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

You are hereby summoned to attend a meeting of the Planning Committee to be held on Tuesday, 15 April 2025 at 7.00 pm in the Council Chamber - Civic Offices.

The agenda for the meeting is set out below.

RICHARD CARR
Chief Executive

NOTE: Filming Council Meetings

Please note the meeting will be filmed and will be broadcast live and subsequently as an archive on the Council's website (www.woking.gov.uk). The images and sound recording will also be used for training purposes within the Council. Generally the public seating areas are not filmed. However by entering the meeting room and using the public seating area, you are consenting to being filmed.

AGENDA

PART I - PRESS AND PUBLIC PRESENT

1. Apologies for Absence
2. Declarations of Interest
To receive declarations of disclosable pecuniary and other interests from Members in respect of any item to be considered at the meeting.
3. Minutes (Pages 3 - 6)
To approve the minutes of the meeting of the Planning Committee held on 11 March 2025 as published.
4. Urgent Business
To consider any business that the Chairman rules may be dealt with under Section 100B(4) of the Local Government Act 1972.

Matters for Determination

5. Planning and Enforcement Appeals (Pages 7 - 10)
6. Planning Applications (Pages 11 - 14)

Section A - Applications for Public Speaking

There are no applications under this section.

Section B - Application reports to be introduced by Officers

6a. 2024/0305 Sheerwater Estate, Albert Drive, Sheerwater (Pages 19 - 56)

6b. 2024/0692 Former Scout Hut, Walnut Tree Lane, Byfleet (Pages 57 - 80)

6c. 2024/0685 21 Oak Tree Road, Knaphill, Woking (Pages 81 - 94)

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

There are no applications under this section.

AGENDA ENDS

Date Published - 7 April 2025

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

Planning Committee 11 March 2025

MINUTES
OF A MEETING OF THE
PLANNING COMMITTEE

held on 11 March 2025

Present:

Cllr L Lyons (Chair)
Cllr G Cosnahan (Vice-Chair)

Cllr R Leach Cllr J Pearce
Cllr C Martin Cllr T Spenser
Cllr S Mukherjee Cllr M Sullivan

Also Present: Councillor Steve Greentree

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Javaid, Jordan and Mukherjee.

2. DECLARATIONS OF INTEREST

No declarations of interest were received.

3. MINUTES

RESOLVED

That the minutes of the meeting of the Committee held on 11 February 2025 be approved and signed as a true and correct record.

4. URGENT BUSINESS

There were no items of Urgent Business.

5. PLANNING AND ENFORCEMENT APPEALS

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

RESOLVED

That the report be noted.

6. PLANNING APPLICATIONS

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

6a. 2024/0685 21 Oak Tree Road, Knaphill

The Committee considered a retrospective application for variation of conditions 1 (approved plans), 6 (soft Landscaping), 7 (hard landscaping) and 8 (EV charging point) of planning permission (PLAN/2023/0792 (retrospective variation of condition 2 (approved plans) of PLAN/2022/057 (demolition of existing dwelling and erection dwelling and erection of replacement dwelling) to increase the height of the single story rear element, two-storey from projection and ridge height and alterations of fenestration. Alterations to landscaping and EV charger and addition of solar panels.

The chair reminds members to evaluate the application on its own merits, and evaluate the application as if it was not retrospective.

Councillor Greentree, the Ward Councillor, attended the meeting and provided members with a brief update on the history of the application. He noted that in 2022, the owner of No. 21 demolished the semi-detached house without any planning permission. Subsequently, a retrospective application for a new development was submitted and approved in 2023. The approved plans overstated the depth of the rear extension on No. 19 as 1.6m and failed the 45-degree test regarding the horizontal plane. Councillor Greentree expressed disappointment regarding the previous application, stating that there was neither full nor partial compliance and in some cases enforcement actions had been ignored. He also highlighted that the new development differed from the initially approved plans, stating that the developer showed “disregard” to the planning process.

A question was raised regarding the outstanding CIL payment. James Rodger explained that he was unsure of the reason and would follow up with the necessary departments to address this.

Following a query regarding the 45-degree test, the planning officer explained that the single-story side/rear element would fail the test in plan form but pass in elevation. The SPD states that *a significant loss of daylight will occur if the centre of the affected window (or a point 1.6m above the ground for floor-to-ceiling windows/patio doors) lies within a zone measured at 45-degrees in both plan and elevation*. The proposal is therefore not considered to result in a significant harmful loss of light impact to No. 19 and is acceptable in this regard. The proposal passed this test in both plan and elevation concerning No. 23 Oak Tree Road.

Following a query James Rodger explained to the committee that the validation of the planning application was delayed because officers ensured that the submitted plans were as accurate as possible. Minor inaccuracies, such as annotations on orientation, did not directly affect the determination of the planning application. He emphasised that there were nine planning conditions with strict timelines in place if the application was approved and reassured members that officers would manage these effectively.

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

In favour: Cllr L Lyons (The Chairman)

TOTAL: 1

Against: Cllrs M Sullivan, J Pearce and G Cosnahan.

TOTAL: 3

Present but not voting: Cllrs R Leach, C Martin and T Spenser

TOTAL: 3

The application was therefore not approved.

The Chair proposed and Vice Chair seconded a motion for enforcement action to be taken requiring the applicant to revert back to the previously approved plans. This was then voted upon and unanimously agreed.

The Chairman then started to move to the next item, however, Mr Rodger then advised the Chairman that the committee would also need to provide reason(s) for refusal for the planning application.

Mr Rodger then drew the Committees attention to the reasons the previous application on the site was refused, in particular the reason concerning the rear addition and its size and scale. Cllr Lyons stated he thought this was a reasonable approach, he asked the Committee if they agreed, which they did.

[POST MEETING NOTE: Following the meeting a procedural irregularity was identified, and it was agreed that the application would be addressed by the Planning Committee at the meeting on 15 April 2025.]

6b. 2023/0594 65 Newsham Road, Woking

The Committee considered a retrospective planning application for the erection of 2.4m high masonry boundary wall and single storey lean-to side extension.

Councillor Sullivan, the Ward Councillor, visited the site and confirmed that there was no reason to refuse the application. He believed that the proposal did not adversely affect the amenities of the neighbours, including considerations of light loss, overlooking, and overbearing impacts and therefore was in support of the application.

James Rodger, Head of Planning explained that the new boundary wall was constructed with concrete and had slightly encroached on the adjoining footpath. The current appearance of the boundary wall was considered completely out of keeping with the street scene and appearance of many parts of the Goldsworth Park estate. Furthermore, the proposed use of white render on the boundary wall would exacerbate the visual harm.

Following a query raised on the ownership of land adjacent to the wall, it was uncertain as to whether or not the land was owned by Woking Borough Council or Surrey County Council.

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

In favour: Cllrs R Leach, D Jordan, L Lyons (Chairman), G Cosnahan,
J Pearce, C Martin and T Spenser

TOTAL: 7

Against: Cllr M Sullivan

TOTAL: 1

Present but not voting: None

TOTAL: 0

The application was therefore refused.

RESOLVED

That planning permission be REFUSED and enforcement notice be issued.

6c. 2024/0831 9 Lakeside Close, St Johns

A planning application for the proposal for the erection of a single storey front extension was considered by the committee.

This application could not be considered under delegated powers as the application was a Council employee.

RESOLVED

That the planning application be APPROVED subject to conditions.

The meeting commenced at 7.00 pm
and ended at 7.47 pm

Chairman: _____

Date: _____

PLANNING COMMITTEE – 15 APRIL 2025

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:

James Rodger, Head of Planning

APPEALS LODGED

2024/0782

Application for retrospective planning application for the erection of a rear outbuilding following demolition of existing shed and re-positioning of existing pergola and erection of decking area at 67 Brookwood Farm Drive Woking, GU21 2FT.

Refused by Delegated Authority
7 February 2025.
Appeal Lodged
28 February 2025.

2024/0714

Application for the erection of a first-floor side extension over garage and fenestration alterations at 8 Pembroke Gardens Woking, GU22 7DR.

Refused by Delegated Authority
8 January 2025.
Appeal Lodged
5 March 2025.

2024/0845

Application for a certificate of Lawfulness for the proposed construction of single storey outbuilding to provide gym and home office ancillary to existing property at 7 School Cottages, Mayford Green, Mayford, Woking, GU22 0PN.

Refused by Delegated Authority
21 January 2025.
Appeal Lodged
18 March 2025.

2024/0673

Application for the erection of a part two storey, part single storey side and rear extension. Proposed first floor rear terrace following alterations to existing roof terrace. Insertion of front dormer window and rooflights. Erection of detached garage following demolition of existing detached double garage. Alterations to rear patio and fenestration at Elmwood, Elmstead Road, West Byfleet, KT14 6JB.

Refused by Delegated Authority
13 December 2024.
Appeal Lodged
21 March 2025.

APPEALS DECISION

2024/0114

Application for the erection of a single storey front, side and rear extension incorporating a garage, a single storey rear extension following demolition of existing rear extension and detached garage at 128 Robin Hood Road, Knaphill, GU21 2LS.

Refused by Delegated Authority
18 October 2024.
Appeal Lodged
15 January 2025.
Appeal Dismissed
6 March 2025.

2024/0518

Application for the erection of a single storey rear extension, alterations to existing front dormer window and existing rear dormer window at 54 Robin Hood Road, St Johns, GU21 8SY.

Refused by Delegated Authority
25 October 2024.
Appeal Lodged
13 January 2025.
Appeal Dismissed
6 March 2025.

2024/0580

Application for the formation of a new vehicular access and creation of new hardstanding at 12 Fircroft Close, GU22 7LZ.

Refused by Delegated Authority
30 October 2024.
Appeal Lodged
15 January 2025.
Appeal Allowed
6 March 2025.

2024/0208

Application for the erection of two storey and single storey front, side and rear extensions with accommodation in roof space and increase in roof ridge height, insertion of front and rear rooflights and external alterations following demolition of existing garage, store and conservatory at Tregaron Grange Drive Horsell Woking, GU21 4BU.

Refused by Delegated Authority
17 May 2024.
Appeal Lodged
16 August 2024.
Appeal Dismissed
10 March 2025.

2023/0946

Application for the erection of a pair of semi-detached dwellings with access drive, amenity space, parking and landscaping on land to the rear of No.44 Oriental Road following demolition of existing two storey side extension and associated alterations and works at 44 Oriental Road, Woking, GU22 7AR.

Refused by Delegated Authority
4 April 2024.
Appeal Lodged
21 August 2024.
Appeal Dismissed
13 March 2025.

2024/0457

Application for the installation of an Air Source Heat Pump (ASHP) to the rear at 10 Binfield Road, Byfleet, West Byfleet, KT14 7PN.

Refused by Delegated Authority
22 November 2024.
Appeal Lodged
27 August 2024.
Appeal Allowed
25 March 2025.

2024/0332

Application for installation of a freestanding telephone apparatus with affixed defibrillator and advert display at Land Outside the Railway Station, The Broadway, Woking.

Refused by Delegated Authority
26 June 2024.
Appeal Lodged
13 September 2024.
Appeal A & B Dismissed
26 March 2025.

2024/0670

Application for the erection of a part two storey, part single storey rear extension following demolition of the existing lean-to structure. Insertion of side window and sun tunnels.at 62 Gloster Road, Old Woking, GU22 9EX.

Refused by Delegated Authority
15 November 2024.
Appeal Lodged
4 December 2024.
Appeal Dismissed
12 March 2025.

2023/1002

Application for proposed extension and alteration of existing outbuilding to create habitable accommodation in the roof space at Old Orchard Kettlewell Hill, Horsell Woking, GU21 4JA.

Refused by Delegated Authority
21 April 2024.
Appeal Lodged
21 August 2024.
Appeal Dismissed
13 March 2025.

PLANNING COMMITTEE AGENDA

PLANNING APPLICATIONS AS AT 15 APRIL 2025

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

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

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

Key to Ward Codes:

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

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



Applications: 3

Item: 6A
Case ref: PLAN/2024/0305
Recommendation: Recomm'n to Grant Subj. to Legal Agr't
Ward: Canalside
Address: Sheerwater Estate, Albert Drive, Sheerwater, Woking, Surrey

Item: 6B
Case ref: PLAN/2024/0692
Recommendation: Recomm'n to Grant Subj. to Legal Agr't
Ward: Byfleet And West Byfleet
Address: Former Scout Hut, Walnut Tree Lane, Byfleet, West Byfleet, Surrey, KT14 7AQ

Item: 6C
Case ref: PLAN/2024/0685
Recommendation: Permit
Ward: Knaphill
Address: 21 Oak Tree Road, Knaphill, Woking, Surrey, GU21 2RW

Section B – B

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)

SECTION B

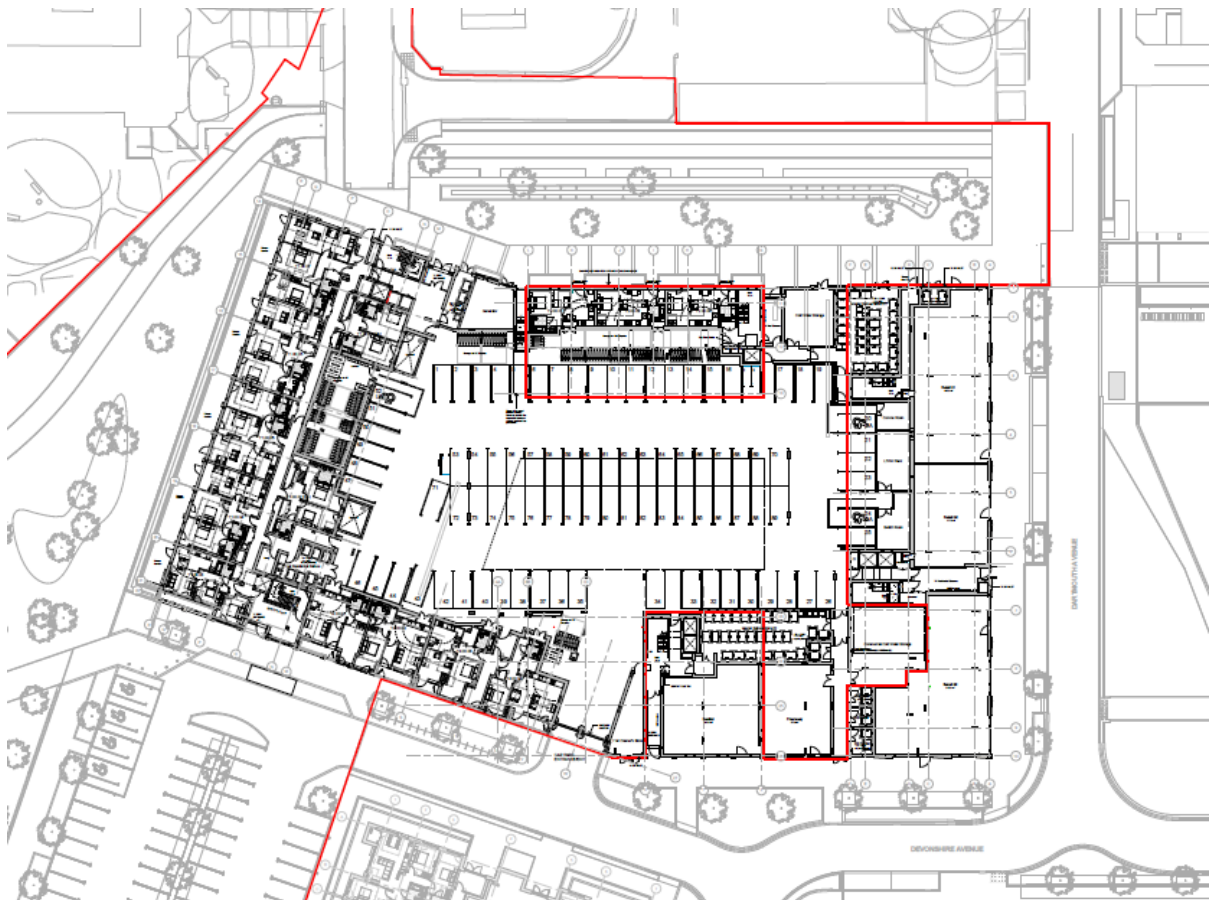
**APPLICATIONS WHICH WILL BE
THE SUBJECT OF A PRESENTATION
BY OFFICERS**

(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)

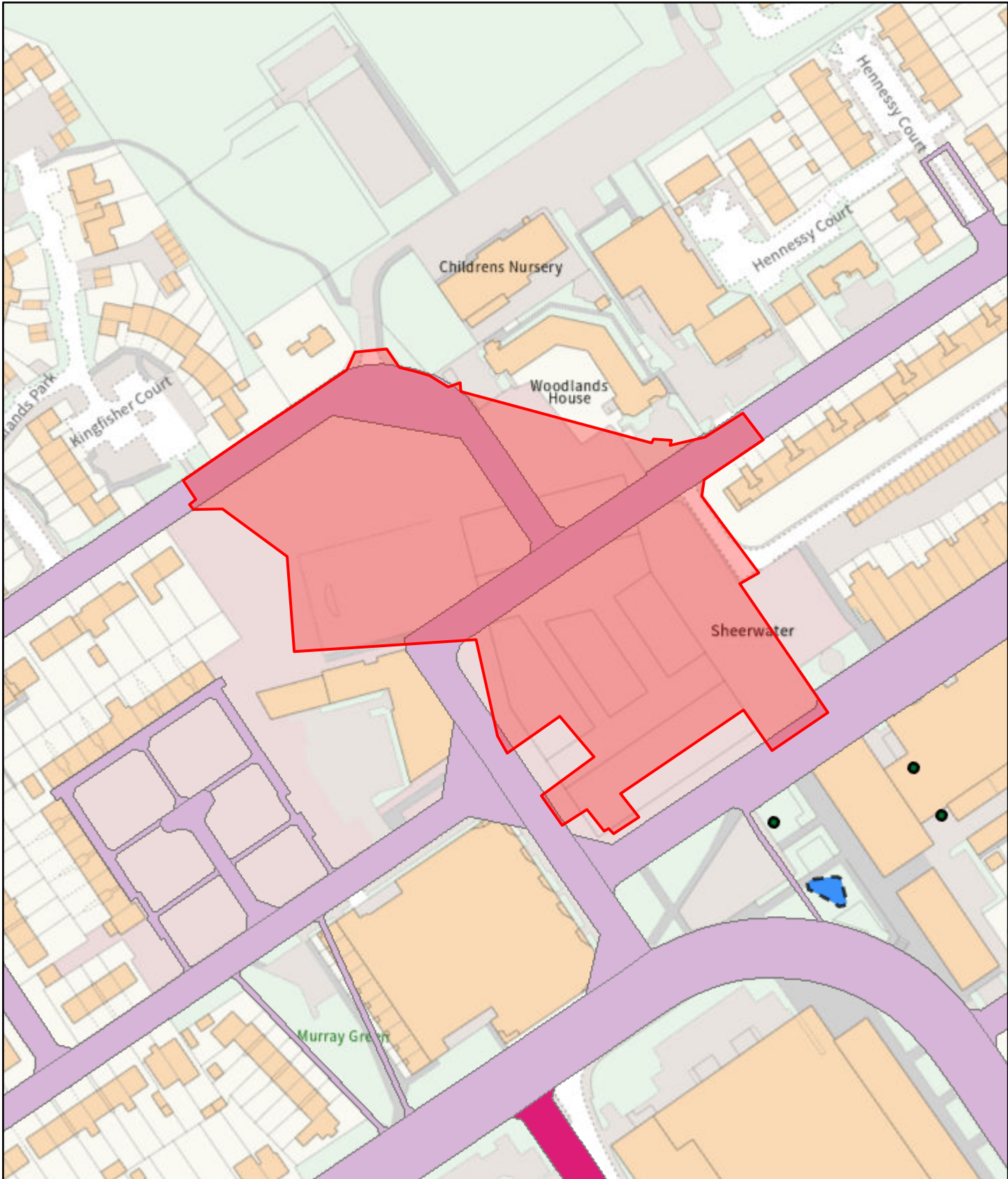
Sheerwater Estate, Albert Drive, Sheerwater

PLAN/2024/0305

Provision of 19no. residential units (apartments) (Class C3) within blocks Y1 and Y4 in Phase Yellow (of the Sheerwater Regeneration) to replace the previously approved Community Centre, Health Centre and Nursery spaces and associated alterations and alterations to highways to provide a footway/cycleway connection between Blackmore Crescent and Devonshire Avenue and associated landscape proposals (part retrospective). (Amended description and plans received February 2025)

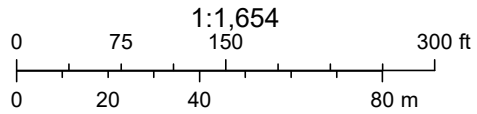


Sheerwater Estate



4/7/2025, 9:29:38 AM

- Utility - OS Topographic Area
- Highways - Historic
-  Highway Adopted Land - Verified
-  Highway Adopted Land - No Plan
-  TPO Group Trees
-  TPO Individual Trees



6a PLAN/2024/0305

WARD: Canalside

LOCATION: Sheerwater Estate, Albert Drive, Sheerwater, Woking, Surrey.

PROPOSAL: Provision of 19no. residential units (apartments) (Class C3) within blocks Y1 and Y4 in Phase Yellow (of the Sheerwater Regeneration) to replace the previously approved Community Centre, Health Centre and Nursery spaces and associated alterations and alterations to highways to provide a footway/cycleway connection between Blackmore Crescent and Devonshire Avenue and associated landscape proposals (part retrospective) (Amended description and plans received February 2025)

APPLICANT: Thamesway Developments Ltd

OFFICER: Joanne Hollingdale

REASON FOR REFERRAL TO COMMITTEE

The application is required to be determined by the Planning Committee as the applicant is a company wholly owned by Woking Borough Council and the application is for major development.

SUMMARY OF PROPOSED DEVELOPMENT

The application seeks permission for the provision of 19 residential units (apartments) (Class C3) within blocks Y1 and Y4 in Phase Yellow (of the Sheerwater Regeneration) to replace the previously approved Community Centre, Health Centre and Nursery spaces and associated alterations and alterations to highways to provide a footway/cycleway connection between Blackmore Crescent and Devonshire Avenue and associated landscape proposals (part retrospective).

19 additional residential units are proposed in phase Yellow in place of the approved community facilities, as the existing community facilities will no longer be demolished as the project will stop after the current phases are completed. The dental surgery space and pharmacy space will however be retained in the scheme as will the previously approved retail units on the ground floor facing Dartmouth Avenue.

The additional 19 residential units would have the following split:

- 7no. 1 bed units
- 10no. 2 bed units
- 2no. 3 bed units

All the proposed 19 residential units will be for market housing. The former community car park will be used to provide allocated parking spaces for the additional units, with the remainder being unallocated parking. Each additional unit would have 1 parking space.

To facilitate the conversion of the previously approved community spaces to residential, external alterations to the building are proposed to the ground and first floors primarily. There will also be some small minor alterations to the remainder of Y0 but these would be within the approved stone framework of the building.

As the existing MUGA on the Sheerwater Recreation ground will no longer be demolished, there is no requirement for a replacement MUGA to be provided as part of phase Yellow. The removal of the MUGA from phase Yellow will retain the existing access to the

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Sheerwater Recreation ground and the community facilities which are accessed from the car park e.g. Parkview.

To construct phase Yellow, part of Blackmore Crescent was closed as a through road. However with the demolished of part of Woodlands House and as the replacement MUGA is no longer required to be provided the opportunity now exists to provide a new footway/cycleway connection from Blackmore Crescent to Devonshire Avenue.

The wider area around the new footway/cycleway connection will also be landscaped to provide amenity space and further footways would be provided to link Blackmore Crescent to Devonshire Avenue/Bunyard Drive.

For Phase Yellow only, the **approved development split** between affordable and market housing is given below:

HOUSING MIX	Market	Affordable	Total
Studio	3	0	3
1 bed	34	60	94
2 bed	25	36	61
3 bed	4	6	10
Total	66	102	168

Note: Phase Yellow comprises buildings Y1-Y4 and Y5

For Phase Yellow only, the **proposed development split** between affordable and market housing would be as follows:

HOUSING MIX	Market	Affordable	Total
Studio	3	0	3
1 bed	41	60	101
2 bed	35	36	71
3 bed	6	6	12
Total	85 (45%)	102 (55%)	187

Note: Phase Yellow comprises buildings Y1-Y4 and Y5

PLANNING STATUS

- Urban area
- Thames Basin Heaths SPA Zone b 400m-5km
- Flood Zone 1 (as shown on the updated EA Maps)
- Surface water flood risk area (medium, high and very high)
- Priority Place
- Local Centre (part of site)

RECOMMENDATION

It is recommended to **GRANT** planning permission for the application subject to:

1. the prior completion of a S106 Legal Agreement and Executive Undertaking to:
 - a. secure the SAMM (SPA) contribution of **£17,224**;
 - b. to prevent any further development beyond phases Purple, Red, Yellow and Copper from occurring on the site and to ensure that any affordable housing lost from earlier phases is made up in later phases to accord to the original permissions. (This obligation relates to both the S106 Legal agreements and Executive Undertakings for both applications PLAN/2018/0337 and

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- PLAN/2018/0374) and to re-iterate the approved affordable housing provision within the S106 Legal Agreement/Executive Undertaking for phase Yellow as a whole for the avoidance of any doubt as the red line for this application relates to some of the other areas including communal areas within the Phase as a whole;
- c. to dedicate land (the new footway/cycleway) as public highway; and
 - d. Monitoring fee of £1,000 per obligation (excluding SAMM obligation).

2. Subject to conditions (and any minor amendments to those conditions).

SITE DESCRIPTION

Phase Yellow is the third phase of the development for the Sheerwater Regeneration and includes the part of the site described in the original application as the 'civic quarter' and residential apartments. This phase is located to the north of phase Purple and phase Red and lies between Dartmouth Avenue, Devonshire Avenue/Bunyard Drive and Blackmore Crescent.

The phase originally included the replacement community facilities including the community centre, community car park, nursery, health centre, dental centre along with a pharmacy and 3 retail units. A replacement MUGA was also to be provided as part of this phase.

Pursuant to planning permission PLAN/2028/0337 the new buildings in this phase are complete as is the surface level car park. Phase Purple (first phase) is complete. Phase Red (second phase) is complete and Phase 1c (also known as Phase Copper) (granted permission under PLAN/2018/0374 and PLAN/2015/1260) is also complete.

RELEVANT PLANNING HISTORY

The relevant planning history for this application is as follows:

PLAN/2023/1037 - Section 73 application to vary Condition 4 (approved plans - relating only to the NIA plan for Parcel B (Phase Red) to alter the affordable/market housing split for Phase Red only) of planning permission PLAN/2018/0337 for the redevelopment of the Sheerwater Estate (please see PLAN/2018/0337 for the original description). Resolution to Grant planning permission (20.02.2024 Planning Committee) awaiting completion of S106 Legal Agreement.

PLAN/2018/0337 - Hybrid planning application (part outline, part full planning application) for the demolition of 573 residential units and existing non-residential buildings and redevelopment of the site to be implemented in phases to provide a mixed-use development comprising of 869 residents units (Class C3), 134 specialist residential units (Class C3/C2), 904 sqm community centre (Class D1), 929 sqm nursery/children's centre (Class D1), 312 sqm health centre (Class D1), 290 sqm additional classrooms (Class D1), 1,728 sqm of retail (flexible use within Class A1 and/or A2 and/or A3 and/or A4 and/or A5), 117sqm management office (flexible use within Class A1 and/or A2 and/or A3 and/or A4 and/or A5 and/or B1a and/or SG), and 132 sqm dentist (flexible use within Class A1 and/or A2 and/or A3 and/or A4 and/or A5 and/or class D1), a new energy centre, formation of a new car park for Broadmere Primary school, formation of an extended car park for Bishop David Brown School and the Leisure Centre, including a bus/coach drop off area, formation of a new community car park to serve community hub, hard and soft landscaping and open space with a kiosk, a multi-use games area (MUGA) and a skate park, reconfigured and new vehicular and pedestrian access and works to the public highway and associated works; including full planning application for the detailed phases comprising of: demolition of 412 residential units and 7,609 sqm existing non-residential buildings, and construction of 695 residential units (7 no. studios, 68 no. 1-bedroom specialist accommodation, 160 no. 1-bed units, 227 no. 2-bed units, 160 no. 3-bed units, 71 no.4-bed units, and 2 no. 5-bed units,), 904 sqm Community Centre (Class D1), 1,728 sqm of retail (flexible use within Class A1 and/or A2 and/or A3 and/or A4 and/or A5), 117sqm management office (flexible use within Class A1 and/or A2 and/or A3 and/or A4 and/or A5 and/or B1a and/or SG) and 132 sqm dentist (flexible use within Class A1 and/or A2 and/or A3 and/or A4 and/or A5 and/ or class D1), 929

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sqm of nursery/children's centre (Class D1), 312 sqm health centre (Class D1), an energy centre, formation of an extended car park for Bishop David Brown School and the Leisure Centre, including a bus/coach drop of area, formation of a new community car park to serve community hub, hard and soft landscaping and open space with a kiosk, a multi-use games area (MUGA) and a skate park reconfigured and new vehicular and pedestrian access and works to the public highway and associated works. Permitted 18.04.2019 subject to a S106 Legal Agreement and Executive Obligations.

To note, the planning permission which granted Phase 1c (also known as Phase Copper) is:

PLAN/2018/0374 - Section 73 application to remove Condition 26 (bund), to vary Condition 4 (approved plans insofar as they relate to the Leisure Centre and sports pitches), Condition 23 (phase 1b playing fields timeline), to submit details to satisfy Condition 21 (on/off-site drainage works), Condition 27 (drainage details for phase 1a(i)), Condition 28 (drainage details for phase 1a(ii)), Condition 29 (drainage details for phase 1a(iii)), Condition 30 (drainage details for phase 1b), Condition 52 (external materials for Leisure Centre), Condition 53 (details of finished floor levels for Leisure Centre), Condition 54 (sustainability - substitution of combined heat and power plant with a ground source heat pump) and amendments to wording of Condition 36 (phase 1c details of front boundary enclosures), Condition 38 (phase 1c biodiversity enhancement measures), Condition 43 (phase 1c external materials), Condition 45 (phase 1c details of bin storage areas), Condition 46 (phase 1c details of photovoltaic panels), Condition 47 (phase 1c sustainability measures), Condition 49 (protection of residential properties from noise), Condition 51 (phase 1c details of play area/trim trail delivery) to alter the timing for the submission of details for approval, of planning permission PLAN/2015/1260 for the redevelopment of the Sheerwater Estate. Permitted 18.04.2019 subject to a S106 Legal Agreement and Executive Obligations.

CONSULTATIONS

SCC County Highway Authority (most recent response): Having assessed the application on safety, capacity and policy grounds, recommends conditions be imposed on any permission granted.

SCC LLFA (most recent response): Satisfied that the proposed drainage scheme meets the requirements set out in the aforementioned documents and are content with the development proposed and should planning permission be granted, suitably worded conditions should be applied to ensure that the SuDS Scheme is properly implemented and maintained throughout the lifetime of the development.

SCC County Archaeologist (summary of comments): No archaeological concerns (response dated 26.06.24).

SCC County Planning: No comments received.

SCC Minerals and Waste: No objection subject to WBC being satisfied that adequate facilities for waste storage and recycling are included and maintained/managed for the lifetime of the development and the submission of a Waste Management Plan to WBC to demonstrate that waste generated during construction is limited to the minimum quantity necessary and that opportunities for re-use and recycling of waste material are maximised.

SCC Education (early years): Surrey County Council Early Years Commissioning team have completed a sufficiency assessment to understand the impact of nursery provision no longer being created as part of the regeneration. We considered Canalside and neighbouring wards to understand the most recent demand for early years places. The data suggests that early years providers are full or working at a healthy occupancy in this area, suggesting that further places may be needed. Canalside consistently has a high number of families which meet criteria for funded early education for two year olds (FEET), largely

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based on lower-income criteria, many of whom do not take up a place at their local setting, which could suggest a lack of available places for our most disadvantaged children. It is essential to ensure sufficient places are available to support these children and their families. The eligibility for funded entitlements for working parents, will be extended from April 2024, further in September 2024 and again in September 2025, to include funded entitlements for younger children whose families meet the eligibility criteria. Demand may be significantly impacted by the expansion of eligibility. The extent of this is unknown at this stage but we are unlikely to see a decrease in the number of early years places required.

WBC Housing Services: Housing Services support the conversion of community facilities to 19 extra residential units. Following the issue of the S114 notice on 7 June 2023, the Council decided that the delivery of the Sheerwater Regeneration Project should be brought to an end; only those phases under construction (including Yellow phase) would continue to be delivered by ThamesWey. It was also agreed that the existing community facilities would be retained and therefore, new facilities are no longer necessary as part of Yellow phase. The conversion of this space into 19 extra homes will support wider housing need. The original consent for the whole scheme would have delivered a sustainable tenure mix of 46% affordable and 54% market tenure. Whilst the additional 19 homes are all proposed to be market units, the current application, combined with PLAN/2023/1037, will still deliver a marginally (1%) higher proportion of affordable homes in comparison to the original scheme.

WBC Arboricultural Officer: The landscaping information provided is acceptable and should be complied with in full.

WBC Contaminated Land Officer: Review of the historical maps on uniform indicates this part of the site was woods until the current houses were built. The use of the site since then has always been residential. After consideration of the proposed end use and risk, I am of the view there is no increased risk to end users by the change proposed and have no comments regarding contaminated land. No contamination conditions are required.

WBC Environmental Health Officer: The proposed residential should be subject to the same conditions as applied to the other residential in this Phase. There are no specific concerns.

Joint Waste Solutions: Comments provided regarding detailed bin provision and considerations regarding provision and collection for flats. Revised plan received. No further comments to make, the bin provision is more than sufficient and the bin presentation collection points would be within the 10m maximum pulling distance.

NHS Surrey Heartlands ICB (summary of comments): As the proposed planning application will result in the loss of the new modern health centre, which was to be delivered as mitigation for the loss of the existing facility and the new population expected to come forward from the 713 units, the ICB note that should the council seek to approve this planning application, a financial contribution towards the improvement of existing facilities should be made to mitigate the 732 units coming forward as part of Site Allocation UA24. The ICB recognises and understands the special circumstances that has led to this planning application and seeks to continue our dialogue to extend the life and upgrade the existing Surgery building to meet the needs of patients. [*Officer note: As the scheme will not be completed there would be a reduced net increase in the number of units than is specified in this response. Please see paragraphs 8-13 under the 'Principle of proposed development'*]

Surrey Fire and Rescue: Response provides advice regarding fire safety legislation.

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Surrey Wildlife Trust: No comments received. Any comment received will be reported verbally.

Environment Agency: Do not wish to be consulted as application falls within standing advice.

Natural England: No objection subject to securing appropriate mitigation for recreational pressure impacts on habitat sites.

Thames Water: No comments received.

National Grid Electricity Transmission: There are no National Grid Electricity Transmission assets affected by the proposal.

Network Rail: No comments on this application.

Fairoaks Airport: No safeguarding objections to the proposed development.

Health and Safety Executive: Proposal does not lie within the consultation distance of a major hazard site and no consultation is required.

REPRESENTATIONS

No representations have been received in respect of this application.

RELEVANT PLANNING POLICIES

National Planning Policy Framework (NPPF) (2024)

South East Plan 2009:

Saved Policy NRM6 – Thames Basin Heaths SPA

Woking Core Strategy 2012:

CS1 – A Spatial Strategy for Woking

CS4 – Local Centres

CS5 – Priority Places

CS7 – Biodiversity and Nature Conservation

CS8 – Thames Basin Heaths SPA

CS9 – Flooding and Water Management

CS10 – Housing provision and distribution

CS11 – Housing Mix

CS12 – Affordable Housing

CS16 – Infrastructure Delivery

CS17 – Open Space, Green Infrastructure, Sport and Recreation

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

Site Allocations Development Plan Document (DPD) 2021:

Policy UA24 – Land within Sheerwater Priority Place, Albert Drive, Woking

Development Management (DM) Policies DPD 2016:

DM1 – Green Infrastructure Opportunities
DM2 – Trees and Landscaping
DM3 – Outdoor Recreation and Sport Facilities
DM5 – Environmental Pollution
DM6 – Air and Water Quality
DM7 – Noise and Light Pollution
DM8 – Land Contamination and Hazards
DM17 – Public Realm
DM20 – Heritage assets and their settings

Supplementary Planning Documents:

Outlook, Amenity, Privacy and Daylight 2022
Thames Basin Heaths SPA Avoidance Strategy 2022
Climate Change 2023
Affordable Housing Delivery 2023
Design 2015
Parking Standards 2018

PLANNING ISSUES

1. The main planning issues to consider in determining this planning application are the principle of the proposed development, housing mix, impact on character, impact on neighbouring amenity, standard of accommodation for future occupiers, transportation impact, affordable housing provision, ecology, drainage and flood risk, sustainability, impact on Thames Basin Heaths SPA, other matters, Biodiversity Net Gain (mandatory) and local finance considerations having regard to the relevant policies of the Development Plan and other material planning considerations.

Principle of proposed development

2. Policy CS19 of the Woking Core Strategy 2012 seeks to resist the loss of social and community infrastructure which would include a community centre, child care premises and GP surgery/health centre amongst others. Policy UA24 of the Site Allocations DPD 2021 also sought the provision and improvement of community facilities to meet demand as part of the regeneration. The previously approved development sought to demolish the existing community facilities and relocate/re-provide them in an alternative location (towards the centre of the scheme) whilst also providing an increase in floorspace provision to support the increased population that would result from the increased housing as part of the new development. These new community facilities were to be provided in phase Yellow as they were required to be re-provided before the existing facility was demolished as part of a later phase.
3. Following the decision of the Council to not implement or complete any other phases after the current phases (Purple, Red, 1c (Copper) and Yellow) are completed, the existing community facilities have not been demolished and they will no longer be required to be demolished to facilitate the previously approved development.
4. Phase Yellow also was to have a new MUGA to replace the one on the Sheerwater Recreation ground which would have been demolished as part of the re-development. However the existing MUGA will not now be demolished and there is no requirement for a replacement MUGA as the existing facility will be retained. In addition had the new MUGA been completed it would prevent vehicular access to the Recreation

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Ground and the existing community facilities located there. The area to the north of the building is now proposed to be set out as new landscaped open space with footway/cycleway which would provide further amenity open space to the benefit of the community.

5. In planning policy terms, as the existing community facilities will be retained on the site their loss is no longer proposed and therefore there is no requirement for their replacement. The proposal would therefore comply with Policy CS19 of the Woking Core Strategy.
6. Notwithstanding the above, it is however considered necessary to include an obligation in a S106 legal agreement to ensure no further development beyond the current phases is completed to limit the net increase of residential units and to ensure the existing community facilities are no longer required to be demolished as a result of this development (although acknowledging that the retention of these facilities is up to the providers although any new proposal for the loss of these facilities would be considered in light of the relevant policies which seek to protect community facilities).
7. Whilst the existing community facilities within the regeneration area would have been replaced to mitigate their loss as part of the redevelopment of the regeneration area, there would also have been a net increase in floorspace of the community centre, nursery and health centre to account for the increased population resulting from the completed development. It should be noted that the replacement community facilities would not have been brought into use until the completion of phase Yellow or afterwards (providing it was before the existing facility was demolished). However much of the new residential development would not now result from this approved scheme.
8. Both Surrey Heartlands ICB and SCC Education (early years) have raised concern about the loss of the replacement (and enlarged) floorspace for the health care and nursery uses respectively. However it was always recognised as part of the application that as the development was being built in phases the development could stop at any time. It should also be noted that for the first three phases Purple (72 dwellings net), Red (103 dwellings net) and 1c (Copper) (88 dwellings net) the application did not secure any alternative healthcare and education mitigation as part of these phases (total units 263). Whilst the provision of a health centre and nursery (with an increase in floorspace) to mitigate the loss of the existing doctor's surgery and existing nursery was secured, this was provided for in phase Yellow and the planning permission only prevented the existing facility from being lost until the new facility had been provided and was available for use. This could have been after the residential units in phase Yellow (79 units net as approved) had been occupied. No other alternative mitigation was secured in the event that the existing healthcare and nursery facility were retained on the site.
9. The Clinical Commissioning Group (precursor to Surrey Heartlands ICB) were consulted on the previous applications at the time but no response was received. It should also be noted that the site of the existing GP surgery has space available in the attached vacant part of the building (formerly used by the dental surgery) to expand if necessary. It is understood that WBC own this part of the building. Whilst works would be required to the existing building to bring it into use as an extension to the existing GP surgery, the new facility would similarly need to be fitted out to bring it into use. As the existing healthcare facility would be retained, it is not considered that there is any planning justification for a financial contribution for healthcare facilities in connection with the current application to offset that the new healthcare floorspace

would not now be provided.

10. Regarding the nursery provision, it is noted that the previously existing nursery in a building adjacent to the Recreation Ground closed some years ago and in 2021, temporary planning permission was granted to use the building as a nursery (the nursery building was vacant at the time of the application). It is further noted that a new nursery has opened in part of this nursery building (as the foodbank is still in operation) more recently (approximately 2023). Whilst a financial contribution is sought by SCC Education in mitigation for the loss of the nursery floorspace there is already an existing nursery in operation within the regeneration area (the original permission for the building was for a 100 place nursery). It should also be noted that education contributions from new development are funded through CIL and there is no planning justification for any other mitigation.
11. Furthermore it is noted that the current application only proposes an additional 19 units above that already approved in the phases to be completed and this amount of additional development would not justify mitigation in terms of healthcare and nursery provision on the basis of the limited number of residents generated by this proposal.
12. As the existing community facilities would be retained it is not considered necessary for the applicant to demonstrate that there is no other requirement for the facility from any other public service provider as Sheerwater has other community facilities and the first phase of the redevelopment for Sheerwater provided a new leisure centre and sporting facilities including a swimming pool. Therefore there is no objection in principle to the use of this floorspace to provide further residential development, which would comply with the other policies in the Development Plan including Policy UA24 of the Site Allocations DPD 2021.
13. Subject to the planning obligation (to ensure no further phases are developed beyond those to the completed) the proposal is considered acceptable in principle and would comply with Policies CS5, CS10 and CS19 of the Woking Core Strategy 2012, Policy UA24 of the Site Allocations DPD 2021 and the NPPF.

Housing Mix

14. Policy CS11 of Woking Core Strategy 2012 relating to housing mix requires proposals to address local needs as evidenced in the latest 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.
15. The proposed housing mix of the 19 units is as follows:

Unit Size	SHMA 2015	No. of units proposed	% of proposed dwellings by size
Studio & 1 bed	20%	7	37%
2 bed	30%	10	53%
3 bed	35%	2	10%
4+ bed	15%	0	0
Total	100%	19	100%

16. The proposed housing mix would not match the SHMA 2015 housing mix exactly but housing mix is measured borough wide and not every housing development will be able to exactly match the housing mix set out. Where there is a small number of total

dwellings provided it will always be more difficult to exactly match the housing mix and additionally these apartments are proposed in space which is being converted from that which was originally intended for other uses. However the majority of the units to be provided (63%) would be 2 and 3 bed units, being family accommodation, and thus would generally reflect the SHMA 2015 need to provide units with 2+ bedrooms. In addition, it is also considered that the proposed housing mix is appropriate given the housing mix for phase Yellow which comprises studio, 1 bed, 2 bed and 3 bed units. Overall, the proposed housing mix is considered to be acceptable and would comply with Policy CS11 of the Woking Core Strategy 2012.

Impact on Character

17. The NPPF (2024) states that *“the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve”* and requires proposals to *“add to the overall quality of the area...”* and to be *“visually attractive as a result of good architecture, layout and appropriate and effective landscaping...”* amongst other things. The policies in the Development Plan replicate these requirements and require new development to make a positive contribution to the street scene and the character of the area in which they are situated.
18. There are two main elements to this application in terms of visual amenity, the conversion of the ground and first floor space from community uses (community centre, nursery and health centre) to residential and the laying out of the open space and green street to the north and east of the residential with the new footway/cycleway connection from Blackmore Crescent to Devonshire Avenue.
19. Phase Yellow was identified in the original design and access statement as the ‘civic quarter’ and its design utilises a dominant and well-designed stone effect framework for the building to provide a distinct character to this block (blocks Y1-Y4) in the centre of the regeneration area. The buildings are nearing completion. For this application, the applicant has stated that the *“intention is for these units to integrate seamlessly into the block with minimal changes whilst maintaining the aesthetic appeal of the development while enhancing its residential capacity.”* In respect of the appearance of the proposals the applicant has further advised that the main aspiration was to *“retain the existing precast concrete column and beam façade to ensure little disruption to the main design intent of the consented scheme”* whilst making adjustments to the elevation which have been *“tailored towards a more domestic/residential scale which is consistent throughout the rest of the wider development”* and *“materiality is also to be consistent throughout, with no new materials are proposed that do not already exist within the consented scheme.”*
20. For the northern elevation facade treatment, the stone effect framework remains unchanged and the setting out of the glazing and curtain walling follows the broad arrangement of the approved residential development on the floors above. The introduction of new glazed units, perforated panels and horizontal panels is required to create the new apartments within the framework and create the new floorplan and balconies/terraced areas. The proposed balconies would be consistent with the other balconies provided in the scheme. At ground floor level private terraces with hedge planting would be provided for some defensible space. Overall, the elevational treatment will closely reflect that of the previously approved residential apartments on the upper floors, although there would be extra horizontal panels to account for the larger height of the stone effect framework on the lower two floors and the more

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domestic scale of the new glazed units, but this alteration is not considered to be harmful to the overall aesthetic of the building.

21. For the west elevation the double height glazing for the entrance to the community centre and nursery will be altered within the stone effect framework to provide the residential apartments. Although there is an entrance to the residential block on this elevation (where the nursery entrance was previously) the double height glazing with horizontal panels would not be dissimilar to the approved double height glazing for the nursery entrance.
22. Four additional apartments would be provided at ground floor level on the western side of the building (in place of the health centre). The elevations will match the appearance of the other residential development with minor changes to the composition of doors, glazing and perforated panels. The floor plan of these units have small recesses along the front elevation to enable a small terrace/garden area to be provided for the use of the apartment. This space would be enclosed by railings which would reflect other ground floor terrace/garden space for the apartments already built.
23. For the south elevation to the podium (first floor level), there would be minimal elevational change as the double-glazed doors to each section of the previously approved nursery would be altered for full height windows, doors and/or perforated panels to match the other units. These changes would only be viewed from within the podium itself.
24. There are other minor alterations to some upper floor flats due to the omission of the lift that was exclusively for the nursery use and the introduction of a second lift that would go through all floors to provide a second lift for the residential users as well as some other minor alterations to window/perforated panel arrangement to other elevations. None of the other proposed alterations to the building including the new lift overrun are considered to be visually significant and all proposed alterations would be in keeping with the overall character and appearance of the new development as a whole.
25. The proposed external alterations to the building as a result of the development are considered to reflect the design rationale and the high-quality character and appearance of the development.
26. As the Council has made the decision that the Sheerwater Regeneration scheme will not continue, this application also includes proposals to 'finish-off' the land around phase Yellow to provide an attractive, albeit altered setting to the buildings on the northern and eastern sides.
27. To the north of the building and the surface level car park, the land remaining will be landscaped to provide a new shared footway/cycleway connection, a large area of amenity open space and further footways to connect areas to the north and south of this phase. Areas of amenity grass, shrub and hedge planting and significant new tree planting will be provided within this area. This large area of open amenity space would provide a high quality and visually attractive setting to the phase to the benefit of new and existing residents and provide enhanced pedestrian and cycleway connections through the new development.
28. The land to the eastern side of the building would be landscaped to provide a 'green street' which will include a footway from Devonshire Avenue to Dartmouth Avenue and

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this area will provide an open space area to provide a setting for the eastern side of the building and an attractive and 'green' area of open space. One of the original intentions of the scheme was to enhance the environment, provide more attractive footway/cycleway connections and provide areas of useful amenity space. The open space will be landscaped with trees, planting and amenity grass.

29. Overall the proposed changes and new landscaped amenity areas are considered to reflect the high quality and attractiveness of the new built development and would enhance this part of the site to provide an attractive setting for the building, new open amenity space and beneficial connections through the development. Subject to conditions the proposed development is considered to comply with Policies CS21 and CS24 of the Woking Core Strategy 2012 and the NPPF.

Impact on Neighbouring Amenity

30. The NPPF (2024) states that planning decisions should ensure that a "*high standard of amenity*" is achieved for existing and future residents and Policy CS21 of the Woking Core Strategy 2012 requires development proposals to "*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*". The Council's 'Outlook, Amenity, Privacy and Daylight' SPD 2022 sets out further guidance relating to residential amenity including recommended minimum separation distances for different forms of development.
31. The proposed development does not result in any additional built structure in terms of footprint and height in comparison to that previously approved. The new residential development would be at ground and first floor levels, with the previously approved residential development on the upper floors. The majority of the new residential units would face the open space to the north and the podium level to the south. To the north part of Woodlands House has been demolished to facilitate the development and the remaining part of Woodlands House would be retained. The northern elevation of the building is angled towards Woodlands House but this building is L-shaped with the longest elevation facing away from the new development. The closest part of the buildings to each other is diagonally with a separation of around 18.8m. Other parts of the elevation are between 20-30m from each other but the elevations are not directly facing each other. Where elevations more directly face each other the separation is between 39-43m. Given the separation distances and the relationship of the buildings to each other it is not considered that the introduction of new residential units at ground and first floor level would result in a significant adverse impact on the privacy of the occupiers of Woodlands House. It should also be noted that residential units have already been approved at the upper floor levels on the northern elevation.
32. For the three new units to the ground floor on the western elevation, these would face the road/community car park and the new block (Y5) opposite. This would result in an 'across the street' relationship with a separation distance of around 17.5m (window to window) and thus no significant adverse impact to privacy of the occupiers opposite would result.
33. For the first floor podium level (south elevation), the new residential units would face the podium. A large area of open space was included in the scheme to provide open space for the nursery and this space will now be converted to provide some semi-private terraces for the individual apartments and some communal open space at podium level. As the scheme had been approved with the outdoor space for the nursery and apartments above the nursery the separation distances between the new

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residential apartments and those previously approved would be similar to those on the upper floors. Therefore the proposed additional units are not considered to result in a significant adverse impact on privacy of the occupiers of the closest apartments in the other blocks on the podium.

34. A new footway/cycleway is proposed to link Blackmore Crescent and Devonshire Avenue. Although this new footway/cycleway would result in some noise and disturbance through its use, a new 1.8m high boundary wall is proposed to the Woodlands House boundary to safeguard amenity and the footway/cycleway has been positioned to maximise the space from the proposed ground floor apartments. These apartments would also have defensible space in the form of private terraces and hedging. The proposed arrangement would be similar to other footway/cycleways within a suburban location such as this. Given the arrangement proposed it is not considered that the footway/cycleway would result in any adverse impact to neighbouring amenity in terms of noise and disturbance
35. Overall, the proposed development is not considered to result in any overbearing impact, loss of daylight/sunlight or any significant reduction in privacy to other nearby residential occupiers. The proposal is therefore considered to comply with policy CS21 of the Woking Core Strategy 2012, the Outlook, Amenity, Privacy and Daylight SPD 2022 and the NPPF.

Standard of Accommodation for future occupiers

36. The NPPF (2024) states that planning decisions should ensure that a high standard of amenity is achieved for existing and future residents. The National Technical Housing Standards (2015) sets minimum standards for internal floor areas for dwellings. The minimum standard for a one bedroom, one person flat is 39m², 50m² for a one bedroom, two person flat, 61m² for a two bedroom, three person flat, 70m² for a two bedroom, four person flat and 93m² for a three bedroom, 5 person two storey (duplex) flat. These standards are not formally adopted by Woking but nevertheless provide a useful indication as to whether the flats would provide an acceptable standard of accommodation.
37. The apartments would range from 52m² to 116m² and would meet the National Technical Housing Standards specified above. Except for the two habitable rooms noted below, all other habitable rooms would have open outlooks and the proposed apartments are considered to offer an acceptable standard of internal accommodation for future residents.
38. It is noted that the two 3 bedroom, 5 person flats would be duplex apartments and would have two of their bedrooms at ground floor level into the podium car park. Due to their position lightwells would be provided at first floor podium level. It is acknowledged that daylight into these bedrooms would be restricted but bedrooms have a lower daylight requirement than living/dining rooms and the first floor level of these apartments would have their living accommodation and a single bedroom at podium level with outlook over the podium. The lightwells would be located within the semi-private gardens of these apartments at podium level. Whilst it is accepted that daylight to these two bedrooms in each of these two apartments would be restricted, this would be limited to these bedrooms only. In addition these two apartments would represent around 1% of the total apartments in this block (Y1-Y4). It should be noted that duplex flats with this arrangement were approved as part of the original scheme in phase Blue. It is also considered that it is preferable to make efficient use of this space. Regarding daylight the BRE 'Site Layout for planning for daylight and sunlight'

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guidance states that it's guidance is not mandatory, is intended to inform rather than constrain development and that the guidelines should be interpreted flexibly since natural lighting is only one of many factors in site layout design. In this limited situation the proposed duplex apartments are considered acceptable.

39. All other apartments have their main living/kitchen/dining room and bedrooms facing outwards (north or west) or southwards out over the podium level. A good standard of outlook and daylight is considered to result to all other apartments and also the first floor of the duplex apartments which face the podium level.
40. The Council's Outlook, Amenity, Privacy and Daylight SPD 2022 sets out guidance for amenity space for different types of accommodation. The SPD states that there is no specific requirement for private amenity space provision for non-family accommodation but encourages all dwellings to achieve some modest private amenity space. For family dwellings (i.e. two bedroom flats over 61m²) the SPD states that a suitable sunlit area of predominantly soft landscaped private amenity space, appropriate in size and shape for the outdoor domestic and recreational needs of the family it is intended to support, is required. However, the SPD goes on to state that in the densest urban locations, alternative forms of on-site amenity provision may be permitted such as a communal amenity space or suitable area of landscaped roof garden or terrace.
41. There would be 13 apartments that would have an internal floor area of 61m² or above. Nonetheless, all the ground floor flats facing north, would have a small garden area/terrace to the front of their apartment which will be defined from the public open space to the north by dwarf walls, railings and hedgerow planting. The four apartments facing westwards would have a small terrace (1.3m deep) to the front of their living/kitchen dining room. All the first floor apartments facing northwards have a terraced area and all the first floor apartments facing southwards have a semi-private garden area at the podium level.
42. The remainder of the podium level will be landscaped and whilst the nursery open space was to be separated by walls from the remainder of the podium landscaped area, these walls would be removed so that the communal podium area at the southern side (outside the semi-private garden areas) would be landscaped and form an extension of the landscaped podium communal space already provided in the previously approved scheme.
43. It should also be noted that the area immediately to the north of the site would be laid out as open space and the new 19 apartments are located very close to the Sheerwater Recreation ground offering further opportunities for open space. Overall, the provision of private amenity space for each of the 19 additional apartments is considered to be acceptable along with the proximity to other public amenity space.
44. In terms of the amenity of future residents, none of these new residential units would be located below or adjacent to non-residential units. The units would be located below or adjacent to other residential units and/or the podium car park. This arrangement is considered to result in an acceptable level of amenity for the future occupiers of the development. The Environmental Health Officer has not raised any objection subject to conditions but as the residential development is not located adjacent to non-residential development, only a condition relating to the installation of any new plant/equipment is required to be included.

45. The proposal is therefore considered to result in an acceptable standard of amenity for the proposed residential occupiers and complies with the guidance in the Outlook, Amenity, Privacy and Daylight SPD, Policy CS21 of the Woking Core Strategy 2012 and the NPPF.

Transportation Impact

46. The previously existing road connection between Blackmore Crescent and Devonshire Avenue was severed when work on phase Yellow commenced. Had the scheme continued this connection was to remain severed as new amenity space would have been provided in this area and a different road layout constructed with further phases of the development. As the development will not continue the development needs to be finished off in some way. In accordance with SCC's Healthy Streets design guidance the applicant proposes a footway/cycleway connection to re-connect Blackmore Crescent to Devonshire Avenue. This link gives priority to pedestrians and cyclists to improve accessibility within this part of Sheerwater and provides a more pleasant environment for making trips by sustainable modes of transport.
47. The new footway/cycleway link will enable a north-south link to be provided linking Sheerwater Recreation Ground to the new open space and through the Green Street across Devonshire Avenue to the new open space and play area which was provided as part of phase Red. This footway/cycleway will provide an enhanced route north to south as well as east to west (linking Blackmore Crescent to Devonshire Avenue and the schools to the eastern side of Sheerwater). This footway/cycleway link also reflects one of the original objectives of the scheme which was to improve pedestrian and cycle links within Sheerwater. The County Highway Authority has no objection to the proposed plans subject to conditions and the requirement that the land for the footway/cycleway to be dedicated as public highway. As land cannot be dedicated as public highway by planning condition, this is included as a planning obligation as part of the recommendation.
48. The Council's Parking Standards SPD 2018 sets minimum residential parking standards of 0.5 parking spaces per one bedroom apartment and 1 space per two and three bedroom apartments. An additional 16 parking spaces are required for the proposed apartments, however 19 parking spaces are provided within the community car park. These spaces will be allocated parking spaces. In addition 2 other parking spaces are to be moved from within the podium for this block and would be re-allocated to the community car park, making a total of 21 spaces to be allocated. The remainder of the 33 spaces would be unallocated for general use. The proposal therefore exceeds the Parking Standards SPD requirements.
49. In terms of cycle parking provision an additional 38 cycle parking spaces are required (2 per apartment) and these are proposed. The County Highway Authority (CHA) has recommended a condition for the provision of the cycle parking and a condition is included. However the condition does not refer to the requirement to provide a charging point with timer for e-bikes (as recommended by the CHA) as this application is for an additional 19 units in a residential building which already comprises parking and cycle parking and it is not considered that this additional provision would be justified. Furthermore the applicant has also raised concern regarding this requirement and the potential for fire risk associated with the unregulated supply of batteries and e-bikes.

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50. In terms of electric vehicle charging, it is noted that since the approval of the original application in 2019, the Council's Climate Change SPD 2023 has been updated in respect of electric vehicle charging requires all new dwellings with parking to have an EV charging point or where there are more than 10 parking spaces or more parking spaces than dwellings cable routes must be installed in any parking spaces which do not have an EV charging point. It is also understood that as this proposal forms part of the overall building for Phase Yellow (which was implemented before the recent changes to the EV charging requirements under the Building Regulations) the current Building Regulations requirement relating to EV charging does not apply to these additional 19 units.
51. The application proposes to increase the provision of active and passive EV chargers in line with the previously approved proportions, meaning 1 additional active EV charging bay is proposed and 3 additional passive EV charging bays are proposed within the podium car park. In recognition of the change to the Climate Change SPD, all 19 allocated parking spaces within the community car park will also be provided with cable routes for the further introduction of EV chargers in future. Whilst this provision does not fully reflect the guidance for individual dwellings within the Climate Change SPD, as this application was submitted mid-construction of this phase, the proposed provision does comply with the requirement relating to more than 10 parking spaces, represents an increase in provisions above that which was previously approved and also provides further opportunity for the installation of EV chargers for more residential spaces at a later date than would have been previously been the case with the approved scheme alone. Nonetheless it is acknowledged that there would be some limited conflict with Policy CS22 of the Woking Core Strategy 2012 relating to sustainable construction.
52. The County Highway Authority has also recommended a condition that requires 50% of all available parking spaces are provided with an active EV charger and the other 50% are provided with the cable routes. As noted above all the car parking spaces are approved and are being constructed in accordance with the previously approved plans. This application is for the additional 19 units and for the reasons set out above it is not considered reasonable or necessary to require such a condition. A condition is however included to require the provision of the active and passive EV charging spaces in accordance with the application details.
53. Overall, although there is some conflict with Policy CS22 in relation to the provision of EV charging points, the proposal is considered to have an acceptable highways impact in terms of parking and would provide a highways benefit in terms of the new footway/cycleway to be provided and dedicated as public highway. Subject to conditions and the planning obligation the proposal is therefore considered to comply with Policy CS18 of the Woking Core Strategy, the Parking Standards SPD 2018 and the NPPF.

Affordable Housing Provision

54. The NPPF (2024) supports the delivery of affordable homes as part of establishing housing need in an area and creating mixed and sustainable communities. Policy CS12 of the Woking Core Strategy states that all new residential development on previously developed land will be expected to contribute to the provision of affordable housing in accordance with the criteria set out in the policy. Policy CS12 also notes that the proportion of affordable housing to be provided on a site will take into account a number of factors including the constraints on the development imposed by other planning objectives and the need to achieve a successful housing development in

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terms of the location and mix of affordable homes. Policy CS5 seeks to redress the tenure imbalance in the Priority Place area.

55. Policy UA24 of the adopted Site Allocations DPD 2021, relates specifically to the Sheerwater Regeneration area, and in relation to affordable housing states that development of the site will be required to:

- *Ensure no net loss of affordable housing on site. Any proposed housing mix should reflect the specific need for family accommodation (two or more bedrooms) in the area as set out in Core Strategy Policies CS5 and CS12.*

56. It is important to note that Policy UA24 requires there to be no net loss of affordable housing on the site (from that existing originally). The newly adopted Affordable Housing SPD 2023, does not have any specific guidance relating to the Sheerwater Regeneration area as the planning permission had already been granted and was being built out at the time the current Affordable Housing Delivery SPD was updated. However, it is worth noting the guidance in the previous Affordable Housing SPD as stated in the Officer report to Planning Committee for application PLAN/2018/0337:

40. The Affordable Housing Delivery SPD (Oct 2014) provides further guidance in respect of the delivery of affordable housing in the Priority Place areas. Section 5.5, states that “the Council will allow some flexibility to the on-site requirements for affordable housing in the Council’s regeneration areas and other major allocated sites, where the Council considers there is an issue of tenure imbalance in the existing community.” It is advised that in these circumstances the Council may decide on an alternative tenure mix and lower or higher percentage provision as appropriate. The Affordable Housing Delivery SPD also requires a “higher proportion of new affordable homes should be family homes”.

57. There were 448no. previously existing affordable housing units within the application site. The previously existing split between market and affordable housing within the application site was 22% market housing and 78% affordable housing which highlighted the significant imbalance in the area.

58. Under PLAN/2018/0337, 499no. affordable housing units were proposed and this would have represented a net increase of 51no. units. If phase 1c (Copper) (88 units completed) and phase 1e (not now to be constructed) of planning permission PLAN/2015/1260 (Section 73 permission – PLAN/2018/0374) were included it would represent a net increase of 75no. affordable units across the site. The previous Officer report to Planning Committee for PLAN/2018/0337 also noted that:

When considered with the approved phase 1c and proposed phase 1e from permission PLAN/2015/1260, 54% of the proposed new development being market housing (619 units) and 46% being affordable housing (523 units). The proposed development would still therefore result in a more recognised/balanced level i.e. between 45-50% of affordable housing provision which Policy CS12 normally seeks to achieve on development sites.

59. It was also noted in the Officer report to Planning Committee for PLAN/2018/0337 that, “the first three phases would provide more affordable housing units than market housing units” and “with any phased scheme there is always potential that only part of the development will be delivered. In this case however it is likely that if the later phases of development are not delivered then the existing affordable housing units on

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the site would be retained.” For phases Purple, Red, Yellow and Phase 1c (Copper) the approved delivery of affordable units was as follows:

Phasing	Total Units	Affordable Units	Market Units	% of Affordable units per phase
Purple	92	46	46	50%
Red	124	107	17	86%
Yellow	168	102	66	61%
*Copper (phase 1c)	92	13	79	14%
Total	476	268 (56%)	208 (44%)	-

Note - * details approved under PLAN/2015/1260 and PLAN/2018/0374.

60. These aspects of the previous proposal were accepted in the granting of the planning permission PLAN/2018/0337. For reasons not related to planning, only the current phases under construction will be completed and no further phases will be commenced.
61. As noted in the table above the earlier phases of the development had higher levels of affordable housing provision (56%) than market housing provision (44%) in comparison to the approved level for the Sheerwater Regeneration as a whole (46% affordable housing and 54% market housing). In addition, it should also be noted that a significant number of existing affordable units on the site will now be retained.
62. As the development is to cease, planning permission has already been granted under PLAN/2023/1037 to alter 39 units in phase Red from affordable to market units. The 19 units proposed by this application are all proposed to be market units so that the development to now be completed would better reflect the overall approved affordable housing and market housing split and result in a more balanced housing provision in the area to reflect that which would have resulted had the scheme been completed, as follows:

Phasing	Total Units	Affordable Units	Market Units	% of Affordable units per phase
Purple	92	46	46	50%
Red	124	68	56	55%
Yellow	187 (168 +19)	102	85 (66 +19)	55%
*Copper (phase 1c)	88**	13	75**	15%
Total	491	229 (47%)	262 (53%)	-

Note - * details approved under PLAN/2015/1260 and PLAN/2018/0374. **4 approved dwellings cannot be constructed as vehicular access via Spencer Close to be retained.

63. It can be noted from the above table that despite the overall tenure mix for the Sheerwater Regeneration area altering as proposed, the affordable housing provision would still marginally exceed that which would have been delivered had the whole development been completed i.e. 47% affordable housing instead of 46% affordable housing. In addition, for phase Yellow, even with all the 19 proposed units being market housing, the proposed affordable housing provision still exceeds the policy requirement for this phase in isolation. The proposal would still therefore contribute to

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a more balanced tenure in the development which will be completed in comparison to the previously existing situation and meet one of the main objectives of the scheme which was to re-balance the tenure in the Sheerwater regeneration area (as identified in Policy CS5 and the original application) as well as replacing poor quality and outdated housing stock.

64. To facilitate the construction of these phases to date, 104no. of affordable units and 38no. market units have been demolished for the redevelopment. For the phases to be completed, this would result in a net increase of 125no. affordable units on the site in comparison to those demolished. This net increase of 125no. affordable units exceeds the net increase in the number of affordable housing units that would have resulted had the whole development been completed (75no.) and this also complies with the requirements of Policy UA24 of the Site Allocations DPD 2021 in ensuring there is “*no net loss of affordable housing on the site*”.
65. It should also be noted that other affordable housing units would be retained on in the regeneration area/phases which will not now be re-developed. In other areas which may come forward for redevelopment, where there are existing affordable units, any schemes will be assessed on their own merits having regard to adopted policies and material considerations prevailing at the time.
66. As all the proposed units are for market housing there would be no change to the affordable housing mix from that previously approved by earlier permissions.
67. It is understood that only the current phases will be completed and the above assessment in terms of the proposed 19 units being for market housing is acceptable, providing the remainder of the development is not implemented. If the remainder of the development were to be implemented then to comply with policy and to maintain the originally approved split (between affordable and market housing), the remainder of the development phases would need to provide more affordable housing to maintain the originally approved number of affordable units (an obligation will be included to the S106 Legal agreement/Executive Undertaking to this effect). Nonetheless it is understood that the remainder of the development is not to be progressed and therefore it is more straightforward to include in the S106 Legal agreement and Executive Undertaking obligation(s) which prevent the implementation of any further phases in the development beyond phases Purple, Red, Yellow and Copper (relating to previous permissions PLAN/2018/0337 and PLAN/2018/0374). No phases beyond these phases will be able to be implemented. This will ensure that the affordable/market split remains as assessed above. However it is considered prudent to include both obligations in the alterations to the S106 Legal Agreement/Executive Undertaking for the avoidance of doubt. It is also considered necessary to reiterate the approved affordable housing provision within the S106 Legal Agreement/Executive Undertaking for phase Yellow as a whole for the avoidance of any doubt as the red line for this application relates to some of the other areas including communal areas within Phase Yellow as a whole.
68. No objections have been raised to the proposed changes by WBC Housing Services. Subject to the new planning obligation(s), overall, the proposed 19 units for market dwelling still result in a more recognised/balanced level i.e. between 45-50% of affordable housing provision which Policy CS12 normally seeks to achieve on development sites and which is supported by Policy CS5. The proposal would still result in a more balanced split of the new units to be provided on the site and there would be a net increase in the number of affordable units on the site in compliance with Policy UA24 of the Site Allocations DPD 2021.

Ecology

69. The NPPF (2024) states that the planning policies and decisions should contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity. This approach is supported by Circular 06/05 – Biodiversity and Geological Conservation and is reflected in Policy CS7 of the Woking Core Strategy 2012.
70. As the application relates to the conversion of part of a building under construction and is within a construction/development site, there is no ecological impact resulting from the development. However, the proposed development would result in ecological enhancements from the new landscaping to be provided in the open space. In addition, phase Yellow included other ecological enhancements as part of the original permission e.g. new tree planting and landscaping including rain gardens and the integration of bat boxes, bird boxes and bug/bee boxes within building Y5 (which is also part of phase Yellow).
71. In terms of ecological enhancements a condition relating to landscaping is required but no further ecological conditions are required (separate from the mandatory BNG requirement) as the proposal complies with the relevant policies.

Drainage and Flood Risk

72. The NPPF states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk and that where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere. This is reflected in Policy CS9 of the Woking Core Strategy 2012. Opportunities should also be taken to reduce flood risk by the use of sustainable drainage systems (SUDs).
73. The site is located in Flood Zone 1 (low risk). There is no history of fluvial flooding incidents on the development site. The canal is not classed as 'fluvial' as it is a controlled water course. The site is located within the medium (1 in 1000 year), high (1 in 100 year) and very high (1 in 30 year) surface water flood risk areas. This is caused mainly by the inability of the previously existing surface water drainage network to serve the previously existing development and also overland flows in the centre of Sheerwater (originating outside the application site).
74. All forms of development are suitable in Flood Zone 1. For areas at risk of flooding from any source a Sequential Test should be used to direct development to areas at lower risk of flooding and development should not be permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding. However it should be noted that the NPPF also states that changes of use should not be subject to the Sequential Test. In this case the proposal is essentially a change of use from non-residential development to residential development which will occupy the space previously approved for community uses. It is not therefore considered that the proposal should be subject to the Sequential Test.
75. As the proposal is for major development a surface water drainage scheme has been submitted with the application. This phase also has an overland flow route for surface water and the submitted details also include a plan to show how this would be managed by directing water away from the building thresholds and towards the highways and open space to the north and east of the phase.

76. The Lead Local Flood Authority has been consulted on the surface water drainage details and no objections are raised subject to conditions which are included in the recommendation. The Environment Agency did not wish to comment on the application. The proposal is therefore considered to be acceptable in terms of flood risk and drainage and the [proposed development is considered to comply with Policy CS9 of the Woking Core Strategy 2012 and the NPPF

Sustainability

77. Policy CS22 of the Woking Core Strategy (2012) seeks to require new residential development to achieve Code for Sustainable Homes Level 5 from 2016 onwards. However, a Written Ministerial Statement to Parliament, dated 25 March 2015, sets out the Government's expectation that any Development Plan policies should not be used to set conditions on planning permissions with requirements above the equivalent of the energy requirement of Level 4 of the (now abolished) Code for Sustainable Homes; this is equivalent to approximately 19% above the requirements of Part L1A of the 2010 Building Regulations. This is reiterated in Planning Practice Guidance (PPG) on Climate Change, which supports the NPPF (2024).
78. Although Part L of the Building Regulations was updated in June 2022 as this proposal relates to the conversion of part of an existing building which is under construction, for the purposes of Building Regulations, the proposal is not subject to the new Building Regulations energy performance requirements. Therefore it is still necessary to consider energy efficiency to ensure the proposal meets the 19% improvement over the 2010 requirements. An updated Energy Statement has been submitted with the application and for the additional 19 units the proposed energy efficiency is 38.5% and for the building as a whole would be 37.9% which far exceeds the 19% requirement. A condition will be imposed to ensure this improvement is met.
79. For water efficiency the condition will also require estimated water use of no more than 110 litres/person/day to comply with the policy.
80. Subject to condition to ensure the submission of as built additional information the proposal is considered to have an acceptable impact on energy and water consumption and complies with Policy CS22 of the Woking Core Strategy 2012 in this regard.

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

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

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82. Policy CS8 of Woking Core Strategy 2012 requires new residential development beyond a 400m threshold, but within 5 kilometres of the TBH SPA boundary to make an appropriate contribution towards the provision of Suitable Alternative Natural Greenspace (SANG) and Strategic Access Management and Monitoring (SAMM), to avoid impacts of such development on the SPA. The SANG and Landowner Payment elements of the SPA tariff are encompassed within the Community Infrastructure Levy (CIL), however the SAMM element of the SPA tariff is required to be addressed outside of CIL. The proposed development would require a SAMM financial contribution of **£17,224** based on a net gain of 7x one bedroom apartments (7x £714), 10x two bedroom apartments (10x £968) and 2x three bedroom apartments (2x£1,273) which would arise from the proposal. The Appropriate Assessment concludes that there would be no adverse impact on the integrity of the TBH SPA providing the SAMM financial contribution is secured through a S106 Legal Agreement. CIL would be payable in the event of planning permission being granted. Sufficient SANG capacity is available at Horsell Common for this development.
83. Subject to securing the provision of the SAMM tariff and an appropriate CIL contribution, and in line with the conclusions of the Appropriate Assessment (as supported by Natural England), the Local Planning Authority is able to determine that the development will not affect the integrity of the TBH SPA either alone or in combination with other plans and projects in relation to urbanisation and recreational pressure effects. The development therefore accords with Policy CS8 of Woking Core Strategy 2012, the measures set out in the Thames Basin Heaths SPA Avoidance Strategy, and the requirements of the Habitat Regulations 2017.

Other Matters

84. In terms of archaeology, the phase is already subject to an archaeological condition as part of the original permission. Therefore, no further archaeological condition is required and the proposal complies with Policy CS20 of the Woking Core Strategy 2012 and Policy DM20 of the DM Policies DPD 2016.
85. Similarly in relation to contamination the phase has already been subject to the contamination condition on the original planning permission. As advised by the Council's Contaminated Land Officer, no further contamination conditions are required. The proposal complies with Policies DM5 and DM8 of the DM Policies DPD 2016.
86. Joint Waste Solutions have no objection to the proposal in terms of refuse/recycling provision and a condition is included to ensure this provision. SCC Minerals and Waste have recommended that a Waste Management Plan is submitted for approval but as this application is only for 19 units, it is not considered that such a condition would be reasonable or necessary for this limited number of units.
87. As the red line for this application site relates to some ground floor and upper floor elements but not the building as a whole, for the avoidance of doubt some of the conditions previously imposed e.g. relating to the pharmacy are carried over to this permission.

Biodiversity Net Gain (BNG)

88. The Environment Act (2021) inserts Schedule 7A into the Town and Country Planning Act 1990 which establishes a statutory requirement for Biodiversity Net Gain to be a condition of planning permissions in England. This came into effect on 12th February

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2024 and planning applications submitted after this date will need to demonstrate a 10% Biodiversity Net Gain.

89. A Biodiversity Net Gain (BNG) report and statutory metric has been submitted with the application. The BNG report states that the majority of the site had been cleared and is currently undergoing construction works tied to the previously approved development. The report states that the site is “*dominated by developed land; sealed surface and bare ground, alongside small areas of modified grassland, mixed scrub and ruderal / ephemeral vegetation.*” The BNG report concludes that “*the scheme currently succeeds in delivering a net gain in habitat units of 65.67% (0.82 units) due to the dominance of developed land; sealed surface and bare ground present pre-development combined with the provision of landscaping, particularly along the northern and eastern site boundaries. The development also succeeds in securing a net gain of 0.35 hedgerow units, with these features absent from the site pre-development.*” In addition the report concludes that “*due to the ornamental nature of the landscaping, however, the development fails to meet the trading standards for medium distinctiveness habitats, with a small 0.01-unit net loss of mixed scrub. The applicant will be committed to ensuring that all trading rules are achieved either through delivering replacement mixed scrub habitat on-site as part of an altered landscaping proposal or by purchasing biodiversity units from a third party. In doing so it is considered that the development would be compliant with all relevant policy and legislation.*”
90. No response has been received from the Surrey Wildlife Trust in respect of the BNG information submitted. Nonetheless, given the conclusions of the BNG report it is considered that the information is acceptable to demonstrate that the proposal is capable of complying with the minimum statutory BNG requirements on site and would therefore be capable of complying with the BNG condition. It is considered reasonable and necessary to include a condition relating to BNG to secure a BNG scheme on site and the 30-year maintenance requirement.

Local finance considerations

91. The Council introduced the Community Infrastructure Levy (CIL) on 1 April 2015. The proposal would be liable to make a CIL contribution of approximately £218,635.42 based on a proposed residential floor area of 1,931m².

Conclusion and Planning Balance

92. Whilst objections have been received from Surrey Heartland ICB and SCC Education (early years) to the proposal to convert the previously approved community uses to residential uses, the existing health centre and the nursery (which has re-opened since it was last closed) would not now be demolished to facilitate the previously proposed development. Although new development and residents would result from the part of the development built to date, for the reasons set out in this report it is not considered that any further mitigation in the form of financial contributions is justified to off-set the non-provision of the increased community floorspace in phase Yellow.
93. In terms of benefits, the proposal would provide new residential development which would contribute to housing provision overall, would assist in providing a more balanced community and would reflect the original community balance had the scheme been completed. The proposal would also make efficient use of the floorspace in the building and result in development of high visual quality, would provide a new footway/cycleway connection which is to be dedicated as public

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highway and would provide significant new open space and landscaping to provide an enhanced setting to the building and surrounding area. The new pedestrian and cycleway connections would be beneficial to all residents not just those of the new development.

94. Although there would be some conflict with Policy CS22 of the Woking Core Strategy 2012 relating to the reduced provision of EV charging, subject to the planning obligations (as detailed below) and planning conditions it is considered that the benefits of the proposal would carry significant weight and would outweigh the identified harm resulting from the proposal. Accordingly, the presumption in favour of sustainable development indicates that planning permission should be granted notwithstanding the limited conflict with the development plan.

Planning Obligations

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

	Obligation	Reason for Agreeing Obligation
1.	SAMM (SPA) contribution of £17,224	To accord with the Habitat Regulations, Policy CS8 of the Woking Core Strategy 2012 and The Thames Basin Heaths SPA Avoidance Strategy 2022.
2.	To prevent any further development beyond phases Purple, Red, Yellow and Copper from occurring on the site and to ensure that any affordable housing lost from earlier phases is made up in later phases to accord to the original permissions. (This obligation relates to both the S106 Legal agreements and Executive Undertakings for both applications PLAN/2018/0337 and PLAN/2018/0374). To re-iterate the approved affordable housing provision within the S106 Legal Agreement/Executive Undertaking for phase Yellow as a whole for the avoidance of any doubt as the red line for this application relates to some of the other areas including communal areas within the Phase as a whole.	In the interests of good planning and to accord with Policies CS12 and CS19 of Woking Core Strategy 2012.
3	To dedicate land (footway/cycleway) as public highway	In the interests of good planning and to accord with Policy CS18 of Woking Core Strategy 2012.
4	Monitoring fee of £1,000 per obligation (excluding SAMM obligation).	

BACKGROUND PAPERS

Planning file PLAN/2024/0305

RECOMMENDATION

It is recommended to **GRANT** planning permission for the application subject to:

1. the prior completion of a S106 Legal agreement to secure the above-mentioned obligations;
2. the prior completion of an Executive Undertaking to secure the above-mentioned obligations; and
3. the following conditions (and any minor amendments to those conditions):

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 and documents:

Plans received on 23.04.2024

Y1-Y4 GA PLAN LEVEL 01 (SHE-WIA-Y0-01-DR-A-01-1501 Rev B)
GA PLAN Y1-Y4 LEVEL 02 (SHE-WIA-Y0-02-DR-A-01-1002 Rev H)
Y1-Y4 GA PLAN LEVEL 02 (SHE-WIA-Y0-02-DR-A-01-1502 Rev A)
GA PLAN Y1-Y4 LEVEL 02 (SHE-WIA-Y0-02-DR-A-01-4002 Rev C)
GA PLAN Y1-Y4 LEVEL 03 (SHE-WIA-Y0-03-DR-A-01-1003 Rev H)
Y1-Y4 GA PLAN LEVEL 03 (SHE-WIA-Y0-03-DR-A-01-4003 Rev C)
GA PLAN Y1-Y4 LEVEL 04 (SHE-WIA-Y0-04-DR-A-01-1004 Rev H)
Y1-Y4 GA PLAN LEVEL 04 (SHE-WIA-Y0-04-DR-A-01-4004 Rev C)
GA PLAN Y1-Y4 LEVEL 05 (SHE-WIA-Y0-05-DR-A-01-1005 Rev G)
Y1-Y4 GA PLAN LEVEL 05 (SHE-WIA-Y0-05-DR-A-01-4005 Rev B)
GA PLAN Y1-Y4 ROOF PLAN (SHE-WIA-Y0-06-DR-A-01-1006 Rev H)
Y1-Y4 GA PLAN LEVEL 06 (ROOF PLAN) (SHE-WIA-Y0-06-DR-A-01-4006 Rev B)
GA SECTIONS Y1-Y4 (SHE-WIA-Y0-XX-DR-A-01-1100 Rev E)
GA PODIUM ELEVATIONS Y1-Y4 (1 OF 2) (SHE-WIA-Y0-XX-DR-A-01-1202 Rev F)
GA PODIUM ELEVATIONS Y1-Y4 (2 OF 2) (SHE-WIA-Y0-XX-DR-A-01-1203 Rev H)
GA SOUTH AND WEST ELEVATIONS (SHE-WIA-Y0-XX-DR-A-01-4011 Rev D)
GA PODIUM ELEVATIONS Y1-Y4 (1 OF 2) (SHE-WIA-Y0-XX-DR-A-01-4012 Rev D)

Plans received on 24.05.2024

GA PODIUM ELEVATIONS Y1-Y4 (2 OF 2) (SHE-WIA-Y0-XX-DR-A-01-4013 Rev C)
STRIP ELEVATION (SHE-WIA-Y1-XX-DR-A-01-3004 Rev B)

Plans received on 27.08.2024

GA NORTH AND EAST ELEVATIONS Y1-Y4 (SHE-WIA-Y0-XX-DR-A-01-1200 Rev H)
GA SOUTH AND WEST ELEVATIONS Y1-Y4 (SHE-WIA-Y0-XX-DR-A-01-1201 Rev I)
RENDERED NORTH AND SOUTH ELEVATIONS Y1-Y4 (SHE-WIA-Y0-XX-DR-A-01-1205 Rev H)
RENDERED EAST AND WEST ELEVATIONS (SHE-WIA-Y0-XX-DR-A-01-1206 Rev H)

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GIA AND GEA PLANS (SHE-WIA-Y0-XX-DR-A-01-1303 Rev G)
GA NORTH AND EAST ELEVATIONS Y1-Y4 (SHE-WIA-Y0-XX-DR-A-01-4010 Rev E)

Plans and documents received on 27.02.2025

GA LEVEL 01 PODIUM EXTERNAL LANDSCAPE (SHE-TRI-Y0-01-PL-L-90-0001 Rev P07)

NIA PLANS (SHE-WIA-Y0-XX-DR-A-01-1302 Rev H)

SITE LOCATION PLAN (SHE-WIA-Y0-00-DR-A-01-5000 Rev D)

PROPOSED DRAINAGE LAYOUT PART PLAN 1 OF 8 (SHE-BWM-Y0-00-DR-C-2301_P1)

PROPOSED DRAINAGE LAYOUT PART PLAN 2 OF 8 (SHE-BWM-Y0-00-DR-C-2302_P1)

PROPOSED DRAINAGE LAYOUT PART PLAN 3 OF 8 (SHE-BWM-Y0-00-DR-C-2303_P1)

PROPOSED DRAINAGE LAYOUT PART PLAN 4 OF 8 (SHE-BWM-Y0-00-DR-C-2304_P1)

PROPOSED DRAINAGE LAYOUT PART PLAN 5 OF 8 (SHE-BWM-Y0-00-DR-C-2305_P1)

PROPOSED DRAINAGE LAYOUT PART PLAN 6 OF 8 (SHE-BWM-Y0-00-DR-C-2306_P1)

PROPOSED DRAINAGE LAYOUT PART PLAN 7 OF 8 (SHE-BWM-Y0-00-DR-C-2307_P1)

PROPOSED DRAINAGE LAYOUT PART PLAN 8 OF 8 (SHE-BWM-Y0-00-DR-C-2308_P1)

OVERALL DRAINAGE LAYOUT WITH HEALTHY STREET (SHE-BWM-Y0-00-DR-C-2350_P1)

EXCEEDANCE FLOW PLAN (SHE-BWM-Y0-00-DR-C-2380_C2)

GA LEVEL 00 BLACKMORE CRESCENT HEALTHY STREET (SHE-TRI-Y0-00-PL-L-90-0005 P02)

GA LEVEL 00 BLACKMORE CRESCENT HEALTHY STREET TREE PLANTING (SHE-TRI-Y0-00-PL-L-90-0075 P02)

GA LEVEL 00 BLACKMORE CRESCENT HEALTHY STREET PLANTING PLAN (SHE-TRI-Y0-00-PL-L-90-0085 P02)

SITE PLAN (SHE-WIA-Y0-00-DR-A-01-0100 Rev K)

GA Y1-Y4 LEVEL 00 (SHE-WIA-Y0-00-DR-A-01-1000 Rev K)

PARKING STRATEGY (SHE-WIA-Y0-00-DR-A-01-1304 Rev M)

ACCESS STRATEGY (SHE-WIA-Y0-00-DR-A-01-1305 Rev H)

GA Y1-Y4 LEVEL 01 (SHE-WIA-Y0-01-DR-A-01-1001 Rev K)

REFUSE STRATEGY (SHE-WIA-Y0-XX-DR-A-01-1306 Rev J)

Y1-Y4 HYDROBRAKE DETAILS AND CALCULATIONS (SFP-0075-3000-1400-3000 – 3 documents)

Y5 HYDROBRAKE DETAILS AND CALCULATIONS (SFP-0081-3100-1000-3100 – 3 documents)

PLANTING SCHEDULE WITH HEALTHY STREET (SHE-TRI-Y0-XX-SC-L-90-0005 C00)

SUDS MAINTENANCE STRATEGY (5450-BWM-XX-XX-RP-C-0002 REV T1)

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

3. The external finishes of the development, any hard surfacing and any walls and railings hereby permitted must be as set out on the approved drawings and the materials specified shall match in colour, style, bonding and texture those matching materials used in phases Purple, Red and Yellow of the development as approved under

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PLAN/2018/0337 and the relevant conditions applications. Any new external and/or surfacing materials which have not been previously approved as part of an earlier phase of development approved under PLAN/2018/0337 must have their details submitted to and approved in writing by the Local Planning Authority prior to their use on the site.

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

4. Prior to the first use of the footway/cycleway hereby approved a 1.8m high boundary wall to the Woodlands House boundary in the position shown on the approved plans shall be erected on site. The boundary wall shall be faced in brick in accordance with the details of the brick which shall have first been submitted to and approved in writing by the Local Planning Authority. Thereafter the boundary wall shall be retained and maintained in accordance with the approved details.

Reason: In the interests of the visual amenities of the area and to safeguard the amenities of the nearby occupiers.

5. The development hereby permitted shall be carried out only in accordance with the proposed finished floor levels and ground levels as shown on the approved plans unless otherwise first approved in writing with the Local Planning Authority.

Reason: To ensure that the development is carried out at suitable levels in relation to the highway and adjoining land having regard to drainage and the amenities of the area in accordance with Policies CS21 and CS24 of the Woking Core Strategy 2012 and the NPPF.

6. The drainage system shall be installed in accordance with the approved documents prior to the first occupation of the proposed development. The development shall be carried out strictly in accordance with the details so approved and maintained as such thereafter.

Reason: To ensure the design meets the national Non-Statutory Technical Standards for SuDS and the final drainage design does not increase flood risk on or off site.

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

Reason: To ensure the Drainage System is constructed to the National Non-Statutory Technical Standards for SuDS.

8. Any existing hard surface (and its associated sub-base) within any area of the site to be utilised as gardens and public open space as part of the development hereby approved, shall be demolished and all debris removed from the approved open space, a verification report, appended with substantiating evidence shall be submitted to and approved in writing by the Local Planning Authority prior to the first use of these areas.

Reason: These areas are intended to be free-draining and to ensure the drainage strategy set out in the application is adhered to, to reduce flood risk and to comply with Policy CS9 of the Woking Core Strategy 2012 and the NPPF.

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9. No part of the development shall be first occupied unless and until the proposed pedestrian/cycleway access between Blackmore Crescent and Devonshire Avenue has been constructed and provided with a means at the back edge of the highway (pedestrian/cycleway) of preventing highway water from entering the adjoining private land in accordance with details which shall have first been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be retained in accordance with the approved details.

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

10. The development hereby approved shall not be occupied unless and until the active electric car charging points (to comprise 7 kw Mode 3 with Type 2 connector - 230v AC 32 Amp single phase dedicated supply) have been installed in accordance with the approved plans and details and the submitted document titled SPD Car Charging requirements (SHE-KAN-Y0-RP-E-6204 Rev C1 received on 27.04.2024) and the cable routes for the future installation of electric vehicle charging points have also been installed in accordance with approved Parking Strategy plan listed in condition 2. The development shall thereafter be retained 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 to comply with Policies CS21 and CS22 of the Woking Core Strategy 2012 and the NPPF.

11. The development hereby approved shall not be occupied unless and until facilities for the secure parking of cycles for the development have been provided and are available for use in accordance with details which shall have first been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved facilities shall be retained and maintained in accordance with the approved details.

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

12. The development hereby approved shall not be occupied unless and until space has been laid out within the site in accordance with the approved plans for vehicles to be parked and 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 purpose in accordance with the approved plans.

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

13. The development shall not be first occupied until the refuse stores have been provided and are available for use by residents and a refuse management plan has been submitted to and approved in writing by the Local Planning Authority. The refuse management plan to be submitted for approval shall include details of the allocation of each residential unit to a bin store (to prevent overuse of any bin store), measures to secure/restrict access to non-allocated residents, measures to control odour and vermin etc. and management arrangement details for collection of refuse. The development shall be implemented and thereafter retained in accordance with the approved details.

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Reason: In the interests of amenity and to ensure the provision of satisfactory facilities for the storage and recycling of refuse in accordance with Policy CS21 of the Woking Core Strategy 2012 and the NPPF.

14. The development 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 residential 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 NPPF.

15. Within 6 months from the date of this planning permission a Biodiversity Net Gain (BNG) management plan must be submitted to and approved in writing by the Local Planning Authority. The biodiversity net gain plan shall be informed by the Biodiversity Net Gain Report by Ecology Solutions (9854 version vf2 received on 27.02.2025) and the accompanying Biodiversity statutory metric submitted with the application along with any updated information and statutory metric as necessary. The biodiversity net gain management plan shall include details of:
- i. proposals for BNG relative to pre-development biodiversity value,
 - ii. measures to minimise the effects of the scheme in respect of biodiversity,
 - iii. measures to enhance ecological diversity,
 - iv. a timetable for the implementation of the measures,
 - iv. monitoring arrangements in respect of BNG and habitats for a period of 30 years from the completion of the development.

The approved biodiversity measures shall be provided and maintained in accordance with the approved details whilst the development is in operation.

Reason: In the interests of amenity and biodiversity in accordance with Policies CS7, CS17, CS21 and CS24 of the Woking Core Strategy 2012 and the NPPF.

16. All landscaping (hard and soft landscaping other than the footway/cycleway which is subject to condition 9 and podium landscaping) must be carried out in accordance with the approved plans and approved planting schedule as listed in condition 2 in the first planting season (November-March) following the first occupation of the residential units hereby approved or the completion of the development 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

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Planning Authority. Thereafter all landscaped areas within the site shall be retained and maintained for the purposes identified in the approved plans and, save for domestic gardens and/or shared (private) communal podium gardens, all areas for use as public open space shall be made available and retained in perpetuity for public use.

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 NPPF.

17. Prior to the first occupation of any residential unit, measures to prevent the unauthorised vehicular use of the access to the eastern side of the building shall be installed in accordance with full details which shall have first been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved measures shall be retained and maintained in accordance with the approved details unless otherwise approved in writing by the Local Planning Authority.

Reason: In the interests of visual and neighbouring amenity and to comply with Policy CS21 of the Woking Core Strategy 2012 and the NPPF.

18. Prior to the first occupation of any of the five residential units at first floor level facing the podium the timber fencing and gates to the semi-private terraces for each of these units must have been provided in accordance with full design details (in general accordance with the approved plans) which shall have first been submitted to and approved in writing by the Local Planning Authority. The timber fencing and gates must thereafter be retained and maintained in accordance with the approved plans and must not be altered in any way without the prior written approval of the Local Planning Authority.

Reason: In the interests of visual and neighbouring amenity and to comply with Policy CS21 of the Woking Core Strategy 2012 and the NPPF.

19. No fixed plant and equipment associated with air moving equipment, compressors, generators or plant or similar equipment, shall be installed anywhere on the site until details, including acoustic specifications have been submitted to and approved in writing by the Local Planning Authority. The plant and/or equipment shall be installed and thereafter retained in accordance with the approved 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 and the NPPF.

20. Notwithstanding the Town and Country Planning (Use Classes) Order 1987 (or any orders amending or re-enacting that order with or without modification) and the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any orders amending or re-enacting that order with or without modification) the pharmacy unit hereby permitted as shown on the approved plan(s) shall only be used as a pharmacy unit, and for no other purpose whatsoever including any other purpose within Class E of the Town and Country Planning (Use Classes) Order 1987 (or any orders amending or re-enacting that order with or without modification).

Reason: To ensure the development is carried out in accordance with the approved plans and other submitted details and to ensure the provision of pharmacy unit to serve the increased population on the site and to comply with Policies CS5 and CS19 of the Woking Core Strategy 2012 and the NPPF.

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21. Notwithstanding the provisions of Article 3, Schedule 2, Part 2, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or an order revoking and re-enacting that Order with or without modification), no gate, fence wall, or other means of enclosure shall be erected constructed anywhere on the application site without the prior written approval of the Local Planning Authority, unless specifically authorised by any planning condition of this planning permission.

Reason: In the interests of character and appearance of the site and trees and to comply with Policies CS7, CS9 and CS21 of the Woking Core Strategy and the NPPF.

22. Notwithstanding the provisions of Article 3, Schedule 2, Part 16, Classes A, B, and C of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or an order revoking and re-enacting that Order with or without modification) no development falling within these classes shall take place anywhere within the site.

Reason: To protect the character and appearance of the site and to comply with Policies CS5, CS16 and CS21 of the Woking Core Strategy 2012 and the NPPF.

23. No external lighting other than street lighting shall be installed in the development until full design details of the 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 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 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 NPPF.

24. There shall be no change/alteration to any hard surface on the site hereby approved, from the approved details and no further impermeable surfaces shall be installed anywhere on the site including the public open space areas without the prior written consent of the Local Planning Authority.

Reason to prevent the increased risk of flooding and to ensure the future maintenance of the approved drainage system and to accord with Policy CS9 of the Woking Core Strategy and the NPPF.

Informatives

1. The applicant is advised that this planning permission is subject to a Section 106 Legal agreement and an Executive Undertaking.
2. The applicant and future residents are advised that no permitted development rights exist for any of the residential units on this site including, extensions, outbuildings, the insertion of any new windows in the development or the addition of any hard surfacing or satellite dishes. In all instances a formal application to the Local Planning Authority will be required to be submitted.
3. Surface water drainage - 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

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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.

4. There are public sewers crossing or close to your development. In order to protect public sewers and to ensure that Thames Water can gain access to those sewers for future repair and maintenance, approval should be sought from Thames Water where the erection of a building or an extension to a building or underpinning work would be over the line of, or would come within 3 metres of, a public sewer. Thames Water will usually refuse such approval in respect of the construction of new buildings, but approval may be granted in some cases for extensions to existing buildings. The applicant is advised to contact Thames Water Developer Services on 0800 009 3921 to discuss the options available at this site.
5. The permission hereby granted shall not be construed as authority to obstruct the public highway by the erection of scaffolding, hoarding or any other device or apparatus for which a licence must be sought from the Highway Authority Local Highways Service.
6. The permission hereby granted shall not be construed as authority to carry out any works on the highway. The applicant is advised that permission must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge to form a vehicle crossover to install dropped kerbs. www.surreycc.gov.uk/roads-and-transport/permits-and-licences/vehicle-crossovers-or-dropped-kerbs.
7. 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).
8. 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.
9. The Council confirms that in assessing this planning application it has worked with the applicant in a positive and proactive way, in line with the requirements of the National Planning Policy Framework.
10. 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.
11. The applicant is advised that the development hereby permitted is subject to a Community Infrastructure Levy (CIL) liability. The Local Planning Authority will issue a Liability Notice as soon as practical after the granting of this permission.

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

Claims for relief must be made on the appropriate forms which are available on the planning portal.

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

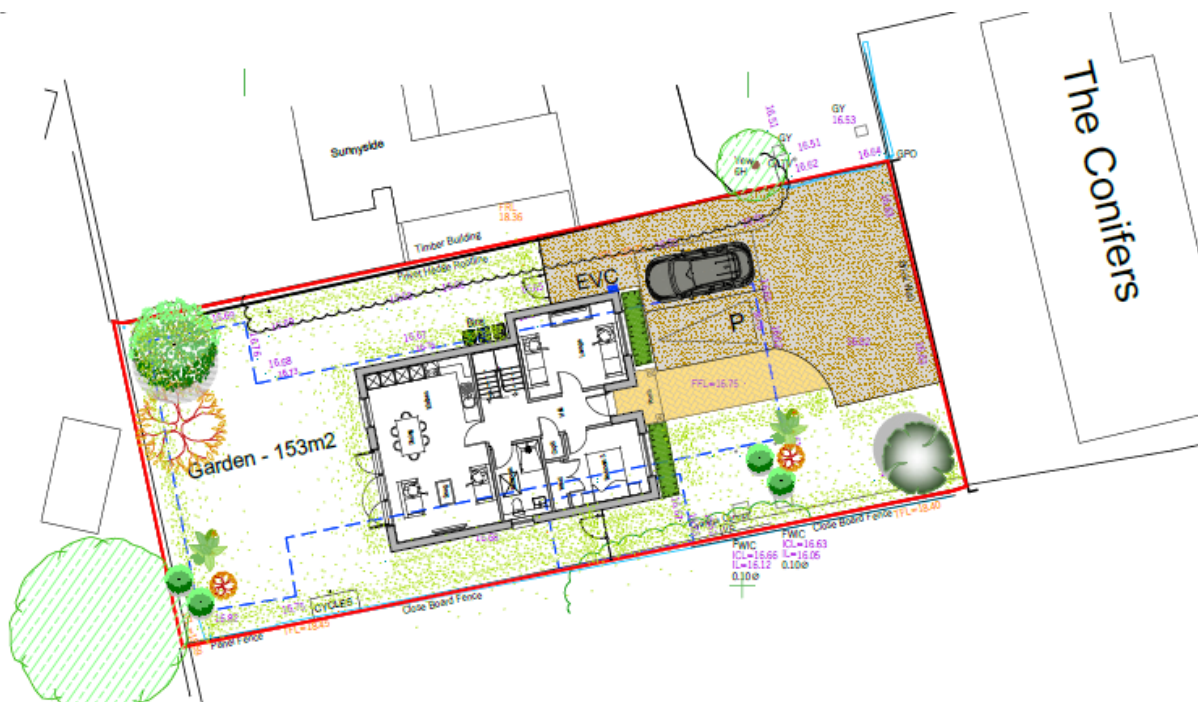
For full information on this please see the guidance and legislation here: <https://www.gov.uk/guidance/community-infrastructure-levy>

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

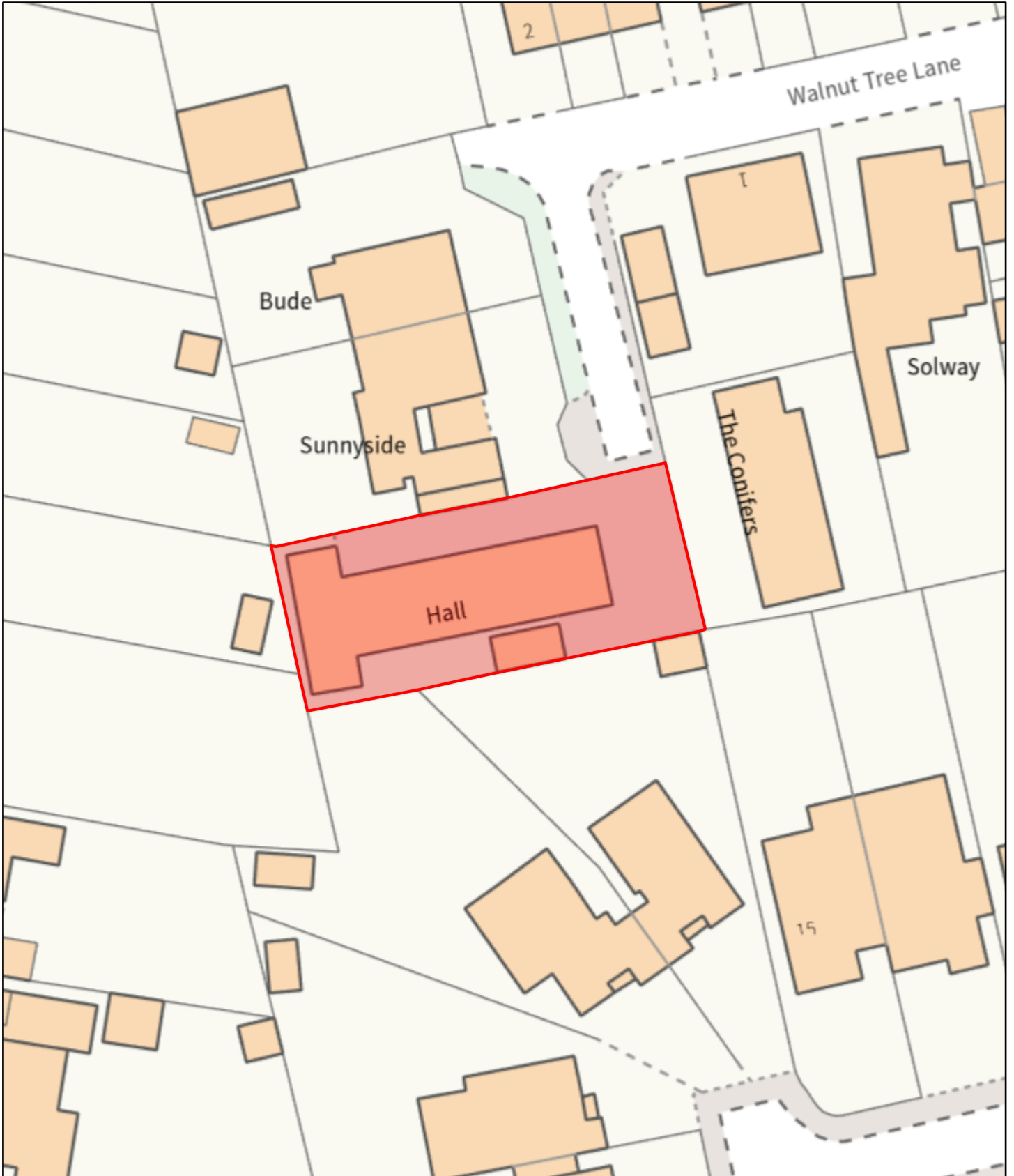
Former Scout Hut, Walnut Tree Lane, Byfleet

PLAN/2024/0692

Erection of a detached dwelling, together with associated car parking, cycle and refuse storage and landscaping, following demolition of the Scouts hut and outbuildings.

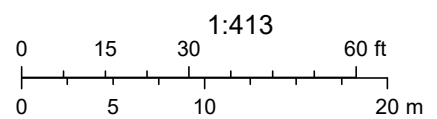


Former Scout Hut



4/7/2025, 9:33:00 AM

Utility - OS Topographic Area



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6b PLAN/2024/0692

WARD: Byfleet And West Byfleet

LOCATION: Former Scout Hut, Walnut Tree Lane, Byfleet, West Byfleet, Surrey, KT14 7AQ

PROPOSAL: Erection of a detached dwelling, together with associated car parking, cycle and refuse storage and landscaping, following demolition of the Scouts hut and outbuildings.

APPLICANT: Mr Giovanni Di Palma

OFFICER: Brooke Bournague

UPDATE for 15 April 2025 committee

At 11th February 2025 Planning Committee members resolved to grant planning permission subject to conditions and a legal agreement. The applicant has now advised that the dwelling will no longer be a self-build and therefore the development will now have to comply with Biodiversity Net Gain (BNG) and provide a CIL contribution.

Biodiversity Net Gain (BNG)

The Environment Act (2021) inserts Schedule 7A into the Town and Country Planning Act 1990 which establishes a statutory requirement for Biodiversity Net Gain to be a condition of planning permissions in England. This came into effect on 12th February 2024 and planning applications submitted after this date will need to demonstrate a 10% Biodiversity Net Gain.

A BNG Assessment and metric have been submitted with the application which show that the proposal results in a 172.27% net gain the habitat units and a 0.0% net change in hedgerow units. Due to the creation of private garden the options to replace the scrub habitat and hedgerows are therefore limited. The BNG will therefore need to be provided off site either on their own land outside the development site, or buy off-site biodiversity units on the market. Or alternatively buy statutory biodiversity credits if off site provision is not possible. Surrey Wildlife Trust have been consulted and advised that the proposal will need to comply with the BNG condition and a legal agreement will be required to secure any off site BNG provision.

Community Infrastructure Levy (CIL)

The proposed development would be CIL liable and the CIL charge would be £23,022.20.

Updated RECOMMENDATION

- A. That authority be delegated to the Head of Planning (or their authorised deputy) to **Grant Planning Permission** subject to:
- (i) Planning conditions set out in this report; and
 - (ii) Prior completion of a Section 106 Legal Agreement to secure the required SAMM (TBH SPA) contribution.
 - (iii) Securing the required Biodiversity Net Gain provision for the proposal.
- B. In the event that the S.106 agreement referred to at A(ii) above is not completed within 1 year of a resolution to Grant and/or the Biodiversity Net Gain provision at A(iii) above is not adequately demonstrated to have been secured, authority be delegated to the Head of Planning (or their authorised deputy) to refuse the application.

REASON FOR REFERRAL TO COMMITTEE

The land within the application site is owned by Woking Borough Council and therefore the application falls outside of the Scheme of Delegation.

SUMMARY OF PROPOSED DEVELOPMENT

Erection of a detached dwelling, together with associated car parking, cycle and refuse storage and landscaping, following demolition of the Scouts hut and outbuildings.

Site Area:	0.04 ha
Existing dwelling(s):	0
Proposed dwellings:	1
Existing density:	0dph (dwellings per hectare)
Proposed density:	25dph

PLANNING STATUS

- TBH SPA Zone B (400m-5km)
- Urban Areas
- Byfleet Neighbourhood Area

SITE DESCRIPTION

The proposal relates to a Former Scout Hut, Walnut Tree Lane which comprises a large single storey detached prefabricated building and smaller detached building to the south of the main building. There is an area of hardstanding to the east of the application site with some soft landscaping to the south west of the site.

PLANNING HISTORY

PLAN/2023/0600: Erection of a pair of semi-detached dwellings following demolition of the Scouts hut and outbuildings. Withdrawn

CONSULTATIONS

Arboricultural Officer: No objection subject to condition

SCC Highways: No objection subject to conditions

Local Lead Flood Authority: No objection subject to condition

Surrey Wildlife Trust: Conditions have been recommended to secure details of lighting prior to installation, submission and approval of an amphibian and reptile precautionary method of working and Ecological Enhancement Plan.

Also advise that the Statutory Biodiversity Metric and accompanying Biodiversity Net Gain Assessment be amended to take into account the guidance regarding habitat creation in private gardens.

(Case Officer note: this is no longer required as the applicant has now applied for an exemption).

Contaminated Land Officer: No objection subject to conditions

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Asset Management: No objection

Byfleet, West Byfleet, Pyrford Residents' Association: No comments received

Forestry Commission: Standing advice provided

REPRESENTATIONS

4 letters have been received raising the following points:

- Although this current proposal is a vast improvement to the previous plans this will still have a considerable impact on our privacy
- The two properties will be facing each other, the proposed dwelling will be looking directly down to our habitable rooms
- Loss of privacy
- The proposed dwelling is not in keeping with the neighbouring bungalows
- A single storey dwelling will avoid overlooking
- Comments will be welcome on how construction traffic and heavy good vehicles will access the site

RELEVANT PLANNING POLICIES

National Planning Policy Framework (NPPF) (2024):

South East Plan 2009 (Saved policy):

- NRM6 - Thames Basin Heaths Special Protection Areas

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
- CS17 - Open space, green infrastructure, sport and recreation
- CS18 - Transport and accessibility
- CS19 - Social and community infrastructure
- CS21 - Design
- CS24 - Woking's landscape and townscape
- CS25 - Presumption in favour of sustainable development

Woking Development Management Policies DPD (2016):

- DM10 - Development on Garden Land

Supplementary Planning Documents (SPD):

- Design (2015)
- Parking Standards (2018)
- Outlook, Amenity, Privacy and Daylight (2022)
- Updated Thames Basin Heaths Avoidance Strategy (February 2022)

PLANNING ISSUES

Principle of development

1. The application site is currently vacant but was last in use as a Scout Hut (Class F2). The proposal is to demolish the existing building and build a detached dwelling which would result in the loss of the use of the building as a Scout Hut.
2. Policy CS19 (Social and Community Infrastructure) of the Woking Core Strategy (2012) sets out that *“the loss of existing social and community facilities or sites will be resisted unless the Council is satisfied that:*
 - *there is no identified need for the facility for its original purpose and that it is not viable for any other social or community use, or*
 - *adequate alternative facilities will be provided in a location with equal (or greater) accessibility for the community it is intended to serve*
 - *there is no requirement from any other public service provider for an alternative social or community facility that could be met through change of use or redevelopment.”*
3. Section 5.175 of the Woking Core Strategy (2021) states that *‘social and community infrastructure includes: schools, higher education facilities, health centres, GP surgeries, dentists, child care premises, supported accommodation, libraries, museums, community halls, places of worship, church halls, day centres, children’s centres, indoor and outdoor recreation and sports facilities and any other facility owned by a publicly funded body to provide front line services’.*
4. The use is understood to have operated until the Scout Group moved to a new purpose-built centre at Murrays Lane which was granted planning permission under ref: PLAN/2014/0517. The Design, Access and Planning Statement submitted with planning application PLAN/2014/0517 advises that the Scout building at Walnut Tree Lane is of steel and concrete ‘prefabricated’ construction *and ‘is now well beyond a reasonable service life and beyond economic repair’.* Information submitted also advises that significant investment would be required to bring the building up to modern standards which would be hard to justify due to the location of the building and constraints of surrounding properties. A larger scout hut being built on the site would result in the loss of outside space and parking.
5. As the building has remained vacant since the Scout Group moved to their new purpose-built premises the site is now overgrown and the building is now in a state of disrepair.
6. Due to the very poor state of the building and level of investment needed to repair and bring the building up to a modern standard it is considered that it would not be viable to undertake a significant refurbishment of the building. The Scout Group that operated from this building have moved to a purpose-built facility that provides sufficient facilities, parking and outdoor space to enable them to follow the activities outlined by the Scout Association.
7. The location of the building surrounded by residential properties and the lack of parking restricts the redevelopment of the site for an alternative social and community facility. This is the main reason why the Scout Group relocated to another location in West Byfleet.
8. The proposal would therefore comply with Policy CS19 of the Woking Core Strategy (2012).

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9. The National Planning Policy Framework (2024) and Policy CS25 of the Woking Core Strategy (2012) promote a presumption in favour of sustainable development with the overarching policies of both the NPPF and the Development Plan as a whole emphasising the need for new housing. Policy CS10 of the Woking Core Strategy seeks to ensure that sufficient homes are built in sustainable locations where existing infrastructure is in place and identifies that the Council will make provision for an additional 4,964 net additional dwellings in the Borough between 2010 and 2027. Policy CS10 sets an indicative number of 750 net additional dwellings to be provided through redevelopment, change of use, conversion and refurbishment of existing properties, or through infilling, in the rest of the Urban Area (i.e., outside of Woking Town Centre/West Byfleet District Centre/Local Centres etc), as is applicable in this instance. The site lies within the designated Urban Area and is within the 400m-5km (Zone B) Thames Basin Heaths Special Protection Area (SPA) buffer zone where net additional dwellings can be considered acceptable subject to appropriate mitigation.
10. The principle of residential development is therefore considered acceptable subject to further material planning considerations, specific development plan policies and national planning policy and guidance as discussed below.

Impact on character

11. The application site comprises a large 'T' shaped concrete 'prefabricated' single storey building and smaller detached building to the south of the main building. The large building is sited approximately 1m from the west boundary and at present there is no boundary treatment between the building and rear amenity space of No.23 Queens Avenue. The application site currently has vehicular access from Walnut Tree Lane.
12. The application site was last in use as a Scout Hut. The site is surrounded by residential properties which include a mix of detached, semi-detached and terraced single storey and two storey dwellings. The dwellings immediately to the north and east boundary are single storey. The plot sizes in the immediate area vary in size and shape. The character of the area is therefore mixed in nature.
13. The proposal involves the demolition of all buildings on the site and the erection of a detached dwelling. It is considered that changing the use of the site from a Scout Hut to a residential use would not detract from the character of the area.
14. The proposed dwelling would have a smaller footprint than the existing larger building on the site and would be set further back from the east and west boundaries. The front elevation of the proposed dwelling would be orientated towards the east with an area of private amenity space provided to the west (rear) of the proposed dwelling.
15. The proposed dwelling would have a dual pitched roof with the first-floor accommodation sited in the roofspace. It is considered that the design approach would not detract from the character of the area.

Impact on Neighbours

16. Policy CS21 of the Woking Core Strategy (2012) requires development proposals to '*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*'.
17. Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight' (2022) recommends minimum separation distances for different relationships including 20m for rear-to-rear relationships, 10m for front-to-boundary relationships and 10m for front or back to boundary/flank at two storey level. The document does on to state '*However,*

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these dimensions are for advice only and evidence of design quality and compatibility with context will be of overriding importance'.

18. The Conifers, Walnut Tree Lane is a single storey dwelling sited to the east of the application site. The proposed dwelling would be sited approximately 11m from the east boundary and 16m from the front elevation of The Conifers, Walnut Tree Lane. The proposal would comply with minimum recommended front to front separation distances for two storey development in Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight' (2022). It is considered that the first-floor window in the east elevation would not result in a significant loss of privacy to The Conifers, Walnut Tree Lane. Due to the position of the dwelling and separation distance to The Conifers, Walnut Tree Lane it is considered that the proposed dwelling would not have a significant loss of daylight, loss of privacy or overbearing impact to The Conifers, Walnut Tree Lane.
19. Sunnyside, Walnut Tree Lane would be sited to the north of the proposed dwelling. The proposed dwelling would be sited a minimum of approximately 2.5m from the boundary with Sunnyside, Walnut Tree Lane. There is a timber building sited on the boundary and single garage providing a separation to the main dwelling at Sunnyside, Walnut Tree Lane. The proposal would comply with minimum recommended side to boundary separation distances for two storey development in Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight' (2022). One rooflight serving a stairwell is proposed in the north elevation orientated towards Sunnyside, Walnut Tree Lane, due to the separation distance a condition is recommend requiring the rooflight to be obscure glazed and top opening only to retain the privacy of Sunnyside, Walnut Tree Lane. There are no windows in the side elevation of Sunnyside, Walnut Tree Lane and the proposed dwelling would not result in a loss of daylight to the windows in the front or rear elevation of Sunnyside, Walnut Tree Lane. Overall, it is considered that the proposed dwelling would not have a significant loss of daylight, loss of privacy or overbearing impact to Sunnyside, Walnut Tree Lane.
20. Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight' (2022) recommends minimum separation distances for different relationships including 20m for rear-to-rear relationships and 10m for front or back to boundary/flank at two storey level. However, the document makes it clear that these dimensions are for advice only and evidence of design quality and compatibility with context will be of overriding importance. The existing building is sited approximately 1m from the west boundary with No.23 and No.24 Queens Avenue and has a height of approximately 2.3m at the rear. At present there is no boundary treatment between the building and rear amenity space of No.23 Queens Avenue.
21. The proposed dwelling would be sited a minimum of approximately 9m from the west boundary but 32m overall from the rear elevations of No.23 and No.24 Queens Avenue. The proposal would comply with the recommended rear-to-rear separation distance. Whilst it but falls very marginally short of the 10m back-to-boundary/flank separation distance, the proposed dwelling would be set further into the application site than the existing boundary and a condition would ensure that appropriate boundary treatment is placed along the west boundary with No.23 and No.24 Queens Avenue. The dwellings along Queens Avenue also have a change in orientation and No.23 and No.24 Queens Avenue also have deep gardens measuring a minimum of approximately 22.5m deep. Furthermore, the resulting relationship would be comparable or better than that existing between Bude and Sunnyside and their corresponding neighbours in Queens Avenue (albeit these are conventional bungalows). Due to these factors it is considered that the proposed dwelling would not result in a significant loss of privacy to No.23 and No.24 Queens Avenue.

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22. Due to the separation distance to No.23 and No.24 Queens Avenue it is considered that the proposed dwelling would not have a significant overbearing or loss of daylight impact to these properties.
23. The submitted location plan is inaccurate in that it labels No.16 Lake Close as No.15 Lake Close and does not include the property at No.15 Lake Close or the boundary of this plot. The land within the curtilage of No.15 Lake Close is included in the amenity space of No.14 Lake Close. The dwelling at No.13 Lake Close is also not shown on the location plan. However, the application has been assessed on the correct location of the boundaries and dwellings at No.13, 14, 15 and 16 Lake Close.
24. No.13, 14 and 15 Lake Close are sited to the south of the application site. No.13 and No.14 are sited at an angle with the application site.
25. No.15 Lake Close is sited to the south of the application site and the south boundary just adjoins the corner of the rear boundary of No.15 Lake Close. There would be an approximate separation distance of 11m between the front elevation of the proposed dwelling and corner of the rear boundary of No.15 Lake Close. The proposal would comply with the minimum recommended front or rear to boundary/flank separation distances for two storey development in Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight' (2022). It is considered that the proposed dwelling would not result in a significant loss of privacy to No.15 Lake Close. Due to the position of the proposed dwelling and relationship with No.15 Lake Close it is considered that there would not be a significant loss of daylight or overbearing impact to No.15 Lake Close.
26. The proposed dwelling would be sited approximately 2m from the south boundary and a minimum of approximately 12m from the rear elevation of No.14 Lake Close. The proposal would comply with the minimum recommended front or rear to boundary/flank separation distances for two storey development in Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight' (2022). One rooflight serving a stairwell is proposed in the north elevation orientated towards No.14 Lake Close, due to the separation distance a condition is recommend requiring the rooflight to be obscure glazed and top opening only to retain the privacy of No.14 Lake Close. The proposed dwelling would be sited approximately 2m from the rear boundary and would have an eaves height of approximately 3.5m and ridge height of approximately 6.1m. The proposed dwelling would be readily apparent in views from this neighbour's private amenity space due to the separation distance and eaves and ridge height of the proposed dwelling it is considered that there would not be a significant loss of daylight or overbearing impact to No.14 Lake Close.
27. No.13 Lake Close is also sited to the south of the application site and to the rear of the site just beyond the rear elevation of the proposed dwelling. The proposed dwelling would be sited approximately 2m from the south boundary. Due to the position of the dwelling and separation distance to The Conifers, Walnut Tree Lane it is considered that the proposed dwelling would not have a significant loss of daylight, loss of privacy or overbearing impact to No.13 Lake Close.
28. A condition restricting dormer windows is recommended to retain the privacy of neighbouring properties.
29. Overall, the proposal is considered to have an acceptable impact on the amenities of neighbours in terms of potential loss of light, overbearing and overlooking impacts.

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Standard of accommodation:

30. The proposed dwellings achieve the space standards in the National Described Space Standard (2015) with good quality outlooks to habitable rooms.
31. Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight' (2022) advises that family dwelling houses with two bedrooms or more and over 65 sq.m. gross floorspace should provide a suitable area of private garden amenity in scale with the building but always greater than the building footprint.
32. The proposed dwelling would have footprint of approximately 87sqm and a private amenity space measuring approximately 165sqm. It is considered that sufficient private amenity space would be provided for the proposed dwelling. The proposal is therefore considered to provide an acceptable standard of amenity for the future occupants.
33. The submitted proposed site plans includes indicative landscaping. A landscaping condition is recommended to secure a landscaping plan.

Impact on Car Parking Provision & the Highway

34. The proposed dwelling would use the existing vehicular access from Walnut Tree Lane.
35. SCC Highways have been consulted and raised no objection subject to conditions requiring space to be provided for vehicles to be parked and for vehicles to turn so that they may enter and leave the site in a forward gear and provision of cycle parking and EV charging points in accordance with the submitted plans. Conditions are recommended to secure space to be provided for vehicles to be parked and for vehicles to turn so that they may enter and leave the site in a forward gear and provision of cycle parking. A condition is not recommended to provide an EV charging point as this would be secured under building regulations.
36. Supplementary Planning Document 'Parking Standards' (2018) requires a 3 bedroom dwelling to provide a minimum of 2 onsite parking spaces. The hardstanding to the front of the proposed dwelling is large enough to accommodate 2 onsite parking spaces. A cycle store is shown in the rear amenity space. Therefore, the proposal would comply with onsite parking standards within Supplementary Planning Document 'Parking Standards' (2018).

Impact on Flood Risk & Drainage

37. The application site is in and adjacent to areas with medium surface water flooding. The areas at risk of medium surface water are located along the west (rear) boundary of the site and would be located in the rear garden of the proposed dwelling and the north (side) boundary by the existing and proposed vehicular access and in the rear garden of the proposed dwelling.
38. The Local Lead Flood Authority have been consulted and raised no objection subject to a condition requiring the submission of a surface water drainage scheme.
39. Subject to a condition to ensure the submission of additional information the proposal is considered to have an acceptable impact surface water flooding.

Impact on ecology

40. The NPPF (2023) states that the planning policies and decisions should contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity. This approach is supported by Circular 06/05 – Biodiversity and Geological Conservation and is reflected in Policy CS7 'Biodiversity and Nature

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Conservation' of the Woking Core Strategy (2012). The Natural Environment and Rural Communities (NERC) Act (2006) (Section 40) states, "*Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity*".

41. Bats and their roosts are protected under the Wildlife and Countryside Act (1981) (as amended), as are other species such as reptiles, amphibians, Great Crested Newts, hedgehogs and breeding birds. The Conservation of Habitats and Species Regulations (2017) (as amended) transpose the Habitats Directive into national law. Schedule 2 of the Regulations lists all species of bats as being European Protected Species; it is an offence to kill or disturb bats or their roosts.
42. The application has been supported by an Ecology Report and Bat presence/likely absence survey report.
43. The Bat presence/likely absence survey report states '*Two soprano pipistrelle day roosts will be impacted by the development proposals, which will have a negative significant impact at a site level, though the loss of these roosts will not adversely impact the conservation status of soprano pipistrelle bats due to roosting opportunity available in close proximity of the site within open greenspace and along networks of hedgerows, trees and nearby gardens within wider landscape and buildings that will not be impacted. The loss of these roosting sites can be mitigated for through the installation of alternative roost sites for soprano pipistrelle and compensated for through the installation of a second alternative roosting site that would need to be done under a bat mitigation licence*'.
44. The ecology report also sets out precautions and recommendations with regards to bats and other species. The mitigation measures identified in the report can be secured by planning condition.
45. Surrey Wildlife Trust have been consulted and advised '*The above referenced Bat presence/likely absence survey report has confirmed the presence of active bat roosts within the development site and that these roosts would be subject to loss, or disturbance as a result of development. Works would therefore be contrary to the above referenced legislation in absence of derogation licensing. Should they be minded to grant this planning application, the LPA should advise the applicant that they will be required to appoint a registered consultant under the bat mitigation class licence to undertake the works*'.
46. For the avoidance of doubt, there is a legal requirement under The Conservation of Habitats and Species Regulations (2017) for the applicant to obtain an EPS Mitigation Licence from Natural England prior to the carrying out of any activities that may kill, injure or disturb an individual or damages or destroys a breeding site or resting place of that individual. A planning condition requiring the applicant to acquire an EPS Mitigation Licence from Natural England is not necessary as it is required by alternative legislation and secured by a separate permitting regime.
47. Due to the presence of bats a condition is recommended to ensure that the proposal would not result in a net increase in external artificial lighting.
48. With regards to amphibians and reptiles Surrey Wildlife Trust have advised '*Ecological surveys submitted identified the presence of suitable habitat for amphibians (in their terrestrial phase) and common reptile species. Appropriate mitigation is therefore required to ensure that amphibians and reptiles are adequately protected, in line with the legislation*'.

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49. Conditions are recommended to the submission and approval of an amphibian and reptile precautionary method of working prior to commencement of works and Ecological Enhancement Plan (EEP).
50. It is therefore considered that the proposed development would not result in any significant or unacceptable harm to protected species or other species, subject to compliance with the relevant legislation referenced above. It is therefore considered that the proposed development would accord with the Development Plan and would have an acceptable impact on ecology.

Impact on Trees

51. There are trees within and adjacent to the application site that could be affected during construction. Policy DM2 of DM Policies DPD (2016) states the Council will *'require any trees which are to be retained to be adequately protected to avoid damage during construction'* and Policy CS21 of the Woking Core Strategy (2012) requires new development to include the retention of trees and landscape features of amenity value.
52. The Council's Arboricultural Officer has been consulted and advised a Tree Protection Plan would be required prior to any works on site. A condition to secure a tree protection plan, including details of all trees is recommended to ensure that trees are adequately protected during construction.

Affordable Housing

53. 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. However, Paragraph 65 of the NPPF (2024) states that *'Provision of affordable housing should not be sought for residential developments that are not major developments, other than in designated rural areas (where policies may set out a lower threshold of 5 units or fewer)'*. Moreover, Supplementary Planning Document Affordable Housing Delivery (2023) states (at para 5.2) that *'In taking account of the change to the NPPF and PPG as a material consideration, the council will therefore no longer require affordable housing or affordable housing financial contributions for sites of less than 10 dwellings unless the site is 0.5ha or larger'*.
54. Whilst it is considered that weight should still be afforded to Policy CS12 it is considered that more significant weight should be afforded to Paragraph 65 of the NPPF (2024) and Supplementary Planning Document Affordable Housing Delivery (2023), both of which are more recent documents. The proposal is not major development and is not within a designed rural area, therefore no affordable housing contribution is sought.

Energy and Water Consumption

55. Policy CS22 of the Woking Core Strategy (2012) seeks to require new residential development to achieve Code for Sustainable Homes Level 5 from 2016 onwards. However, a Written Ministerial Statement to Parliament, dated 25 March 2015, sets out the Government's expectation that any Development Plan policies should not be used to set conditions on planning permissions with requirements above the equivalent of the energy requirement of Level 4 of the (now abolished) Code for Sustainable Homes; this is equivalent to approximately 19% above the requirements of Part L1A of the 2010 Building Regulations. This is reiterated in Planning Practice Guidance (PPG) on Climate Change, which supports the NPPF (2024).

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56. Part L of the Building Regulations was updated in June 2022 and now requires an energy performance improvement for new dwellings of 31% compared to the 2010 Building Regulations. The current Building Regulations therefore effectively require a higher energy performance standard than what Policy CS22 of the Woking Core Strategy (2012) would ordinarily require. As such, it is unnecessary (and would be unreasonable) to recommend a planning condition relating to energy performance because more stringent standards are required by separate regulatory provisions (i.e., by the Building Regulations).
57. However, the LPA requires all new residential development to achieve, as a minimum, the optional requirement set through Part G of the Building Regulations for water efficiency, which requires estimated water use of no more than 110 litres/person/day. Conditions are recommended to secure the submission of design stage and as built water calculations
58. Subject to conditions to ensure the submission of additional information the proposal is considered to have an acceptable impact on energy and water consumption.

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

59. The Thames Basin Heaths Special Protection Area (TBH SPA) has been identified as an internationally important site of nature conservation and has been given the highest degree of protection. Policy CS8 of the Core Strategy states that any proposal with potential significant impacts (alone or in combination with other relevant developments) on the TBH SPA will be subject to Habitats Regulations Assessment to determine the need for Appropriate Assessment. Following recent European Court of Justice rulings, a full and precise analysis of the measures capable of avoiding or reducing any significant effects on European sites must be carried out at an 'Appropriate Assessment' stage rather than taken into consideration at screening stage, for the purposes of the Habitats Directive (as interpreted into English law by the Conservation of Habitats and Species Regulations 2017 (the "Habitat Regulations 2017")). An Appropriate Assessment has therefore been undertaken for the site as it falls within 5 kilometres of the TBH SPA boundary.
60. Policy CS8 of Woking Core Strategy (2012) requires new residential development beyond a 400m threshold, but within 5 kilometres of the TBH SPA boundary to make an appropriate contribution towards the provision of Suitable Alternative Natural Greenspace (SANG) and Strategic Access Management and Monitoring (SAMM), to avoid impacts of such development on the SPA. The SANG and Landowner Payment elements of the SPA tariff are encompassed within the Community Infrastructure Levy (CIL), however the SAMM element of the SPA tariff is required to be addressed outside of CIL. The proposed development would require a SAMM financial contribution of **£1,273** based on a net gain of 1x three bedroom dwelling which would arise from the proposal. The Appropriate Assessment concludes that there would be no adverse impact on the integrity of the TBH SPA providing the SAMM financial contribution is secured through a S106 Legal Agreement. CIL would be payable in the event of planning permission being granted.
61. Subject to securing the provision of the SAMM tariff and an appropriate CIL contribution, and in line with the conclusions of the Appropriate Assessment (as supported by Natural England), the Local Planning Authority is able to determine that the development will not affect the integrity of the TBH SPA either alone or in combination with other plans and projects in relation to urbanisation and recreational pressure effects. The development therefore accords with Policy CS8 of Woking Core Strategy (2012), the measures set out in the Thames Basin Heaths SPA Avoidance Strategy, and the requirements of the Habitat Regulations 2017.

CONCLUSION

62. The proposal is considered an acceptable form of development which would have an acceptable impact on the character of the surrounding area, on the amenities of neighbours, in transportation terms and in respect of other planning considerations as noted in this report. The proposal would result in the net gain of one family dwelling in a sustainable location in the urban area which weighs in favour of the proposal. The proposal therefore accords with the relevant Development Plan policies, guidance and other material considerations as noted in this report and is recommended for approval subject to conditions and a Legal Agreement to secure the relevant SAMM contribution.

BACKGROUND PAPERS

1. Site visit photographs

RECOMMENDATION

- A. That authority be delegated to the Head of Planning (or their authorised deputy) to **Grant Planning Permission** subject to:
- (i) Planning conditions set out in this report); and
 - (ii) Prior completion of a Section 106 Legal Agreement to secure the required SAMM (TBH SPA) contribution.
 - (iii) Securing the required Biodiversity Net Gain provision for the proposal.
- B. In the event that the S.106 agreement referred to at A(ii) above is not completed within 1 year of a resolution to Grant and/or the Biodiversity Net Gain provision at A(iii) above is not being adequately being demonstrated to have been secured, authority be delegated to the Head of Planning (or their authorised deputy) to refuse the application.

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 approved plans listed below:

CDA-351-001 received by the Local Planning Authority on 25.09.2024
CDA-351-002 received by the Local Planning Authority on 25.09.2024
CDA-351-003 Rev B received by the Local Planning Authority on 01.10.2024
CDA-351-004 Rev A received by the Local Planning Authority on 25.09.2024
CDA-351-005 Rev A received by the Local Planning Authority on 25.09.2024

CDA-351-006 received by the Local Planning Authority on 04.10.2024
CDA-351-007 received by the Local Planning Authority on 04.10.2024

Reason:

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

03. ++Prior to the commencement of any above ground works in connection with the development hereby permitted (excluding demolition), a written specification of all external materials to be used in the construction of the development hereby permitted 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.

04. ++Prior to the commencement of the development hereby permitted (excluding demolition), a hard and soft landscaping scheme showing details of shrubs, trees and hedges to be planted, details of materials for areas of hardstanding and details of boundary treatments, shall be submitted to and approved in writing by the Local Planning Authority. The approved hard landscaping and boundary treatments shall be carried out prior to the first occupation of the development hereby permitted and thereafter retained in accordance with the approved details unless otherwise first agreed in writing by the Local Planning Authority. All soft landscaping shall be carried out in accordance with the approved scheme in the first planting season (November-March) following the first 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 the visual amenities of the area.

05. ++No works pursuant to the development hereby permitted must be undertaken until tree protection details (including details of all trees and a method statement) have been submitted to and approved in writing by the Local Planning Authority. These details must adhere to the principles embodied in British Standard 5837 'Trees in relation to design, demolition and construction - Recommendations' (or any future equivalent) and make provision for the convening of a pre-commencement site meeting. Full details must be provided to indicate exactly how and when retained trees will be protected during the course of site works. No works must take place until the tree protection measures have been fully implemented in accordance with the approved details. All tree protection measures must be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing must be stored or placed in any area fenced in accordance with this condition. Any deviation from the works prescribed or methods agreed will require prior written approval from the Local Planning Authority.

Reason:

To ensure 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.

06. ++ Prior to the commencement of the development hereby permitted written evidence must be submitted to, and approved in writing by, the Local Planning Authority demonstrating that dwellings within the development will achieve a maximum water use

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of no more than 110 litres per person per day as defined in paragraph 36(2b) of the Building Regulations 2010 (as amended), measured in accordance with the methodology set out in Approved Document G (2015 edition). Such evidence must be in the form of a Design Stage water efficiency calculator.

Development must be carried out wholly in accordance with such details as may be approved and the approved details must be permanently maintained and operated for the lifetime of the development unless otherwise first agreed in writing by the Local Planning Authority.

Reason:

To ensure that the development achieves a high standard of sustainability and makes efficient use of resources within a water stressed area. This condition is required to be addressed prior to commencement in order that the ability to discharge its requirement is not prejudiced by the carrying out of building works or other operations on the site.

07. Prior to first occupation written documentary evidence must be submitted to and approved in writing by the Local Planning Authority demonstrating that the respective dwelling(s) within the development has 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 must be in the form of the notice given under Regulation 37 of the Building Regulations.

Such approved details must be permanently maintained and operated for the lifetime of the dwellings unless otherwise first agreed in writing by the Local Planning Authority.

Reason:

To ensure that the development achieves a high standard of sustainability and makes efficient use of resources within a water stressed area.

08. The development hereby permitted shall not commence until details of the design of a surface water drainage scheme have been submitted to and approved in writing by the planning authority. The design must satisfy the SuDS Hierarchy and be compliant with the NPPF and the accompanying PPG.

Reason:

To ensure the development does not increase flood risk on or off site.

09. The north and south facing rooflights (serving bathroom and hallway) hereby permitted shall be glazed entirely with obscure glass and shall be non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed. Once installed the windows shall be permanently retained in that condition unless otherwise agreed in writing by the local planning authority.

Reason:

To safeguard the amenities of the adjoining properties

10. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any order revoking and re-

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enacting that Order with or without modification) no building, structure or other alteration permitted by Class B and C of Part 1 of Schedule 2 of that Order shall be erected on the application site without the prior written approval of the Local Planning Authority of an application made for that purpose.

Reason: To protect the amenity and privacy of the occupants of neighbouring properties.

11. The development hereby approved shall not be occupied unless and until space has been laid out within the site in accordance with the approved plans in writing by the Local Planning Authority 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:

To ensure the development does not prejudice highway safety or cause inconvenience to other highway users and in the interests of public safety

12. The development hereby approved shall not be occupied unless and until space has been laid out within the site in accordance with the approved plans by the Local Planning Authority for the secure parking of bicycles. All cycle parking should be secure, covered and lit. Thereafter the parking areas shall be retained and maintained to the satisfaction of the Local Planning Authority.

Reason:

To ensure that satisfactory facilities for the parking of cycles are provided.

13. Prior to the installation of any external lighting including floodlighting, details of the lighting (demonstrating compliance with the recommendations of the Bat Conservation Trusts' "Bats and Lighting in the UK - Bats and The Built Environment Series" guidance) shall be submitted to and approved in writing by the Local Planning Authority. The approved lighting scheme shall be installed and maintained in accordance with the agreed details thereafter.

Reason:

In the interests of visual and neighbouring amenity and biodiversity.

14. ++Prior to commencement of development an amphibian and reptile precautionary method of working shall be submitted and approved by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

Reason:

In order to protect and enhance biodiversity on the site.

15. ++The development hereby permitted shall not commence until a Ecological Enhancement Plan has been submitted to and approved in writing by the Local Planning Authority. The Ecological Enhancement Plan shall be carried out as approved and any subsequent variations shall be agreed in writing by the Local Planning Authority.

The Ecological Enhancement Plan shall include the following elements:

- a) Description and evaluation of features to be provided
- b) Location plan of all ecological enhancement features being provided

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- c) Ecological trends and constraints on site that might influence management
- d) Prescriptions for management actions
- e) Ongoing monitoring and remedial measures

Reason:

To ensure the protection of wildlife and the habitat which supports it and secure opportunities for the enhancement of the nature conservation value of the site.

16. The development hereby permitted must take place in accordance with Section 7 'Ecological impact assessment' and Section 8 'Biodiversity enhancements' set out in the within the Ecology Report ref: 6183-A dated 26.12.2023 August 2024 by Surrey Wildlife Trust Ecology Services received by the LPA on 25.09.2024, unless otherwise agreed in writing by the Local Planning Authority.

Reason:

In order to protect and enhance biodiversity on the site.

17. If, prior to or during development, ground contamination is suspected or manifests itself then no further development (unless otherwise agreed in writing by the Local Planning Authority) shall be carried out until the developer has submitted an appropriate remediation strategy to the Local Planning Authority and the written approval of the Local Planning Authority has been received. The strategy should detail how the contamination shall be managed.

The remediation strategy shall be implemented in accordance with such details as may be approved and a remediation validation report shall be required to be submitted to Local Planning Authority to demonstrate the agreed strategy has been complied with."

Reason:

To ensure that a satisfactory strategy is put in place for addressing contaminated land, making the land suitable for the development hereby approved without resulting in risk to construction workers, future users of the land, occupiers of nearby land and the environment.

18. ++Prior to demolition works the asbestos containing materials identified in the Asbestos Management Survey Report by Tersus ref:J894893 must be removed, in accordance with best practice / guidance and relevant regulations.

Upon completion of demolition works, the applicant shall provide in writing to the Local Planning Authority suitably detailed confirmation that demolition works were carried out after the removal of all asbestos containing materials.

Reason:

To order to safeguard the environment, the surrounding areas and prospective occupiers of the site.

Informatives

01. The Council confirms that in assessing this planning application it has worked with the applicant in a positive and proactive way, in line with the requirements of the National Planning Policy Framework (2024).

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02. The applicant is advised that Council officers may undertake inspections without prior warning to check compliance with approved plans and to establish that all planning conditions are being complied with in full. Inspections may be undertaken both during and after construction.
03. The applicant is advised that this planning permission does not convey the right to enter onto or build on land not within their ownership.
04. The applicant is advised that under the Control of Pollution Act 1974, works which are audible at the site boundary are restricted to the following hours: 8.00 a.m. - 6.00 p.m. Monday to Friday, 8.00 a.m. - 1.00 p.m. on Saturdays and not at all on Sundays and Bank Holidays.
05. 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 Local Planning Authority to consider the details and discharge the condition. A period of between five and eight weeks should be allowed for.

06. The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition "(the biodiversity gain condition)" that development may not begin unless:
 - (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
 - (b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission would be Woking Borough Council.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. Based on the information available this permission is considered to be one which will not require the approval of a Biodiversity Gain Plan before development is begun because one of the statutory exemptions is considered to apply. In this case the statutory exemption is as follows:

Self and Custom Build Development, meaning development which:

- i) consists of no more than 9 dwellings;
- ii) is carried out on a site which has an area no larger than 0.5 hectares; and
- iii) consists exclusively of dwellings which are self-build or custom housebuilding (as defined in section 1(A1) of the Self-build and Custom Housebuilding Act 2015)

07. The applicant is expected to ensure the safe operation of all construction traffic to prevent unnecessary disturbance obstruction and inconvenience to other highway users. Care should be taken to ensure that the waiting, parking, loading and unloading of construction vehicles does not hinder the free flow of any carriageway, footway, bridleway, footpath, cycle route, right of way or private driveway or entrance. The

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developer is also expected to require their contractors to sign up to the "Considerate Constructors Scheme" Code of Practice, (www.ccscheme.org.uk) and to follow this throughout the period of construction within the site, and within adjacent areas such as on the adjoining public highway and other areas of public realm.

08. 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.
09. 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).
10. All species of Bat and their roost sites are protected under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) and Schedule 2 of the Conservation of Habitats and Species Regulations 2017. All Bats are therefore European Protected species. Offences under this legislation include any activities that may kill, injure or disturb an individual or damages or destroys a breeding site or resting place of that individual. Destruction of a Bat roost is therefore an offence, even if the bat is not present at the time of roost removal. An EPS Mitigation Licence will be required from Natural England before any actions which may affect bats are undertaken.
11. All native UK reptile species are legally protected under Schedule 5 of the Wildlife and Countryside Act (1981) (as amended) and as such are protected from killing or injuring. Great Crested Newts are protected under Schedule 2 of the Conservation of Habitats and Species Regulations 2017. Great Crested Newts are therefore European Protected species. Offences under this legislation include any activities that may kill, injure or disturb an individual or damages or destroys a breeding site or resting place of that individual.
12. The applicant should take action to ensure that development activities such as demolition and vegetation clearance are timed to avoid the breeding bird season of early March to August inclusive.
13. To prevent its spread Virginia creeper should be eradicated using qualified and experienced contractors and disposed of in accordance with the Environmental Protection Act (Duty of Care) Regulations 1991. Further information on this species can be obtained from the GB Non-native Species Secretariat at 'www.nonnativespecies.org'.
14. The applicant is advised that, in accordance with the Town Improvement Clause Act 1987 Sections 64 & 65 and the Public Health Act 1925 Section 17, Woking Borough Council is the authority responsible for the numbering and naming of properties and new streets. You should make a formal application electronically to Woking Borough Council using the following link: www.woking.gov.uk/planning-and-building-control/street-naming-and-numbering/about-street-naming-and-numbering before addressing any property or installing or displaying any property name or number or street name in connection with any development the subject of this Planning Permission.

Please note that from April 2023 Woking Borough Council will be introducing Street Naming and Numbering (SNN) fees. This is to ensure that administrative costs incurred by the Council to provide this statutory function are recovered.

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15. The submitted Asbestos Management Survey Report by Tersus ref:J894893 has identified asbestos containing materials. Whilst it is noted the report assumed continued use of the scout hut. It is understood the scout hut will be demolished.

Therefore all asbestos-containing materials need removal in accordance with best practice and relevant regulations / guidance.

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

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

http://www.planningportal.gov.uk/uploads/1app/forms/form_6_commencement_notice.pdf

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

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

For full information on this please see the guidance and legislation here:

<https://www.gov.uk/guidance/community-infrastructure-levy>

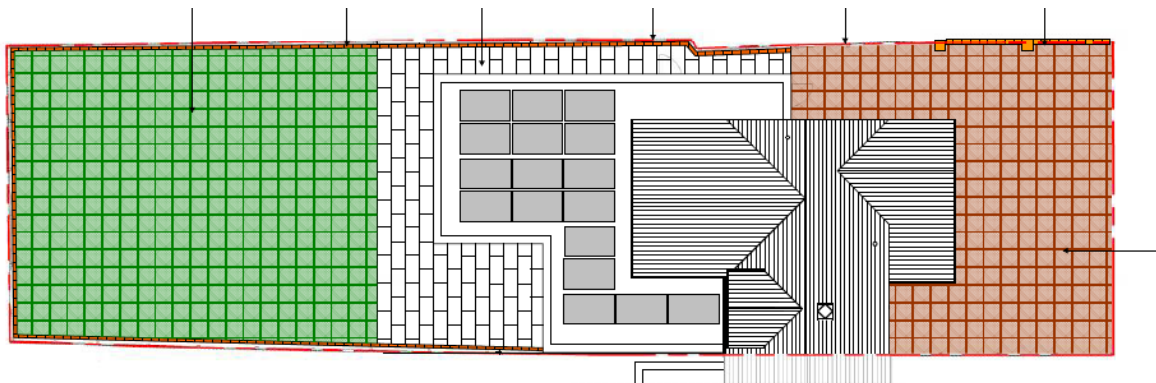
<http://www.legislation.gov.uk/all?title=The%20Community%20Infrastructure%20Levy%20Regulations%20>

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

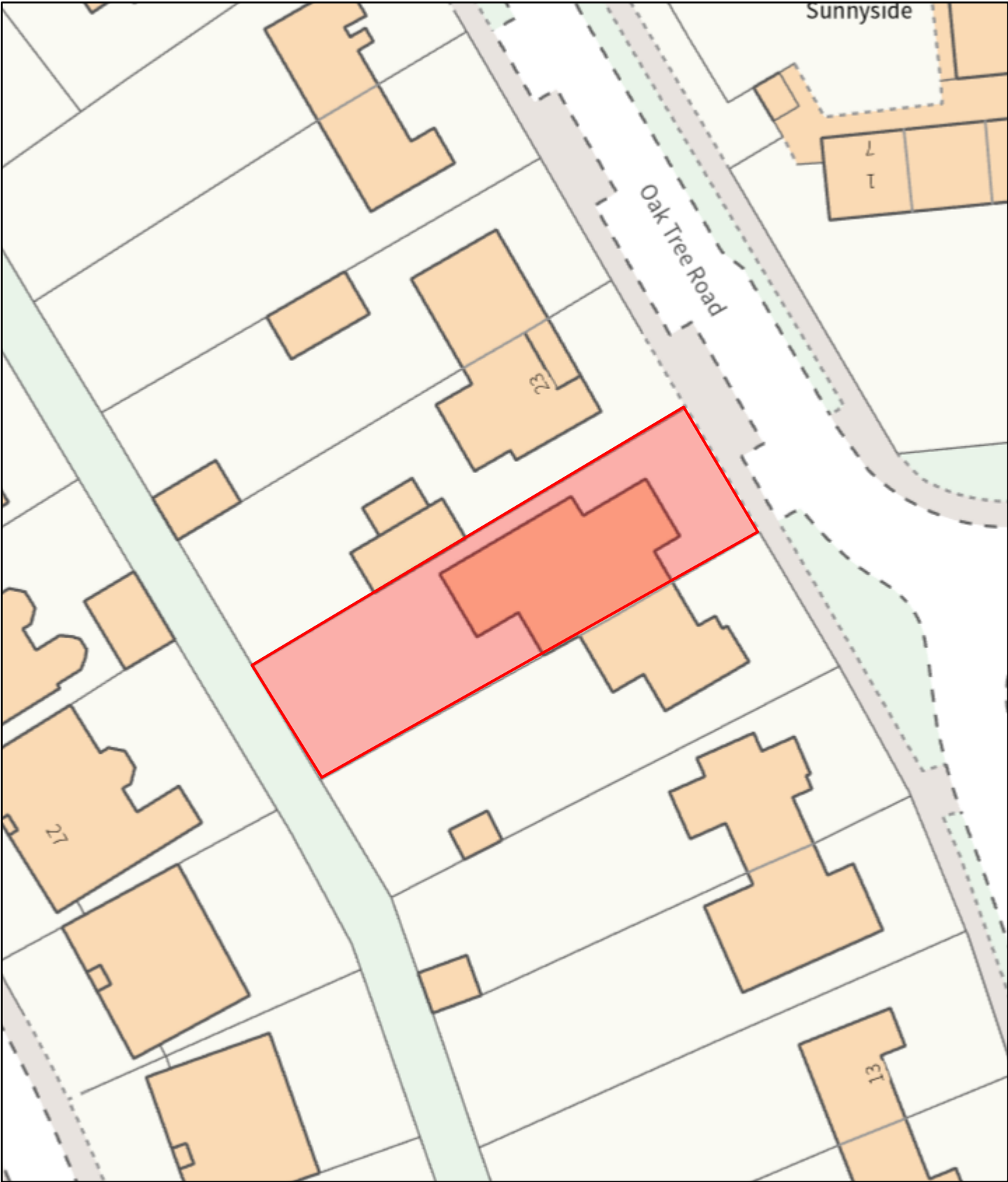
21 Oak Tree Road, Knaphill

PLAN/2024/0685

Retrospective Variation of Conditions 1 (Approved Plans), 6 (Soft Landscaping), 7 (Hard Landscaping) and 8 (EV Charging Point) of planning permission PLAN/2023/0792 (Retrospective Variation of Condition 2 (Approved Plans) of PLAN/2022/0547 (Demolition of existing dwelling and erection of replacement dwelling)) to increase the height of the single storey rear element, two-storey front projection and ridge height and alterations to fenestration. Alterations to landscaping and EV charger and addition of solar panels.

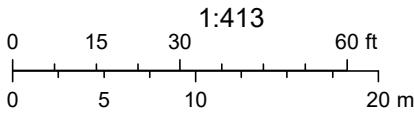


21 Oak Tree Road



4/7/2025, 9:34:22 AM

Utility - OS Topographic Area



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6c PLAN/2024/0685

WARD: KNA

LOCATION: 21 Oak Tree Road, Knaphill, Woking, Surrey, GU21 2RW

PROPOSAL: Retrospective Variation of Conditions 1 (Approved Plans), 6 (Soft Landscaping), 7 (Hard Landscaping) and 8 (EV Charging Point) of planning permission PLAN/2023/0792 (Retrospective Variation of Condition 2 (Approved Plans) of PLAN/2022/0547 (Demolition of existing dwelling and erection of replacement dwelling)) to increase the height of the single storey rear element, two-storey front projection and ridge height and alterations to fenestration. Alterations to landscaping and EV charger and addition of solar panels.

APPLICANT: Mr Tamur Khawaja

OFFICER: Claire Bater

REASON FOR REFERRAL TO COMMITTEE

The planning application was considered by the Planning Committee at its meeting on 11 March 2025. The officer's recommendation to approve the application, subject to conditions, was voted upon and did not carry. Members discussed grounds to refuse the application but there was not a motion put forward, seconded and voted on as regards an alternative recommendation. The application is therefore brought back to Committee for a vote/decision. Consideration of the application will continue from the point at which the item closed on 11 March 2025. This means the application will not be re-introduced by officers, nor will any speakers be able to address the meeting again.

PROPOSED DEVELOPMENT

The planning application is made under S.73 to vary the 'approved plans' condition attached to permission PLAN/2023/0792 and seeks retrospective permission for amendments to that permission to increase the height of the single storey rear element, increase the height of the two-storey front projection and alterations to fenestration. Further retrospective amendments include the addition of solar panels and alterations to landscaping and EV charger.

PLANNING STATUS

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

RECOMMENDATION

GRANT planning permission subject to conditions.

SITE DESCRIPTION

The application site is a two-storey semi-detached house on the western side of Oak Tree Road opposite the junction with the Bagshot Road.

PLANNING HISTORY

PLAN/2024/0193 – Retrospective Variation of Condition 1 (Approved Plans) of PLAN/2023/0792 (Retrospective Variation of Condition 2 (Approved Plans) of PLAN/2022/0547 (Demolition of existing dwelling and erection of replacement dwelling)) to increase the height of the single storey rear element, increase the height of the two-storey front projection and alterations to fenestration. – Refused 24.07.2024 for the following reasons:

1. *The development, by reason of the use of grey uPVC windows, is not in keeping with the character of the host dwellinghouse and fails to respect and make a positive contribution to the street scene and the character of the area contrary to policies CS21 and CS24 of the Woking Core Strategy (2012), Supplementary Planning Document Woking Design (2015) and the National Planning Policy Framework (2023).*
2. *The increased height of the single storey side/rear element would have a significant unacceptable overbearing impact on the adjoining neighbouring property at No.19 Oak Tree Road contrary to policy CS21 of the Woking Core Strategy (2012), Supplementary Planning Document Outlook, Amenity, Privacy and Daylight (2022) and the National Planning Policy Framework (2023).*

PLAN/2023/0792 – Retrospective Variation of Condition 2 (Approved Plans) of PLAN/2022/0547 (Demolition of existing dwelling and erection of replacement dwelling) to change the utility room window to a door and add two windows in the ground floor north (side) elevation. – Permitted 13.12.2023

PLAN/2023/0732 – Variation of Condition 2 (Approved Plans) of PLAN/2022/0547 (Demolition of existing dwelling and erection of replacement dwelling) to increase the size of the single storey rear element and alterations to fenestration. – Refused 18.10.2023

PLAN/2023/0273 – Erection of rear decking area and shed including retention of existing concrete hardstanding. – Permitted 18.07.2023

PLAN/2023/0112 – Erection of a single storey outbuilding to create a home office – Withdrawn 22.02.2023

PLAN/2022/0547 – Demolition of existing dwelling and erection of replacement dwelling. – Permitted 18.01.2023

PLAN/2021/1125 – Proposed part single/part two storey rear extension with room in the roof space, first floor front extension and hip to gable roof extension with rear dormer window following demolition of existing single storey rear extension and part existing single storey front extension. – Permitted 15.02.2022

PLAN/2017/1412 – Proposed single storey outbuilding. – Refused 06.02.2018

CONSULTATIONS

Arboricultural Officer (comment on original plans) – No landscape plan submitted and only soft landscaping indicated is grass.

(Officer note: The application was subsequently revised to include the originally approved landscaping plans).

REPRESENTATIONS

Five (5) representations from 4 different people have been received raising the following summarised comments:

1. The detailed drawings of the capping fail to give any vertical measurement to ascertain its final height. (*Officer note: regardless of the fitting it would need to accord with the overall height shown in the submitted elevations*)
2. The height would still have a significant unacceptable overbearing impact on the adjoining neighbouring property at No.19 Oak Tree Road.
3. Plans do not show the removal of roof light to the single storey extension which would result in an extremely poorly lit room adjoining the kitchen.
4. Plan SP.100 shows a plot totally devoid of any planting.
5. Soft and hard landscaping is not as previously approved.
6. The extension has significant overbearing impact on us as it extends right to our boundary and is already 1.6 metres longer than it should be.
7. Finished height of ground floor extension not shown (*Officer note: drawings are submitted to a recognised scale and height can be taken from this*).
8. Loss of light impact to No.19 Oak Tree Road – fails 45 degree test.
9. Lack of supporting technical information for sunlight/daylight impact.
10. Plans are inaccurate.
11. Proposals conflict with development plan policies.
12. A development should not be approved that would never have been allowed in the first place.

Where these comments relate to material planning considerations, they are addressed as appropriate below. It should be noted that validation of this planning application was delayed whilst officers ensured that as accurate as possible plans were submitted, where there are minor inaccuracies (such as annotations on orientation) they do not directly cause issue with the determination of the planning application.

RELEVANT PLANNING POLICIES

National Planning Policy Framework (NPPF) (2024)

Section 12 - Achieving well-designed places

Woking Core Strategy (2012)

CS21 – Design

CS24 – Woking's Landscape and Townscape

Supplementary Planning Documents (SPD's)

Woking Design (2015)

Outlook, Amenity, Privacy and Daylight (2022)

Parking Standards (2018)

PLANNING ISSUES

The principal considerations with the proposed revisions to the previously approved scheme are their impact on the amenity enjoyed by the neighbouring properties at Nos.19 and 23 Oak Tree Road and the impact of the proposals on the character and appearance of the streetscene.

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It is noted that the orientation of the elevations is erroneously annotated on the submitted plans. The assessment of the application has been made taking into account the correct orientations.

Background

1. Planning permission was granted (retrospectively) under PLAN/2022/0547 for the erection of a replacement house following demolition of the existing house and subsequently amended under PLAN/2023/0792. The current application differs from the approved scheme as follows:

Front Elevation

- Alterations to style and position of windows including insertion of front roof light
- Increase in pitch and height of two-storey front projection by approx. 0.3m
- Increase in height of single-storey side element by approx. 0.2m
- Increase in height of the pitched roof of the main house by approx. 0.07m

Side Elevation (facing No.23 Oak Tree Road)

- Alteration to style of 2nd floor window
- Insertion of first floor window
- Alterations to position and size of windows at ground floor

Rear Elevation

- Reduction in width and increase in depth and height of rear dormer
- Alterations to style and position of windows
- Increase in height of single-storey side/rear element by approx. 0.2m
- Increase in width of the shorter section of the single-storey rear element
- Removal of rooflights to the single storey element
- Solar panels have been added to the roof of the single-storey element

It is these elements only which are under consideration by the submitted application.

The application as initially submitted also included retention of the existing hard and soft landscaping which does not comply with Conditions 6 and 7 of PLAN/2023/0972. Amended plans/information have been received during the determination of the planning application to reflect the originally approved conditions.

Impact on Character of the Area

2. Section 12 of the *National Planning Policy Framework* (2021) states that “*The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve*” and that “*Good design is a key aspect of sustainable development...*” and requires proposals to “*add to the overall quality of the area...*”, to be “*visually attractive as a result of good architecture...*” and “*sympathetic to local character and history, including the surrounding built environment and landscape setting...*”.
3. Policy CS21 of the *Woking Core Strategy* (2012) requires development proposals to “*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*” whilst Policy CS24 requires development proposals to provide a ‘positive benefit’ in terms of townscape character.

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4. Supplementary Planning Document *Woking Design* (2015) sets out guidance for domestic extensions and states that “*significant extensions to the street façade will usually be resisted where there is a well-established building line*” and “*extensions should not result in unbalanced or disproportionate frontages...The additional mass should respect the existing building proportion, symmetry and balance*”.
5. The existing building is a replacement two-storey semi-detached house constructed of red multi-stock bricks under a pitched roof of red concrete tiles. The street scene is comprised of two-storey semi-detached houses constructed of red/brown bricks with concrete tiled roofs of similar style and white window frames.
6. Planning permission was granted for the replacement house under PLAN/2022/0547 and materials subsequently conditioned to include white uPVC windows. This was re-iterated under planning permission ref: PLAN/2023/0792 which retrospectively granted permission for new window openings in the side elevation of the single storey element. Grey uPVC windows have been installed in contravention of Condition 2 of PLAN/2023/0792, although those on the front elevation and at first/second floor on the side elevation have been painted white. The submitted plans indicate all window frames to be painted white – it is considered appropriate to impose a condition requiring this to take place within 3 months of the decision.
7. A roof light has been inserted into the front roof slope and the height of the two-storey front projection increased by approx. 0.3m. This increase in height has been caused as a result of the steeper pitch of the cat-slide roof on this element. The ridge height of the house is very slightly higher than that of the adjoining semi-detached property. This increased height is not immediately apparent in the street scene and it is considered that the proposal is in keeping with the character of the street scene and wider area in this regard.
8. Solar panels have been installed on the roof of the single-storey rear element. These are concealed from ground level by the parapet wall detailing and are considered to have an acceptable impact on the host dwelling. These would also fall within the parameters and requirements of Schedule 2, Part 14, Class A of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). Rooflights have been removed from the single-storey rear element and this is not considered to cause any unacceptable impacts.
9. Overall, the proposal is considered to have an acceptable impact on the character of the host dwelling and surrounding area.

Impact on Neighbouring Amenity:

10. Policy CS21 of the *Woking Core Strategy* (2012) advises that proposals for new development should achieve a satisfactory relationship to adjoining properties avoiding significant harmful impact in terms of loss of privacy, daylight or sunlight, or an overbearing effect due to bulk, proximity or outlook.
11. In terms of impacts on light, Woking Council's SPD *Outlook Amenity, Privacy and Daylight* (2022) contains a 45° test to determine whether development to the rear of the property would have an acceptable impact on the sunlight/daylight levels received by the rear windows of adjoining and adjacent properties. The application proposes the increase in height of the single storey side/rear element from 2.8m to 3.0m (0.2m). The submitted drawings also depict the relationship in terms of depth of this element with regards to the single storey rear extension on the adjoining property at No.19 Oak Tree Road and also reflect the increased distance to the side boundary from the longer section.

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12. In applying the 45 degree test, the single storey side/rear element would fail the test in plan form but pass in elevation. The SPD states “*Significant loss of daylight will occur if the centre of the affected window (or a point 1.6m in height above the ground for floor to ceiling windows/patio doors) lies within a zone measured at 45° in both plan and elevation.*” The proposal is accordingly not considered to result in a significantly harmful loss of light impact to no. 19 and is acceptable in this regard. The proposal passes this test in both plan and elevation in respect to no.23 Oak Tree Road.
13. The proposed development would result in a 3.3m deep single-storey, flat-roofed element being positioned directly on the boundary with the attached neighbour at No.19 Oak Tree Road. This would have a height of 3.0m. (i.e. approximately 1.2m. higher than the boundary treatment at this location). By way of background, the drawings submitted under PLAN/2022/0547 and PLAN/2023/0792 did not show the correct depth of the extension at No.19 Oak Tree Road – this has been corrected under the current planning application. The development refused under PLAN/2024/0193 proposed a height of 3.15m and was considered to have an overbearing impact on No.19. A recent site visit was undertaken to further assess the impact of the extension from this neighbouring property. Although the capping had not been installed (which would very marginally increase the extension height to take it to 3.0m) it was noted that there is not a significant unacceptable overbearing impact or loss of light caused towards No.19 Oak Tree Road. It was noted at the site visit that the property boundary within the garden of No.19 Oak Tree Road is heavily landscaped and that the offset of the proposed extension from the boundary with this property is such that the neighbour impacts from the currently as built single storey rear extension are not so significant that the application should be refused on neighbour impact. Whereas it is accepted that the height reduction from application PLAN/2024/0193 is 0.15m only, the overall height is very important as regards the level of impact. The reduction in height does also mean the extension is of more typical single storey extension height. It is considered that the resultant extension has an acceptable impact on neighbour’s amenity and would therefore be compliant with policy CS21 of the Woking Core Strategy.
14. New windows have been inserted at first floor and above in the side elevation facing No.23 Oak Tree Road. The submitted floor plans show that these would serve an ensuite and a stairwell and would be obscure glazed. It is accordingly considered appropriate to impose a condition requiring these windows to be obscure-glazed in perpetuity and non-openable under 1.7m from finished floor level in order to prevent an unacceptable overlooking impact towards this neighbouring property. Subject to the aforementioned obscure glazing condition being imposed it is not considered that these additional window openings would have an unacceptable impact on neighbour’s amenity by virtue of overlooking or loss of privacy.
15. Overall, the proposal is considered to have an acceptable impact on the amenities of neighbours in terms of potential loss of light, overbearing and overlooking impacts.

Impact on Private Amenity Space:

16. Woking Borough Council’s SPD *Outlook, Amenity, Privacy and Daylight* (2022) recommends that large family dwelling houses (i.e. over 150 sqm in gross floorspace) should have a suitable area of private garden amenity that is in scale with the building (e.g. greater than the gross floor area of the building). The proposal would provide increased amenity space from that approved under PLAN/2022/0547 and accordingly is considered to be acceptable in this regard.

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17. It was noted at the site visit that, as shown on the submitted Site Plan, the hard and soft landscaping had not been implemented in accordance with Conditions 6 and 7 of PLAN/2023/0792. It is considered that the lack of biodiversity thus created is unacceptable and the applicant has subsequently indicated the approved landscaping scheme will be implemented and has submitted the relevant plans as confirmation. Accordingly, it is considered appropriate to impose a condition requiring the hard landscaping to be implemented within three months of the decision and the soft landscaping within one month of the decision (so it can be carried out in the current planting season).

Transportation Impact:

18. The proposed development would not alter the required parking provision and sufficient space would remain to the frontage of the host dwelling for at least three vehicles in accordance with the Council's SPD *Parking Standards* (2018). The new EV charging unit meets the requirements of Condition 8 of PLAN/2022/0547. The proposal is therefore considered acceptable in terms of parking provision.

Local Finance Considerations:

19. The proposed development is a replacement house hence liable for CIL. Floor space of 234.54sqm is proposed; 96.16sqm has been demolished therefore the chargeable amount is 138.38sqm at a rate of £125/sqm plus indexation.

CONCLUSION

20. Overall, the proposal is considered to have an acceptable impact on the character of the host dwelling and surrounding area, and on the amenities of neighbours and in respect of other planning considerations as noted in this report. The proposal therefore accords with the relevant Development Plan policies, guidance and other material considerations as noted in this report and is recommended for approval subject to conditions.

BACKGROUND PAPERS

Site visit photographs (dated 15.01.2025)

RECOMMENDATION

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

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

Drawing No: E.100 Rev I "Proposed Elevations" dated 22/10/2024 and received by the Local Planning Authority on 24.10.2024

Drawing No: E.101 Rev H "Proposed Elevations in Compare to the Approved drawings – PLAN/2023/0792" dated 22/10/2024 and received by the Local Planning Authority on 24.10.2024

Drawing No: GA.100 Rev H "Proposed Layouts" dated 22/10/2024 and received by the Local Planning Authority on 24.10.2024

Drawing No: GA.101 Rev H "Proposed Layouts in Compare to the Approved drawings – PLAN/2023/0792" dated 22/10/2024 and received by the Local Planning Authority on 24.10.2024

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

2. The proposed single storey rear extension should not exceed 3.0m in height.

Reason: To safeguard the amenities of the adjoining properties.

3. Within three (3) months of the date of this permission, all windows on the side and rear elevations shall be painted white to match those on the front elevation and permanently retained in that condition unless otherwise agreed in writing by the Local Planning Authority.

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

4. Within three (3) months of the date of this decision written documentary evidence shall be submitted to 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.

5. Within one (1) month of the date of this decision soft Landscaping shall be carried out in accordance with Drawing No: PL10-002b dated 11.05.2023 received 17.02.2025 unless otherwise agreed in writing by the Local Planning Authority and shall be maintained for a period of 5 years. Any trees or other plants which die during this period 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 to preserve and enhance the character and appearance of the locality.

6. The materials used for the 'hard' landscape works shall be as specified in Drawing No: PL10-002b dated 11.05.2023 and document titled "Hard Landscaping: Front/Back" both received 17.02.2025. The works shall be carried out in accordance with the approved details within three (3) months of the date of this decision and maintained as such in perpetuity unless otherwise agreed in writing by the LPA.

Reason: In the interests of amenity and to preserve and enhance the character and appearance of the locality.

6. The electric vehicle charging point shall be as specified in the submitted Solaxpower Smart EV Charger brochure received 24.10.2024. The works shall be carried out in

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accordance with the approved details within three (3) months of the date of this decision and maintained as such in perpetuity unless the Local Planning Authority subsequently agrees in writing to their replacement with more advanced technology serving the same objective.

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

7. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modification) no building, structure or other alteration permitted by Classes A, B, C, D or E of Part 1 of Schedule 2 of that Order shall be erected on the application site without the prior written approval of the Local Planning Authority of an application made for that purpose.

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.

8. The windows in north elevation (shown as 'East' on Drawing No: E.100) hereby permitted shall be glazed entirely with obscure glass and non-opening unless the parts of the window(s) which can be opened are more than 1.7 metres above the floor of the room in which the window is installed. Once installed the window shall be permanently retained in that condition unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard the amenities of the adjoining properties.

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

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

Informatives

1. The Council confirms that in assessing this planning application it has worked with the applicant in a positive and proactive way, in line with the requirements of the National Planning Policy Framework (2024).
2. The applicant is advised that under the Control of Pollution Act 1974, construction work which will be audible at the site boundary will be restricted to the following hours:-

8.00 a.m. - 6.00 p.m. Monday to Friday
8.00 a.m. - 1.00 p.m. Saturday
and not at all on Sundays and Bank Holidays.
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

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conditions are being complied with in full. Inspections may be undertaken both during and after construction.

4. The provisions of the Party Wall etc. Act 1996 may be applicable and relates to work on an existing wall shared with another property; building on the boundary with a neighbouring property; or excavating near a neighbouring building. An explanatory booklet, prepared by the Ministry of Housing, Communities and Local Government, and setting out your obligations, is available at the following address: <https://www.gov.uk/guidance/party-wall-etc-act-1996-guidance#explanatory-booklet>.
5. The applicant is advised that this planning permission does not convey the right to enter onto or build on land not within their ownership.
6. 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.
7. 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 self-adhesive plastic film are not acceptable.
8. It is the responsibility of the developer to ensure that the electricity supply is sufficient to meet future demands and that any power balancing technology is in place if required. Please refer to: <http://www.beama.org.uk/resourceLibrary/beama-guide-to-electric-vehicle-infrastructure.html> for guidance and further information on charging modes and connector types.
9. The applicant is advised that the development hereby permitted is subject to a Community Infrastructure Levy (CIL) Liability. The Liability Notices dated 15 March 2023 and subsequent Demand Notice dated 7 September 2023 issued in relation to PLAN/2022/0547 remain extant.

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)

