 4 (Conditions 10 & 11). The Climate Change SPD (2013) identifies areas of the town centre where there is potential for future CHPs and heat networks. Subject to technical feasibility and financial viability, all new development that comes forward within these areas are required to be designed to be 'CHP ready' in order to be able to connect to the future network. The applicant has indicated that they will be connecting to the local CHP network and a condition can be attached to require details of this (Condition 12).

### Affordable Housing:

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

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### Sustainable Drainage Systems (SuDS):

41. The NPPF (2012) and Core Strategy (2012) policy CS9 states that Local Planning Authorities should seek opportunities to reduce flood risk through the appropriate application of sustainable drainage systems (SuDS). In April 2015 the Government strengthened planning policy on the provision of sustainable drainage for 'Major' planning applications. In line with the guidance, all 'Major' applications being determined from the 6th April 2015, must consider SuDS at application stage which are now a material planning consideration.
42. The applicant has provided sustainable drainage information which has been reviewed and considered acceptable by the Council's Flood Risk and Drainage Engineer subject to conditions (Conditions 16-18). The proposal is therefore considered acceptable in terms of drainage.

### Contamination:

43. Given the historic uses of the site and neighbouring sites, there is potential for ground contamination. The Council's Scientific Officer has been consulted and raises no objection subject to a condition requiring investigation and remediation of potential contamination (Condition 13).

### Impact on Trees:

44. There are two street trees to the front of the site on Chertsey Road which are identified as being retained as part of the proposal. The Council's Tree Officer has been consulted and raises no objection subject to a condition securing information showing how these trees would be protected (Condition 19).

### Site Allocations and Neighbouring Sites:

45. The proposal site forms part of a large 'wedge' shaped block which includes the HG Wells centre and properties at No.48-58 Chertsey Road which is allocated in the Council's Draft Site Allocations DPD (2015) (Site ref: UA18) for a comprehensive mixed use development. The current application is for the development of No.46 Chertsey Road in isolation of neighbouring units. Whilst it would be desirable for a more comprehensive redevelopment proposal incorporating neighbouring sites to come forward, the current application must be treated on its own merits and the Site Allocations DPD is in draft form and so is afforded limited weight. It is however important that the proposed development should not prejudice the development potential of adjoining properties. The proposed building has been designed to avoid side-facing habitable room windows and so is not considered to unduly prejudice the development potential of neighbouring sites.

### Community Infrastructure Levy:

46. The proposed development would be liable to make a CIL contribution of **£430,255.38**

### **CONCLUSION**

47. Considering the points discussed above, the proposal is considered an acceptable form of development which would have an acceptable impact on the amenities of neighbours, on the character of the area and in transportation terms. Subject to a Legal Agreement, the proposal is considered to have an acceptable impact on the Thames Basin Heath SPA. The proposal therefore accords with the Development

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Plan and is therefore recommended for approval subject to conditions and a Legal Agreement as outlined below.

### **PLANNING OBLIGATIONS**

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

	<b>Obligation</b>	<b>Reason for Agreeing Obligation</b>
1.	SAMM (SPA) contribution of <b>£36,646</b>	To accord with the Habitat Regulations, policy CS8 of the Woking Core Strategy 2012 and The Thames Basin Heaths SPA Avoidance Strategy 2010-2015.
2.	Funding of a year's membership of the existing Enterprise-operated Woking Town Centre Car Club to those occupiers wishing to become members.	To accord with policy CS18 of the Woking Core Strategy (2012) and the NPPF (2012)
3.	An affordable housing 'Overage Agreement'	To accord with policy CS12 of the Woking Core Strategy (2012) and the NPPF (2012)

### **BACKGROUND PAPERS**

1. Site visit photographs
2. Consultation responses
3. Neighbour representations
4. 'Major' Site Notice dated 03/08/2017
5. 'Conservation Area' Site Notice dated 03/08/2017

### **RECOMMENDATION**

PERMIT subject to the following conditions and S106 Agreement:

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

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

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

00-ZZ-DR-A-3\_03-001 Rev.D0-1 received by the LPA on 18/09/2017  
00-ZZ-DR-A-3\_03-002 Rev.D0-2 received by the LPA on 18/09/2017  
00-ZZ-DR-A-3\_03-003 Rev.D0-1 received by the LPA on 12/07/2017

00-ZZ-DR-A-3\_04-001 Rev.D0-1 received by the LPA on 12/07/2017  
00-ZZ-DR-A-3\_04-002 Rev.D0-1 received by the LPA on 12/07/2017  
00-ZZ-DR-A-3\_04-003 Rev.D0-1 received by the LPA on 12/07/2017  
00-ZZ-DR-A-3\_04-004 Rev.D0-1 received by the LPA on 12/07/2017  
00-ZZ-DR-A-3\_04-005 Rev.D0-1 received by the LPA on 12/07/2017

00-ZZ-DR-A-3\_05-001 Rev.D0-1 received by the LPA on 12/07/2017

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00-ZZ-DR-A-3\_05-002 Rev.D0-1 received by the LPA on 12/07/2017  
00-ZZ-DR-A-3\_05-003 Rev.D0-1 received by the LPA on 12/07/2017  
00-ZZ-DR-A-3\_05-004 Rev.D0-1 received by the LPA on 12/07/2017  
00-ZZ-DR-A-3\_05-005 Rev.D0-1 received by the LPA on 12/07/2017  
00-ZZ-DR-A-3\_05-006 Rev.D0-1 received by the LPA on 12/07/2017

00-00-DR-A-3\_03-002 Rev.D0-1 received by the LPA on 12/07/2017  
00-XX-DR-A-3-3-02-001 Rev.D0-1 received by the LPA on 12/07/2017  
00-XX-DR-A-3-90-001 Rev.D0-1 received by the LPA on 12/07/2017  
00-XX-DR-A-3\_02-003 Rev.D0-1 received by the LPA on 12/07/2017  
00-XX-DR-A-3\_03-003 Rev.D0-1 received by the LPA on 12/07/2017

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

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

4. Prior to the first occupation of the development hereby approved, a hard and soft landscaping scheme showing details of shrubs, trees and hedges to be planted, details of materials for areas of hard surfacing and details of boundary treatments, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and thereafter retained in accordance with the approved details unless otherwise first agreed in writing by the Local Planning Authority. All landscaping shall be carried out in accordance with the approved scheme in the first planting season (November-March) following the occupation of the buildings or the completion of the development (in that phase) whichever is the sooner and maintained thereafter. Any retained or newly planted trees, shrubs or hedges which die, become seriously damaged or diseased or are removed or destroyed within a period of 5 years from the date of planting shall be replaced during the next planting season with specimens of the same size and species unless otherwise agreed in writing by the Local Planning Authority.

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

5. ++ Prior to the commencement of any above-ground works in connection with the development hereby permitted, detailed bay elevations at 1:50 scale of key components of the building including areas of brick detailing, windows and balconies shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and thereafter retained in accordance with the approved details unless otherwise first agreed in writing by the Local Planning Authority.

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

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



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

7. Prior to the first occupation of the development hereby approved, the proposed vehicular access onto Church Street East shall be constructed in accordance with the approved plans.

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

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

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

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

9. Prior to the first occupation of the residential parts of the development hereby approved, a Full Residential Travel Plan in accordance with Surrey County Council's 'Travel Plans Good Practice Guide' (2010) shall be submitted to and approved in writing by the Local Planning Authority. The approved Full Residential Travel Plan shall thereafter be implemented, retained, maintained and developed in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

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

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

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(2015 edition). Such evidence shall be in the form of a Design Stage water efficiency calculator.

Development shall be carried out wholly in accordance with the agreed details and maintained as such in perpetuity unless otherwise agreed in writing by the LPA.

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

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

Development shall be carried out wholly in accordance with the agreed details and maintained as such in perpetuity unless otherwise agreed in writing by the LPA.

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

12. ++ Prior to the commencement of the development hereby approved, details, including timescales, of the connection of the development hereby approved to the local Combined Heat and Power (CHP) network shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall include measures to ensure compliance with good practice for connecting new buildings to heat networks by reference to CIBSE Heat Networks Code of Practice for the UK and be implemented in accordance with the approved details prior to the first occupation of the development hereby approved and maintained thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the development achieves a high standard of sustainability and to comply with Policy CS22 of the Woking Core Strategy 2012.

13. ++ Prior to the commencement of the development hereby permitted, a scheme to deal with contamination of the site shall be submitted to and approved in writing by the Local Planning Authority.
  - (i) The above scheme shall include :-
    - (a) a contaminated land desk study and suggested site assessment methodology;
    - (b) a site investigation report based upon (a);
    - (c) a remediation action plan based upon (a) and (b);
    - (d) a "discovery strategy" dealing with unforeseen contamination discovered during construction;

## 12 DECEMBER 2017 PLANNING COMMITTEE

and (e) a "validation strategy" identifying measures to validate the works undertaken as a result of (c) and (d)

(f) a verification report appended with substantiating evidence demonstrating the agreed remediation has been carried out

(ii) Unless otherwise agreed in writing by the Local Planning Authority, the development shall be carried out and completed wholly in accordance with such details and timescales as may be agreed.

Reason: To ensure that a satisfactory strategy is put in place for addressing contaminated land before development commences and to make the land suitable for the development without resulting in risk to construction workers, future users of the land, occupiers of nearby land and the environment generally in accordance with Policies CS9 and CS21 of the Woking Core Strategy 2012.

14. No fixed plant or equipment associated with air moving equipment, compressors, generators or plant or similar equipment shall be installed on the site until details, including acoustic specifications, have been submitted to and approved in writing by the Local Planning Authority. Development shall thereafter take place and be maintained in accordance with the agreed details.

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

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

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

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

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

17. Prior to first occupation of the development hereby approved, details of the maintenance and management of the sustainable drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The drainage scheme shall be implemented prior to the first occupation of the development hereby approved and thereafter managed and maintained in accordance with the approved details in perpetuity. The Local Planning Authority shall be granted access to inspect the

## 12 DECEMBER 2017 PLANNING COMMITTEE

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

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

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

18. Prior to the first occupation of the development hereby approved, a Verification Report, appended with substantiating evidence, demonstrating that the agreed construction details and specifications for the sustainable drainage scheme have been implemented, shall be submitted to and approved in writing by the Local Planning Authority. This report will include photos of excavations and soil profiles/horizons, any installation of any surface water structure and control mechanism.

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

19. ++ Prior to the commencement of the development hereby approved (including clearance and demolition) tree protection details shall be submitted to and approved in writing by the Local Planning Authority. These details shall adhere to the principles embodied in BS 5837 2012 and shall include a Tree Survey, Arboricultural Impact Assessment and Arboricultural Method Statement. The details shall make provision for the convening of a pre-commencement meeting and Arboricultural supervision by a suitably qualified and experienced Arboricultural Consultant for works within the RPAs of retained trees. Full details shall be provided to indicate exactly how and when the retained trees will be protected during the site works. The development shall be carried out strictly in accordance with the agreed details.

Reason: To ensure the retention and protection of trees on and adjacent to the site in the interests of the visual amenities of the locality and the appearance of the development in accordance with Policy CS21 of the Woking Core Strategy 2012.

20. The development hereby approved shall be constructed in accordance with the recommendations set out within the Noise Statement prepared by WYG dated June 2017. Development shall thereafter take place and be maintained in accordance with the agreed details.

Reason: To protect the residential amenities of future occupiers.

## 12 DECEMBER 2017 PLANNING COMMITTEE

### Informatives

1. The Council confirms that in assessing this planning application it has worked with the applicant in a positive and proactive way, in line with the requirements of paragraph 186-187 of the National Planning Policy Framework 2012.
2. The permission hereby granted shall not be construed as authority to carry out works on the highway. The applicant is advised that a licence must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway.
3. Notwithstanding any permission granted under the Planning Acts, no signs, devices or other apparatus may be erected within the limits of the highway without the express approval of the Highway Authority. It is not the policy of the Highway Authority to approve the erection of signs or other devices of a non-statutory nature within the limits of the highway.
4. When an access is to be closed as a condition of planning permission a licence issued by, the Highway Authority Local Highways Service will require that the redundant dropped kerb be raised and any verge or footway crossing be reinstated to conform with the existing adjoining surfaces at the developers expense. The developer is advised that as part of the detailed design of the highway works required by the above condition(s), the County Highway Authority may require necessary accommodation works to street lights, road signs, road markings, highway drainage, surface covers, street trees, highway verges, highway surfaces, surface edge restraints and any other street furniture/equipment.
5. The developer is advised that the detailed design of the part(s) of the development on-site basement that temporarily and permanently support the public highway may require approval from Surrey County Council Structures Team before any works are carried out on the site which remove existing support provided to the public highway by the land within the development site. For further information contact the Surrey County Council Structures Team.
6. 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).
7. Your attention is specifically drawn to the conditions above marked ++. These condition(s) require the submission of details, information, drawings, etc. to the Local Planning Authority PRIOR TO THE COMMENCEMENT OF ANY DEVELOPMENT ON THE SITE or, require works to be carried out PRIOR TO THE COMMENCEMENT OF THE USE. Failure to observe these requirements will result in a contravention of the terms of the permission and the Local Planning Authority may serve Breach of Condition Notices to secure compliance.

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

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

## 12 DECEMBER 2017 PLANNING COMMITTEE

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.

9. The provisions of The Party Wall Act 1996 may be applicable and relates to work on an existing wall shared with another property; building on the boundary with a neighbouring property; or excavating near a neighbouring building. An explanatory booklet setting out your obligations can be obtained from the Communities and Local Government website [www.communities.gov.uk](http://www.communities.gov.uk)
10. The applicant is advised that this application is liable to make a CIL contribution of **£430,255.38**. The applicant must complete and submit a Commencement (of development) Notice to the Local Planning Authority, which the Local Planning Authority must receive prior to commencement of the development.
11. A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Thames Water expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing [wwqriskmanagement@thameswater.co.uk](mailto:wwqriskmanagement@thameswater.co.uk). Application forms should be completed on line via [www.thameswater.co.uk/wastewaterquality](http://www.thameswater.co.uk/wastewaterquality)
12. Your attention is specifically drawn to the conditions above marked ++. These condition(s) require the submission of details, information, drawings, etc. to the Local Planning Authority PRIOR TO THE COMMENCEMENT OF ANY DEVELOPMENT ON THE SITE or, require works to be carried out PRIOR TO THE COMMENCEMENT OF THE USE. Failure to observe these requirements will result in a contravention of the terms of the permission and the Local Planning Authority may serve Breach of Condition Notices to secure compliance.

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

**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)**





# St Paul's Church, Oriental Road, Woking

PLAN/2017/1071

Erection of a replacement storage shed.

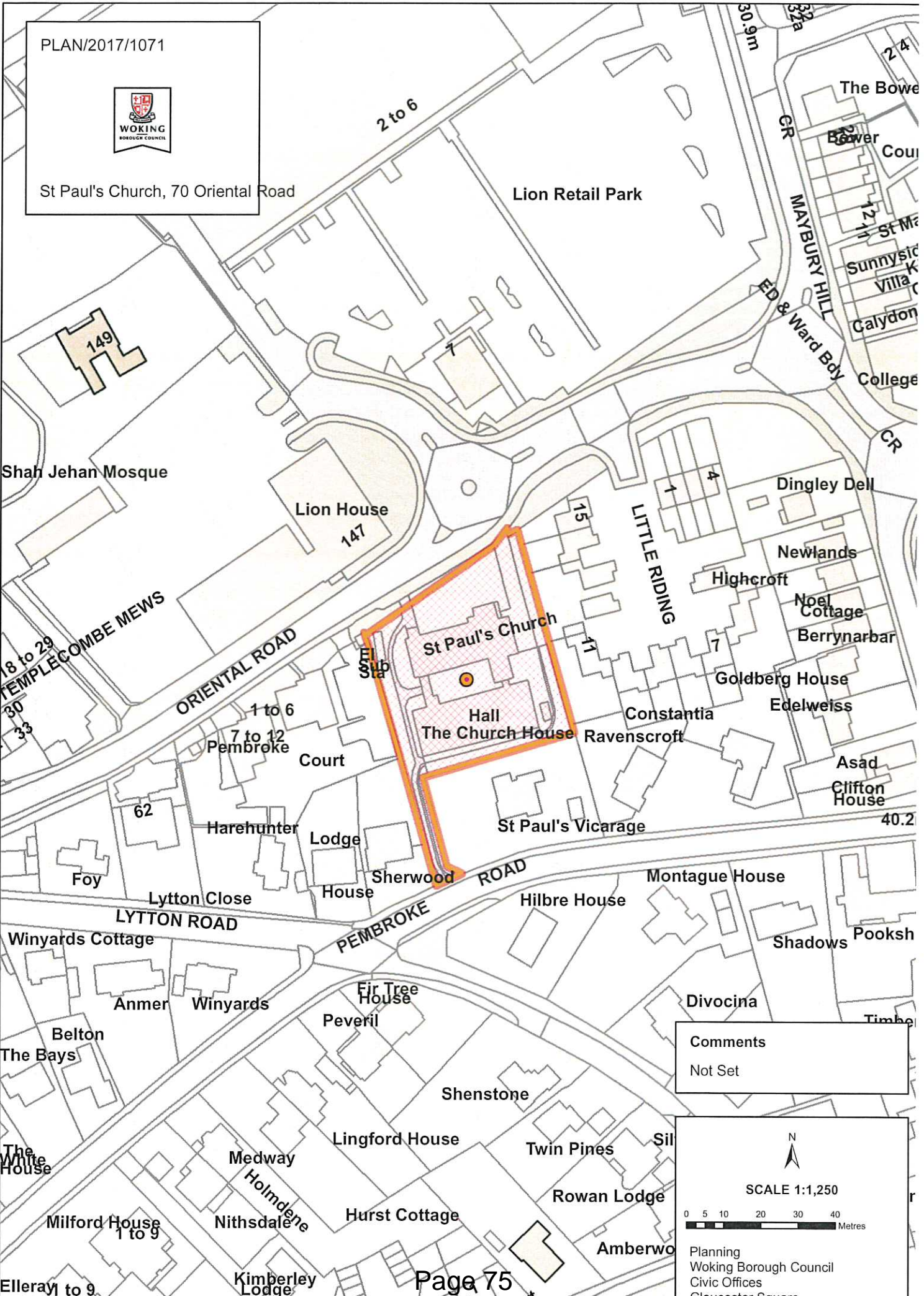




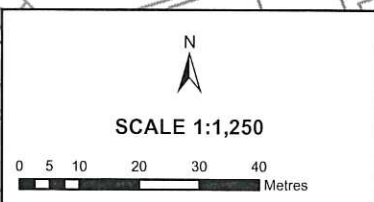
PLAN/2017/1071



St Paul's Church, 70 Oriental Road



Comments  
Not Set



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



## 12th DECEMBER 2017 PLANNING COMMITTEE

**5d** 17/1071 **Reg'd:** 21.09.17 **Expires:** 16.11.17 **Ward:** MH  
**Nei.** 01.11.17 **BVPI** **Number** 11/8 **On** No  
**Con.** **Target** **of Weeks**  
**Exp:** **on Cttee'** **Target?**  
**Day:**

**LOCATION:** St Paul's Church, 70 Oriental Road, Woking, Surrey, GU22 7BD

**PROPOSAL:** Erection of a replacement storage shed.

**TYPE:** Full

**APPLICANT:** Ms Melanie Donoghue

**OFFICER:** Tanveer  
Rahman

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

The proposal is for a non-residential outbuilding which falls outside the scope of delegated powers as set out by the Management Arrangements and Scheme of Delegation.

### **PLANNING STATUS**

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

### **RECOMMENDATION**

Grant planning permission subject to conditions.

### **SITE DESCRIPTION**

The application site is located in the eastern side of Oriental Road.

The church is set back from Oriental Road by a carpark. A church hall is to the rear of the church and is physically linked to the church by a previous extension. There is a grass bank which slopes up from the rear of the church hall to the neighbouring residential property St Paul's Vicarage to the rear. There is a pitched roof storage shed cut into the south east corner of the grass bank. The shed is 1.7 m wide, 1.951m deep and has an approximately 1.7m high ridge line. According to the submitted application form the shed is currently used for storage by an after school club. The grass bank is bounded from a footpath to the west, St Paul's Vicarage to the south and hardstanding to the east by close board timber fencing. The grass bank can be accessed from a gate in the western section of the fencing, a gate in the eastern section of the fencing and through a set of rear doors in the rear elevation of the church hall.

### **PLANNING HISTORY**

PLAN/2016/0328: Construction of new single storey main entrance foyer between the Church and Halls following demolition of existing corridor link - permitted 19.05.2016.

## 12th DECEMBER 2017 PLANNING COMMITTEE

COND/2010/0055: Discharge of condition 01 (details of landscaping scheme to be implemented) on PLAN/2009/0831 dated 07/01/2010 - permitted 21.10.2013.

PLAN/2009/0831: Retrospective application for the formation of hard standing in the frontage to provide additional church parking (12No spaces), lighting and new vehicular access onto Oriental Road - permitted 07.01.2010.

PLAN/2009/0446: Construction of new single storey entrance foyer on Oriental Road frontage to create internal disabled access following demolition of existing corridor link and creation of a new cycle path - permitted 23.07.2009.

PLAN/1998/0452: Display of 1 no. x non illuminated `V` freestanding advertisement board for a temporary period. (Retrospective application) - permitted 11.06.1998

### **PROPOSED DEVELOPMENT**

The planning application seeks permission to demolish the existing shed on the grass bank and cut into the bank further in order to erect a larger pitched roof shed in its place. It is proposed to be 3.96m wide, 2.048m deep and to have a 2.11m high ridge line. This would create a 2.26m width increase, a 0.97m depth increase and an approximately 0.41m ridge height increase. A window is proposed in the shed's north elevation, a window is proposed in its south elevation and a set of double doors are proposed in its east elevation. According to an e-mail from the agent the shed is proposed to be constructed of timber and to have a felt roof. According to the submitted application form the proposed shed is to continue the use of the existing shed for storage by an after school club.

### **CONSULTATIONS**

None.

### **REPRESENTATIONS**

One letter of objection was received which made the following statements:

- The existing carpark is not managed outside of the hours of 10.00 -14.00 Monday to Thursday which means that it gets very busy. This creates congestion, noise pollution, particulate pollution and is unsightly.
- The size of the proposed shed could mean it is used for off-site storage which could lead to more vehicular movements.
- Conditions should be imposed on any permission limiting the usage of the shed and to reduce pollution levels in the area.

Photographs of traffic around the application site was also submitted by the objector following their original letter.

### **RELEVANT PLANNING POLICIES**

*National Planning Policy Framework (2012):*

Section 7 - Requiring Good Design

Section 8 - Promoting healthy communities

*Woking Core Strategy (2012):*

CS18 - Transport and accessibility

CS21 - Design

CS24 - Woking's landscape and townscape

CS25 - Presumption in favour of sustainable development

Supplementary Planning Documents:

*Woking Design SPD* (2015)

*Outlook, Amenity, Privacy and Daylight* (2008)

*Parking Standards* (2006)

**PLANNING ISSUES**

The proposal is for the erection of a non-residential outbuilding within the Urban Area which is acceptable in broad policy terms, but subject to the following considerations:

Principle of development

1. Section 8 of the *National Planning Policy Framework* (2012) states that planning decisions should “*plan positively for the provision and use of shared space, community facilities (such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments*”. It is considered that the proposal to increase the amount of storage space for an after school club accords with this and is therefore acceptable in principle.

Impact on the character and appearance of the surrounding area

2. It is considered that the scale, form and character of the proposed shed would have an acceptable impact on the character of the church and church hall. Furthermore, it is considered that it would not be visible from the street scenes of Oriental Road to the north or Pembroke Road to the south and would therefore also have an acceptable impact on character of the wider area

Impact on neighbouring amenity

3. The shed would be located close to the northern boundary with the main garden area of St Paul’s Vicarage. However it is considered that the combination of its mass, bulk and scale as well as the presence of the existing timber fencing would mean that the proposed shed would not create unacceptable overlooking issues, would not unacceptably impact daylight/sunlight levels, would not appear unacceptably overbearing towards and would not create unacceptable noise levels towards St Paul’s Vicarage or other nearby properties. Furthermore, given that there do not appear to be any planning conditions regarding opening hours for the church or the church hall it is not considered reasonable or necessary to impose a condition restricting the hours of usage of the proposed shed to protect neighbouring amenity.

Impact on car parking provision & highway safety

4. The proposed shed would lead to a total increase in floor space of 2.19sqm. It is considered that this is relatively minor in scale and that this would not have an unacceptable impact on car parking provision and highway safety.

Local finance consideration

5. The Council introduced the Community Infrastructure Levy (CIL) on 1<sup>st</sup> April 2015. In Woking CIL charges are only liable on residential and retail development. As the shed does not fall under these categories of development it is not liable for CIL contribution.

**CONCLUSION**

Overall, it is considered that the proposed shed would have an acceptable impact on the character and appearance of the surrounding area, neighbouring amenity and car parking provision and highway safety. The proposal therefore accords with sections 7 and 8 of the *National Planning Policy Framework* (2012), policies CS18, CS21, CS24 and CS25 of the *Woking Core Strategy* (2012), *Woking Design SPD* (2015), *Outlook, Amenity, Privacy and Daylight* (2008) and *Parking Standards* (2006) and is recommended for approval.

**BACKGROUND PAPERS**

Site visit photographs (27.10.2017)

**RECOMMENDATION**

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

1. 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).

2. The development hereby permitted shall be carried out in accordance with the approved drawings and information listed below:
  - 1:1250 location plan Drwg no.01 (received by the LPA on 19.09.2017)
  - 1:50 proposed block plan Drwg no.02 (received by the LPA on 19.09.2017)
  - 1:500 proposed block plan and 1:25 proposed elevations Drwg no.03 (received by the LPA on 19.09.2017)
  - External materials details e-mail submitted by the agent (received by the LPA on 21.11.2017)

Reason:

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

3. The external finishes of the development hereby permitted shall be those stated in the external materials details e-mail submitted by the agent (received by the LPA on 21.11.2017) unless otherwise agreed in writing by the Local planning Authority.

Reason:

In the interests of the character and appearance of the building and the visual amenities of the area and in accordance with policy CS21 of the *Woking Core Strategy* (2012).

4. The proposed shed hereby approved shall only be used for storage ancillary to the existing D1 use and shall not be used for any other use without the prior written consent of the Local Planning Authority.



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Reason:

To avoid an intensification of use of the site and to comply with Policies CS18, CS21, CSS24 and CS25 of the *Woking Core Strategy* (2012).

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

Reason:

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

### Informatives

1. Site Inspections:

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

2. The applicant is advised that any breach of condition may lead to enforcement action being taken and given the planning history of the site the proposed development is likely to be monitored very closely in case of any breach of planning control.



# Dormer Cottage, Bonsey Lane, Westfield, Woking

## PLAN/2016/0530

Demolition of existing dwelling and the erection of two detached dwellings.





PLAN/2016/0530



Dormer Cottage, Bonsey Lane

MAPLE GROVE

25.8m LB

Long Reach

2 2a

WESTFIELD AVENUE

1 to 6 The W 6

26.2m

LIME GROVE

25.8m

72

25.8m

Little Acorns

Dormer Cottage

Gorse Cottage

Tree Tops

El Sub Sta

Pathways Foxhill House

Holly Broad Oak Cottage

BONSEY LANE

St Mark's Church

WESTFIELD ROAD

Path (um)

WESTFIELD

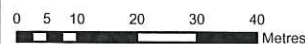
26.3m

Comments

Not Set



SCALE 1:1,250



(Day Centre)

Westfield Common

Page 85

Shelter

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



## 12 DECEMBER 2017 PLANNING COMMITTEE

5e 16/0530 Reg'd: 01.06.16 Expires: 27.07.16 Ward: HV  
Nei. 22.06.16 BVPI 13 (Dwellings) Number 79/8 On No  
Con. Target of Weeks Target?  
Exp: on Cttee'  
Day:

**LOCATION:** Dormer Cottage, Bonsey Lane, Woking, GU22 9PP

**PROPOSAL:** Erection of two four bedroom detached houses following demolition of an existing bungalow.

**TYPE:** Full Application

**APPLICANT:** Messrs Nathwani and Khiroya

**OFFICER:** Tanveer  
Rahman

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

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

A resolution to grant planning permission for this application, subject to the completion of a S106 agreement was made at the 13<sup>th</sup> December 2016 planning committee meeting. The legal agreement has yet to be signed and therefore a full decision has yet to be issued. Since the issuing of the draft decision the existing bungalow on the site has been Grade II listed by Historic England. This application is being brought back to committee due to this material change in circumstances.

### **SITE DESCRIPTION**

Dormer Cottage is an Arts & Craft style detached bungalow. It has a high pitched roof with two front dormers and a rear dormer. It is set back from the street by a front garden and gravel driveway.

The property sits within a long and relatively wide plot, similar to the properties directly adjoining it on Bonsey Lane. There is a detached garage to the east of the bungalow and a tall hedge forms the front boundary of the site. St Mark's Church and Westfield Common are across the road from the site to the south.

### **PROPOSED DEVELOPMENT**

This is a full planning application for the demolition of the newly listed existing dwelling and the erection of two four bedroom detached houses with associated landscaping and boundary treatments.

### **PLANNING STATUS**

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

### **RECOMMENDATION**

REFUSE planning permission.

**PLANNING HISTORY**

17/00003/II: Listing of Dormer Cottage - listed 03.02.2017.

0003332: ERECTION OF A BRICK-BUILT PRIVATE GARAGE - permitted 01.02.1949.

**CONSULTATIONS**

Arboricultural Officer:

No objection subject to condition.

Surrey Wildlife Trust (SWT):

*"The Bat Survey has identified active bat roosts and should the Local Authority be minded to grant planning permission the applicant will be required to obtain a European Protected Species (EPS) licence from Natural England and should undertake all actions detailed within the method statement.*

*Recommend condition requiring the submission of a Sensitive Lighting Management Plan.*

*The site should be assessed for its potential to support great crested newts.*

*Recommend that removal of dense shrubbery is undertaken outside the main bird nesting season and if not possible the site should be assessed prior to commencement.*

*This development is likely to offer some opportunities to restore or enhance biodiversity."*

County Highway Authority (SCC):

No objection subject to conditions.

Historic England was consulted on 02.10.2017 and provided the following comments in their response which was received on 07.11.2017:

*"We consider that the application does not meet the requirements of the NPPF, in particular paragraph numbers 132 & 133. In determining this application, you should also bear in mind the statutory duty of section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess. The proposal would result in the total loss of an irreplaceable historic building and should therefore be refused."*

**REPRESENTATIONS**

Six letters of objection (from five residences) were received which made the following main statements:

- There are incorrect statements in the Design and Access Statement, relating to the age of the property which was built in the 1920s, bottom of garden features, its original WWII Anderson shelter, local environment protected wildlife.
- The existing bungalow should be retained and an application for Dormer Cottage to be listed has been submitted to Historic England;



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- The proposed frontage is not clear; the frontage line is not consistent with the property lines to the west, the frontage width shown is some 2m in excess of that available to the site according to the original boundaries of the site (*Case officer's note The applicant has advised that the site boundary is based on the fence line which runs through the hedge and is not shown on the site survey plan as this was inaccessible hence the reason for the difference between the site survey plan and proposed site plan. The previous case officer checked the proposed site plan against the Ordnance Survey plan of the site and the frontage width would correlate. It is therefore not considered that there is a discrepancy in the plans. An amended site plan has been submitted to correctly show the depth of the site relative to the road edge.*)
- There are existing covenants to maintain boundaries (*Officer officer's note: This is not a material planning consideration*).
- The proposal would create unacceptable overlooking issues, would have an unacceptable impact on daylight/sunlight levels and would appear unacceptably overbearing towards neighbouring properties.
- The proposed houses are not cottages, with roof eaves and dormer windows like neighbouring properties. This incongruous design is exacerbated by the roof line being unacceptably higher.
- The proposal is an overdevelopment of the site.
- The addition of dormer in the future could create another storey.
- Concerns were raised over access to a common sewage pipe (*Case officer's note: this covered by Building Regulations*).
- There are Bats roosting in the property.
- There is a lack of information on boundary treatments;
- T8 is one of five poplars within the boundary of Gorse Cottage and not within the hedge and boundary lines of Dormer Cottage (*Previous Case officer's note: It is noted that T8 is not within the boundary of Dormer Cottage. In any case it is far enough away to not be affected by the proposed development*).
- Neighbouring properties are not correctly shown on site maps, the tree survey and proposed ground plans including the garage to Gorse Cottage and outbuildings within Little Acorns (*Previous Case officer's note: The positioning of the garage/ outbuildings on adjoining properties have been noted during the officer site visit and were not shown on the proposed plans. In any case these buildings have been taken into account in the formulation of this recommendation. Updated plans have been requested.*)
- Drawings show the staircase running into loft area. There should be clear guidelines so the loft area cannot be further developed for residential accommodation, with further implications for overlooking to surrounding properties.

### **RELEVANT PLANNING POLICIES**

#### National Planning Policy Framework (2012):

Section 4 - Promoting sustainable transport

Section 6 - Delivering a wide choice of high quality homes

Section 7 - Requiring good design

Section 11 - Conserving and enhancing the natural environment

Section 12 - Conserving and enhancing the historic environment

#### Planning (Listed Buildings and Conservation Areas) Act 1990:

Section 66 - General duty as respects listed buildings in exercise of planning functions

#### Woking Core Strategy (2012):

CS1 - A spatial strategy for Woking Borough

CS8 - Thames Basin Heaths Special Protection Area

## 12 DECEMBER 2017 PLANNING COMMITTEE

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

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

DM20 - Heritage Assets and their settings

### Supplementary Planning Documents

*The Heritage of Woking* (2000)

*Woking Design SPD* (2015)

*Outlook, Amenity, Privacy and Daylight* (2008)

*Parking Standards* (2006)

*Climate Change* (2013)

*Affordable Housing Deliver* (2014)

## **PLANNING ISSUES**

When this application was discussed at the 13.12.2016 planning committee it was considered that the proposal would respect and make a positive contribution to the street scene and the character of the area, it would result in an acceptable impact upon neighbouring amenity, it would provide a good standard of amenity to future occupiers, it would have an acceptable impact upon trees and protected species, it would result in acceptable highways and car parking implications and would provide acceptable mitigation for the Thames Basin Heaths Special Protection Area (SPA) mitigation subject to a Legal Agreement.

Therefore the only new issue to assess in determining this application is:

### Impact on the special architectural and historical interest of the Statutory Listed Building and its setting

1. Section 66 of the *Planning (Listed Buildings and Conservation Areas) Act 1990* states that “*in considering whether to grant planning permission for development which affects a listed building or its setting, the Local Planning Authority...shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses*”.
2. As previously noted Historic England's response considers the total loss of an irreplaceable historic building to be unacceptable.
3. The proposal is therefore considered to have an unacceptable impact on the special architectural and historical interest of the Statutory Listed Building and its setting which is contrary to section 12 of the *National Planning Policy Framework* (2012), section 66 of the *Planning (Listed Buildings and Conservation Areas) Act 1990*, policy CS20 of the *Woking Core Strategy* (2012), policy DM20 of the *Development Management Policies Development Plan Document* (2016) and *The Heritage of Woking* (2000).

## **CONCLUSION**

4. The proposed loss of Grade II listed Dormer Cottage would have an unacceptable impact on the special architectural and historical interest of the Statutory Listed Building and its setting which is contrary to section 12 of the *National Planning Policy Framework* (2012), section 66 of the *Planning (Listed Buildings and Conservation Areas) Act 1990*, policy CS20 of the *Woking Core Strategy* (2012), policy DM20 of the *Development Management Policies Development Plan Document* (2016) and *The Heritage of Woking* (2000).

#### **BACKGROUND PAPERS**

Site visit photographs

#### **RECOMMENDATION**

It is recommended that planning permission be **refused** for the following reason:

01. The proposed loss of Grade II listed Dormer Cottage would have an unacceptable impact on the special architectural and historical interest of the Statutory Listed Building and its setting which is contrary to section 12 of the *National Planning Policy Framework* (2012), section 66 of the *Planning (Listed Buildings and Conservation Areas) Act 1990*, policy CS20 of the *Woking Core Strategy* (2012), policy DM20 of the *Development Management Policies Development Plan Document* (2016) and *The Heritage of Woking* (2000).

#### **Informatives**

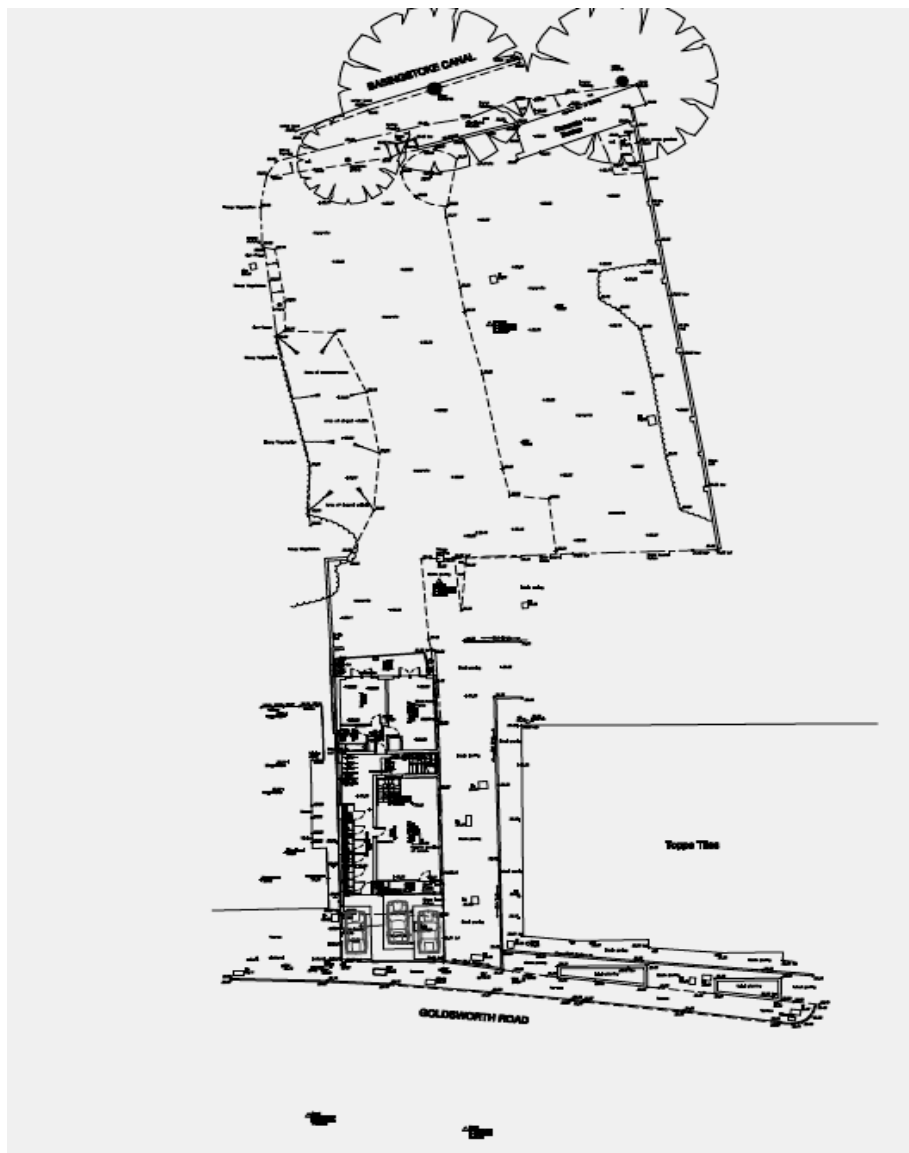
01. The drawings relating to this decision are:
  - 1422 FE02d (Proposed Site Plan), received by the Local Planning Authority on 22.11.2016.
  - 1422 FE03b (Proposed Ground Floor Plan), received by the Local Planning Authority on 06.05.2016.
  - 1422 FE04b (Proposed First Floor Plan), received by the Local Planning Authority on 06.05.2016.
  - 1422 FE05b (Proposed South Elevation H1), received by the Local Planning Authority on 06.05.2016.
  - 1422 FE06b (Proposed East Elevation H2), received by the Local Planning Authority on 06.05.2016.
  - 1422 FE07b (Proposed North Elevation), received by the Local Planning Authority on 06.05.2016.
  - 1422 FE08b (Proposed South Elevation), received by the Local Planning Authority on 06.05.2016.
  - 1422 FE09b (Proposed West Elevation H1), received by the Local Planning Authority on 06.05.2016.
  - 1422 FE10b (Proposed West Elevation H2), received by the Local Planning Authority on 06.05.2016.
  - 1422 FE11b (Proposed Section 1), received by the Local Planning Authority on 06.05.2016.
  - 1422 FE12b (Proposed Section 1), received by the Local Planning Authority on 06.05.2016.



# W L Sirman, 145 Goldsworth Road, Woking

## PLAN/2016/1194

Erection of a 3 storey building containing 5 self-contained (3x1 bed, 1x2 bed and 1x3 bed) flats including associated landscaping and parking (amended plans and description)

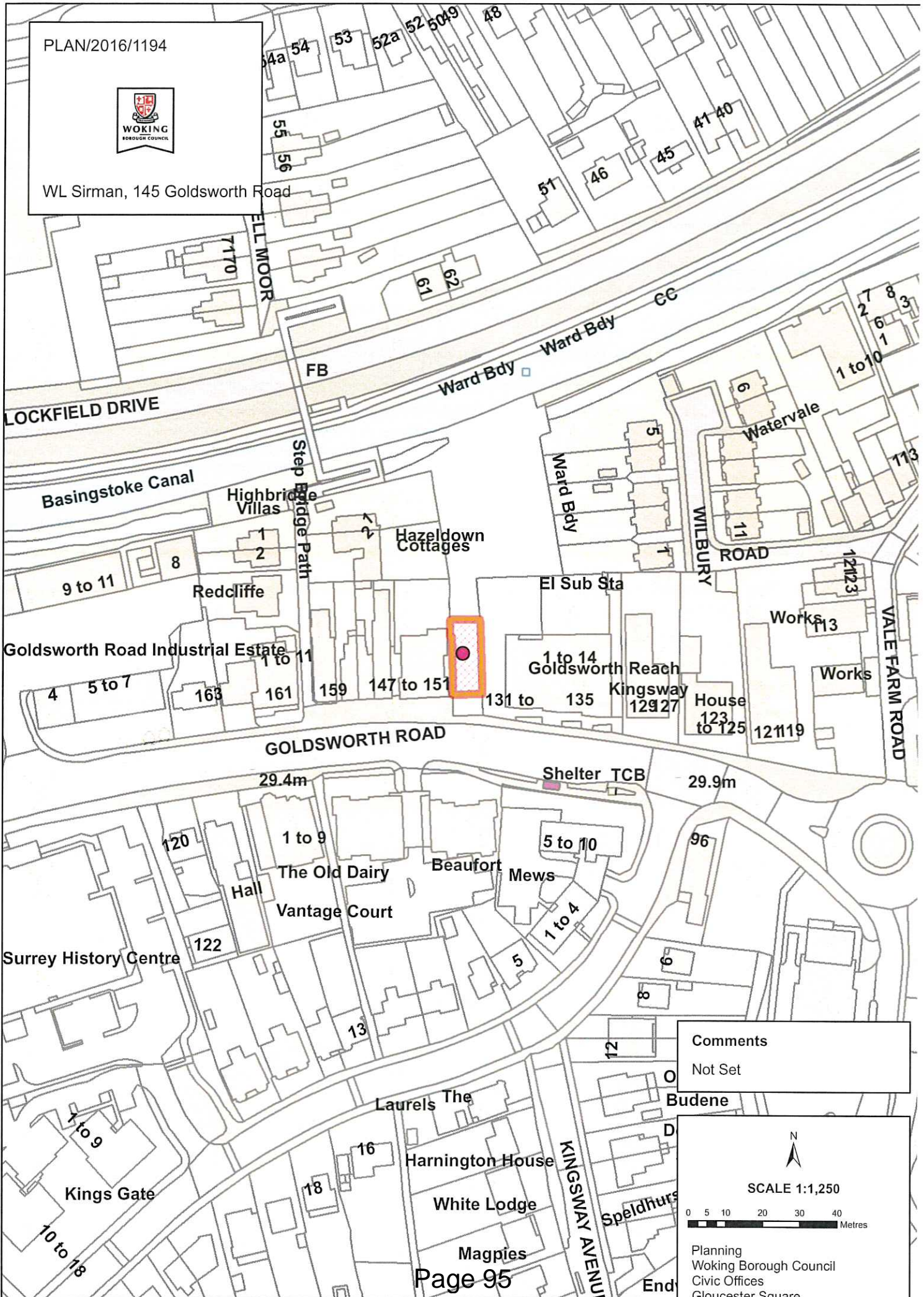




PLAN/2016/1194



WL Sirman, 145 Goldsworth Road



Comments

Not Set



SCALE 1:1,250



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





## 12 December 2017 PLANNING COMMITTEE

5f 16/1194 Reg'd: 01.03.2017 Expires: 23.12.16 Ward: SJS  
Nei. 30.08.17 BVPI 13 (Dwellings) Number 51/8 On No  
Con. Target of Weeks Target?  
Exp: on Cttee'  
Day:

**LOCATION:** W L Sirman, 145 Goldsworth Road, Woking, Surrey, GU21 6LS

**PROPOSAL:** Erection of a 3 storey building containing 5 self-contained (3x1 bed, 1x2 bed and 1x3 bed) flats including associated landscaping and parking (amended plans and description)

**TYPE:** Full Application

**APPLICANT:** Centerlink Uk Ltd

**OFFICER:** Brooke Bournague

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

The application is for erection of a detached building containing 5 self-contained flats which is a proposal that falls outside the scope of delegated powers as set out by the Management Arrangements and Scheme of Delegations.

### **SUMMARY OF PROPOSED DEVELOPMENT**

Erection of a 3 storey building containing 5 self-contained (3x1 bed, 1x2 bed and 1x3 bed) flats including associated landscaping and parking.

Site Area: 0.025 ha (250sq.m)  
Existing units: 0  
Proposed units: 5  
Existing density: 0 dph (dwellings per hectare)  
Proposed density: 200 dph

### **PLANNING STATUS**

- Adjacent to Woking Town Centre Boundary
- Thames Basin Heaths Special Protection Area (SPA) Zone B (400m-5km)

### **RECOMMENDATION**

Grant planning permission subject to conditions and SAMM contribution secured by way of Unilateral Undertaking.

### **SITE DESCRIPTION**

The application site is located on the edge of the boundary of Woking Town Centre and is within walking distance of the amenities of the town centre and the railway. The immediate area contains properties of varying size, age and appearance including modern flatted developments, Victorian housing and commercial buildings. The site is currently vacant but was previously occupied by a detached two-storey commercial premises comprising of an electrical retailer at ground floor with a storage area above and a service yard to the rear.

### **RELEVANT PLANNING HISTORY**

COND/2015/0012 - Discharge of Condition 11 of PLAN/2013/0904 (Demolition of existing building and the erection of a 3 storey building containing 3No one bedroom and 1No two bedroom flats). Permitted 17.04.2015

PLAN/2013/0904 - Demolition of existing building and the erection of a 3 storey building containing 3No one bedroom and 1No two bedroom flats. Permitted subject to legal agreement 05.12.2014

PLAN/2008/0622 - Erection of a 3 storey building containing 1 x 2 bedroom maisonette and 3 x 1 bedroom flats following the demolition of existing buildings (low carbon development). Permitted subject to legal agreement 31.07.2008

### **PROPOSED DEVELOPMENT**

Erection of a 3 storey building containing 5 self-contained flats (3x1 bed, 1x2 bed and 1x3 bed) including associated landscaping and parking. The proposal is similar to the development granted under planning application PLAN/2013/0904 on 05.12.2014.

The width of the building would remain the same as that permitted under planning application PLAN/2013/0904, the depth has been reduced by approximately 0.8m from 20.6m to 19.8m. The roof form of the building has been altered, but the maximum height would remain unchanged. The building permitted under PLAN/2013/0904 had a salt box style roof with a flat roof projection to accommodate the stairwell. The current proposal includes a shallow pitch roof fronting Goldsworth Road with a flat roof to the rear of the building. The form of the building fronting Goldsworth Road would remain the same as that permitted under PLAN/2013/0904. The area of private amenity space serving the ground floor one bed unit to the rear (north) of the building has been reduced in size.

The proposal has been designed to incorporate private amenity areas or balconies to all 5 units. Waste and recycling and cycle storage are also incorporated within the fabric of the building.

The contemporary appearance granted under planning application PLAN/2013/0904 on 05.12.2014 has been retained. The contemporary appearance includes a glazed frontage to maximise passive solar gain, solar thermal and photovoltaic panels to heat water and generate electricity mounted on the roof and a sedum green roof.

During the course of the application amended plans were received to:

- Reduce the number of units from 6 to 5
- Amend the internal layout to provide sufficient bin and cycle storage within the fabric of the building
- Amend the internal layout to enable all habitable rooms to have an external window
- Elevational changes to the east (side) elevation to insert additional windows
- Elevational changes to front (south) elevation to move the position of the main entrance

These amended plans have been the subject of re-consultation with neighbouring occupiers.

### **CONSULTATIONS**

**The County Highway Authority:** No objection subject to conditions 7, 8 and 9

**Surrey Wildlife Trust:** No comment

**Environmental Health:** No objection subject to condition 11

**Natural England:** No objection subject to SAMM contribution

**Scientific Officer:** No objection subject to condition 12

**Flood Risk and Drainage Team:** No objection subject to condition 10

**Waste Services:** No objection

### **REPRESENTATIONS**

None received

### **RELEVANT PLANNING POLICIES**

#### National Planning Policy Framework 2012 (NPPF)

Section 4 - Promoting sustainable transport

Section 6 - Delivering a wide choice of high quality homes

Section 7 - Requiring good design

Section 11 - 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 Area

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

CS24 - Woking's landscape and townscape

CS25 - Presumption in favour of sustainable development

#### Development Management Policies DPD (2016)

DM5 - Environmental Pollution

DM8 - Land contamination and hazards

#### Supplementary Planning Documents

Outlook, Amenity, Privacy and Daylight (2008)

Design (2015)

Parking Standards (2006)

### **PLANNING ISSUES**

1. The main issues to consider in determining this application are design and impact upon the character of the area, impact upon residential amenity, highways and parking implications, flood risk, trees, biodiversity, contamination, the Thames Basin Heaths Special Protection Area (SPA) and sustainability, having regard to the relevant policies

of the Development Plan, other relevant material planning considerations and national planning policy and guidance.

Principle of development

2. The application site is currently vacant. The site was previously occupied by a detached two-storey commercial premises comprising of an electrical retailer at ground floor with a storage area above and a service yard to the rear. Demolition of the building commenced in April 2015.
3. The principle of residential development on the site was established under planning application PLAN/2013/0904 granted on 05.12.2014 and is not considered to conflict with the subsequently adopted DM Policies DPD (2016).

Design and impact upon the character of the area

4. The application site is located adjacent to the Woking Town Centre Boundary where the transition is made between retail and commercial premises and residential dwellings. Planning application PLAN/2013/0904 granted on 05.12.2014 considered that the scale, mass and form of the proposal was in keeping with the level of development that had been granted planning permission at neighbouring sites. The current planning application proposes to increase the bulk of building to the rear, the overall height and form of the front (south) elevation fronting Goldsworth Road would remain the same as that permitted under planning application PLAN/2013/0904.
5. The proposed building is of a very contemporary appearance. The principle of a contemporary building has been established under planning application PLAN/2013/0904 granted on 05.12.2014. Supplementary Planning Document 'Woking Design' (2015) has been adopted since planning application PLAN/2013/0904 was granted planning permission. The proposed building is considered to be of an acceptable scale, massing, height, design and appearance for this site and would not detract from the character and appearance of the area.
6. The proposal would incorporate an area of hardstanding to the front (south) of the proposed development to provide off street parking for 3 cars. The building has been set back approximately 0.6m at ground floor to ensure cars can fit on the frontage however there is no scope to incorporate landscape on the frontage. The principle of this design and layout has been established under planning application PLAN/2013/0904 granted on 05.12.2014. Condition 3 is recommended to secure details of finishing materials.
7. Overall it is considered that the proposal would respect and make a positive contribution to the street scene and the character of the area in accordance with Policies CS21 and CS24 of the Woking Core Strategy (2012), Supplementary Planning Document 'Woking Design' (2015) and the NPPF.

Impact upon neighbouring amenity

8. Policy CS21 of the Woking Core Strategy (2012) advises that proposals for new development should achieve a satisfactory relationship to adjoining properties avoiding significant harmful impact in terms of loss of privacy, daylight or sunlight, or an overbearing effect due to bulk, proximity or outlook.
9. No.147 to No.151 Goldsworth Road is sited to the west of the application site. Planning application PLAN/2013/0904 granted on 05.12.2014 considered that the proposed development would not adversely affect the amenities enjoyed by the occupiers of No.147 to No.151 Goldsworth Road. It is considered increasing the height of the two

## 12 December 2017 PLANNING COMMITTEE

storey element to the rear (north) to three storeys would not result in any additional loss of daylight or overbearing impact over and above planning application PLAN/2013/0904 granted on 05.12.2014. The size of the glazed stairwell has been reduced in width and depth and the glazing to the sun space has been increased in depth in the west side elevation. It is considered the glazing alterations would not result in any overlooking or loss of privacy over planning application PLAN/2013/0904. Condition 16 is recommended to agree details of balcony screening to retain the privacy of No.147 to No.151 Goldsworth Road.

10. A flatted development Goldsworth Reach No.135 Goldsworth Road is sited to the east of the application site. There are no ground floor windows in the side elevation of No.135 Goldsworth Road orientated towards the application site. There are a total of four angled recessed flank windows at first and second floor and a total of four floor to ceiling windows at first and second floor in the side (west) elevation of No.135 Goldsworth Road orientated towards the application site. The design of the angled recessed windows would retain the line of sight and sufficient daylight to the habitable rooms (bedrooms). The first and second floor bedrooms in the side (west) elevation of No.135 Goldsworth Road served by the floor to ceiling windows have a primary window in the front or rear elevation to provide a satisfactory outlook and a sufficient level of daylight. The proposal would project beyond the rear elevation of No.135 Goldsworth Road, the 45 degree test has been applied and passed. There would not be a significant loss of daylight to the windows in the rear elevation of No.135 Goldsworth Road. The first and second floor windows in the east side elevation serving the sun space and habitable accommodation would remain unchanged from planning application PLAN/2013/0904. The size of the glazed stairwell has been reduced in width and depth and one additional window is proposed at ground (serving open plan kitchen/living/dining room), first (serving bedroom) and second (serving bedroom). Due to the position of the additional windows it is considered there would not be a significant loss of privacy or overlooking to No.135 Goldsworth Road.
11. The separation distances to The Old Dairy flatted development sited to the south of the application site and extant permission at Land R/o 143 Goldsworth Road (planning application PLAN/2015/0446) sited to the north of the application site comply with the recommended minimum distances set out in the Council's 'Outlook Amenity, Privacy and Daylight' SPD (2008) for three storeys and over development (15m for front to front relationships and 15m for front or back to boundary/flank relationships). It is considered the proposed windows and balconies in the front and rear elevations would not result in a significant overlooking or loss of privacy to The Old Dairy flatted development or the extant permission at Land R/o 143 Goldsworth Road (planning application PLAN/2015/0446).
12. Overall, the impact upon neighbouring amenity is considered to be acceptable in accordance with Policy CS21 of the Woking Core Strategy 2012, Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight (2008)' and the core principles of the National Planning Policy Framework 2012 (NPPF).

### Amenities of future occupiers

13. The proposed one, two and three bedroom flats are considered of an acceptable size with acceptable quality outlooks to habitable rooms. The proposed residential units are considered to provide an acceptable level of daylight and outlook to future occupiers and would all benefit from a private balcony or garden space. The proposed three bedroom unit is split between ground and first floor levels, there is a small garden area proposed to the front of this unit which will provide a small buffer between the car parking and living/dining/kitchen window. The internal layout of the flats is considered to

be appropriate.

14. The application site is located to the north of Goldsworth Road. Due to the close proximity to the Goldsworth Road and potential noise disturbance condition 11 is recommended to secure details of glazing and acoustic ventilation to protect the amenities of future occupiers.
15. There is sufficient space within the fabric of the building for refuse/recycling bins, condition 13 is recommended to ensure this space is provided prior to first occupation of the units.
16. Planning application PLAN/2008/0622 was permitted on 31.07.2008 subject to a legal agreement requiring a contribution of £4,200 towards off site amenity space. Planning application PLAN/2013/0904 permitted on 05.12.2014 did not require a contribution towards an off site amenity space as it was considered it would make the development unviable. Woking Borough Council implemented Community Infrastructure Levy (CIL) on 01.04.2015. The Councils Regulation 123 List sets out the projects and types of infrastructure that will be funded in whole or in part by the CIL income. Infrastructure projects or types which are not proposed to be funded from CIL can still be funded through S106. The 123 List includes open space (including outdoor sports, allotments and child play space and teenage play space). It is considered that a legal agreement is not required for a financial contribution towards off site amenity space as this would be funded through CIL.

#### Highways and parking implications

17. Policy CS18 states 'the Council is committed to developing a well integrated community connected by a sustainable transport system' this can be achieved by *'implementing maximum car parking standards for all types of non-residential development, including consideration of zero parking in Woking Town Centre, providing it does not create new or exacerbate existing on-street car parking problems. Minimum standards will be set for residential development. However in applying these standards, the Council will seek to ensure that this will not undermine the overall sustainability objectives of the Core Strategy...'*. In addition Supplementary Planning Document Parking Standards (2006) sets maximum standards, with the objective of promoting sustainable non-car travel.
18. The application site is located just outside the High Accessibility Zone. Supplementary Planning Document 'Parking Standards' (2006) states a maximum parking standard of 1 off street parking space to be provided for one bedroom units, 1.5 off street spaces for 2 bedroom units and 2 off street parking spaces for 3 or more bedroom units. To comply with maximum parking standards the proposal would be required to provide 6.5 off street parking spaces.
19. The proposed development would provide a total of three off street parking spaces. Seven cycle parking spaces have been provided within the fabric of the building. The site is located adjacent to the Town Centre boundary and within walking distance of a range of amenities and public transport connections, including bus routes and mainline railway station, providing a high frequency service to a range of destinations, including London Waterloo which would reduce reliance on the use of the private car. Goldsworth Road and surrounding roads are within the Controlled Parking Zone. In light of the above and the level of shortfall it is considered that the risk of overspill parking onto surrounding roads would be minimised. The County Highway Authority have been consulted and raised no objections to the proposal on highway safety or capacity grounds subject to conditions 7, 8 and 9. Condition 14 is recommended to ensure that

the three proposed parking spaces are only used by occupiers of the proposed development.

20. A construction transport management plan condition is recommended (condition 7) to minimise disruption to local residents during the build period should planning permission be granted.
21. Overall therefore the proposal is considered to result in an acceptable impact upon highway safety and car parking provision and accords with policy CS18 of the Woking Core Strategy 2012, Supplementary Planning Document 'Parking Standards' (2008) and the National Planning Policy Framework (2012).

Flood Risk:

22. The application site is not located in a flood zone but is located in an area at flood risk from Basingstoke Canal and adjacent to areas at low risk from surface water flood risk. The Councils Flood Risk and Drainage Team has been consulted and raised no objection subject to condition 10 to secure details of a scheme to dispose of surface water.

Trees and Landscaping:

23. There are no significant trees on the site which would require protection during construction; however a landscaping scheme can be secured by condition (Condition 4).

Biodiversity and Nature Conservation

24. The previously existing building at No.145 Goldsworth Road has been demolished. A Bat Survey Report was submitted with planning application PLAN/2013/0904. The bat report identified that low numbers of common pipistrelle bats used part of the building's roof for roosting purposes. Condition 11 of planning application PLAN/2013/0904 required additional information detailing the mitigation and compensation strategy of damage to populations of Bats, a protected species under The Wildlife and Countryside Act 1981 (as amended), and its associated habitat during construction works and once the development is complete to be submitted. Condition 11 of planning application PLAN/2013/0904 was discharged on 17.04.2015 in consultation with Natural England. Natural England advised the condition could be discharged as a Bat Species Licence had been applied for and approved relating to the development site. It is considered that the proposal would not have an adverse ecological impact.

Contamination

25. Paragraphs 120 and 121 of the NPPF relate to contamination and advise that the effects of pollution should be taken into account and that the responsibility for securing a safe development rests with the developer and/or landowner. Policy DM5 of the DM Policies DPD relates to environmental pollution and Policy DM8 relates to land contamination and seeks to remediate or minimise the risks from contamination.
26. The application site is located adjacent to a former engineering works and former petrol station which is known to have impacted local soil and groundwater. No.145 Goldsworth Road may have been significantly impacted from petrol storage under the adjacent petrol station and for this reason it will be necessary to carry out an intrusive soil and ground water investigation and risk assessment with the potential that remediation will also be necessary to ensure that the site is suitable for use. Condition 12 is recommended to ensure that the required contamination information is submitted.

Thames Basin Heaths Special Protection Area (TBH SPA)

27. The SPAs in this area are internationally-important and designated for their interest as habitats for ground-nesting and other birds. Core Strategy (2012) policy CS8 requires new residential development beyond a 400m threshold, but within 5km of the SPA boundary, to make an appropriate contribution towards the provisions of Suitable Alternative Natural Greenspace (SANG) and the Strategic Access Management and Monitoring (SAMM).
28. 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 £2989.00 in line with the Thames Basin Heaths Special Protection Area Avoidance Strategy 2010-2015 as a result of the uplift of 3x1 bedroom dwelling, 1x2 bedroom dwelling and 1x3 bedroom dwelling that would arise from the proposal.
29. In view of the above, the Local Planning Authority is able to determine that the development would have no significant effect upon the SPA and therefore accords with Core Strategy (2012) policy CS8 and the 'Thames Basin Heaths Special Protection Area Avoidance Strategy 2010-2015'.

Affordable Housing

30. Following the Court of Appeal's judgment of 11<sup>th</sup> May 2016, wherein the Secretary of State for Communities and Local Government successfully appealed against the judgment of the High Court of 31<sup>st</sup> July 2015 (West Berkshire and Reading Borough Council v Secretary of State for Communities and Local Government), officers accept that, subsequent to the Court of Appeal's judgment, the policies in the Written Ministerial Statement of 28<sup>th</sup> November 2014 by the Minister of State for Housing and Planning which sets out specific circumstances where contributions for affordable housing and tariff-style planning obligations should not be sought from small scale and self build development, must once again be treated as a material consideration in development management decisions.
31. Additionally the Planning Practice Guidance (Paragraph 031 – Revision date: 19.05.2016) sets out that there are specific circumstances where contributions for affordable housing planning obligations should not be sought from small scale and self-build development. This follows the order of the Court of Appeal judgment dated 13<sup>th</sup> May 2016, which again gives legal effect to the policy set out in the Written Ministerial Statement of 28<sup>th</sup> November 2014 and should be taken into account. These circumstances include that contributions should not be sought from developments of 10 units or fewer, and which have a maximum combined gross floorspace of no more than 1000sqm.
32. Whilst weight should still be afforded to Policy CS12 'Affordable housing' of the Woking Core Strategy (2012) it is considered that greater weight should be afforded to the policies within the Written Ministerial Statement of 28<sup>th</sup> November 2014 and the Planning Practice Guidance (Paragraph 031 – Revision date: 19.05.2016). No affordable housing contribution is therefore sought for this application.

Sustainability

33. Following a Ministerial Written Statement to Parliament on 25 March 2015, the Code for Sustainable Homes (aside from the management of legacy cases) has now been withdrawn. For the specific issue of energy performance, Local Planning Authorities will continue to be able to set and apply policies in their Local Plans that require compliance with energy performance standards that exceed the energy requirements of Building



## 12 December 2017 PLANNING COMMITTEE

Regulations until commencement of amendments to the Planning and Energy Act 2008 in the Deregulation Bill 2015. The Government has stated that the energy performance requirements in Building Regulations will be set at a level equivalent to the outgoing Code for Sustainable Homes Level 4.

34. Until the amendment is commenced, Local Planning Authorities are expected to take this statement of the Government's intention into account in applying existing policies and setting planning conditions. The Council has therefore amended its approach and an alternative condition will now be applied to all new residential permissions which seeks the equivalent water and energy improvements of the former Code Level 4 (Conditions 5 and 6).

### Community Infrastructure Levy (CIL):

35. The proposal would be liable for Community Infrastructure Levy (CIL) to the sum of £58,430.77.

### **CONCLUSION**

36. Overall it is considered that the proposal would respect and make a positive contribution to the street scene and the character of the area in accordance with Policies CS21 and CS24 of the Woking Core Strategy 2012, Supplementary Planning Document 'Woking Design' and the NPPF.
37. The proposal is also considered to result in an acceptable impact upon neighbouring amenity, to provide a good standard of amenity to future occupiers and to result in acceptable highways and car parking implications having regard to the relevant policies of the Development Plan, other relevant material planning considerations and national planning policy and guidance. Thames Basin Heaths Special Protection Area (SPA) mitigation will be addressed by way of Legal Agreement.
38. The proposal is therefore considered to be an acceptable form of development that complies with Policies CS1, CS7, CS8, CS9, CS10, CS11, CS12, CS18, CS21, CS22, CS24 and CS25 of the Woking Core Strategy 2012, Policies DM5 and DM8 of the DM Policies DPD (2016), Supplementary Planning Documents 'Outlook, Amenity, Privacy and Daylight (2008)', 'Design (2015)' and 'Parking Standards (2006)' and the 'Thames Basin Heaths Special Protection Area Avoidance Strategy 2010-2015', National Planning Practice Guidance and the National Planning Policy Framework 2012. It is therefore recommended that planning permission is granted subject to conditions as set out below.

### **BACKGROUND PAPERS**

1. Site visit photographs
2. Consultation responses

### **PLANNING OBLIGATIONS**

	Obligation	Reason for Agreeing Obligation
1.	£2989.00 SAMM (SPA) contribution.	To accord with the Habitat Regulations, policy CS8 of the Woking Core Strategy 2012 and The Thames Basin Heaths Special Protection Area (SPA) Avoidance Strategy.

### **RECOMMENDATION**

## 12 December 2017 PLANNING COMMITTEE

**Grant** planning permission subject to the following conditions and SMM (SPA) contribution secured by way of Legal Agreement:

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

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

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

Unnumbered plan showing a location plan undated and received by the Local Planning Authority 08.12.2017

20130876-PL01 Rev N dated 09.11.2017 and received by the Local Planning Authority on 22.11.2017

20130876-PL02 Rev N dated 09.11.2017 and received by the Local Planning Authority on 22.11.2017

20130876-PL03 Rev G dated 09.11.2017 and received by the Local Planning Authority on 22.11.2017

20130876-PL04 Rev H dated 09.11.2017 and received by the Local Planning Authority on 22.11.2017

20130876-PL05 Rev J dated 09.11.2017 and received by the Local Planning Authority on 22.11.2017

20130876-PL06 Rev G dated 09.11.2017 and received by the Local Planning Authority on 22.11.2017

20130876-PL07 Rev D dated 09.11.2017 and received by the Local Planning Authority on 22.11.2017

20130876-PL08 Rev F dated 09.11.2017 and received by the Local Planning Authority on 22.11.2017

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

3. The development hereby permitted shall not commence until samples and a written specification of the materials to be used in the external elevations of the building hereby approved and hard surfaced areas have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and thereafter retained in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority

Reason: To protect the visual amenities of the area in accordance with Policies CS20 and CS21 of the Woking Core Strategy 2012 and the policies of the NPPF.

## 12 December 2017 PLANNING COMMITTEE

4. Prior to the first occupation of the development hereby approved, a hard and soft landscaping scheme showing details of shrubs, trees and hedges to be planted and details of materials for areas of hardstanding, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and thereafter retained in accordance with the approved details unless otherwise first agreed in writing by the Local Planning Authority. All landscaping shall be carried out in accordance with the approved scheme in the first planting season (November-March) following the occupation of the buildings or the completion of the development (in that phase) whichever is the sooner and maintained thereafter. Any retained or newly planted trees, shrubs or hedges which die, become seriously damaged or diseased or are removed or destroyed within a period of 5 years from the date of planting shall be replaced during the next planting season with specimens of the same size and species unless otherwise agreed in writing by the Local Planning Authority.

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

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

Development shall be carried out wholly in accordance with the agreed details and maintained as such in perpetuity unless otherwise agreed in writing by the LPA.

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

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

Development shall be carried out wholly in accordance with the agreed details and maintained as such in perpetuity unless otherwise agreed in writing by the LPA.

## 12 December 2017 PLANNING COMMITTEE

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

7. ++ The development hereby permitted (including any clearance works and demolition) shall not commence until a Construction Method Statement has been submitted to and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
- i) the parking of vehicles of site operatives and visitors
  - ii) loading and unloading of plant and materials
  - iii) storage of plant and materials used in constructing the development
  - iv) measures to control the emission of dust and dirt during construction
  - v) a scheme for recycling/disposing of waste resulting from demolition and construction works

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

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

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

8. The development hereby approved shall not be first occupied unless and until space has been laid out within the site in accordance with the approved plans for vehicles to be parked. Thereafter the parking area shall be retained and maintained for their designated purpose.

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

9. The development hereby approved shall not be first occupied until the proposed vehicular access to Goldsworth Road and the scheme to remove the existing parking bays on Goldsworth Road has been constructed in accordance with a scheme which has been submitted to and approved in writing by the Local Planning Authority.

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

10. No development shall commence until details of a scheme for disposing of surface water by means of a sustainable drainage system has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in full in accordance with the approved details prior to the first occupation of the development.

## 12 December 2017 PLANNING COMMITTEE

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.

11. No development shall take place until a fully detailed scheme has been approved by the Local Planning Authority for protecting the habitable rooms with windows facing Goldsworth Road from traffic noise, to include a scheme of double glazing and acoustic ventilation as appropriate. The approved scheme shall be carried out concurrently with the development of the site and shall then be implemented in full as agreed in writing by the local planning authority before each affected dwelling is occupied and shall be retained thereafter.

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

12. ++ The development hereby permitted shall not commence until a scheme to deal with contamination of the site has been submitted to and approved in writing by the Local Planning Authority.

(i) The above scheme shall include :-

- (a) a contaminated land desk study and suggested site assessment methodology;
- (b) a site investigation report based upon (a);
- (c) a remediation action plan based upon (a) and (b);
- (d) a "discovery strategy" dealing with unforeseen contamination discovered during construction;
- and (e) a "validation strategy" identifying measures to validate the works undertaken as a result of (c) and (d)
- (f) a verification report appended with substantiating evidence demonstrating the agreed remediation has been carried out

(ii) Unless otherwise agreed in writing by the Local Planning Authority, the development shall be carried out and completed wholly in accordance with such details and timescales as may be agreed.

Reason: To ensure that a satisfactory strategy is put in place for addressing contaminated land before development commences and to make the land suitable for the development without resulting in risk to construction workers, future users of the land, occupiers of nearby land and the environment generally in accordance with Policies CS9 and CS21 of the Woking Core Strategy 2012.

13. The development hereby approved shall not be first occupied until the bin and cycle storage facilities shown on plan 20130876-PL01 Rev N dated 09.11.2017 and received by the Local Planning Authority on 22.11.2016 have been installed. The bin and cycle storage facilities shall be maintained and operated in perpetuity, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of amenity and to ensure the appropriate provision of infrastructure in accordance with Policies CS16 and CS21 of the Woking Core Strategy 2012.

## 12 December 2017 PLANNING COMMITTEE

14. The front of the site shall only be used for the parking of vehicles incidental and ancillary to the residential use of the dwellings hereby permitted and shall thereafter be maintained solely for parking purposes and made available to the occupiers of those properties at all times for such purposes unless the Local Planning Authority otherwise first agrees in writing. In any event the parking spaces shall not be used for the parking/storage of boats, caravans or trailers.

Reason: To preserve the amenities of the neighbourhood and ensure the provision of off-street parking facilities.

15. ++ Details of all screen and boundary walls, fences, hedges and any other means of enclosure shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the development hereby approved; such approved means of enclosure to be erected and hedges etc. shall be planted in accordance with the approved details before the building hereby approved is first occupied, unless the Local Planning Authority otherwise first agrees in writing. Any hedges and/or enclosures and boundary planting included in the scheme shall be maintained for a period of 5 years, from the time of planting, including the replacement of any plant which may die.

Reason: To ensure that the proposed development does not adversely affect the privacy and visual amenities at present enjoyed by the occupiers of the adjoining and nearby properties.

16. ++ Prior to the first occupation of the development hereby approved details shall be submitted for the approval of the Local Planning Authority showing screening to the rear balconies. Such screening shall be constructed prior to first occupation and be maintained and operated in perpetuity, unless otherwise agreed in writing by the Local Planning Authority

Reason: To ensure that the proposed development does not adversely affect the privacy and visual amenities at present enjoyed by the occupiers of the adjoining and nearby properties.

### **Informatives**

1. The Council confirms that in assessing this planning application it has worked with the applicant in a positive and proactive way, in line with the requirements of paragraph 186-187 of the National Planning Policy Framework 2012.
2. The applicants 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 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.
3. 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.

## 12 December 2017 PLANNING COMMITTEE

4. The applicant is advised that, under the Control of Pollution Act 1974, site works which will be audible at the site boundaries are restricted to the following hours:-  
08.00 – 18.00 Monday to Friday  
08.00 – 13.00 Saturday  
and not at all on Sundays and Bank/Public Holidays.
5. The applicant is advised that as part of the detailed design of the highway works required by the development, the County Highway Authority may require necessary accommodation works to street lights, road signs, road markings, highway drainage, surface covers, street trees, highway verges, highway surfaces, surface edge restraints and any other street furniture/equipment.
6. The permission hereby granted shall not be construed as authority to carry out any works on the highway. The applicant is advised that prior approval must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, or verge to form a vehicle crossover to install dropped kerbs. [www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/vehicle-crossovers-or-dropped-kerbs](http://www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/vehicle-crossovers-or-dropped-kerbs)
7. The scheme to remove the existing parking bays shall first require the alteration of the existing Traffic Regulation Order prior to first occupation of the development. The alteration of the Traffic Regulation Order is a separate statutory procedure which must be processed at the applicants expense prior to any alterations being made. In the event that the removal of the parking spaces is not successful due to unresolved objections the applicant shall submit an alternative scheme to the Local Planning Authority for its approval prior to first occupation of the development. Any alternative scheme shall be implemented prior to the occupation of any dwellings to the satisfaction of the Local Planning Authority.

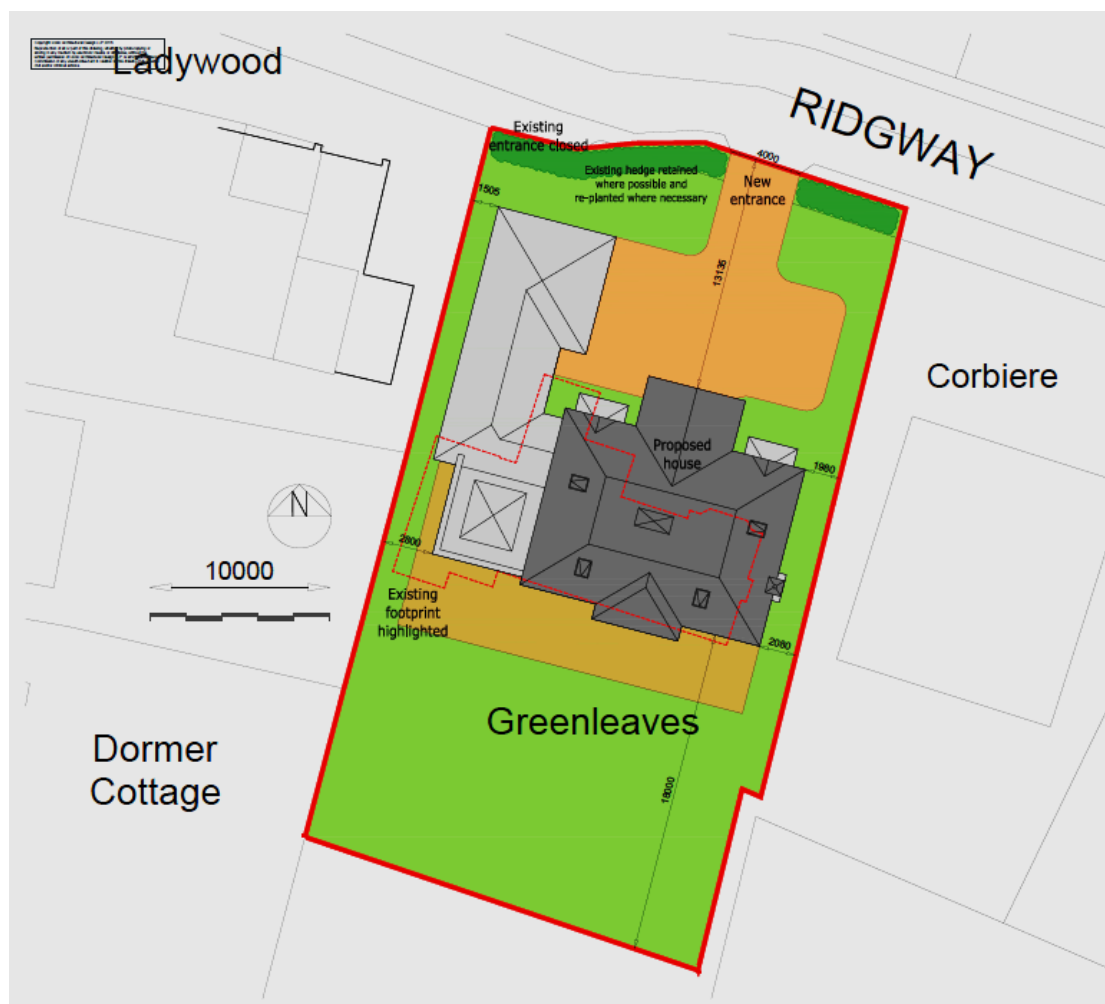




# Greenleaves, Ridgway, Woking

## PLAN/2017/1150

Demolition of existing dwelling and erection of a six bedroom two storey detached house and rooms within the roofspace and with attached double garage and relocation of vehicular access (Amended plans received).





PLAN/2017/1150



Greenleaves, Ridgway

Cold Arbor

1

8

DANE COURT

20

Dane Court Cottage

35

Toftbury

Russets Ithaca

16

14

Ardmore

Silvers

Biscovey

The Willans

Wareings

CR ED Bdy

El Sub Sta

36

Ladywood Court Cottage

RIDGWAY

Greenleaves Cottage

Trevean

Harehill Cottage

Bolberry Cottage

Rosewood Paris House

Dormer Cottage

Milestone Cottage

Bynca

COLDHARBOUR ROAD

Fantail Cottage

Larkrise

Bay Tree Cottage

Farmley

Kimbolton

Yew House

Kinver

Threeways

The Birches

Park House

Woodpecker

Comments

Not Set

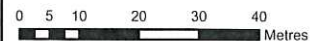
LB TCB

Byron Lodge

Krupa



SCALE 1:1,250



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

Delvers

Ridgway

Wood

Jadida

St Marys

Lane End



## 12 DECEMBER 2017 PLANNING COMMITTEE

5g 17/1150 Reg'd: 12.10.17 Expires: 15.12.17 Ward: PY  
Nei. 24.11.17 BVPI 13 (Dwellings) Number 9/9 On  
Con. Target of Weeks Target? Y  
Exp: on Cttee'  
Day:

**LOCATION:** Greenleaves, Ridgway, Woking, GU22 8PN

**PROPOSAL:** Demolition of existing dwelling and erection of a six bedroom two storey detached house and rooms within the roofspace and with attached double garage and relocation of vehicular access

**TYPE:** Full Application

**APPLICANT:** Mr Perkins

**OFFICER:** Joanne Hollingdale

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

The application is for a replacement dwelling and is therefore outside the Scheme of Delegation.

### **SUMMARY OF PROPOSED DEVELOPMENT**

This is a full planning application for the demolition of the existing dwelling and the erection of a six bedroom two storey detached house and rooms within the roofspace and with attached double garage and relocation of vehicular access.

Site Area: 0.1ha  
Existing units: 1  
Proposed units: 1  
Existing and proposed density: 10 dph

### **PLANNING STATUS**

- Urban Area
- Pyrford Neighbourhood Area

### **RECOMMENDATION**

**GRANT** planning permission subject to the recommended conditions.

### **SITE DESCRIPTION**

The application site extends to 0.1 ha in area and is rectangular in shape. The existing access to the plot lies in the north-west corner of the frontage. The existing dwelling is two storey with a large single storey element. To the front boundary of the plot is a hedge around 2.5-3 metres in height. The eastern boundary of the site is formed by a 4-5 metre high beech hedge and the western and southern boundaries are formed by timber fencing and hedging around 1.5-2 metres in height.

The application site is adjoined to the sides and rear by neighbouring residential dwellings.

**RELEVANT PLANNING HISTORY**

The existing dwelling was granted planning permission in 1955 and the existing dwelling has been subject to two applications for garages with the most recent being in 1967. The only other planning history on the site is as follows:

PLAN/2010/0487 - Erection of two detached two storey dwelling houses with integral garage and formation of a new access following the demolition of the existing property. Refused 21.07.10. The reasons for refusal were as follows:

1. *The proposed two new dwellings by reason of their position, size, height, bulk, massing, overall length and flat roof design would result in a cramped and contrived form of development which fails to respect plot widths, spacing and the character and appearance of the Ridgeway Urban Area of Special Residential Character is detrimental to the visual amenity of the otherwise spacious Arcadian character and appearance of the UASRC and street scene in general. This is contrary to Planning Policy Statement 3: Housing (Amended 2010), policies BE1, HSG18, HSG19 and HSG20 of the Woking Borough Local Plan (1999) and Supplementary Planning Guidance on the Urban Area of Special Residential Character (2000).*
2. *The proposed two new dwellings by reason of the design, position, bulk, length, size, height, and massing, would result in a significant loss of natural sun/day light and would be overbearing and visually intrusive to the rear facing windows and rear amenity area of Ladywood to the detriment of the amenities of the occupiers of the adjacent property. It has further not been demonstrated that the proposed development would not harm the amenities of the outline new dwelling approved at the adjoining site, approved under PLAN/2008/0230. This is contrary to policies BE1, HSG21 and HSG23 of the Woking Borough Local Plan 1999 and adopted SPD on Outlook, Amenity, Privacy and Daylight (2008).*
3. *In the absence of a mitigation payment in accordance with the Thames Basin Heaths Special Protection Area Interim Strategy Report for Woking, the application fails to demonstrate that the development would not have a significant effect on the Thames Basin Heaths Special Protection Area. The proposal is therefore contrary to the policy NE1 of The Woking Borough Local Plan 1999 and the Thames Basin Heaths Interim Strategy Report for Woking 2006.*
4. *It has not been demonstrated that the proposed development incorporates a proportion of decentralized /renewable/low carbon sources, this is contrary to PPS1 Supplement: Planning and Climate Change (2007).*

**PROPOSED DEVELOPMENT**

This is a full planning application for the demolition of the existing dwelling and the erection of a six bedroom two storey detached house and rooms within the roofspace and with attached double garage and relocation of vehicular access.

The proposed dwelling would be two storey with a single storey element to its western and north-western side which would also incorporate an attached double garage. The two storey part of the dwelling would have a maximum width of 13.8 metres and a maximum depth of 13 metres. The two storey flank elevations would have a maximum depth of 10.1 metres. The dwelling would have an eaves height of 5.7 metres and a ridge height of 9.5 metres.

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To the western side of the dwelling would be a single storey element which would have a width of 5 metres at the rear and a width of 6.7 metres at the front and an overall depth of 19.6 metres, incorporating a double garage. Part of the single storey would have a flat roof height of 3.6 metres and the other parts would have a pitched roof with an eaves height of 2.7 metres and a ridge height of 5.3 metres. The double garage would have a hipped roof with a maximum height of 5.9 metres. The application details state that the dwelling would be faced using stock bricks, clay tiles and timber windows.

The vehicular access would be re-positioned towards the centre of the front boundary and would require a section of existing hedge to be removed. The existing vehicular access to the property would be closed.

In support of the application the following documents have been submitted: CIL Additional Information form, CIL Assumption of Liability form and Design and Access Statement.

### **CONSULTATIONS**

**County Highway Authority** – Having assessed the application including the access arrangements and parking are satisfied that the application would not have a material impact on the safety and operation of the adjoining public highway. There are no highway requirements.

**Pyrford Neighbourhood Forum** – No comments have been received.

### **REPRESENTATIONS**

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

- No objection to the re-development of the site. The replacement of the existing dwelling and garden is desirable as the existing situation has impacted the garden and fence at Ladywood;
- The fencing/boundary is the subject of a dispute with the applicant;
- The re-sited access would be closer to a blind corner on Ridgway – there has been a serious accident here and this will add to the hazardous nature of the corner;
- The plot is substantially larger than neighbouring plots and the proposed dwelling would dwarf Ladywood. There are no measurements or a plan showing the height of the new property relative to the existing dwelling or Ladywood [*Officer note: the plans are to scale and a street scene view has been provided*];
- The existing shrubs on the western boundary will be removed and the new property will be more prominent when viewed from Ladywood;
- The side elevations of the garage and the upper floors will dominate Ladywood and its garden;
- The light to the garage window and bedroom window facing the application site will be reduced and sunlight to the garden of Ladywood will be reduced;
- The 1.5m gap between the development and boundary is not sufficient, the dwelling will tower over Ladywood and this narrow gap may prevent the future redevelopment of Ladywood, particularly a second storey above the garage;
- The plans do not contain any proposals for planting/screening;
- The utility door, first floor bathroom window and roof window will overlook Ladywood;
- The footprint looks at least 35% larger than any other dwelling in the western end of Ridgway which is out of keeping [*Officer note: this dwelling has the largest plot on this part of Ridgway*];

## 12 DECEMBER 2017 PLANNING COMMITTEE

- The eastern flank wall appears to be twice the length of the existing flank wall and closer to the shared boundary with Corbiere;
- Concerned regarding loss of privacy;
- Concern regarding health of mature hedge boundary;
- Concern regarding the structural integrity of neighbouring Corbiere [*Officer note: this is not a planning matter*].
- The proposed house is of traditional and unobjectionable design style and if quality materials are ensured by condition it should be an attractive dwelling;
- The overall bulk and height is quite significant when taken together with the proposed side wing/garage block which has an expansive roofscape and its placement so close to the frontage could be overbearing;
- Future conversion of the roof structures by permitted development could cause overlooking – can this be prevented [*Officer note: Condition 12 removes 'permitted development rights'*];
- Ridgway is characterised by trees and mature hedgerows. Moving the access will destroy the existing mature hedgerow which would, if left alone, help to reduce the visual impact of the proposed development;
- The size and mass of the proposed development is excessively dominant and overbearing and out of keeping;
- A smaller 4/5 bedroom property should be considered as an alternative;
- Neighbouring dwellings would be overlooked.

### **RELEVANT PLANNING POLICIES**

#### National Planning Policy Framework 2012 (NPPF)

##### Woking Core Strategy 2012

CS1 – A Spatial Strategy for Woking

CS18 - Transport and accessibility

CS21 - Design

CS22 - Sustainable construction

CS24 - Woking's landscape and townscape

CS25 - Presumption in favour of sustainable development

#### Development Management Policies DPD 2016

DM2 - Trees and Landscaping

#### Pyrford Neighbourhood Plan 2017

BE1 – Maintaining the character of the village

BE2 – Parking Provision

BE3 – Spatial Character

OS4 – Biodiversity

#### Supplementary Planning Documents (SPD)

Parking Standards July 2006

Outlook, Amenity, Privacy and Daylight 2008

Design February 2015

#### Other Material Considerations

National Planning Practice Guidance (NPPG)

### **PLANNING ISSUES**



## 12 DECEMBER 2017 PLANNING COMMITTEE

1. Within the urban area the one for one replacement of an existing dwelling is acceptable in principle subject to detailed considerations. Therefore the main planning issues to consider in the determination of this application are the visual impact of the proposed development, impact on neighbouring amenity, highways and parking, sustainable construction and local finance considerations.

### Visual impact of the proposed development

2. One of the core principles of the NPPF is to seek to secure high quality design. 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 they are located. Policy CS24 requires all development proposals to provide a positive benefit in terms of landscape and townscape character. Policy BE1 of the Pyrford Neighbourhood Plan requires new development to maintain the character of the area by complying with the following criteria:
  - a) *be designed to a high quality;*
  - b) *ensure that the specific context of the site and the wider character of the street scene are fully taken into account in relation to scale, appearance and materials;*
  - c) *seek to maintain reasonable residential privacy and the character of the area by:*
    - i. *preserving the existing grass verges, front boundary hedges and tree screens where practicable;*
    - ii. *providing sufficient off-street parking but not at the expense of removing boundary treatment which is important to the character and appearance of the Area.*
3. Policy BE3 of the Pyrford Neighbourhood Plan also states that all new development must respect:
  - (a) *established building lines and arrangements of front gardens, walls, railings or hedges where such features are important to the character and appearance of the area;*
  - (b) *established plot widths within streets where development is proposed, particularly where they establish a rhythm to the architecture in a street;*
  - (c) *the separation between buildings, and between buildings and the site boundaries in relation to likely impact on the privacy and amenity of neighbouring properties;*
  - (d) *local character and appearance, with particular regard to using landscape to ensure that developments blend into, and do not appear incongruous with, their surroundings;*
  - (e) *all development proposals should include facilities for waste bins to be concealed from publicly accessible locations.*
4. The existing dwelling is set back on the plot and dates from the Inter-War period. The street scene itself is varied in appearance with the dwelling to the west of the application site being single storey with a white painted finish, whilst to the east of the application site is a recently constructed substantial two storey dwelling with detached double garage to its frontage (PLAN/2012/0212). Opposite the site are older dwellings (approx. early 1980s) which have a mock-Tudor design. This part of the Ridgway therefore has a varied character and appearance. The frontage of the application site is formed by a high hedge.
5. The application site is one of the largest plots on this part of Ridgway and therefore the plot is considered to be capable of accommodating a dwelling of a larger scale

## 12 DECEMBER 2017 PLANNING COMMITTEE

and massing than the existing dwelling. In terms of layout, the replacement dwelling would be sited in a similar position to the existing dwelling. The replacement dwelling would have single storey elements on its western side and these would maintain a separation gap of between 1.5-2.8 metres to the western boundary. There would be a separation gap of around 7.8 metres between the western boundary and the two storey western flank of the dwelling. A separation gap of around 2 metres would also be maintained to the eastern boundary. The neighbouring dwelling to the east, Corbiere, is two storey and has a separation gap of between 2.2-3 metres on its western side and between 2.4-4 metres on its eastern side. To the west of the application site the single storey dwelling, Ladywood, has a separation gap of around 2 metres between its garage and the eastern boundary of the site. The separation gaps maintained on this application site would therefore be similar to those on the adjacent plots, although at two storey level, a separation gap of 7.8 metres would be retained between the western flank of the replacement dwelling and the western boundary of the site, which is much greater than the separation gaps on neighbouring properties.

6. The neighbouring dwelling Corbiere has a two storey depth of 14.1 metres with the replacement dwelling having a two storey depth on its flank elevations of 10.1 metres. This depth of building would ensure the overall proportions of the replacement dwelling are appropriate for the design of the dwelling and the size of the plot. Although the replacement dwelling would project further forward on its plot than the existing dwelling, the main part of the dwelling would still be set back around 13 metres from the front boundary of the plot. In addition its front elevation would be sited behind the front elevation of the neighbouring dwelling of Corbiere. The front garage projection for the replacement dwelling would be set back around 4-5 metres from the front boundary and would be set behind the front elevation of the neighbouring dwelling to the west, Ladywood and also the large detached garage at Corbiere. Therefore given the similar but taller garage structure on the neighbouring plot at Corbiere which is prominently positioned within the street scene, it is considered that the forward garage projection on this proposed replacement dwelling would be an acceptable feature in the street scene.
7. The proposed replacement dwelling adopts a double frontage design with a central projecting element. The ridge would be parallel to the Ridgway, although the main part of the dwelling would have a crown roof. Attached to the side/front of the dwelling would be a single storey element which would project forward of the main part of the dwelling and would have hipped roof. The proposed replacement dwelling would adopt a fairly traditional appearance which would reflect the character of the recently built dwelling to the east of the application site. The proposed use of facing brick, clay tiles and timber windows are considered to be acceptable and would enhance the overall quality of the design and appearance of the replacement dwelling. Condition 3 would require samples of the external materials to be approved.
8. The front boundary of the application site is formed by 2.5-3 metre hedge of various species. The existing vehicular access is proposed to be closed and will be required to be closed with hedging as part of a landscaping scheme for the site (condition 8). The existing front boundary hedge will also be required to be retained and/or replanted as part of the same landscaping condition to ensure the character of the site and street scene is maintained and the overall quality of the development is enhanced further.
9. Overall as this site is the largest plot on this part of Ridgway it is considered that the increase in the scale and massing of the proposed replacement dwelling would be acceptable and would not result in a cramped appearance on the plot and would

## 12 DECEMBER 2017 PLANNING COMMITTEE

enable the front boundary hedge to be retained and/or replanted. Mindful of the above factors it is considered that the proposed development would result in a positive addition to the varied character of the street scene and would maintain the spatial character of the area in accordance with Policies CS21 and CS24 of the Core Strategy, Policies BE1 and BE3 of the Pyrford Neighbourhood Plan 2017 and SPD Design.

### Impact upon existing and proposed amenity

10. Policy CS21 of the Core Strategy 2012 advises that proposals for new development should achieve a satisfactory relationship to adjoining properties avoiding significant harmful impact in terms of loss of privacy, daylight or sunlight, or an overbearing effect due to bulk, proximity or outlook.
11. Corbiere to the east is a newly constructed dwelling (approx. 2013). It has two windows at ground floor level facing the application site which are secondary windows to the drawing room and a first floor en-suite window. The proposed replacement dwelling would be set back from the front elevation of Corbiere and would be largely in line with the rear elevation of Corbiere. The proposed replacement dwelling would not therefore appear overbearing or would adversely affect the light to the neighbouring occupiers of Corbiere. In terms of privacy 3no. ground floor windows, 1no. first floor window and 1no. rooflight would face Corbiere. The first floor window would serve an en-suite and the rooflight would serve a bedroom (which is also served by a rear facing rooflight). Subject to a condition requiring this window and rooflight to be obscurely glazed and non-opening below 1.7 metres privacy of these neighbouring occupiers would be safeguarded. The rear elevation windows would face the rear garden of the application and would be in similar positions to existing windows.
12. To the west of the application site is a single storey dwelling, known as Ladywood and this dwelling has its garage adjoining the application site. Given the single storey height of the closest part of the dwelling to the western shared boundary and the position of the garage, the proposed replacement dwelling is not considered to be overbearing to these neighbouring occupiers. The neighbouring dwelling has a ground floor window facing the application site. From the Council's records (PLAN/1997/0697) for the neighbouring dwelling, it appears that this window serves a bedroom. To ensure the proposed garage projection does not conflict with the 25 degree splayline from this window the garage roof has been reduced in height, since the application was originally submitted. The garage would have a maximum hipped roof height of 5.9 metres and would be positioned around 6 metres from the neighbouring window. As the proposed garage would comply with the 25 degree splayline it is considered, in accordance with the guidance in the SPD Outlook, Amenity, Privacy and Daylight that suitable daylight will be achieved to the neighbouring window at Ladywood. A further window serves the neighbouring garage but as this window serves a non-habitable room, any amenity to this window is not required to be safeguarded. Whilst the existing vegetation will be removed from the western boundary of the site, this vegetation could be removed at any time without permission. Condition 10 will require details of all boundary treatments to be approved, therefore protecting the privacy of neighbouring occupiers.
13. The western boundary of the site is also shared with dwellings which front Coldharbour Road, in addition to Ladywood. The single storey part of the replacement dwelling would be closest to these dwellings, albeit it would still maintain a separation distance of 2.8 metres to the boundary. At first floor level a window serving a bathroom and a rooflight serving a bedroom (the bedroom is also served by a rear

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facing rooflight) are proposed on this side and subject to a condition requiring this window and rooflight to be conditioned to be obscurely glazed and non-opening below 1.7 metres, the privacy of the neighbouring occupiers on this side of the proposed dwelling would be safeguarded.

14. There are other neighbouring dwellings which adjoin the rear boundary of the site and given the position of the two storey part of the dwelling, which would be in a similar position to the existing dwelling, the proposal is not considered to appear overbearing or adversely affect the amenities of any neighbouring dwelling to the rear by reason of loss of light or a reduction in privacy.
15. Overall, subject to the recommended conditions, it is considered that the proposed development would achieve an acceptable relationship to adjoining properties, avoiding significant harmful impact in terms of loss of privacy, daylight or sunlight, or overbearing effect due to bulk, proximity or outlook. The proposed development is considered to comply Policy CS21 of the Core Strategy, Policy BE3 of the Pyrford Neighbourhood Plan, SPD Outlook, Amenity, Privacy and Daylight and the policies in the NPPF.

### Amenity space for the proposed dwelling

16. The Council's SPD Outlook, Amenity, Privacy and Daylight states that for large family dwelling houses over 150sqm gross, a suitable area of private garden amenity in scale with the building should be provided e.g. greater than the gross floor area of the building. In this case the gross internal floor area of the dwelling would be 440sqm. The private rear garden space, including the areas to the side of the dwelling would measure around 462sqm in area. The proposal thus complies with the requirements of the SPD in terms of private amenity space.

### Impact on hedges

17. Policy DM2 of the DM Policies DPD reflects Policy CS21 and requires trees and vegetation to be considered holistically as part of any proposal, requires tree removal to be justified to the satisfaction of the Council and requires appropriate replacement planting to enhance the quality of any development. There are no substantial trees within the application site but the boundaries of the site are formed by a number of hedges which are to be retained. In addition a new vehicular access is to be created in the front boundary hedge and the existing access would need to be closed with hedging to reflect the existing boundary treatment.
18. In order to maintain the character of the site it is considered necessary to require a protection plan to protect the boundary vegetation during the construction period (condition 7) and also a landscaping plan (condition 8) to ensure that the existing hedging is retained and/or new hedging is planted and to ensure the site is suitably landscaped to enhance the overall quality of the proposed development. The retention of existing hedging and the proposed planting to close the existing access will also comply with Policy OS4 of the Pyrford Neighbourhood Plan which seeks to retain bird nesting habitat.
19. The proposal therefore accords with Policy CS21 of the Core Strategy, Policy DM2 of the DM Policies DPD, Policy OS4 of the Pyrford Neighbourhood Plan and the policies in the NPPF.

### Highways and parking implications

20. The application proposes to create a new access towards the centre of the frontage and close the existing access in the north-western corner of the frontage. The existing hedge would either be retained or replanted to maintain the landscaped frontage. Condition 4 will require the design details of the proposed new access to be submitted and approved. Ridgway is a private road with raised humps in the road to limit speeds. There is no footway in front of the application dwelling. The proposed replacement dwelling would have sufficient off-street parking space to accommodate at least 4 vehicles which is sufficient for this size of dwelling and would not result in on-road parking in compliance with Policy BE2 of the Pyrford Neighbourhood Plan. There is also ample space in the dwelling/plot for secure cycle parking. Given the nature of the road it is considered necessary to ensure that a Construction Method Statement is approved to control matters such as parking for site operatives, loading and unloading and the storage of materials. The County Highway Authority has advised that they have no highway requirements for this application.
21. Overall the proposal is considered to result in an acceptable impact upon highway safety and car parking provision and accords with Policy CS18 of the Core Strategy, Policy BE2 of the Pyrford Neighbourhood Plan, SPD Parking Standards and the policies in the NPPF.

#### Drainage and flood risk

22. The site is located within Flood Zone 1 (low risk) and no issues relating to flood risk or surface water drainage are raised. As such the proposal is considered to comply with Policy CS9 of the Core Strategy and the policies in the NPPF subject to condition 19.

#### Sustainable construction:

23. Planning policies relating to sustainable construction have been updated following the Government's withdrawal of the Code for Sustainable Homes. Therefore in applying Policy CS22 of the Woking Core Strategy 2012, the approach has been amended and at present all new residential development is required to be constructed to achieve a water consumption standard of no more than 105 litres per person per day indoor water consumption and not less than a 19% CO2 improvement over the 2013 Building Regulations TER Baseline (Domestic). Planning conditions have been recommended to secure this (conditions 13 and 14).

#### LOCAL FINANCE CONSIDERATIONS

24. The proposal would be liable for Community Infrastructure Levy (CIL) to the sum of approximately **£36,470.77** (including the 2017 Indexation) given the net increase in internal floorspace of 263.4 sqm.

#### CONCLUSION

25. Overall the proposed replacement dwelling is considered to be acceptable and would not result in any adverse consequences to the character and appearance of the site and surrounding area, the amenities of neighbouring occupiers, highway safety and parking, sustainable construction and flood risk and drainage. Having regard to the relevant policies of the Development Plan, other relevant material planning considerations and national planning policy and guidance the proposal is considered to comply with Policies CS1, CS9, CS18, CS21, CS22, CS24, and CS25 of the Woking Core Strategy 2012, Policy DM2 of the DM Policies DPD 2016, Policies BE1,

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BE2, BE3 and OS4 of the Pyrford Neighbourhood Plan 2017, the guidance in the relevant SPDs and the policies within the NPPF. It is therefore recommended that planning permission is granted subject to the conditions as set out below.

### **BACKGROUND PAPERS**

1. Planning Application file – PLAN/2017/1150

### **RECOMMENDATION**

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

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

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

2. The development hereby permitted shall be carried out in accordance with the following approved plans numbered/titled:

Site Plan (including site location plan) (201 Rev A) rec 14.11.17  
Proposed House (202 rev A) rec 14.11.17  
Existing House (203) rec 10.10.17  
Street View (204 Rev A) rec 22.11.17

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

3. ++ Prior to the commencement of any development hereby permitted samples and a written specification of the materials to be used in the external elevations and for any hard surfaced areas shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and thereafter retained in accordance with the approved details unless otherwise first agreed in writing by the Local Planning Authority.

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

4. ++Prior to the commencement of development, design details and details of surfacing materials of the proposed vehicular access from Ridgway shall be submitted to and approved in writing by the Local Planning Authority. The details to be submitted shall also include a timetable for its construction. Thereafter the proposed vehicular access shall be provided in accordance with the approved details and timetable.

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

5. The development hereby permitted shall not be first occupied unless and until space has been laid out within the site in accordance with the approved plans for vehicles to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the parking and turning areas shall be retained and maintained for their designated purposes and shall be made available to the occupiers of the

## 12 DECEMBER 2017 PLANNING COMMITTEE

property at all times for parking purposes unless otherwise first approved in writing by the Local Planning Authority.

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

6. ++Prior to the commencement of development full details of the existing and proposed finished floor levels and existing and proposed site levels around the building shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with the approved details.

Reason: In the interests of visual amenity and in accordance with Policy CS21 of the Woking Core Strategy 2012 and policies in the NPPF.

7. ++Prior to the commencement of development protective measures (to protect the boundary hedges to be retained on the site/bordering the application site) shall be carried out in strict accordance with a plan which shall have first been submitted to and approved in writing by the Local Planning Authority. No works or demolition shall take place until the protective measures have been implemented and such protective measures shall be retained on site for the duration of the construction and until any such approved landscaping scheme is required to be implemented.

Reason: To ensure the retention and protection of hedges on and adjacent to the site in the interests of the visual amenities of the locality and the appearance of the development in accordance with Policy CS21 of the Woking Core Strategy 2012 and policies in the NPPF.

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

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

9. Any scrub, hedgerow and tree clearance must be undertaken outside the bird breeding season (1st March to 30th August inclusive) unless the applicant has first carried out a survey of such vegetation (undertaken by an ecologist) which shows that there are no nesting species within relevant parts of the application site and any such survey results have been submitted to and approved in writing by the Local Planning Authority.

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Reason: To prevent birds being injured or killed during site clearance works and to comply Policy CS7 of the Woking Core Strategy 2012, Circular 06/05 Biodiversity and Geological Conservation and the policies in the NPPF.

10. ++Prior to the commencement of development full details of all boundary enclosures to the site including the retention/replanting of hedge boundaries shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with the approved details and the existing boundary hedges to be retained shall be protected during construction in accordance with the details approved under condition 7. Any approved new means of enclosure shall be installed prior to the first occupation of the dwelling hereby permitted. Thereafter all boundary means of enclosures including hedges shall be maintained and retained in accordance with the approved details.

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

11. Notwithstanding the provisions of Article 3 and Schedule 2, Part 2 and Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), (or any orders amending or re-enacting that Order with or without modification) no fences, gates or walls or other means of enclosures other than those expressly authorised by this permission shall be erected anywhere within the curtilage of the dwelling house without planning permission being first obtained from the Local Planning Authority.

Reason: To preserve the character of the area and to avoid a proliferation of various means of enclosure in accordance with Policy CS21 of the Woking Core Strategy 2012 and the policies in the NPPF.

12. Notwithstanding the provisions of Article 3, Schedule 2, Part 1 and Classes A, B, C, D, E, F and G of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), (or any orders amending or re-enacting that Order with or without modification) no development falling within these Classes shall be carried out any where on the site without planning permission being first obtained from the Local Planning Authority.

Reason: To protect the amenity and privacy of the occupiers of adjoining properties in accordance with Policy CS21 of the Woking Core Strategy 2012 and the policies in the NPPF.

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



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(2015 edition). Such evidence shall be in the form of a Design Stage water efficiency calculator.

Development shall be carried out wholly in accordance with the agreed details and maintained as such in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

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

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

Development shall be carried out wholly in accordance with the agreed details and maintained as such in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

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

15. ++No development shall commence until a Construction Transport Management Plan, to include details of:
- (a) parking for vehicles of site personnel, operatives and visitors
  - (b) loading and unloading of plant and materials
  - (c) storage of plant and materials
  - (d) programme of works (including measures for traffic management)
  - (e) provision of boundary hoarding behind any visibility zones
  - (f) measures to prevent the deposit of materials on the highway
  - (g) on-site turning for construction vehicles

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

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users and to the visual amenity of the locality and to comply with Policies CS18 and CS21 of the Woking Core Strategy 2012 and policies in the NPPF.

### **Informatives**

## 12 DECEMBER 2017 PLANNING COMMITTEE

1. The applicant is advised that the removal of permitted development rights in accordance with condition 12 of this permission includes the removal of permitted development rights for the insertion of any new windows and openings in any of the dwellings hereby approved. Therefore a planning application will be required to be submitted for any window, dormer window, rooflight, door or other additional openings other than those expressly authorised by this permission.
2. The Council confirms that in assessing this planning application it has worked with the applicant in a positive and proactive way, in line with the requirements of paragraph 186-187 of the National Planning Policy Framework 2012.
3. The applicants 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 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.
4. The development hereby permitted would be CIL liable. The charge becomes due when development commences. A commencement notice, which is available from the Planning Portal website (Form 6: Commencement Notice: [http://www.planningportal.gov.uk/uploads/1app/forms/form\\_6\\_commencement\\_notice.pdf](http://www.planningportal.gov.uk/uploads/1app/forms/form_6_commencement_notice.pdf)) must be issued to the Local Planning Authority and all owners of the relevant land to notify them of the intended commencement date of the development. The Local Planning Authority will then send a Demand Notice to the person or persons who have assumed liability.
5. 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.
6. The applicant is advised that under the Control of Pollution Act 1974, works which will be audible at the site boundary will be restricted to the following hours:-  
  
8.00 a.m. - 6.00 p.m. Monday to Friday  
8.00 a.m. - 1.00 p.m. Saturday  
and not at all on Sundays and Bank Holidays.

# St Andrews School, Church Hill House, Wilson Way, Horsell, Woking

## PLAN/2017/1159

Demolition and reconstruction of teaching spaces to provide a single and two storey extension and the construction of a new two storey drama and music facility, with associated landscaping works.





PLAN/2017/1159



St Andrews School, Church Hill House

Little Avenue  
LYNHURST

33.1m

Throwleigh Lodge

Bryggia

Redwoods

Charnden Place

Lyndhurst Lodge

Pine Trees

Squirrels

Kawarau

Durrington

Plan-W

40.0m

40.7m

Horsell Lane

Beech End

Hillside Lodge

El Sub Sta

41.1m

Deepdale

Winsford

North Lodge

Cobbers

41.1m

Copperings

Childrens Nursery

SOUTHCOTE

Sports Facility

Sports Facility

Swimming Pool

St Andrew's School

Gardenside Field  
Cottages  
Gable Cottage

86 80  
84 78  
82 74  
76

2 3

21

Playing Field

Comments

Not Set

Pavilion



SCALE 1:1,250



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

70 72  
59 57

26 28  
46 48

9 7

PARES CLOSE

22 24  
24

34.9m

1 to 10  
Oakhurst



## 12 DECEMBER 2017 PLANNING COMMITTEE

5h 17/1159 Reg'd: 16.10.2017 Expires: 15.01.18 Ward: HO  
Nei. 17.11.17 BVPI Major Number 8/13 On Yes  
Con. Target of Weeks Target?  
Exp: on Cttee'  
Day:

**LOCATION:** St Andrews School, Church Hill House, Wilson Way, Horsell, Woking

**PROPOSAL:** Demolition and reconstruction of teaching spaces to provide a single and two storey extension and the construction of a new two storey drama and music facility, with associated landscaping works.

**TYPE:** FULL

**APPLICANT:** St Andrew's (Woking) School Trust **OFFICER:** Joanne Hollingdale

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

The application is for major development and is therefore outside the Scheme of Delegation.

### **SUMMARY OF PROPOSED DEVELOPMENT**

The application proposes the demolition and reconstruction of teaching spaces to provide a single and two storey extension and the construction of a new two storey drama and music facility, with associated landscaping works.

### **PLANNING STATUS**

- Urban Area
- Locally Listed Building
- Thames Basin Heaths SPA

### **RECOMMENDATION**

**GRANT** planning permission subject to conditions.

### **SITE DESCRIPTION**

St Andrews School occupies a large sloping site in the centre of Horsell, extending to some 4.4 hectares and is surrounded by residential properties to all boundaries. The main access to the site is from Wilson Way on the southern side of the site, with a second access to the site from the Ridgeway on the northern side of the site. The main school buildings are located towards the centre of the site with amenity space and playing fields situated either side. The main school building, Church Hill House (Main House) is a Locally Listed Building. Elsewhere within the site is a Tennis court building, Jubilee building, Pre-Prep and

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Reception Buildings and a number of other buildings, some of which provide a place of residence for a number of school staff.

The school was founded in 1937 and is a co-educational Prep School for children from the ages of 3 to 13. The school comprises a Nursery, Reception and Years 1 to 8 (inclusive) all of which operate two forms of entry. The school is not seeking to increase pupil numbers above the currently approved maximum of 352 pupils as part of this application.

### **PLANNING HISTORY**

There is a long planning history for this site as it was established as a school in 1937. Since 2000 the planning history is as follows:

PLAN/2017/0570 - Erection of a temporary single storey building containing four classrooms with associated WC facilities for the period July 2017 to June 2019. Permitted 06.09.17

PLAN/2013/0428 - Proposed erection of a single storey extension to existing school building to form a changing room facility. Permitted 06.06.13

AMEND/2012/0058 - Minor Amendment to PLAN/2011/1118 Construction of an artificial turf pitch together with fencing, storage facilities & spectator facilities, footpaths and parking improvements. Improvements to natural turf areas including regarding & levelling of the land around the tennis courts. Permitted 03.08.12

PLAN/2011/1118 - Construction of an artificial turf pitch together with fencing, storage facilities & spectator facilities, footpaths and parking improvements. Improvements to natural turf areas including regrading & levelling of the land around the tennis courts. Permitted 21.03.12

PLAN/2009/1122 - Phased redevelopment of the existing school for the erection of a new changing/teaching block, new dining/ kitchen and classroom block, alterations to the existing house, new sports hall and all weather pitch together with associated external work (Renewal of PLAN/2006/0675). Permitted 29.04.10

PLAN/2009/0797 - Erection of a timber play structure adjacent to the eastern boundary. Permitted 29.10.09

PLAN/2009/0555 - Erection of a PVC canopy roof to side of pre-prep building and siting of storage container in playing fields. Permitted 06.10.09

PLAN/2006/0675 - Erection of a new changing/teaching block, new dining/ kitchen and classroom block, alterations to the existing house, new sports hall and all weather pitch together with associated external work. Permitted 08.09.06

PLAN/2004/1332 - Demolition of existing single storey bungalow and construction of a single storey building to be used as a nursery, including a remodelled external play ground. Erection of a single storey lean - to extension to existing Jubilee building to form enlarged art and technology teaching/learning area. Permitted 07.01.05

PLAN/2001/1274 - Renewal of temporary application 1999/1158 for the retention of a temporary building. Permitted 18.01.02

PLAN/2001/0697 - New footpath from the southern entrance. Permitted 27.07.01



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PLAN/2001/0556 - Erection of single storey additions to school building and sports hall and erection of a machinery shed in school grounds. Permitted 05.09.01

PLAN/2000/0575 - Erection of a storey addition to changing rooms. Permitted 01.08.00

### **PROPOSED DEVELOPMENT**

This application seeks full planning permission for the demolition and reconstruction of teaching spaces to provide a single and two storey extension and the construction of a new two storey drama and music facility, with associated landscaping works.

The proposals comprise:

- The demolition of the existing single storey rear extension to the Main House building and also the two storey Tennis Court building;
- The construction of a new single storey rear extension to the existing Main House building (following a similar layout to the existing extension to be demolished);
- The construction of a new two storey changing and classroom block to the north of the new rear single storey extension (although connected to it).
- The construction of an extension to the existing Jubilee Building to provide a drama and music facility. Given the slope of the site this extension would appear as a three storey extension on the east elevation.
- A new first floor link would be provided between the existing Jubilee Building and the new two storey extension.
- As part of the proposals the existing hard and soft landscaped areas will be adjusted to provide 6 additional car parking spaces within the site and replacement tree planting is proposed to mitigate for the trees already removed from the site.

In support of the application a Travel Plan, Design and Access Statement (incorporating a Planning and Heritage Statement), Arboricultural Information, Flood Risk Assessment, Soakage report and BREEAM Pre-Assessment Summary report have been submitted.

### **CONSULTATIONS**

**County Highway Authority:** Having assessed the application on safety, capacity and policy grounds recommends a condition be imposed on any permission granted (condition 7).

**County Archaeologist:** There are no archaeological concerns.

**Lead Local Flood Authority:** No comments to make subject to the Council's Flood Risk and Drainage Engineer being satisfied with the proposal.

**WBC Flood Risk and Drainage Engineer:** Following the receipt of revised drainage information the proposal is acceptable on drainage and flood risk grounds subject to conditions (conditions 16, 17 and 18).

**WBC Scientific Officer:** There are no specific contaminated land concerns or any recommendations to make on this application.

**WBC Arboricultural Officer:** The submitted arboricultural information provided is considered acceptable and should be complied with in full, including the replacement tree planting as indicated. Details of the sizes of the trees to be planted will be required.

**WBC Conservation Consultant:** The existing extension to the old building (Locally Listed Building) is a negative element on the campus. The main building (LLB) is not to be demolished leaving only the effect of this scheme on the setting of the locally listed building to be considered. I consider the overall proposal to be well conceived and I do not consider that the setting of the 19<sup>th</sup> century building would be adversely affected. The new buildings are designed to be contrasting but do pick up certain aspects of the earlier materials, while not attempting a pastiche design solution. I have no adverse comments.

**WBC Environmental Health Officer:** No concerns regarding the proposed extensions given the intended use and location. An informative relating to working hours should be attached to any permission granted (informative 4).

### **REPRESENTATIONS**

No letters of objection have been received.

### **RELEVANT PLANNING POLICIES**

The relevant policies are:

#### Woking Core Strategy 2012

- CS7 – Biodiversity and nature conservation
- CS9 – Flooding and water management
- CS18 – Transport and accessibility
- CS19 – Social and Community infrastructure
- CS20 – Heritage and Conservation
- CS21 – Design
- CS22 – Sustainable construction
- CS24 – Woking's landscape and townscape
- CS25 – Presumption in favour of sustainable development

#### Development Management Policies DPD 2016

- DM2 – Trees and landscaping
- DM5 – Environmental Pollution
- DM8 – Land contamination and hazards
- DM20 – Heritage Assets and their settings
- DM21 – Education Facilities

#### Other material considerations

##### SPD

- Parking Standards July 2006
- Outlook, Amenity, Privacy and Daylight 2008
- Design February 2015

#### Policy Statement – Planning for Schools Development 2011

##### National Planning Policy Framework

##### Planning Practice Guidance

### **PLANNING ISSUES**

1. The main issues to consider in the determination of this application are the principle of the proposed development, impact on visual amenity, impact on trees, impact upon

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residential amenity, highway safety and transport, flood risk and surface water drainage, sustainable construction, contamination and local finance considerations.

### The principle of the development

2. Policies CS16 and CS19 seek the provision of accessible and sustainable social and community infrastructure to support growth in the Borough. In addition Policy DM21 of the DM Policies DPD supports the provision of new, replacement and the expansion of education facilities on existing sites providing the criteria in the policy are met as follows:
  - i. it meets an identified need;
  - ii. it makes provision for on-site car parking and stopping, access to public transport, cycling and walking, and the effect on traffic movement and highway safety is in accordance with Policy CS18 of the Core Strategy;
  - iii. where appropriate, a School Travel Plan is provided with the proposal to manage the travel needs of pupils and staff;
  - iv. the use of the site would be compatible with the surrounding areas;
  - v. it does not give rise to significant adverse impacts on the environment, residential character and amenity;
  - vi. where appropriate, adequate provision is made and/or existing provision is retained for indoor and outdoor recreation, outdoor sports and amenity space to meet the needs of the school;
  - vii. it meets other Development Plan policy criteria, paying particular attention to Policy CS19 of the Core Strategy.
3. These policies reflect the Government Policy Statement – Planning for Schools development and paragraph 72 of the NPPF with the latter stating that local planning authorities should “give great weight to the need to create, expand or alter schools”. The planning history for the site shows that planning permission was previously granted in 2006 (PLAN/2006/0675) and 2010 (PLAN/2009/1122) for a phased redevelopment of the school to provide improved facilities (although this previous redevelopment scheme has not been fully implemented). The principle of providing improved school facilities on the site has therefore been previously accepted.
4. As the application does not propose to increase pupil numbers at the school, the proposal essentially amounts to an alteration to the school and in terms of need, the applicant has advised that the existing structures to be demolished are poor in quality, due to their age, energy use and maintenance, have reached the end of their useful life and offer sub-standard internal spaces, in comparison to the standard the school would like to achieve. In addition the current buildings offer limited continuity between spaces and the school would like to offer additional facilities to pupils to improve their curriculum offer. Mindful of these comments it is considered that criteria (i) and also (iv) of Policy DM21 are met.
5. Policy DM21 (vi) also requires that “*where appropriate, adequate provision is made and/or existing provision is retained for indoor and outdoor recreation, outdoor sports and amenity space, to meet the needs of the school.*” In this case, although the footprint of the proposed extensions would be larger than the existing buildings to be demolished, the positioning of the extension would be on amenity open space rather than any formal play area, sports pitches or playing fields. In this regard it is considered that sufficient outdoor recreation and amenity space would be retained for the school and its purposes. The proposal in this regard is therefore considered to be acceptable and complies with Policy DM21(vi) of the DM Policies DPD.

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6. The other aspects of Policy DM21 will be considered under their respective issues below.

### Impact on visual amenity

7. Policy CS21 of the Core Strategy states that new development should respect and make a positive contribution to the street scene and the character of the area within which it is located. Policy CS24 requires all development proposals to provide a positive benefit in terms of landscape and townscape character. Policy DM21(v) also requires proposals for schools to not give rise to significant adverse impacts on the environment. Policy CS20 and Policy DM20 also requires new development to make a positive contribution to the historic environment and its setting.
8. The proposed extensions would be located towards the centre of the school site and thus views of the new development from the public domain or within the street scenes of Wilson Way and Ridgeway will be at best limited, if visible at all.
9. The existing extensions/buildings to be demolished are considered to be dated in their appearance and are not considered to make a positive contribution to the appearance of the site or the existing attractive locally listed building. With regard to the design of the proposed development, the applicant has advised that the elevations have been designed to be exciting, interesting and respectful of the existing buildings and are allowed to stand in their own right and not be confused with an awkward pastiche. The proposals offer a more contemporary approach to design, utilising flat roofs, first floor overhangs and a contemporary use of glazing. The elevations of the proposals would appear different to the existing Main School building but they are considered to be respectful in terms of their positioning, scale and height. In addition external materials would utilise facing brick, timber cladding and glazing and the applicant has further advised that the proposals are considered to offer lightness and technological relevance to a young vibrant school community.
10. Overall the proposals are considered to be of high quality design and are considered to be appropriate to the use of the site and would also improve the setting of the Locally Listed Building. The Council's Conservation Consultant has not raised any concerns or objections to the application. The proposals are also considered to result in a more modern and considered approach to the extensions on the site in comparison to those previously approved under planning permissions PLAN/2009/1122 and PLAN/2006/0675.
11. The areas immediately around the new extensions would be altered to provide circulation space and to re-landscape any areas disturbed during construction. To the northern side of the proposed single storey extension the bank would be replanted with trees to replace trees which have already been removed from the site (the removal of these trees did not require any formal permission). The tree planting would be secured by condition 5 and would enhance the appearance of the new extensions and the central part of the site. To the western side of the proposed single storey extension the existing bank would be re-modelled to provide additional parking spaces and as these alterations would be at ground level they would not have any adverse impact on the visual amenity of the site.
12. The proposals are considered to result in a modern, visually interesting and acceptable form of development which would enhance the overall appearance of the buildings on the site, including the locally listed building and would not be detrimental to the character and appearance of the site and the wider locality, subject to conditions 3 and 4. The

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proposals would comply with Policies CS20, CS21 and CS24 of the Core Strategy and Policies DM2, DM20 and DM21(v) of the DM Policies DPD.

### Impact on trees

13. Policy DM2 of the DM Policies DPD reflects Policy CS21 and requires trees and vegetation to be considered holistically as part of any proposal, requires tree removal to be justified to the satisfaction of the Council and requires appropriate replacement planting to enhance the quality of any development. The application is supported by an Arboricultural Report.
14. The submitted Arboricultural Information advises that some trees will be removed to facilitate the development and some trees will be removed due to their poor condition (the majority of the trees to be removed to facilitate the development have already been removed). With regard to the trees already removed from the site it is advised that, none were Category A trees, most were asymmetrical and were suppressed due to their close set positioning. The submitted information also specifies tree protection fencing to protect other retained trees during the construction process and also provides a tree replacement planting plan for 15no. new trees to be planted in the area to the north of the proposed single storey extension. The Council's Arboricultural Officer has reviewed the submitted information and has advised that the information provided is acceptable and should be complied with in full including the replacement tree planting (conditions 4 and 5).
15. Subject to the above conditions, it is considered that the impact of the development on trees/vegetation is acceptable. The proposal is therefore considered to comply with Policy CS21 of the Core Strategy, Policy DM2 of the DM Policies DPD and the policies in the NPPF.

### Impact upon residential amenity

16. In order to comply with Policy CS21 of the Core Strategy, new developments must achieve a satisfactory relationship to adjoining properties avoiding significant harmful impacts in terms of loss of privacy, daylight or sunlight, or an overbearing effect due to bulk, proximity or outlook. Policy DM21(iv) and (v) also seek to ensure education uses are compatible with the surrounding area and that they do not give rise to adverse impacts on residential amenity.
17. The proposed extensions would be located towards the centre of the site. The extension to the Jubilee building would be the closest extension to any site boundary but this extension would be 6.5-9 metres high (accounting for the slope of the land) and would be some 28 metres from the side boundary of the nearest neighbouring residential property to the north-east of this part of the site. The other proposed extensions would be significantly further from the other boundaries of the site with respective neighbouring properties. Mindful of these separation distances the proposals are not considered to result in any overbearing impact, loss of daylight/sunlight or loss of privacy to neighbouring occupiers adjoining the school site. As no increase in pupil numbers is proposed, the proposals are not considered to result in any increased noise or disturbance to nearby neighbouring occupiers. As an auditorium is proposed it is however considered reasonable and necessary to require it to be for school event use only, unless otherwise first approved in writing by the Local Planning Authority to ensure the comings and goings associated with an auditorium use, including vehicle movements are not detrimental to the amenities of nearby neighbouring occupiers (condition 7).

18. The proposed development is therefore not considered to result in any adverse impact to the residential amenities of nearby occupiers by reason of overbearing, loss of light, privacy and outlook and noise and disturbance and is thus compatible with the surrounding land uses. The proposed development is therefore considered to comply with Policy CS21 of the Core Strategy, Policy DM21(iv) and (v) of the DM Policies DPD and the policies in the NPPF.

Highway safety and transport

19. A Travel Plan has been submitted in support of the application. The NPPF advises that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe. Policy CS18 seeks to develop a well integrated community connected by a sustainable transport system. Policy DM21(ii) and (iii) seeks to ensure appropriate provision is made for schools with regard to car parking and non-car modes of transport, seeks compliance with Policy CS18 and also requires the use of a School Travel Plan where appropriate.
20. The application does not propose to increase pupil numbers. The proposal would also increase the on-site parking provision by 6 additional car parking spaces. A total of 49 car parking spaces would therefore be provided within the site. The School Travel Plan advises that on-site parking is restricted to staff and visitors. With regard to cycle parking provision, the Travel Plan states that 12 cycle/scooter parking bays are provided on the site. The School Travel Plan sets out a number of objectives, measures to be implemented and monitoring to assess the effectiveness of the Travel Plan.
21. Policy CS19 recognises the important role school provision can have in helping to deliver sustainable communities and the contribution schools can make towards the well-being of the community and overall quality of life. Maintaining and expanding local school provision also has the benefit of reducing the number of journeys to more distant schools and increase the number of pupils walking or cycling to school thereby helping to encourage a healthier lifestyle.
22. The County Highway Authority has reviewed the submitted Travel Plan and has raised no objection to the application subject to a condition relating to the Travel Plan. Mindful of the above considerations, the proposed development is considered to be acceptable in terms of highway safety and would comply with Policies CS18 and CS19 of the Core Strategy and Policy DM21(ii) and (iii) of the DM Policies DPD and the policies in the NPPF.

Flood Risk and Surface Water Drainage

23. The site is located within Flood Zone 1 (low risk) and no issues relating to flood risk are raised. As the proposal is for major development, surface water drainage is a material planning consideration. In respect of surface water drainage, the applicant has provided a Flood Risk Assessment with the application and has provided revised drainage information. The Council's Flood Risk and Drainage Engineer has reviewed the revised drainage information and has advised that the proposal is acceptable in terms of drainage and flood risk subject to conditions 16, 17 and 18. In this regard the proposal is therefore considered to accord with Policies CS9 and CS16 of the Core Strategy and the policies in the NPPF.

Sustainable Construction

24. Policy CS22 of the Core Strategy requires new non-residential development of 1,000sqm or more to comply with BREEAM 'very good' standards. The floorspace of the

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new and existing school buildings would exceed 1,000sqm. The applicant has submitted a BREEAM Pre-Assessment Report which states that the target of 'very good' standard is likely to be achieved. Condition 14 is therefore recommended to ensure the policy requirement is met. The applicant has also advised that renewable energy measures may be incorporated into the design and whilst this is not a policy requirement, if they are included condition 15 will ensure that their use would not result in any detriment to the character and appearance of the site and the locally listed building and nearby neighbouring occupiers in accordance with Policies CS20 and CS21 of the Core Strategy and the policies in the NPPF.

### Contamination

25. Paragraphs 120 and 121 of the NPPF relate to contamination and advise that the effects of pollution should be taken into account and that the responsibility for securing a safe development rests with the developer and/or landowner. Policy DM5 of the DM Policies DPD relates to environmental pollution and Policy DM8 relates to land contamination and seeks to remediate or minimise the risks from contamination.
26. The Council's Scientific Officer has been consulted on the application and has advised that there are no land contamination issues in this case. No contamination condition is therefore required. The proposal is considered acceptable and would comply with Policies DM5 and DM8 of the DM Policies DPD and the guidance in paragraphs 120 and 121 of the NPPF relating to contamination.

### Local Finance Considerations

27. The Council implemented the Community Infrastructure Levy (CIL) on 1st April 2015. The proposed building is for a Class D1 (school) use and therefore the relevant CIL rate is nil.

### **CONCLUSION**

28. The proposal is considered to be acceptable development within the urban area and would not result in any adverse impacts to visual amenity, including the Locally Listed Building, trees, neighbouring amenity, highway safety and transport, flood risk and surface water drainage, contamination or any other material planning consideration, subject to the conditions as recommended. Having regard to the relevant policies of the Development Plan, other relevant material planning considerations and national planning policy and guidance, the proposal is considered to be an acceptable form of development that complies with Policies CS7, CS9, CS18, CS19, CS20 CS21, CS22, CS24 and CS25 of the Woking Core Strategy 2012, Policies DM2, DM5, DM8, DM20 and DM21 of the DM Policies DPD 2016, the guidance in the relevant SPDs and the policies within the NPPF. It is therefore recommended that planning permission be granted subject to the conditions set out below.

### **BACKGROUND PAPERS**

Planning File PLAN/2017/1159

### **RECOMMENDATION**

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

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1. 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).

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

Existing site plan (17P101) rec 12.10.17  
Proposed site plan (17P102) rec 12.10.17  
Location Plan (17P103) rec 12.10.17  
Existing floor plans (17P104) rec 12.10.17  
Proposed floor plans (17P105) rec 12.10.17  
Existing roof plan (17P106) rec 12.10.17  
Proposed roof plan (17P107) rec 12.10.17  
Section A-A (17 P108) rec 12.10.17  
Existing main house 1 of 2 (17P109) rec 12.10.17  
Existing main house 2 of 2 (17P110) rec 12.10.17  
Existing Tennis Court Building (17P111) rec 12.10.17  
Existing Jubilee Building (17P112) rec 12.10.17  
Main building elevations (17P113) rec 12.10.17  
Main building elevations (17P114) rec 12.10.17  
Proposed Auditorium elevations (17P115) rec 12.10.17  
Proposed entrance and extension view (17P116) rec 12.10.17  
Proposed two storey extension view (17P117) rec 12.10.17  
Proposed auditorium and two storey extension view (17P118) rec 12.10.17  
Proposed link bridge between proposed and existing buildings (17P119) rec 06.11.17  
Drainage Layout General Arrangement (A505-1500 Rev P2) rec 29.11.17

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

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

Reason: To ensure that the proposed development preserves the character of the locality in accordance with Policy CS21 of the Woking Core Strategy 2012 and the policies in the NPPF.

4. Protective measures shall be carried out in strict accordance with the Arboricultural Information provided by Andrew Colebrook Arboricultural Consultancy (ref ACAC/APS/533/17) received on 12.10.17 with the application including the convening of a pre-commencement meeting with the Local Authority Arboricultural Officer and arboricultural supervision as indicated. No works or demolition shall take place until the tree protective measures have been implemented. Any deviation from the works prescribed or methods agreed in the report will require prior written approval from the Local Planning Authority.

Reason: To ensure retention and protection of trees on and adjacent to the site in the interests of the visual amenities of the locality and the appearance of the development



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and to comply with Policies CS7 and CS21 of the Woking Core Strategy 2012 and the policies in the NPPF.

5. The replacement tree planting in accordance with the details shown on the replacement tree planting plan (Appendix 3 of the submitted Arboricultural Information (ACAC/APS/533/17) and in accordance with details of the size of trees to be planted, which shall be first submitted to and approved in writing by the Local Planning Authority, shall be carried out in the first planting season following the first occupation of any of the extensions hereby approved (or in accordance with any other timescale which shall be first approved by the Local Planning Authority). Any newly planted tree which dies, becomes seriously damaged or diseased or are removed or destroyed within a period of 5 years from the date of planting shall be replaced during the next planting season with specimens of the same size and species unless otherwise agreed in writing by the Local Planning Authority.

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

6. Prior to the commencement of development a Travel Plan shall be submitted for the written approval of the Local Planning Authority in accordance with the sustainable development aims and objectives of the NPPF, SCC's "Travel Plans Good Practice Guide", and in general accordance with the 'School Travel Plan for St. Andrew's School, Woking dated: August 2017' document. The approved Travel Plan shall be implemented on the first occupation of the development hereby permitted and the Travel Plan shall thereafter be maintained and developed to promote alternative modes of transport to and from the school.

Reason: To promote sustainable modes of transport in accordance with Policy CS18 of the Woking Core Strategy 2012 and policies in the NPPF.

7. The facilities hereby approved shall be used solely in connection with the use of the site as a school and the auditorium hereby approved shall not be used for any other purposes other than school events unless otherwise first approved in writing by the Local Planning Authority.

Reason: In order to ensure the proposed development does not prejudice highway safety nor cause inconvenience to other highway users, to safeguard the amenities of nearby neighbouring occupiers and to comply with Policies CS18 and CS21 of the Woking Core Strategy and the policies in the NPPF.

8. The maximum number of pupils to be enrolled at the school at any one time shall be 352.

Reason: In order to ensure the proposed development does not prejudice highway safety nor cause inconvenience to other highway users and to comply with Policy CS18 of the Woking Core Strategy and the policies in the NPPF.

9. ++ No external lighting including floodlighting shall be installed anywhere on the site until full details of any proposed external lighting in accordance with the recommendations of the Bat Conservation Trusts' document entitled "Bats and Lighting in the UK – Bats and the Built Environment Series" (and also ensuring compliance with the recommendations of the Institute of Lighting Engineers 'Guidance Notes for Reduction of Light Pollution' and the provisions of BS 5489 Part 9) have been submitted to and approved in writing

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by the Local Planning Authority. Any lighting on the site shall thereafter be installed and maintained in accordance with the approved details.

Reason: In the interests of visual amenity, neighbouring amenity and the ecology/biodiversity of the site and surrounding area and to comply with Policies CS6, CS7 and CS21 of the Woking Core Strategy 2012, Circular 06/05 Biodiversity and Geological Conservation and the policies in the NPPF.

10. ++ Prior to the installation of any fixed plant and equipment associated with air moving equipment, compressors, generators or plant or similar equipment to be installed in connection with the development hereby approved details, including acoustic specifications shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be fully implemented and maintained thereafter.

Reason: To protect the amenities of the adjoining premises and to comply with Policy CS21 of the Woking Core Strategy and the policies in the NPPF.

11. No sound reproduction equipment which conveys messages, music or other sound by voice or otherwise which is audible outside the buildings hereby approved shall be installed on the site without the prior written consent of the Local Planning Authority.

Reason: In order to protect the amenities of occupiers of nearby properties and to comply with Policy CS21 of the Woking Core Strategy and the policies in the NPPF.

12. ++No development shall commence until a Construction Transport Management Plan, to include details of:
- (a) parking for vehicles of site personnel, operatives and visitors
  - (b) loading and unloading of plant and materials
  - (c) storage of plant and materials
  - (d) programme of works (including measures for traffic management)
  - (e) provision of boundary hoarding behind any visibility zones
  - (f) measures to prevent the deposit of materials on the highway
  - (g) on-site turning for construction vehicles

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

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users and to the visual amenity of the locality and to comply with Policies CS18 and CS21 of the Woking Core Strategy 2012 and policies in the NPPF.

13. Prior to the first use of any of the extensions hereby permitted, the additional car parking as detailed in the application shall be provided, laid out and available for use on site in accordance with the proposed site plan (17P102). The parking shall thereafter be used and retained exclusively for its designated purpose.

Reason: To ensure the development does not prejudice highway safety nor cause inconvenience to other highway users and to provide adequate parking in accordance with Policy CS18 and CS21 of the Woking Core Strategy 2012 and the policies in the NPPF.

14. ++ The development hereby permitted shall not commence until evidence that the development is registered with a BREEAM certification body and a pre-assessment report (or design stage certificate with interim rating if available) has been submitted to

## 12 DECEMBER 2017 PLANNING COMMITTEE

and approved in writing by the Local Planning Authority indicating that the development can achieve final BREEAM “Very Good” level.

Unless otherwise agreed in writing by the Local Planning Authority, no building shall be occupied until a final Certificate has been received and acknowledged by the Local Planning Authority certifying that BREEAM rating “Very Good” has been achieved for this development (or such equivalent national measure of sustainable building which replaces that scheme).

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

15. ++If, renewable energy measures are to be incorporated into the design of the development hereby approved, then prior to the commencement of development full design and specification details (including any noise details as may be appropriate) shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented and maintained operational in accordance with the approved details.

Reason: To ensure that the development achieves a high standard of sustainability and makes efficient use of resources and safeguards the visual amenities of the site and to comply with Policies CS20, CS21 and CS22 of the Woking Core Strategy 2012 and the policies in the NPPF.

16. All development shall be constructed in accordance with the submitted and approved Drainage Layout Drawing A5005-1500 Revision P2 (dated 29 November 2017) and the Drainage Calculations (dated 28 November 2017) unless otherwise first approved in writing by the Local Planning Authority.

Reason: To ensure the flood risk is adequately addressed for the development and not increased in accordance with NPPF and policy CS9 of the Woking Core Strategy 2012 and the policies in the NPPF.

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

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

Reason: To ensure that the development achieves a high standard of sustainability, continues to be maintained as agreed for the lifetime of the development and to comply

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with Policies CS9 and CS16 of the Woking Core Strategy 2012 and policies in the NPPF.

18. The development hereby approved shall not be first occupied until a verification report, (appended with substantiating evidence demonstrating the approved construction details and specifications have been implemented in accordance with the surface water drainage scheme), has been submitted to and approved in writing by the Local Planning Authority. The verification report shall include photographs of excavations and soil profiles/horizons, any installation of any surface water structure and Control mechanism.

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

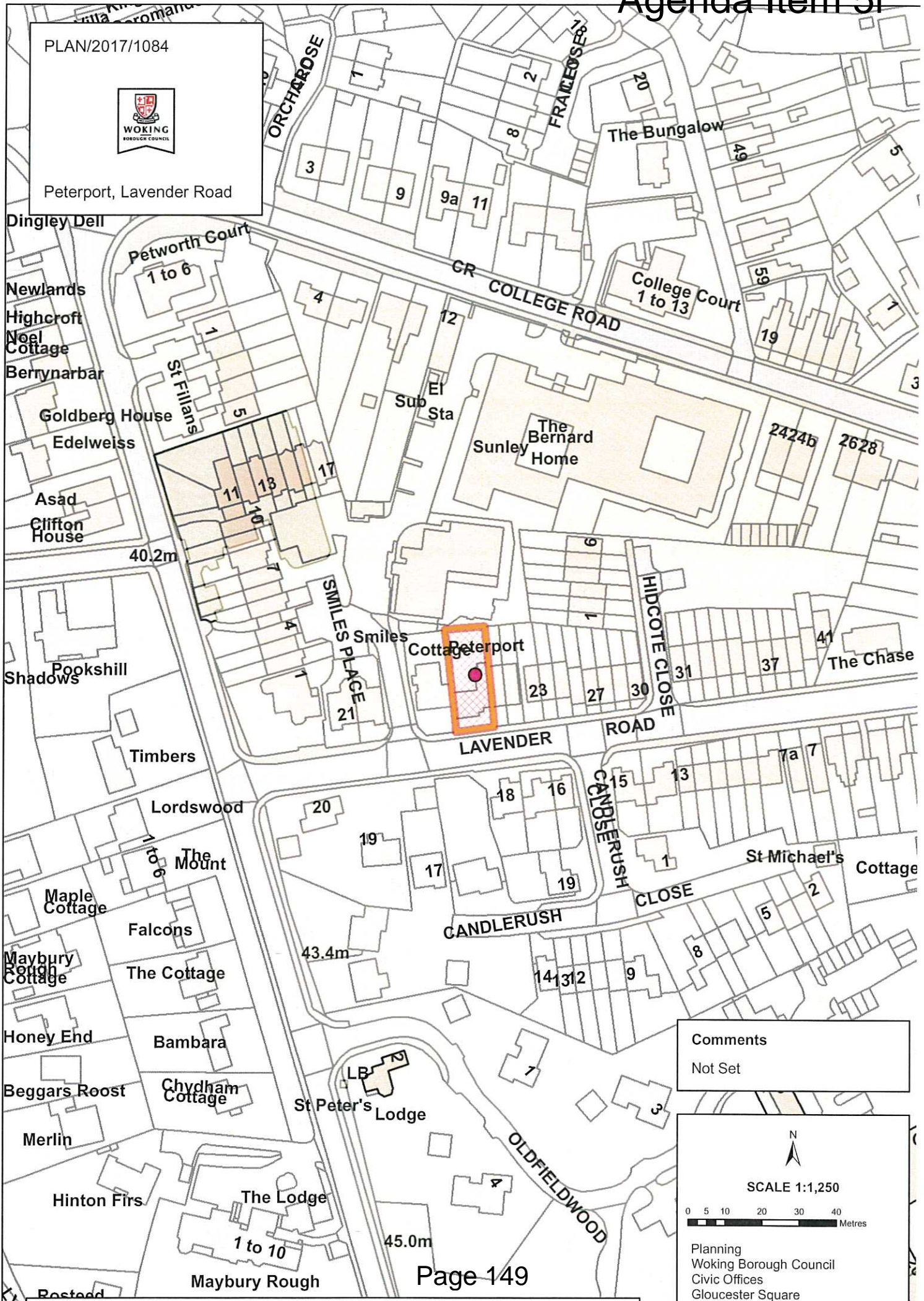
### Informatives

01. In respect of condition 7, the applicant is advised that the auditorium hereby approved shall only be used for functions purposes in connection with the use of the school. The applicant is further advised that if there is any proposal to use the auditorium for any purpose not connected to the school then advice should be sought from the Local Planning Authority who will be able to advise as to whether a formal planning application will be required to be submitted for such proposed use.
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 paragraph 186-187 of the National Planning Policy Framework 2012.
03. You are advised that Council officers may undertake inspections without prior warning to check compliance with approved plans and to establish that all planning conditions are being complied with in full. Inspections may be undertaken both during and after construction.
04. The applicant is advised that, under the Control of Pollution Act 1974, site works which will be audible at the site boundaries are restricted to the following hours:-  
08.00 – 18.00 Monday to Friday  
08.00 – 13.00 Saturday  
and not at all on Sundays and Bank/Public Holidays.

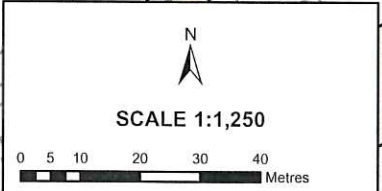
PLAN/2017/1084



Peterport, Lavender Road



Comments  
Not Set



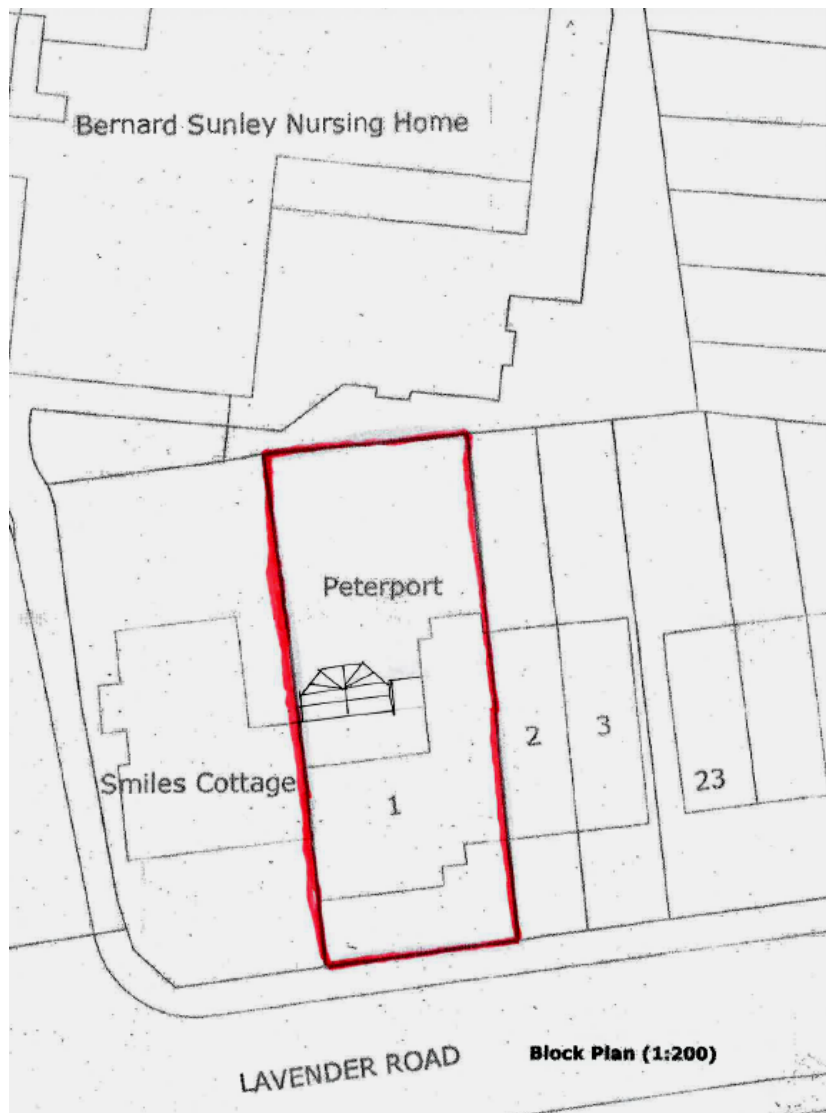
Planning  
Woking Borough Council  
Civic Offices  
Gloucester Square  
Woking, Surrey GU21 6YL



# Peterport, Lavender Road, Woking

PLAN/2017/1084

Alterations to front elevation at ground floor level, erection of two storey rear extensions and conversion of roof space to provide living accommodation with 2no. rear dormer windows, rooflights to front roof slope, alterations to fenestration, front porch extension/alteration and conversion from 1no. dwelling to create 2no. two storey dwellings with roof accommodation







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5i 17/1084 Reg'd: 25.09.17 Expires: 22.12.17 Ward: MH  
Nei. 24.10.17 BVPI 13 (Dwellings) Number 11/12 On  
Con. Target of Weeks Target? Y  
Exp: on Cttee'  
Day:

**LOCATION:** Peterport, Lavender Road, Woking, GU22 8AY

**PROPOSAL:** Alterations to front elevation at ground floor level, erection of two storey rear extensions and conversion of roof space to provide living accommodation with 2no. rear dormer windows, rooflights to front roof slope, alterations to fenestration, front porch extension/alteration and conversion from 1no. dwelling to create 2no. two storey dwellings with roof accommodation

**TYPE:** Full Application

**APPLICANT:** Mr R. Munro

**OFFICER:** Joanne Hollingdale

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

The application is for the subdivision of an existing dwelling to create two dwellings and is therefore outside the Scheme of Delegation.

### **SUMMARY OF PROPOSED DEVELOPMENT**

Alterations to front elevation at ground floor level, erection of two storey rear extensions and conversion of roof space to provide living accommodation with 2no. rear dormer windows, rooflights to front roof slope, alterations to fenestration, front porch extension/alteration and conversion from 1no. dwelling to create 2no. two storey dwellings with roof accommodation

Site area: 0.03 ha (300sqm)  
Existing number of units: 1  
Proposed number of units: 2  
Existing density on site: 33dph (dwellings per hectare)  
Proposed density on site: 66dph

### **PLANNING STATUS**

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

### **RECOMMENDATION**

**GRANT** planning permission subject to the prior completion of a legal agreement to secure the SAMM (SPA) contribution and the recommended conditions.

### **SITE DESCRIPTION**

The application site extends to approximately 0.03ha. Peterport is a two storey mid-terrace L-shaped dwelling. The dwelling is faced with red brick and tile hanging under a slate roof covering. Part of Peterport comprises of a new build element built under planning

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permissions PLAN/2007/0738 and PLAN/2008/1189 and which links the dwelling to the two other terraced dwellings.

The dwelling is currently being used as two units of accommodation. The property has one main front door and within the hallway has two other separate doors to each unit of accommodation. The rear garden has also been sub-divided to create two separate private gardens and given the age and condition of the fence it appears that this fence was installed some years ago. The applicant informally advised during the site visit that the fence was installed around 10 years ago and that there is no internal link at first floor level between the bedrooms. The planning history of the site shows that the Council has been aware that the property has had two kitchens and facilities for separate living accommodation since 2007/2008 as this was shown on plans accompanying planning applications at that time. In 2008 under PLAN/2008/1189, the application was subsequently approved with a planning condition requiring the property to be used as one dwelling, notwithstanding the approved arrangement of the internal living space. This permission was implemented.

The dwelling has one off street parking space provided by a driveway to the front of the more modern part of the dwelling. In front of the older part of the dwelling is a small front garden with a front boundary wall measuring around 1.2 metres in height.

To the rear of the dwelling is a garden which has at some time in the past been sub-divided to create two gardens for the two occupiers of the property. There is no access between the divided gardens. The garden to the whole property is otherwise bounded by timber fencing.

Peterport is attached on the eastern side by a two storey dwelling and on the western side by a two storey building which is used as residential accommodation associated with the neighbouring Bradbury Centre.

### **RELEVANT PLANNING HISTORY**

Since 1977 the planning history is as follows:

PLAN/2017/0436 - Removal of front bay window, erection of first floor rear extension and conversion of roof space to provide living accommodation with 2no. rear dormer windows, rooflights to front roof slope, alterations to fenestration, front porch extension/alteration and conversion from 1no. dwelling to create 2no. two storey dwellings with roof accommodation (amended block plan received). Resolution to Grant planning permission subject to the prior completion of a S106 legal agreement to secure SAMM financial contribution on 25.07.17

PLAN/2011/0743 – Erection of a two storey rear extension and rear dormer windows. Granted 13.10.11

PLAN/2008/1189 – Retrospective application for the retention of rear conservatories, siting of plot 3 0.8 metres from side boundary, internal alterations and variations to frontage of site. Granted 20.03.09

PLAN/2007/1373 – Sub-division of town house to form 2no. town houses. Withdrawn 29.01.08

PLAN/2007/0738 – Proposed demolition of part of existing detached house and erection of 3no. town houses (amended scheme to application PLAN/2006/1186). Granted 06.09.07

PLAN/2006/1186 - Proposed demolition of part of existing detached house and erection of 3no. town houses. Granted 07.03.07

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PLAN/2005/1082 – Erection of pair of semi-detached houses and retention of Peterport with partial demolition, extensions and modifications (3no. dwellings on site in total). Granted 17.11.05

PLAN/2005/0796 – Erection of 4no. town houses following demolition of existing dwelling. Withdrawn

PLAN/1997/0207 – Change of use of dwelling to form 2 houses. Granted 27.05.97

### **PROPOSED DEVELOPMENT**

This is a full planning application for alterations to front elevation at ground floor level, erection of two storey rear extensions and conversion of roof space to provide living accommodation with 2no. rear dormer windows, rooflights to front roof slope, alterations to fenestration, front porch extension/alteration and conversion from 1no. dwelling to create 2no. two storey dwellings with roof accommodation.

The existing property has 5 bedrooms but is currently being used by two separate occupiers. Each part of the property has its own kitchen/living/dining area and separate staircase up to the first floor. The western side of the building has 2 bedrooms and the eastern side of the dwelling has 3 bedrooms. The applicant has advised that there is no link at first floor level through the property, notwithstanding what is shown on the plan.

The application proposes to convert the existing dwelling into two dwellings to create 2no. 3 bedroom dwellings. There would be no change to the part of the building on the eastern side of the dwelling. To the western part of the building the following works are proposed:

- A two storey rear extension to infill a recessed part of the dwelling measuring 2.3 metres in depth by 4.3 metres in width. To accommodate the extra depth of the dwelling a crown roof would be created with 2 no. rear dormer windows. The eaves and ridge height would match this existing part of the building. This extension is identical to the two storey rear extension approved under PLAN/2017/0436.
- A further two storey rear extension adjacent to the rear conservatory to provide a ground floor w.c. and en-suite at first floor level. This extension would measure 1.8 metres in width by 1.6 metres in depth.
- The front elevation of the property would be altered to set back the front elevation at ground floor level only by 700mm (1.6 metres including the bay window). The first floor bay window would be retained and this would be supported by posts clad in oak at ground floor level creating a veranda style structure. Under PLAN/2017/0436 the front elevation at ground and first floor level was to be set back, now only the ground level part of the elevation would be altered.
- The existing enclosed porch would be altered to create a canopy porch and the front door to each part of the property would be re-positioned.
- As the front of the building would be reduced in depth at ground floor level, the application proposes to create 1no. additional off street parking space by removing part of the front boundary brick wall. Space would also be made available for a bin store and cycle store.

In support of the application the following documents have been submitted: CIL Additional Information form and Design and Access Statement.

### **CONSULTATIONS**

**County Highway Authority** – Having assessed the application on safety, capacity and policy grounds, recommends conditions are imposed on any permission granted (condition 4).

**WBC Scientific Officer** – There are no specific contaminated land concerns or any recommendations to make on this application.

**WBC Arboricultural Officer** – Any comments received will be verbally reported.

### **REPRESENTATIONS**

No letters of representation have been received.

### **RELEVANT PLANNING POLICIES**

National Planning Policy Framework 2012 (NPPF)

South East Plan 2009

Saved Policy NRM6 – Thames Basin Heaths Special Protection Area

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

CS24 - Woking's landscape and townscape

CS25 - Presumption in favour of sustainable development

Development Management (DM) Policies DPD 2016

DM2 - Trees and Landscaping

DM5 – Environmental Pollution

DM8 – Land contamination and hazards

DM11 – Sub-divisions, specialist housing, conversions and loss of housing

Supplementary Planning Documents (SPD)

Parking Standards July 2006

Outlook, Amenity, Privacy and Daylight 2008

Thames Basin Heaths Special Protection Area Avoidance Strategy 2010-2015

Climate Change December 2013

Affordable Housing Delivery 2014

Design February 2015

Waste and recycling provisions for new residential developments

Other Material Considerations

National Planning Practice Guidance (NPPG)

### **PLANNING ISSUES**

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1. The main planning issues to consider in the determination of this application are, the principle of development, visual impact of the proposed development on the locality including trees, impact on neighbouring amenity, highways and parking, Thames Basin Heaths Special Protection Area (TBHSPA), affordable housing and local finance considerations.

### Principle of development

2. There have been no changes to planning policies since the previous resolution to grant planning permission was made by the Planning Committee on 25 July 2017. This application also proposes to convert the building to the same number of dwellings (2no.) with the same number of bedrooms (3no. bedrooms each) as proposed under PLAN/2017/0436. It is therefore considered that the previous considerations relating to the principle of the development are relevant as detailed below:
3. Policy CS1 and Policy CS10 of the Woking Core Strategy 2012 identify that the Council will make provision for 4,964 net additional dwellings in the Borough between 2010 and 2027. The reasoned justification for Policy CS10 states that new residential development within the Urban Area will be provided through redevelopment, change of use, conversion and refurbishment of existing properties or through infilling. The application site is situated within the urban area where the principle of providing additional residential development through the conversion of existing properties is thus acceptable subject to detailed considerations.
4. There is no indicative density range in Policy CS10 for conversions within the urban area but generally the policy states that density should exceed 40dph where the character of the area will not be compromised. The proposed development would result in 2 dwellings on the site which would increase the density from 33dph to 66dph. The existing terrace of 3 dwellings would become 4 and would have its density increased from 60dph to 80dph. However it should be noted that the adjacent terrace of 8 dwellings on Lavender Road has a density of 100dph. Therefore in density terms alone the proposed development would reflect the density of the local area and is considered to comply with Policy CS10 of the Core Strategy.
5. Policy CS11 seeks to secure a mix of dwelling types and sizes across the Borough and seeks to avoid the loss of family homes which are regarded as units with 2+ bedrooms. This aspect is also replicated in Policy DM11 of the DM Policies DPD which provides detailed criteria relating to conversions of existing dwellings. It is also acknowledged that not every development site will deliver the complete mix of dwellings sought by Policy CS11. In this case the existing property has 5 bedrooms (212.5sqm GIFA) although the dwelling is currently capable of being used as a 3 bedroom dwelling (90.5sqm GIFA) and a 2 bedroom dwelling (122sqm GIFA). The proposal would result in a 3 bedroom dwelling of 91.5sqm (GIFA) and a 3 bedroom dwelling of 161sqm (GIFA). Therefore whilst the proposal would result in the loss of 1 larger family home it would provide 2no. family sized homes, resulting in a beneficial increase of 1no. family sized home. In addition this area is characterised by smaller family dwellings and in this regard the proposed provision is not considered to be out of character with the surrounding area and is thus considered to comply with Policy CS11 of the Core Strategy.
6. Policy DM11 also sets out a number of other criteria which proposals for the subdivision of existing dwellings should also meet. The majority of these criteria are considered below under their respective issue. One of the criteria relates to a

requirement that good quality accommodation is provided by meeting any relevant housing standards. In this regard one 3 bedroom dwelling would have a GIFA of 91.5sqm and the other would have a GIFA of 161sqm. The minimum nationally prescribed space standard for a 3 bed, 2 storey dwelling is 84sqm which is met by both dwellings. The proposal scheme is therefore considered to comply with Policy DM11 in this regard.

7. The NPPF and Policy CS25 of the Core Strategy promote a presumption in favour of sustainable development. The site lies within the urban area. The development of previously developed land for additional dwellings can be acceptable provided that the proposal respects the overall grain and character of development in the area. The principle of the proposed subdivision to create an additional unit in this instance is therefore considered acceptable subject to further material planning considerations set out below.

#### Visual impact of the proposed development

8. One of the core principles of the NPPF is to seek to secure high quality design. Policy CS21 of the Core Strategy states that buildings should respect and make a positive contribution to the street scene and the character of the area within which they are located. Policy CS24 requires all development proposals to provide a positive benefit in terms of landscape and townscape character. Policy DM11 also has a number of criteria which essentially relate to the visual impact of the proposed development and ensuring it is appropriate to the area.
9. The existing building is partly new and old. There would be no visual change to the newer part of the building except that the existing porch becomes an open canopy porch instead of its current enclosed arrangement. The older part of the building projects further forward on the site than the newer part of the building and in order to accommodate the additional parking space it is now proposed to set back only the ground floor part of the front elevation of the building by around 700mm (1.6 metres including the existing bay window) to create sufficient space in the frontage to provide an additional car parking space. The first floor of the building would be retained as existing and would be supported by posts clad in oak. The visual effect would be to create a decorative veranda at ground floor level. The proposed changes to the front elevation would improve the visual interest of the building and the detailing of the veranda as proposed is not dissimilar to covered verandas seen on some Victorian style buildings. The proposed changes are considered to result in an acceptable impact on the character and appearance of the dwelling and the street scene subject to conditions (conditions 3, 6 and 7). Rooflights are also proposed to the front roofslope and matching materials are also proposed.
10. Whilst alterations to the roof, 2no. two storey rear extensions and rear dormers are also proposed, this part of the development would not be viewed within the street scene. Although the additional two storey rear extension would have a flat roof this part of the proposal is limited in size and given its position would not be widely viewed from neighbouring gardens. The larger two storey rear extension and 2no. rear dormer windows have been previously approved under reference PLAN/2011/0743 and are the subject of a resolution to grant planning permission under PLAN/2017/0436.
11. Overall, the proposed alterations and extensions to the building are considered appropriate and would reflect the wider character and appearance of the street scene.

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The proposal is therefore considered to comply with Policies CS21 and CS24 of the Core Strategy, Policy DM11 of the DM Policies DPD and SPD Design.

### Impact upon existing and proposed amenity

12. Policy CS21 of the Core Strategy 2012 advises that proposals for new development should achieve a satisfactory relationship to adjoining properties avoiding significant harmful impact in terms of loss of privacy, daylight or sunlight, or an overbearing effect due to bulk, proximity or outlook.
13. There is no change to the newer part of the building which adjoins the neighbouring terraced dwelling to its eastern side. One of the proposed two storey rear extensions and rear dormer windows are identical to the permission granted under reference PLAN/2011/0743 and the extensions proposed under PLAN/2017/0436, which was not considered to result in any harm to neighbouring amenity. The front alterations would reduce the projection of the front elevation of the older part of the building at ground floor level only and similarly would not result in any harm to neighbouring amenity.
14. A second smaller two storey rear extension is now proposed between the rear conservatory and the new dwelling to be created on the eastern part of the site. This extension would be located 4.5 metres from the western boundary of the site and would have a rear projection of 1.6 metres. This extension would not thus be overbearing or have any adverse impact in terms of loss of light to the dwelling adjoining the western boundary of the site. The conservatory would also remain as an intervening feature between the additional two storey rear extension and the western boundary of the site. The additional two storey rear extension would not project beyond the rear elevation of the dwelling to be created on the eastern part of the application site and would not therefore result in any adverse impact to the amenities of these neighbouring occupiers.
15. The existing building would be separated vertically into two dwellings and neither dwelling is considered to have any adverse impact in terms of amenity e.g. privacy, daylight/sunlight or overbearing impact on the other dwelling. Whilst the proposed ground floor accommodation is deep in terms of daylight provision to the rooms, the ground floors of both dwellings are dual aspect with windows in the front and rear elevations and in any event the proposed situation is no different to the existing situation.
16. With regard to garden amenity areas the SPD Outlook, Amenity, Privacy and Daylight states that for family dwellings with 2 bedrooms or more and over 65sqm, a "*suitable area of private garden amenity space in scale with the building but always greater than the building footprint*" should be provided. This proposal does not alter the dwelling on the eastern side of the site or its garden area which remains as previously proposed (and subject of the previous resolution to grant planning permission). The larger dwelling to the west would have a slightly larger footprint than previously proposed given the additional small two storey rear extension. This dwelling would have a footprint of around 70sqm and a garden size of 78sqm. A 1.8 metre high timber fence currently divides the space. It is therefore considered that the areas of amenity space for the proposed dwellings would be suitable in size and shape for the outdoor recreational and domestic needs of the occupiers of the dwellings. Furthermore they would reflect the size of gardens in the wider local area. In this regard the proposal is considered to comply with the guidance relating to private amenity space in the Council's SPD Outlook, Amenity, Privacy and Daylight (2008).

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17. Overall, it is considered that the proposed dwellings would achieve a satisfactory relationship to each other and adjoining properties, avoiding significant harmful impact in terms of loss of potential loss of privacy, daylight or sunlight, or overbearing effect due to bulk, proximity or outlook. However it is considered reasonable and necessary to remove 'permitted development rights' in relation to extensions and outbuildings in order to safeguard the amenities of any neighbouring occupiers and given the garden sizes (condition 5). The proposed development is considered to comply Policy CS21 of the Core Strategy, Policy DM11 of the DM Policies DPD, SPD Outlook, Amenity, Privacy and Daylight and the policies in the NPPF.

### Impact on trees

18. Policy DM2 of the DM Policies DPD reflects Policy CS21 and requires trees and vegetation to be considered holistically as part of any proposal. None of the trees within the site are covered by a tree preservation order.
19. There are three existing trees within the rear private amenity space. None of the trees are worthy of formal protection and one tree is particularly close to the proposed rear extension. Neither of the previous two applications proposing rear extensions (under PLAN/2011/0743 and PLAN/2017/0436) were subject to conditions relating to trees. In this instance the additional rear extension is not located any closer to the trees than the previously approved extensions. As such it is not considered reasonable or necessary in this situation to require any tree information or to be submitted. The proposal therefore accords with Policy CS21 of the Core Strategy, Policy DM2 of the DM Policies DPD and the policies in the NPPF.

### Highways and parking implications

20. As the proposal relates to the creation of 1no. additional dwelling it is not considered to result in any material impact on the local highway network and the County Highway Authority raises no objection to the application subject to condition (condition 4).
21. Outside of the High Accessibility Zone, the Parking Standards SPD identifies a maximum parking standard for dwellings providing 3 or more bedrooms of 2 car parking spaces. The application site has 1no. parking space for the existing building. Even though a veranda would be retained at ground floor level to the front of one of the dwellings, the block plan shows the provision of 1 additional parking space, although part of this space would now be under the veranda. This provision would represent an increase in provision above the existing situation, would comply with the maximum parking standards in the SPD and would also strike a balance between providing additional parking and maintaining some part of the existing front amenity space. The provision of 1no. additional parking space is therefore secured by condition 4. The proposed parking arrangement would also reflect the other parking arrangements within the terrace and wider street scene. It is also noted that on-street parking is not controlled.
22. Neither dwelling would have separate access to the rear garden and therefore the refuse bins would be stored at the front of the property but this arrangement reflects the existing arrangement and that of the other existing dwellings within the terrace. In respect of cycle storage, there is no policy or SPD requirement for cycle stands for dwellings other than for flats. Nonetheless it is noted that the proposed site plan shows the provision of two cycle stands to the front/side of one of the dwellings which would be a positive aspect for future occupiers.



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23. Overall the proposal is considered to result in an acceptable impact upon highway safety and car parking provision and accords with Policy CS18 of the Core Strategy, Policy DM11 of the DM Policies DPD, SPD Parking Standards and the policies in the NPPF.

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

24. The Thames Basin Heaths Special Protection Area are internationally important and designated for their interest as habitats for ground nesting birds. Policy CS8 of the Core Strategy requires all new residential development within the 400m-5km zone to make a financial contribution towards the provision of Suitable Alternative Natural Greenspace (SANG) and the Strategic Access Management and Monitoring (SAMM) to avoid adverse effects. The SANG contribution is now encompassed within the Community Infrastructure Levy (CIL) but the SAMM element of the contribution is required to be secured outside of CIL.
25. The applicant has agreed to make a SAMM contribution of **£868** in line with the Thames Basin Heaths Special Protection Area Avoidance Strategy as a result of the provision of 1 no. additional 3 bedroom dwelling which would result from the proposal. This financial contribution would be secured by a legal agreement.
26. In view of the above, the Local Planning Authority is able to determine that the development would have no significant effect upon the TBHSPA and therefore accords with Policy NRM6 of the South East Plan, Policy CS8 of the Core Strategy 2012 and the Thames Basin Heaths Special Protection Area Avoidance Strategy.

### Affordable Housing

27. Policy CS12 of the Core Strategy states that all new residential development will be expected to contribute towards the provision of affordable housing and that, on sites providing fewer than five new dwellings, the Council will require a financial contribution equivalent to the cost to the developer of providing 10% of the number of dwellings to be affordable on site.
28. However, following the Court of Appeal's judgment of 11<sup>th</sup> May 2016 (*Secretary of State for Communities and Local Government v West Berkshire District Council and Reading Borough Council [2016] EWCA Civ 441*), wherein the Secretary of State for Communities and Local Government successfully appealed against the judgment of the High Court of 31<sup>st</sup> July 2015 (*West Berkshire district Council and Reading Borough Council v Department for Communities and Local Government [2015] EWHC 2222 (Admin)*), it is acknowledged that the policies within the Written Ministerial Statement of 28<sup>th</sup> November 2014, as to the specific circumstances where contributions for affordable housing and tariff-style planning obligations should not be sought from small scale and self build development, must once again be treated as a material consideration in development management decisions.
29. Additionally the Planning Practice Guidance (Paragraph 031 - Revision date: 19.05.2016) sets out that there are specific circumstances where contributions for affordable housing planning obligations should not be sought from small scale and self-build development. This follows the order of the Court of Appeal judgment dated 13<sup>th</sup> May 2016, which again gives legal effect to the policy set out in the Written Ministerial Statement of 28<sup>th</sup> November 2014 and should be taken into account. These circumstances include that contributions should not be sought from developments of

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10-units or less, and which have a maximum combined gross floorspace of no more than 1000sqm.

30. Whilst it is considered that weight should still be afforded to Policy CS12 it is considered that greater weight should be afforded to the policies within the Written Ministerial Statement of 28<sup>th</sup> November 2014 and the Planning Practice Guidance (Paragraph 031 - Revision date: 19.05.2016). As the proposal represents a development of 10-units or less, and has a maximum combined gross floorspace of no more than 1000sqm, no affordable housing financial contribution is therefore sought from the application scheme.

### Other matters

31. Policy CS22 relating to sustainable construction does not explicitly state that it relates to conversions of existing buildings. In this case there is limited extension and alteration to the building to facilitate its use as 2no. dwellings. Therefore it is not considered reasonable or necessary to impose any conditions relating to sustainable construction.
32. The site is located within Flood Zone 1 (low risk) and no issues relating to fluvial flood risk are raised. As the site is not within a surface water flood risk area, there are no surface water drainage requirements. The proposal is considered to comply with Policy CS9 of the Core Strategy and the policies in the NPPF.
33. The Council's Scientific Officer has advised that there are no specific contaminated land concerns or recommendations to make on this application. In this regard the application complies with Policies DM5 and DM8 of the DM Policies DPD.

### LOCAL FINANCE CONSIDERATIONS

34. The proposal would be liable for Community Infrastructure Levy (CIL) to the sum of approximately **£5,481.69** (including the 2017 Indexation) for an uplift of 39.59sqm.

### CONCLUSION

35. Overall the proposal is considered an acceptable form of development which would have an acceptable impact on the character of the host building and surrounding area, on the amenities of neighbours and in transportation terms and would not result in any other adverse consequences. Having regard to the relevant policies of the Development Plan, other relevant material planning considerations and national planning policy and guidance the proposal is considered to be an acceptable form of development that complies with Policies CS1, CS7, CS8, CS9, CS10, CS11, CS12, CS18, CS21, CS22, CS24, and CS25 of the Woking Core Strategy 2012, Policies DM2, DM5, DM8, DM11 of the DM Policies DPD 2016, the guidance in the relevant SPDs and the policies within the NPPF. It is therefore recommended that planning permission is granted subject to the prior completion of a legal agreement and the conditions as set out below.

### BACKGROUND PAPERS

1. Planning Application file – PLAN/2017/1084

### PLANNING OBLIGATIONS

	Obligation	Reason for Agreeing Obligation
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1.	£868 SAMM (SPA) contribution.	To accord with the Habitat Regulations, policy CS8 of the Woking Core Strategy 2012 and The Thames Basin Heaths Special Protection Area (SPA) Avoidance Strategy.
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### **RECOMMENDATION**

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

(i) the prior completion of a S106 Legal Agreement to secure the required SAMM (TBHSPA) contribution; and

(ii) the following planning conditions:

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

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

2. The development hereby permitted shall be carried out in accordance with the following approved plans numbered/titled:

Location Plan and existing block plan rec 25.09.17

Proposed Site Plan (showing the layout of the additional parking space to the front of the building) rec 20.10.17

Proposed Block Plan rec 20.10.17

Existing plans (PH5017/100 Rev C) rec 20.10.17

Proposed plans (PH5017/101 Rev C) rec 20.10.17

Proposed roof plan Rev A rec 20.10.17

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

3. ++Prior to the commencement of any development hereby permitted details and samples of the materials to be used in the external elevations, the oak cladding for the posts and for any hard surfaced areas shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and thereafter retained in accordance with the approved details unless otherwise first agreed in writing by the Local Planning Authority.

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

4. ++Prior to the first occupation of the development hereby approved the 1no. additional parking space shall be provided on the site in accordance with the submitted site plan showing the proposed additional parking space (Proposed Site Plan rec 20.10.17). Thereafter the parking space shall be retained and maintained for its designated purpose.

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

5. Notwithstanding the provisions of Article 3, Schedule 2, Part 1 and Classes A, B, C, D, E, F and G of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), (or any orders amending or re-enacting that Order with or without modification) no development falling within these Classes shall be carried out within the curtilage of each dwelling hereby approved without planning permission being first obtained from the Local Planning Authority.

Reason: To protect the amenity and privacy of the occupiers of adjoining properties in accordance with Policy CS21 of the Woking Core Strategy 2012 and the policies in the NPPF.

6. ++Prior to the commencement of any development on the site full design details, to a scale of 1:25, of the proposed alterations to the ground floor front elevation, clearly showing the design details and materials of the posts and all decorative features and brickwork shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and thereafter retained in accordance with the approved details unless otherwise first agreed in writing by the Local Planning Authority.

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

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

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

### **Informatives**

1. The Council confirms that in assessing this planning application it has worked with the applicant in a positive and proactive way, in line with the requirements of paragraph 186-187 of the National Planning Policy Framework 2012.
2. The applicants 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 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

## 12 DECEMBER 2017 PLANNING COMMITTEE

submitting details in response to conditions, to allow the Authority to consider the details and discharge the condition. A period of between five and eight weeks should be allowed for.

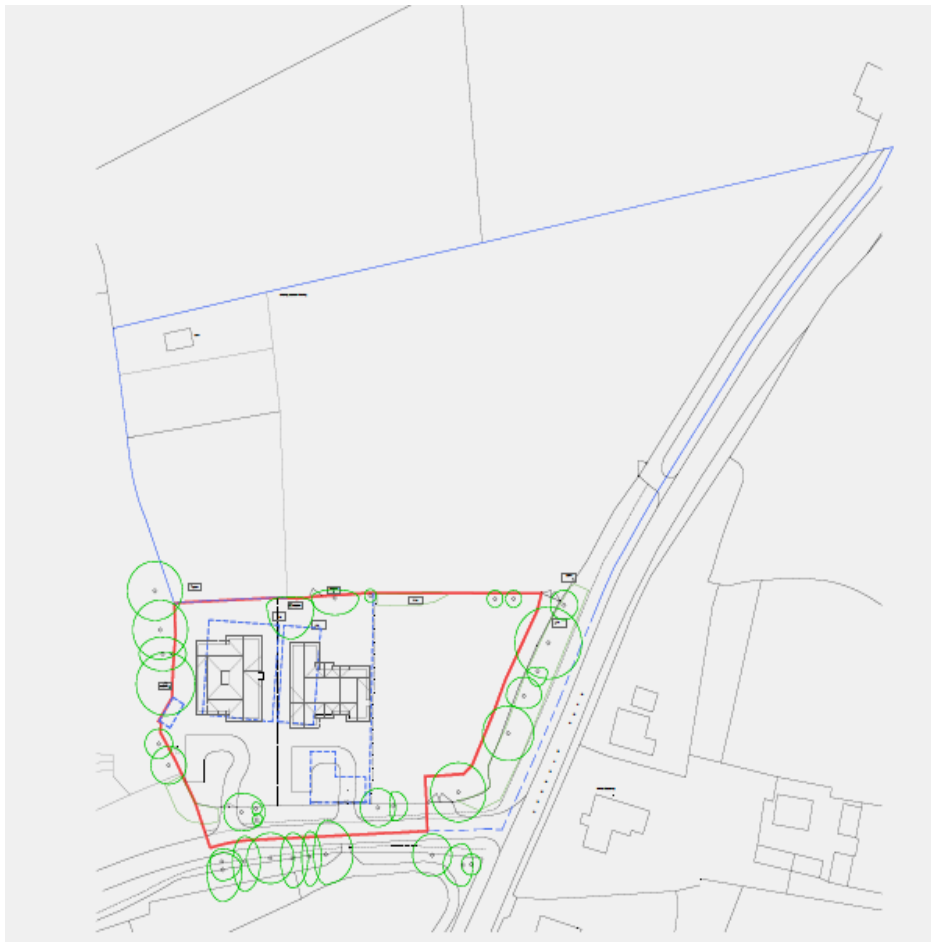
3. The development hereby permitted would be CIL liable. The charge becomes due when development commences. A commencement notice, which is available from the Planning Portal website (Form 6: Commencement Notice: [http://www.planningportal.gov.uk/uploads/1app/forms/form\\_6\\_commencement\\_notice.pdf](http://www.planningportal.gov.uk/uploads/1app/forms/form_6_commencement_notice.pdf)) must be issued to the Local Planning Authority and all owners of the relevant land to notify them of the intended commencement date of the development. The Local Planning Authority will then send a Demand Notice to the person or persons who have assumed liability.
4. 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.
5. This decision notice should be read in conjunction with the related Legal Agreement.



**Land at Copthorne**  
**Meadows Farm, Chobham**  
**Road, Knaphill, Woking**

**PLAN/2017/0735**

Erection of 2no. detached two storey dwellings (4+ bedrooms) with associated hard and soft landscaping following demolition of existing buildings and removal of hardstanding (flood risk assessment received on 22.11.2017).







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5j 17/0735 Reg'd: 27.07.17 Expires: 21.09.17 Ward: KNA  
Nei. 07.09.17 BVPI 13 (Dwellings) Number 20/8 On  
Con. Target of Weeks Target? No  
Exp: on Cttee'  
Day:

**LOCATION:** Land at Copthorne Meadows Farm, Chobham Road, Knaphill, Woking, GU21 2TU

**PROPOSAL:** Erection of 2no. detached two storey dwellings (4+ bedrooms) with associated hard and soft landscaping following demolition of existing buildings and removal of hardstanding (flood risk assessment received on 22.11.2017).

**TYPE:** Full Application

**APPLICANT:** W J Dunphy Developments Ltd

**OFFICER:** Benjamin Bailey

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

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

### **SUMMARY OF PROPOSED DEVELOPMENT**

This is a full planning application for the erection of 2no. detached two storey dwellings (4+ bedrooms) with associated hard and soft landscaping following demolition of existing buildings and removal of hardstanding.

Site Area: 0.44ha (4400 sq.m)  
Existing units: 2  
Proposed units: 2  
Existing density: 4 dph (dwellings per hectare)  
Proposed density: 4 dph

### **PLANNING STATUS**

- Green Belt
- Thames Basin Heaths Special Protection Area (TBH SPA) Zone B (400m - 5km)
- Surface Water Flood Risk (Medium/High/Very High) (All partial)
- Contaminated land suspected

### **RECOMMENDATION**

**Grant** planning permission subject to recommended conditions.

### **SITE DESCRIPTION**

The application site is situated within the Green Belt to the west of Chobham Road near to Chobham Golf Course. The site comprises a compound containing three structures; 2 large barn structures to the centre of the site and an 'L' shaped structure (understood to formerly

have been a goat shed/pig-sty) in the south-eastern corner of the site. The existing vehicular access is to the south-western corner of the site.

### **RELEVANT PLANNING HISTORY**

PLAN/2015/0103 - Certificate of Lawful Development for Existing Use - 1) Operational developments and use of building CM1 as a separate dwelling, 2) The operational developments and use of building CM2 as a separate dwelling, 3) The general industrial (B2) use and external storage (B8) at the site by Aspen Arboricultural Services. Certificate of lawful existing use or development issued (21.12.2015)

PLAN/2014/0679 - Proposed residential redevelopment to provide two detached dwellings, associated parking, enhanced amenity areas and environmental improvements including provision of Site of Alternative Natural Greenspace (SANG) following demolition of two large former agricultural buildings and cessation of mixed residential use (rear of main barn) and industrial contracting use (preparation, maintenance and fabrication of forestry machinery/plant) together with demolition of detached single storey L shaped additional dwelling. Refused (17.10.2014) for the following reasons:

- 01. The proposal represents an inappropriate form of development within the Green Belt for which there are no overriding very special circumstances to outweigh the harm to the Green Belt by reason of inappropriateness, which is by definition harmful to the openness of the Green Belt, contrary to policy CS6 of the Woking Core Strategy (2012) and section 9 of the National Planning Policy Framework (2012).*
- 02. The proposed development by reason, of its size, design, scale, bulk and massing would result in visually unattractive and incongruous residential dwellings comprising of poor design that would have a detrimental impact on the character and appearance of the area, contrary to policy CS21 and CS24 of the Woking Core Strategy (2012) and section 7 'requiring good design' and the core principles of the National Planning Policy Framework (2012).*
- 03. The proposed development by reason, of its size, siting, design, scale, bulk, massing, garages, associated paraphernalia and proximity to public vantage points would result in an unduly prominent and incongruous development that would have a detrimental impact to the visual openness of the green belt and to the character, appearance and setting of the locality, contrary to policy CS6, CS21 and CS24 of the Woking Core Strategy and section 7 and 9 and the core principles of the National Planning Policy Framework (2012).*
- 04. Insufficient information has been submitted to demonstrate that potential contamination on the site can be appropriately mitigated and the site made suitable for residential habitation contrary to policy CS21 of the Woking Core Strategy (2012) and section 11 of the National Planning Policy Framework (2012).*
- 05. In the absence of full arboricultural information, insufficient information has been submitted to demonstrate the development would have an acceptable impact on the surrounding mature trees which have important amenity and landscape value, contrary to policy NE9 of the Woking Borough Local Plan (1999), CS21 and CS24 of the Woking Core Strategy (2012) and the core planning principles and sections 7 and 11 of the National Planning Policy Framework (2012).*
- 06. The application has been submitted with insufficient information to demonstrate how flood risk and drainage will be managed now and over the development's lifetime,*

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*taking climate change into account, and with regard to the vulnerability of its users contrary to policy CS9 of the Woking Core Strategy (2012) and section 10 and the core planning principles of the National Planning Policy Framework (2012).*

- 07. In the absence of a legal agreement, the proposed development fails to provide avoidance measures against its impact on the Thames Basin Heaths Special Protection Area contrary to policy CS8 of the Woking Core Strategy (2012), the Thames Basin Heaths Special Protection Area Avoidance Strategy 2010-2016 and section 11 of the National Planning Policy Framework (2012).*
- 08. It has not been demonstrated that the affordable housing contribution required to meet policy CS22 is unviable and in the absence of a legal agreement securing the commuted sum, the proposed development is considered unacceptable because it fails to make any provision towards affordable housing contrary to policy CS12 of the Woking Core Strategy (2012), the draft 'Affordable Housing' Supplementary Planning Guidance (2014) and section 6 of the National Planning Policy Framework (2012).*
- 09. The proposed development would result in two large isolated residential properties within the green belt and it has not been demonstrated that the occupiers would be able to access essential facilities and/or service by more sustainable modes of transport other than private motor vehicles, contrary to policy CS10 and CS25 of the Woking Core Strategy (2012) and section 6 and 4 and the core planning principles of the National Planning Policy Framework (2012).*
- 10. The application fails to demonstrate that the proposed dwelling to the east of the site, which is situated on greenfield land, would meet level 5 of the Code for Sustainable Homes, contrary to policy CS22 of the Woking Core Strategy (2012), the Supplementary Planning Document 'Climate Change' (2013) and section 7 and 10 of the National Planning Policy Framework (2012).*
- 11. Insufficient information has been submitted to demonstrate that the proposed development would conserve or enhance the natural and local environment by minimising impacts on biodiversity, contrary to policy CS7 of the Woking Core Strategy (2012) and section 11 of the National Planning Policy Framework (2012).*

### **CONSULTATIONS**

**County Highway Authority (CHA) (SCC):** Raises no objections on the grounds of highway safety or capacity however it is noted that the site is in an unsustainable location.

**Arboricultural Officer:** The arboricultural information provided by Ruskin is considered acceptable and should be complied with in full. Prior to commencement of any works on site a pre-commencement meeting should take place between the Project Manager, project arboriculturalist and the Local Authority tree officer. Details of drainage and service runs will be required prior to commencement.

**Surrey Wildlife Trust:** The Bat Survey Report, by Drummond Ecology, appears appropriate in scope and

methodology and has not identified active bat roosts within the buildings subject to the current planning application. We therefore advise that bats do not appear to present a constraint to the proposed development.

Recommends that the Council require the development to only proceed in a precautionary manner that will avoid the killing or injuring of any individual reptiles that may be identified during development.

**Drainage & Flood Risk Team (Initial):**

There is a high surface water flood risk within the site and this has not been assessed within the information submitted. A Flood Risk Assessment (FRA) should be submitted that assesses the risk of surface water flooding to the site and the surrounding area.

**Drainage & Flood Risk Team (Second):**

No objection subject to recommended conditions 08 and 09.

**Contaminated Land Officer:**

No objection subject to recommended condition 12.

**Surrey Heath Borough Council:**

No objections are raised subject to Woking Borough Council being satisfied that the development proposal complies with national and local Green Belt policy.

**REPRESENTATIONS**

x1 Letter of objection has been received raising the following main points:

- Residential development is not appropriate on this Green Belt land
- Comments regarding the use of the site prior to the issue of the Certificate of Lawful Development for Existing Use reference PLAN/2015/0103
- Comments regarding historic ownership of the site
- The only immediate bungalows/houses are opposite the entrance to 'Romany Road'; these were accommodation for nursery workers initially and although called White Causeway are the only residential properties in the area
- The houses are therefore not in keeping with the Green Belt area
- Fencing should not be placed all round each site, particularly at the bottom of the garden to restrict the view from the paddocks
- How could the previous goat parlour have become a residence?
- The site consists of a very small part of Surrey Heath Borough Council  
(Officer Note: The red-lined application site appears to fall wholly within the administrative jurisdiction of Woking Borough Council. Surrey Heath Borough Council have provided a consultation response and do not comment that any part of the application site falls within their administrative jurisdiction)
- Surrey Heath is coming to the boundary of Woking Borough fast; it is important that the gap is kept and the land would preferably go back to agricultural land
- The Council should ensure any planning conditions are complied with
- Is the company paying tax and the existing residents paying Council tax?  
(Officer Note: These are not material planning considerations)

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- Occupants would have no pavements to get to either Chobham or Knaphill; Chobham Road is narrow in places and carries a lot of traffic. Towards Knaphill the road gets icy due to overhanging trees
  - If development applied for is agreed I can see the applicant coming back and requesting something larger
- (Officer Note: Each planning application must be considered on its individual merits)*

### **RELEVANT PLANNING POLICIES**

#### National Planning Policy Framework (NPPF) (2012)

Section 4 - Promoting sustainable transport

Section 6 - Delivering a wide choice of high quality homes

Section 7 - Requiring good design

Section 9 - Protecting Green Belt land

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

Section 11 - Conserving and enhancing the natural environment

#### Woking Core Strategy (2012)

CS1 - A spatial strategy for Woking Borough

CS6 - Green Belt

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

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

DM2 - Trees and Landscaping

DM8 - Land Contamination and Hazards

DM13 - Buildings in and Adjacent to the Green Belt

#### Supplementary Planning Documents (SPD's)

Outlook, Amenity, Privacy and Daylight (2008)

Design (2015)

Parking Standards (2006)

Climate Change (2013)

Affordable Housing Delivery (2014)

#### Other Material Considerations

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

Thames Basin Heaths Special Protection Area Avoidance Strategy

National Planning Practice Guidance (NPPG)

Written statement to Parliament - Planning update – 25<sup>th</sup> March 2015

Written Ministerial Statement – 28<sup>th</sup> November 2014

Community Infrastructure Levy (CIL) Charging Schedule (2015)

### **PLANNING ISSUES**

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1. The main planning issues to consider in determining this application are:
  - Green Belt policy
  - Design and impact upon the character of the area, including arboricultural implications
  - Impact upon neighbouring amenity
  - Amenities of future occupiers
  - Flood risk and surface water drainage
  - Biodiversity and protected species
  - Land contamination
  - Highways and parking implications
  - Thames Basin Heaths Special Protection Area (TBH SPA)
  - Affordable housing
  - Energy and water consumptionhaving regard to the relevant policies of the Development Plan, other relevant material planning considerations and national planning policy and guidance.

### Green Belt policy:

2. The application site lies within the Green Belt where strict policies apply to development whereby most development is inappropriate unless it complies with one of the exceptions listed within Paragraph 89 of the National Planning Policy Framework (NPPF) (2012). The NPPF also contains a presumption in favour of sustainable development.
3. The key planning issue to consider in the determination of this application is whether the proposed development complies with one of the exceptions listed within Paragraph 89, and thus would not be inappropriate development, and whether any other harm to the openness or visual amenities of the Green Belt would result. Policy CS6 (Green Belt) of the Woking Core Strategy (2012) and Policy DM13 (Buildings in and Adjacent to the Green Belt) of the Development Management Policies DPD (2016) are both consistent with the NPPF and enable development which complies with one of the exceptions listed within Paragraph 89 of the NPPF to occur within the Green Belt.
4. Paragraph 79 of the NPPF confirms the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. Paragraph 89 of the NPPF sets out the types of development that is not inappropriate within the Green Belt. The demolition of existing buildings and the construction of new buildings is referred to twice within Paragraph 89, with the 4<sup>th</sup> bullet point relating to replacement of “a *building*” and the 6<sup>th</sup> bullet point relating to the “*redevelopment of previously developed sites*”. It is also clear that the exceptions listed within Paragraph 89 are capable of being considered as alternatives and that only one needs to be engaged to be considered as appropriate development within the Green Belt. In this case the proposed development does not relate to the replacement of “a *building*” and therefore the 4<sup>th</sup> bullet point is not considered to be engaged.
5. The 6<sup>th</sup> bullet point states that “*limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development*” is not inappropriate development. For the 6<sup>th</sup> bullet point exception, no qualification of use or size is given, except that there should be no

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greater impact upon openness and the purpose of including land within the Green Belt from the proposed development.

6. In determining whether the 6<sup>th</sup> bullet point exception applies in this case the application site consists of a complex of substantial buildings and various external storage and hard surfacing. The issue of the Certificate of Lawful Development for Existing Use reference PLAN/2015/0103 has established that the residential use of building 'CM1' and 'CM2' (and associated operational development) has existed for a period of over four years, and that the general industrial (Class B2) use and external storage (Class B8) by Aspen Arboricultural Services, has been in use in excess of ten years. As such these uses (and associated operational development) are lawful within the meaning of Section 191 of The Town and Country Planning Act 1990 (as amended). The application site is therefore considered to constitute '*previously developed land*' as defined by the glossary to the NPPF. The application proposes the demolition of the existing built structures, and removal of the existing hard surfacing, and their redevelopment with new construction, in this case 2no. dwellings. The area of the application site proposed to be redeveloped does not extend beyond the land constituting '*previously developed land*'. The proposal is considered to comprise the complete redevelopment of a previously developed site and therefore the 6<sup>th</sup> bullet point of Paragraph 89 is considered engaged in this case.
  
7. However before the 6<sup>th</sup> bullet point of Paragraph 89 is satisfied it has to be demonstrated that the redevelopment would not have a greater impact upon openness, and the purpose of including land within the Green Belt, than the existing development. In this regard the existing site comprises a compound containing three structures; 2 large barn structures to the centre of the site and an 'L' shaped structure (understood to formerly have been a goat shed/pig-sty) in the south-eastern corner of the site. In addition there is external storage of forestry equipment across the application site, including heavy machinery and vehicles.
  
8. The westerly central building is enclosed and demonstrates a maximum height measuring approximately 7.0m with asymmetrical eaves heights measuring approximately 5.0m and 3.5m respectively. The easterly central building is open (supported by piers) below a roof and demonstrates a maximum height measuring approximately 6.5m and eaves heights measuring approximately 5.0m. The westerly central building measures approximately 17.8m in width with the easterly building approximately 9.2m in width; both buildings measure approximately 23.0m in depth. The 'L' shaped building is enclosed and measures approximately 4.0m in maximum height with an eaves height of approximately 2.6m. The maximum width and depth of the 'L' shaped building measure approximately 14.0m and 12.0m respectively.

	Existing	Proposed	Reduction/Uplift (%)	Difference
Built Footprints	728m <sup>2</sup>	515m <sup>2</sup>	- 29 %	- 213 m <sup>2</sup>
Built Volume	3723m <sup>3</sup>	2832m <sup>3</sup>	- 24 %	- 891 m <sup>3</sup>
Hardstanding	1734m <sup>2</sup>	573m <sup>2</sup>	- 67 %	- 1,161 m <sup>2</sup>
Building heights (maximum)	7.0m	7.5m	+ 7%	+ 0.5m

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9. As can be seen from the above table the application proposal represents a reduction of 29%, equating to 213m<sup>2</sup>, in built footprint and a reduction of 24%, equating to 891m<sup>3</sup>, in built volume. The applicant considers that the existing hardstanding (that is excluding the existing built footprints) on the application site equates to 1734m<sup>2</sup>. Whilst it was observed during the site visit that the application site is not entirely laid to hardstanding outside of the existing built footprints, and therefore it is considered that the existing level of hardstanding is slightly below the 1734m<sup>2</sup> stated by the applicant, it is clear that the existing site has no landscaping or soft planting and that areas within the application site which are not laid to hardstanding are utilised for the external storage of forestry machinery and vehicles. A detailed landscaping scheme has been submitted in support of the application which shows that the resulting area laid to lawn would measure approximately 1,019m<sup>2</sup>, with an additional approximate 177m<sup>2</sup> laid to bark mulch. Whilst approximately 574m<sup>2</sup> would be laid to hardstanding (including patio paving and gravel driveway surfaces) it is clear that the reduced level of hardstanding, and increased areas laid to lawn and bark mulch, would represent a significant betterment in comparison to the existing situation.
10. Whilst the easterly dwelling would extend further east than the existing buildings to be demolished it would not extend any further east than existing external storage on the application site. Furthermore, both dwellings have been located within the application site such that they would predominantly occupy the footprint of the existing two larger central buildings. The 'L' shaped building to the south-east corner of the compound would be removed and not replaced with any built form. The areas of the application site currently utilised for external storage of forestry machinery and vehicles would be predominately laid to lawn, alongside areas of gravel driveway and patio paving. Native hedging is proposed to encompass the frontages of the dwellings with a relatively significant quantum of new tree planting to the frontages shown on the submitted landscaping plan.
11. The proposed dwellings would demonstrate maximum heights measuring approximately 7.5m with elements terminating in eaves heights measuring approximately 3.5m. It is acknowledged that the 7.5m maximum building heights would be 0.5m higher than the maximum height of the existing buildings on the site. However elements of the proposed dwellings would be lower in height than this maximum ridge height. It is therefore considered that the proposed variation in heights and scale of the proposed dwellings would represent a betterment in terms of the openness of the Green Belt.
12. In addition it is noted that the issue of the Certificate of Lawful Development for Existing Use reference PLAN/2015/0103 has established that the general industrial (Class B2) use and external storage (Class B8) by Aspen Arboricultural Services, together with the residential use of building 'CM1' and 'CM2', are lawful within the meaning of Section 191 of The Town and Country Planning Act 1990 (as amended). The application proposal would remove the existing general industrial (Class B2) use and external storage (Class B8) by Aspen Arboricultural Services and would result in two dwellings. Although the two proposed dwellings would be larger than the existing two dwellings on the application site it is considered that the proposal would result in a decreased intensity of activity at the application site compared to the lawful uses.
13. Furthermore, outside of the footprints of the two proposed dwellings, the proposal would result in extensive areas laid to lawn with more limited areas laid to gravel driveway and paved patios. Tree planting, and native hedge planting, would also occur to the frontages of the dwellings. The proposed development would remove the existing proliferation of external storage, including heavy machinery and vehicles,



across the application site, which, notwithstanding the existing built form, is considered harmful to the openness and visual amenities of the Green Belt. The proposed residential curtilages would not extend beyond the existing eastern and northern boundaries of the current compound with 1.1m high post and railing fencing proposed to these more sensitive boundaries, and considered sympathetic to the rural setting of the site. The potential future extension of the dwellings, and the erection of outbuildings within the residential curtilages, can also be restricted by recommended condition 18.

14. Overall, compared to the existing, the proposed development would result in less built footprint, built volume and hardstanding. The proposed dwellings are considered better related to the rural setting than the existing compound. As the footprint and volume of built structures would be reduced, together with the removal of a significant level of existing hardstanding and external storage, and the introduction of soft planting and landscaping, there would be an increase in openness on the site. Consequently the proposals would not result in sprawl and there would be no encroachment into the countryside or conflict with any of the purposes of the Green Belt. Therefore it is considered that the proposed development satisfies the 6<sup>th</sup> bullet point of Paragraph 89 of the NPPF (2012) and the proposed development is not considered to have a *“greater impact on the openness of the Green Belt or the purpose of including land within it than the existing development”*. The proposed development is therefore considered to be appropriate development within the Green Belt and to accord with Section 9 of the National Planning Policy Framework (NPPF) (2012), Policy CS6 of the Woking Core Strategy (2012) and Policy DM13 of the Development Management Policies Development Plan Document (DMP DPD) (2016).
15. Both of the proposed 2no. dwellings would exceed 370 sq.m. in Gross Internal Area (GIA) and provide 4+ bedrooms in accommodation and would therefore constitute ‘family accommodation’. Both Policy CS11 of the Woking Core Strategy (2012), and the Strategic Housing Market Assessment (SHMA) (2015), identify a need for 4+ bedroom dwellings. The proposal would therefore assist in meeting this local need and demand and would result in no loss of existing family accommodation.

Design and impact upon the character of the area, including arboricultural implications

16. One of the core principles of the National Planning Policy Framework (NPPF) (2012) is to seek to secure high quality design. Furthermore 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 paying due regard to the scale, height, proportions, building lines, layout, materials and other characteristics of adjoining buildings and land.
17. The application site is located within a rural area of Knaphill to the west of the Borough. Immediately to the north and east of the existing compound is grazing/paddock (agricultural) land. A belt of trees occurs to the west, beyond which is Chobham Golf Course. Chobham Golf Course also extends to the south of the application site, on the opposite side of the vehicular track, where a greenkeepers compound is located. The surrounding area is overridingly rural in character with extensive belts of trees and hedging apparent. The only dwellings within proximity of the application site are Nos.1-3 White Causeway on the opposite, eastern side of Chobham Road.
18. The existing buildings on the application site are utilitarian in appearance and the external storage of forestry machinery and vehicles is considered harmful to the rural

character and appearance of the surrounding area and Green Belt. The proposed dwellings are proposed to be of oak frame construction and two storey in scale with some subordinate elements. Whilst there is no prevailing local architectural approach to adopt due to the general absence of dwellings within proximity of the application site the design of the proposed dwellings is traditional and references an 'Arts and Crafts' style. The proposed external materials have been set out as consisting of oak frame, brick, stone and render below a tiled roof with timber framed windows. Whilst condition 03 is recommended to secure further details of external materials this combination of materials accords with the local context. Both dwellings have been articulated through the incorporation of pitched elements of roof, subordinate elements, chimney stacks and the intended application of external materials across the elevations.

19. Whilst relatively substantial in scale the architectural approach of the proposed dwellings is considered to be acceptable and to generally accord with the rural context of the application site. It is considered that the siting of the proposed dwellings, in closely reflecting the location of the existing two central buildings, is acceptable. In terms of spacing the westerly dwelling would be located in excess of 6.0m from the western site boundary with a separation gap of approximately 8.0m retained between both proposed dwellings.
20. Several trees exist within the site, with further trees sited immediately adjacent to the site. Policy CS21 requires proposals for new development to include the retention of any trees of amenity value. Policy DM2 of the Development Management Policies DPD (2016) states that the Council will require any trees which are to be retained to be adequately protected to avoid damage during construction.
21. The application is supported by arboricultural information, dated May 2017, prepared by Ruskins Tree Consultancy, which identifies that 2no. trees would be removed (Oak and Bay Laurel). The Oak tree (T2) to be removed towards the northern boundary of the compound has been assessed as a Category U tree (cannot realistically be retained) due to having been colonized by fungi thought to be *Inonotus dryadeus*, together with decay present on the stem. The Bay Laurel (T18) to be removed is contained centrally within the site, is a modest 3.5m in height and has been assessed as being of low quality and value (Category C).
22. It is considered that the removal of these 2no. trees would be more than mitigated through the planting of twenty new trees across the frontages of both dwellings shown on the submitted landscaping plan. The submitted arboricultural information makes provision for works within the Root Protection Areas (RPAs) of retained trees to be carried out in an arboriculturally sensitive manner and for the provision of adequate physical protection to retained trees during the course of site works. The Council's Arboricultural Officer has reviewed the submitted arboricultural information and considers the arboricultural implications to be acceptable subject to a recommended condition to secure compliance (condition 15 refers) and further details of any drainage or service runs (condition 16 refers).
23. The submitted landscaping scheme shows a robust scheme of native hedge planting, shrub and perennial planting, together with the planting of twenty new trees across the frontages of both dwellings. Large areas laid to lawn would occur to the frontages alongside gravel surfaced driveways. Combinations of paved patio, lawn and bark mulched areas would occur to the rear gardens with sensitive boundaries demarcated by 1.1m high post and rail fencing and native hedge planting.

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24. Overall the proposed dwellings are considered to represent a high quality design, which would respect and make a positive contribution to the character of the area in accordance with Sections 6 and 7 of the National Planning Policy Framework (2012) (NPPF), Policy CS21 of the Woking Core Strategy (2012), Policy DM10 of the Development Management Policies DPD (2016) and Supplementary Planning Document 'Design (2015)'.

### Impact upon neighbouring amenity

25. Policy CS21 of the Woking Core Strategy (2012) advises that proposals for new development should achieve a satisfactory relationship to adjoining properties, avoiding significant harmful impact in terms of loss of privacy, daylight or sunlight, or an overbearing effect due to bulk, proximity or loss of outlook. More detailed guidance, in terms of assessing neighbouring amenity impacts, is provided by SPD 'Outlook, Amenity, Privacy and Daylight (2008)'.
26. The only dwellings within proximity of the application site are Nos.1-3 White Causeway on the opposite, eastern side of Chobham Road. The closer, easterly, proposed dwelling would remain in excess of 50.0m from the front boundary of the curtilages of Nos.1-3 White Causeway and on the opposite side of the carriageway of Chobham Road to these existing dwellings, with tree and vegetative screening intervening.
27. Overall, taking account of the scale and form of the proposed dwellings, together with the levels of retained separation, the proposed dwellings are considered to achieve satisfactory relationships to Nos.1-3 White Causeway, avoiding significant harmful impact, by reason of potential loss of privacy, daylight or sunlight, or overbearing effect due to bulk, proximity or loss of outlook and therefore accord with Policy CS21 of the Woking Core Strategy (2012), SPD 'Outlook, Amenity, Privacy and Daylight (2008)' and the core principles of the National Planning Policy Framework (2012) (NPPF).

### Amenities of future occupiers

28. In terms of the proposed dwellings it is considered that a good standard of outlook, daylight and sunlight would be achieved to habitable rooms and private garden amenity areas. Both proposed dwellings would exceed 370 sq.m. in Gross Internal Area (GIA); for two storey 4+ bedroom dwellings this level of GIA is considered to provide a good standard of amenity.
29. SPD 'Outlook, Amenity, Privacy and Daylight (2008)' sets out that "*where appropriate, the area of private garden should approximate with gross floorspace of the dwelling (subject to the character of the local context) but it is advised that it should always be as large as the building footprint of the dwelling house, except in the most dense urban locations*". The gross floorspace of the easterly dwelling measures approximately 402 sq.m with the building footprint measuring approximately 274 sq.m. The gross floorspace of the westerly dwelling measures approximately 380 sq.m with the building footprint measuring approximately 257 sq.m. The area of private garden amenity (including paved patio and lawn areas but excluding bark mulch areas) to serve the easterly dwelling would measure approximately 318 sq.m and that to serve the westerly dwelling approximately 353 sq.m. The areas of private garden amenity would therefore exceed the respective building footprints and provide suitable, sunlit areas of predominantly soft landscaped private amenity space, appropriate in size and shape for the outdoor domestic and recreational needs of future occupiers.

Flood risk and surface water drainage

30. Paragraph 100 of the NPPF (2012) states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere. The entire application site is located within Flood Zone 1 (low risk), as identified by the Environment Agency flood map for planning, where all forms of development are suitable.
31. The main flood risk to the application site is from surface water flooding as a result of direct rainfall on the site and surface water runoff from surrounding land. A large part of the application site is identified as being at medium surface water flood risk (1 in 1000 year) with small parts of the application site identified as being at high (1 in 100 year) and very high (1 in 30 year) surface water flood risk. Policy CS9 of the Woking Core Strategy (2012) states that *"a flood risk assessment will be required for development proposals within or adjacent to areas at risk of surface water flooding"*.
32. Following an initial objection to the application, due to the absence of a Flood Risk Assessment (FRA), raised by the Council's Drainage and Flood Risk Team the applicant has prepared and submitted an FRA. The submitted FRA identifies that the potential depth of surface water flooding to the site is anticipated to be no greater than 300mm, that the proposed development is likely to provide betterment in terms of surface water runoff from the site due to a reduction in existing impermeable hardstanding and that existing surface water flow through the site will remain unchanged as the proposed dwellings are located largely upon the same footprint as the existing buildings to be demolished. The FRA sets out that the proposed two new dwellings will require a surface water drainage system, which, once implemented, will result in no additional risk of flooding to surrounding land.
33. The FRA sets out mitigation measures, due to the potential risk to the two dwellings from surface water flooding, which include that the finished floor levels (FFL) will be raised by a minimum of 300mm above the existing ground levels and that electrical sockets on the ground floor will be raised 300mm above the FFL.
34. The Council's Drainage and Flood Risk Team have reviewed the submitted FRA and raise no objection, in terms of flood risk and surface water drainage, subject to recommended conditions 08 and 09. Overall, subject to these recommended conditions, the proposed development is considered to accord with the provisions of the NPPF (2012) and Policy CS9 of the Woking Core Strategy (2012).

Biodiversity and protected species

35. The NPPF (2012) states that the planning system should contribute to and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible. Circular 06/05 – Biodiversity and Geological Conservation also requires the impact of a development on protected species to be established before planning permission is granted. This approach is reflected within Policy CS7 of the Woking Core Strategy (2012).
36. Surrey Wildlife Trust is the Council's retained ecologist, who provide advice to the Council in respect of the impact of development on protected species and biodiversity. The application is supported by a Bat Survey Report by Drummond Ecology. Surrey Wildlife Trust have advised that the submitted Bat Survey Report appears appropriate

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in scope and methodology and has not identified active bat roosts within the buildings subject to the current planning application, and therefore advise that bats do not appear to present a constraint to the proposed development although a precautionary approach to works should be implemented.

37. Surrey Wildlife Trust also advise that evaluation of known records by the Surrey Amphibian and Reptile Group indicates a 'possible presence' of Grass Snake and Common Lizard in the location of the development site, and that, whilst no assessment of the suitability of the application site for reptiles has been undertaken, the nature of the site's current usage indicates that some potential artificial refugia may be present and vegetated site boundaries may present a corridor for reptile movement. Furthermore optimal reptile habitat is available immediately adjacent to the application site and there is therefore a reasonable likelihood that reptiles will be present and affected by the proposed development. A precautionary approach to reptiles is therefore recommended by Surrey Wildlife Trust which can be secured via recommended condition 14.
38. Paragraph 109 of the NPPF (2012) sets out that "*the planning system should contribute to and enhance the natural and local environment by ... minimising impacts on biodiversity and providing net gains in biodiversity where possible*". Paragraph 118 also requires that "*opportunities to incorporate biodiversity in and around developments should be encouraged*". The proposed development offers opportunities to enhance biodiversity on the site and such measures will assist the Local Authority in meeting the above obligation and also help offset any localised harm to biodiversity caused by the development process. Condition 13 is recommended to secure further details of measures to enhance biodiversity on the site.
39. Overall, subject to recommended conditions 13 and 14 the proposed development is considered to accord with the provisions of the National Planning Policy Framework (NPPF) (2012) and Policy CS7 of the Woking Core Strategy (2012).

### Land contamination

40. Paragraph 109 of the NPPF (2012) requires the planning system to contribute to and enhance the natural and local environment by managing the risk from unacceptable levels of soil or water pollution or land instability. Paragraphs 120 - 122 require planning policies to ensure that, as a minimum, land should be suitable for its next use and not be capable of being determined as 'contaminated land' under Part IIA of the Environmental Protection Act 1990. The guidance also states that responsibility for securing a safe development rests with the developer.
41. The Council's Contaminated Land Officer has been consulted on the application, and is satisfied that, whilst there is the potential for contamination, such contamination would be capable of being remediated, with wider benefit to the local environment, via recommended condition 12.
42. Overall, subject to recommended condition 12 it is considered that the application complies with Policy DM8 of the Development Management Policies DPD (2016), and the provisions of the National Planning Policy Framework (2012), in terms of land contamination.

### Highways and parking implications

## 12 DECEMBER 2017 PLANNING COMMITTEE

43. SPD 'Parking Standards (2006)' sets maximum parking standards, with the objective of promoting sustainable non-car travel. Whilst Policy CS18 of the Woking Core Strategy (2012) states that the Council will move towards minimum parking standards for residential development, SPD 'Parking Standards (2006)' remains in place and sets a maximum residential car parking standard of 2 spaces, per 3 or more bedroom dwelling outside of the High Accessibility Zone, stating that *"for car parking the standards define the maximum acceptable provision for the most common forms of development. Provision above this level will not normally be permitted"*.
44. The proposal includes the provision of a frontage driveway and parking area to each dwelling which would be capable of facilitating the on-site parking of 2 cars in line with the relevant parking standard set out by SPD 'Parking Standards (2006)'.
45. The County Highway Authority (CHA) (SCC) has undertaken an assessment of the application and notes the similarity to a previous application reference PLAN/2014/0679. The CHA note that the proposed development will be accessed from a private access road outside of the jurisdiction of the CHA, and as such the application has been assessed by the CHA at the point where the public highway network is reached.
46. The County Highway Authority (CHA) comment that *"the public highway network is joined at the junction between the private access road and Chobham Road. There have been no recorded RTI (Road Traffic Incidents) associated with the access for the previous four years (2015 data), and the change of use of the land is likely to result in a reduction in trip rates (the application form indicates there will be a loss of on site parking provision of 34 spaces). Therefore the CHA raises no objections on the grounds of highway safety or capacity"*.
47. However the County Highway Authority note that the site is in an unsustainable location and refer to the comments made in response to previous application reference PLAN/2014/0679, which stated that *"the CHA considers that the location of the site is not ideal in sustainable transport terms for a new residential development, given that it lies outside the existing built up areas of Woking, is remote from key services and facilities, and is not easily accessible by modes of transport other than the private car. On this basis, it does not comply with the sustainable transport objectives of the NPPF (2012) or with Policy CS18 of the Woking Core Strategy (2012). Notwithstanding this advice, however, the CHA acknowledges that there are three dimensions to sustainable development - economic, social and environmental - hence the sustainability of the site should not be assessed purely in terms of transport mode and distance. It is also acknowledged that planning policy does permit the conversion and re-use of buildings in the Green Belt and hence some developments will not be able to meet the requirements of locational and transport policies. Therefore, it is for the Local Planning Authority to weigh up the CHA's sustainable transport advice against the other policies in the NPPF and the Core Strategy, particularly those relating to rural areas, in order to determine whether or not the proposed development would be sustainable in its wider sense"*.
48. Whilst the above is noted in the intervening period since the refusal of application reference PLAN/2014/0679 the issue of the Certificate of Lawful Development for Existing Use reference PLAN/2015/0103 has established that the residential use of building 'CM1' and 'CM2' (and associated operational development) has existed for a period of over four years, and that the general industrial (Class B2) use and external storage (Class B8) by Aspen Arboricultural Services, has been in use in excess of ten years. As such these uses (and associated operational development) are lawful within

## 12 DECEMBER 2017 PLANNING COMMITTEE

the meaning of Section 191 of The Town and Country Planning Act 1990 (as amended).

49. Whilst it is acknowledged that future residential occupiers of the two proposed dwellings would be almost wholly reliant upon the private vehicle to obtain access to goods and services the existing site contains two lawful dwellings and a complex of buildings, the use of which by Aspen Arboricultural Services, is lawful. Whilst the proposed dwellings would likely provide accommodation for more individuals than the existing two dwellings on the site the proposed development would also result in the cessation of the use of site for general industrial (Class B2) and external storage (Class B8) purposes by Aspen Arboricultural Services. Overall therefore the proposed development is very likely to result in a decrease in existing vehicular movements to and from the site.
50. Overall therefore the proposal is considered to result in an acceptable impact upon highway safety and car parking provision and accords with Policy CS18 of the Woking Core Strategy (2012), SPD 'Parking Standards' (2008) and the National Planning Policy Framework (NPPF) (2012).

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

51. The application site is located within Zone B (400m - 5km) of the Thames Basin Heaths Special Protection Area (TBH SPA), a European designated site afforded protection under the Conservation of Habitats and Species Regulations 2010 (as amended). The TBH SPA is designated for its internationally important habitat which supports breeding populations of three rare bird species: Dartford Warbler, Woodlark and Nightjars.
52. The issue of the Certificate of Lawful Development for Existing Use reference PLAN/2015/0103 has established that the residential use of building 'CM1' and 'CM2' (and associated operational development) has existed for a period of over four years and as such are lawful within the meaning of Section 191 of The Town and Country Planning Act 1990 (as amended). The proposed development would not give rise to a net increase in dwellings on the site over and above the existing lawful situation. The Thames Basin Heaths Special Protection Area Avoidance Strategy states that "*replacement dwellings will not generally lead to increased recreational pressure, therefore, will have no likely significant effect on the SPA and will not be required to make a contribution to the provision of avoidance measures*".
53. In view of the above, the Local Planning Authority is able to determine that the proposed development would have no significant effect upon the TBH SPA over and above the existing lawful situation and therefore accords with Policy CS8 of the Woking Core Strategy (2012) and the 'Thames Basin Heaths Special Protection Area Avoidance Strategy'.

### Affordable Housing

54. Policy CS12 of the Woking Core Strategy (2012) states that all new residential development will be expected to contribute towards the provision of affordable housing and that, on sites providing fewer than five new dwellings, the Council will require a financial contribution equivalent to the cost to the developer of providing 10% of the number of dwellings to be affordable on site.

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55. However, following the Court of Appeal's judgment of 11 May 2016 (*Secretary of State for Communities and Local Government v West Berkshire District Council and Reading Borough Council [2016] EWCA Civ 441*), it is acknowledged that the policies within the Written Ministerial Statement of 28 November 2014, as to the specific circumstances where contributions for affordable housing and tariff-style planning obligations should not be sought from small scale and self build development, must be treated as a material consideration in development management decisions.
56. Additionally the Planning Practice Guidance (Paragraph 031 - Revision date: 19.05.2016) sets out that affordable housing contributions should not be sought from developments of 10-units or less, and which have a maximum combined gross floorspace of no more than 1000sqm. Whilst it is considered that weight should still be afforded to Policy CS12 of the Woking Core Strategy (2012) it is considered that greater weight should be afforded to the policies within the Written Ministerial Statement of 28 November 2014 and the Planning Practice Guidance (Paragraph 031 - Revision date: 19.05.2016). The proposal represents a development of 10-units or less, and has a maximum combined gross floorspace of no more than 1000sqm, and therefore no affordable housing contribution is sought.

### Energy and water consumption:

57. Planning policies relating to sustainable construction have been updated following the Government's withdrawal of the Code for Sustainable Homes (CfSH). Therefore in applying Policy CS22 of the Woking Core Strategy (2012), the approach has been amended and at present all new residential development shall be constructed to achieve a water consumption standard of no more than 105 litres per person per day indoor water consumption and not less than a 19% CO2 improvement over the 2013 Building Regulations TER Baseline (Domestic). Planning conditions are recommended to secure this (recommended conditions 10 and 11).

### LOCAL FINANCE CONSIDERATIONS

58. The proposed development would be liable for Community Infrastructure Levy (CIL) to the sum of **£4,431** (including the April 2017 Indexation).

### CONCLUSION

59. Overall it is considered that the proposed development satisfies the 6<sup>th</sup> bullet point of Paragraph 89 of the NPPF (2012) and the proposed development is not considered to have a "*greater impact on the openness of the Green Belt or the purpose of including land within it than the existing development*". The proposed development is therefore considered to be appropriate development within the Green Belt. The proposed dwellings are considered to represent a high quality design, which would respect and make a positive contribution to the character of the area. The proposal is considered to result in acceptable impact upon neighbouring amenity and to provide a good standard of amenity to future occupiers. The risk of surface water flooding can be mitigated via recommended conditions. Bats do not appear to present a constraint to the proposed development although a precautionary approach to works is secured via recommended condition in respect of bats and reptiles with biodiversity enhancement measures also secured via recommended condition. A condition is recommended to address land contamination with the impact of the proposed development upon highways and parking considered to be acceptable. The proposed development would have no significant effect upon the Thames Basin Heaths Special Protection Area



## 12 DECEMBER 2017 PLANNING COMMITTEE

(TBH SPA) over and above the existing lawful situation and energy and water consumption measures are addressed via recommended conditions.

60. The proposal is therefore considered to be an acceptable form of development which complies with Sections 4, 6, 7, 9, 10 and 11 of the National Planning Policy Framework (NPPF) (2012), Policies CS1, CS6, CS7, CS8, CS9, CS10, CS11, CS12, CS18, CS21 and CS22 of the Woking Core Strategy (2012), Policies DM2, DM8 and DM13 of the Development Management Policies Development Plan Document (DMP DPD) (2016), Supplementary Planning Documents 'Outlook, Amenity, Privacy and Daylight (2008)', 'Design (2015)', 'Parking Standards (2006)', 'Climate Change (2013)' and 'Affordable Housing Delivery (2014)' and South East Plan (2009) (Saved policy) NRM6, Thames Basin Heaths Special Protection Area Avoidance Strategy and the National Planning Practice Guidance (NPPG). It is therefore recommended that planning permission is granted subject to recommended conditions as set out below.

### **BACKGROUND PAPERS**

Site visit photographs

x1 Letter of objection

Consultation response from Arboricultural Officer

Consultation response from County Highway Authority (SCC)

Consultation response from Surrey Wildlife Trust

Consultation responses from Drainage and Flood Risk Team

Consultation response from Contaminated Land Officer

Consultation response from Surrey Heath Borough Council

Site Notice

### **RECOMMENDATION**

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

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

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

02. The development hereby permitted shall be carried out in accordance with the following approved plans numbered/titled:

892 75 (Site Arrangement), dated June 2017 and received by the Local Planning Authority on 26.06.2017.

892 91 (West House - Floor Plans & Elevations), dated June 2017 and received by the Local Planning Authority on 26.06.2017.

892 92 (East House - Floor Plans & Elevations), dated June 2017 and received by the Local Planning Authority on 26.06.2017.

892 93 (Roof Plans), dated June 2017 and received by the Local Planning Authority on 26.07.2017.

892 94 (Existing Detached Dwelling - Floor Plans & Elevations), dated June 2017 and received by the Local Planning Authority on 26.07.2017.

## 12 DECEMBER 2017 PLANNING COMMITTEE

892 95 (Existing Sheds and Accommodation - Floor Plans & Elevations), dated June 2017 and received by the Local Planning Authority on 26.07.2017.

892 101 (Site Location), dated June 2017 and received by the Local Planning Authority on 26.06.2017.

892 102 (Site Block Plan), dated June 2017 and received by the Local Planning Authority on 26.06.2017.

00273 (Proposed Landscaping Scheme), dated 08.05.17 and received by the Local Planning Authority on 26.06.2017.

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

03. ++ Notwithstanding any details outlined on the approved plans listed within this notice or within the submitted application form, prior to the commencement of any above ground works to construct the development hereby permitted, details and/or samples and a written specification of the materials to be used in the external elevations shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and thereafter permanently retained in accordance with the approved details unless otherwise first agreed in writing by the Local Planning Authority.

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

04. ++ Prior to the commencement of the development hereby permitted full details of the existing and proposed finished floor levels and existing and proposed site levels shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with the approved details.

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

05. All new soft landscaping shall be carried out in accordance with the approved plan numbered/titled '00273 (Proposed Landscaping Scheme)', dated 08.05.17 and prepared by Clive Warwick Landscape Design within the first planting season (November-March) following the first occupation of the dwellings or the completion of the development, whichever is the sooner and maintained thereafter unless otherwise first agreed in writing by the Local Planning Authority. 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 first agreed in writing by the Local Planning Authority.

Reason: To protect the character and appearance of the area in accordance with Policy CS21 of the Woking Core Strategy (2012), Policy DM2 of the Development Management Policies DPD (2016), Supplementary Planning Document 'Design (2015)' and the provisions of the National Planning Policy Framework (NPPF) (2012).

06. ++ All new 'hard' landscaping shall be carried out in accordance with the approved plan numbered/titled '00273 (Proposed Landscaping Scheme)', dated 08.05.17 and

## 12 DECEMBER 2017 PLANNING COMMITTEE

prepared by Clive Warwick Landscape Design unless otherwise first agreed in writing by the Local Planning Authority. Notwithstanding any details shown on this approved plan, prior to the commencement of any 'hard' landscape works hereby permitted full details and/or samples of the materials to be used for the 'hard' landscape works shall be submitted to and approved in writing by the Local Planning Authority. The 'hard' landscape works shall be carried out in accordance with the approved details and completed before the first occupation of the dwellings hereby permitted and permanently retained thereafter.

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

07. Modifications to boundary treatments (including the subdivision of the application site between the two proposed dwellings) shall be carried out in accordance with the approved plan numbered/titled '00273 (Proposed Landscaping Scheme)', dated 08.05.17 and prepared by Clive Warwick Landscape Design unless otherwise first agreed in writing by the Local Planning Authority. The approved boundary modifications and treatments shall be implemented in full prior to the first occupation of the dwellings hereby permitted and permanently maintained thereafter unless otherwise first agreed in writing by the Local Planning Authority.

Reason: To ensure adequate security and a satisfactory appearance of the completed development in accordance with Policy CS21 of the Woking Core Strategy (2012), Policy DM2 of the Development Management Policies DPD (2016), Supplementary Planning Document 'Design (2015)' and the provisions of the National Planning Policy Framework (NPPF) (2012).

08. ++ No development shall commence until details of a scheme for disposing of surface water by means of a sustainable drainage system have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in full in accordance with the approved details prior to the first occupation of the development and permanently retained thereafter.

Reason: To ensure that the development achieves a high standard of sustainability and mitigates the risk of surface water flooding to future occupiers in accordance with Policy CS9 of the Woking Core Strategy (2012) and the provisions of the National Planning Policy Framework (NPPF) (2012).

09. All development shall be constructed in accordance with the submitted Flood Risk Assessment by Nijhuis H2OK Ltd dated 16 November 2017 (Ref: J-12109-01-HS). For the avoidance of doubt this includes that all new residential dwellings are to have a finished ground floor level (FFL) raised a minimum of 300mm above the existing ground levels unless otherwise first agreed in writing by the Local Planning Authority. The mitigation measures within the submitted Flood Risk Assessment by Nijhuis H2OK Ltd dated 16 November 2017 (Ref: J-12109-01-HS) shall be provided in full prior to the first occupation of the development hereby permitted and thereafter permanently retained.

Reason: To ensure that the development achieves a high standard of sustainability and mitigates the risk of surface water flooding to future occupiers in accordance with Policy CS9 of the Woking Core Strategy (2012) and the provisions of the National Planning Policy Framework (NPPF) (2012).

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

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

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

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

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

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

12. ++ The development hereby permitted shall not commence until a scheme to deal with contamination of the site has been submitted to and approved in writing by the Local Planning Authority.

(i) The above scheme shall include :-

- (a) a contaminated land desk study and suggested site assessment methodology;
- (b) a site investigation report based upon (a);

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(c) a remediation action plan based upon (a) and (b);  
(d) a "discovery strategy" dealing with unforeseen contamination discovered during construction;  
and (e) a "validation strategy" identifying measures to validate the works undertaken as a result of (c) and (d)  
(f) a verification report appended with substantiating evidence demonstrating the agreed remediation has been carried out

(ii) Unless otherwise first agreed in writing by the Local Planning Authority, the development shall be carried out and completed wholly in accordance with such details and timescales as may be agreed.

Reason: In accordance with the National Planning Policy Framework (2012) and Policy DM8 of the Development Management Policies DPD (2016) which require development to contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to, or being put at unacceptable risk from, or being adversely affected by, unacceptable levels of water pollution (paragraph 109) and to ensure that adequate site investigation information, prepared by a competent person, is presented (paragraph 12).

13. ++ Prior to the commencement of any above ground works to construct the development hereby permitted full details of the measures for the enhancement of biodiversity on the site in accordance with (but not limited to) the general details specified within Paragraph 6.3.1 (Mitigation) of the submitted Bat Survey Report by Drummond Ecology and the consultation response from Surrey Wildlife Trust dated 9th October 2017 (Ref: 967601/14984/HL) shall be submitted to and approved in writing by the Local Planning Authority. The biodiversity enhancements as approved shall be provided on the site prior to the first occupation of the development hereby permitted and shall thereafter be permanently retained in accordance with the approved details.

Reason: In order to enhance biodiversity on the site in accordance with Policy CS7 of the Woking Core Strategy (2012), Circular 06/05 Biodiversity and Geological Conservation and the provisions of the National Planning Policy Framework (2012).

14. ++ No development shall commence (including demolition and site clearance works) until details of a precautionary working method for bats and reptiles, following best ecological practice which shall include (but not be limited to) all of the measures specified within the consultation response from Surrey Wildlife Trust dated 9th October 2017 (Ref: 967601/14984/HL) has been submitted to and approved in writing by the Local Planning Authority. The development shall then be implemented in accordance with the approved details.

Reason: To protect the ecology on/adjacent to the site in accordance with Policy CS7 of the Woking Core Strategy (2012), Circular 06/05 Biodiversity and Geological Conservation and the provisions of the National Planning Policy Framework (2012).

15. Tree protective measures shall be carried out in strict accordance with both the Arboricultural Report and Tree Condition Survey (Ref: 0517-2122-JGS, dated May 2017) and the Tree Removals & Tree Protection Plan (Ref: 0417-2121 TSP1-01 Rev1), both prepared by Ruskins Tree Consultancy. A pre-commencement site meeting shall be held between the Council's Arboricultural Officer, the project Arboricultural consultant and Project Manager whereupon any arboricultural supervision can be agreed and any changes to tree protection details can be

## 12 DECEMBER 2017 PLANNING COMMITTEE

amended and agreed. No works or demolition shall take place until the tree protective measures have been implemented. Any deviation from the works prescribed or methods agreed in the report will require prior written approval from the Local Planning Authority. The works shall be carried out as approved and the tree protection shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition nor shall any fires be started, no tipping, refuelling, disposal of solvents or cement mixing carried out and ground levels within those areas shall not be altered, nor shall any excavation or vehicular access be made, without the prior written consent of the Local Planning Authority.

Reason: To ensure the retention and protection of trees on and adjacent to the site in the interests of the visual amenities of the locality and the appearance of the development in accordance with Policy CS21 of the Woking Core Strategy (2012), Policy DM2 of the Development Management Policies DPD (2016) and the core principles of the National Planning Policy Framework (NPPF) (2012).

16. ++ Prior to the commencement of the development hereby permitted, full details of the method of construction and position of drainage and service runs on the site shall be submitted to and approved in writing by the Local Planning Authority. The method shall adhere to the principles embodied in BS 5837:2012 and the involvement of an arboricultural consultant may be necessary. The development shall thereafter be carried out strictly in accordance with the agreed details.

Reason: To ensure the retention and protection of trees on and adjacent to the site in the interests of the visual amenities of the locality and the appearance of the development in accordance with Policy CS21 of the Woking Core Strategy (2012), Policy DM2 of the Development Management Policies DPD (2016) and the core principles of the National Planning Policy Framework (NPPF) (2012).

17. The development hereby permitted shall not be first occupied unless and until the proposed vehicular access(es) have been constructed in accordance with the approved plans listed within this notice and until space has been laid out within the site in accordance with the approved plans listed within this notice for vehicles to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the parking and turning areas shall be permanently 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 Policy CS18 of the Woking Core Strategy (2012) and the provisions of the National Planning Policy Framework (NPPF) (2012).

18. Notwithstanding the provisions of Article 3, Schedule 2, Part 1 and Classes A, B and E of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any orders amending or re-enacting that Order with or without modification) no extension(s) or enlargement(s) of the dwellings hereby permitted, or the provision of any outbuilding(s), shall be constructed without planning permission being first obtained from the Local Planning Authority.

Reason: The Local Planning Authority considers that further development could cause detriment to the openness of the Green Belt, to the character of the area and provision of an appropriate level of private garden amenity space to serve the dwellings hereby permitted and for this reason would wish to control any future development in

## 12 DECEMBER 2017 PLANNING COMMITTEE

accordance with Policies CS6 and CS21 of the Woking Core Strategy (2012), Supplementary Planning Document 'Design (2015)' and the provisions of the National Planning Policy Framework (NPPF) (2012).

19. The residential curtilages of the two dwellings hereby permitted are defined by the boundary treatments delineated on the approved plan numbered/titled '00273 (Proposed Landscaping Scheme)', dated 08.05.17 and prepared by Clive Warwick Landscape Design. The residential curtilages of the two dwellings hereby permitted shall not encroach beyond these lines unless otherwise first agreed in writing by the Local Planning Authority.

Reason: To highlight the residential curtilages of the dwellings hereby permitted and protect against any potential residential encroachment into the Green Belt in accordance with Policy CS6 of the Woking Core Strategy (2012) and Section 9 of the National Planning Policy Framework (2012).

20. Notwithstanding the provisions of Article 3, Schedule 2, Part 2, Class A of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any orders amending or re-enacting that Order with or without modification) no other means of enclosure, other those expressly permitted by condition 07 above, shall be erected without planning permission being first obtained from the Local Planning Authority.

Reason: To ensure that the proposed development harmonises with the rural surroundings and to protect the openness and visual amenities of the Green Belt in accordance with Policy CS6 of the Woking Core Strategy (2012) and Section 9 of the National Planning Policy Framework (2012).

### **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 paragraph 186-187 of the National Planning Policy Framework (NPPF) (2012). A Flood Risk Assessment (FRA) was requested during consideration of the application. Following submission of the requested FRA the application was considered to be acceptable.
02. The applicants 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 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.
03. The development hereby permitted is subject to the Community Infrastructure Levy (CIL). The charge becomes due when development commences. A Commencement Notice, which is available from the Planning Portal website (Form 6: Commencement Notice: [https://ecab.planningportal.co.uk/uploads/1app/forms/form\\_6\\_commencement\\_notice.pdf](https://ecab.planningportal.co.uk/uploads/1app/forms/form_6_commencement_notice.pdf)) must be issued to the Local Planning Authority and all owners of the relevant land to notify them of the intended commencement date of the development. The Local

## 12 DECEMBER 2017 PLANNING COMMITTEE

Planning Authority will then send a Demand Notice to the person or persons who have assumed liability.

04. 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.
05. The applicant is advised that, under the Control of Pollution Act 1974, site works which will be audible at the site boundaries are restricted to the following hours:-  
08.00 – 18.00 Monday to Friday  
08.00 – 13.00 Saturday  
and not at all on Sundays and Bank/Public Holidays.
06. This decision notice should be read in conjunction with the related Legal Agreement.



PLAN/2017/0735



Land at Copthorne Meadows Farm, Chobham Road

Ward Bdy

1.22m RH

Drain

ED Bdy

CF

Und

CR  
CHOBHAM ROAD

FB Drain

Copthorne Meadows  
Farm

1.22m RH

White Causeway

1.22m RH  
Track

28.8m

Drain

Track

Ponds

Water

Comments

Not Set



SCALE 1:1,250

0 5 10 20 30 40  
Metres

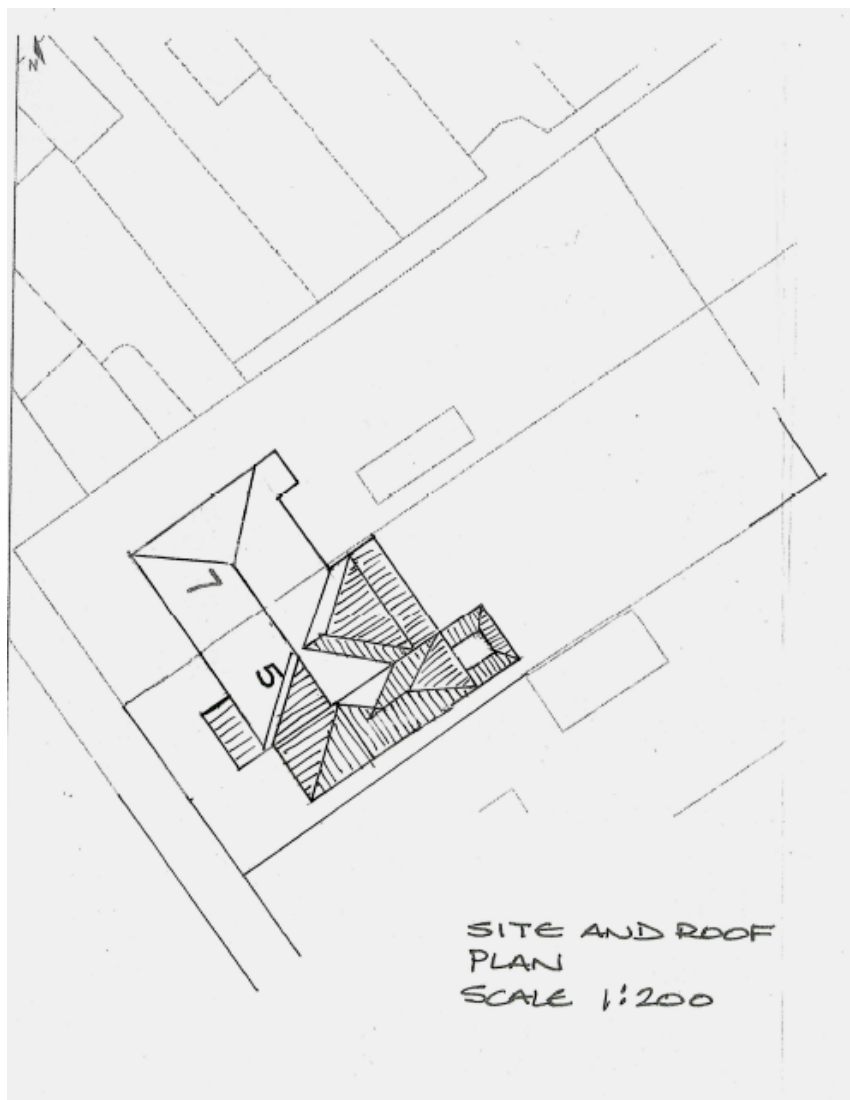
Planning  
Woking Borough Council  
Civic Offices  
Gloucester Square  
Woking, Surrey GU21 6YL



# 5 Delta Road, Woking

## PLAN/2017/0827

Erection of part two storey, part single storey side and rear extensions and single storey front extension following demolition of existing single storey side projection. Conversion of existing 3 bedroom dwelling (including proposed extensions) to form 1no. 2 bedroom ground floor dwelling and 1no. 2 bedroom first floor dwelling (amended description and amended plans received 20.09.2017 and 25.09.2017).

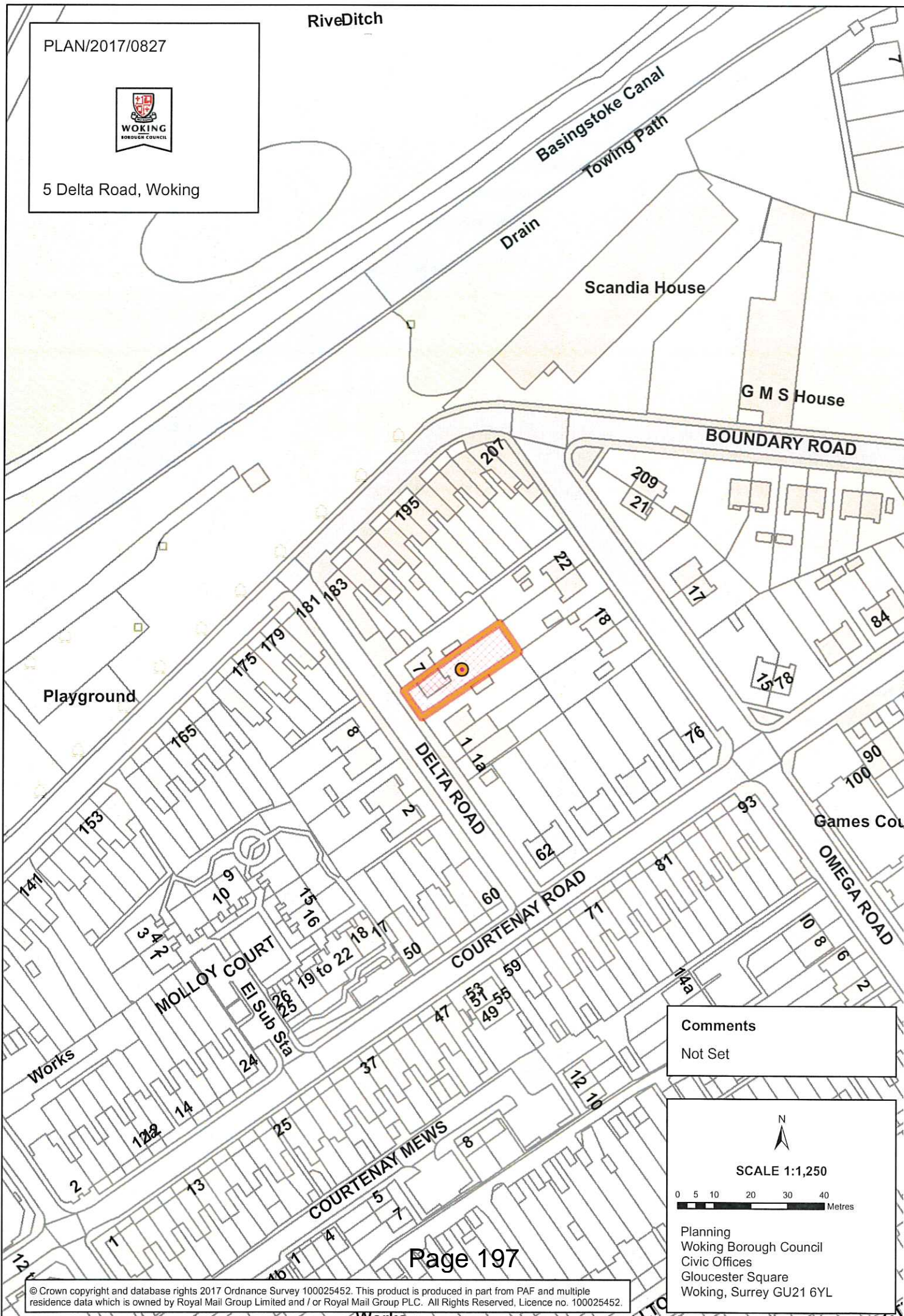




PLAN/2017/0827



5 Delta Road, Woking

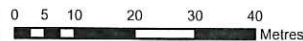


Comments

Not Set



SCALE 1:1,250



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



## 12 DECEMBER 2017 PLANNING COMMITTEE

5k 17/0827 Reg'd: 19.07.17 Expires: 13.09.17 Ward: C  
Nei. 21.08.17 BVPI Minor Number 21/8 On No  
Con. Target dwellings (13) of Weeks Target?  
Exp: on Cttee'  
Day:

**LOCATION:** 5 Delta Road, Woking, GU21 5HL

**PROPOSAL:** Erection of part two storey, part single storey side and rear extensions and single storey front extension following demolition of existing single storey side projection. Conversion of existing 3 bedroom dwelling (including proposed extensions) to form 1no. 2 bedroom ground floor dwelling and 1no. 2 bedroom first floor dwelling (amended description and amended plans received 20.09.2017 and 25.09.2017).

**TYPE:** Full Application

**APPLICANT:** Mr S Hussain

**OFFICER:** Benjamin Bailey

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

The proposal results in a net residential unit through a combination of conversion and new build; a development type which falls outside the Management Arrangements and Scheme of Delegations.

### **SUMMARY OF PROPOSED DEVELOPMENT**

Erection of part two storey, part single storey side and rear extensions and single storey front extension following demolition of existing single storey side projection. Conversion of existing 3 bedroom dwelling (including proposed extensions) to form 1no. 2 bedroom ground floor dwelling and 1no. 2 bedroom first floor dwelling.

Site Area: 0.0295 ha (295 sq.m)  
Existing units: 1  
Proposed units: 2  
Existing density: 34 dph (dwellings per hectare)  
Proposed density: 68 dph

### **PLANNING STATUS**

- Urban Area
- Priority Place
- High Density Residential Area
- High Accessibility Zone
- Thames Basin Heaths Special Protection Area (TBH SPA) Zone B (400m-5km)

### **RECOMMENDATION**

**Grant** planning permission subject to recommended conditions and SAMM (TBH SPA) contribution secured by Legal Agreement.

### **SITE DESCRIPTION**

No.5 Delta Road is a two storey semi-detached dwellinghouse located within the Urban Area within the Maybury area to the east of Woking Town Centre. The property is located within a High Density Residential Area and the High Accessibility Zone. The property benefits from a rear amenity area laid predominately to lawn with an area of patio hardstanding. A single storey extension projects to the side and rear.

### **RELEVANT PLANNING HISTORY**

PLAN/2016/0757 - Erection of part two storey, part single storey rear extension.  
Permitted subject to conditions (19.08.2016)

PLAN/2016/0739 - Erection of two storey (2 bed) dwelling to side of No.5 Delta Road with erection of part two storey, part single storey rear extension to existing dwelling.  
Application Withdrawn (15.08.2016)

PLAN/2005/0173 - Erection of a single storey side extension.  
Permitted subject to conditions (14.03.2005)

### **CONSULTATIONS**

#### **County Highway Authority (SCC):**

Note that the application involves the on site provision of two parking spaces, however with the new extensions there appears to be insufficient room to the front of the property for these spaces. Please could the applicant supply an additional plan indicating where these two spaces will be, they should be a minimum of 4.8 metres x 2.4 metres and there should be no encroachment of vehicles parked in these spaces onto the footway.

#### **National Grid Asset Protection Team:**

No comments received.

### **REPRESENTATIONS**

None received

### **RELEVANT PLANNING POLICIES**

#### National Planning Policy Framework (NPPF) (2012)

Section 4 - Promoting sustainable transport

Section 6 - Delivering a wide choice of high quality homes

Section 7 - Requiring good design

Section 11 - Conserving and enhancing the natural environment

#### Woking Core Strategy (2012)

CS1 - A spatial strategy for Woking Borough

CS5 - Priority Places

CS8 - Thames Basin Heaths Special Protection Areas

CS10 - Housing provision and distribution

CS11 - Housing mix

CS12 - Affordable housing



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CS18 - Transport and accessibility  
CS21 - Design  
CS25 - Presumption in favour of sustainable development

### Development Management Policies DPD (2016)

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

### Supplementary Planning Documents (SPDs)

Outlook, Amenity, Privacy and Daylight (2008)

Design (2015)

Parking Standards (2006)

Affordable Housing Delivery (2014)

### Other Material Considerations

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

Thames Basin Heaths Special Protection Area Avoidance Strategy

National Planning Practice Guidance (NPPG)

Waste and recycling provisions for new residential developments

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

### **COMMENTARY**

Amended plans were requested, and accepted, during consideration of the application to address concerns identified with the application as initially submitted. Amended plans made the following key changes:

- Initially proposed hip-to-gable roof extension to existing dwelling omitted in favour of retaining existing hipped roof form.
- Roof form of two storey element of side extension altered from initially proposed gabled form to hipped form to reflect hipped form of existing dwelling.
- Width of single storey front extension reduced.
- Internal layout of ground floor dwelling altered to provide 2 bedrooms (as opposed to initially proposed 3 bedrooms) and to avoid side-facing single aspect bedroom window.

Due to the consideration that amended plans reduced the scale of the proposed development in comparison to that initially submitted, and the potential impact upon neighbouring amenity as a consequence, it was not considered necessary to undertake further public consultation on amended plans.

### **PLANNING ISSUES**

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

- Principle of development
- Design and impact upon the character of the host dwelling and street scene
- Impact upon neighbouring amenity
- Amenities of future occupiers
- Highway safety and parking implications
- Thames Basin Heaths Special Protection Area (TBH SPA)
- Affordable housing

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

Principle of development

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2. The application site is situated within the designated Urban Area within a High Density Residential Area, outside of the 400m (Zone A buffer) of the Thames Basin Heaths Special Protection Area (TBH SPA) and outside of identified fluvial and surface water flood zones.
3. Policy CS10 of the Woking Core Strategy (2012) identifies that the Council will make provision for 4,964 net additional dwellings in the Borough between 2010 and 2027. The justification text for Policy CS10 states that new residential development within the Urban Area will be provided through redevelopment, change of use, conversion and refurbishment of existing properties or through infilling.
4. The text of Policy CS10 of the Woking Core Strategy (2012) sets out an indicative density range of between 30 - 40 dph for infill development within the rest of the Urban Area (ie. those areas outside of Woking Town Centre, West Byfleet District Centre and Local Centres). The reasoned justification text to Policy CS10 states that "*development proposals in the High Density Residential Area, as defined on the Proposals Map, will be permitted at densities generally in excess of 70 dph in order to make efficient use of land*". The application site falls within the High Density Residential Area, as defined on the Proposals Map. The existing density of the application site is 34 dph. The proposed density of the application site would be 68 dph, therefore according with the indicative density set out within the High Density Residential Area and making more efficient use of land than the existing situation, in accordance with Policy CS10.
5. Policy DM11 of the Development Management Policies DPD (2016) states that "*proposals for...the sub-division of existing dwellings of an appropriate size to two or more dwellings, including flats... will be permitted provided the following criteria are met:*
  - (i) the proposal does not harm the residential amenity or character of the area;*
  - (ii) a good quality of accommodation is provided by meeting any relevant housing standards;*
  - (iii) there would be no detrimental impact on the visual appearance of the area or that of the building itself;*
  - (iv) any proposed alterations, extensions or additional areas of hard surfacing required to enable the conversion of the dwelling are appropriate in scale, form and extent to the site and its surroundings;*
  - (v) maximum tree cover, mature planting, and screening is retained;*
  - (vi) boundary treatment to the street frontage of the property is retained and a sufficient area of amenity space is retained or provided;*
  - (vii) there is adequate enclosed storage space for recycling/refuse;*
  - (viii) access is acceptable and parking (including for cycles) is provided on site in accordance with the Council's standards;*
  - (ix) the traffic impacts of the proposal are considered acceptable;*
  - (x) the internal layout of the rooms within the proposed conversion will not cause undue disturbance to adjoining residential properties in the building;*
  - (xi) an appropriate contribution is made to avoid harm to the Thames Basin Heaths Special Protection Areas, as set out in Core Strategy Policy CS8, where relevant;*
  - (xii) there is a safe access and egress route during flood events.*

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6. Policy DM11 also states that *"in addition to the 'General Criteria' above, the sub-division of dwellings of an appropriate size to two or more dwellings will only be permitted where:*
  - (i) *the proposal would not result in an overall loss of a family home; and*
  - (ii) *each proposed dwelling has access to a suitable area of private amenity space.*
7. These criteria will inform assessment of the application in further detail within the paragraphs below.
8. SPD 'Outlook, Amenity, Privacy and Daylight (2008)' sets out that family accommodation will be taken to mean all houses with two bedrooms or more and exceeding 65 sq.m gross floorspace. Policy CS11 of the Woking Core Strategy (2012) sets out that the Council will not permit the loss of family homes on sites capable of accommodating a mix of residential units.
9. The existing dwelling measures slightly in excess of 65 q.m gross floorspace and provides two or more bedrooms. Whilst the existing dwelling therefore constitutes family accommodation both of the resultant two dwellings would provide two bedrooms with the ground floor level dwelling measuring 66 sq.m in gross floorspace and the first floor level dwelling measuring 60 sq.m. Therefore the proposal would not result in the loss of a family home as a family home would be re-provided by the resulting dwelling at ground floor level. The proposal would therefore accord with Policy CS11 in this respect. Overall therefore the principle of development is considered to be acceptable subject to other material planning considerations as set out within this report.

### Design and impact upon the character of the host dwelling and street scene

10. One of the core principles of the National Planning Policy Framework (NPPF) (2012) is to seek to secure high quality design. Furthermore 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 paying due regard to the scale, height, proportions, building lines, layout, materials and other characteristics of adjoining buildings and land.
11. The application property forms one of five two storey dwellings on the north-eastern side of Delta Road, which originally contained two pairs of semi-detached dwellings. The original semi-detached pair of No.1 and No.3 has been converted into a short terrace through the addition of an attached dwelling to the side of No.1 (Ref: PLAN/2011/0029). The south-western side of Delta Road contains two buildings at a height of two storeys. The street scene of Delta Road is such that the rear elevations of buildings fronting Boundary Road and Courtenay Road are apparent to the north-west and south-east respectively.
12. The proposal would extend at two storey level to the side and would appear subordinate to the host dwelling through a setback of 450mm from the front elevation and the subordinate maximum height. A separation gap of 1 metre would be retained to the common boundary with No.3 which would retain the rhythm of the street scene and visual separation between buildings in accordance with the guidance contained within SPD 'Design (2015)'. The 3.3m width of the side extension is considered proportionate to the 5.0m width of the host dwelling. The side extension would reflect the hipped roof form of the host dwelling. The overall height and depth of the side

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extension at two storey level would reflect that of the dwelling added to the side of No.1 (Ref: PLAN/2011/0029), and is considered to be appropriate having regard to the approximate 2.4m maximum depth at two storey level beyond the rear elevation of the host dwelling. A 2.5m deep single storey element to the rear would utilise a partially hipped roof form and would appear proportionate to the resulting dwelling, with the single storey scale reducing visibility within the street scene.

13. Part of the two storey extension to the rear would take the form of a 1.3m deep hipped element; this element would largely replicate part of the development previously permitted, as a house extension, under PLAN/2016/0739 and is considered to appear proportionate to the host dwelling and to integrate acceptably into the form and character of the host dwelling. The front extension would be single storey in scale and adopt a simple monopitched roof form. Whilst this element would project approximately 1.5m forwards of the front elevation of the host dwelling it would measure approximately 3.9 sq.m in ground area (measured externally) and approximately 3.2m in maximum height. It is a material consideration that a similar single storey front extension, albeit 0.2m lower in maximum height and 0.9 sq.m lower in ground area (measured externally) would constitute 'permitted development' under the provisions of Article 3, Schedule 2, Part 1, Class D of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) and could therefore be constructed without planning permission. Having regard to this factor the single storey front extension is considered to be acceptable. External materials are proposed to match the existing and this can be secured via recommended condition 3.
14. Overall the proposed extensions would appear typical of domestic house extensions in scale, form and appearance and would not give rise to it being readily apparent that the resulting building encompassed two dwellings as opposed to a single extended dwelling. Furthermore the proposed extensions are considered to appear subordinate in scale to the host dwelling, to integrate acceptably into the form and character of the host dwelling and to retain sufficient spacing within the Delta Road street scene. The application is therefore considered to accord with Policy CS21 of the Woking Core Strategy (2012), SPD 'Design (2015)' and Section 12 of the National Planning Policy Framework (NPPF) (2012).

### Impact upon neighbouring amenity

15. Policy CS21 of the Woking Core Strategy (2012) advises that proposals for new development should achieve a satisfactory relationship to adjoining properties avoiding significant harmful impact in terms of loss of privacy, light, or an overbearing effect due to bulk, proximity or loss of outlook. Further guidance on assessing neighbouring amenity impacts is provided within SPD 'Outlook, Amenity, Privacy and Daylight (2008)'.

### No.3 Delta Road:

16. No.3 Delta Road is situated to the south-east. The dwelling of No.3 is sited approximately 4.0m from the common boundary with a driveway, which leads to a detached garage located to the rear, intervening between No.3 and the common boundary. No.3 demonstrates an obscure-glazed fanlight style side-facing (north-west) ground floor window and a clear-glazed first floor side-facing (north-west) window which appears to serve the staircase/landing (non-habitable space). The two storey element of the proposed side extension would largely occur opposite the side profile of the dwelling of No.3, which contains only obscure-glazed and non-habitable

room windows, and opposite the driveway to the side of No.3. Whilst the two storey extension to the side would project approximately 2.4m beyond the rear elevation of No.3 taking account of the retained 1.0m separation to the common boundary, and the siting of the dwelling of No.3 approximately 4.0m from the common boundary, it is not considered that any significantly harmful impact, by reason of potential overbearing effect due to bulk, proximity or loss of outlook, would occur to No.3 contrary to Policy CS21.

17. The 2.5m deep single storey rear element of the extension would remain 1.0m from the common boundary with No.3 and would present a relatively modest 2.5m eaves height at the closest point to the common boundary. Having regard to these combined factors the single storey rear element of the extension is not considered to give rise to significantly harmful impact, by reason of potential overbearing effect due to bulk, proximity or loss of outlook, to No.3 contrary to Policy CS21.
18. SPD 'Outlook, Amenity, Privacy and Daylight (2008)' states that "*significant loss of daylight will occur if the centre of the affected window (or a point 2m in height above the ground for floor to ceiling windows) lies within a zone measured at 45° in both plan and elevation*". The proposed extensions pass this 45° angle test and no significant loss of daylight is considered to occur to openings within the front (south-west) and rear (north-east) elevations of No.3. As previously noted, windows within the side (north-west) elevation of No.3 are obscure-glazed or serve non-habitable space and therefore any loss of daylight to these windows is not considered to be significantly harmful.
19. The single storey front extension would remain in excess of 4.0m from the common boundary with No.3. Taking account of the approximate 3.2m maximum height of this element no harmful amenity impacts are considered to occur to No.3 as a result of this element.
20. The single side-facing (south-east) window at first floor level within the proposed extension would serve a bathroom. Condition 4 is recommended to secure the obscure-glazing and high-level (ie. 1.7m above FFL) opening only of this window; subject to this recommended condition no harmful loss of privacy is considered to occur to No.3 Delta Road.
21. Overall the proposed extensions are considered to achieve a satisfactory relationship to No.3 Delta Road, avoiding significant harmful impact in terms of potential loss of privacy, light, or overbearing effect due to bulk, proximity or loss of outlook.

No.7 Delta Road:

22. No.7 Delta Road forms the opposing half of the semi-detached pair with No.5. The proposed single storey element adjacent to the common boundary measures approximately 2.3m in depth, being set in approximately 150mm from the common boundary, and demonstrating an eaves height measuring approximately 2.5m, pitching to a maximum height of approximately 3.0m. The depth of the two storey element adjacent to the common boundary measures approximately 1.35m, again set in approximately 150mm from the common boundary. Although within close proximity to the common boundary, given the modest depth of the two storey element, combined with the cumulative factors of the depth, design and height of the single storey element, the proposed extension is not considered to result in significantly harmful impact by reason of overbearing effect due to bulk, proximity or loss of outlook to No.7. Whilst the deeper elements of the proposed extensions would project

approximately 2.4m beyond the rear elevation of No.7 at two storey level, and approximately 4.8m beyond the rear elevation of No.7 at single storey level, these elements would be located approximately 4.6m from the common boundary with No.7. This separation distance is considered to be sufficient to avoid a significantly harmful impact by reason of overbearing effect due to bulk, proximity or loss of outlook to No.7

23. SPD 'Outlook, Amenity, Privacy and Daylight (2008)' states that "*significant loss of daylight will occur if the centre of the affected window (or a point 2m in height above the ground for floor to ceiling windows) lies within a zone measured at 45° in both plan and elevation*". The proposed extensions pass this 45° angle test and no significant loss of daylight is considered to occur to openings within the rear (north-eastern) elevation of No.7.
24. The single storey front extension would remain approximately 2.2m from the common boundary with No.7. Taking account of the approximate 3.2m maximum height of this element, and approximate 1.5m projection, no harmful amenity impacts are considered to occur to No.7 as a result of this element.
25. No openings would face directly towards the common boundary with No.7 and therefore no harmful loss of privacy is considered to occur to No.7. Overall the proposed extensions are considered to achieve a satisfactory relationship to No.7 Delta Road, avoiding significant harmful impact in terms of potential loss of privacy, light, or overbearing effect due to bulk, proximity or loss of outlook.

Properties fronting Delta Road and Omega Road:

26. The proposed two storey extensions would remain in excess of 16.0m from the common (rear) boundary with properties fronting Omega Road and in excess of 18.0m from the front elevations of dwellings on the opposing (south-western) side of Delta Road. Having regard to these retained levels of separation, and to the scale and form of the proposed extensions, no significantly harmful impact, by reason of potential loss of light or overbearing effect, is considered to occur to properties fronting Delta Road and Omega Road. These retained levels of separation exceed the relevant recommended minimum separation distances for achieving privacy as set out within SPD 'Outlook, Amenity, Privacy and Daylight (2008)' and therefore no harmful loss of privacy is considered to occur to properties fronting Delta Road and Omega Road.

Amenities of future occupiers

27. The resulting dwellings would both provide two bedrooms with the ground floor level dwelling measuring 66 sq.m in gross internal floor area and the first floor level dwelling measuring 60 sq.m. Although not locally adopted the Technical housing standards - nationally described space standard (March 2015) identifies a minimum gross internal floor area for 2 bedroom 1 storey dwellings of 61 sq.m. The 66 sq.m ground floor level dwelling would exceed this floor area. Whilst the first floor level dwelling (60 sq.m) would fall 1 sq.m short of this standard this very minor level of shortfall is not considered to be harmful to the amenities of future occupiers. It is considered that a good standard of outlook, daylight and sunlight would be achieved to habitable rooms within both resulting dwellings.
28. SPD 'Outlook, Amenity, Privacy and Daylight (2008)' recommends an area of private garden of at least 30 sq.m to serve flats exceeding 65 sq.m in floorspace, as such flats are suitable for family accommodation. The resulting ground floor level flat would provide two bedrooms and exceed 65 sq.m in floorspace and would therefore be

suitable for family accommodation. Whilst this is the case the rear garden area would be retained for use of the resulting ground floor level flat, which would benefit from access directly from the kitchen. The resulting rear garden area would exceed 130 sq.m and is therefore considered to provide a good standard of amenity to future occupiers of the resulting 66 sq.m ground floor level flat.

29. The resulting first floor level dwelling would measure 60 sq.m gross floorspace, falling below the 65 sq.m gross floorspace which SPD 'Outlook, Amenity, Privacy and Daylight (2008)' identifies as being suitable for family accommodation. SPD 'Outlook, Amenity, Privacy and Daylight (2008)' states that "*dwelling specifically designed not to be used for family accommodation do not require any specific area to be set aside for each as private amenity space. This would apply to one and two bedroom flats and any other forms of dwelling less than 65 sq.m floorspace*". It is therefore considered that the absence of amenity space to serve the resulting first floor level dwelling is acceptable, particularly when balanced with the provision of a net residential unit within the High Density Residential Area within relatively short distance of Woking Town Centre.
30. The rooms within the ground floor dwelling and first floor dwelling would stack vertically. The proposal is therefore considered to achieve an acceptable relationship between the two resulting dwellings.

#### Highway safety and parking implications

31. SPD 'Parking Standards (2006)' sets maximum parking standards, with the objective of promoting sustainable non-car travel. It advises that where car parking provision falls below the stated maximum standard the scheme needs to be examined to ensure it does not have an adverse impact upon highway safety, the free flow of traffic or parking provision in the locality. More recently, Policy CS18 of the Woking Core Strategy (2012) highlights the Council's commitment to sustainable transport modes. With this in mind new development is steered to urban locations served by a range of sustainable transport options.
32. The NPPF (2012) states that in setting local parking standards local planning authorities should take into account the accessibility of the development; the type and mix of the development; the availability and opportunities for public transport; local car ownership levels; and the need to reduce the use of high emission vehicles.
33. The application site contains an existing area laid to hardstanding to the south-eastern side which appears to be used, albeit seemingly intermittently, for off street car parking. Whilst this appears to be the case there is no existing dropped kerb apparent at the application property on to Delta Road. Whilst it has been stated within the submitted application form that existing and proposed on site parking provision exists for two cars it has not been demonstrated how, following construction of the proposed extensions, the provision of off street parking for two cars would be provided on the site. The County Highway Authority (SCC) has commented in this regard as set out in the consultations section of this report. The submitted application form also sets out that there are no new or altered vehicle accesses proposed to or from the public highway as part of the proposed development.
34. Whilst this is the case the application site is within the designated High Accessibility Zone, which represents a reasonable walking time to and from Woking station using key pedestrian routes. The proposed development would provide two 2 bedroom dwellings in lieu of the existing single 3 bedroom dwelling. SPD 'Parking Standards

(2006)' identifies a maximum car parking standard, within the High Accessibility Zone, of 1 car parking space per 1 and 2 bedroom dwelling and of 1.5 parking spaces per 3 or more bedroom dwelling, stating that "*for car parking the standards define the maximum acceptable provision for the most common forms of development. Provision above this level will not normally be permitted. A minimum requirement will not normally be imposed unless under provision would result in road safety implications*". The NPPF advises that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe (Paragraph 32).

35. Taking into account the factors discussed above within paragraph 33 the proposed development has been assessed on the basis that no on site car parking to serve the two dwellings would be provided. The maximum level of car parking provision, in line with the SPD, would be 2 spaces for the proposed development. However it is a significant material consideration that the existing maximum level of car parking provision for the 3 bedroom dwelling, in line with the SPD, is 1.5 spaces. The difference between the existing maximum car parking standard and that for the proposed development is therefore 0.5 spaces.
36. Furthermore the application site is located within a highly accessible and sustainable location within close proximity of Woking Town Centre and the wide range of retail, business, leisure, arts, culture and community facilities and other public transport connections, such as bus, cycle and pedestrian facilities, available within Woking Town Centre. Furthermore Delta Road and its wider environs fall within Controlled Parking Zone (CPZ) 2, with on-street parking between the hours of 08:30-18:00 Mondays to Saturdays (inclusive) being controlled through voucher parking with a 3 hour limit and permits only.
37. In light of the above, and taking into account the locational characteristics of the site within close proximity to Woking Town Centre, including its proximity to key services and public transport accessibility, it is not considered that the absence of on-site car parking to serve the proposed two 2 bedroom dwellings would result in undue pressure upon the availability of off-site parking in the locality or have a materially adverse impact upon the free flow of traffic and highway safety over and above the parking provision required to serve the existing 3 bedroom dwelling. The proposal is therefore considered to comply with the National Planning Policy Framework (2012), Policy CS18 of the Woking Core Strategy (2012) and SPD 'Parking Standards (2006)'.

Thames Basin Heaths Special Protection Area (TBH SPA)

38. The site falls within the 400m - 5km (Zone B) buffer of the Thames Basin Heaths Special Protection Area (TBH SPA). The TBH SPA is a European designated site afforded protection under the Conservation of Habitats and Species Regulations 2010 (as amended).
39. Policy CS8 of the Woking Core Strategy (2012) requires new residential development beyond a 400m threshold, but within 5 kilometres, of the TBH SPA boundary to make an appropriate contribution towards the provision of Suitable Alternative Natural Greenspace (SANG) and Strategic Access Management and Monitoring (SAMM).
40. The Suitable Alternative Natural Greenspace (SANG) element of the TBH SPA avoidance tariff is encompassed within the Community Infrastructure Levy (CIL) however the Strategic Access Management and Monitoring (SAMM) element of the TBH SPA avoidance tariff is required to be addressed outside of CIL. The applicant



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has agreed to make a SAMM contribution of **£660** in line with the Thames Basin Heaths Special Protection Area Avoidance Strategy as a result of the uplift of 1no. 2 bedroom dwelling which would arise from the proposal. The applicant is preparing a Legal Agreement to secure this financial contribution.

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

### Affordable housing

42. Policy CS12 of the Woking Core Strategy (2012) states that all new residential development will be expected to contribute towards the provision of affordable housing. However, following a Court of Appeal judgment in May 2016, the Planning Practice Guidance (Paragraph 031 - Revision date: 19.05.2016) sets out that there are specific circumstances where contributions for affordable housing planning obligations should not be sought from small scale and self-build development. These circumstances include that contributions should not be sought from developments of 10-units or less, and which have a maximum combined gross floorspace of no more than 1000 sq.m.
43. Whilst it is considered that weight should still be afforded to Policy CS12 of the Woking Core Strategy (2012) it is considered that greater weight should be afforded to the policies within the Written Ministerial Statement of 28<sup>th</sup> November 2014 and the Planning Practice Guidance (Paragraph 031 - Revision date: 19.05.2016). As the proposal represents a development of 10-units or less, and has a maximum combined gross floorspace of no more than 1000 sq.m, no affordable housing financial contribution is therefore sought from the application scheme.

### LOCAL FINANCE CONSIDERATIONS

44. The proposal would be Community Infrastructure Levy (CIL) liable to the sum of **£5,068** (including the April 2017 Indexation).

### CONCLUSION

45. Overall the principle of development is considered to be acceptable and the proposed development is considered to respect the character of the host dwelling and street scene of Delta Road. The proposed development is considered to result in an acceptable impact upon neighbouring amenity, to provide a good standard of amenity to future occupiers and to result in acceptable highway safety and parking implications. Thames Basin Heaths impacts can be mitigated by way of the adopted Avoidance Strategy.
46. Having regard to the relevant policies of the Development Plan, other relevant material planning considerations and national planning policy and guidance the proposal is therefore considered to be an acceptable form of development which complies with Sections 4, 6, 7 and 11 of the National Planning Policy Framework (NPPF) (2012), Policies CS1, CS5, CS8, CS10, CS11, CS12, CS18, CS21 and CS25 of the Woking Core Strategy (2012), Policy DM11 of the Development Management Policies DPD (2016), Supplementary Planning Documents 'Outlook, Amenity, Privacy and Daylight (2008)', 'Design (2015)', 'Parking Standards (2006)' and 'Affordable Housing Delivery (2014)', South East Plan (2009) (Saved policy) NRM6, the Thames

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Basin Heaths Special Protection Area Avoidance Strategy and the National Planning Practice Guidance (NPPG). It is therefore recommended that planning permission is granted subject to conditions and planning obligations as set out below.

### **BACKGROUND PAPERS**

1. Site visit photographs
2. Consultation response from County Highway Authority (SCC)

### **PLANNING OBLIGATIONS**

	<b>Obligation</b>	<b>Reason for Agreeing Obligation</b>
1.	£660 SAMP (TBH SPA) contribution.	To accord with the Habitat Regulations, Policy CS8 of the Woking Core Strategy (2012) and The Thames Basin Heaths Special Protection Area (SPA) Avoidance Strategy.

### **RECOMMENDATION**

**Grant** planning permission subject to the following conditions and SAMP (TBH SPA) contribution secured by way of Legal Agreement:

1. 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).

2. The development hereby permitted shall be carried out in accordance with the following approved plans numbered/titled:

2017/SH/01 Rev A (Existing Ground Floor and Existing First Floor), undated and received by the Local Planning Authority on 18.07.2017.

2017/SH/02 Rev A (Proposed Ground Floor), undated and received by the Local Planning Authority on 20.09.2017.

2017/SH/03 (Proposed First Floor), undated and received by the Local Planning Authority on 18.07.2017.

2017/SH/04 (Existing Front, Rear and Side Elevations), undated and received by the Local Planning Authority on 18.07.2017.

2017/SH/05 Rev A (Proposed Front, Rear and Side Elevations), undated and received by the Local Planning Authority on 20.09.2017.

2017/SH/06 Rev B (1:1250 Scale Location Plan and 1:200 Scale Site and Roof Plan), undated and received by the Local Planning Authority on 25.09.2017.

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

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3. The external finishes of the development hereby permitted shall match those used in the existing building in material, colour, style, bonding and texture.

Reason: To preserve the visual amenities of the area in accordance with Policy CS21 of the Woking Core Strategy (2012), SPD 'Design (2015)' and Section 7 of the National Planning Policy Framework (NPPF) (2012).

4. The first floor level window(s) within the south-east (side) elevation of the part two storey, part single storey side and rear extensions 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 finished floor level of the room in which the window(s) are installed. Once installed the window(s) shall be permanently retained in that condition unless otherwise first agreed in writing by the Local Planning Authority.

Reason: To safeguard the amenities of the adjoining property of No.3 Delta Road in accordance with Policy CS21 of the Woking Core Strategy (2012), SPD 'Outlook, Amenity, Privacy and Daylight (2008)' and the provisions of the National Planning Policy Framework (NPPF) (2012)

### **Informatives**

1. The Council confirms that in assessing this planning application it has worked with the applicant in a positive and proactive way, in line with the requirements of paragraph 186-187 of the National Planning Policy Framework (NPPF) (2012). Amended plans were requested, and accepted, during consideration of the application to overcome concerns identified with the application as initially submitted. Following the submission of amended plans the application was considered to be acceptable.
2. The applicant is reminded that the planning permission hereby granted is granted solely on the basis of the amended plans submitted during consideration of the application and as listed within condition 02 above.
3. The applicant is advised that, under the Control of Pollution Act 1974, site works which will be audible at the site boundaries are restricted to the following hours:-  
0800 - 1800 Monday to Friday  
0800 - 1300 Saturday  
and not at all on Sundays and Bank/Public Holidays.
4. This decision notice should be read alongside the related legal agreement.
5. The development hereby permitted is subject to the Community Infrastructure Levy (CIL). The charge becomes due when development commences. A Commencement Notice, which is available from the Planning Portal website (Form 6: Commencement Notice:  
[https://ecab.planningportal.co.uk/uploads/1app/forms/form\\_6\\_commencement\\_notice.pdf](https://ecab.planningportal.co.uk/uploads/1app/forms/form_6_commencement_notice.pdf)) must be issued to the Local Planning Authority and all owners of the relevant land to notify them of the intended commencement date of the development.
6. The applicant is advised that the term 'fixed' or 'non-opening window refers to a window where the glazing is fitted directly into a permanent fixed frame which contains no opening or openable casement or other device or mechanism to permit opening. Fixing an openable casement with screws or bolts into the frame is not acceptable.

**12 DECEMBER 2017 PLANNING COMMITTEE**

7. The applicant is advised that where windows are required to be fitted with obscure glazing the glass should have a sufficient degree of obscuration so that a person looking through the glass cannot clearly see the objects on the other side. 'Patterned' glass or obscured plastic adhesive are not acceptable.

# 29-31 Walton Road, Woking

## PLAN/2017/0146

Demolition of the existing building and the erection of a 4 storey building comprising 14 apartments (6x one bed, 5x two bed and 3x three bed) with associated parking.

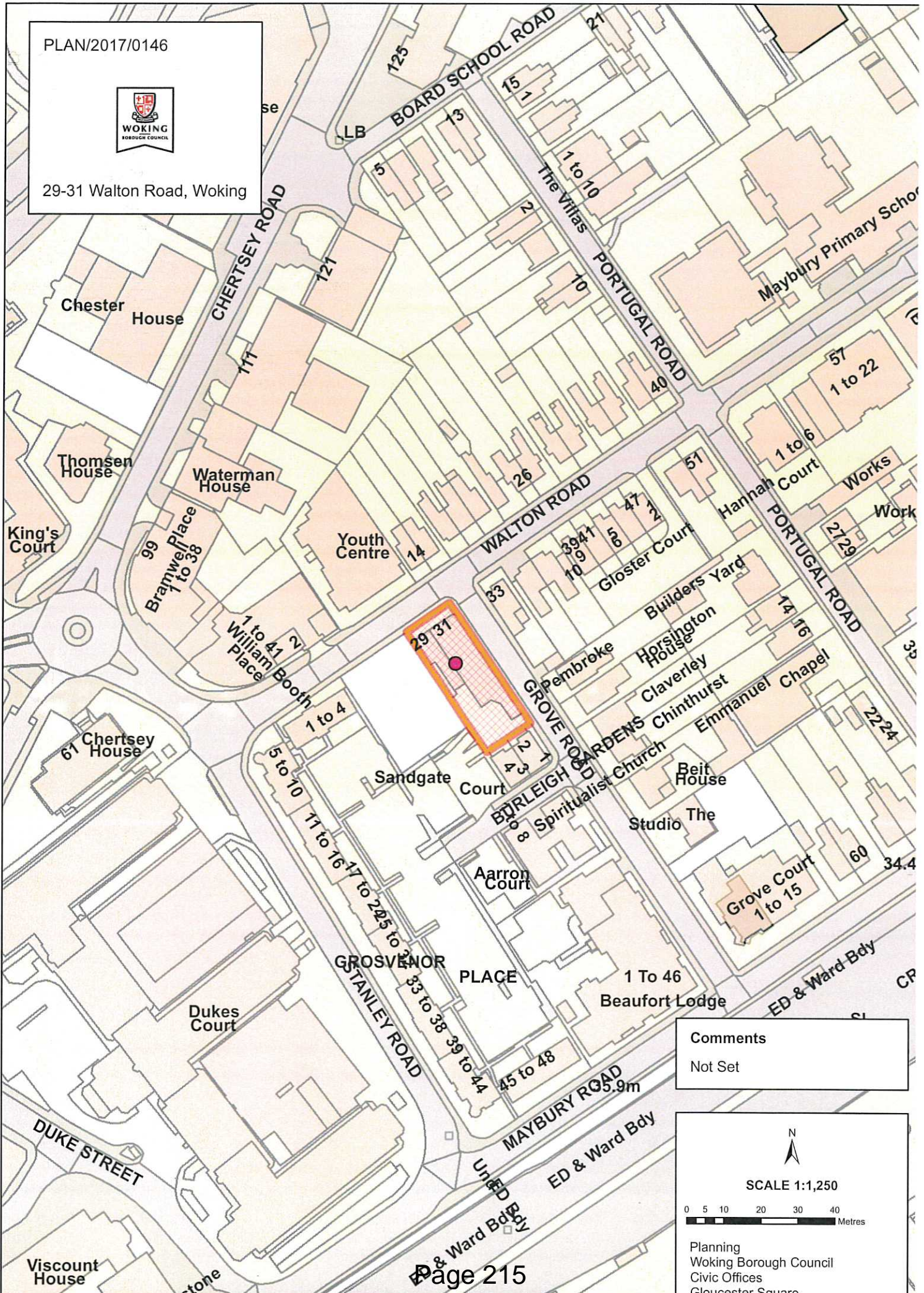




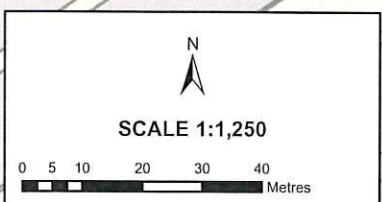
PLAN/2017/0146



29-31 Walton Road, Woking



Comments  
Not Set



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





12<sup>th</sup> December 2017 PLANNING COMMITTEE

5I 17/0146 Reg'd: 22.02.17 Expires: 24.05.17 Ward: C  
Nei. 17.03.17 BVPI Major (Resi) Number 42/13 On No  
Con. Target of Weeks Target? No  
Exp: on Cttee' Day:

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

PROPOSAL: Demolition of existing building and erection of a 4 storey building comprising 14 apartments (6x one bed, 5x two bed and 3x three bed) with associated parking.

TYPE: Major (Residential)

APPLICANT: Surrey Hills Development Ltd

OFFICER: Barry Curran

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**REASON FOR REFERRAL TO COMMITTEE**

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

**SUMMARY OF PROPOSED DEVELOPMENT**

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

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

**PLANNING STATUS**

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

**RECOMMENDATION**

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

## **SITE DESCRIPTION**

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

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

## **PLANNING HISTORY**

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

### Reasons

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

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

### Working Men's Club (Liberal Club)

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

## **PROPOSED DEVELOPMENT**

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

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

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

### **CONSULTATIONS**

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

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

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

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

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

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

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

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

### **REPRESENTATIONS**

None received

### **RELEVANT PLANNING POLICIES**

National Planning Policy Framework 2012

Section 1 – Building a Strong, Competitive Economy

Section 2 – Ensuring vitality of town centres

Section 6 - Delivering a wide choice of high quality homes

Section 7 - Requiring good design

Core Strategy Publication Document 2012

CS1 – A spatial strategy for Woking Borough  
CS4 – Local and Neighbourhood Centres and shopping parades  
CS7 – Biodiversity and nature conservation  
CS8 - Thames Basin Heaths Special Protection Area  
CS10 – Housing provision and distribution  
CS11 – Housing mix  
CS12 – Affordable housing  
CS15 – Sustainable economic development  
CS18 - Transport and accessibility  
CS19 – Social and community Infrastructure  
CS21 - Design  
CS22 - Sustainable Design and Construction  
CS24 - Woking's Landscape and Townscape  
CS25 - Presumption in Favour of Sustainable Development

Development Management Policies DPD (2015)

DM2 – Trees and Landscaping  
DM8 - Land Contamination and Hazards

Supplementary Planning Guidance

Supplementary Planning Document 'Parking Standards' 2006  
Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight' 2008  
Supplementary Planning Document 'Design' 2014  
Thames Basin Heaths Special Protection Area Avoidance Strategy 2010-2015

**PLANNING ISSUES**

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

Principle of Development

2. The National Planning Policy Framework and Policy CS25 of the Woking Core Strategy 2012 promote a presumption in favour of sustainable development. The application site is Previously Developed Land (PDL) within a sustainable location within the defined Urban Area just outside the Town Centre, in the Walton Road Neighbourhood Centre and in a defined High Density Residential Area.
3. Policy CS1 of the Woking Core Strategy 2012 states: "*Development located in the District, Local and Neighbourhood Centres to provide housing, jobs and convenient access to everyday shops, services and local community facilities will also be encouraged*". This policy of the Core Strategy notes that developments located in Neighbourhood Centres will provide housing and convenient access to services and local community facilities. Policy CS10

makes provision for 250 dwellings as infill development in the Borough's urban area between 2010 and 2027, at a density of 30-60dph (dwellings per hectare). The reasoned justification for the policy states that in Neighbourhood Centres *"infill and other forms of residential development within these centres will be permitted within the boundaries as shown on the Proposals Map"*. The Core Strategy implies that these density figures are only to be used as indicative, where it goes on to state that density levels will depend on the nature of the site and will be influenced by design with the aim to achieve the most efficient use of land. Higher densities than these guidelines will be permitted in principle where they can be justified in terms of the sustainability of the location and where the character of the area would not be compromised. This proposal would result in a density of 253dph which, although not in line with the indicative figures, is considered to be justified by the site's sustainable location and its acceptable impact on the character of the area, which is discussed in further detail in the following section. Further to this, in order to make the most efficient use of land within High Density Residential Areas, developments at densities in excess of 200dph are encouraged.

4. The appropriate percentage of different housing types and sizes depends upon the established character and density of the neighbourhood and the viability of the scheme. Policy CS11 of the Core Strategy states that all residential proposals will be expected to provide a mix of dwelling types and sizes to address the nature of local needs as evidenced in the latest SHMA (Strategic Housing Market Assessment) in order to create sustainable and balanced communities. The most recent (September 2015) Strategic Housing Market Assessment (SHMA) for the West Surrey area indicates an estimated size of (market housing) dwellings required between 2013 and 2033 of 10% 1 bed, 30% 2 bed, 39% 3 bed and 22% 4+ bed. In this instance whilst the proposed development does not wholly reflect the housing mix outlined within Policy CS11 and the SHMA (2015), it would provide a mixture of 1, 2 and 3 bedroom units, with 43% 1no bedroom units, 36% 2no bedroom units and 21% 3no bedroom units within an urban centre location where high density development is supported. The housing mix is also influenced by other material planning considerations such as the level of car parking. Overall it is considered that the proposed dwelling types and sizes are considered appropriate having regard to the site location in accordance with Policy CS11 of the Woking Core Strategy 2012 and the SHMA (2015).
  
5. The principle of the development needs to be considered in terms of the loss of a retail unit and associated employment. The application site is located within the Walton Road Local Centre, Policy CS4 of the Woking Core Strategy 2012 states that *"the change of use of A1 retail premises to other town centre uses will only be permitted where:*
  - *The floorspace is vacant*
  - *The unit is not an anchor store*
  - *The change of use is not considered harmful to the vitality and viability of the centre as a whole*
  - *Existing facilities which provide for people's day-to-day needs are protected."*

It is considered that this unit does not contribute to the vitality of the local centre and that it is not a key 'anchor' unit. It is understood that the unit

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

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

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

7. Policy CS21 requires new development to pay due regard to the scale, height, proportions, building lines, layout, materials and other characteristics of adjoining buildings and land; to achieve a satisfactory relationship to adjoining properties. One of the core principles of the National Planning Policy Framework is to seek to secure high quality design. Para 131 echoes the provisions of the Core Strategy Policy CS21 in that Local Planning Authorities should take account of the *"the desirability of new development making a positive contribution to local character and distinctiveness"*.
8. Paragraph 59 of the National Planning Policy Framework advises that the overall scale, density, layout, materials etc. of development should be guided by neighbouring buildings and the local area. The proposed building will stand at 13.5 metres in height at its highest point fronting onto Walton Road with a protruding corner element emphasising its prominence on the corner junction, measure approximately 36 metres in total depth and cover a width of 14.2 metres spanning the entire width of the site. Set along both side boundaries, the building corresponds to the tight knit nature of development along Walton Road and creates a strong corner building retaining a 1 metre gap with the adjacent notional building. Furthermore, the proposed building will correlate with the design of the aforementioned notional building on the former Liberal Club site. Its scale is typical of the immediate area forming a transition between the larger building towards the junction with Stanley Road and the more domestic scale buildings down Walton Road.
9. The application site is located within an area characterised by buildings of different sizes and architectural styles ranging from Victorian terraced properties to larger contemporary style buildings such as William Booth Place. The scale and mass, as previously noted, have been designed in line with the extant consent on the neighbouring former Liberal Club site and the previous consent on this site (PLAN/2009/0281). It is on this basis that a similar contemporary designed building is considered to be acceptable within the pattern of development in the street scene. The front elevation fronting

onto Walton Road adopts its principal status while also addressing the junction with Grove Road. A punctuating balcony element with an almost double height 3<sup>rd</sup> floor section creates a pleasing canopy which projects some 1.5 metres forward of the main building line with an focal entrance situated below the overhanging building above. This elevation, similar to the front elevation on the Liberal Club development is considered to be a well designed articulated frontage with balconies and horizontal fins adding interest to these prominent elevations.

10. The north-eastern elevation is a long spanning elevation stretching 29.5 metres at 4 storeys in height, where a series of stepped roof terraces alleviate the bulk and relieve potential monotony towards the rear terminus. Fenestration treatment along this elevation adopts a more vertical emphasis which is considered to ease the horizontal dominance with punctuations and recesses denoting the main pedestrian and vehicular access points. The staggered elements towards the rear of the building reduces the height to between 8.5-5.5 metres and signifies the transition from the more prominent front elevation addressing Walton Road to the more modest two storey terraced buildings within Sandgate Court.
11. The south-western side elevation, which will be sited adjacent to the flank elevation of the notional building within the former Liberal Club site, contains a muted design. While this side of the main building would be muted, it should be noted that this site along with the neighbouring site are in contextual transition where any building brought forward for the neighbouring site would be of a similar height and depth and would therefore provide a screen to this flank elevation. Towards the rear, however, this side elevation contains similar treatments to the north-eastern side elevation with vertical fenestration emphasis, built punctuations and the stepped terraces. Further to this, the rear elevation which backs onto the terraced dwellings and parking spaces of Sandgate Court contains a number of balconies and roof balconies along with a varied roof height adding articulation to this elevation.
12. The proposal's front building line would be staggered but would primarily follow a similar building line to the prevailing building line along this side of Walton Road. The corner element would be accentuated with the punctuating balcony element projecting at first floor level contributing to a strong corner on this junction. A landscaped frontage, similar to the extant neighbouring site, would allow for a defensible barrier between the ground floor residential units and the adjacent pedestrian highway. The proposed plans identify soft landscaping to the site frontage; there is an opportunity for some landscaping to the frontage which would serve to soften the appearance of the development and enhance the character of the street scene. A landscaping scheme, including details of hard landscaping and boundary treatments can be secured by Condition (Condition 4).
13. The scheme ensures that a fenestrated street frontage is maintained along Walton Road with a step back at ground floor level to allow the building to come to ground floor strongly creating an inviting, pedestrian friendly environment. The north-eastern elevation along Grove Road, will adopt a minimal fenestration at ground floor level but would contain the pedestrian and vehicular access points to the building. External materials would consist predominantly of facing-brick with grey aluminium panels and glazed balustrades dominating the elevation facing Walton Road and Grove Road. Window and door openings are proposed to be powder coated aluminium

with a large recess adding visual interest. These external materials can be secured by way of Condition (Condition. 2)

14. For the above reasons, the design of the proposals is considered to have a positive impact on the character of the area. The proposal is therefore considered to comply with Section 7 of the National Planning Policy Framework, Policy CS21 and CS24 of the Woking Core Strategy 2012 and DM19 of the Development Management Policies DPD 2015 as well as the SPD on design.

Layout and Creation of Acceptable Residential Development for Proposed Occupiers

15. The proposed residential units will be spread between the ground, first, second and third floors. The gross internal floor space of the proposed units would vary between 50m<sup>2</sup> and 98m<sup>2</sup> and it is considered the size of the proposed units are acceptable in terms of floor space with layouts which achieve a good standard of living space.
16. In terms of amenity space Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight' 2008 states that "*dwelling specifically designed not to be used for family accommodation do not require any specific area to be set aside for each as private amenity space. This would apply to one and two bedroom flats and any other forms of dwelling less than 65sq.m. floorspace (but that) all forms of dwelling should seek to incorporate some modest private sunlit area for sitting outside.*" All apartments with the exception of 'Apartment 8' and 'Apartment 3' on the ground and first floors respectively are provided with either balconies on the front or rear elevation or terraced areas on the rear elevation adhering to this provision. A small amenity area will be positioned outside the ground floor window on the front elevation outside the bedroom and living room of 'Apartment 3' which will provide a small buffer and acts as a defensive boundary from the public footpath and the primary living space of this unit. A window serving the primary living space on 'Apartment 3' will be located on the north-eastern side elevation at ground floor level, however, this window will serve as a secondary window with the principal window on the front elevation which would provide adequate daylight while allowing adequate privacy.
17. Walton Road serves as the primary arterial route along this section of Maybury serving the Town Centre and therefore would experience a higher level of both pedestrian and vehicular movement than Grove Road. Apartment 2 includes ground floor windows serving a living/dining room and a bedroom. While these windows open out onto Walton Road, a buffer is proposed between the windows and pedestrian footpath which acts as a defensive boundary from the wider public domain. It is acknowledged that one of the windows serving the ground floor 'Apartment 3' would be sited on the north-eastern elevation, it is not considered to result in a significant level of detriment to the amenities of the potential occupier of this unit.
18. Remaining units within the development will be adequately served by private balcony areas on either the north-west, south-east or south-west elevations providing good levels of daylight and dual aspect rooms. It is considered that these provide an acceptable and innovative solution to providing new



dwellings within a constrained site on previously developed land within the Urban Area.

19. It should be bore in mind that the overall benefit of bringing this site forward for comprehensive redevelopment would contribute positively to the Maybury and Sheerwater region of the borough. On balance, therefore, it is considered that the proposal would provide a good standard of residential amenity to future occupiers.

Impact on Residential Amenity

20. Policy CS21 of the Woking Core Strategy 2012 seeks to avoid significant harmful impacts in terms of loss of privacy, daylight or sunlight to adjoining properties. Guidance is also provided in the Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight' 2008. The proposed building will be set along Walton Road on a linear grain of development. The application building will be set opposite the Woking Youth Centre and Nos.14 and 16 Walton Road. The Council's 'Outlook, Amenity, Privacy and Daylight' Supplementary Planning Document 2008 sets out recommended separation distances for different relationships and different building heights; for example 30m for rear-to-rear relationships and 15m for front to boundary/front relationships at three storey level and above. The separation distance between the front elevation of the proposed flats and Nos.14/16 Walton Road would be at least 14 metres which falls negligibly short of the recommended 15 metre indicating an acceptable relationship, on balance. Balconies and windows will provide views out over Walton Road and No.14 and 16 from the proposed development but given the relationship between the buildings and highway separating these, as well as the location close to the town centre, such a relationship is typical and not considered to infringe on the levels of privacy by which a recommendation for refusal could be substantiated.
21. Towards the rear a terraced row of two storey dwellings back onto the application site from within Burleigh Gardens. The proposed rear elevation is stepped in height with a section projecting back in an 'L' shaped layout. The separation of the proposed building from the kitchen windows at ground and first floor level on the rear elevation of Nos.2 and 3 Burleigh Gardens, is 6.5 metres. A number of roof balconies are proposed on this elevation set 5 and 8 metres from the rear elevations of these terraced dwellings respectively. The kitchens belonging to these properties are served by windows located in the northern elevation facing the application site and therefore the 25° test as per the Council's Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight 2008 has been applied at both ground and first floor level which fails on these windows. It is noted, however, that these kitchens are non-habitable in the sense that they are small and do not have a seating area with the living/dining areas served by windows in the side elevations which will not be detrimentally affected by the proposed development. Furthermore, the spaces between the rear elevation and site boundary are not considered to serve unusable amenity space but rather a storage space between the building and boundary and there is no objection on the impact of the development on these neighbours subject to the installation of appropriate privacy screening to rear balconies considering the close relationship (Condition 5).

22. The proposal will span for a depth of approximately 36 metres back along Grove Road, primarily at 4 storeys in height. No.33 Walton Road is located on the opposite side of Grove Road fronting onto Walton Road with a separation distance of approximately 9 metres between both side elevations. This dwelling benefits from a sizeable south-western flank elevation which spans approximately 14 metres in depth. There are a number of ground and first floor windows on this flank elevation with all windows at ground floor level including obscure glazing. In total there are 5no ground floor window and 2no first floor windows in this flank elevation. Of the 5no ground floor windows there are 2 located in, what is thought to be, the original side elevation which are considered to serve a hallway and a ground floor bathroom and contain obscure glazing. A two storey rear extension has been erected and appears to have been in place for many years (no planning history). The flank elevation of this addition contains a further 3no windows at ground floor where 1no of these is considered to serve as a secondary window to a utility room with the principle window located on the rear elevation. There are 2no windows on this elevation serving a kitchen. The 25° test as per the Council's Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight 2008 has been applied to these windows which fail. While this indicates a loss of light to this room, it is considered that light penetration to this room is compromised as existing given the existing windows contain obscure glazing. Notwithstanding the above, it has to be noted that the proposed site is located in a high density urban location where one would expect lower levels of daylight and where sites are required to be developed to their capacity which makes the most efficient use of land. Considering this and on balance, given the central location of the building the impact of the development is not considered to carry a level of detrimental weight by which a recommendation for refusal could be substantiated.
23. At first floor level there are 2no windows on the south-western elevation of No.33 one of which serves a hallway. The other window is located close to the rear elevation and serves a bedroom with dual aspect outlook. The principal window is located on the rear elevation and while the proposal would increase the bulk and mass and may affect light to the side window, it is considered that the room would achieve an acceptable level of light from the principal rear elevation window and secondary side elevation window.
24. As previously acknowledged the application site is located in a central location just outside of the defined Woking Town Centre. The proposal would include a number of bedrooms and living rooms with fenestration along the proposed north-eastern side elevation which will provide views out over Grove Road and the amenity space of No.33 Walton Road. It is considered that, given the high density residential area, such layouts are unavoidable when making the most efficient use of land in these locations.
25. On this basis and on balance, the proposal is not considered to have a significant harmful impact on neighbouring properties by which a recommendation for refusal could be substantiated and therefore accords with Section 7 of the National Planning Policy Framework, Policy CS21 of the Core Strategy 2012 and Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight' 2008.

Highways and Parking Implications

26. Policy CS18 of the Woking Core Strategy 2012 sets out that the Council is committed to developing a well integrated community connected by a sustainable transport system which connects people to jobs, services and community facilities and that this will be achieved by, among other measures *“implementing maximum car parking standards for all types of non-residential development, including consideration of zero parking in Woking Town Centre, providing it does not create new or exacerbate existing on-street car parking problems. Minimum standards will be set for residential development. However in applying these standards, the Council will seek to ensure that this will not undermine the overall sustainability objectives of the Core Strategy”*.
27. Located within the High Accessibility Zone (within 1250 metres of Woking rail station), the Council’s Supplementary Planning Document ‘Parking Standards’ 2006 indicates a maximum standard for 1 car parking space per 1 or 2 bedroom unit and 1.5 car parking space per 3 bedroom unit would be applicable for the application site. The development proposes to include 8no rear parking spaces, which falls short of the recommended maximum of 15.5 as per the SPD. It should also be noted that the SPD states that *“for car parking the standards define the maximum acceptable provision for the most common forms of development. Provision above this level will not normally be permitted. A minimum requirement will not normally be imposed unless under provision would result in road safety implications which cannot be resolved through the introduction or enforcement of on-street parking controls”*.
28. While the provision of 8no spaces falls below the maximum figure of 15.5, in consideration of the sustainable location of the site and the Controlled Parking Zone (8:30am-6:00pm Monday-Saturday) in operation along Walton Road and the surrounding streets, it is not considered to result in any on-street parking problems. Given the high accessibility location of the proposed development, these maximum standards may be relaxed in such cases. Further to this, there are 20no cycle spaces provided for in a secure cycle store which amounts to 1.4 spaces per unit, satisfying the provisions outlined in the Parking SPD.
29. The County Highway Authority have been consulted on this application and raise no objection to the development given its highly accessible location so close to the Woking Town Centre. There is no objection raised to the modification to the car park entrance point on Grove Road with suitable visibility at the junction. There are a number of conditions recommended (Conditions 9-12) to ensure the development does not prejudice highway safety or inconvenience highway users.
30. It is therefore considered that the proposal, whilst not strictly in compliance with the Parking Standards SPD, has adequately demonstrated that it would not cause a detrimental impact to highway safety or the local highway network and therefore accords with Policy CS18 of the Woking Core Strategy and the SPD ‘Parking Standards’ 2008.

Waste Management

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

Flood Risk

33. The Government has strengthened planning policy on the provision of sustainable drainage for 'major' applications which was introduced from 6th April 2015. In line with Government guidance, all 'major' applications being determined, must consider sustainable drainage systems (SUDS) which is now a material consideration. The risk of flooding to the site from all sources of flooding is considered to be low with the site located within Flood Zone 1. The application has been supported by SuDS information and it has been demonstrated that the development satisfies the Sequential Test imposed under the National Planning Policy Framework.
34. The Council's Flooding and Drainage Engineer has assessed the submitted information and confirms that it is compliant with Policy CS9 of the Woking Core Strategy 2012, the NPPF and accompanying technical standards. A number of conditions are recommended on drainage and flood risk grounds in relation to the surface water drainage and a maintenance and management plan of the sustainable drainage scheme to ensure the proposed development achieves a high standard of sustainability (Conditions 14-16).

Contamination

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

proposal accords with section 11 of the NPPF and Policy DM8 of the Development Management Policies DPD 2016.

Sustainability

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

Ecology

38. The National Planning Policy Framework states that the planning system should contribute to and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible. Circular 06/05 – Biodiversity Geological Conservation also requires the impact of a development on protected species to be established before planning permission is granted. This approach is reflected in Policy CS7 of the Woking Core Strategy 2012.

39. The applicant has submitted an Extended Phase 1 Habitat Survey. The site is covered with hard surfacing and buildings. The ecological survey concluded that the site has the potential to support nesting birds, however it was highly unlikely that any other Protected Species would be supported on site, including but not limited to roosting bats. The report recommends avoidance and mitigation measures to ensure the proposal complies in full with wildlife legislation.

40. There are two statutory (TBHSPA and Basingstoke Canal SSSI) sites within 2km of the application site. Any impact from residential disturbance on the TBHSPA can be avoided by securing the SAMM payment (see paragraphs 48-50). The Basingstoke Canal SSSI lies within 2km from the application site, although the SSSI designation only starts beyond Monument Road and extends along the canal in an eastwards direction. The applicant has offered to make a one-off financial contribution of £50.00 per flat to the Basingstoke

Canal due to the potential for residents to visit the canal on occasion. The NPPF is clear in that planning obligations should only be sought where they meet the tests set out in paragraph 204. In this case, it is considered that this financial contribution is not necessary to make the development acceptable in planning terms and therefore the tests would not be met. For this reason, whilst the applicant is still able to make a financial contribution to the Basingstoke Canal, this is considered to carry no weight in the assessment of this application and as such this aspect is not included in the planning obligations section below. In addition given the separation distance between the application site and these designated ecological sites and the residential nature of the proposed development it is not considered that any adverse impacts would result to these designated sites from the construction/operation of the development.

41. Some recommendations are included within the Extended Phase 1 Habitat Survey relating to the demolition/construction process and also to enhance biodiversity on the site and these matters are secured by Condition 20. Furthermore, the proposed building includes 2no bat boxes on the north-eastern elevation providing ecological enhancements as per national and local policies. These are secured by Conditions 3 and 20.
42. The Surrey Wildlife Trust has raised no objections subject to Condition 20. Subject to the recommended conditions the proposal is considered to be acceptable in terms of ecological impact and would comply with Policy CS7 of the Core Strategy and the policies in the National Planning Policy Framework relating to ecology and biodiversity and the guidance in Circular 06/05.

#### Affordable Housing

43. Policy CS12 of the Woking Core Strategy 2012 states that all new residential development will be expected to contribute towards the provision of affordable housing and that, on sites providing between five and nine new dwellings, the Council will require 20% of dwellings to be affordable, or a financial contribution equivalent to the cost to the developer of providing 20% of the number of dwellings to be affordable on site.
44. However, following the Court of Appeal's judgment of 11th May 2016 (Secretary of State for Communities and Local Government v West Berkshire District Council and Reading Borough Council [2016] EWCA Civ 441), wherein the Secretary of State for Communities and Local Government successfully appealed against the judgment of the High Court of 31st July 2015 (West Berkshire district Council and Reading Borough Council v Department for Communities and Local Government [2015] EWHC 2222 (Admin)), it is acknowledged that the policies within the Written Ministerial Statement of 28th November 2014, as to the specific circumstances where contributions for affordable housing and tariff-style planning obligations should not be sought from small scale and self build development, must once again be treated as a material consideration in development management decisions.
45. Additionally the Planning Practice Guidance (Paragraph 031 - Revision date: 19.05.2016) sets out that there are specific circumstances where contributions for affordable housing planning obligations should not be sought from small scale and self-build development. This follows the order of the

Court of Appeal judgment dated 13th May 2016, which again gives legal effect to the policy set out in the Written Ministerial Statement of 28th November 2014 and should be taken into account. These circumstances include that contributions should not be sought from developments of 10-units or less, and which have a maximum combined gross floor space of no more than 1000sqm. As this scheme is for the demolition of a building which includes 4no existing units and the proposed scheme is for 14no units, the net increase of 10no units would not be subject to affordable housing contributions.

46. Whilst it is considered that weight should still be afforded to Policy CS12 (Affordable housing) of the Woking Core Strategy 2012 it is considered that greater weight should be afforded to the policies within the Written Ministerial Statement of 28th November 2014 and the Planning Practice Guidance (Paragraph 031 - Revision date: 19.05.2016). As the proposal represents a development of 10 additional units (4 existing units on site) and has a maximum combined gross floor space of no more than 1000sqm, no affordable housing financial contribution is therefore sought from the application scheme.

#### Local Finance Consideration

47. CIL is a mechanism adopted by the Woking Borough Council which came into force on 1<sup>st</sup> April 2015, as a primary means of securing developer contributions towards infrastructure provisions in the Borough. In this case, the proposed residential development will incur a cost of £75 per sq.metre on an floor area of 1,215 sq.m given its location within Maybury which equates to a contribution of **£63,221.54** (including 2017 Indexation) which would be payable upon commencement.

#### Impact on the Thames Basin Heaths Special Protection Area

48. The Thames Basin Heaths Special Protection Area (SPA) is classified for its internationally important bird breeding populations. The designation is made under the Habitats Regulations 2010. It is necessary to ensure that planning applications for new residential developments include sufficient measures to ensure avoidance of any potential impacts on the SPA.
49. The applicant has agreed to make a SAMM contribution of £8,826 (£487 per 1 bed unit, £660 per 2 bed unit and £868 per 3 bed unit) in line with the Thames Basin Heaths Special Protection Area Avoidance Strategy 2010-2015 as a result of the uplift of 10no 2-bedroom units that would arise from the proposal. The applicant is prepared to enter into a S106 Legal Agreement to secure this financial contribution.
50. In view of the above, the Local Planning Authority is able to determine that the development would have no significant effect upon the SPA and therefore accords with Policy CS8 of the Woking Core Strategy 2012 and the Thames Basin Heaths Special Protection Area Avoidance Strategy 2010-2015.

Other Matters

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

Conclusion

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

**BACKGROUND PAPERS**

1. Site visit photographs.
2. Response from Highways Authority (27.02.17)
3. Response from Affordable Housing Officer (07.03.17)
4. Response from Scientific Officer (05.06.17)
5. Response from Neighbourhood Services (08.06.17)
6. Response from Thameswater (07.03.17)
7. Response from Drainage Officer (10.10.17)
8. Response from Surrey Wildlife Trust (15.05.17)
9. Response from Surrey Police (06.03.17)
10. Site Notice (Major Development) (03.03.17)



**PLANNING OBLIGATIONS**

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

**RECOMMENDATION**

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

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

Reason:

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

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

Reason:

In the interests of the visual amenities of the area.

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

Drawing No. P101 Rev B  
Drawing No. P103  
Drawing No. P104 Rev A  
Drawing No. P102

Reason:

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

4. ++ The development hereby permitted shall not commence until a detailed landscaping scheme has been submitted to and approved in writing by the Local Planning Authority which specifies species, planting sizes, spaces and numbers of trees/ shrubs and hedges to be planted. All landscaping shall be

carried out in accordance with the approved scheme in the first planting season (November-March) following the occupation of the buildings or the completion of the development (in that phase) whichever is the sooner and maintained thereafter. Any retained or newly planted trees, shrubs or hedges which die, become seriously damaged or diseased or are removed or destroyed within a period of 5 years from the date of planting shall be replaced during the next planting season with specimens of the same size and species unless otherwise agreed in writing by the Local Planning Authority.

Reason:

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

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

Reason:

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

6. The development hereby approved shall be carried out in accordance with the Sustainability and Energy Statement carried out by Bluesky Unlimited dated 2nd February 2017. The details shall be installed prior to the first occupation of the development and maintained and operated in perpetuity, unless otherwise agreed in writing by the Local Planning Authority.

Reason:

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

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

Development shall be carried out wholly in accordance with the agreed details and maintained as such in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

Reason:

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

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

Development shall be carried out wholly in accordance with the agreed details and maintained as such in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

Reason:

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

9. The development hereby approved shall not be first occupied unless and until the proposed modified access to Grove Road has been constructed and provided with visibility zones in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority and thereafter the visibility zones shall be kept permanently clear of any obstruction measured from 0.6m above the road surface.

Reason:

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

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

Reason:

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

11. No development shall commence until a Construction Transport Management Plan, to include details of:

- (a) parking for vehicles of site personnel, operatives and visitors
- (b) loading and unloading of plant and materials

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

Reason:

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

12. The development hereby approved shall not be first occupied unless and until the following facilities have been provided in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority for:

- (a) The secure parking of bicycles within the development site

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

Reason:

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

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

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

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- vii) a scheme for recycling/disposing of waste resulting from demolition and construction works

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

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

Reason:

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

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

Reason:

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

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

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

public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

Reason:

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

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

Reason:

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

17. No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the Local Planning Authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason:

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

18. ++ The development hereby permitted shall not commence until a scheme to deal with contamination of the site has been submitted to and approved in writing by the Local Planning Authority.

(i) The above scheme shall include :-

- (a) a contaminated land desk study and suggested site assessment methodology;
- (b) a site investigation report based upon (a);
- (c) a remediation action plan based upon (a) and (b);
- (d) a "discovery strategy" dealing with unforeseen contamination discovered during construction;and
- (e) a "validation strategy" identifying measures to validate the works undertaken as a result of (c) and (d)
- (f) a verification report appended with substantiating evidence demonstrating the agreed remediation has been carried out

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- (ii) Unless otherwise agreed in writing by the Local Planning Authority, the development shall be carried out and completed wholly in accordance with such details and timescales as may be agreed.

Reason:

To ensure that a satisfactory strategy is put in place for addressing contaminated land before development commences and to make the land suitable for the development without resulting in risk to construction workers, future users of the land, occupiers of nearby land and the environment generally in accordance with Policies CS9 and CS21 of the Woking Core Strategy 2012.

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

Reason:

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

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

Reason:

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

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

Reason:

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

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

Reason:

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

**Informatives:**

1. The Council confirms that in assessing this planning application it has worked with the applicant in a positive and proactive way, in line with the requirements of paragraph 186-187 of the National Planning Policy Framework 2012.
2. Your attention is specifically drawn to the conditions above marked ++. These condition(s) require the submission of details, information, drawings, etc. to the Local Planning Authority PRIOR TO THE COMMENCEMENT OF ANY DEVELOPMENT ON THE SITE or, require works to be carried out PRIOR TO THE COMMENCEMENT OF THE USE. Failure to observe these requirements will result in a contravention of the terms of the permission and the Local Planning Authority may serve Breach of Condition Notices to secure compliance.

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

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

Desk study- This will include: -

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

Site Investigation Report: This will include: -

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

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

- (i) all contamination on the site which might impact upon construction workers, future occupiers and the surrounding environment;



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(ii) appropriate works to neutralise and make harmless any risk from contamination identified in (i)

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

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

Validation strategy: This shall include : -

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

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

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

The applicant is advised that an application will need to be made under the Control of Pollution Act 1974 to Woking Borough Council's Environmental Health Team for consent for any proposed additional working hours outside of the normal working hours of 08.00 to 18.00 Monday-Friday and 08.00 to 13.00 on Saturdays.

8. Please note that developers are responsible for the purchasing of all waste receptacles required for developments. At least 12 weeks is required for bin orders via the Council. The developer will need to refer to the Waste and Recycling Provisions for developers to ensure the development is compliant with our requirements. This is available online at [www.woking.gov.uk/recycling](http://www.woking.gov.uk/recycling)

9. The applicant is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders (Highways Act 1980 Sections 131, 148, 149).
10. The applicant is advised that Section 59 of the Highways Act permits the Highway Authority to charge developers for damage caused by excessive weight and movements of vehicles to and from a site. The Highway Authority will pass on the cost of any excess repairs compared to normal maintenance costs to the applicant/organisation responsible for the damage.
11. The permission hereby granted shall not be construed as authority to carry out any works on the highway. The applicant is advised that prior approval must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, or verge to form a vehicle crossover to install dropped kerbs. [www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/vehicle-crossovers-or-dropped-kerbs](http://www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/vehicle-crossovers-or-dropped-kerbs)
12. With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921.
13. A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing [wwwriskmanagement@thameswater.co.uk](mailto:wwwriskmanagement@thameswater.co.uk). Application forms should be completed on line via [www.thameswater.co.uk/wastewaterquality](http://www.thameswater.co.uk/wastewaterquality)
14. Legal changes under The Water Industry (Scheme for the Adoption of private sewers) Regulations 2011 mean that the sections of pipes you share with your neighbours, or are situated outside of your property boundary which connect to a public sewer are likely to have transferred to Thames Water's ownership. Should your proposed building work fall within 3 metres of these pipes we recommend you email Tames water a scaled ground floor plan of your property showing the proposed work and the complete sewer layout to [developer.services@thameswater.co.uk](mailto:developer.services@thameswater.co.uk) to determine if a building over / near to agreement is required.
15. The development hereby permitted is subject to CIL. The charge becomes due when development commences. A commencement notice, which is available from the Planning Portal website (Form 6: Commencement Notice: [http://www.planningportal.gov.uk/uploads/1app/forms/form\\_6\\_commencemen](http://www.planningportal.gov.uk/uploads/1app/forms/form_6_commencemen)

**12<sup>th</sup> December 2017 PLANNING COMMITTEE**

t\_notice.pdf) must be issued to the Local Planning Authority and all owners of the relevant land to notify them of the intended commencement date of the development. The Local Planning Authority will then send a Demand Notice to the person or persons who have assumed liability.

16. The application will not be formally approved until the applicant has entered into a legal agreement with the council to secure a provision of £8,826 to provide avoidance measures against the impact of the site on the TBH SPA in accordance with the formula in the Avoidance Strategy and pay £63,221.54 towards CIL.



**SECTION C**

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

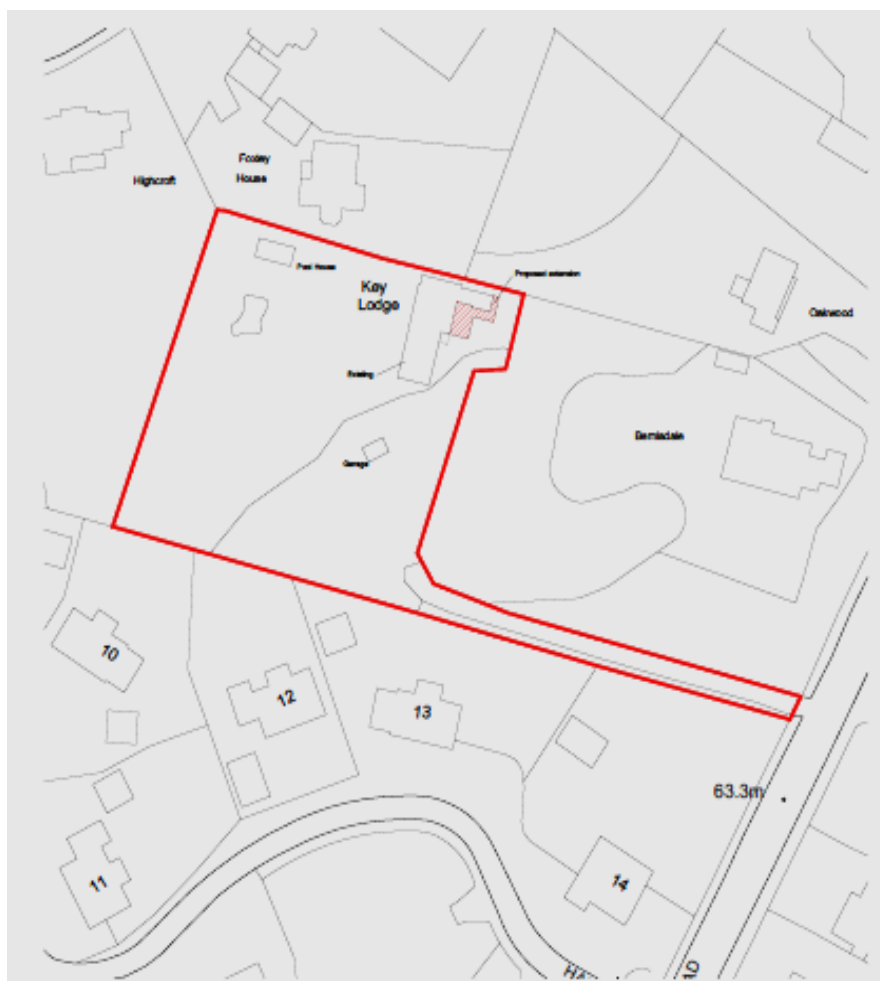
**(Note: Ordnance Survey Extracts appended to the reports are for locational purposes only and may not include all current developments either major or minor within the site or the area generally)**



# Key Lodge, Hook Heath Road, Woking

PLAN/2017/0962

Proposed two storey front and side extensions with internal layout alterations. (Amended plans)







PLAN/2017/0962



Key Lodge, Hook Heath Road

Marella

Fawdon

Dea House

Heath Cottage

Rickstones

Logie

HOOK HEATH

Greenwo

La Rigondaine

Wyvern Cottage

Woodbury

Fir Ridge

Balnor

THE DRIVE

House Allard

Honeypots

Highcroft

Foxley House

Middle Hill

Domus

Key Lodge

Oakwood

Sub Sta E  
63.1m

Bernisdale

House Glen

Skimble Shanks

63.3m

Rolvenden

Collington

HALE ENDS

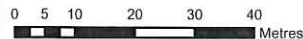
HALE ENDS

Comments

Not Set



SCALE 1:1,250



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

60.6m

HALE ENDS

Ridg

Crispi  
Red Oaks

HEATH ROAD



## 14<sup>th</sup> November 2017 PLANNING COMMITTEE

5m	17/0962	Reg'd:	17.08.17	Expires:	16.11.17	Ward:	HE
Nei.	12.10.17	BVPI	Household	Number of	13/13	On	Yes
Con.		Target		Weeks on		Target?	
Exp:				Cttee' Day:			

**LOCATION:** Key Lodge, Hook Heath Road, Woking, Surrey, GU22 0LE

**PROPOSAL:** Two storey front extension, first floor side extension, extension of existing ground floor addition and installation of pitched roof over with internal layout alterations.

**TYPE:** HOUSEHOLD

**APPLICANT:** Mr & Mrs Gay

**OFFICER:** Barry Curran

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

The application had been called to Planning Committee by Councillor Azad as the application falls to be resolved by the exercise of planning judgement.

### **SUMMARY OF PROPOSED DEVELOPMENT**

The application seeks permission to erect a two storey front extension, a first floor replacement side addition, extension of the existing ground floor side element and installation of pitched roof over with internal layout alterations.

### **PLANNING STATUS**

- Urban Area
- Thames Basin Heaths SPA Zone A (400M)

### **RECOMMENDATION**

GRANT planning permission subject to conditions.

### **SITE DESCRIPTION**

The application site is located on the north-western side of Hook Hath Road and forms a tandem development to the west of Bernisdale which fronts Hook Heath Road. Hook Heath is Sylvan in character with examples of mature trees and hedging contributing to this character. Key Lodge covers a substantial plot but the dwellinghouse itself is positioned towards the north-eastern corner with the amenity space to the South and West. Dense hedging at 4 metres in height and other examples of vegetation along the northern boundary separate Foxley House with substantial trees measuring in excess of 9 metres in height along the eastern boundary separating Bernisdale.

### **PLANNING HISTORY**

No recent relevant planning history

## **PROPOSED DEVELOPMENT**

Planning consent is sought to erect a two storey front extension following removal of the existing entrance porch, a first floor replacement side addition, extension of the existing ground floor side element and installation of pitched roof over.

## **CONSULTATIONS**

Hook Heath Neighbourhood Forum: No comments raised

Arboricultural Officer: Tree protection details can be conditioned (26.10.17)

## **REPRESENTATIONS**

There have been 2no third party letters of objection received in relation to the initial proposal. The issues raised in these letters draw concern over;

- Dispute over boundary lines (*Officer Note: it has been confirmed by the applicant and agent that the red line as per the submitted plans is accurate. Moreover, as the proposed development falls within the red line as outlined on plans, a dispute over its accuracy would be a civil issue and would not be regarded as a material planning consideration for the purposes of this application*)
- Loss of outlook from habitable room windows of Foxley House due to the first floor side extension
- Loss or privacy to surrounding properties

Following submission of amended plans, at the request of the Planning Officer, a further 2no letters of objection were received. One of the letters was a re-submission from an initial objector raising similar concerns as those outlined above and one of the letters was from the Hook Heath Residents' Association. The issues raised in this letter draw concern over;

- Boundary lines (as discussed above)
- Loss of privacy and overlooking to Foxley House
- Request that an Arboricultural Report be required

## **RELEVANT PLANNING POLICIES**

National Planning Policy Framework 2012  
Section 7 - Requiring good design

Core Strategy Publication Document 2012  
CS21 – Design

Development Management Document DPD  
DM2 – Tree and Landscaping

Hook Heath Neighbourhood Plan 2015  
BE1 – Design of New Developments

Supplementary Planning Guidance  
Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight' 2008  
Supplementary Planning Document 'Design' 2015

Woking Borough Council - Community Infrastructure Levy Charging Schedule

**PLANNING ISSUES**

1. The main planning issues that need to be addressed in the determination of this application are; whether the proposal would be of detriment to the character of the host dwelling or character of the surrounding area, whether the proposed additions would cause material harm to the amenities enjoyed by surrounding neighbours and impact on trees.

*Impact on Existing Dwelling/Character of Area*

2. The National Planning Policy Framework attaches great importance to the design of the built environment throughout Paragraphs 56 and 57 with emphasis being placed on planning positively for the achievement of high quality and inclusive design for all development. Policy CS21 of the Woking Core Strategy 2012 is consistent with this in so far as it expects development proposals to have regard to the general character and quality of the surrounding area.
3. Hook Heath is an area characterised by large two storey detached dwellings positioned on substantially sized plots. The application dwelling adheres to this trend located to the rear of Bernisdale in a tandem form of development occupying a generous plot with a sizeable two storey detached dwelling. Adopting an 'L' shaped layout, the dwelling is positioned towards the north-eastern corner of the site with a single storey flat roofed element running parallel to the northern boundary. It is proposed to erect a two storey front extension on the eastern elevation along with extension of the existing single storey element and installation of a pitched roof over this. The proposed two storey extension would measure 5.2 metres in width, 4.8 metres in depth and stand at 7.3 metres in height set down 1.3 metres from the existing predominant ridge line. Supplementary Planning Document on 'Design' 2015 notes that *'the front elevation of a dwelling is of primary importance to the character and appearance of the street scene'* and *'significant extensions will usually be resisted where there is a well established building line'*. While the extension represents a substantial front addition, the dwelling is a tandem development with no building line evident. Furthermore, considering the orientation of the dwelling, it would be difficult to establish the principal elevation. The extensions borrows architectural cues from the existing dwelling with pitched roof gables, a lean-to porch element and a fenestration pattern to tie in with the prevailing pattern on the host dwelling.
4. Along the eastern elevation it is also proposed to extend the existing single storey element by approximately 1.1 metres and increase its width by 1.5 metres. This modest addition would merge with the proposed two storey front extension with the installation of a dual pitched roof over the entirety of the single storey element. Policy CS21 of the Woking Core Strategy 2012 calls for new developments that *'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'*. While the addition would increase the depth along this elevation by 1.1 metres, it would remain a single storey element albeit with a height of 5.4 metres. The adoption of the dual pitched roof is considered to correspond with the character of the host

dwelling, given its Arts and Crafts style, and is seen to offer a more appropriate built form to that of the existing flat roofed element.

5. Along the northern side elevation it is proposed to replace the existing first floor addition with a larger first floor side extension. The existing addition includes a flank gable on its northern elevation and forms a subordinate element set down from the predominant ridge line of the main dwelling by approximately 2.4 metres with rear and side elevation windows. Policy BE1 of the Hook Heath Neighbourhood Plan 2015 states that developments should *“be designed to a high quality and closely reflect the existing rhythm, proportion, materials, height, scale, bulk, massing and storey heights of nearby buildings”* including that of the host buildings. It is proposed to replace this side addition with a larger side extension measuring 6.2 metres in depth, 4 metres in width and be set down 0.6 metres from the predominant ridge line adopting a hipped roof to tie in with the hipped roof form on the host dwelling while remaining subordinate. The hipped roof form is considered appropriate in this instance tying in with the host dwelling whilst softening any potential impact that the addition may have in term of bulk and mass. The extension has been amended from the initial submission with the removal of the 2no western elevation windows and installation of a replacement single-pane recessed window. Set against the backdrop of the existing main dwelling, and indeed the proposed two storey front extension, the first floor replacement side addition is considered to relate well to the host dwelling adopting a subordinate scale and subservient form and design so as to respect the character of the dwelling and in turn the area.
6. Set in line with the existing side building line, the first floor side addition would remain within the footprint of the existing dwelling. It is advised in the Council’s Supplementary Planning Document on ‘Design’ 2015 that a separation of 1 metre is recommended for side extensions. While this is clearly outlined in the SPD, it should be noted that this provision was applied in a bid to mitigate a ‘terracing effect’ where there is very little space between buildings. As previously noted, the application site covers a generous plot similar to all surrounding plots. The positioning of the dwelling towards the north-eastern corner of the plot is quite unusual but nevertheless is located in excess of 16 metres to the nearest neighbour. While the replacement addition encroaches 1.7 metres closer to the shared northern boundary at first floor level, it remains within the existing built footprint and set off the boundary by 1 metre so as not to cause a dramatic change in the spacing between or character of dwellings in the area.
7. From the points raised above, it is considered that the proposed development is of an acceptable design and would respect the character and appearance of the dwelling and would result in acceptable additions with regards to the wider area. As such, the proposal is in accordance with Section 7 of the National Planning Policy Framework, Policy CS21 of the Woking Core Strategy 2012, Policy BE1 of the Hook Heath Neighbourhood Plan 2015 and Supplementary Planning Document ‘Design’ 2015.

Impact on Neighbour Amenities

8. The application site is enclosed in all directions by residential properties within Hook Heath Road, Hale Ends and The Drive. Considering the location of the dwelling within the site, however, located in excess of 50 metres from

the southern boundary the amenities of neighbours within Hale Ends are not deemed to be materially affected as a result of the proposals.

9. Bernisdale is positioned on a relatively linear grain of development along Hook Heath Road with its side/rear elevation located in excess of 43 metres from the eastern boundary of the application site. The addition, as such, would be located at least 5 metres off the shared boundary on this side and at the terminus of the amenity space of this property. The amenities of this property, in terms of privacy and outlook are not deemed to be detrimentally infringed upon with overlooking not considered detrimental considering the separation distances, positioning of the extension and existing boundary treatments.
10. Foxley House and Allard House are located to the north-west of the application dwelling and date from the late 1980s when an application was approved for 2no detached dwelling post dating the application property. The rear amenity space of Foxley House runs along the northern boundary of the application site where the terminus of this space is positioned to the North of the side elevation of Key Lodge. The proposed two storey front extension and single storey extension on the existing addition along this northern elevation are not considered to cause material harm to the amenities of this property, in terms of loss of light or privacy considering their positioning and existing boundary treatments along this shared boundary.
11. Concern has, however, been raised in relation to the erection of the replacement first floor side extension on the northern side. As previously noted, this extension will encroach on the shared boundary by 1.7 metres and increase the bulk and mass of the dwelling by adding a larger addition some 1.8 metres higher. It is acknowledged that the extension would amount to a larger element on this elevation but it has to be borne in mind that the extension remains within the footprint of the existing dwelling. Furthermore, mitigation measures have been incorporated to minimise the impact of the extension with the adoption of a hipped roof form which is considered to offer relief to the increase in scale and soften the built form. The addition will also remain subordinate and below the ridge line of the host dwelling with the proposed two storey front extension and main dwelling acting as the back-drop to this addition from the perspective of Foxley House.
12. It is acknowledged that the increase in scale of this side element will alter the outlook from Foxley House and indeed Allard House. It also has to be borne in mind that protection of views out over third party land are not protected and are not considered a material planning consideration unless the proposed development would detrimentally reduce light or cause an overbearing impact. Considering the location of the addition, with regards to Foxley House, opposite the terminus of its rear amenity space and approximately 16 metres from the rear elevation of this dwelling, it is not considered to amount to an oppressive feature.
13. As existing, Key Lodge contains a double pane window on the rear (western elevation) and a triple pane window on the side (northern elevation). Both of these windows serve a bathroom and are clear glazed and offer unobstructed views directly into the private rear amenity space of Foxley House. The proposal replaces these windows with one single pane window on the rear (western) elevation which would be recessed 0.5 metres so as to prohibit views from the proposed bedroom within the first floor addition onto this

amenity space. Furthermore, considering the recessed nature of this opening on this elevation, views offered from this window into the amenity space of Foxley House would be more restricted than those already obtainable from the first floor bedroom served by the triple pane window on the two storey gabled element on the western elevation. Considering the existing layout which permits clear unobstructed views into the private amenity space of Foxley House and the proposed layout which removes these windows and replace them with a single pane window with obstructed views, the proposed first floor side extension is not deemed to contribute to a further loss of privacy but rather is seen to improve the privacy of Foxley House.

14. Further concern has been raised in relation to views from the new single pane window into habitable room windows of Foxley House. Considering the 16 metre separation between rear elevations along with the fact that the new window would be recessed 0.5 metres and located just 1.5 metres closer to the shared boundary than the existing triple pane window on the two storey gable, the loss of privacy is not seen to carry a level of detriment by which a recommendation for refusal could be substantiated.
15. The proposed extensions have been assessed against their impacts on the surrounding neighbours and are not seen to result in a situation which would detract from the amenities enjoyed by the occupiers, in terms of loss of privacy, loss of light or overbearing impact. On balance, it is considered that whilst the proposed development would create a structure which would change the outlook from a number of properties, it would not alter it to a degree by which a recommendation for refusal could be substantiated. As such, the proposed development is seen to satisfy provisions outlined in the National Planning Policy Framework, Policy CS21 of the Woking Core Strategy 2012 and Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight' 2008.

#### Impact on Trees

16. The wider area is Sylvan in character with numerous substantial trees and vegetation adding to this setting. The additions, however, are not considered to infringe on the Root Protection Areas of surrounding trees as the single storey and two storey front extensions are located in areas of hard standing. A number of mature trees could, however, be affected during the construction phase of the development. Tree Protection Information will be required in this instance in line with BS5837 and can be secured by way of planning condition.

#### Local Finance Considerations

17. CIL is a mechanism adopted by Woking Borough Council which came into force on 1st April 2015, as a primary means of securing developer contributions towards infrastructure provisions in the Borough. In this case, the proposed development is less than 100m<sup>2</sup> and therefore is not CIL liable.

#### Conclusion

18. Considering the points discussed above, the proposed extensions are considered acceptable with regards to their impact on the character of the dwelling and character of the surrounding area. The impact of the



development on the amenities enjoyed by surrounding neighbours has been assessed in detail and found to result in an acceptable impact in terms of potential overbearing impact, loss of privacy and loss of light given the separation distances, relationship with neighbouring properties and internal layout of the proposed dwelling. The impact on trees in and surrounding the site has also been assessed and considering the extensions positioning extending on existing hard standing, the health of trees is not considered to be infringed upon. Overall, the development is considered to accord with provisions outlined in the National Planning Policy Framework, Policy CS21 of the Woking Core Strategy 2012, Policy DM2 of the Development Management Document DPD 2016, Policy BE1 of the Hook Heath Neighbourhood Plan 2015 and Supplementary Planning Document 'Outlook, Amenity Privacy and Daylight' 2008 and 'Design' 2015 and is accordingly recommended for approval subject to the attached conditions.

### **BACKGROUND PAPERS**

1. Site visit photographs.
2. 4no third party letters of objection
3. Response from Arboricultural Officer (26.10.17)

### **RECOMMENDATION**

It is recommended that planning permission be Granted subject to the following Conditions:

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

Reason:

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

2. The materials to be used in the construction of the external surfaces of the extension hereby approved shall match those outlined in the submitted application form.

Reason:

To ensure that the development protects the visual amenities of the area.

3. The development hereby permitted shall be carried out in accordance with approved plan;

Drawing No. 17.1647.010

Drawing No. 17.1647.030 (Amended Plan)(Received 26.09.17)

Reason:

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

4. ++ No development related works shall be undertaken on site (including clearance and demolition) until tree protection details, to include the protection of hedges and shrubs, have been submitted to and approved in writing by the Local Planning Authority. These details shall adhere to the principles embodied in BS 5837 2012 and shall include a Tree Survey, Arboricultural Impact Assessment and Arboricultural Method Statement. The details shall make provision for the convening of a pre-commencement meeting and Arboricultural supervision by a suitably qualified and experienced Arboricultural Consultant for works within the RPAs of retained trees. Full details shall be provided to indicate exactly how and when the retained trees will be protected during the site works. The development shall be carried out strictly in accordance with the agreed details.

Reason:

To ensure the retention and protection of trees on and adjacent to the site in the interests of the visual amenities of the locality and the appearance of the development in accordance with Policy CS21 of the Woking Core Strategy 2012.

**Informatives:**

1. The Council confirms that in assessing this planning application it has worked with the applicant in a positive and proactive way, in line with the requirements of paragraph 186-187 of the National Planning Policy Framework 2012.
2. You are advised that Council officers may undertake inspections without prior warning to check compliance with approved plans and to establish that all planning conditions are being complied with in full. Inspections may be undertaken both during and after construction.
3. Your attention is specifically drawn to the conditions above marked ++. These condition(s) require the submission of details, information, drawings, etc. to the Local Planning Authority PRIOR TO THE COMMENCEMENT OF ANY DEVELOPMENT ON THE SITE or, require works to be carried out PRIOR TO THE COMMENCEMENT OF THE USE. Failure to observe these requirements will result in a contravention of the terms of the permission and the Local Planning Authority may serve Breach of Condition Notices to secure compliance.

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

4. Where windows are required by planning condition to be fitted with obscure glazing the glass should have a sufficient degree of obscuration so that a person looking through the glass cannot clearly see the objects on the other side. 'Patterned' glass or obscured plastic adhesive are not acceptable. If in doubt, further advice should be sought from the Local Planning Authority before work is commenced.

**14<sup>th</sup> November 2017 PLANNING COMMITTEE**

5. The applicant is advised that, under the Control of Pollution Act 1974, site works which will be audible at the site boundaries are restricted to the following hours:-  
08.00 – 18.00 Monday to Friday  
08.00 – 13.00 Saturday  
and not at all on Sundays and Bank/Public Holidays.
6. The applicant is advised that this planning permission does not convey the right to enter onto or build on land not within his ownership.



Enforcement



Moles End Stables Yard, Horsell Common

24.0m

Moles End

Track

Track

Pond

Path (um)

Path (um)

Comments

Not Set



SCALE 1:1,250

0 5 10 20 30 40 Metres

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



**5n AGENDA ITEM: ENFORCEMENT REPORT**

**WARD:HO**

**Committee: PLANNING COMMITTEE**

**Date of meeting: 12 DECEMBER 2017**

**Subject: UNAUTHORISED OPERATIONAL DEVELOPMENT – THE UNAUTHORISED SITING OF A WOODEN CLAD MOBILE HOME AT MOLES END STABLES YARD, HORSELL COMMON, HORSELL, WOKING, SURREY, GU21 4XY**

**Author: PLANNING ENFORCEMENT OFFICER  
DPC**

.....  
**1. PURPOSE**

To authorise all necessary action including proceedings in the Magistrates' Court in respect of breaches of planning control.

**2. RECOMMENDATION**

- (i) Issue an Enforcement Notice under Section 172 of the Town & Country Planning Act 1990 as amended, in respect of the above land requiring the removal of the unauthorised caravan, wooden cladding, the hardstanding under the mobile home together with removing all the associated paraphernalia within four months of the Notice taking effect.

**3. SITE DESCRIPTION**

The site is a paddock where there is stabling for horses. An unauthorised single width mobile home as shown on the attached Plan is located on the western boundary of the site.

**4. PLANNING HISTORY**

No History.

**5. REPORT**

On 28 November 2014 the Planning Enforcement Team received a complaint relating to a workman working on site putting wooden cladding on a mobile/static caravan and insulation.

The Planning Enforcement Officer visited the property on 2 December 2014 and photographed the mobile/static caravan in situ and half clad in wood.

The Planning Enforcement Officer also noted that there was a small touring caravan, possibly a Sprite touring caravan still situated on site, next to the mobile home. The measurement for this based on a 1994 specification was length 6m and width 2.15 m. The height would be including the height of the wheels approximately 2.4 m.

The Planning Enforcement Officer spoke to one of the four joint owners of the land, who informed the Planning Enforcement Officer that the idea of the large mobile home was to have a place that he could come and relax at from his normal employment role and spend time with the horses and his family.

The Planning Enforcement Officer wrote to the owner on 9 December 2014 advising that the photographs from the site visit on 2 December 2014 had been shown to a Planning Officer and it was the Planning Officer opinion that the siting of the mobile home and the work to clad it, means that the works are considered to be permanent and development and if the owner wished to retain the mobile home they would need to submit a retrospective planning application for the retention of the mobile home.

The Planning Enforcement Officer advised the owner that because of the sites location it was the opinion of the Planning Officer that they should seek the advice of a planning agent/consultant to assist with the submission of any retrospective planning application.

On 10 December 2014 the Planning Enforcement Officer received an email from the owner to say that he had appointed a Planning Consultant who would be in contact with the Planning Enforcement Officer in due course.

On 16 January 2015 a letter was submitted by the Planning Consultant seeking pre-application advice on the proposed development of Erection of a timber structure to screen a caravan providing incidental welfare facilities on the land at Moss End Stable Yard. The pre-application include the size of the mobile home as being: - length 11.8m, width 3.8m, height to the eaves 2.85 m and height to the ridge 3.48m.

On 25 March 2015 the Planning Officer and Planning Agent met and discussed the various matters relating to the pre-application enquiry.

On 20 April 2015 the Planning Officer wrote to the Planning Agent and made the following comments:-

1. The works undertaken thus far in cladding the caravan are in the Council's opinion development that requires planning permission as, by building a permanent frame and cladding it with timber boarding, a structure has been created. As no planning permission has been granted for the structure, it is currently unauthorised.

2. The Green Belt location and proximity to the Special Protection Area (SPA) mean that there are clear policy presumptions against allowing development in this area. Therefore, the suggested option of a temporary permission for the structure to remain and thus allow the Council to assess the impact of the development would not be acceptable as there would be an in-principle objection to the development, which a temporary permission would not overcome.

3. The 'fall-back' position of erecting a two metre high fence as permitted development was raised at the meeting. This is not a factor which the Council would attach much weight to in considering any formal application to retain the unauthorised structure.



4. When the Enforcement Officer initially visited the site there was already a degree of permanence associated with the caravan such as the creation of an area of unauthorised hardstanding, the removal of the caravan's wheels and connection of services to the caravan. Clearly, the unauthorised structure adds to this sense of permanence. This all suggests a wider development is occurring to retain the caravan as a permanent structure on the site. Therefore, merely replacing the unauthorised structure with a two-metre high fence might not be permitted development as it could be regarded as an intrinsic part of the wider development to permanently retain the caravan on site rather than to simply enclose land.

5. If the Caravan were to be enclosed by a fence, the question would also arise as to whether there had been the creation of a separate planning unit as well as a material change in the use of the land. The Green Belt and SPA policy presumption against development in this location would mean either of these developments would be unacceptable if they involve permanent residential use/accommodation.

The Planning Officer continued: - In view of the above, the Council would not encourage the submission of a planning application to retain the existing structure. Similarly, the Council has concerns that the caravan is likely to become permanent. A permanent residential use or material change for the permanent siting of a caravan would be resisted by the Council.

Since the Planning Officers meeting with the Planning Agent and subsequent letter set out above there has been a permanent electricity supply connected to the site, in particularly to provide services to the mobile home/structure.

On 23 August 2017 the Planning Enforcement Officer wrote to the second and third joint owners of the site, these were the only persons that Planning Enforcement Officer was able to locate, seeking clarification as to why the mobile caravan had not been moved since the last correspondence with the appointed Planning Agent. The Planning Enforcement Officer advised that the only possible resolution of the situation was to remove the mobile home.

The Planning Enforcement Officer received a telephone call from one of the owners who advised him that it was their opinion that it was their land and they were free to do what they wanted. After the planning Enforcement Officer had spent a considerable amount of time explaining to the owner the consequences of not removing the mobile home and any formal notice being served the owners response was 'do want you want'.

On 20 September 2017 the Planning Enforcement Officer received a telephone call from the fourth owners seeking clarification of the Planning Enforcement Officer letter dated 23 August 2017. After the Planning Enforcement Officer had fully explained the situation and their verbal conversation he had had with the first joint owner, whom he had met in December 2014, the telephone caller asked to meet the Planning Enforcement Officer, along with a friend, to see if there were any options available other than removing the mobile home. Following a meeting at the Civic Offices on 3 November 2017 between the Planning Enforcement Officer and the owner and their friend, it was apparent from the conversations with the fourth joint owner, that the owners had no intention of removing the unauthorised structure and that it had been made a home from home with trinkets', ornaments, etc. being laid out in the caravan.

As the structure has been in situation since October 2014 and that service(s) have been connected to the mobile home, it is the opinion of the Planning Enforcement Officer that it is the owners intention to let the mobile home become a permanent feature on the site and it is for this reason that a Planning Enforcement Notice is sought.

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

To ensure the Green Belt continues to serve its fundamental aim and purpose, and maintains its essential characteristics, it will be protected from harmful development. Within its boundaries strict control will continue to apply over inappropriate development, as defined by Government policy currently outlined in the NPPF.

The structure is therefore contrary to Section 9 of the National Planning Policy Framework (2012), policy CS6, CS7 and CS8 of the Woking Core Strategy (2012) and Woking Design SPD (2015) and is recommended for refusal.

Planning Policy Guidance Note 18 – 'Enforcing Planning Control' requires that where the LPA's initial attempt to persuade the owner or occupier of the site voluntarily to remedy the harmful effects of unauthorised development fails, negotiations should not be allowed to hamper or delay whatever formal Enforcement Action may be required to make the development acceptable on planning grounds, or to compel it to stop. However, Enforcement Action should always be commensurate with the breach of planning control to which it relates, for example, it is usually inappropriate to take formal enforcement action against a trivial or technical breach of control which causes no harm. The Local Planning Authority must, therefore, determine whether it is expedient to pursue action.

## **7. RECOMMENDATION**

- (i) Issue an Enforcement Notice in respect of the above land requiring the removal of the unauthorised caravan, wooden cladding, hardstanding under the caravan together with removing all the associated paraphernalia within four months of the Notice taking effect.

Reason: The existing caravan and enclosing structure and hardstanding represent inappropriate development in the Green Belt for which no very special circumstances have been advanced. The unauthorised development is harmful to the openness of the Green Belt and contrary to Section 9 of the National Planning Policy Framework 2012, Policies CS6, CS7 and CS8 of the Woking Core Strategy (2012) and Woking Design SPD (2015).