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

You are hereby summoned to attend an Extraordinary meeting of the Planning Committee to be held on Tuesday, 7 January 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
 - (i) To receive declarations of disclosable pecuniary and other interests from Members in respect of any item to be considered at the meeting.
3. Urgent Business

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

Matters for Determination

4. Planning Applications (Pages 3 - 6)
 - Section A - Applications for Public Speaking**
 - 4a. 2024/0811 Former BHS, 81 Commercial Way (Pages 9 - 268)
 - Section B - Application reports to be introduced by Officers**

There are no applications under this section.

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

There are no applications under this section.

AGENDA ENDS

Date Published - 20 December 2024

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

PLANNING COMMITTEE AGENDA

PLANNING APPLICATIONS AS AT 7 JANUARY 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: 1

Item: 0004A
Case ref: PLAN/2024/0811
Recommendation: Recomm'n to Grant Subj. to Legal Agr't
Ward: Canalside
Address: Former BHS, 81 Commercial Way, Woking, Surrey, GU21 6HR

Section A - A

Report execution time: 19/12/2024 09:44:33

SECTION A

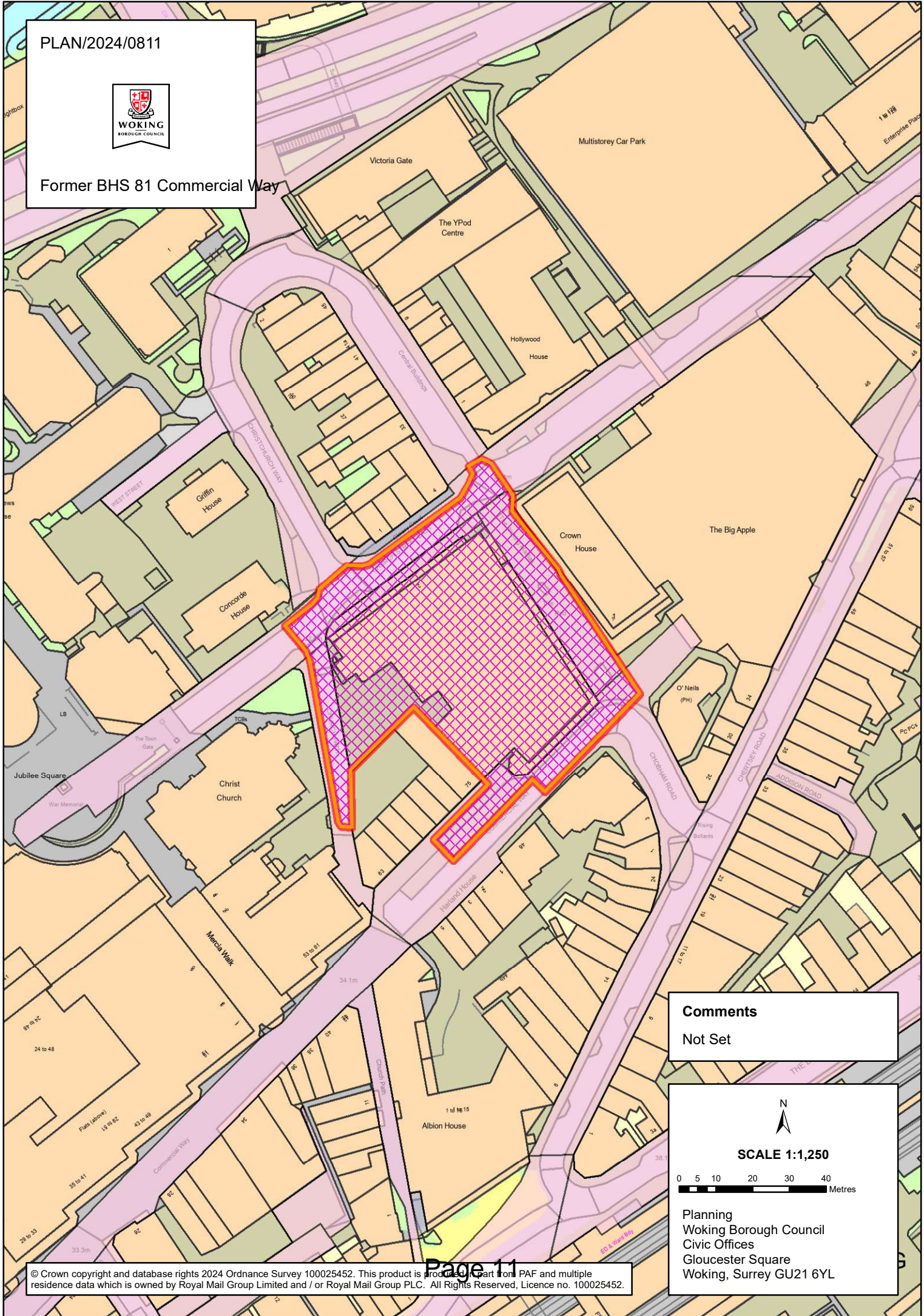
**APPLICATIONS ON WHICH
PUBLIC ARE ELIGIBLE
TO SPEAK**

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

PLAN/2024/0811



Former BHS 81 Commercial Way



Comments
Not Set

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

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

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4a PLAN/2024/0811

WARD: Canalside

LOCATION: Former BHS, 81 Commercial Way, Woking, Surrey, GU21 6HR

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

APPLICANT: Donard Real Estate
C/o Obsidian Fund Services Limited

OFFICER: Benjamin
Bailey

REASON FOR REFERRAL TO COMMITTEE

This is an application for planning permission, where the recommendation is for approval, for the provision of buildings where the floor space to be created by the development is 1,000 square metres or more. As such, the application falls outside of the Scheme of Delegation.

PLANNING STATUS

- Urban Area
- Woking Town Centre
- Primary Shopping Area
- Primary Shopping Frontage
- Proximate to Statutory Listed Buildings (Christ Church & Woking War Memorial - both Grade II)
- Adjacent to Conservation Area (Woking Town Centre) (to south)
- Thames Basin Heaths Special Protection Area (TBH SPA) Zone B (400m-5km)

RECOMMENDATION

That the Planning Committee resolves to **Grant** planning permission subject to:

1. The prior completion of a Section 106 Legal Agreement to secure the requirements as set out at the conclusion of this report; and
2. Planning conditions as set out at the end of this report.

The Planning Committee is also requested to authorise the Strategic Director - Place (and their authorised deputies) to take all necessary action(s) in connection with points 1-2 above.

EXECUTIVE SUMMARY

The development proposed under this planning application is unaltered from that which was previously refused, under application ref: PLAN/2023/0911, by the Planning Committee (against Officer advice) at its 19th March 2024 meeting for, in summary, reasons in respect of: (i) townscape character and appearance, (ii) less than substantial harm to the significance of proximate designated and non-designated built heritage assets not being outweighed by the public and heritage benefits of the proposed development, (iii) the provision of insufficient on site car parking provision, including on site disabled car parking provision, thereby exacerbating existing pressure for on-street car parking and thus causing harm to the environment and general amenity of the local area and, (iv) and (v), the absence of a Section 106 Legal Agreement to secure the provision of affordable housing, a Built-to-Rent clawback covenant and contributions towards avoidance and mitigation measures for the Thames Basin Heaths Special Protection Area (TBH SPA) in relation to urbanisation and recreational pressure effects. That refusal of planning permission is presently the subject of a 'live' s.78 appeal (Appeal Ref: APP/A3655/W/24/3350062) with a public inquiry provisionally scheduled to open in May 2025.

Whilst the development proposed under this planning application is unaltered from that which was previously refused under ref: PLAN/2023/0911 amended and additional supporting information has been submitted by the applicant with this application. A full list of reports which have been updated and/or provide amended and/or additional supporting information (which were not submitted with previous ref: PLAN/2023/0911) are set out later in this report although the key reports, in respect of the previous reasons for refusal of ref: PLAN/2023/0911, are:

Report Title	Consultant (for the applicant)
Planning Statement	Turley (updated November 2024)
Heritage, Townscape and Visual Impact Assessment (HTVIA)	Previous Turley report replaced with Vitruvius HTVIA (November 2024)
Transport Assessment and Draft Framework Travel Plan	Pulsar Transport Planning (updated November 2024)
Parking Technical Note	SLR Consulting Ltd (November 2024)

Whilst clearly there are other changes throughout this report to reflect, where relevant, changes in circumstances which have occurred since previous ref: PLAN/2023/0911 was refused in March 2024, including (but not limited to) the 12th of December 2024 publication of the revised National Planning Policy Framework (NPPF), the following paragraphs contain the most significant changes in comparison to the Planning Committee report for previous ref: PLAN/2023/0911:

Paragraph numbers (all stated paragraph numbers are inclusive):

- 35 – 47 (Residential development);
- 205 – 212 (Townscape character and appearance);
- 376 – 391 (Conclusion on built heritage);
- 469 – 508 (Car Parking - Residential);
- 825 – 842 (Conclusion and planning balance).

The Heritage, Townscape and Visual Impact Assessment (HTVIA), prepared by Vitruvius Heritage Ltd (November 2024), demonstrates that in assessing the overall impact on Townscape Character Area 1 (Woking Town Centre) as a whole, when taking into account the beneficial and adverse effects, the proposed development would cause localised beneficial effects on the Townscape Character Area in the local context of the site and neutral effects elsewhere in the Townscape Character Area, due to the effects of separation distances, intervening buildings and the varied existing urban character. The HTVIA also demonstrates

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that the proposed development would conserve the townscape character of Townscape Character Areas 2 (Woking Town Centre South and Mount Hermon), 3 (Maybury - Woking Common) and 4 (Horsell), as well as the landscape character of Landscape Character Area 1 (Horsell Common).

Clearly, this is a case (as with most large-scale Major development) where there are competing national and local planning policy objectives which pull in different directions. Although there are some reservations about the impact of the proposed development on the settings of nearby built heritage assets (designated and non-designated) these reservations are relatively limited in extent (that is they have been identified, at their greatest, as being towards the lower end of the scale within the spectrum of 'less than substantial' harm for the purposes of the NPPF) and must be weighed against the very substantial public (and heritage) benefits which would flow from the proposed development. In this respect it is highly material that the Council's Built Heritage Consultant comments that *"It is concluded that...the balance of benefit and harm would still fall in favour of the application proposals given the benefits both public and in terms of the heritage that can be demonstrated would arise from this proposal"*.

In light of the additional information submitted with this application, together with a considered comparative analysis of the conclusions of the March 2024 Technology House appeal decision (WBC Ref: PLAN/2022/0685, Appeal Ref: APP/A3655/W/23/3328994) on parking matters, and subject to conditions and a Section 106 Legal Agreement which will secure car club provisions (i.e., x1 car club space and free membership for each household of the proposed development for one (1) year), this application is considered to have sufficiently overcome reason for refusal 03 of ref: PLAN/2023/0911 in respect of residential parking provision. In its locational context the proposed development is therefore considered to be acceptable in terms of the adequacy of parking provision, including in terms of the adequacy of disabled parking provision.

A (draft) Section 106 Legal Agreement exists to secure (among other things, including car club provisions) the provision of on-site affordable housing, a Built-to-Rent clawback covenant and contributions towards avoidance and mitigation measures for the Thames Basin Heaths Special Protection Area (TBH SPA) in relation to urbanisation and recreational pressure effects.

It is clear that the proposed development would make an important, and significant, contribution to the provision of new homes within the Borough and would assist in achieving the Council's overarching aim to deliver 1,980 new dwellings within Woking Town Centre by 2027, in line with Policy CS10 of the Woking Core Strategy (2012) and the Development Plan when read as a whole. The proposed development would also make an important, and significant, contribution to maintaining, in the medium term, a 5 year housing land supply (including appropriate buffer) in the context of the greatly increased local housing need (indicative figure of 794 dwellings per annum) which the Government introduced on 12th December 2024.

In the preceding context, which materially differs from that which existed when application ref: PLAN/2023/0911 was refused in March 2024, Officers conclude that the substantial benefits of the proposed development would outweigh the limited harms which have been identified, including the 'less than substantial harm' to proximate designated and non-designated built heritage assets, and therefore that the proposed development would accord with the Development Plan when taken as a whole. It is therefore recommended that planning permission should be granted, subject to the recommendation set out within this report. The additional information which has been submitted with this application, taken together with the differences in circumstances compared to those which existed when previous application ref: PLAN/2023/0911 was refused in March 2024, are considered to justify a recommendation that planning permission should be granted (subject to the recommendation set out within this report) notwithstanding that previous refusal of planning permission.

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If the Planning Committee still has concerns regarding the impacts of the proposed development they must undertake a balancing exercise, weighing those harms against the public (and heritage) benefits which would flow from the proposed development. That balancing exercise must be undertaken in light of the greatly increased local housing need (indicative figure of 794 dwellings per annum) which the Government introduced on 12th December 2024.

SITE DESCRIPTION

The site is located within Woking Town Centre and contains a commercial building, ranging from two to five storeys, with an existing retail unit at ground floor, which is presently occupied by the British Heart Foundation. There is ancillary retail space at first floor level with office accommodation on the upper floors. The site falls between two main thoroughfares within Woking Town Centre, Church Street East and Commercial Way, which lie to the north and south respectively, and also bounds Chobham Road and Church Path, which bound the site to the east and west respectively. A surface level car park/servicing area is located on the site close to the junction of Church Path and Church Street East.

RELEVANT PLANNING HISTORY

The site has a somewhat extensive planning history, albeit principally for replacement shopfronts and/or shopfront alterations, and for the numerous display of advertisements (under the Advertisement Regulations) which have occurred over the years since the existing building was constructed in the 1980s. As such, only the most significant, and relevant, planning history is shown below:

- PLAN/2023/0911 - Demolition of existing building and redevelopment of the site to create a residential-led development comprising up to 272 apartments (Use Class C3) and up to 550 sq.m. of retail and commercial floorspace (Use Class E) at ground level, shared residential amenity spaces, building management facilities, plant space, refuse and cycle stores, in a building which ranges in height from a single storey ground floor (with mezzanine in the central block) to a ground floor with a maximum of 25 storeys above. Works to create new public realm within and highway works to Church Path, Church Street East, Chobham Road and Commercial Way, including alterations to and provision of new parking, servicing and delivery bays (Environmental Statement submitted).

Refused (25.03.2024) for the following reasons (in italics) (Appeal Pending, Appeal Ref: APP/A3655/W/24/3350062, Public inquiry provisionally scheduled to open on 7th May 2025):

- 01. The proposed development, by reason of its bulk and mass, would fail to respect and make a positive contribution to the street scenes and the character of the area in which it would be situated and would fail to pay due regard to the scale and proportions of adjoining buildings. By reason of its bulk and mass the proposed development would also fail to conserve townscape character and fail to represent a high quality, well-designed and visually attractive building. The proposed development is therefore contrary to Policies CS21 and CS24 of the Woking Core Strategy (2012), Supplementary Planning Document (SPD) Design (2015), Section 12 of the National Planning Policy Framework (NPPF) (December 2023) (most notably paragraphs 131 and 135) and the National Design Guide: Planning practice guidance for beautiful, enduring and successful places (January 2021).*
- 02. The less than substantial harm which the proposed development would cause, by combined reason of its proximity, heights, bulk and mass, to the significance of the designated heritage assets of Grade II listed Christ Church, the Grade II listed*

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Woking War Memorial and the Woking Town Centre Conservation Area (including several of the non-designated heritage assets within the Woking Town Centre Conservation Area) would not be outweighed by the public (and heritage) benefits of the proposed development. The proposed development is therefore contrary to the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended), Policy CS20 of the Woking Core Strategy (2012), Policy DM20 of the Development Management Policies Development Plan Document (2016), Supplementary Planning Document (SPD) Design (2015), Supplementary Planning Guidance (SPG) Heritage of Woking (2000) and Section 16 of the National Planning Policy Framework (NPPF) (December 2023) (most notably paragraphs 205, 206, 208 and 209).

03. *The proposed development would provide insufficient on site car parking provision, including insufficient on site disabled car parking provision, and has failed to demonstrate that the insufficient level of on site car parking provision proposed would not result in the displacement of vehicle parking onto nearby streets, thereby exacerbating existing pressure for on-street car parking and thus causing harm to the environment and general amenity of the local area. The proposed development is therefore contrary to Policies CS18 and CS21 of the Woking Core Strategy (2012), Supplementary Planning Document (SPD) Parking Standards (2018) and the National Planning Policy Framework (NPPF) (December 2023).*
 04. *In the absence of a Section 106 Legal Agreement, or other appropriate mechanism, to secure; (i) the provision of affordable housing and (ii) a Build-to-Rent clawback covenant as provided for in Supplementary Planning Document (SPD) Affordable Housing Delivery (2023) (at section 3.6) it cannot be determined that the proposed development would make sufficient contribution towards the provision of affordable housing. The proposed development is therefore contrary to Policy CS12 of the Woking Core Strategy (2012), Supplementary Planning Document (SPD) Affordable Housing Delivery (2023), the National Planning Practice Guidance (PPG) and the National Planning Policy Framework (NPPF) (December 2023).*
 05. *In the absence of a Section 106 Legal Agreement, or other appropriate mechanism, to secure contributions towards avoidance and mitigation measures, it cannot be determined that the 272 net additional dwellings arising from the proposed development would not have an adverse impact on the integrity of the Thames Basin Heaths Special Protection Area (TBH SPA) either alone, or in combination with other plans and projects, in relation to urbanisation and recreational pressure effects. The proposed development is therefore contrary to Policies CS8 and CS17 of the Woking Core Strategy (2012), the Updated Thames Basin Heaths Avoidance Strategy (February 2022), Saved Policy NRM6 of the South East Plan (2009) and the requirements of The Conservation of Habitats and Species Regulations 2017 (as amended).*
- PLAN/2019/0611 - Demolition of existing building and erection of a building of varying heights of between 2 and 39 storeys plus ground and basement levels comprising 310 dwellings (Class C3), communal residential and operational spaces, bar (Class A4) and office accommodation (Class B1(a)), together with associated vehicular and pedestrian accesses, vehicle parking, bin and cycle storage, plant space, soft and hard landscaping including public realm works and other ancillary works (amended plans, reports and Environmental Statement received 10.01.2020).
Refused (24.03.2020) for the following reasons (in italics):
 01. *The proposed development, by reason of the height, proportions, bulk, scale, massing and design of the development, would fail to respect the prevailing*

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character, height and scale of development in the area and would harm the setting of the adjacent Grade II listed building (Christ Church). The proposal would consequently result in a harmful impact on the character of the surrounding area and would fail to preserve the setting of the adjacent listed building, contrary to Woking Core Strategy (2012) policies CS20 'Heritage and Conservation', CS21 'Design' and CS24 'Woking's Landscape and Townscape', Woking DMP DPD (2016) policy DM20 'Heritage Assets and their Settings', Supplementary Planning Document 'Woking Design' (2015) and the NPPF (2019).

02. *The proposed development would fail to deliver sufficient affordable housing and in the absence of a Legal Agreement or other appropriate mechanism to secure affordable housing, it cannot be determined that the proposed development would make sufficient contribution towards affordable housing. The proposal is therefore contrary to Woking Core Strategy (2012) policy CS12 'Affordable Housing', Supplementary Planning Document 'Affordable Housing Delivery' (2014) and the NPPF (2019).*
 03. *It has not been demonstrated that the proposed development would not cause harm to protected species or habitats or that the proposed development would not result in a net loss of biodiversity on the proposal site. The proposed development is therefore contrary to Woking Core Strategy (2012) policy CS7 'Biodiversity and Nature Conservation' and the NPPF (2019).*
 04. *In the absence of a Legal Agreement or other appropriate mechanism to secure contributions towards mitigation measures, it cannot be determined that the net additional dwellings arising from the proposed development would not have a significant impact on the Thames Basin Heaths Special Protection Area, contrary to Woking Core Strategy (2012) policy CS8 'Thames Basin Heaths Special Protection Areas', the Thames Basin Heaths Avoidance Strategy (2010 - 2015), saved policy NRM6 of the South East Plan (2009) and the Conservation of Habitats and Species Regulations 2017 (SI No. 490 - the "Habitats Regulations")*
- 81/0318 - Demolition of any existing buildings, the execution of site works and the erection of a 4 storey building comprising retail store, two shop units on ground floor and 1,588 sq.m of offices over on land between Church Street and Commercial Way, Woking.
Granted subject to conditions (13.05.1981)
 - 80/0999 - Demolition of any existing buildings, the execution of site works and the erection of a four storey building comprising retail store, two shop units and 1,588 sq.m of offices over on land off Chobham Road (formerly Gammons Store Site), Woking.
Granted subject to conditions (17.09.1980)
 - 80/0887 - Details of brick samples for development on land off Chobham Road (Former Gammons Store), Woking.
Details approved (28.08.1980)
 - 79/1135 - The demolition of any existing buildings, the execution of site works and the erection of a four storey building comprising retail store, two shop units on ground floor and 1,588 sq.m of offices over on land off Chobham Road (former Gammons Store), Woking.
Granted subject to conditions (09.10.1979)

SUMMARY OF PROPOSED DEVELOPMENT

Land Use Classes and Quantum's

The proposed development is for the following use classes and quantum's:

- Build to Rent (BtR) accommodation (Use Class C3) - 272 dwellings; and
- 540 sq.m Gross Internal Area (GIA) of space for retail and other commercial spaces (Use Class E).

A mixture of Studio/1-bedroom (c.42%), 2-bedroom (c.50%) and 3-bedroom (c.8%) dwellings will be provided from mezzanine level up through to level 24 (inclusive). Supporting ancillary amenity uses will be located at ground floor and mezzanine levels (i.e., cycle storage, service areas, back of house, etc.). The proposed retail/commercial spaces (Use Class E) will be contained to ground floor level.

Layout / General Arrangement and Amenity Space

The proposed development will comprise a singular building, located centrally within the site, as defined by the existing surrounding pedestrian routes and roads. The massing of the proposed development is varied (please see 'Heights' below for more details). The remainder of the site is allocated for improved public realm, including along Church Street East, Commercial Way and Church Path.

An outdoor amenity space for use by future residents is proposed at first floor level. Additional outdoor communal amenity spaces are also proposed at fifth, seventh, tenth, eleventh and fourteenth floor levels, alongside a number of (private) residential balconies (both projecting and inset) at various levels.

Heights

The proposed development would be varied in height. The tallest element of the proposed development (the northern elements) would extend up to a maximum height of 119.050m AOD (Above Ordnance Datum) (inclusive of roof), equivalent to approximately 26 storeys plus roof level. The smaller towers (located centrally and southerly) within the proposed development would extend up to a maximum height of 75.300m AOD and 78.725m AOD respectively (both inclusive of roof, equivalent to approximately 12 and 13 storeys respectively).

The proposed finished floor level for the proposed development would be approximately 33.53m AOD, which aligns with the surrounding levels at adjacent Church Street East, Commercial Way and Church Path.

Building Materials

The external facade materials will principally comprise a mix of red brickwork and white brickwork panelling, with elements of render and bronze / metal panels. Louvres are included in all facades at the Ground Level.

Operational Access and Parking

The proposed development has been designed to limit use of cars, by prioritising pedestrian and cycle access/circulation. As such, there is no specific vehicular access to the site.

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Appropriate delivery and servicing points (including for refuse collection purposes), as well as three (3) disabled car parking spaces, will be provided on-street on Church Street East. An additional delivery and servicing point will be provided off Commercial Way. Three (3) additional off-street disabled parking spaces will be provided off Church Path (these being on the site).

Residents will be able to access the entrance lobby of the proposed development from the proposed external amenity space off Church Path (to the west), whilst live/work units, retail units and plant rooms will each be accessible from respective frontages off the surrounding public realm and roads (i.e., from Chobham Road, Commercial Way, Church Street East and Church Path).

The proposed development includes a cycle store for approximately 438 bikes across the ground and mezzanine floors respectively, accessible internally from the entrance lobby/mezzanine corridors and externally from Chobham Road.

BACKGROUND

The development proposed under this planning application is unaltered from that which was previously submitted under application ref: PLAN/2023/0911, which was subsequently refused by the Planning Committee (against Officer advice) at its 19th March 2024 meeting. The applicant lodged a s.78 appeal (Appeal Ref: APP/A3655/W/24/3350062) which was initially to be subject to a Public Inquiry opening on 14th January 2025. However, whilst that s.78 appeal remains 'live' further to the submission of this planning application the Planning Inspectorate (PINS) has provisionally re-scheduled the opening of the Public Inquiry until early May 2025.

Whilst the development proposed under this planning application is unaltered from that which was previously refused under ref: PLAN/2023/0911 amended and additional supporting information has been submitted by the applicant. For clarity, and the avoidance of any doubt, the following reports have been updated and/or provide amended and/or additional supporting information which was not submitted with previously refused ref: PLAN/2023/0911:

Report Title	Consultant (for the applicant)
Planning Statement	Turley (updated November 2024)
Financial Viability Assessment Addendum	Savills (updated November 2024)
Preliminary Ecological Appraisal and Biodiversity Net Gain Assessment (and Metric)	Ecology Partnership (updated October 2024)
Environmental Statement (ES)	Turley, EIA (updated November 2024)
Heritage, Townscape and Visual Impact Assessment (HTVIA)	Previous Turley report replaced with Vitruvius HTVIA (November 2024)
Transport Assessment and Draft Framework Travel Plan	Pulsar Transport Planning (updated November 2024)
Parking Technical Note*	SLR Consulting Ltd (November 2024)
Outline Construction Traffic Management Plan	Pulsar Transport Planning (updated November 2024)
Woking Build to Rent Demand Study	Knight Frank (updated July 2024)

* The Parking Technical Note report provides additional information to seek to address reason for refusal 03 of ref. PLAN/2023/0911.

The applicant's Planning Statement sets out that "For the avoidance of doubt, as the application is a re-submission of the previous proposal [ref: PLAN/2023/0911] it has not been necessary to update all of the original supporting technical assessments...Where original technical reports

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are resubmitted, we have obtained letters of reliance from the relevant consultants confirming that the findings and conclusions remain valid and that the report is appropriate to support the consideration of the resubmitted planning application” (para 1.13)

ENVIRONMENTAL IMPACT ASSESSMENT (EIA)

Owing to the scale and nature of the proposed development, falling within category 10(b) of Schedule 2 of The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended), as an ‘urban development project’ of more than 150 dwellings the applicant voluntarily commissioned an Environmental Impact Assessment (EIA). Before determining the planning application, the Local Planning Authority must consider the environmental information contained in the Environmental Statement (ES), as well as representations from consultees about the environmental effects of the development.

The ES assesses the likely environmental impacts from the proposed development including from demolition and construction and from operation. The ES identifies the existing (baseline) environmental conditions, and the likely environmental impacts (including magnitude, duration, and significance) and also identifies measures to mitigate any adverse impacts. A summary of potential positive and negative residual effects remaining after mitigation measures is also given.

The ES itself does not necessarily consider compliance with planning policies and so planning permission does not have to be granted or refused based on its findings, but these are material considerations.

The ES contains analysis of impacts for the following topics:

- Built Heritage (Chapter 6);
- Townscape and Visual (Chapter 7);
- Daylight, Sunlight and Overshadowing (Chapter 8); and
- Wind Microclimate (Chapter 9).

CONSULTATIONS

Active Travel England (ATE):	Following a high-level review of the above planning consultation, Active Travel England has determined that standing advice should be issued and would encourage the local planning authority to consider this as part of its assessment of the application: Active Travel England Standing Advice Note: Active travel and sustainable development. <i>(Officer Note: Please refer to the body of the report, under the sub-heading ‘Transport, highways, parking and servicing’, in this respect)</i>
Affinity Water:	Comments are provided in respect of water quality, water efficiency and infrastructure connections and diversions. No objections and/or concerns raised. <i>(Officer Note: Condition 44 refers in respect of water efficiency measures).</i>
Senior Arboricultural Officer (WBC):	While it is a shame to lose a tree to create a parking bay the proposal does indicate significant tree planting which should offset its loss. However, the tree planting in all areas shown will need to use structured cells to provide enough rooting environment for these to develop to maturity. This is a method that has worked with great success throughout the town centre.

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	<i>(Officer Note: Conditions 08 and 53 refer in respect of trees/landscaping)</i>
Archaeological Officer (Surrey County Council):	The proposals have been submitted alongside an archaeological desk based assessment which is of good quality and suitable to support the application. The assessment details a history of extensive development at this site which will have had a seriously negative impact on the potential for archaeological remains of significance to survive at this site. Due to this I consider there are No Archaeological Concerns regarding these proposals.
County Highway Authority (Surrey County Council, SCC):	The proposed development has been considered by the County Highway Authority who, having assessed the application on safety, capacity and policy grounds, recommends the following conditions be imposed in any permission granted: 10 (Landscaping, On-street Parking and Servicing), 11 (Construction Management Plan), 12 (Service and Delivery Management), Travel Choice (which is to be secured via a Travel Plan via the S106 Legal Agreement) and 13 (Cycle Parking). The scheme proposes to provide parking for blue badge holders only. Based on the sites' accessible location (with a wide range of public transport facilities), the broad range of local amenities and employment opportunities, and established on-street parking controls, the site is well suited for a low or zero parking residential development. Therefore, SCC do not wish to object to the scheme on parking grounds.
Contaminated Land Officer (WBC):	I have reviewed the preliminary risk assessment (Ref. GEA J23192 Rev1 21/9/2023). Based on the information available and the proposed end use, GEA recommend a site investigation to provide information to prove the preliminary risk assessment of a low risk posed by the site. An asbestos survey is also recommended. The following conditions are recommended based on the GEA report and information available: AT12 Asbestos Condition - Demolition, AT3 Contamination - Investigation and Risk Assessment, AT4 Contamination - Remediation Method Statement, AT5 Contamination - Remediation Validation Report and AT6 Unexpected Ground Contamination. Please note I have inserted except site clearance and demolition into AT3, as a site investigation would be better after clearance / demolition . <i>(Officer Note: Conditions 36, 37, 38, 39 and 40 refer).</i>
Dixon Searle Partnership (DSP) (Financial Viability Consultant to the Council):	Please refer to the body of the report, under the sub-heading 'Affordable housing'.
Elmbridge Borough Council:	No objection.
Environment Agency (EA):	No comments received (although consultation has been acknowledged).
Environmental Health (WBC):	There are no adverse comments to forward from EH [Environmental Health]. The NIA [Noise Impact Assessment] submitted with this application is the one considered previously under PLAN/2023/0911 therefore the same comments would apply. If planning approval is granted, EH would recommend noting the below in respect of the NIA and suggest attaching the following conditions: (i) works are to be carried out in accordance with the recommendations of the NIA, (ii) emergency plant, (iii) plant and equipment details, and (iv) construction hours (conditions 16, 19 and 09 refer). We would advise that a condition is attached to restrict the hours in which deliveries can be accepted, the specified hours should

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	be in line with other Town Centre businesses that have residential use close by. Opening hours of the commercial premises to also be in line with other Town Centre retail units. Where the commercial floorspace is intended for occupation by a food outlet, a fume extraction condition to be applied.
Fairoaks Airport:	Object to the proposed development on the grounds of flight safety - the top of the proposed development is 119.050m AOD therefore it infringes the Conical Surface [at Fairoaks] by 21.75m. <i>(Officer Note: Please refer to the body of the report, under the sub-heading 'Aviation', in respect of this matter)</i>
Farnborough Airport Ltd:	Farnborough Airport would have no objection to this application. If building mounted cranes are to be used during construction early engagement with the airport would be appreciated as this may have an impact on instrument flight procedures. <i>(Officer Note: Informative 16 refers).</i>
Guildford Borough Council:	No comments received.
Health and Safety Executive (HSE):	Following a review of the information provided in the planning application, HSE is content with the fire safety design as set out in the project description, to the extent it affects land use planning considerations.
Heathrow Airport Ltd:	We have now assessed the above application against safeguarding criteria and can confirm that we have no safeguarding objections to the proposed development.
Joint Waste Solutions (JWS):	Given that the developer was able to provide a breakdown of the single and multiple occupancy flats, I am happy with the bin provisions that have been allocated and are located across both the residential bin store, and the management bin store. With 94 x 1100ltr bins, we would expect 47 of these to be recycling and the other 47 to be rubbish bins. We are happy that a sufficient number of communal food waste bins have also been made available. JWS comments are also provided in respect of bin purchase costs. I am pleased to see that a designated bin store for residential usage only has been allocated. All bin stores should be well lit, well-ventilated and have a flat hardstanding. Sufficient signage would be suggested for the bin store to ensure that residents are well informed of how best to separate their waste. Signage is available free of charge from Joint Waste Solutions. In order to comply with the maximum pulling distances stipulated by Amey (our waste collection contractor) of 10m for 4-wheeled bins, I do believe that it was confirmed that the bins will be transported to a loading bay in preparation for collections. I assume this plan is still the case. For the number of bins requiring collection, I also assume that some facility staff will be on-site to assist with manoeuvring the bins whilst collections take place? <i>(Officer Note: Condition 26 refers in respect of, among other provisions, a residential refuse and recycling management plan)</i>
NATS Safeguarding:	The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, NATS (En Route) Public Limited Company ("NERL") has no safeguarding objection to the proposal.
Natural England (response dated 25 November 2024):	Natural England notes that your authority, as competent authority, has undertaken an appropriate assessment of the proposal in accordance with regulation 63 of the Conservation

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	<p>of Species and Habitats Regulations 2017 (as amended). Natural England is a statutory consultee on the appropriate assessment stage of the Habitats Regulations Assessment process. Your appropriate assessment concludes that your authority is able to ascertain that the proposal will not result in adverse effects on the integrity of any of the sites in question. Having considered the assessment, and the measures proposed to mitigate for all identified adverse effects that could potentially occur as a result of the proposal, Natural England advises that we concur with the assessment conclusions, providing that all mitigation measures are appropriately secured in any planning permission given. Natural England note that the proposed development is to contribute towards both Heather Common SANG (250 dwellings) and Horsell Common SANG (22 dwellings). Provided that both SANGs have adequate capacity to serve as mitigation for the number of dwellings attached to it and that the development lies in the catchment of the SANG then Natural England have no objections to this application.</p>
Network Rail:	No comments received.
NHS Surrey Heartlands Integrated Care Board (ICB):	<p>The ICB note that the proposed development will likely result in 454 additional persons which will have an impact on the provision of primary healthcare. Due to the size of the proposed development and the primary healthcare floorspace requirement of 25.88sqm, on-site provision would not be sought on the proposed development site. An index linked S106 financial contribution will therefore be sought in lieu. Please see SidM Report attached [to the consultation response], which establishes the primary care capital contribution of £129,424 ((index linked) payable as a financial contribution to be used specifically towards the provision of health care facilities and associated infrastructure within the Woking Wise 2 or Woking Wise 3 Primary Care Network or successor body) which is based on the scale and nature of the proposed development.</p>
Lead Local Flood Authority (LLFA) (Surrey County Council):	<p>We are satisfied that the proposed drainage scheme meets the requirements set out in the aforementioned documents [i.e., the NPPF, its accompanying PPG and the Non-Statutory Technical Standards for sustainable drainage systems] and are content with the development proposed, subject to our advice below.</p> <p>Our advice would be that, should planning permission be granted, suitably worded conditions are applied to ensure that the SuDS Scheme is properly implemented and maintained throughout the lifetime of the development.</p> <p><i>(Officer Note: Conditions 33 and 34 refer).</i></p>
Planning Casework Unit:	No comments received.
Jo Evans BSc (Hons) MRTPI IHBC (Built Heritage Consultant to the Council):	<p>Please refer to the 'Built Heritage Response to Application Submission', dated December 2024, prepared by Jo Evans BSc (Hons) MRTPI IHBC (which is available to view online). Please also refer to the body of this report, under the sub-heading 'The effect on the character and appearance of the area, including on nearby heritage assets'.</p>
Runnymede Borough Council:	No objection to the proposed development subject to the development complying with the relevant policies and any representation made taken fully into account.
South Western Railway:	No comments received.
Surrey Fire & Rescue Service (SFRS):	The above application (including any schedule) has been examined by a Fire Safety Inspecting Officer and it appears to

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	<p>demonstrate compliance with the Regulatory Reform (Fire Safety) Order 2005 in respect of means of warning and escape in case of fire.</p> <p>The above application (including any schedule) has been examined by a Fire Safety Inspecting Officer and it appears to demonstrate compliance with the Building Regulations 2010. SFRS would strongly recommend that consideration is given to the installation of AWSS/AFSS (i.e.; Sprinklers, Water Mist etc) as part of a total fire protection package.</p>
<p>Surrey Heath Borough Council:</p>	<p>After careful consideration, Surrey Heath Borough Council raises no formal objection in principle to the development. I nevertheless trust that the proposals will be considered in the context of your local planning policies and that any representations received from nearby occupiers, including those from Surrey Heath Borough Council, will be fully taken into account.</p>
<p>Surrey Police Designing Out Crime Officer:</p>	<p>No comments received.</p>
<p>Surrey Wildlife Trust Ecology Planning Advice Service (the ecological advisor to the Council):</p>	<p><u>Protected species - Bats</u> The submitted Preliminary Ecological Appraisal and Biodiversity Net Gain Assessment (The Ecology Partnership, October 2024) appears appropriate in scope and methodology and has identified the likely absence of active bat roosts within the development site. We therefore advise that bats do not appear to present a constraint to the proposed development. However, bats are highly mobile and move roost sites frequently. Unidentified bat roosts may still be present. A precautionary approach to works should therefore be implemented. In line with the NPPF (2023), paragraph 185, the applicant should be encouraged to incorporate bat roosting opportunities as integral design features within the built development.</p> <p><u>Sensitive lighting</u> The applicant should ensure that the proposed development will result in no net increase in external artificial lighting. To comply with the above referenced legislation, any external lighting installed should follow the recommendations in BCT & ILP (2023) Guidance Note 08/23. Bats and artificial lighting at night. Bat Conservation Trust, London & Institution of Lighting Professionals, Rugby.</p> <p><u>Protected species - Breeding birds</u> 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. If this is not possible and no large areas of dense vegetation are affected, the site could be inspected for active nests by an ecologist within 24 hours of any clearance works. If any active nests are found they should be left undisturbed with a buffer zone around them, until it can be confirmed by an ecologist that the nest is no longer in use.</p> <p><u>Terrestrial mammals</u> The applicant should ensure that construction activities on site have regard to the potential presence of terrestrial mammals to ensure that these species do not become trapped in trenches, culverts, or pipes. All trenches left open overnight should include a means of escape for any animals that may fall in.</p> <p><u>Protected sites and habitats - Thames Basin Heaths</u> We note that the LPA have completed an Appropriate Assessment which includes the details of SANG provision. If</p>

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	<p>Natural England are satisfied that the SANG provision is adequate the LPA should ensure that contributions to SANG provision and Strategic Access Management and Monitoring payment are adequately secured by planning obligation. <u>Biodiversity Net Gain Eligible</u> developments are legally required to deliver a 10% biodiversity net gain. The submitted Statutory Biodiversity Metric (The Ecology Partnership, 23rd October 2024) identifies that the proposed development has the feasibility to achieve a net gain of 1358.88% in habitat units and that the percentage gain in hedgerow units cannot be calculated as there are zero baseline hedgerow units. This large gain in habitat units appears to be due to the very low value of baseline habitats identified.</p> <p><u>Habitat Management and Monitoring Plan (HMMP)</u> A HMMP details the management measures required to deliver the biodiversity net gain identified in the biodiversity net gain assessment. We advise that that prior to commencement a HMMP is submitted to and approved in writing by the LPA. The HMMP should be based on the proposed impact avoidance, mitigation and enhancement measures specified in the Preliminary Ecological Appraisal and Biodiversity Net Gain Assessment (The Ecology Partnership, October 2024). It is advised that the ecological enhancements recommended in Paragraphs 4.14 to 4.18 of the Preliminary Ecological Appraisal and Biodiversity Net Gain Assessment (The Ecology Partnership, October 2024) are also included in the development and detailed in the HMMP. <i>(Officer Note: Conditions 27, 28, 29, 30 and 31 refer).</i></p>
ThamesWey Energy Ltd:	<p>ThamesWey supports the proposal set out in PLAN/2024/0811 to connect the 81 Commercial Way site to the existing District Energy Network (DEN) within Woking town centre. The Energy and Sustainability Strategy submitted by Hoare Lea, dated October 2023, aligns with Woking Borough Council's Core Strategy and the aims for Low Carbon Heat and Decentralised Energy Networks as stated in the updated Climate Change SPD 2023. <i>(Officer Note: Condition 43 refers).</i></p>
Thames Water Development Planning:	<p>Thames Water would advise that with regard to surface water network infrastructure capacity, we would not have any objection to the above planning application, based on the information provided.</p> <p>Thames Water would advise that with regard to foul water sewerage network infrastructure capacity, we would not have any objection to the above planning application, based on the information provided.</p> <p>The proposed development is located within 15 metres of a strategic sewer. As such, Thames Water requests a piling method statement condition. <i>(Officer Note: Condition 35 refers).</i></p> <p>Informatives are recommended in respect of piling, groundwater discharges and potable water being supplied by Affinity Water. <i>(Officer Note: Informatives 10, 11 and 12 refer).</i></p>

REPRESENTATIONS

x2,534 addresses within the locality were sent neighbour notification letters of the application by the Council. In addition the application was also publicised by way of planning site notice(s) as well as by way of a press notice (which was published in the Woking News & Mail newspaper

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edition of 14 November 2024) and was also publicised on the 'Public notices' page of the Council's website (also on 14 November 2024). x30 days were allowed for comments on the application (as is required in the case of applications which are submitted with an Environmental Statement (ES)), although any comments received after the expiry of that period have nonetheless been taken into account (as is the usual practice of the Local Planning Authority).

x8 letters of objection have been received (x2 of which have been received from the same resident) raising the following points:

- Impact of development / Out of character.
- The development of the area is highly desirable; however, the height of this proposal is extreme.
- The height proposed - 25 storeys - is not in keeping with this end of the Town Centre.
- 25 storeys are too high and would be a blot on the landscape, visible to hundreds of residents.
- The so-called flagship development on Victoria Way (which has its own notoriety) should not be used as a Trojan Horse to permit other excessively high tower blocks.
- Currently the east side of Woking has no 25 storey buildings so this proposal would set an unwelcome precedent.
- Excessive height - the town centre masterplan recommends a height of 6-10 storeys for the site whereas the proposed building is up to 25 storeys (i.e. 2.5x the recommended maximum). Residents were assured that, notwithstanding the status of the masterplan, planning officers would have regard to it in planning applications. This is clearly not the case here.

(Officer note: Please refer to the body of the report under the sub-heading 'General policy framework for the consideration of the application')

- The proposed height of 25 storeys is too high and grossly exceeds the height of buildings on Church Street East, not in keeping with this part of the town centre.
- The application is not comprehensive - the pre-WWII shops in Commercial [Way] clearly must be included to permit a satisfactory development of this site.
- Aesthetically it will further blight the town landscape - the town's heritage is being eroded by excessively high towers.
- Our business is directly opposite the proposed development and our building [No.46 Commercial Way] is considered to be a local heritage asset.
- Loss of privacy / Overlooking.
- High-over density of development.
- High number of apartments proposed.
- Knock on affect with local services (Doctors' appointments, Dentist appointments etc) and public transport such as already overcrowded trains and roads etc.
- It is already difficult to get a timely doctor's appointment. Trains are overcrowded, unable to cope with the current population.
- Build to rent development is not giving Tenants the chance of home ownership.
- Neither the size nor type of accommodation reflects the Council's assessed housing need in its Core Strategy. This is another building that is only providing a build-to-rent offering which exposes occupants to volatile market rents and commercial interests which is not conducive to building a stable town-centre community.
- Generation of noise level.
- Will result in significant shadow being cast over an already darkened part of town.
- This tower would not only cast a shadow across the Church Street East community, but the disruption, noise and access to the town centre will diminish the quality of life for local residents.

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- Woking is already too windy, as an elderly resident there are times already when I have almost been blown over - the area I will become even more windier in my opinion.
- Any corridor between the proposed high rise building and existing high rise buildings could give rise to serious/severe wind surges, causing damage to people and property. All decisions made should take this into account and I trust Woking Council and the developers will have suitable insurance to cover any damage to people and property should wind corridors cause any damage.
- There is already too much light pollution from existing fairly high rise Dukes Court, it is difficult to sleep at night.
- The architects' plans ignore the unpleasant wind tunnel effect caused by tall buildings.
- Post the cancellation of work on Victoria Arch the target housing as this site is no longer 'unlocked' it cannot support the number of dwellings proposed.
(Officer note: The assessment of the planning application has been undertaken with no reliance on the highway improvements which would have flowed from the, now cancelled, Housing Infrastructure Fund (HIF) Victoria Arch project)
- Highway reasons - parking.
- Traffic volume.
- There will be more road congestion with increased traffic flow, and this will increase air and noise pollution.
- The access roads are not well placed to service the volume of premises users and could give rise to accidents both pedestrian and vehicular.
- The proposed "Crown Gardens" cannot disguise the fact that Church Path is used for access to Christ Church, the shops in Commercial Way and the parking service area of the building south of Christ Church.
- The waste collection arrangements assume that the highway can be used as 'temporary storage area' and as a 'loading bay' thereby blocking Commercial Way which remains the only goods access to many shops and offices.
- It is unrealistic to offer few parking spaces for so many flats. Even if occupiers have no cars (an unlikely statistic) where are their visitors and delivery men and workmen supposed to park their vehicles?
- The excellent British Heart Foundation charity that occupies the current site is a valuable asset to the local community. This charity store is needed much more than another 20+ storey building in the town centre.
- I understand the sewerage drainage etc could not cope with such a building causing environmental damage.
- In my view the FVA [Financial Viability Assessment] calculation is inherently unreliable, and I note that the developer is only making an ex-gratia offering of affordable housing.
- This application has been submitted at the same time as there is currently a planning appeal (APP/A3655/W/24/3350062) scheduled for 14th January 2025 on the previous application (PLAN/2023/0911) which is essentially identical - While this may be a perfectly legal manoeuvre (resubmitting the same application to pre-empt a scheduled planning appeal) I am concerned that this approach may not be fair and transparent to the residents of Woking.
- The Council previously requested that the planning inquiry be 'downgraded' to a one-day planning hearing or written representations, but that this was rejected by the Planning Inspectorate given the scale and significance of the development. The Inspector's response to this request is not available on the council planning portal.
(Officer note: All correspondence between the relevant parties in respect of the Appeal Ref: APP/A3655/W/24/3350062 procedure and timeline is available to view on the PLAN/2023/0911 online case file).
- I note that on 26th September there was an Extraordinary Planning Committee held under Part II (press and public excluded) specifically to discuss the planning application/appeal. No minutes of the meeting or even its conclusion was produced, so

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local residents would only have been aware of the Council's change of stance from reading the letter to PINS on the planning portal. In addition, the Council appears to have changed its position on a number of the reasons for refusal at the Part II meeting (as evidenced in the letter). As this was not done in a public meeting, the residents are not aware of the Council's reasons for changing its views nor were they afforded an opportunity to make representations.

(Officer note: That meeting agenda item was held in Part II because it contained legally privileged information. Because Appeal Ref: APP/A3655/W/24/3350062 remains 'live' that information remains legally privileged at the present time).

- Residents like me who had previously made submissions to the original application (PLAN/2023/0911) were notified about the planning appeal, but with the new application (PLAN/2024/0811) only residents on the 'standard' list in the town centre were notified. Given the new application may effectively supplant the appeal, it seems only right and proper that you should contact the same residents that you contacted about the appeal.
(Officer note: Neighbour notifications have been undertaken well beyond both the statutory requirement and that set out within the Council's Statement of Community Involvement (SCI) (February 2022) in this case. It is not possible to simply 'pull through' neighbour notifications/contributors from a previous application in cases such as this because to do so would not pick up any new address points which have been created within the neighbour notification area since neighbour notification letters were sent out on the previous application in November 2023).
- The Environment Agency did make a submission to the planning appeal expressing their concerns about the breach of environmental limits at Woking Sewage Treatment Works and requesting a Grampian condition be attached to any planning approval for the site. There are approximately 2000 dwellings in the town centre that already have approval but have not been built yet, which will presumably add even further load to the sewage works. This is therefore a major issue and yet it is not clear to me that a new planning meeting (as opposed to an inquiry) can do justice to it or request a Grampian condition.
- I am concerned that the Council may be seeking to reach an agreement with the developer, at the expense of being completely fair and transparent with residents. The Council may be concerned about the costs (and potential costs award) of the planning inquiry but, as I have highlighted on many occasions, that is a direct result of the glaring weaknesses in the local Core Strategy/Plan which, without fail, open the planning committee's decisions to challenge.

x2 support letters of representation have also been received (from Surrey Chambers of Commerce & the Parochial Church Council [PCC] of Christ Church Woking) raising the following points:

- Reiterate enthusiastic support for Donard Real Estate's proposed residential development project Crown Gardens (Former BHS- 81 Commercial Way, Woking) within Woking Town Centre. Our Chamber represents every sector of the workforce, and we aim to connect business and people, advancing opportunity, skills and knowledge within the Surrey community. I believe that this development will bring significant benefits for the Woking neighbourhood and the broader Surrey region.
- Surrey is one of the most productive regions in the UK with an economy over £40bn and net tax contribution of circa £6bn to the exchequer. Having held positive engagement with the developers and reviewed the plans and economic benefits assessment put forth, I am convinced that this project aligns with our vision for sustainable growth and thoughtful urban planning. Here are several reasons why I endorse this development:
 - Addressing Housing Needs: One of the pressing challenges in our area is the lack of high quality, sustainable and flexible housing options. This development promises to provide a range of tenure types, including affordable units, which will

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- help meet the diverse needs of our residents and attract a wide variety demographic to live and work in Surrey.
- Regenerating the town centre: Crown Gardens is as an exciting opportunity to create a vibrant new community within this key location of the town centre. With potentially up to 700 new residents, new public realm space and a variety of commercial units, the development will boost economic activity and hopefully provide a catalyst for further regenerative effects across the town centre.
 - Supporting Woking's economy: The stated benefits analysis of the scheme provides an attractive proposition. Once in operation, the new residents would lead to an additional £10 million of expenditure on town centre goods and services. In addition, Woking Borough Council could expect to collect an additional £590,000 annually in Council Tax and £55,000 in business rates.
 - Economic Boost: The construction and operation of the residential development will generate employment opportunities and stimulate local economic growth. Moreover, the increased population density can attract new businesses and services to our area, further enriching our community.
 - Resident & Community Amenities: The addition of public and private communal facilities within the development will contribute to creating a vibrant and cohesive community. These amenities will foster social interaction and promote a sense of belonging among residents, where resident don't just commute to London but have a sense of place within Woking and Surrey.
 - Sustainability: I appreciate the developers' commitment to environmental sustainability. Measures such as green building practices, energy-efficient design, commitment to connect to a decarbonising heat network, and establishment of green spaces demonstrate a responsible approach to development.
- Additionally, it is clear that Donard Real Estate has worked collaboratively with the local community and neighbours, including the Cleary Court development which was recently approved and supported by the Chamber. The two schemes will complement each other to create an area that supports working, living and leisure in the same vicinity, creating a true mixed-use community.
 - Believe that Crown Gardens represents a well-conceived and beneficial addition to our community and economy.
 - We [Christ Church PCC] were consulted by Donard Living about their proposed development, on the site adjacent to the rear of Christ Church, prior to the public consultation, which was held in our building in July 2023. Having reviewed the scheme, we prefer it to the previous proposal by another developer, since its shape and size appears more appropriate for this area of Woking. It is also more sensitive to the blend with our long-established Victorian church building, with a stepping back and lower profile than the previous scheme.
 - We believe that it will help regenerate this part of our town and create a vibrant new community which we [Christ Church PCC] aim to serve.
 - We [Christ Church PCC] have appreciated the manner of consultation that Donard Real Estate have undertaken, being proactive in approaching us. They also enquired about the status of our own building project, granted planning permission in January 2020, and have offered to contribute and cooperate in a number of ways. These include garden landscaping, to ensure a consistency of approach between adjacent developments, and a contribution to privacy measures to mitigate an overlook issue from their residential block onto our proposed Community and Youth Centre.
(Officer note: For the avoidance of any doubt these matters are between the Applicant and Christ Church, they are not required by the Local Planning Authority)
 - Donard Real Estate's private and public communal facilities will help foster social activity and will compliment those of our [Christ Church PCC] own.

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- We look forward to continued collaboration with Donard Living as our individual developments progress, including during the construction phase, when they [Donard Real Estate] have offered 'quiet' periods at key services times on Sundays.

Where the points raised are not addressed by 'Officer notes' they are considered in the body of this report, under the relevant sub-heading.

RELEVANT PLANNING POLICIES

National Planning Policy Framework (NPPF) (December 2024)

Section 2 - Achieving sustainable development

Section 4 - Decision-making

Section 5 - Delivering a sufficient supply of homes

Section 6 - Building a strong, competitive economy

Section 7 - Ensuring the vitality of town centres

Section 8 - Promoting healthy and safe communities

Section 9 - Promoting sustainable transport

Section 11 - Making effective use of land

Section 12 - Achieving well-designed places

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

Section 15 - Conserving and enhancing the natural environment

Section 16 - Conserving and enhancing the historic environment

South East Plan 2009 (Saved policy)

NRM6 - Thames Basin Heaths Special Protection Areas

Woking Core Strategy (2012)

CS1 - A spatial strategy for Woking Borough

CS2 - Woking Town Centre

CS7 - Biodiversity and nature conservation

CS8 - Thames Basin Heaths Special Protection Areas

CS9 - Flooding and water management

CS10 - Housing provision and distribution

CS11 - Housing mix

CS12 - Affordable housing

CS15 - Sustainable economic development

CS16 - Infrastructure delivery

CS17 - Open space, green infrastructure, sport and recreation

CS18 - Transport and accessibility

CS20 - Heritage and conservation

CS21 - Design

CS22 - Sustainable construction

CS23 - Renewable and low carbon energy generation

CS24 - Woking's landscape and townscape

CS25 - Presumption in favour of sustainable development

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

DM1 - Green infrastructure opportunities

DM2 - Trees and landscaping

DM6 - Air and water quality

DM7 - Noise and light pollution

DM8 - Land contamination and hazards

DM16 - Servicing development

DM17 - Public realm

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DM19 - Shopfronts
DM20 - Heritage assets and their settings

Supplementary Planning Documents (SPD's)

Design (2015)
Parking Standards (2018)
Outlook, Amenity, Privacy and Daylight (2022)
Climate Change (2023)
Affordable Housing Delivery (2023)

Supplementary Planning Guidance (SPG)

Heritage of Woking (2000)

Other Material Considerations

Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended)
The Planning (Listed Buildings and Conservation Areas) Regulations 1990 (as amended)
The Conservation of Habitats and Species Regulations 2017 (as amended)
The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended)
Planning Practice Guidance (PPG) (online resource)
National Design Guide: Planning practice guidance for beautiful, enduring and successful places (January 2021)
Updated Thames Basin Heaths Avoidance Strategy (February 2022)
Circular 06/2005: Biodiversity and Geological Conservation - Statutory obligations and their impact within the planning system
The Setting of Heritage Assets: Historic Environment Good Practice Advice in Planning Note 3 - 2nd Edition, December 2017, Historic England
Managing Significance in Decision-Taking in the Historic Environment: Historic Environment Good Practice Advice in Planning: 2, July 2015, Historic England
Woking Character Study (2010)
Woking Borough Council Strategic Flood Risk Assessment (SFRA) (November 2015)
Community Infrastructure Levy (CIL) Charging Schedule (2015)
Recycling and waste provision - guidance for property developers, prepared by Joint Waste Solutions

PLANNING ISSUES

1. The main planning issues for consideration in this case are:
 - General policy framework for the consideration of the application;
 - Spatial strategy and principle of development;
 - Amenities of future occupiers;
 - Affordable housing;
 - The effect on the character and appearance of the area, including on nearby heritage assets;
 - Transport, highways, parking and servicing;
 - Arboriculture;
 - Archaeology (below-ground heritage);
 - Impacts on neighbouring and nearby residential amenities;
 - Thames Basin Heaths Special Protection Area (TBH SPA);
 - Wind microclimate;
 - Solar glare;
 - Air quality;
 - Contamination;

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- Flooding and water management;
- Noise;
- Ecology and biodiversity;
- Energy and water consumption;
- Fire safety;
- Aviation;
- Local finance considerations; and
- Conclusion and planning balance.

General policy framework for the consideration of the application

2. Where determining applications for planning permission the Local Planning Authority is required to have regard to (a) the Development Plan, so far as is material, (b) any local finance considerations, so far as is material, and (c) to any other material considerations. Local finance considerations mean the Community Infrastructure Levy (CIL). Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that *“if regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise”*.

The National Planning Policy Framework (NPPF) / Planning Practice Guidance (PPG)

3. The National Planning Policy Framework (NPPF) (December 2024) (hereafter referred to as the ‘NPPF’ for brevity) has been revised (published on 12th December 2024) by the current (Labour) Government since previous application ref: PLAN/2023/0911 was refused in March 2024. The NPPF comprises an overarching set of planning policies and details how the Government expects them to be applied. The NPPF is a material consideration in the determination of this planning application. However, the starting point for decision making remains the Development Plan, which retains primacy.
4. The Planning Practice Guidance (PPG) is a web-based resource and provides detailed Government advice on matters which relate to the operation of the planning system in practice. The guidance in the PPG supports the policies contained within the NPPF and elements of the PPG have also been revised, to reflect the provisions of the revised (December 2024) NPPF, since previous application ref: PLAN/2023/0911 was refused in March 2024. Where relevant this report takes account of the revised NPPF (December 2024) and relevant revised sections of the PPG.

The Development Plan / SPDs / SPGs

5. The Development Plan comprises the Woking Core Strategy (2012), the Development Management Policies Development Plan Document (DM Policies DPD) (2016), the Site Allocations Development Plan Document (Site Allocations DPD) (2021), various Neighbourhood Plans (none of which are relevant in this instance), the Surrey Minerals Plan Core Strategy and Primary Aggregates DPDs (2011) (which are not relevant in this instance), the Surrey Waste Plan (2020) and Saved Policy NRM6 of the South East Plan 2009.
6. A number of Supplementary Planning Documents (SPDs) and Supplementary Planning Guidance (SPGs) are also relevant to the consideration of this application (albeit these do not form part of the Development Plan although are material considerations, where relevant) and these generally provide more detailed information on topic based matters.

7. The Woking Core Strategy (2012) was reviewed in 2023. That review demonstrated that all the policies of the Core Strategy currently remain up-to-date and are in general conformity with the NPPF and that changing circumstances since the last review have been successfully adapted to by the adoption of the Site Allocations DPD (2021), the revision of SPDs and by the flexibility built into the Core Strategy policies themselves. The Council must begin an update to the Core Strategy as soon as possible, in order to adopt it before the expiry of the current Local Plan period in 2027. The fact that the Core Strategy policies remain up-to-date means that they can continue to be applied to planning decisions during the update process.

Draft Woking Town Centre Masterplan

8. Between July and October 2022 the Council consulted on a Draft Town Centre Masterplan. At the Executive meeting on 2nd February 2023 the Executive received a report setting out that, on 3rd November 2022 the Planning Inspectorate issued their decision on the Crown Place Development, granting planning permission for a scheme of up to 28 storeys within the east of Woking Town Centre, thus changing the nature of the townscape and having a considerable impact on the proposed townscape. That report also set out that the Masterplan as drafted, conflicts with the Development Plan, in particular with the adopted Site Allocations DPD (2021), in terms of site yields for some individual sites which are lower than what the adopted policy states, and that the Levelling Up and Regeneration Bill (which is now an Act), a forthcoming revised NPPF (which was published on 20th December 2023, with a further revised NPPF published by the new (Labour) Government on 12th December 2024) and proposed National Development Management Policies set out proposed changes to the planning policy framework, including changes to legislation on planning policy. As such, at the Executive meeting on 13th July 2023 the Executive agreed that Woking Town Centre's Masterplan policies will be integrated into the borough's new Local Plan, when the current plan period ends in 2027. Therefore, at the present time, the Draft Woking Town Centre Masterplan attracts no weight in determining planning applications.

Spatial strategy and principle of development

9. The site is located centrally within Woking Town Centre, as this is defined by the Council's Proposals Map. Woking is a town that is experiencing significant growth and regeneration, in large part due to the constraints that affect large parts of the Borough, including Green Belt and areas covered by environmental restrictions, including the Thames Basin Heaths Special Protection Area (TBH SPA) and indeed the Development Plan, through Policy CS1 of the Woking Core Strategy (2012), identifies Woking Town Centre "as a centre to undergo significant change".
10. The Woking Core Strategy (2012) (at paragraph 3.3) sets out 13 objectives (in no particular priority order) which will deliver the spatial vision of the Core Strategy. These objectives include (most relevant to the proposed development) (emphasis added):
 - "1) To enable a diverse range of development such as offices, housing, shops, leisure and cultural facilities in Woking Town Centre to enable its status as a centre of regional significance to be maintained. Development will be of high quality and high density to create an attractive environment for people to live, do business and visit
 - 3) To enable the provision of well-designed homes of different types, tenures and affordability to meet the needs of all sections of the community. This

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will be in sustainable locations and at densities that maximise the efficient use of urban land without compromising the distinctive character of the local area.

- 10) *To work in partnership with Surrey County Council and other stakeholders with an interest in transport provision to deliver a transport system that enables people to access key services, facilities and jobs by all relevant modes of travel. In particular, by encouraging the use of public transport and creating a safe environment for people to walk and cycle to the town, district and local centres.”*
11. The Woking Core Strategy (2012) makes provision for the delivery of 4,964 net additional dwellings, as well as of 93,900 sq.m of additional retail floorspace, up to 2027 (i.e., the end of the present Development Plan period). Policy CS1 of the Woking Core Strategy (2012) recognises the constraints to development by stating that *“Most of the new development will be directed to previously developed land in the town, district and local centres, which offers the best access to a range of services and facilities. The scale of development that will be encouraged in these centres will reflect their respective functions and nature”*. Table 2 of the Woking Core Strategy (2012) sets out a Hierarchy of Centres within the Borough, with Woking Town Centre identified at the top of this hierarchy, as the Borough’s principal centre, and therefore the primary focus for sustainable growth due, amongst other things, to its role as a key transport interchange and being an important location for shopping, offices, entertainment, cultural and community activities, with a primary role within the regional economy.
12. Policy CS1 of the Woking Core Strategy (2012) further states that:
- “Woking Town Centre will be the primary focus of sustainable growth to maintain its status as an economic hub with a flourishing, diverse and innovative economy and a transport hub which provides transport services, links and communication linking people to jobs, services and facilities. The town centre is designated as a centre to undergo significant change and the provision of a range of shops, cultural facilities, jobs and housing to meet locally identified needs and the needs of modern businesses will be encouraged. Main town centre uses as defined in the NPPF, will be acceptable in principle, subject to the requirements of the policies of the Core Strategy.*
- In the town centre, well designed, high density development that could include tall buildings and which enhances its image will be encouraged, but without compromising on its character and appearance and that of nearby areas.”*
(emphases added)
13. Policy CS2 of the Woking Core Strategy (2012) sets out that around 2,180 dwellings are to be provided within Woking Town Centre up to 2027 and that:
- “The Council will support the development of the town centre as the primary centre for economic development in the Borough and as a primary economic centre in the South East. The Town Centre is the preferred location for town centre uses and high density residential development. New development proposals should deliver high quality, well designed public spaces and buildings, which make efficient use of land, contribute to the functionality of the centre and add to its attractiveness and competitiveness.”* (emphasis added)

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14. Policy CS2 sets out that (emphasis added) that:

“The proposals will be achieved through:

- *mixed-use high density redevelopment of existing sites*
- *refurbishment of outmoded sites*
- *intensification of existing sites*
- *change of use of existing employment uses where this will not undermine the delivery of the proposed development set out in the policy and the other objectives of the Core Strategy*
- *safeguarding of existing office floorspace where there is evidence to justify that.”*

15. The site is located within the Primary Shopping Area and within a Primary Shopping Frontage. Policy CS2 of the Woking Core Strategy (2012) also states that:

“The primary shopping area comprises primary and secondary frontages and will be the main focus, particularly at ground floor level, for A1 retail uses. A1 retail uses will therefore be protected within the primary frontages. The Council will consider favourably change of use proposals to other A Class uses within secondary frontages if it can be determined they would not have significant harmful effects on the frontage, crime and disorder and the vitality and viability of the town centre.”

16. Policy CS15 of the Woking Core Strategy (2012) states that *“To accommodate the predicted future growth in economic development required for Woking’s economy to grow, ensure sustainable employment development patterns, promote smart growth and business competitiveness, and allow for flexibility to cater for the changing needs of the economy the Council will: [among other things] permit redevelopment of outmoded employment floorspace to cater for modern business needs [and] support small and medium sized enterprise (SME) formation and development by encouraging a range of types and sizes of premises including provision for incubator units, managed workspace and serviced office accommodation”*. Policy CS15 identifies that the Council will safeguard land within the employment areas for B uses, except in certain exceptions, with Policy CS2 identifying that the Council will safeguard existing office floorspace where this is evidence to justify that. The site does not fall within any employment area and therefore the B class (Office, which is now within Class E) use on the site is not protected in policy terms. Policy CS15 also identifies that *“The nature, scope and scale of town centre uses being promoted is set out in the relevant place policies CS2, CS3 [which is relevant only to West Byfleet District Centre] and CS4 [which is relevant only to Local and Neighbourhood Centres and Shopping Parades]*.

17. Policy CS10 of the Woking Core Strategy (2012) states that *“The Council will make provision for at least 4,964 net additional dwellings in the Borough between 2010 and 2027”*, identifying that around 1,980 dwellings will be provided within Woking Town Centre at densities in excess of 200dph.

18. Policy CS11 of the Woking Core Strategy (2012) states that *“All residential proposals will be expected to provide a mix of dwelling types and sizes to address the nature of local needs as evidenced in the latest Strategic Housing Market Assessment in order to create sustainable and balanced communities. The appropriate percentage of different housing types and sizes for each site will depend upon the established character and density of the neighbourhood and the viability of the scheme. The Council will not permit the loss of family homes on sites capable of accommodating a*

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mix of residential units unless there are overriding policy considerations justifying this loss.”

19. Section 7 of the NPPF relates to ‘Ensuring the vitality of town centres’ and states (at paragraph 90) that planning decisions “...*should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation*” and that planning policies should allow them “a)...*to grow and diversify in a way that can respond to rapid changes in the retail and leisure industries, allows a suitable mix of uses (including housing) and reflects their distinctive characters...b) define the extent of town centres and primary shopping areas, and make clear the range of uses permitted in such locations, as part of a positive strategy for the future of each centre [and] f) recognise that residential development often plays an important role in ensuring the vitality of centres and encourage residential development on appropriate sites*”.
20. Since the Woking Core Strategy (2012) was adopted (including Policy CS2) in 2012 Government has issued amendments to The Town and Country Planning (Use Classes) Order 1987 (as amended), with substantive changes coming into force on 1st September 2020. The changes that Government introduced are intended to give businesses greater freedom so that they can adjust more quickly, and with more planning certainty, to changing demands and circumstances. A single Use Class E (Commercial, Business & Service) now comprises use, or part use, for all or any of the following purposes:
 - a) *for the display or retail sale of goods, other than hot food, principally to visiting members of the public [formerly Class A1],*
 - b) *for the sale of food and drink principally to visiting members of the public where consumption of that food and drink is mostly undertaken on the premises [formerly Class A3],*
 - c) *for the provision of the following kinds of services principally to visiting members of the public [all formerly within Class A2] comprising: (i) financial services, (ii) professional services (other than health or medical services), or (iii) any other services which it is appropriate to provide in a commercial, business or service locality,*
 - d) *for indoor sport, recreation or fitness, not involving motorised vehicles or firearms, principally to visiting members of the public [formerly within Class D2(e)],*
 - e) *for the provision of medical or health services, principally to visiting members of the public, except the use of premises attached to the residence of the consultant or practitioner [formerly Class D1(a)],*
 - f) *for a crèche, day nursery or day centre, not including a residential use, principally to visiting members of the public [formerly Class D1(b)],*
 - g) *for-*
 - (i) *an office to carry out any operational or administrative functions [formerly Class B1(a)],*
 - (ii) *the research and development of products or processes [formerly Class B1 (b)], or*
 - (iii) *any industrial process [formerly Class B1(c)],*
being a use [in all three cases, as in the former Class B1] which can be carried out in any residential area without detriment to the amenity of that area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit.

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21. As explained in Paragraph 009a of the PPG, the Commercial, Business and Service Use Class (Class E) includes a broad and diverse range of uses which principally serve the needs of visiting members of the public and or are suitable for a town centre area. The class incorporates the whole of the previous Shops (A1) Use Class (although not, according to the PPG, those that now fall within the scope of the F.2 Local community Use Class), Financial and professional services (A2), Restaurant and cafés (A3) and Business (B1 including offices) Use Classes, and uses such as nurseries, health centres and gyms (previously in classes D1 Non-residential institutions, and D2 Assembly and leisure) *“and it seeks to provide for new uses which may emerge and are suitable for a town centre area”*.
22. The existing building on the site provides around 2,102 sq.m of ground floor level Class E (Commercial, Business & Service) floorspace, which is presently within use within Class E(a) (i.e., for the display or retail sale of goods, other than hot food, principally to visiting members of the public [formerly Class A1]) with a further approximate 2,047 sq.m at first floor level, which is also understood to be in use within Class E(a), although the first floor level floorspace is not accessible to members of the public because it provides a store and stock area, services/plant and staff/management area/offices. When areas of services/plant and loading etc. are excluded from the ground floor area the existing building on the site provides around 1,500 sq.m of ‘tradeable’ Class E(a) floorspace (‘tradeable’ floorspace being that which is accessible to members of the public and is used for the display or retail sale of goods, and excludes store areas, staff areas etc.).
23. At each of second and third floor levels the existing building on the site provides around 845 sq.m of Class E (Commercial, Business & Service) floorspace, which is presently within use within Class E(g)(i) (i.e., an office to carry out any operational or administrative functions [formerly Class B1(a)]). As such, there is around 1,690 sq.m of office floorspace on the site.
24. In Commercial, Business & Service terms at ground floor level the proposed development would provide:

Unit Reference	Use	Gross Internal Floorspace (GIA)	Location / Frontage(s)
Unit 01	Use Class E	89 sq.m	Corner of Church Street East & Chobham Road
Unit 02	Use Class E	107 sq.m	Corner of Chobham Road & Commercial Way
Unit 03	Use Class E	133 sq.m	Commercial Way
Unit 04	Use Class E	86 sq.m	Corner of Church Street East & ‘Church Path Yard’
Unit 05	Use Class E	49 sq.m	Commercial Way
Live/Work Unit	Use Class E	41 sq.m	Church Street East
Live/Work Unit	Use Class E	35 sq.m	Church Street East
Total		540 sq.m	

25. As can be seen from the preceding table the flexible Class E (Commercial, Business & Service) floorspace proposed at ground floor level would measure around 540 sq.m GIA. Clearly, whilst there would be a reduction (of around 960 sq.m) in ‘tradeable’ Class E(a) floorspace across the ground floor as a whole (and more Class E(a) floorspace overall), such floorspace calculation is simplistic and fails to take into account that the existing building on the site has been occupied by a charity retail store (British Heart Foundation) since the previous occupier, British Home Stores (BHS), ceased trading in August 2016, that the existing building is not easily adaptable to

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other uses, including other uses within Use Class E, and that the demand for larger buildings to house department stores, as the existing building on the site was originally designed and constructed to do in the 1980s, is no longer strong due, in part, to migrating spending online and structural shifts that reduce store requirements UK wide.

26. As such, retailers now require far less space and therefore large retail units such as that on the existing site are becoming redundant and unlikely to be required by a single operator, with the large ground floor area of the existing building likely to be very difficult to let as a whole. Moreover, the retail focus of Woking Town Centre has now clearly 'shifted' to the west, into Jubilee Square and the area occupied by Victoria Place (previously The Peacocks and Wolsey Place), this 'shift' having been recently reinforced by the opening of Marks & Spencer, and other retailers, in Victoria Place.
27. Furthermore, even when the existing building on the site was in use by British Home Stores (BHS) it presented a rather stark frontage to the streets which surround it, other than Commercial Way. The elevation fronting Chobham Road lacks virtually any activation at street level and the elevation to Church Street East is also poorly activated. The elevation to Church Path is dominated by an escape stair, goods loading bay and service yard which provide a particularly poor neighbour (in visual terms) for Grade II listed Christ Church and offer no active frontage. As such, the applicant advances that the designation of the site within the Primary Shopping Area, and a Primary Shopping Frontage, "*...is not founded on the reality of the use and design of the building, which, although in retail use, has very limited active frontage, and no such frontage to Church Path*" (Planning Statement, para 6.16), an argument which is difficult to refute.
28. Moreover, the proposed development would nonetheless provide a notable amount (around 540 sq.m) of modern, high quality flexible Class E floorspace which, whilst reduced overall from the existing quantum, would be more strategically located to activate the proposed development, as experienced at street-level, will generate active frontages at key nodal points, including corners, and the modern, high quality and smaller nature of which will offer a greater variety of opportunities to introduce (flexible) Class E uses than the large, department-store, format of the existing building.
29. The ground floor flexible Class E spaces are designed to be capable of subdivision or amalgamation in order to accommodate a range of uses in the retail, hospitality and leisure sectors depending on operator demand. It is considered the proposed flexible Class E uses at ground floor level is the best way to contribute to the vitality and viability of Woking Town Centre and to maintain active frontages in the Primary Shopping Area, and this Primary Shopping Frontage. Flexible Class E uses include a broad and diverse range of uses which principally serve the needs of visiting members of the public, or are suitable for a town centre area, and provide for new uses which may emerge and are suitable for a town centre area.
30. The proposed development will reenvision the current inactive and unengaged frontages along Chobham Road, Commercial Way, Church Path and Church Street East into more animated active frontages around all edges of the proposed development through the provision of shopfronts serving the flexible Class E (Commercial, Business & Service) units with improved public realm. Clearly, the proposed development would also contain a significant residential component (272 dwellings), which would generate substantial footfall to and from the site across each day of the week, in addition to the proposed flexible Class E floorspace at ground level. Whilst the principle of the residential land use will be considered subsequently it must be noted that the residential component of the proposed development would be Build

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to Rent (BtR) and so would be professionally managed, with staff employed on the site to manage the residential accommodation and operation, as well as contractors who will likely be employed by third party service agreements. As such, the management of the residential component of the proposed development will also provide employment opportunities and thus will generate commercial activity within Woking Town Centre. This would go some way towards offsetting, in commercial activity terms, the overall reduction in Class E floorspace which would take place.

31. The proposed development would result in the loss of around 1,690 sq.m of Class E (Commercial, Business & Service) floorspace, which is presently within use within Class E(g)(i) (i.e., an office to carry out any operational or administrative functions [formerly Class B1(a)]), at second and third floor levels, which would not be replaced. Whilst this would be the case the flexible Class E use of the proposed ground floor level units would allow for use within Class E(g)(i) (i.e., an office to carry out any operational or administrative functions [formerly Class B1(a)]), if such a demand existed, and the Employment Land Review (ELR) - Market Appraisal: Site Survey Sheets (April 2010) (which formed part of the evidence base for the Woking Core Strategy (2012) and the Site Allocations DPD) identify the office accommodation on the site to be "*Grade C offices*". Given that a period over 14 years has elapsed since that market appraisal it is very likely that the condition of the office accommodation on the site has further deteriorated, with no evidence of intervening investment.
32. Moreover, planning permission was granted on 8th October 2024 (following the completion of the Section 106 Legal Agreement on the same date and following the resolution made by the Planning Committee on 16th January 2024) for the redevelopment of the 'Chobham Road Island' site (WBC Ref: PLAN/2023/0845), on the directly opposite side of Church Street East. That adjacent development, if constructed, would provide, among other floorspace, 12,639 sq.m GIA of dedicated Class E Grade A office accommodation. This adjacent development would very easily mitigate the loss of, Grade C, and now likely poorer quality, office accommodation from the site in land use terms. As of the time of writing the LPA has received several applications for the approval of details pursuant to pre-demolition planning conditions attached to proximate planning permission ref: PLAN/2023/0835, being conditions application refs: COND/2024/0129, COND/2024/0130 and COND/2024/0134. As of the time of writing hoarding is also in-situ around part of the ref: PLAN/2023/0835 site and it appears that site preparation/internal works (i.e., asbestos removal etc.) have commenced. As such, the available evidence indicates, on the balance of probabilities, an intention to implement planning permission ref: PLAN/2023/0835 which, in any case, remains extant until 8th October 2027.
33. In respect of the vitality and vibrancy of Woking Town Centre, the economic and social benefits of the introduction of a new residential population residing in the x272 proposed dwellings would significantly outweigh that of the loss of workers within the existing office accommodation on the site.
34. Overall therefore, subject to the further planning considerations set out within this report, the principle of the proposed non-residential component of the proposed development is considered to be acceptable, and in accordance with the Development Plan when read as a whole, although the reduction (of around 960 sq.m) in 'tradeable' Class E(a) floorspace across the ground floor as a whole (and more Class E(a) floorspace overall), within the Primary Shopping Frontage would conflict with an element of Policy CS2 of the Woking Core Strategy (2012). This matter will be weighed in the planning balance, against the public benefits arising, at the conclusion of this report.

Residential development

35. In respect of the x272 dwellings which are proposed the Woking Core Strategy (2012) makes provision for, among other things, the delivery of 4,964 net additional dwellings up to 2027 (i.e., the end of the present Development Plan period). Policy CS1 of the Woking Core Strategy (2012) recognises the constraints to development by stating that *“Most of the new development will be directed to previously developed land in the town, district and local centres, which offers the best access to a range of services and facilities. The scale of development that will be encouraged in these centres will reflect their respective functions and nature”*. Table 2 of the Woking Core Strategy (2012) sets out a Hierarchy of Centres within the Borough, with Woking Town Centre identified at the top of this hierarchy, as the Borough’s principal centre, and therefore the primary focus for sustainable growth.
36. Policy CS1 of the Woking Core Strategy (2012) further states that:
- “Woking Town Centre will be the primary focus of sustainable growth to maintain its status as an economic hub with a flourishing, diverse and innovative economy and a transport hub which provides transport services, links and communication linking people to jobs, services and facilities. The town centre is designated as a centre to undergo significant change and the provision of a range of shops, cultural facilities, jobs and housing to meet locally identified needs and the needs of modern businesses will be encouraged. Main town centre uses as defined in the NPPF, will be acceptable in principle, subject to the requirements of the policies of the Core Strategy.*
- In the town centre, well designed, high density development that could include tall buildings and which enhances its image will be encouraged, but without compromising on its character and appearance and that of nearby areas.”*
(emphases added)
37. Policy CS2 of the Woking Core Strategy (2012) states that *“The Council will support the development of the town centre as the primary centre for economic development in the Borough and as a primary economic centre in the South East. The Town Centre is the preferred location for town centre uses and high density residential development”* (emphasis added). Policy CS2 identifies an indicative number of 2,180 dwellings within Woking Town Centre, over the life of the Core Strategy (i.e., up to 2027). The preface to Policy CS2 states that *“The Core Strategy evidence base identifies potential for significant additional commercial and residential development in Woking Town Centre over the plan period, as set out in the policy...Development of a dynamic and successful town centre is central to the achievement of sustainable development in the Borough”* (emphasis added) (paragraph 4.1 of Woking Core Strategy (2012)).
38. Policy CS10 of the Woking Core Strategy (2012) states that *“The Council will make provision for at least 4,964 net additional dwellings in the Borough between 2010 and 2027”*, with an indicative number of 1,980 dwellings, and an indicative density range of in excess of 200 dph, within Woking Town Centre set out by the table within the policy text itself. The preface text to Policy CS10 states that *“Housing provision is integral to the creation of a sustainable community in Woking. To achieve this aim, the Council will ensure that there are sufficient homes built in sustainable locations that people can afford and which meet the needs of the community. The main urban areas will therefore be the focus for new housing development”* (para 5.52, Woking Core Strategy (2012)). It is clear therefore that Policy CS10 expressly identifies Woking

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Town Centre not only as a suitable location for residential development but as the preferred location for high density residential development.

39. Paragraph 78 of the NPPF states that *“Local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years’ worth of housing against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old. The supply of specific deliverable sites should in addition include a buffer (moved forward from later in the plan period) of:*
- a) *5% to ensure choice and competition in the market for land; or*
 - b) *20% where there has been significant under delivery of housing over the previous three years, to improve the prospect of achieving the planned supply; or*
 - c) *From 1 July 2026, for the purposes of decision-making only, 20% where a local planning authority has a housing requirement adopted in the last five years examined against a previous version of this Framework, and whose annual average housing requirement is 80% or less of the most up to date local housing need figure calculated using the standard method set out in national planning practice guidance.”*
40. Paragraph 79 of the NPPF sets out that to maintain the supply of housing, local planning authorities should monitor progress in building out sites which have permission. Where the Housing Delivery Test indicates that delivery has fallen below the local planning authority’s housing requirement over the previous three years, it sets out that differing policy consequences should apply where delivery falls below: (i) 95%, (ii) 85%, and (iii) 75% of the requirement over the previous three years.
41. The latest Housing Delivery Test (HDT), published by Government on 12th December 2024, identifies that the Housing Delivery Test (2023 measurement) for Woking Borough is 129%. As such, the Council has passed the (latest) Housing Delivery Test and can therefore now apply a buffer of 5% to its identified 5 year supply of specific deliverable housing sites, with the policy consequences which take effect for HDT measurements of below 95% not now being applicable within Woking Borough.
42. The Planning Policy team (who undertake monitoring of planning permissions) have advised that the Council can also expect to pass the next Housing Delivery Test (2024 measurement). However, beyond that, passing the Housing Delivery Test (2025 measurement and onwards) will be dependent on the rates at which housing planning permissions are granted and subsequently built-out, and will sooner or later be made more challenging by the greatly increased local housing need (indicative figure of 794 dwellings per annum, that figure representing an unconstrained assessment of the minimum number of homes needed in Woking Borough using the Government’s standard method) which the Government also introduced on 12th December 2024. Officers expect that the Council’s performance will be measured against a figure close to the new (794 dwellings per annum) local housing need figure by the time the proposed development is expected to be completed (should planning permission be granted).
43. In addition, the introduction (by Government on 12th December 2024) of the standard method for assessing local housing need, which produces a figure of 794 dwellings per annum for Woking Borough, complicates the Council’s 5 year housing land supply situation. Moving to a 5%, rather than a 20%, buffer on the 5 year housing land supply (as a result of the 129% 2023 Housing Delivery Test results described above) is helpful, but clearly has to be set against an 82% increase in local housing need. Whilst

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the Council does still have a 5 year housing land supply (including appropriate buffer) in the short term, still being within the Woking Core Strategy plan period (up to 2027), clearly it would be prudent to lay the ground now to ensure that the Council will still have a 5 year housing land supply (including appropriate buffer) in the medium term.

44. For that to be achieved in the context of the greatly increased local housing need (794 dwellings per annum) it is necessary as of now to increase the number of dwellings granted planning permission each year. For instance, in each of the last two years less than 500 dwellings were granted planning permission in Woking Borough. In terms of the Council (potentially) failing, in the medium term, to sustain a 5 year housing land supply (including appropriate buffer) the PPG explains that *"In decision-taking, if an authority cannot demonstrate a 5 year housing land supply, including any appropriate buffer, the presumption in favour of sustainable development will apply, as set out in paragraph 11d of the National Planning Policy Framework"* (Paragraph: 008 Reference ID: 68-008-20190722).
45. Paragraph 61 of the NPPF states that *"To support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay. The overall aim should be to meet an area's identified housing need, including with an appropriate mix of housing types for the local community.* Paragraph 125 relates to making effective use of land and states that planning policies and decisions should encourage multiple benefits from urban land, including through mixed use schemes and taking opportunities to achieve net environmental gains, and to *"c) give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, proposals for which should be approved unless substantial harm would be caused* (emphasis added). Importantly the immediately preceding wording within paragraph 125c) (that is *"...proposals for which should be approved unless substantial harm would be caused"*) is an addition made by the revised (12th December 2024) NPPF, which has clearly been made to support the Government's objective of significantly boosting the supply of homes, particularly on suitable brownfield land within settlements, thus being very highly relevant in this instance.
46. The application site is located centrally within Woking Town Centre, and thus is within the most sustainable location within the Borough (on the basis of the Hierarchy of Centres). The proposed development would provide x272 Build-to-Rent (BtR) homes and thus would make a very significant contribution towards housing delivery within the Borough, particularly in the context of the greatly increased local housing need (indicative figure of 794 dwellings per annum) introduced by Government on 12th December 2024, which means that it is necessary as of now to increase the number of dwellings granted planning permission in Woking Borough each year in order for the Council to sustain, in the medium term, a 5 year housing land supply (including appropriate buffer) and thus avoid the presumption in favour of sustainable development, as set out in paragraph 11d) of the NPPF, from taking effect. The proposed residential use is an acceptable land use at the site, given its location within Woking Town Centre, and is supported by Policies CS1, CS2 and CS10 of the Woking Core Strategy (2012), as well as by the NPPF.
47. Overall, it is clear that the proposed development would make an important, and significant, contribution to the provision of new homes within the Borough and would assist in achieving the Council's overarching aim to deliver 1,980 new dwellings within Woking Town Centre by 2027, in line with Policy CS10 of the Woking Core Strategy

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(2012) and the Development Plan when read as a whole. It would also make an important, and significant, contribution to maintaining, in the medium term, a 5 year housing land supply (including appropriate buffer) in the context of the greatly increased local housing need (indicative figure of 794 dwellings per annum) introduced by Government on 12th December 2024.

48. The NPPF indicates that the size, type and tenure of housing needed for different groups in the community, including those who rent their homes, should be assessed and reflected in planning policies. The proposed development in this instance would consist of 100% Build-to-Rent (BtR) homes (i.e., x272 of x272 homes), a specific type of rental housing which is typically professionally managed and in single ownership. Annex 2 (Glossary) to the NPPF defines 'Build to Rent' as *"Purpose built housing that is typically 100% rented out. It can form part of a wider multi-tenure development comprising either flats or houses, but should be on the same site and/or contiguous with the main development. Schemes will usually offer longer tenancy agreements of three years or more, and will typically be professionally managed stock in single ownership and management control."*
49. The particular need for BTR homes in Woking is recognised in the 'Woking Town Centre Housing Market Analysis Update (March 2022)', prepared for the Council by GL Hearn Limited as a background document to the Woking Town Centre Masterplan. Whilst the Woking Town Centre Masterplan, at present, has no status for decision-making purposes this Housing Market Analysis Update (March 2022) nonetheless provides a useful background document, containing a more up-to-date analysis of housing needs within Woking Town Centre than is available via the latest West Surrey Strategic Housing Market Assessment (SHMA) which dates to 2015. That March 2022 report notes:
- *"the growth of older age groups and people aged between 15-24 years points to a future need for specialist homes suited to older people and affordable units for newly forming households"* (paragraph 1.16);
 - *"Market signals indicate high demand in the rental market. Based on the household growth trends of WTC [Woking Town Centre], demand is expected to grow in future years (paragraph 1.39)";* and
 - *"Given the strong demand for rental properties, PRS [Private Rental Sector] dwellings can be delivered relatively quickly. A benefit of this will be to stabilise rents in the short term and suppress rapid increases in the coming years"* (paragraph 1.40).
50. The applicant has also submitted a Woking Build to Rent Demand Study (dated July 2024), prepared by Knight Frank, which sets out (in summary) that:
- *There are 8,315 private rented sector (PRS) households in Woking. PRS households, i.e., households who are renting their home from a private landlord for a market rent, account for 21% of the total number of households, increasing from 11% of the total in 2001;*
 - *In Woking, 58% of PRS households are classified as One Person Households, Couples households or Sharers, which are typically key household types for BTR demand;*
 - *Employment growth is considered to be a key driver of private rental demand. Employment in Woking has grown by 3.7% since 2013, and it is projected to*

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grow by 16.7% over the 20 years to 2043. This supports demand for a BTR product in the local authority;

- 53% of movers into Woking PRS homes have moved from within ten miles of their previous address, which is likely to include a lot of people moving from within the local authority. This suggests that the subject BTR scheme in Woking is likely to primarily serve demand from existing local renters, giving them a broader choice of accommodation options within the local authority. This can have the added benefit of freeing up sub-divided family housing, so that it can be lived in by households who are better suited to that style of accommodation. The scheme may also draw people in from further afield who could add to the local economy;
- There are only 523 complete BTR units in Woking across two schemes, accounting for just 6% of the PRS households in the local authority. No BTR schemes are currently under construction in Woking. This leaves 7,792 PRS households in Woking that are not provided for by existing or pipeline (under construction) BTR supply. These PRS households have limited accommodation options and many are likely to live accommodation that was not built or designed with renters in mind, and may not be fit for purpose;
- Based on current estimates of growth in both demand for and supply of BTR accommodation, there could be 8,465 PRS households in Woking by 2028 who are unable to access purpose-built and professionally managed accommodation. However, not every PRS household in Woking will want to live in BTR accommodation. If we assume that at least 30% of PRS households in Woking would want to live in a BTR home (comparisons with more mature international Multifamily markets and the UK PBSA sector allow us to estimate that the market saturation point for BTR in the UK is likely to be in excess of 30%), there could be a shortfall of 2,017 BTR homes by 2028. This outlines a significant shortfall between supply and demand for BTR homes in Woking; and
- The nearby consented Crown Place BTR scheme also underwent a planning appeal process to achieve permission (APP/A3655/W/20/3259819). The inspector in this case noted that ‘there is a shortfall in the supply of private rented sector accommodation in the Borough compared to those seeking it and that this is likely to get worse moving forward’, which is a position that has not changed since this appeal. There is still no planning policy in place for BTR in Woking, although there has been a small uptick in supply. This, though, is not significant enough to cater for the growing demand pool of PRS households, resulting in a continued supply vs demand imbalance.”

Housing mix

51. Policy CS11 of the Woking Core Strategy (2012) states that “All residential proposals will be expected to provide a mix of dwelling types and sizes to address the nature of local needs as evidenced in the latest Strategic Housing Market Assessment in order to create sustainable and balanced communities. The appropriate percentage of different housing types and sizes for each site will depend upon the established character and density of the neighbourhood and the viability of the scheme.”
52. Policy CS11 of the Woking Core Strategy (2012) recognises that lower proportions of family accommodation will be acceptable in locations in the Borough such as the town and district centres that are suitable for higher density developments. The reasoned justification text to Policy CS11 (para 5.73) states that “Lower proportions of family accommodation (2+ bedroom units which may be houses or flats) will be acceptable in locations in the Borough such as the town and district centres that are suitable for higher density developments” (emphasis added). This emphasis was recognised by an

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Inspector (at paragraphs 15 and 16 of the appeal decision) in allowing an appeal (at Land at No.7 York Road) against the refusal of planning permission for the construction of a building to provide x47 dwellings (WBC ref: PLAN/2015/0299, Appeal Ref: APP/A3655/W/16/3148379).

53. The following mix of new homes is proposed, having been informed by both market analysis (please see preceding paragraphs) and a design-led process, including pre-application engagement [in respect of ref: PLAN/2023/0911], which seeks to make efficient use of land, particularly a brownfield site, and to optimise the site and its delivery of much needed homes in Woking Town Centre, the principal centre of the Borough and therefore a highly sustainable location.

Dwelling type (all apartments)	Number of dwellings	Ratio
Studio	14	5.1%
1 bed 2 person	101	37.1%
2 bed 3 person	61	22.4%
2 bed 4 person	74	27.2%
3 bed 4 person	1	0.4%
3 bed 5 person	20	7.4%
3 bed 6 person	1	0.4%

54. The proposed development would provide x135 two bedroom dwellings, and x22 three bedroom dwellings, (i.e., x157 dwellings in total) which would (as defined by paragraph 5.73 of the Woking Core Strategy (2012)) constitute family accommodation for the purposes of Policy CS11 of the Woking Core Strategy (2012).
55. The West Surrey Strategic Housing Market Assessment (SHMA) (September 2015) is the latest SHMA. The table below compares the latest SHMA requirements (market housing) against the proposed development:

	SHMA need - market dwellings	Proposed - on basis of 100% market dwellings
1 bedroom	10.9%	101 (+14 Studio) (115 total) (42.0%)
2 bedrooms	28.1%	135 (49.6%)
3 bedrooms	38.3%	22 (8.0%)
4+ bedrooms	22.7%	0 (0.00%)
Total		272 (100%)

56. As can be seen from the preceding table the proposed development would provide a good mix of dwelling sizes, with around 50% of dwellings providing 2 bedrooms, with around 42% providing one bedroom (or Studio) and a good number (x22) of three bedroom dwellings taking into account the central Woking Town Centre location.
57. Moreover, the proposed housing mix is supported by the 'Woking Town Centre Housing Market Analysis Update (March 2022)', prepared for the Council by GL Hearn Limited as a background document to the Woking Town Centre Masterplan. Whilst the Woking Town Centre Masterplan, at present, has no status for decision-making purposes this Housing Market Analysis Update (March 2022) nonetheless provides a useful background document, containing a more up-to-date analysis of housing needs within Woking Town Centre than is available via the latest West Surrey Strategic

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Housing Market Assessment (SHMA) which dates to 2015. That March 2022 report notes:

- *“the growth of older age groups and people aged between 15-24 years points to a future need for specialist homes suited to older people and affordable units for newly forming households”* (paragraph 1.16);
- *“The growth in one person and couple households is forecast to account for a large proportion of overall growth throughout 2021 to 2035. It is reasonable that the substantial proportion of development in WTC [Woking Town Centre] should address their needs”* (paragraph 1.17);
- *“Trends in household composition suggest there is a requirement for smaller 1- and 2- bedroom homes with higher density developments in urban settlements. WTC [Woking Town Centre] is well suited to meeting demand from these households”* (paragraph 1.18).

58. Overall, therefore the proposed housing mix is considered appropriate in this Woking Town Centre context.

Adaptable and inclusive homes

59. The Planning Statement sets out that *“267 homes within the scheme are designed to meet the M4(2) standard under the Building Regulations. This means that the homes include features which make them suitable for a wide range of users including the elderly, people with mobility impairment and some wheelchair users. Although M(4)2 is an optional requirement under Part M of the Building Regulations, this high degree of compliance is aligned with Donard’s [the applicant] ambition to make the homes they provide attractive to as wide a range of occupiers as possible”* (para 3.21). The Planning Statement also states that *“Additionally, 5 units are designed to meet M(4)3 standards. The M(4)3 standard means that the home is suitable for occupation by a wheelchair user and that a wheelchair user can also access all communal spaces, external amenity spaces and parking areas”* (para 3.22). This approach to adaptable and inclusive homes is welcomed and is considered to address the requirement within Policy CS21 of the Woking Core Strategy (2012) that *“Proposals for new development should...Be designed in an inclusive way to be accessible to all members of the community, regardless of any disability [and] Ensure the building is adaptable to allow scope for changes to be made to meet the needs of the occupier (life time homes and modern business needs)”*.

60. Paragraph 96 of the NPPF states that *“Planning...decisions should aim to achieve healthy, inclusive and safe places and beautiful buildings which:*

- a) promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other - for example through mixed-use developments, strong neighbourhood centres, street layouts that allow for easy pedestrian and cycle connections within and between neighbourhoods, and active street frontages;*
- b) are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion – for example through the use of beautiful, well-designed, clear and legible pedestrian and cycle routes, and high quality public space, which encourage the active and continual use of public areas; and*

- c) *enable and support healthy lives, through both promoting good health and preventing ill-health, especially where this would address identified local health and well-being needs and reduce health inequalities between the most and least deprived communities – for example through the provision of safe and accessible green infrastructure, sports facilities, local shops, access to healthier food, allotments and layouts that encourage walking and cycling.”*

61. Build-to-Rent (BtR) accommodation can be a key component in the creation of mixed-use developments which encourage and facilitate social interaction. The communal amenity spaces within the proposed development would provide a range of opportunities for social interaction between residents, and this is a key component of the Build-to-Rent (BtR) offer. The provision of space for retail and café uses within the proposed development, within the flexible Class E units at ground floor level, provides further opportunities for social interaction and the proximity of a range of leisure, retail and commercial floorspace within the wider town centre will encourage this interaction to extend beyond the proposed development itself, particularly given the provision of a new public space ('Church Path Yard') off Church Path.

Economic and social objectives

62. Two of the three core objectives of achieving sustainable development, as per the NPPF, are an economic objective and a social objective. Paragraph 8 describes these as:

“a) **an economic objective** - to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;

b) **a social objective** - to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being”.

63. The application has been submitted with an Economic and Social Benefits Statement. This identifies (at para 6.6) the following estimated headline economic impacts in relation to the construction phase of the proposed development:

Economic Construction Phase Impacts

- Significant investment in construction, supporting 520 person-years of direct employment, equating to an average of 210 FTE [Full Time Equivalent] gross direct jobs over the duration of the estimated construction period of 2.5 years;
- An average of 200 direct, indirect and induced net additional FTE employment opportunities generated for workers in the South East during construction, of which 80 could be held by residents of Woking; and

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- Total net additional contribution of £42.0 million GVA [Gross Value Added] to the economic output of the South East economy, of which £31.8 million will be concentrated in Woking.

64. The Economic and Social Benefits Statement identifies (at para 6.7) that the completion of the proposed development would be expected to result in the following quantifiable net additional impacts:

Economic Operational Phase Impacts

- Increasing the local population, as a result of 490 residents living in the proposed development (800 residents in the maximum occupancy scenario);
- Accommodating 240 additional economically active and employed residents, (390 residents in the maximum occupancy scenario) benefiting local businesses located close to the site;
- Supporting resident income of c. £7.7 million per annum (increasing to £12.6 million if fully occupied), a significant proportion of which is likely to be spent in the local area;
- Supporting £4.1 million in local household retail expenditure and £2.2 million on leisure goods and services per annum (increasing to £6.7 million and £3.6 million respectively if fully occupied), in turn sustaining 50 retail and leisure-related jobs (increasing to 80 jobs if fully occupied);
- Creating 35 gross direct on-site FTE jobs at a site which currently supports no economic activity;
- Generating up to 30 FTE net additional employment opportunities across the South East area, 10 of which are expected to be taken by workers in Woking; and
- Contributing £1.5 million GVA per year to the South East economy, inclusive of £0.9 million concentrated in Woking.

65. The Economic and Social Benefits Statement identifies (at para 6.8) the following (summarised) social benefits which would be generated by delivery and operation of the proposed development:

Social benefits

- The delivery of x272 new high-quality, energy efficient homes, including affordable provision;
- The delivery of a mixed-use town centre development is an effective means of ensuring a healthy and sustainable development and enabling social value to be generated within communities;
- The proposed development will encourage active lifestyles by promoting active modes of travel (i.e., walking and cycling) which will contribute towards reducing carbon emissions and other transport related pollution; and

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- Social value generated through delivering employment and skills opportunities.

66. As such, it is clear that the economic and social objective benefits of the proposed development would be very significant, and this factor weighs heavily in favour of the proposed development and therefore in granting planning permission.

Conclusion on Spatial strategy and principle of development

67. Overall, the proposed development is a major opportunity for regeneration of previously developed land, in the built-up urban area within Woking Town Centre, the principal centre of the Borough. The proposed x272 new dwellings would provide a significant quantum of new housing for the Borough, within the principal centre of the Borough. The proposed development would also have significant economic benefits during both construction and operation, in addition to social benefits, and would provide a range of opportunities for social interaction between residents, which is a key component of the Build-to-Rent (BtR) model.

68. Overall, the principle of the redevelopment of the site for the proposed uses (i.e., Use Class E and residential (Use Class C3)) accords with the Development Plan, and with the NPPF objective of significantly boosting the supply of homes and of recognising the need to address the size, type and tenure of housing needed for different groups in the community. The spatial strategy set out in the Development Plan directs development to Woking Town Centre as the primary centre of the Borough and a highly accessible location. The principle of a mixed-use development within Woking Town Centre, including an intensification of development, is clearly supported through Development Plan policy and by the NPPF. The Class E units which would be provided at ground floor level would provide for town centre uses within Woking Town Centre, thus contributing positively towards, and enhancing, the vitality and viability of Woking Town Centre more widely. The proposed development will deliver increased activation at street level, within the designated Primary Shopping Area and Primary Shopping Frontage, with the flexible Class E uses at ground floor level ensuring activation and footfall.

Amenities of future occupiers

69. Paragraph 135 of the NPPF states that planning decisions should ensure that developments, among other things, “...create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users”.

Space standards

70. All proposed apartments would be provided across a single storey (i.e., there would be no duplex, or two-storey, apartments). The PPG states that “Where a local planning authority (or qualifying body) wishes to require an internal space standard, they should only do so by reference in their Local Plan to the nationally described space standard” (Paragraph: 018 Reference ID: 56-018-20150327 Revision date: 27 03 2015). No Development Plan policy is engaged in this instance that refers to the Technical housing standards - nationally described space standard (March 2015) (hereafter referred to for brevity as ‘the NDSS’) and therefore the Local Planning Authority has no Development Plan basis to insist that the proposed development must fully comply with the NDSS. It should be noted that Policies DM9 (Flats above shops and ancillary accommodation) and DM11 (Sub-divisions, specialist housing, conversions and loss of

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housing) of the Development Management Policies DPD (2016) both refer to the NDSS however those policies are not engaged by the proposed development in this instance. Nonetheless the NDSS does provide a useful point of reference for comparison purposes.

71. The table on the following page shows the relevant ranges of gross internal floor areas (GIA), with all non-M4(3) proposed apartments (considered separately below) complying with or exceeding the relevant minimum GIAs set out within the Technical housing standards - nationally described space standard (NDSS) (March 2015):

Number of bedrooms (b)	Number of bed spaces (persons)	Minimum GIA in scheme (sq.m)	Maximum GIA in scheme (sq.m)	NDSS Minimum (sq.m)	NDSS Compliant?
1b	1p	37	43	37(shr) 39 (bath)	(All) 14
1b	2p	50	53	50	All (101)
2b	3p	62	67	61	All (61)
2b	4p	71	78	70	All (74)
3b	4p	77	77	74	All (1)
3b	5p	86	87	86	All (20)
3b	6p	99	99	95	All (1)

* Note: Shr = Shower

72. As demonstrated by the preceding table, in terms of space standards, the proposed development would entirely comply with the NDSS, thus providing a high standard of amenity in this respect for future occupiers.
73. The table below shows the relevant ranges of gross internal floor areas (GIA) for the M4(3) proposed apartments which are clearly larger than those above to provide for required additional space for wheelchair movement. Whilst the NDSS doesn't specify space standards in respect of M4(3) dwellings, the NDSS minimum for the relevant dwelling size is shown for reference purposes:

Number of bedrooms (b)	Number of bed spaces (persons)	Minimum GIA in scheme (sq.m)	Maximum GIA in scheme (sq.m)	NDSS Minimum (sq.m)	NDSS Compliant?
1b	2p	54	54	50	All
2b	3p	78	78	61	All
2b	4p	80	93	70	All

Amenity spaces

74. In terms of amenity spaces SPD Outlook, Amenity, Privacy and Daylight (2022) does not form part of the Development Plan, although it provides guidance on how Policy CS21 of the Woking Core Strategy (2012) could be applied. In respect of non-family accommodation SPD Outlook, Amenity, Privacy and Daylight (2022) states (at para 3.12) that:

“Non-family accommodation will be taken to mean studio and one bedroom flats and any other forms of dwellings of less than 61sqm. internal floorspace together with specified forms of accommodation such as older persons accommodation and specialist care units.”

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75. The SPD goes on to state (at paras 3.13 and 3.14) that:

“Whilst generally dwellings specifically designed not to be used for family accommodation do not require any specific area to be set aside for each as private amenity space, applicants will be encouraged to do so where it is feasible” and that “However, all forms of dwelling should seek to incorporate some modest private sunlit area for sitting outside. At ground floor level a small semi-enclosed patio area would be beneficial, and at higher levels, particularly in the case of flats, a simple terrace or balcony might be incorporated.”

76. In respect of family accommodation the SPD states (at para 3.5) that *“For the purposes of this document [the SPD], family accommodation will be taken to mean...all flats or duplex apartments with two bedrooms or more and exceeding 61 sqm. gross floor space”* and (at para 3.10) that *“In the densest urban locations such as Woking Town Centre and West Byfleet District Centre, where multi storey developments including flats, duplex apartments and townhouses are intended for family accommodation, alternative forms of on-site amenity provision may be permitted in lieu of a conventional private garden. Use of a communal amenity space or, where it is safe to do so, a suitable area of landscaped roof garden or terrace, may be acceptable for this purpose, although care is needed in siting to avoid problems of overlooking and noise disturbance other dwellings. Where communal amenity space is being provided it should accommodate a range of uses to provide variety. Where communal outdoor amenity space is proposed, its retention and maintenance for the lifetime of the development (as well as a management plan) should be secured by planning condition.”*

77. Private amenity space, in the form of either a private balcony (inset or projecting) or a private roof terrace area, would be provided to x153 of the proposed x272 apartments, equating to a ratio of 56%, which is considered to be very good for a central Woking Town Centre context such as this and bearing in mind that providing (projecting) private balconies at higher levels of the proposed building would be challenging due to wind microclimate conditions at higher levels and that the provision of projecting balconies does have some negative impact on the provision of natural light to the windows/openings below.

78. In addition all future residents of the proposed development would benefit from access to a range of both indoor and outdoor communal amenity spaces, including:

Indoor

Floor level	Room use/purpose	Room size (GIA)
First	Gym / Residential amenity space	114 sq.m
First	Co-working / Residential amenity space	63 sq.m
Fourteenth	Residential amenity space	102 sq.m
Total		279 sq.m

Outdoor

Floor level	Roof terrace use/purpose	Roof terrace size (approx.)
First	Roof Garden	405 sq.m

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Fifth	Work/Dine	45 sq.m
Seventh	Studio	58 sq.m
Seventh	Active	52 sq.m
Tenth	Relax	60 sq.m
Eleventh	Sky Lounge	165 sq.m
Fourteenth	Work	94 sq.m
Total		879 sq.m

79. The application submission also provides landscaping plans and a strategy of the external communal amenity spaces, showing these areas being able to accommodate a variety of potential amenity uses and how a high quality landscape design could be implemented to achieve high quality spaces.
80. The BRE Site layout planning for daylight and sunlight: A guide to good practice (Third edition, 2022) (the BRE Guide) acknowledges that sunlight to external amenity spaces is important, recommending that at least half of the area in question should receive at least two hours of direct sunlight on 21st March, as this date represents average annual conditions and therefore sunlight amenity is expected to increase after this point, to a maximum on the summer solstice (21st June). The applicant has therefore plotted the shadow pattern in the relevant outdoor amenity areas each hour on 21st March and calculated the proportion of the relevant outdoor amenity areas that would be in direct sunlight at each hour. The results of this assessment (which is contained within the document titled 'Internal Daylight Assessment', prepared by Hoare Lea) are summarised in the table below:

Floor level	Roof terrace use/purpose (Communal unless otherwise stated)	Calculated percentage area achieving 2 hrs of direct sunlight on 21st March (%)
First	Roof Garden	99.2%
Fifth	Work/Dine	100.0%
Fifth	Private Terrace (to Flat 81)	89.0%
Seventh	Studio	100.0%
Seventh	Active	100.0%
Tenth	Relax	100.0%
Eleventh	Sky Lounge	100.0%
Fourteenth	Work	100.0%

81. As can be seen the submitted assessment demonstrates that 100.0% of the areas of six of the seven proposed outdoor communal amenity spaces would achieve 2 hours of direct sunlight on 21st March, with the (principal) first floor roof garden achieving 2 hours of direct sunlight across 99.2% of its area on 21st March. Clearly, these are very high percentages, which are generally double the BRE Guide recommendation of 50.0%. As such, very good levels of sunlight would be provided to all of the outdoor communal amenity spaces which would clearly make these attractive areas for residents to use, particularly during the spring and summer periods when the weather is likely to be less inclement.
82. Taking into account the central Woking Town Centre location of the site, and that the proposed development would provide all x272 proposed dwellings in the form of apartments, the overall approach to indoor and outdoor amenity space provision (both

private and communal) is considered to be of a high quality and standard and therefore to be acceptable, ensuring a high standard of amenity for residents in these respects.

Outlook and Privacy

83. SPD Outlook, Amenity, Privacy and Daylight (2022) states (at para 1.4) that “Appendix 1 recommends a number of dimensions to achieve the minimum level of outlook, amenity, privacy, daylight and sunlight in residential layouts. However these dimensions are for advice only and evidence of design quality and compatibility with local context will be of overriding importance. Context means the setting of a proposed development, which must be well integrated with and complement the adjacent buildings and the wider street scene in terms of character, appearance, scale, density, layout and access” (emphasis added) and (at para 1.5) that “Compliance with the criteria set out in Appendix 1 will usually provide most of the layout requirements for achieving satisfactory outlook, amenity, privacy, daylight and sunlight for conventional dual aspect family dwellings. However, developments designed to control aspect or which use adequate screening, as well as those located in the Borough’s main high density centres, may allow closer spacing but plans will require sufficient detailed information to justify any relaxation. The design and layout of all forms of residential development must ensure that the principal areas of accommodation achieve a satisfactory level of outlook and natural daylight” (emphasis added).
84. In respect of privacy the SPD states (at para 4.1) that “New developments should be designed to protect the privacy of both new and existing dwellings”. Appendix 1 sets out recommended minimum separation distances for achieving privacy (as below) stating that “Standards of amenity may be relaxed for housing in Woking Town Centre...”.

Number of storeys	Measured Dimension	Distance (metres)
Three and over	Front to front elevation	15
	Rear to rear elevation	30
	Front or rear to boundary/flank	15
	Side to boundary	2

85. New residential accommodation within the proposed development would be located at mezzanine level (i.e., the level between ground and first floor levels, around 5.4m above ground level) at the lowest. Residential accommodation would terminate, at its highest, at the thirteenth floor (eleventh floor on plan, once ground and mezzanine floors are accounted for this would be the thirteenth floor in reality) where fronting Commercial Way (& turning the corner into Chobham Road) and would terminate at twelfth floor level where fronting Chobham Road (tenth floor on plan). Where fronting Church Street East (& turning the corner into Chobham Road) residential accommodation would terminate, at its highest, at twenty sixth floor level (twenty fourth floor on plan). Some of the proposed apartments would face ‘into the site’ (i.e., across the first floor level podium amenity space).
86. In summary, acceptable to very good levels of outlook, taking into account the central Woking Town Centre location of the site, would be provided to all habitable rooms where these would face outwards from the site (i.e., facing outwards across Commercial Way, Chobham Road, Church Street East and across the new public space on the corner of Church Path and Church Street East.). Whilst clearly outlook from lower residential floor levels (i.e., mezzanine to fourth floor levels (incl.)), where habitable rooms would face outwards across Chobham Road and Church Street East

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in particular, would be more restricted than that from higher levels within these elevations none of the existing buildings (i.e., Crown House and Cleary Court), where they are directly opposite the proposed Chobham Road and Church Street East elevations, are so close, and so high, such that unacceptable levels of outlook and privacy would be provided to facing apartments, particularly given the central Woking Town Centre location of the site.

87. In respect of the Chobham Road elevation of the proposed development Crown House (located on the directly opposite side of Chobham Road) would, where at its closest, be around 11.5m away from this facing elevation, increasing to around 13.5m separation (at the greatest), with a facing vertical height of around 26.0m Above Ground Level (AGL) (above which the Crown House building steps away from the site). Given that the lowest residential floor level (mezzanine) within the proposed development would be around 5.4m AGL, combined with these separation distances, it is not considered that the height and proximity of opposing Crown House would give rise to an unacceptable overbearing effect, or to an unacceptable impact on privacy, to future residents of facing apartments between mezzanine and fourth floor levels (incl.) in the context of this central Woking Town Centre location, such that facing apartments at these levels would experience acceptable levels of outlook and privacy.
88. At both fifth and sixth floor levels the presence of Crown House would be less evident to future residents of facing apartments and at seventh floor level Crown House would represent a quite minor structure in views from facing apartments with facing apartments at eighth floor level and above having no material outlook of Crown House (unless looking downwards towards it) and also experiencing no facing windows etc. from Crown House (due to their elevation above the top of this opposing building) such that facing apartments at these levels would experience good to very good levels of outlook and privacy.
89. The extant Crown Place development (WBC Ref: PLAN/2019/1141, Appeal Ref: APP/A3655/W/20/3259819) would, principally (i.e., other than where it would front Chertsey Road), be located to the east/north-east beyond intervening Crown House. The facing residential accommodation within the taller components of the Crown Place development would remain, at least, around 46.0m away from the Chobham Road elevation of the proposed development, with the closest taller component of Crown Place measuring around 84.0m AGL (to parapet top). Clearly, whilst (if constructed) the presence of the Crown Place development would be evident to future residents of facing apartments at all floor levels it is not considered that the height and proximity of opposing Crown Place (beyond intervening Crown House) would give rise to an unacceptable overbearing effect, or to an unacceptable impact on privacy, to future residents of facing apartments at all levels in the context of this central Woking Town Centre location, such that relevant facing apartments at all levels would experience acceptable to very good levels of outlook and privacy (in the event the Crown Place development is constructed).
90. Where it would front Chertsey Road (to the east) the extant Crown Place development would terminate at fifth floor level (i.e., ground + 4 levels) and thus would have a maximum height in this location of around 17.5m AGL. This lower element of the Crown Place development would, at its closest, be situated around 38.5m east of the proposed development. As such, the height and proximity of the lower element of the Crown Place development (i.e., where fronting Chertsey Road) would not give rise to an unacceptable overbearing effect, or to an unacceptable impact on privacy, to future residents of facing apartments at all levels, particularly in the context of this central Woking Town Centre location, such that relevant facing apartments at all levels would

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experience good to very good levels of outlook and privacy (in the event the Crown Place development is constructed).

91. In respect of the Church Street East elevation of the proposed development existing Cleary Court (located on the directly opposite side of Church Street East) would be around 14.0m away from this facing elevation, with a facing vertical height of around 11.5m AGL (above which the mansard roof form of existing Cleary Court slopes away from the site). Given that the lowest residential floor level (mezzanine) within the proposed development would be around 5.4m AGL, combined with this separation distance, it is not considered that the height and proximity of existing opposing Cleary Court would give rise to an unacceptable overbearing effect, or to an unacceptable impact on privacy, to future residents of facing apartments at both mezzanine and first floor levels, particularly in the context of this central Woking Town Centre location, such that facing apartments at these levels would experience acceptable to good levels of outlook and privacy.
92. At second floor level existing Cleary Court would represent a quite minor structure in views from facing apartments with facing apartments at third floor level and above having no material outlook of existing Cleary Court (unless looking downwards towards it) and also experiencing no facing windows etc. from existing Cleary Court (due to their elevation above the top of this opposing building) such that facing apartments at these levels would experience very good levels of outlook and privacy.
93. Planning permission was granted on 8th October 2024 (following the completion of the Section 106 Legal Agreement on the same date and following the resolution made by the Planning Committee on 16th January 2024) for the redevelopment of land on the directly opposite side of Church Street East, which includes the demolition (among other buildings) of existing Cleary Court and its replacement with an office-led mixed-use development of up to eleven storeys (WBC Ref: PLAN/2023/0835). The Planning Committee report for that development stated (at para 290) that:

“The development proposed under ref: PLAN/2023/0911 would be located on the opposite (south/south-east) side of Church Street East and, where facing towards the site (i.e., along its Church Street East elevation), would contain residential accommodation at first floor level and above, with some projecting balconies along this elevation. An elevation-to-elevation separation distance of around 15.0m would be maintained between the two proposed developments. Whilst the projecting balconies of the ref: PLAN/2023/0911 development would reduce this separation distance to around 12.4m (i.e., measured from balcony-to-elevation) clearly, in a central Woking Town Centre location such as this, it would be unreasonable for future occupiers of the ref: PLAN/2023/0911 scheme (if granted planning permission and subsequently constructed) to have an expectation of high levels of privacy when using projecting balconies for sitting out etc. As such, it is considered that the resulting separation distances would be sufficient to avoid significant harmful loss of privacy to future residential occupiers of the ref: PLAN/2023/0911 scheme in the event that it is (together with the present application) granted planning permission and subsequently constructed. Clearly, future (Class E) occupiers of the present scheme would be non-residential in nature and as such would not have an expectation of high levels of privacy, albeit the separation distance retained to the ref: PLAN/2023/0911 scheme is nonetheless considered acceptable in this central Woking Town Centre context. In the event that the ref: PLAN/2023/0911 scheme is not granted planning permission and/or not subsequently constructed there is no existing (nor extant) residential use on the Former BHS site.”

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94. The Planning Committee report for the ref: PLAN/2023/0835 development (on the directly opposite side of Church Street East) continued (at para 291), stating that:

“Where it would be located directly opposite (i.e., across Church Street East) the ref: PLAN/2023/0911 scheme the southern component of the proposed development would have a height of around 37.7m AGL. Where facing towards the site the lowest residential floor of the ref: PLAN/2023/0911 scheme would have a finished floor level of around 4.5m AGL, thus the height of the proposed development would be perceived (from that lowest residential level) as around 33.2m AGL, and from higher residential floor levels (i.e., from second floor level and above) would be clearly perceived as less than this, above around seventh floor level the proposed development would have no material impact on outlook of the ref: PLAN/2023/0911 scheme. The proposed development would step up in height towards the north although this increased height would occur in a form which would step away from the ref: PLAN/2023/0911 scheme (and from Church Street East) and thus would have a reduced impact on the ref: PLAN/2023/0911 scheme than the (closest) southern component, which is discussed above.”

95. Finally, the Planning Committee report for the ref: PLAN/2023/0835 development (on the directly opposite side of Church Street East) stated (at para 292) that:

“As such, it is considered, in the event that application ref: PLAN/2023/0911 was to be subsequently granted planning permission and built out, that significant harmful overbearing effect to future residential occupiers of the ref: PLAN/2023/0911 scheme would be avoided, given the central Woking Town Centre location of both sites. It is also a weighty material consideration that potential future occupiers of the development proposed under ref: PLAN/2023/0911 would be aware of any grant of planning permission for, and (if constructed, or under construction, by that point in time) the presence of the present development. In the event that application ref: PLAN/2023/0911 was not to be granted planning permission and/or not constructed the Former BHS site presently performs as Class E (Commercial, Business and Service).”

96. As of the time of writing the LPA has received several applications for the approval of details pursuant to pre-demolition planning conditions attached to proximate planning permission ref: PLAN/2023/0835, being conditions application refs: COND/2024/0129, COND/2024/0130 and COND/2024/0134. As of the time of writing hoarding is also in-situ around part of the ref: PLAN/2023/0835 site and it appears that site preparation/internal works (i.e., asbestos removal etc.) have commenced. As such, the available evidence indicates, on the balance of probabilities, an intention to implement planning permission ref: PLAN/2023/0835 which, in any case, remains extant until 8th October 2027. Notwithstanding the immediately prior point the preceding assessment and conclusion of the Planning Committee report for the ref: PLAN/2023/0835 development, as was supported by the Planning Committee, it is not considered that the height and proximity of the (directly opposite) ref: PLAN/2023/0835 development would give rise to a harmful overbearing effect, or to a harmful loss of privacy, to future residents of facing apartments within the Church Street East elevation of the proposed development in the event that the ref: PLAN/2023/0835 ‘Chobham Road Island’ development is constructed.

97. In respect of the Commercial Way elevation of the proposed development buildings located on the opposite (southern) side of Commercial Way would, where at their closest, be around 10.9m away from this facing elevation, increasing to around 18.0m

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separation (at the greatest), with maximum opposing building heights of around 11.5m AGL. Given that the lowest residential floor level (mezzanine) within the proposed development would be around 5.4m AGL, combined with these separation distances, the height and proximity of opposing buildings on the southern side of Commercial Way is such that facing apartments would experience good to very good levels of outlook and privacy.

98. In respect of the Church Path (i.e., south-west) elevation of the proposed development buildings located on the opposite (western) side of Church Path would, where at their closest (i.e., Christ Church), be around 29.0m away from this facing elevation, increasing to 40.0m+ separation (at the greatest), with maximum opposing building heights of around 17.4m AGL (excluding the spire of Christ Church, which is a narrow structure). Given that the lowest residential floor level (mezzanine) within the proposed development would be around 5.4m AGL, combined with these separation distances, the height and proximity of opposing buildings on the western side of Church Path is such that facing apartments would experience very good levels of outlook and privacy.
99. Some of the proposed apartments would mutually face 'into the site' (i.e., across the first floor level outdoor amenity space), between first and eleventh floor levels (incl., as these levels are identified on the plans) (i.e., across 11 of the 25 proposed residential floors, equating to 44% of residential floors). Where they would do so an elevation-to-elevation separation distance of around 17.0m would be maintained, at the minimum, increasing (due to an angled elevation) up to around 19.0m in places. Due to an angled elevation there would be a slightly oblique relationship between all mutually facing apartments, although it is recognised that this oblique angle would be slight. At twelfth floor level and above only the tallest tower component would remain and thus apartments at levels above this level would not mutually face towards others within the proposed development due to their elevation above the top of the remainder of the proposed development.
100. Where projecting balconies would be provided to mutually facing apartments (i.e., above the first floor level outdoor amenity space) separation distances (purely balcony-to-balcony) would be decreased to around 14.0m between facing balconies. However, where they would serve apartments at the same floor level facing balconies have been positioned, as far as is practicable, offset from one another. Clearly, in a high density central Woking Town Centre development such as this, it would be unreasonable for future occupiers to have an expectation of high levels of privacy when using projecting balconies for sitting out etc. Moreover, the benefits of providing such private balconies, which are notable, have to be considered in light of the fact that in a high density development such as this it is not possible for such balconies to benefit from high levels of privacy.
101. In respect of separation distances between mutually facing apartments within the proposed development it is material that the Planning Committee report for the EcoWorld development, at land to the north and south of Goldsworth Road (ref: PLAN/2020/0568), which was allowed on appeal in January 2022 (Appeal Ref: APP/A3655/W/21/3276474) after being refused by the LPA, states (at para 145) that:

"The separation distance between T1 and T2 would vary between approximately 24.28m narrowing to approximately 20.2m where T1 steps in, between T2 and T3 there would be a separation distance of approximately 26.21m decreasing to approximately 23.1m where T2 steps in and a minimum separation distance of approximately 17.8m would be retain [SIC] between T2 and BA. It is considered that the separation provided between habitable rooms would provide an

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adequate level of privacy for new occupiers, reflecting the high density of the development.” (emphasis added)

102. The EcoWorld development Planning Committee report then states (at para 146) that “Overall the proposal is considered to offer a high standard of accommodation for future residents.” For reference that Planning Committee report states that “T1 would vary in height from 12 to 21 storeys and accommodate 183 residential units, T2 would vary in height from 20 to 29 storeys and accommodate 239 residential units and T3 would be 37 storeys (including rooftop amenity) and accommodate 295 residential units...Building BA would be part 3 storeys, part 29 storeys (including full height roof enclosure) and accommodate 212 residential units” (emphasis added).
103. As such, it is clear that both the (minimum) retained elevation-to-elevation separation distance (of around 17.0m), and the resulting outlook, between mutually facing apartments within the proposed development would be consistent with the extant EcoWorld development, which also represents a high-density, tall building development within Woking Town Centre. In the case of the proposed development the mutually facing elements of building would be up to thirteenth storeys in height, in the case of the EcoWorld development they were between twenty and twenty-nine storeys in height (building T2) and up to twenty-nine storeys in height (building BA). This adds weight to the conclusion that where proposed apartments would mutually face ‘into the site’ (i.e., across the first floor level outdoor amenity space) between first and eleventh floor levels (incl., as these levels are identified on the plans) the elevation-to-elevation separation would provide an acceptable level of privacy, and outlook, for future occupiers, reflective of the tall-building, high density, and central Woking Town Centre location, of the proposed development.
104. 50% of the proposed apartments (i.e., x137 out of x272 apartments) would provide either dual or triple aspect, which is considered to represent a reasonably high level of dual or triple aspect provision in the circumstances of a high-density, tall building central Woking Town Centre development proposal such as this. It must also be borne in mind that design considerations restrict the ability to provide a greater proportion of apartments as dual or multiple aspect and, moreover, that many of the proposed apartments would also be either at a relatively high, or indeed a high, level, thus affording expansive views over Woking and further afield which, in the case of single aspect apartments at higher levels, would go some notable way to mitigating the single aspect. All apartments would also benefit from Juliet balconies in order to maximise daylight, sunlight and outlook.

Daylight

105. Paragraph 130c) of the NPPF states that “...when considering applications for housing, authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living standards).”
106. The BRE Site layout planning for daylight and sunlight: A guide to good practice (Third edition, 2022) (hereafter referred to as ‘the BRE Guide’ for brevity) recognises the importance of receiving adequate daylight within new residential accommodation; it states that “Daylight provision in new rooms may be checked using either of the methods in BS EN 17037 Daylight in Buildings: direct prediction of illuminance levels using hourly climate data, or the use of the daylight factor (D). Both are measures of the overall amount of daylight in a space. The daylight factor (D) addresses daylight provision as a ratio of unobstructed external illuminance under overcast sky

conditions.” (para 2.1.8). It is clear that the previous method of determining Average Daylight Factor (ADF) is no longer applicable and the new methodology can follow either the ‘Illuminance method’ (which involves using climatic data for the location of the site to calculate the illuminance from daylight at each point on an assessment grid on the reference plane at an at least hourly interval for a typical year) or the ‘Daylight factor method’ (which is the illuminance at a point on the reference plane in a space, divided by the illuminance on an unobstructed horizontal surface outdoors. The CIE standard overcast sky is used, and the ratio is usually expressed as a percentage.

107. The BRE Guide itself recognises that its advice is not mandatory, its aim being to help rather than constrain the designer. Although it gives numerical guidelines, it advises that these should be interpreted flexibly since natural lighting is only one of many factors in site design layout.
108. The UK National Annex gives illuminance recommendations of 100 Lux in bedrooms, 150 Lux in living rooms and 200 Lux in kitchens. These are median illuminances to be achieved over 50% of the assessment grid for at least half of the daylight hours.
109. The application has been submitted with an Internal Daylight Assessment, prepared by Hoare Lea (dated 26 February 2024). The assessment undertaken within that report has been undertaken on a ‘worst case’ basis, in daylighting terms, and thus has been undertaken with both the extant Crown Place scheme and the (since 8th October 2024) now extant ‘Chobham Road Island’ scheme in place. Clearly, in the event that either (or both) of these proximate developments were not to be constructed the daylighting levels to the proposed development would be higher than those which the assessment has produced.
110. The results of the assessment contained within the Internal Daylight Assessment report indicate that 74.3% of the habitable rooms within the proposed development would meet the BRE guidelines for daylight illuminance. Daylight availability on lower levels would be more limited due to obstruction from within the proposed development as well as from neighbouring properties, particularly the ‘Chobham Road Island’ scheme to the north-west. In general, habitable rooms located on upper levels perform well against the guidelines compared to lower levels, because the impact of neighbouring buildings and obstruction within the development is greatly reduced further up the proposed development.
111. The assessment demonstrates that proposed apartments on the south-east facade would perform best, as they would benefit from a more open outlook, even on lower floors, and that proposed apartments on the north-west and north-east facades would be challenged by limited access to direct sunlight, together with external obstructions such as the ‘Chobham Road Island’ development. However, this becomes less of a factor from level 7 upwards.
112. A breakdown of room types shown in the table on the following page highlights that bedrooms would perform the most effectively, with over 81.7% of bedrooms achieving the illuminance target, followed by open plan living / kitchen spaces at 67.9%. Apartments with separate living and kitchen areas would perform the least effectively. The low performance of kitchens is due to a combination of higher illuminance targets (i.e., 200 lux) coupled with deep floor plans and obstruction from external walkways. In these apartments, living and dining areas have been prioritised for daylight in the floor plan, which has led to kitchens having limited direct access to natural light. It should be noted that, within a development of this density, such compromises are often necessary in order to maximise levels of amenity in living spaces and bedrooms.

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Furthermore, in an urban context such as this, private external amenity space is highly valued, and the balconies in the proposed development are an important feature in terms of residential amenity and in how they define the architecture. However, where projecting or inset balconies have been used, this serves to reduce daylight ingress and performance for some living/dining rooms. The effect of balconies is therefore a considerable factor in the daylight compliance level of the proposed development:

Room type	Illuminance target (lux)	Number of rooms assessed	Number of rooms that meet the guidelines	% rooms that meeting the guidelines
Bedroom	100	449	367	81.7
Living/Kitchen/Dining*	150	271	184	67.9
Dining	150	20	0	0.00
Living/Dining	150	1	0	0.00
Kitchen	200	1	0	0.00

* Studio apartments (2) on levels 10 & 11 included in this total.

Sunlight

113. In respect of sunlight the BRE guidance recommends that a minimum of 1.5 hours of direct sunlight can be received by at least one room in each home (on 21 March), preferably the living room. The sunlight is measured from the internal centre point of each window.
114. The assessment demonstrates that 99.3% of proposed apartments would meet the BRE guidelines in respect of sunlight, indicating that proposed apartments have been effectively orientated to capture a good amount of direct sunlight across the proposed development. Only a small number of apartments, between the Mezzanine, Levels 1 and 2 would be unable to meet the target, due to the close proximity of the extant 'Chobham Road Island' development. Nonetheless, apartments that do not meet the guidelines can still receive at least one hour of sunlight in at least one habitable room on 21st March.
115. Overall, the proposed development would provide a high standard of amenity for future occupiers, particularly given the urban, and highly sustainable (in locational terms), Woking Town Centre context in which the proposed development would be located.

Affordable housing

116. Policy CS12 of the Woking Core Strategy (2012) states that *"All new residential development on previously developed (brownfield) land will be expected to contribute towards the provision of affordable housing in accordance with the following criteria...On sites providing 15 or more dwellings, or on sites of over 0.5ha (irrespective of the number of dwellings proposed), the Council will require 40% of dwellings to be affordable"* and that:

"The proportion of affordable housing to be provided by a particular site will take into account the following factors.

- *The need to provide an appropriate tenure mix that meets the needs of local residents, as evidenced by the latest SHMA, and that is considered affordable based on local income levels.*
- *The requirement for significant provision of new affordable family homes.*
- *Constraints on the development of the site imposed by other planning objectives.*

- *The need to achieve a successful housing development in terms of the location and mix of affordable homes.*
- *The costs relating to the development; in particular the financial viability of developing the site (using an approved viability model).* (emphasis added)

117. The reasoned justification text to Policy CS12 states (at para 5.88) that “*In exceptional circumstances, where the provision of affordable housing in accordance with this policy is not economically viable, the Council will expect the submission of financial appraisal information alongside the planning application. Applicants will be expected to pay for an independent review of the information submitted. If the Council is satisfied that affordable housing cannot be provided in accordance with this policy, it will seek to negotiate alternative provision. Further details on this matter will be set out in the Affordable Housing Delivery SPD.*” This accords with NPPF and the PPG, which indicates that it is up to the applicant to provide the necessary justification. Paragraph 59 of the NPPF states that:

“Where up-to-date policies have set out the contributions expected from development, planning applications that comply with them should be assumed to be viable. It is up to the applicant to demonstrate whether particular circumstances justify the need for a viability assessment at the application stage. The weight to be given to a viability assessment is a matter for the decision maker, having regard to all the circumstances in the case, including whether the plan and the viability evidence underpinning it is up to date, and any change in site circumstances since the plan was brought into force. All viability assessments, including any undertaken at the plan-making stage, should reflect the recommended approach in national planning practice guidance, including standardised inputs, and should be made publicly available.”

118. The Affordable Housing Delivery SPD (2023) reiterates this principle and gives more detail of how viability assessments should be undertaken.

119. However, Policy CS12 of the Woking Core Strategy (2012) was written with regards to ‘for sale’ housing and it is not wholly reflective of the specific circumstances of Build-to-Rent (BtR) development, as is proposed in this instance. This is because BtR development was not as commonplace in 2012 as it is today. At Annex 2 (Glossary) the NPPF states, under the definition of ‘b) Other affordable housing for rent’ that “*...For Build to Rent schemes affordable housing for rent is expected to be the normal form of affordable housing provision (and, in this context, is known as Affordable Private Rent).*”

120. The ‘Build to rent’ section of the PPG states, under the heading ‘What provision of affordable housing is a build to rent development expected to provide?’ states:

“The National Planning Policy Framework states that affordable housing on build to rent schemes should be provided by default in the form of affordable private rent, a class of affordable housing specifically designed for build to rent. Affordable private rent and private market rent units within a development should be managed collectively by a single build to rent landlord.

20% is generally a suitable benchmark for the level of affordable private rent homes to be provided (and maintained in perpetuity) in any build to rent scheme. If local authorities wish to set a different proportion, they should justify this using the evidence emerging from their local housing need assessment and set the policy out in their local plan. Similarly, the guidance on viability permits

developers, in exception, the opportunity to make a case seeking to differ from this benchmark.

National affordable housing policy also requires a minimum rent discount of 20% for affordable private rent homes relative to local market rents. The discount should be calculated when a discounted home is rented out, or when the tenancy is renewed. The rent on the discounted homes should increase on the same basis as rent increases for longer-term (market) tenancies within the development.”

(Paragraph: 002 Reference ID: 60-002-20180913, Revision Date: 13 09 2018)

121. Under the heading ‘How should affordable private rent be calculated?’ it states that:

“Affordable private rent should be set at a level that is at least 20% less than the private market rent (inclusive of service charges) for the same or equivalent property. Build to rent developers should assess the market rent using the definition of the International Valuations Standard Committee as adopted by the Royal Institute of Chartered Surveyors.”

(Paragraph: 003 Reference ID: 60-003-20180913, Revision Date: 13 09 2018)

122. The PPG also states that *“It is expected that developers will usually meet their affordable housing requirement by providing affordable private rent homes”* (Paragraph: 004 Reference ID: 60-004-20180913, Revision Date: 13 09 2018).

123. SPD Affordable Housing Delivery (2023) is more up-to-date than Policy CS12 of the Woking Core Strategy (2012) and states (at 3.6. Affordable housing provision on Build to Rent schemes) that:

“National Planning Practice Guidance (PPG) states that all Affordable Housing provision on Build to Rent schemes should, by default, take the form of Affordable Private Rent and be managed collectively with private market rent units by the Build to Rent landlord.

The PPG is detailed and applicants for Build to Rent development should refer to it in the preparation of their proposals.

The PPG states that ‘20% is generally a suitable benchmark for the level of affordable private rent homes to be provided...in any build to rent scheme’. Local authorities are permitted to adjust this, if justified, by inclusion in a local plan policy. As such, and if this guidance is still in place at the time, this may be considered as part of the next CS12 review.

In the meantime, the Council will encourage Build to Rent applications to provide a higher proportion of affordable housing, whilst treating 20% as the minimum requirement on such schemes. Any proposal to deliver less than 20% on site on a Build to Rent scheme will need to be justified in the same way as proposals to diverge from the proportions contained in CS12 for standard housing sites. This includes any proposals to provide financial contributions to off-site affordable housing in lieu of Affordable Private Rented dwellings on-site.”

124. The applicant has submitted a Financial Viability Assessment Addendum (hereafter referred to as ‘the FVAA’ for brevity), dated November 2024 (prepared by Savills on

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behalf of Donard Real Estate) with the application. This FVAA has been reviewed by independent consultants (Dixon Searle Partnership, 'DSP') on behalf of the Council. DSP comment that the FVAA refers to previously agreed assumptions, and updates other assumptions due to movements in the market since the previous submission/review [in relation to ref: PLAN/2023/0911].

125. DSP comment that the overall approach to assessing the viability of the proposed development within the FVAA appears to be appropriate in their [DSP's] opinion, that they consider many of the submitted assumptions to be within the range they [DSP] would expect, and many of these have been set with reference to previous discussions [in relation to ref: PLAN/2023/0911].
126. DSP comment that adjustments have been applied in their updated appraisal, as per paragraph 4.1.3 of their report, these adjustments including (although not being limited to): that whilst DSP consider the submitted yield assumption to be suitable at this time and the overall Gross Development Value (GDV) to be suitably placed, DSP note that the choice of yield assumption has a much greater effect than the inclusion of affordable housing within the appraisal once all related assumptions are adjusted, that the allowances for purchaser's costs on the BTR dwellings and the commercial floorspace within the FVAA exceed typical parameters and DSP have therefore applied a rate of 5.75% of capitalised rent, that the FVAA appraisal assumes build costs as assessed by Currie & Brown in 2023 (CB) and indexed via the BCIS All-in Tender Price Index (Q3 2024) but that CB's build costs were reviewed by MWA surveyors in early 2024 on behalf of the Council, and MWA considered the costs to be overestimated. DSP have therefore applied MWA's estimated build costs (indexed to the most recent BCIS All-in TPI for Q4 2024) and have also adjusted the period assumed for BTR rent stabilisation from 18 to 12 months with their appraisal assuming that 50% of rental revenue is received for Year 1 after which point full occupancy is achieved. DSP also comment that finance costs have been included within the FVAA using an 8.5% interest rate but that this is beyond most submission levels that DSP continue to see, and therefore for the purposes of their review (and noting previous rebuttal discussions), DSP have adopted a finance rate of 8.0% - on the basis that this would represent costs including all ancillary fees.
127. DSP also comment that they have removed the assumed additional £50,000 marketing cost (although this makes minimal difference to the outcomes) and that DSP consider the submitted profit assumptions (within the FVAA) for BTR units to be excessive and have therefore assumed a profit of 10.0% on BTR. They also comment that the FVAA assumes 12.5% profit on GDV for the commercial elements and that consistent with their previous review and with other schemes assessed in Surrey DSP have assumed 15.0% profit on GDV for the commercial elements.
128. DSP comment that applying the above assumptions using Savills's FVAA for the proposed scheme as a base indicates a (negative) residual value which when compared to the BLV (of £6.9 million) indicates a deficit.
129. DSP have also tested the inclusion of 10% affordable housing (AH), as offered by the applicant, assuming that 28 dwellings would be Affordable Private Rent at 80% of market rent (and with the CIL assumption reducing to £1,963,963 accordingly) with this resulting in a lower GDV for the BTR units, and a lower overall profit allowance and thus running the appraisal on this basis indicates a (negative) residual value which represents a reduction of £1.2 million from the 100% market housing appraisal. DSP comment that whilst this indicates a greater deficit it also suggests that the provision of affordable housing is not the most significant factor in the viability outcome and the

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issues with viability are more related to the build cost than to the inclusion of Affordable Private Rented dwellings within the proposed development.

130. DSP note that, as demonstrated by the results of their adjusted assumptions, relatively small changes to the assumed values/costs can result in very large swings in the viability position with the submitted FVAA taking the approach of sensitivity testing potential increases in GDV and decreases in build costs. DSP have therefore followed a similar approach with the DSP sensitivity testing indicating that a 5% increase in rental values alongside a decrease in build costs of 20% would be required to move the proposed development from the DSP assumed base position to a surplus.
131. DSP state that *“Stepping back, and considering the viability as a whole, we [DSP] note that a fairly positive view has been taken on BTR GDV and even with this position applied within our appraisal alongside our more positive view of development costs, the scheme is not shown to support the provision of affordable housing”* (para 4.1.8).
132. DSP further state that *“As noted above, the inclusion of affordable housing worsens the viability but is a much less significant factor in the viability than the build cost and the assumptions applied when calculating the capital value of BTR rental income. In any event the scheme is shown to deliver a sub-optimal profit with nil AH and this position is worsened by the inclusion of the 10% AH being offered, therefore as previously we consider the current offer to be not unreasonable in the circumstances”* (para 4.1.9).
133. Notwithstanding the viability position, as set out within the applicant’s submissions, the applicant has nonetheless proposed that 10% of all dwellings [28 no. dwellings] would be provided at a discounted rate of 80% of the market unit rent (i.e., at affordable private rent). It is acknowledged that Members may consider, that on its face, such a proposition is difficult to understand given the financial viability position, as has been set out by the applicant within their submissions, however this type of development is a long-term investment project that does not necessarily expect to make immediate returns. In the circumstances it is reasonable to surmise that the applicant is willing to take a long-term view in order to achieve a positive outcome in the short-term.
134. In respect of a (potential) viability review mechanism the reporting of DSP (for the Council) states that *“Of course, no viability report or assessment can accurately reflect costs and values until a scheme is built and sold – this is the nature of the viability process and the reason for local authorities needing to also consider later stage review mechanisms when significant developments fall short of policy provision”* (para 4.1.10) and that *“being a BTR scheme, the development is less exposed to short term movements in the market. In terms of the reporting on BTR generally in the market we note that whilst the sector is growing there has recently been a reduction in the number of planning applications and starts on site for BTR; whilst rents are increasing rapidly and this level of inflation is thought likely to continue in the medium to long term, this is currently offset by higher build costs and borrowing costs”* (para 4.1.11).
135. The DSP reporting sets out that relatively small changes to the assumed values/costs can result in very large swings in the viability position (both positively and negatively) and therefore notes the potential for a review mechanism to be considered. Officers consider that such a (potential) viability review mechanism is not able to be justified in this instance having regard to the fact that 10% of all dwellings [28 no. dwellings] would be provided at a discounted rate of 80% of the market unit rent (i.e., at affordable private rent) (to be secured via Section 106 Legal Agreement) and the conclusions of

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DSP that “as previously [in respect of ref: PLAN/2023/0911] we consider the current offer to be not unreasonable in the circumstances” (para 4.1.9).

136. Moreover, in granting planning permission at appeal for the Crown Place development (WBC Ref: PLAN/2019/1141, Appeal Ref: APP/A3655/W/20/3259819), which also constitutes BTR housing for the residential component, the Inspector stated (at para 34) that:

“There is however a dispute between the main parties as to whether a viability review would be justified. The Planning Practice Guidance makes clear that any review mechanism should be established through development plan policy. There is no such provision in the development plan, including Policy CS12 in the CS. Whilst the Affordable Housing Delivery SPD does include a mechanism for clawing back “excess” value at the end of the development period, caselaw makes clear that such guidance does not equate to a policy requirement. I have no doubt that such a provision would be desirable, especially in view of the considerable affordable housing need in the Borough. However, I cannot conclude that it would be lawful to require it. (emphasis added)

137. Whilst it is recognised that a revised (2023) version of the Affordable Housing Delivery SPD has been adopted by the Council (on 30th March 2023) since the Crown Place appeal decision was issued (on 3rd November 2022) that revised SPD nonetheless still constitutes guidance (i.e., does not itself form part of the Development Plan), as opposed to a policy requirement, and therefore the conclusions of the Crown Place Inspector in that respect are considered to remain equally valid today. In addition, section 4.7 (Overage clause) of SPD Affordable Housing Delivery (2023) states that “Where a viability appraisal successfully shows non-viability of delivering the requirements of CS12, the Council will elect to require an overage clause”. In this instance the applicant would provide 10% of all dwellings [28 no. dwellings] at a discounted rate of 80% of the market unit rent (i.e., at affordable private rent) and therefore this would not be a case in which no affordable housing provision would be made.

138. The Planning Statement sets out the proposed mix of Affordable Private Rent homes as being (para 7.20):

- 1 bedroom – 12 dwellings;
- 2 bedroom – 8 dwellings; and
- 3 bedroom – 8 dwellings

Total 28 dwellings

139. Should planning permission be granted, that 10% of all dwellings [28 no. dwellings] would be provided at a discounted rate of 80% of the market unit rent (i.e., at affordable private rent) will be secured in the Section 106 Legal Agreement. On the preceding basis the proposed development is considered to comply with Policy CS12 of the Woking Core Strategy (2012), SPD Affordable Housing Delivery (2023), the NPPF and PPG in respect of affordable housing, with the viability information submitted by the applicant considered to soundly justify the delivery of less than 20% of affordable private rent dwellings on site within this Build to Rent (BTR) scheme in the same way as proposals which diverge from the proportions contained in Policy CS12 of the Woking Core Strategy (2012) for ‘standard’ housing sites.

The effect on the character and appearance of the area, including on nearby heritage assets

Policy approach to tall buildings in Woking Town Centre

140. Woking is a town that is experiencing significant growth and regeneration. This is in large part due to the constraints that affect large parts of the Borough, including Green Belt and areas covered by environmental restrictions, including the Thames Basin Heaths Special Protection Area (TBH SPA) within a 400 metre 'exclusion zone' drawn around the edge of which net residential development is precluded by Policy CS8 of the Woking Core Strategy (2012), saved policy NRM6 of the South East Plan 2009 and the Updated Thames Basin Heaths Avoidance Strategy (2022).
141. Policy CS1 of the Woking Core Strategy (2012) recognises the constraints to development by directing most new development to *"previously developed land in the town, district and local centres, which offers the best access to a range of services and facilities"*. Table 2 of the Woking Core Strategy (2012) sets out a Hierarchy of Centres within the Borough, with Woking Town Centre identified at the top of this hierarchy and therefore the primary focus for sustainable growth due, amongst other things, to its transport links and accessibility to shops and services.
142. To date the major redevelopment and/or regeneration projects have mainly taken place in the western part of Woking Town Centre. These include constructed Victoria Place, which comprises large scale buildings including towers rising up to 34 storeys. In addition, planning permission was granted on appeal for buildings rising up to 37 storeys at Nos.20-32 Goldsworth Road (WBC Ref: PLAN/2020/0568, Appeal Ref: APP/A3655/W/21/3276474) (hereafter, and generally, referred to as the 'EcoWorld' development). That development will extend the cluster of tall buildings in a westerly direction. More recently in respect of the western part of Woking Town Centre planning permission was granted on appeal (on 13th March 2024) for a building rising up to 25 storeys in height at Technology House, a site located on the corner of Goldsworth Road and Poole Road (WBC Ref: PLAN/2022/0685, Appeal Ref: APP/A3655/W/23/3328994). Whilst the Technology House appeal decision had been issued at the time of the 19th March 2024 Planning Committee, at which previous application ref: PLAN/2023/0911 in relation to the application site was refused (against Officer advice), it had only recently been issued and was unable to be referenced within the Planning Committee report for previous application ref: PLAN/2023/0911 because it had not been issued at the time that Committee report was finalised for publication.
143. Most importantly in respect of this proposed development, planning permission was granted on appeal at Crown Place (WBC Ref: PLAN/2019/1141, Appeal Ref: APP/A3655/W/20/3259819), for a development which includes towers rising up to 22, 25 and 28 storeys within the eastern part of Woking Town Centre. The Crown Place site is only a short distance east of the application site (i.e., beyond intervening Crown House).
144. Policy CS1 of the Woking Core Strategy (2012) encourages high-density and well-designed development within Woking Town Centre stating that *"The town centre is designated as a centre to undergo significant change...[and that] In the town centre, well designed, high density development that could include tall buildings and which enhances its image will be encouraged, but without compromising on its character and appearance and that of nearby areas"*. Policy CS2 of the Woking Core Strategy (2012) states that *"The Town Centre is the preferred location for town centre uses and high*

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density residential development. New development proposals should deliver high quality, well designed public spaces and buildings, which make efficient use of land, contribute to the functionality of the centre and add to its attractiveness and competitiveness.”

145. As the Inspector stated within the recent Crown Place appeal decision (WBC Ref: PLAN/2019/1141, Appeal Ref: APP/A3655/W/20/3259819) (at para 11) *“What comprises a tall building is not specified in the development plan, although the Woking Design Supplementary Planning Document (2015) (the Design SPD) indicates that, bearing in mind prevailing heights in the town centre, a tall building would generally be regarded as above 6 storeys. There is no locational differentiation as to where such buildings should go, either in the CS or the Design SPD”* (emphasis added). This latter point was reiterated in the recent (March 2024) Technology House appeal decision (WBC Ref: PLAN/2022/0685, Appeal Ref: APP/A3655/W/23/3328994) with the Inspector stating (at para 9) that *“I accept there is no precise locational differentiation as to where such [tall] buildings should go, either in the CS [Woking Core Strategy (2012)] or the Design SPD”*.
146. Due to the nature of the issues, there is considerable overlap between heritage and townscape/design topics. This report is therefore structured with townscape character and appearance first, and then an assessment in respect of heritage, and then the design of the proposed development. This is considered the most logical format in light of the significant overlap between the topics.
147. Previous PLAN/2023/0911 was refused for the following reasons which are relevant to the effect on the character and appearance of the area, including on nearby heritage assets (in italics):
 01. *The proposed development, by reason of its bulk and mass, would fail to respect and make a positive contribution to the street scenes and the character of the area in which it would be situated and would fail to pay due regard to the scale and proportions of adjoining buildings. By reason of its bulk and mass the proposed development would also fail to conserve townscape character and fail to represent a high quality, well-designed and visually attractive building. The proposed development is therefore contrary to Policies CS21 and CS24 of the Woking Core Strategy (2012), Supplementary Planning Document (SPD) Design (2015), Section 12 of the National Planning Policy Framework (NPPF) (December 2023) (most notably paragraphs 131 and 135) and the National Design Guide: Planning practice guidance for beautiful, enduring and successful places (January 2021).*
 02. *The less than substantial harm which the proposed development would cause, by combined reason of its proximity, heights, bulk and mass, to the significance of the designated heritage assets of Grade II listed Christ Church, the Grade II listed Woking War Memorial and the Woking Town Centre Conservation Area (including several of the non-designated heritage assets within the Woking Town Centre Conservation Area) would not be outweighed by the public (and heritage) benefits of the proposed development. The proposed development is therefore contrary to the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended), Policy CS20 of the Woking Core Strategy (2012), Policy DM20 of the Development Management Policies Development Plan Document (2016), Supplementary Planning Document (SPD) Design (2015), Supplementary Planning Guidance (SPG) Heritage of Woking (2000) and Section 16 of the*

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National Planning Policy Framework (NPPF) (December 2023) (most notably paragraphs 205, 206, 208 and 209).

Demolition of existing building

148. The application has been submitted with a Heritage, Townscape & Visual Impact Assessment (hereafter referred to as 'the HTVIA' for brevity), dated November 2024 and prepared by Vitruvius Heritage. Importantly this is a 'new' HTVIA which has been prepared (on behalf of the applicant) by a different consultant to that which prepared the HTVIA which was submitted with previous, subsequently refused, application ref: PLAN/2023/0911.
149. The site does not contain any built heritage assets, with no statutory listed buildings (designated heritage assets), or locally listed buildings (non-designated heritage assets), falling within the site boundary. In addition, the site does not fall within any Conservation Area (designated heritage asset).
150. The applicant's Design and Access Statement (hereafter referred to for brevity as 'DAS') identifies that the existing building on the site "*was built in the mid 1980's as a dedicated department store for British Homes Stores and is a predominantly red-brick building with elements of active frontage facing mainly onto Commercial Way. The building has two large retail footprints over two levels with a section of offices running parallel with Church Street East*" (para 2.13.1).
151. The DAS (at Section 5) identifies that the existing building is of masonry construction with red brick facades, that the internal structure is a concrete frame, and that there is a mixture of small window openings and large areas of curtain walling, with all glazing deemed to be thermally inefficient and in need of upgrading (in the event the building was potentially to be retained). The existing building on the site presents limited areas of active frontage, these being restricted to relatively small areas fronting onto Church Street East and Commercial Way, with no active frontages fronting onto Chobham Road or Church Path. As such, there is little interaction with the public realm and the building is considered to have very limited architectural and townscape value.
152. The DAS identifies that the architecture of the existing building on the site is outdated and that, given the structural constraints, condition of the building and poor thermal performance, a full or partial refurbishment of the existing building is considered unfeasible. It identifies that the constraints of the existing building make it unsuitable for residential use. The applicant's DAS identifies that were a (hypothetical) single additional floor to be added to the existing building, it appears that the existing structural frame is not suitable for vertical extension and therefore that both the reinforcement of the existing structure, and introduction of new stability cores to achieve a viable conversion scheme, would result in a significant major intervention to the existing building.
153. The DAS also identifies that a number of design options were prepared to explore the feasibility of re-using the existing building with change of use and the addition of new extensions and / or additional storeys. These were:
 - Option 01 - Office conversion and partial extension;
 - Option 02 - Office conversion and residential extension; and
 - Option 03 - (Proposed) Demolition and new construction of residential led scheme.

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154. The DAS identifies that in order to create a feasible scheme that meets modern requirements through retention and conversion of the existing building, the following interventions would be required:

- Additional storeys required for viable floor area, limited due to capacity of existing structure;
- New stair and lift cores would be required and escape travel distances for current fire regulations would need to be met;
- New internal walls, layout and structure required;
- New replacement facades would be needed to modernise and reduce maintenance;
- New improved glazing would be required and new openings for windows to suit changed usage;
- New improved insulation and wall build-ups throughout to improve thermal performance and reduce energy loss;
- All new plant and equipment and a new heating and ventilation system would need fitting to the whole building;
- New structural openings and alterations to existing structure would be necessary for extension; and
- Strengthening of the existing frame and pile foundations is needed, requiring substantial amounts of steel/concrete for very little gain in floor area.

155. It also identifies that, in a (hypothetical) retention and conversion scheme a large amount of existing materials, including asbestos containing elements, would need to be removed from site and a large amount of new material would be added in order to create a compromised scheme limited by the structural layout of the existing building.

156. The DAS also identifies that an embodied carbon analysis has been undertaken by Hoare Lea which identifies that, although the first two refurbished options would have lower up-front embodied carbon emissions in comparison to new construction options, Option 3 would have marginally lower embodied carbon emissions associated with use stage (B modules) and end of life (C modules). Furthermore, Option 3 would be expected to have the lowest energy demand due to it being a new construction option. A summary of the finding is below:

Options	GIA (m²)	Up front embodied carbon (modules A1-A3) (tCO_{2e}/m²)	Total embodied carbon (modules A1-A3, B1-B5, C1-C4) (tCO_{2e}/m²)
Option 1	Office - 8,225	641	1,020
Option 2	Office – 6,175 Residential – 2,625	608	961
Option 3	Retail – 464 Residential – 19,366	773	1,087

157. As can be seen in the above table the total embodied carbon of the proposed residential-led new construction (1,087) would only be slightly higher than that of limited refurbishments and upgrades to the existing building (1,020 and 961). As such, the embodied carbon impacts of the proposed development would not amount to a reason to withhold planning permission, particularly given that no policies within the Development Plan relate to embodied carbon.

158. In addition, the existing building on the site has no heritage, townscape or architectural value or interest. Given its age (it dates from the early to mid-1980s), and poor

architectural and townscape quality, the existing building on the site is not considered to constitute a non-designated heritage asset (and to be clear, the existing building on the site is not presently identified as a non-designated heritage asset by the Council). Overall, for the reasoning set out previously, no objection is raised in respect of the principle of demolition of the existing building on the site, subject to the quality of the replacement building, and the impact of the replacement building on townscape character and appearance and nearby built heritage assets, topics which will be considered subsequently within this report.

Townscape character and appearance

159. The HTVIA identifies that review of townscape elements, existing landscape and townscape studies, and conservation area boundaries, has informed identification of relevant townscape (TCA) and landscape (LCA) character areas, as follows:
- TCA1 – Woking Town Centre (TCA10 in the Woking Character Study (2010));
 - TCA2 – Woking Town Centre South and Mount Hermon (TCA11 in the Woking Character Study (2010));
 - TCA3 – Maybury – Woking Common (TCA18 in the Woking Character Study (2010));
 - TCA4 – Horsell (TCA8 in the Woking Character Study (2010)); and
 - LCA1 – Horsell Common (SW4: Horsell Sandy Woodland in the Surrey Landscape Character Assessment (2015)).
160. The HTVIA identifies that remaining townscape character areas (TCAs) are located further than around 500 metres away from the site (or, in the case of TCA 17 (Hockering), only a small amount of the TCA is located within 500 metres of the site) and therefore do not have the potential to be significantly affected by the proposed development due to distance from the site and intervening built form and, as such, have been scoped out of the HTVIA appraisal on that basis.
161. The site itself does not have any townscape or landscape designations (although there are designated and non-designated built heritage assets within 500 metres of the site) although there are a range of townscape and landscape designations identified, on the Council's Proposals Map, within 500 metres of the site, these being:
- Basingstoke Canal Corridor, broadly contiguous with the Basingstoke Canal Conservation Area; and
 - Horsell Common and Horsell Moor, defined as Common Land and Urban Open Space, located to the north of the site, beyond intervening Victoria Way, and continuing beyond the 500m study area.

Townscape Character Area 1 - Woking Town Centre

162. The site is located within this townscape character area, within an existing area of redevelopment within Woking Town Centre, and as such the proposed development would directly affect TCA 1. This townscape character area represents the commercial and retail centre of the Borough, is laid out on a loose grid, with historic routes incorporated into the layout. The commercial and retail centre consists of large scale buildings in a variety of colours and materials (including light and dark brown brickwork, concrete and coloured cladding). The site is located within an area of later 20th century redevelopment, with good pedestrian permeability through the area, with

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some of the large buildings acting as landmarks to aid navigation. Two Grade II listed buildings, and the Woking Town Conservation Area, are located within this townscape character area.

163. The HTVIA identifies that the townscape character is of varying quality and value, with some areas beyond the boundaries of the Woking Town Centre Conservation Area being of ordinary and low value. In overall terms, the HTVIA assesses the townscape value of TCA 1 to be Low-Medium, with the medium value deriving from the presence of a number of designated and non-designated heritage assets, including the Woking Town Centre Conservation Area, which contains traditional late Victorian/Edwardian commercial buildings, which often incorporate good quality materials and decorative detailing. It identifies that sculptures, although limited in number, also contribute positively to the townscape character and add interest to the townscape and that the low value derives from the modern infill development and substantial intervention that has been carried out within much of the 19th century development and defines the largest part of the TCA, which has detrimentally impacted their contribution to townscape character and visual amenity. The age, condition, scale, and materiality of buildings in this area is mixed and there has been a step change in scale, height and character of buildings within Woking Town Centre, including a number of tall buildings.
164. The HTVIA identifies that, once completed, the taller elements of the proposed development will have the largest impact on the overall character of TCA 1, with more localised effects associated with the lower elements, and that the heights and massing of the proposed development have been stepped down to better respond to the lower height of the historic townscape within the Woking Town Centre Conservation Area, as well as the Grade II listed Christ Church (a local landmark). It identifies that the height, form and character of the taller elements of the proposed development would remain consistent with the varied character of this part of TCA 1 and the urban character of Woking Town Centre (as existing and emerging), which includes a number of tall buildings that are delivering transformational change and confirming the function and importance of Woking Town Centre. It identifies that the taller elements have been designed, having regard to the existing townscape and emerging townscape character, to provide a considered transition in height and scale between the extant/emerging tall building groups (i.e., the Crown Place development) and the wider TCA as well as the more traditionally scaled townscape in TCA 1 (i.e., Woking Town Centre Conservation Area) and the listed buildings within the vicinity of the site.
165. More recently development of tall buildings within Woking Town Centre have delivered a step-change in scale, height and massing, including the introduction of buildings of a contemporary character, including the recent cluster of high density residential-led mixed use tall buildings as part of the Victoria Place development. Even more recently, this more eastern part of Woking Town Centre, has emerged as a focus for regeneration and the introduction of tall buildings. The Crown Place development, allowed on appeal (Appeal Ref: APP/A3655/W/20/3259819) on 3rd November 2022, includes construction of buildings up to 28 storeys in height and remains extant until 3rd November 2025, a period of around ten (10) months from the date of this Planning Committee. As such, the extant Crown Place development forms a very weighty material consideration in the determination of this application due to its height (up to 28 storeys, which would be taller than the proposed development) and close proximity to the site within this eastern part of Woking Town Centre.
166. In addition, planning permission was granted on 8th October 2024 (following the completion of the Section 106 Legal Agreement on the same date and following the resolution made by the Planning Committee on 16th January 2024) for the

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redevelopment of the 'Chobham Road Island' site (WBC Ref: PLAN/2023/0845), on the directly opposite side of Church Street East for the construction of a development of up to 12 storeys in height. As of the time of writing the LPA has received several applications for the approval of details pursuant to pre-demolition planning conditions attached to proximate planning permission ref: PLAN/2023/0835, being conditions application refs: COND/2024/0129, COND/2024/0130 and COND/2024/0134. As of the time of writing hoarding is also in-situ around part of the ref: PLAN/2023/0835 site and it appears that site preparation/internal works (i.e., asbestos removal etc.) have commenced. As such, the available evidence indicates, on the balance of probabilities, an intention to implement planning permission ref: PLAN/2023/0835 which, in any case, remains extant until 8th October 2027.

167. The HTVIA identifies that, clearly, the height and character of the tall elements will be experienced as a new element when approaching the TCA from all directions, particularly where streets are aligned towards the site. It identifies that the proposed development will result in the following beneficial townscape effects:

- The site is located at the confluence of several importance routes into Woking. The introduction of a tall, slender built form element here will assist with wayfinding in that it will signal the eastern end of the town centre, providing greater townscape legibility for pedestrians and road users both along key routes as well as within wider views of the town centre more generally;
- The proposed development will secure active frontages to Church Street East, Chobham Road, Commercial Way and Church Path, with commercial uses (Class E) at ground floor and a new public open space ('Church Path Yard') facing the Grade II listed Christ Church. The proposed town centre/commercial uses (Class E) at ground floor level would improve activity, vitality and vibrancy within this part of TCA1 with additional residential accommodation consistent with its varied character, supporting the overall vibrancy and vitality of the town centre;
- As set out in the Landscape Statement (prepared by Exterior Architecture) and the Sustainability Strategy Report (prepared by Hoare Lea), approximately 42 new trees on site are proposed, including within a new public landscaped square adjacent to Church Path ('Church Path Yard'), and a number of roof gardens/terraces dispersed throughout the proposed building as well as green walls. These elements will contribute to a significant Biodiversity Net Gain (BNG); and
- The proposed development will deliver a high-quality building through the use of good quality materials and detailing (as explained in the DAS), which will represent an improvement on the existing building on the site. The good-quality materials and detailing will also complement the prevailing character of the adjacent Woking Town Centre Conservation Area (part of TCA1) and the adjacent Grade II listed Christ Church, a local landmark.

168. The HTVIA assesses that the proposed development will be a high-quality addition to TCA 1 as a whole although that there will be an adverse impact on the overall heritage significance of the Woking Town Centre Conservation Area, arising from the distracting effect of the height, scale and massing of the tallest elements in views, and due to the strength of contrast with the prevailing, cohesive character of the Conservation Area which, in townscape terms, constitutes a localised adverse impact on the prevailing positive qualities of this part of the TCA, defined as being 'special' in heritage terms.

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169. The HTVIA contains numerous Representative Viewpoints (1-8) of the proposed development taken from within TCA 1, some of which will be discussed in relation to proximate built heritage impacts later in this report section. Representative Viewpoint 2 is located on Commercial Way at the junction with Church Path (around 65 metres to the south-west of the site). A large amount of the proposed development, including all of the taller elements, would be visible in this view, seen behind the existing parade at Nos.63-75 Commercial Way (on the northern side of Commercial Way). The proposed development would result in a significant increase in height (compared to that of the existing building on the site) and result in the loss of sky. However, the proposed development has been designed to respond to the character of the historic townscape, including the adjacent Woking Town Centre Conservation Area (seen to the right of this view) including that the massing has been stepped down along the southern and western edges of the site to better respond to the lower height of the surrounding townscape, articulated as terraces with landscaped roofs. Furthermore, the material palette and architectural articulation of the facades, which would be appreciated in this view, would respond to the surviving historic townscape within the Woking Town Centre Conservation Area, with attractive shopfronts provided at ground floor level, to provide a stronger edge and more active frontage to the street (Commercial Way).
170. In the cumulative scenario elements of the extant schemes at 'Chobham Road Island' (WBC Ref: PLAN/2023/0835, up to 12 storeys) and No.46 Chertsey Road (WBC Ref: PLAN/2017/0802, 12 storeys) would be visible in this view (although they would not obscure the proposed development), introducing a limited amount of additional built form within this view, increasing the magnitude of change experienced by visual receptors to a small degree. In this view the extant Crown Place development (Appeal Ref: APP/A3655/W/20/3259819, up to 28 storeys) would be entirely obscured by the proposed development.
171. Representative Viewpoint 5 (within the HTVIA) is located on Commercial Way, at the junction with Chapel Street, approximately 160 metres to the south-west of the site. The uppermost storeys of the proposed development would be visible in the background of the centre of this view, behind the former Wolsey Place Shopping Centre (now part of Victoria Place) and the existing tree planting along Commercial Way. Whilst the proposed development would result in a minor loss of sky, the identified characteristics of this view along Commercial Way would be retained and the proposed development would be within the general scale of the surrounding development. In the cumulative scenario the extant Crown Place development (Appeal Ref: APP/A3655/W/20/3259819, up to 28 storeys) would also be visible in this view, although it would be obscured for most of the year by the intervening vegetation (of trees within the centre of Commercial Way).
172. Representative Viewpoint 6 (within the HTVIA) is located on Church Street East, near the junction with Chertsey Road and Stanley Road, approximately 150 metres to the north-west of the site. It is the tallest element of the proposed development that would be the most visible in this view, rising above the existing modern built form along the southern side of Church Street East, introducing a prominent element of built form where there is none currently. However, the introduction of a tall, slender built form element here will provide greater townscape legibility for pedestrians and road users along Church Street East and the approach to articulating the form of the proposed development, including characteristic local materials, legible vertical divisions between elements (including the crown of the building) and fenestration pattern, would be experienced in the view, which would create a more architecturally interesting and varied skyline in this urban view.

173. Moreover, in the cumulative scenario, the extant schemes at Crown Place (Appeal Ref: APP/A3655/W/20/3259819, up to 28 storeys) and No.46 Chertsey Road (WBC Ref: PLAN/2017/0802, 12 storeys) would introduce large areas of new built form into the foreground of this view, in front of the proposed development and partially obscuring it from view, resulting in an increase in the magnitude of change experienced by the visual receptor. In this context, the proposed development would be experienced as part of a cluster of new, high quality tall building development at the eastern end of Woking Town Centre. In addition, elements of the extant 'Chobham Road Island' scheme (WBC Ref: PLAN/2023/0835, up to 12 storeys) would also be visible to the right hand side of this view.
174. The HTIVA concludes that in assessing the overall impact on Townscape Character Area 1 (Woking Town Centre) as a whole, when taking into account the beneficial and adverse effects, the proposed development would cause localised beneficial effects on the Townscape Character Area in the local context of the site and neutral effects elsewhere in the Townscape Character Area, due to the effects of separation distances, intervening buildings and the varied existing urban character.

Townscape Character Area 2 - Woking Town Centre South and Mount Hermon

175. The HTVIA identifies that Townscape Character Area 2 (Woking Town Centre South and Mount Hermon) is a central area, which includes the train station but is somewhat separated from the main commercial and retail core by the railway, that the layout of the area was designed to develop from the train station, based on radial roads and concentric rings, that there is an extremely varied built form, with limited areas of original Victorian and Edwardian development, and much redevelopment occurring throughout the area, and that there are a number of listed buildings located within the area, but largely well away from the site, including the Grade I listed Shah Jahan Mosque.
176. The HTVIA identifies that the townscape character is of varying quality and value, with some areas beyond the boundaries of the conservation areas being of ordinary value and that, in overall terms, the townscape value of TCA 2 is Low-Medium, the low value deriving from the varied built form, which contrasts from high-density development to the limited surviving Victorian and Edwardian development (and that some of this modern development is of low architectural quality), with the medium value deriving from the designated heritage assets within the character area, including the Grade I listed Shah Jahan Mosque and areas of identified public open space. Within the centre of the TCA, around Woking train station, existing tall buildings create a sense of enclosure, with the site being located beyond the railway line and the proposed development being experienced in the context of existing taller buildings within this part of the TCA.
177. Representative Viewpoint 8 (within the HTVIA), located on Heathside Crescent, at the junction with White Rose Lane, approximately 370 metres to the south of the site, is located within TCA 2. It is the tallest element of the proposed development which would be most visible in this view, rising above the existing built form along the eastern side of White Rose Lane. Whilst the proposed development would introduce a prominent element of built form where there is none currently the introduction of a tall, slender built form element here will assist with wayfinding in that it will draw the eye towards the location of the key node / gateway of the railway station and the central area of Woking Town Centre, providing greater townscape legibility for pedestrians and road users along White Rose Lane and the approach to Woking Town Centre from the southern suburbs. Furthermore, the proposed development would add interest to the

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skyline and would be experienced within the context of other larger, modern buildings including Harrington Place (which is to the left in the foreground of this view) and Albion House to the north of the train station.

178. The quality of the architectural design and materiality of the tall new building, in particular the form and articulation of its upper storeys and the distinctive crowning element of the top storeys, would also be appreciable in this view. Moreover, in the cumulative scenario, the extant Crown Place development (Appeal Ref: APP/A3655/W/20/3259819, up to 28 storeys) would be visible in this view and would introduce additional built form into the middle ground, resulting in an increase in the magnitude of change experienced by the visual receptor. The extant Crown Place scheme would not obscure the proposed development, and, in this context, the proposed development would be experienced as part of a cluster of new, high quality tall building development within this eastern part of Woking Town Centre.
179. Representative Viewpoint 15 (within the HTVIA), located to the south-east corner of Woking Park, approximately 900 metres to the south of the site, is also located within TCA 2. The proposed development would be a minor element in the background of the view, located beyond the existing mature landscaping and suburban development, the upper storeys of the tallest element would not be perceptible whilst the intervening landscape is in leaf, with greater visibility at other times of the year whereby it would remain consistent with the urban townscape visually signalling Woking Town Centre in the background of the view. Moreover, in the cumulative scenario, elements of the resolved to grant (subject to S106 and conditions) schemes at both Nos.3-12 High Street (WBC Ref: PLAN/2023/0645) as well as the extant 'Chobham Road Island' (WBC Ref: PLAN/2023/0835, up to 12 storeys) and Crown Place development (Appeal Ref: APP/A3655/W/20/3259819, up to 28 storeys), would be visible as minor elements in this view and would introduce a limited amount of additional built form into the background, resulting in an increase in the magnitude of change experienced by the visual receptor, when the intervening landscape is not in leaf. As such, in this context, the proposed development would be experienced as part of a cluster of new, high quality tall building development within this eastern part of Woking Town Centre.
180. The HTVIA identifies that, following completion, it is principally the taller elements of the proposed development that would have an indirect impact on the character and quality of TCA 2 (the proposed beneficial changes to buildings that address Church Street East, Chobham Road, Commercial Way and Church Path will largely be screened from TCA 2 and will have no impact on its townscape quality or prevailing characteristics) which would represent new elements experienced from with parts of TCA 2, primarily when streets are aligned towards the site and from some open spaces (i.e., from within Woking Park).
181. However, it identifies that the height, form and character of the proposed development would be consistent with the contrasting legibility between the different character areas associated with the residential townscape in Townscape Character Area 2 (Woking Town Centre South and Mount Hermon) and the town centre in Townscape Character Area 1 (Woking Town Centre) and that there is an awareness from streets in TCA 2 of larger scale buildings to the north of the railway line in Woking Town Centre, which influences the experience of this part of TCA 2, and also aids wayfinding within the wider urban and suburban area. It identifies that the proposed development will integrate with the urban character of Woking Town Centre (as existing and emerging), clearly being visible, albeit nonetheless understood as part of a different Townscape Character Area to the north of the railway and that in closer parts of TCA 2, it will be

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possible to appreciate more of the finer scale of detail and texture of the proposed materiality.

Townscape Character Area 3 - Maybury - Woking Common

182. The site is located around 220 metres west of the western boundary of Townscape Character Area 3 (Maybury - Woking Common), the layout of TCA 3 being very regular with a grid-pattern of linear streets, predominantly characterised by short terraces of buildings two to three storeys in height. Despite the varied age of the building stock, brick is the predominant material, with many buildings sharing common architectural characteristics. There are no designated heritage assets (i.e., Conservation Areas or Statutory Listed Buildings within the area) although there is one Locally Listed Building (Board School, Board School Road), there is limited open space and vegetation.
183. The HTVIA identifies that the townscape character is generally of low value with no designated heritage assets, and only one non-designated heritage asset, that it has little scenic or townscape importance and therefore, in overall terms, that the townscape value of TCA 3 is Low. This TCA is already experienced in the context of tall residential and commercial blocks, of larger massing, within Woking Town Centre.
184. Representative Viewpoint 10 (within the HTVIA), located on Walton Road at the junction with North Road, approximately 630 metres to the west of the site, is located within TCA 3. It is the tallest element of the proposed development which would be most visible in this view, rising above the existing built form in the middle ground along the western side of Stanley Road. The proposed development would introduce a prominent element of tall new built form, albeit with the context of other existing tall buildings seen from this vantage point (i.e., existing Victoria Place). The introduction of an additional tall, slender built form element here would assist with wayfinding in that it would draw the eye directly through the surrounding suburban area towards Woking Town Centre and its eastern edge or 'gateway', providing greater townscape legibility for pedestrians and road users along Walton Road and within this local area. The proposed development would add interest to the skyline and would be experienced within the context of the existing cluster of tall buildings to the western side of Woking Town Centre, including Victoria Place. The quality of the architectural design and materiality of the tall new building, in particular the form and articulation of its upper storeys and the distinctive crowning element of the top storeys, would also be appreciable in this view.
185. Moreover, in the cumulative scenario, many of the extant schemes will be visible in the background of this view and will introduce large areas of new built form, resulting in a greater magnitude of change experienced by the visual receptor. In this view the proposed development would be completely obscured behind the extant Crown Place development (Appeal Ref: APP/A3655/W/20/3259819, up to 28 storeys), and therefore, in this context, the proposed development would be experienced as part of a cluster of new, high quality tall building development within this eastern part of Woking Town Centre.
186. As would be the case with TCA 2, the HTVIA identifies that, following completion, it is principally the taller elements of the proposed development that would have an indirect impact on the character and quality of TCA 3 (the proposed beneficial changes to buildings that address Church Street East, Chobham Road, Commercial Way and Church Path will largely be screened from TCA 3 and will have no impact on its townscape quality or prevailing characteristics) which would represent new elements

experienced from with parts of TCA 3, primarily when streets are aligned towards the site, particularly Walton Road for example.

187. As would be the case with TCA 2 however, the HTVIA identifies that the height, form and character of the proposed development would be consistent with the contrasting legibility between the different character areas associated with the residential townscape in Townscape Character Area 3 (Maybury - Woking Common) and the town centre in Townscape Character Area 1 (Woking Town Centre) and that there is an existing awareness from streets within TCA 3 of larger scale buildings to the west of Woking Town Centre (i.e., Victoria Place), which influences the existing experience of parts of TCA 3. It identifies that the proposed development would integrate with the urban character of Woking Town Centre (as existing and emerging), clearly being visible, albeit understood as part of a different TCA to the west, and that the introduction of a tall, slender built form element here would assist with wayfinding in that it will draw the eye directly through the surrounding suburban area towards Woking Town Centre, providing greater townscape legibility for pedestrians and road users within this TCA, this change being positive in townscape terms. In closer parts of TCA 3, it will be possible to appreciate more of the finer scale of detail and texture of the proposed materiality.

Townscape Character Area 4 – Horsell

188. The site is located around 195 metres south of Townscape Character Area 4 (Horsell) at its closest point. This TCA as a whole is large and covers much of the areas to the north and west of Woking Town Centre. Building stock within Horsell is varied with ages ranging from late Victorian/Edwardian, inter-war/immediate post war and post war, with this variety reflected in the diversity of building materials from brick (on the older buildings) to dark brown brick (inter-war/immediate post war) to buff bricks with rendered panels (post war and modern) and in that architectural styles also vary by period. This TCA includes the Horsell Conservation Area, within which are three Grade II listed buildings, and one Grade II* listed building. There are several large areas of woodland and open space both within and adjacent to the TCA, including Horsell Moor (to south) and Horsell Common (to north).
189. The HTVIA identifies that the townscape character of this TCA is of varying quality and value, with some areas beyond the boundaries of the Horsell Conservation Area being of low value, and that, in overall terms, the townscape value of TCA 4 is Low-Medium, with the low value deriving from the varied built form, which contrasts from modern development to the surviving Victorian and Edwardian development (and that some of this modern development is of low architectural quality) with the medium value deriving from the designated heritage assets within the character area, including the Horsell Conservation Area, the four statutorily listed buildings and areas of identified public open space. This TCA is already experienced in the context of tall residential and commercial blocks, of larger massing, within Woking Town Centre.
190. Representative Viewpoint 12 (within the HTVIA), located on Church Hill, at the junction with Lych Way (in close proximity to the Grade II* St Mary the Virgin Church on Church Hill, and within the Horsell Conservation Area), approximately 920 metres to the north-west of the site, falls within TCA 4. The proposed development would be a minor element in the background of the view, located beyond the existing mature landscaping and suburban development, the upper storeys of the tallest element of the proposed development would not be perceptible while the intervening landscape is in leaf, with greater visibility at other times of the year when it would nonetheless be consistent with the urban townscape visually signalling Woking Town Centre in the background of the

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view. Moreover, in the cumulative scenario, elements of the resolved to grant (subject to S106 and conditions) scheme at Nos.3-12 High Street (WBC Ref: PLAN/2023/0645) and the extant 'Chobham Road Island' (WBC Ref: PLAN/2023/0835), Crown Place (Appeal Ref: APP/A3655/W/20/3259819, up to 28 storeys) and No.46 Chertsey Road (WBC Ref: PLAN/2017/0802, 12 storeys) developments would be visible as minor elements in this view and would introduce a limited amount of additional built form into the background, resulting in a slight increase in the magnitude of change experienced by the visual receptor, when the intervening landscape is not in leaf. In this context, the proposed development would be experienced as part of a cluster of new, high quality tall building development within this eastern part of Woking Town Centre.

191. These same conclusions also apply in respect of Representative Viewpoint 13 (within the HTVIA), which is located at the south-western corner of the Woking and Horsell Cricket Club, approximately 970 metres to the west of the site, and which is also located within TCA 4. However, in the cumulative scenario, the resolved to grant (subject to S106 and conditions) Nos.3-12 High Street (WBC Ref: PLAN/2023/0645) scheme would be occluded from this view due to its location behind existing Export House and Victoria Place.
192. As would be the case with TCA 2 and TCA 3, the HTVIA identifies that, following completion, it is principally the taller elements of the proposed development that would have an indirect impact on the character and quality of Townscape Character Area 4 (Horsell) (again, the proposed beneficial changes to buildings that address Church Street East, Chobham Road, Commercial Way and Church Path would largely be screened from TCA 4 and will have no impact on its townscape quality or prevailing characteristics) which would represent new elements experienced from with parts of TCA 4, primarily when streets are aligned towards the site and from some open spaces (i.e., from Horsell Moor).
193. As would be the case with TCA 2 and TCA 3 however, the HTVIA identifies that the height, form and character of the proposed development would be consistent with the contrasting legibility between the different character areas associated with the residential townscape in TCA 4 and the town centre in Townscape Character Area 1 (Woking Town Centre) and that there is an existing awareness from streets in TCA 4 of larger scale buildings to the south and south-east in Woking Town Centre, which influences the existing experience of parts of TCA 4. It identifies that the proposed development would integrate with the urban character of Woking Town Centre (as existing and emerging), being visible albeit understood as part of a different Townscape Character Area, to the south and south-east, and that in closer parts of TCA 4, it would be possible to appreciate more of the finer scale of detail and texture of the proposed materiality.

Landscape Character Area 1 - Horsell Common

194. The site is located around 300 metres to the south-west of Landscape Character Area 1 (Horsell Common) at its closest point, a landscape character area which broadly consists of extensive areas of broadleaved, coniferous and mixed sandy woodland and plantations including Scots Pine, and includes pockets of heathland (including Horsell Common). Within 500 metres of the site, this landscape character area also includes the more open areas, in particular the Wheatsheaf Recreation Ground and the surrounding open space, with the majority of the landscape character area designated as Common Land with parts identified as Sites of Nature Conservation Importance (SNCI). Where within 500 metres of the site, it also includes part of the Basingstoke Canal Conservation Area / Corridor. The HTVIA identifies that the areas of this

landscape character area which fall within 500 metres of the site are well-used for recreation and that despite the greater proximity to the urban area of Woking, and several roads crossing the character area within the vicinity, the areas within 500 metres of the site maintain a sense of remoteness and tranquillity, although perhaps not as strong as the larger areas within the landscape character area to the north (i.e., within Horsell Common).

195. The HTVIA identifies that despite its proximity to the urban area of Woking, the scenic quality, sense of remoteness and tranquillity of this landscape character area, even within 500 metres of the site, is still legible and that this area is also well-used for recreation, with several designations in place including, Common Land, part of the Basingstoke Canal Conservation Area / Corridor and, within 1km, a Site of Nature Conservation Importance (SNCI). As such, in overall terms, the HTVIA assesses the landscape value of LCA 1 to be Medium. This landscape character area is already experienced in the context of tall residential buildings and commercial blocks, of larger massing, within Woking Town Centre.
196. The HTVIA identifies that, following completion, it is principally the taller elements of the proposed development which would have an indirect impact on the character and quality of LCA 1 (again, the proposed beneficial changes to buildings that address Church Street East, Chobham Road, Commercial Way and Church Path will largely be screened from LCA1 and will have no impact on its landscape quality or prevailing characteristics) which would represent new elements experienced from with parts of LCA 1, particularly from Wheatsheaf Recreation Ground.
197. However, the HTVIA identifies that the height, form and character of the proposed development would be consistent with the contrasting legibility between the different character areas associated with the large area of open, green space in Landscape Character Area 1 (Horsell Common) and the town centre in Townscape Character Area 1 (Woking Town Centre) and that there is an existing awareness from the Wheatsheaf Recreation Ground, and surrounding area, of larger scale buildings to the south of Woking Town Centre (i.e., Victoria Place and Export House), which influences the experience of this part of LCA 1. It identifies that the proposed development will integrate with the urban character of Woking Town Centre (as existing and emerging), being visible albeit understood as part of a different townscape character area to the south and that in closer parts of LCA 1, including from Wheatsheaf Recreation Ground, it will be possible to appreciate more of the finer scale of detail and texture of the proposed materiality.

Longer-range views

198. The HTVIA also includes three longer-range views, as follows:
 - Representative Viewpoint 16 - View from Waterers Rise (Knaphill) looking south-east towards the site
 - Representative Viewpoint 17 - View from St Edward the Confessor's Church looking north towards the site
 - Representative Viewpoint 18 - View from Chobham Common looking south-east towards the site
199. Representative Viewpoint 16 (within the HTVIA) is located on Waterers Rise, Knaphill, approximately 4km (around 2.5 miles) to the north-west of the site, the elevated position of the view offers long distance views towards Woking Town Centre. The taller element of the proposed development would be visible as a minor element in the

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background of this view, to the left of the existing cluster of tall buildings towards the western end of Woking Town Centre (i.e., New Central, Victoria Place, Export House).

200. The proposed development would add variety and interest to the wider skyline as well as help to define the extent of Woking Town Centre through marking its eastern edge, which would be a benefit in terms of townscape legibility. Moreover, in the cumulative scenario, the resolved to grant (subject to S106 and conditions) scheme at Nos.3-12 High Street (WBC Ref: PLAN/2023/0645) as well as the extant 'Chobham Road Island' (WBC Ref: PLAN/2023/0835), Crown Place (Appeal Ref: APP/A3655/W/20/3259819, up to 28 storeys) and EcoWorld developments (Appeal Ref: APP/A3655/W/21/3276474, up to 37 storeys) would all be visible in this view and would introduce areas of additional built form into the far distance, resulting in an increase in the magnitude of change experienced by the visual receptor. Although not included within the cumulative HTVIA Representative Viewpoint the extant 'Technology House' development (WBC Ref: PLAN/2022/0685, Appeal Ref: APP/A3655/W/23/3328994), of up to 25 storeys in height, would also be experienced in this view. In this context, the proposed development would be experienced as part of a cluster of new, high quality tall building development within this eastern part of Woking Town Centre.
201. Representative Viewpoint 17 (within the HTVIA) is located outside St Edward the Confessor Church, approximately 5km (around 3.1 miles) to the south of the site, the descending topography from this point offers long distance views towards Woking Town Centre. The taller element of the proposed development would be visible as a minor element in the background of this view, to the left of the existing cluster of buildings towards the western end of Woking Town Centre (i.e., New Central, Victoria Place, Export House). The proposed development would add variety and interest to the wider skyline as well as help to define the extent of Woking Town Centre through marking its eastern boundary, which would be a benefit in terms of townscape legibility.
202. Moreover, in the cumulative scenario, the resolved to grant (subject to S106 and conditions) scheme at Nos.3-12 High Street (WBC Ref: PLAN/2023/0645) as well as the 'Chobham Road Island' (WBC Ref: PLAN/2023/0835), Crown Place (Appeal Ref: APP/A3655/W/20/3259819, up to 28 storeys), EcoWorld (Appeal Ref: APP/A3655/W/21/3276474, up to 37 storeys) and No.46 Chertsey Road development (WBC Ref: PLAN/2017/0802, 12 storeys) would all be visible in this view and would introduce areas of additional built form into the far distance, resulting in an increase in the magnitude of change experienced by the visual receptor. Again, although not included within the cumulative HTVIA Representative Viewpoint the extant 'Technology House' development (WBC Ref: PLAN/2022/0685, Appeal Ref: APP/A3655/W/23/3328994), of up to 25 storeys in height, would also be experienced in this view. In this context, the proposed development would be experienced as part of a cluster of new, high quality tall building development within this eastern part of Woking Town Centre.
203. Representative Viewpoint 18 (within the HTVIA) is located within Chobham Common, to the south of Staple Hill car park, approximately 6.8km (around 4.2 miles) to the north-west of the site, the descending topography from this point offers long distance views towards Woking Town Centre. The taller element of the proposed development would be visible as a minor element in the background of this view, to the left of the existing cluster of buildings towards the western end of Woking Town Centre (i.e., New Central, Victoria Place, Export House). The proposed development would add variety and interest to the wider skyline as well as help to define the extent of Woking Town

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Centre through marking its eastern edge, which would be a benefit in terms of townscape legibility.

204. Moreover, in the cumulative scenario, the resolved to grant (subject to S106 and conditions) scheme at Nos.3-12 High Street (WBC Ref: PLAN/2023/0645) as well as the 'Chobham Road Island' (WBC Ref: PLAN/2023/0835), Crown Place (Appeal Ref: APP/A3655/W/20/3259819, up to 28 storeys), EcoWorld (Appeal Ref: APP/A3655/W/21/3276474, up to 37 storeys) and No.46 Chertsey Road development (WBC Ref: PLAN/2017/0802, 12 storeys) would all be visible in this view and would introduce areas of additional built form into the far distance, resulting in an increase in the magnitude of change experienced by the visual receptor. In this view the extant 'Chobham Road Island' scheme would be seen partially in front of the proposed development (although would not obscure its upper levels). Again, although not included within the cumulative HTVIA Representative Viewpoint the extant 'Technology House' development (WBC Ref: PLAN/2022/0685, Appeal Ref: APP/A3655/W/23/3328994), of up to 25 storeys in height, would also very likely be experienced in this view. In this context, the proposed development would be experienced as part of a cluster of new, high quality tall building development towards the eastern end of Woking Town Centre.

Townscape character and appearance following the March 2024 Technology House appeal decision

205. As previously set out, although it is located within the western part of Woking Town Centre, the 13th March 2024 appeal decision granting planning permission for the construction of a tall building (rising up to 25 storeys in height) at Technology House (WBC Ref: PLAN/2022/0685, Appeal Ref: APP/A3655/W/23/3328994) is nonetheless relevant to the townscape character and appearance of Woking Town Centre more generally because clearly, if it was constructed, it would also become part of the context of the area, including part of the townscape of Woking Town Centre. Whilst the Technology House appeal decision had been issued at the time of the 19th March 2024 Planning Committee, at which previous application ref: PLAN/2023/0911 in relation to the application site was refused (against Officer advice), it had only recently been issued and was unable to be referenced within the Planning Committee report for previous application ref: PLAN/2023/0911 because it had not been issued at the time that report was finalised for publication.
206. At paragraph 23 of the Technology House appeal decision the Inspector states that "From wider landscape views of Woking Town Centre, I note that *the position and trajectory of the railway line does influence the structural composition of the town to follow a more stretched and linear townscape appearance rather than radial. With low rise housing residential areas and greenery surrounding it. Because of that structural landscape format, a further tall building on the appeal site would not appear as a misplaced feature in the overall skyline relative to the other town centre buildings it would be seen in the context of. The visual relationship in landscape terms would be appropriate*" (emphasis added).
207. At paragraph 24 of the Technology House appeal decision the Inspector sets out that "The HTVIA information satisfies me that the prevailing character and appearance of Woking Town Centre would be respected. I agree its image would be enhanced by adding to the cluster of tall buildings emerging on the western side of the town as a collective landmark feature relative to other existing tall buildings. But even without the emerging tall building cluster, the appeal building taken in isolation would still have a positive effect as a landmark built feature, on this side of the town" (emphasis added).

208. These preceding conclusions of that Inspector are considered to be also applicable to the present application scheme. In the event that the proximate extant Crown Place development (Appeal Ref: APP/A3655/W/20/3259819, up to 28 storeys) was not to be constructed (although there is no evidence at the present time to suggest that it would not be) the proposed development would serve as a landmark built feature, which would serve to effectively 'bookend', or form a 'gateway' to, this eastern part of what the Inspector describes as the "*more stretched and liner townscape appearance*" of Woking Town Centre, in much a similar manner as the extant Technology House scheme would serve to effectively 'bookend', or form a 'gateway' to, the western part of Woking Town Centre. In the event that the proximate Crown Place development was to be constructed the proposed development would serve to add to the cluster of tall buildings emerging on this eastern side of Woking Town Centre, together with the extant 'Chobham Road Island' scheme (WBC Ref: PLAN/2024/0835).
209. At paragraph 25 of the Technology House appeal decision the Inspector states that "*the presence of the [Technology House] appeal building would represent a prominent change. However, it is not uncommon for developed urban centres to entail intervisibility of markedly different contrasting building scales in proximity to each other*" (emphasis added).
210. The maximum height of the proposed development is also readily comparable to that of the extant Technology House scheme, with the proposed development having a maximum height of around 86.0m above ground level (measured from the ground level at the base of the building to top of parapet) compared to the approximate 81.0m above ground level maximum height of the Technology House scheme, a difference of only around 5.0m, being less than 5% of the total maximum height of the buildings in either case. In terms of the differences in maximum AOD height (AOD refers to the height above Ordnance Datum, which is the height above a fixed point at mean sea level used as the basis of the national height system of Britain) between the two schemes, the proposed development would have an AOD height of 119.05m compared to 111.8m at Technology House, a difference of only around 7.2m.
211. Bearing in mind the preceding at paragraph 27 of the Technology House appeal decision the Inspector stated that "*...there is a good level of articulation and visual interest emphasised in the facades of the building leading to its top. Such details suggest to me the bulk and mass of the building would not appear excessive or inappropriate in its overall proportions*" (emphasis added). The present scheme would also have a good level of articulation and visual interest emphasised in its facades, leading to its top. In addition, in terms of bulk and mass, at eight floor level and above (and it would reduce at higher levels) the proposed development would have a maximum width across its north-west (Church Street East facing) elevation of around 38.0m. It must be noted that this maximum width would be around 3.0m less than that of the maximum width at the same level (i.e., eighth floor) of the east elevation of the extant Technology House scheme, which would measure around 41.0m at the same point. As such, it is considered that the bulk and mass of the proposed development would not appear excessive or inappropriate in its overall proportions.
212. The HTVIA also demonstrates that in assessing the overall impact on Townscape Character Area 1 (Woking Town Centre) as a whole, when taking into account the beneficial and adverse effects, the proposed development would cause localised beneficial effects on the Townscape Character Area in the local context of the site and neutral effects elsewhere in the Townscape Character Area, due to the effects of separation distances, intervening buildings and the varied existing urban character. It

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also demonstrates that the proposed development would conserve the townscape character of Townscape Character Areas 2 (Woking Town Centre South and Mount Hermon), 3 (Maybury - Woking Common), 4 (Horsell) as well as the landscape character of Landscape Character Area 1 (Horsell Common).

Built heritage legislation, policy and guidance

213. The proposed development has the potential to affect the setting of statutory listed buildings, including proximate Grade II listed Christ Church and the Woking War Memorial. In respect of statutory listed buildings Section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990 states that *“In considering whether to grant planning permission [or permission in principle] for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses”*.
214. The proposed development does not involve any buildings or other land within a Conservation Area and, therefore, Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990 is not engaged in this instance because no Conservation Area would be directly affected by the proposed development. This is because the setting of a Conservation Area is not enshrined in legislation and therefore does not attract the weight of statutory protection. However, it is clear that the proposed development, and the application submission, has been designed and prepared bearing in mind that the impact on the setting of a Conservation Area, as a designated heritage receptor, is nonetheless enshrined in planning policy (i.e., the NPPF).
215. It has been confirmed that Parliament’s intention in enacting section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990 was that decision makers should give *“considerable importance and weight”* to the desirability of preserving the setting of listed buildings, where *“preserve”* means to *“to do no harm”*. This duty must be borne in mind when considering any harm that may accrue and the balancing of such harm against public benefits as required by the NPPF. The Secretary of State has confirmed that ‘considerable importance and weight’ is not synonymous with ‘overriding importance and weight’. Importantly, the meaning of preservation in this context, as informed by case law, is taken to be the avoidance of harm.
216. Chapter 16 of the NPPF (Conserving and enhancing the historic environment) sets out the Government’s policies regarding planning and the historic environment. Paragraph 207 states that *“In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets’ importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary”*.
217. ‘Significance’ (for heritage policy) is defined in the NPPF (Annex 2: Glossary) as:
- “The value of a heritage asset to this and future generations because of its heritage interest. The interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset’s physical presence, but also from its setting”*.

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218. 'Setting of a heritage asset' is defined in the NPPF (Annex 2: Glossary) as:

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

219. Paragraph 208 states that *"Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal."*

220. Paragraph 210 states that *"In determining applications, local planning authorities should take account of:*

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*
- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*
- c) the desirability of new development making a positive contribution to local character and distinctiveness."*

221. Paragraph 212 states that *"When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance."* Annex 2 (Glossary) of the NPPF defines *"Conservation (for heritage policy): The process of maintaining and managing change to a heritage asset in a way that sustains and, where appropriate, enhances its significance"*.

222. Paragraph 213 states that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification and paragraph 214 states that *"Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:*

- a) the nature of the heritage asset prevents all reasonable uses of the site; and*
- b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and*
- c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and*
- d) the harm or loss is outweighed by the benefit of bringing the site back into use."*

223. Paragraph 215 states that *"Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use."*

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224. Policy CS20 of the Woking Core Strategy (2012) states that:

“New development must respect and enhance the character and appearance of the area in which it is proposed whilst making the best use of the land available. New development should also make a positive contribution to the character, distinctiveness and significance of the historic environment, including heritage assets at risk through neglect, decay or other threats.

The heritage assets of the Borough will be protected and enhanced in accordance with relevant legislation and national guidance as set out in the National Planning Policy Framework. The definition of what comprises the heritage assets of the Borough is included in the Glossary and also where relevant identified on the Proposals Map. There will be a presumption against any development that will be harmful to a listed building.”

225. It should be noted, that in the Crown Place appeal decision (Appeal Ref: APP/A3655/W/20/3259819, Decision date: 3 November 2022), the Inspector stated (at para 28) that *“Policy CS20 in the CS includes a presumption against any development that is harmful to a listed building and requires it to make a positive contribution to the character, distinctiveness and significance of the historic environment. Reference is made to the Framework in the policy, but it seems to me that it is not altogether consistent because there is an absence of reference to any balance against public benefits. In the circumstances, the proposed development would not be compliant with policy CS20”* (emphasis added).

226. Policy DM20 of the Development Management Policies DPD (2016) states:

“A proposal affecting the character, appearance and/or setting of heritage assets will be required to show:

- i. that the works or development preserve and/or enhance the heritage asset and/or its setting in terms of quality of design and layout (scale, form, bulk, height, character, street pattern and features), materials (colour and texture) and historic street pattern of the area;*
- ii. how relevant features and elements that contribute to the heritage asset's significance and character will be conserved and/or reinstated if they have been lost. This includes chimneys, windows and doors, boundary treatments, original roof coverings, as well as internal features such as fireplaces, plaster cornices, doors, architraves, panelling and any walls in Listed Buildings;*
- iii. where appropriate, that external elements such as street furniture, lighting and paving are sympathetically designed (further guidance is provided within the Design SPD);*
- iv. that it would not have an adverse impact on views of or from the heritage asset or of the open spaces, trees or street scene which contributes positively to any asset and its setting; and*
- v. that the use of the heritage asset is compatible with the conservation of its significance (i.e. uses that are not compatible with or damaging to the significance of the asset should be avoided). In appropriate cases the relaxation of policies controlling change of use may be considered to secure the retention of the building.*

The Council will not permit the demolition of heritage assets except in exceptional circumstances. Where partial or total demolition of a heritage

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asset is permitted in exceptional circumstances, a high standard of design will be required in any replacement building. Where possible, special elements of the building should be salvaged and re-used in the development scheme. The applicant will also be required to:

- i. instigate a programme of recording of the lost asset; and*
- ii. ensure the publication of that record in an appropriate form.”*

227. It must also be borne in mind however that setting is not an asset in its own right. The Setting of Heritage Assets: Historic Environment Good Practice Advice in Planning Note 3 - 2nd Edition, December 2017 (hereafter referred to for brevity as GPA3) states that “*Its importance lies in what it contributes to the significance of the heritage asset or to the ability to appreciate that significance*” and it provides “*advice on understanding setting and how it may contribute to the significance of heritage assets*”, recommending a staged approach to proportionate decision taking. If, having carried out stages one to four, a proposed development is held to cause harm to the significance of a designated heritage asset, the NPPF stipulates it be categorised as either ‘less than substantial’ or ‘substantial’, the NPPF does not define ‘substantial’, and the PPG simply states it is a ‘high test.’
228. Lord Justice Lindblom, in the Court of Appeal, stated that “*what amounts to ‘substantial harm’ or ‘less than substantial harm’ in a particular case will always depend on the circumstances’, based on ‘matters of fact and planning judgment’*” (Bramshill v SSHCLG [2021] EWCA Civ 320). A separate Court of Appeal judgement confirmed that where a development would affect a listed building or its setting in different ways, some positive and some negative, the decision maker may conclude that although each of the effects has an impact, taken together there is no overall adverse effect on the listed building (Palmer v Herefordshire Council & Anor [2016] EWCA Civ 1061). This approach was upheld by Lord Justice Lindblom who stated that the NPPF policies “*do not preclude a balancing exercise as part of the decision-making process*” (Bramshill v SSHCLG [2021] EWCA Civ 320). Where public benefits - including heritage benefits - outweigh the identified harm, then planning permission may be granted subject to a proportionate assessment being undertaken.

Effect on built heritage assets

229. The site does not contain any designated built heritage assets (i.e., statutory listed buildings, conservation areas) nor does it contain any non-designated built heritage assets (i.e., locally listed buildings). As such, any impacts on built heritage assets would be only indirect (i.e., development within their setting(s)).
230. Due to the major nature of the proposed development in this instance, and the proximity of the site to several built heritage assets (both designated and non-designated) the Council has instructed an independent built heritage consultant (Jo Evans BSc (Hons) MRTPI IHBC, a Built Heritage Consultant at Cooper & Withycombe, formerly a Director at RPS). Jo Evans attended meeting(s) at pre-application stage, including Design Review Panel attendance (alongside Planning Officers), and has been consulted at planning application stage for both this present application and previous, subsequently refused, application ref: PLAN/2023/0911. Where relevant the comments of Jo Evans have been incorporated into this report section.
231. Woking grew following the establishment of the Basingstoke Canal (completed in 1794). The railway station (then known as Woking Common station) was built in 1838 and from its establishment became the central focus of development within the town. It was renamed Woking Station in the 1840s when Woking’s surroundings predominantly

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consisted of open fields amongst a canal with towpath and locks. Having bought 5,000 acres of this common land in the early 1850s, the London Necropolis and National Mausoleum Company (LNNMC) used only 400 acres to develop Brookwood Cemetery. The rest of the land was sold in 1859. The 1871 Ordnance Survey (OS) Map shows that new developments included large properties owned by frequent commuters to London, that terraced properties are visible along Church Street East to the north-west of the site, although the majority of the area was still arable land and woodlands. Commercial Way and Chertsey Road had already been laid out but the site itself was still undeveloped although development can be observed to the south around the railway station, including public buildings such as the Albion Hotel and a post office.

232. By the end of the 19th century, a new Victorian town centre had developed around the railway station. The 1896 OS map illustrates this rapid development to the north of the railway with new streets and roads having been laid out (since the 1871 map) to accommodate additional residential developments. The site is shown to be developed with several buildings, including a row of five terraces to the north-east corner and additional large buildings, most likely shops or public buildings. Christ Church, which still stands to the west of the site today, was erected during this period and a church path directly leading from the railway station to the church was laid out (now known as Church Path).
233. The 1914 OS map shows the continued rapid urban development to the north of the railway, contrasting with the large areas of farmland remaining to the south, interspersed by only a few residential developments. The built form on site is shown to have not significantly evolved since the 1896 OS map, with changes mostly including extension to the properties which were present on the 1896 OS map. The building within the south-east corner of the site is labelled as an institute with the area to the south-west of the site remaining largely undeveloped. The 1966 OS map shows further development of the site, mostly extending and infilling the existing built form, the vacant plot adjoining the site was developed with a row of terraces to the south-west.
234. By 1978, the Victorian terraces and the buildings from the late 19th century on the site are shown to have been cleared, as shown on the 1978 OS map. The demolition of the Victorian terraces was part of the changes taking place in Woking Town Centre in the post-war years, with a shift of character from residential to predominantly commercial. The Wolsey Place shopping centre (now part of Victoria Place), the first shopping centre in Woking, opened in 1975 to the north-west of the site, along with a new library, swimming pool, theatre and halls. On the 1983 OS map the existing large commercial building on the site is shown to have been completed with the surrounding area continuing to develop as a commercial town centre, including the pedestrianisation of Commercial Way.

Woking Town Centre Conservation Area (WTCCA)

235. The site is (to its south/south-east) almost immediately adjacent to the boundary of the Woking Town Centre Conservation Area (WTCCA) which comprises the historic Victorian core of the Town Centre to the north of the railway station and is historically important as it includes much of the rapid 19th century mixed commercial and residential development and urban grain that developed at that time, largely a result of the introduction of the railway. Although Commercial Way and Chertsey Road existed as routes prior to the land sale of 1859, all the street patterns and building plots within the area have remained largely unchanged from the Town Plan prepared for the LNNMC, specifically for the land disposal. In 1900 the High Street, Broadway and

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Chertsey Road were the principal shopping and business streets in the Town Centre and the majority of the original buildings remain.

236. The character of the WTCCA is mainly that of surviving late Victorian and Edwardian purpose-built shopping parades, mostly of three storey construction (although sometimes of four storeys), interspersed with individually designed period buildings. The architectural quality of buildings varies considerably and although none of the buildings are statutory listed many have interesting features and attractive architectural ornamentation such as decorative terracotta panels at the first floor level and many are locally listed. The limited historical period during which most of the buildings in the WTCCA were constructed is such that, taken together, buildings within each street have a group value, which gives the area a special character. Buildings dating to the 20th century are also included within the WTCCA boundary, notably buildings along Church Path and Chapel Street to its western portion, which make a lesser relative contribution to the significance of the WTCCA as a whole.
237. As SPG Heritage of Woking (2000) states *“With the development of the Wolsey Place Shopping Centre in the early 1970’s and its more recent refurbishment, together with the pedestrianisation of Commercial Way, the focus of the shopping centre has gradually moved away from the High Street, Chertsey Road area and gravitated toward more recent shopping developments in Woking”* including the former The Peacocks Shopping Centre. The SPG also states that *“although many properties may have been spared by being less subjected to commercial pressure for redevelopment, a number of properties have become jaded in appearance through neglect, even though most of their fabric is still intact. Additionally, many of the shopfronts on the Victorian and Edwardian buildings have been altered or replaced by unsympathetic designs in inappropriate materials and there have been a limited number of modern infill redevelopments...which have detracted from the coherent character of the area and contributed to the resulting decline in the quality of the visual environment”*. There are no statutory listed buildings in the WTCCA although there are a number of locally listed buildings, including (where closest to the site) the O’Neil’s Public House and No.1 Chobham Road, both Neo-Queen Anne style red brick buildings with dormer windows, the latter with stone facing to ground floor.
238. The significance of the WTCCA is mainly derived from its historic value and, to a lesser extent, its architectural value in terms of individual buildings as well as building groups. The positive elements of the character and appearance of the WTCCA are focussed to the late 19th and early 20th century commercial buildings, particularly where there is stone and brick detailing with pediments, arched motifs, carved terracotta panels, brick piers, raised moulding, dentilled cornices, Ionic pilasters, and painted stucco (there are a small number of sash windows that survive). Individual buildings tend to be comparatively ordinary examples but have a cumulative group value and contribute to the significance of the WTCCA by illustrating the process of rapid urbanisation of Woking following the arrival of the railway. Many of the buildings have been subject to ad hoc alterations and extensions with the historic rear elevations of many buildings having been either fully obscured or removed (or have been more significantly altered than the front elevations). The roofscape is varied and has been modified to accommodate roof and rear extensions, however, from street level, there is a general experience of a late 19th/early 20th-century varied roofscape, articulated with corner turrets, gabled dormer windows etc.
239. The character of the WTCCA is determined to a large extent by the tight and compact grain of the townscape, the layout of the streets and the plot ratios and density in many parts of the WTCCA form a tight and intimate townscape. This is, in some locations

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within the WTCCA, a greater contributor to its character and significance than the architecture of the buildings themselves.

240. The setting of the WTCCA has a strongly contrasting townscape character, which has continued to evolve since it was first designated in 1991. This was principally facilitated by the construction of the Wolsey Place shopping centre in the 1970s (now part of Victoria Place), which extended to the north of the original town centre, diverting activity away from the High Street, and has been reinforced by the more recent refurbishment and the pedestrianisation of Commercial Way and surrounding streets. The immediate setting of the WTCCA, therefore, comprises taller buildings, including Albion House (rising to 8 storeys) to the north, Hollywood House to the north-east; Woking train station and train tracks to the south, and late 20th/early 21st-century urban development. The varied townscape context includes several tall buildings, such as the Centrium and New Central towers to the south of the railway line and, most notably, the Victoria Place scheme to the west of the WTCCA, which includes towers of up to 34 storeys. The EcoWorld scheme on Goldsworth Road (WBC Ref: PLAN/2020/0568, Appeal Ref: APP/A3655/W/21/3276474) was allowed at appeal (on 10 January 2022) for the construction of mixed-used buildings rising between 9 and 37 storeys and the Crown Place scheme (WBC Ref: PLAN/2019/1141, Appeal Ref: APP/A3655/W/20/3259819) was allowed at appeal on 3 November 2022, and comprises a residential-led mixed-use development of up to 28 storeys. As such, it is clear that this part of the townscape setting of the WTCCA is experiencing transformational change in character and scale.
241. The HTVIA sets out that the contribution that the WTCCA gains from its setting varies, but is generally low, with no significant designed or incidental views or historical associations with the surrounding land, of note with that being acknowledged in the Crown Place appeal decision in which the Inspector stated, in terms of the setting of the WTCCA (at paragraph 19), that "*The area beyond the boundaries [of the WTCCA] seems to me to contribute relatively little to significance. This is because there is not much of the Victorian townscape remaining and redevelopment has taken place that has been generally unsympathetic in terms of its grain and massing*". The HTVIA sets out that there is no architectural or historic connection between the application site and the WTCCA, that the scale, form and style of the existing building on the application site is out of keeping with the WTCCA and therefore the application site does not contribute to the character and appearance of the WTCCA.
242. In this respect the application site is located to the immediate north of the WTCCA, on the northern side of Commercial Way where it meets Chobham Road. The existing building on the site was built in the early to mid-1980s and as such has no historic relationship with the WTCCA, which constitutes the initial development of Woking Town Centre. Indeed the large massing of the existing building on the site contrasts with the fine grain of the WTCCA, although its height steps down from Church Street East towards Chobham Road and the WTCCA. Although constructed of red brick, which is the predominant building material within the WTTCA, the existing building does not respond architecturally to the Victorian/Edwardian buildings within the WTTCA and therefore, in this context, Officers accept that the existing building on the site does not contribute to the character and appearance of the WTCCA.

Impact on Woking Town Centre Conservation Area (WTCCA)

243. Because the site is located outside of the WTCCA boundary, the proposed development will only have an indirect impact on the overall heritage significance of the Woking Town Centre Conservation Area (WTCCA). It will not directly impact on the

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surviving fabric of the Victorian/Edwardian commercial development associated with the arrival of the railway, which will remain intact and legible.

244. The WTCCA is already experienced within a setting of strongly contrasting townscape character, which has continued to evolve since the Conservation Area was first designated in 1991 and now includes several tall buildings within the immediate setting of the WTCCA, particularly to the west. The proposed development, in forming an additional tall building, will be visible from within, and in the context of, the WTCCA, by reason of its scale. The Zone of Theoretical Visibility (ZTV) submitted within the HTVIA demonstrates areas of potential visibility along Commercial Way and Chobham Road in particular, as well as some visibility along the southern side of Chertsey Road and close to the junction of Chertsey Road and The Broadway, which is the subject of Representative Viewpoint 4 (within the HTVIA).
245. In this view the uppermost storeys of the proposed development would be visible to the left-hand side of the view, behind Albion House. Whilst the proposed development would result in a minor loss of sky, the key elements which are the focus of this view, namely the long view down Chertsey Road, flanked by (some) locally listed 19th and early-to-mid 20th century commercial buildings, would be retained. The proposed development would be seen behind the characterful roof forms of the buildings on the northern side of Chertsey Road, and, in this context, it would distract from an appreciation of the historic shopping street of locally listed buildings located within the Woking Town Centre Conservation Area. In the cumulative scenario the crown of the extant scheme at Crown Place would also be visible in this view, above the roofline of the locally listed buildings on the northern side of Chertsey Road. Whilst the Crown Place scheme would not obscure the proposed development (in this view) it would introduce a limited amount of additional built form within this view, increasing the magnitude of change experienced by visual receptors to a small degree.
246. In other views from within the WTCCA due to the relatively tight urban grain and the height of buildings within the WTCCA, the application site is largely screened from the majority of the buildings within it. The proposed development would be visible in glimpsed/intermittent views along Commercial Way, Chobham Road and along the southern side of Chertsey Road.
247. Within these views, the proposed development would reinforce that existing contrast in scale between the historic townscape within the WTCCA and the tall residential and commercial blocks with larger massing, that form part of the (existing and emerging) centre of Woking. The HTVIA sets out that the height of buildings within the WTCCA appears not to have materially changed since the land was first developed and that it is noteworthy that the WTCCA boundary opposite the railway station appears to have been drawn to exclude sites where building heights have changed and, as such, the skyline formed by building frontages, forms part of the character and appearance of the WTCCA.
248. The HTVIA identifies that the proposed development would have its greatest visual impact in Commercial Way and in views along Chobham Road, with the considerably taller building in the same plane as the existing street frontage, creating a strong contrast between it and the established skyline. However, it identifies that the northern side of Commercial Way is entirely outside of the WTCCA and only limited strips of frontages on the south side are included within its boundary and that within Commercial Way, the boundary of the WTCCA appears to have been drawn to specifically exclude 20th century buildings such that the proposed development will

therefore be seen as part of the modern development of Woking that has taken place outside of the WTCCA and its historic core.

249. The HTVIA identifies that in Chobham Road, the proposed development will be seen rising above a part of the historic skyline, which will cause a distraction to it. But that it will be seen in context with the modern office building of Crown House, on the opposite side of Chobham Road such that it will therefore be apparent that the proposed development is outside of the town's historic core and will not therefore harm the legibility of the WTCCA in this respect.
250. The HTVIA also identifies that the impact of the extant Crown Place development (WBC Ref: PLAN/2019/1141, Appeal Ref: APP/A3655/W/20/3259819) on the WTCCA, which was similar to that which would result from the presently proposed development, was discussed by the Crown Place Inspector who stated (at para 21) that:

“Although the towers would be set well back within the site, they would be very much taller than their immediate surroundings. They would punctuate the historic skyline, and this would be apparent from various places within the CA, particularly as the streets widen out towards the south-western end of Chertsey Road. There is an attractive locally listed three-storey building on the corner with Chobham Road and at this point the visual effect of the towers and their contrast with the lower scale and narrow grain of the historic built environment would be most keenly experienced. There would therefore be harm to the significance of the CA. However, as indicated above, the setting is only a small element of the significance of this CA and the site is only a small part of the setting. More widely there are intrusions to the skyline that also play their part. In the circumstances, I therefore consider that the less than substantial harm to significance would be at the lowest end of the spectrum”.

251. The HTVIA advances that the proposed development will not result in the loss of any historic fabric or archaeological interest (archaeology is considered separately in this report), and the townscape and appearance of the buildings fronting the streets, including their elements of visual interest, such as their shopfronts, windows, eaves line etc, will remain unchanged. It advances that the interruption of the skyline will not materially harm individual buildings, as their significance is at a more local and individual level although, collectively, these individual buildings merge to provide a historically defined and legible skyline.
252. The HTVIA sets out that the Heritage Statement submitted with previous application ref: PLAN/2023/0911 *“concluded that the scheme would cause a minor degree of harm, towards the lower end of the scale within the category of less than substantial”*, with that being a level of harm higher than the Inspector assessed in respect of the Crown Place appeal scheme in which they stated (at para 19) that *“The appeal site is a small part of that setting and overall makes a limited contribution to the significance of the CA”* before going on to state (at para 21) that *“I therefore consider that the less than substantial harm to significance would be at the lowest end of the spectrum”*.
253. The HTVIA advances that the harm would to the significance of the WTCCA would be less than that which was identified by the Heritage Statement submitted with previous application ref: PLAN/2023/0911. In this respect Figure 5.14 of the HTVIA shows the WTCCA boundary overlaid onto the Zone of Theoretical Visibility (ZTV) for the application site. The HTVIA advances that from this image and an understanding of the degree to which the proposed development will have a very limited visual effect it is possible to conclude the following:

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- the site is only a very small part of the surroundings and setting to the WTCCA;
 - there is a low potential for intervisibility between the site and the WTCCA;
 - the surroundings of the WTCCA already include several tall buildings which are taller than the proposed development; and therefore,
 - the likelihood of the proposed development actually causing a distraction to the character and appearance of the WTCCA is very low.
254. The HTVIA thus concludes that in assessing the overall impact on the WTCCA, when considering the adverse and beneficial effects of the proposed development, the proposed development would cause a very minor degree of harm to the overall heritage significance of the Woking Town Centre Conservation Area.
255. It must be borne in mind that the proposed development has been designed to respond to the character and appearance of the WTCCA, the massing has been stepped down to better respond to the lower height of the surviving Victorian/Edwardian buildings and the material palette and architectural articulation of the proposed elevations draws on cues present within the historic buildings within the WTCCA. Moreover, the proposed town centre/commercial (Class E) uses at ground floor level, as well as the larger areas of public realm (i.e., 'Church Path Yard'), would improve activity, vitality and vibrancy within the immediate context of the WTCCA, supporting the overall vibrancy and vitality of this historic commercial and retail centre.
256. The visual impact from around the junction between Chobham Road and Chertsey Road is the subject of Representative Viewpoint 3 (within the HTVIA), this view being taken from within the WTCCA. A large amount of the proposed development, including all of the taller elements, would be visible in this view, seen behind the existing parade of shops on Chertsey Road/Chobham Road. The proposed development would introduce a prominent element of built form where there is none currently (due to its increased height compared to the existing building on the site) and would result in the loss of sky. It would result in a much greater contrast in scale compared to that which already exists between the historic townscape of the WTCCA and the tall residential/commercial blocks, that form part of Woking Town Centre. As such, the proposed development would undermine, albeit to a small degree, an appreciation of the character and appearance of the WTCCA in this view.
257. However, the proposed material palette and architectural articulation of the facades would respond to the surviving historic townscape within the WTCCA, particularly the adjacent locally listed buildings at No.24b Chertsey Road and Nos.1-10 Chobham Road, and, at ground floor level, the proposed development would include attractive shopfronts which would provide a stronger edge and more active frontage to the streets than the existing situation, thus improving activity, vitality and vibrancy within the immediate context of the WTCCA, supporting the overall vibrancy and vitality of this historic commercial and retail centre. Whilst these elements do respond to their context and present a high quality building, they do not fully mitigate the marked contrast in scale identified above. In the cumulative scenario elements of the extant 'Chobham Road Island' scheme (WBC Ref: PLAN/2023/0835) would be visible in this view albeit it would largely be viewed behind the proposed development.
258. In respect of the impact on the setting of the Woking Town Centre Conservation Area the Council's Built Heritage Consultant comments that "*It is not possible to argue that the scale of the application proposal will not have an impact on the Town Centre Conservation Area*" and that (in italics):

“These buildings [Christ Church and the Woking War Memorial, considered separately] and the conservation area do not rely on particular views to preserve significance, and they are experienced already within a busy commercial location, however the change in the degree of harm identified in the revised application, from that identified in the heritage assessment prepared by Turley Heritage in the previous submission [ref: PLAN/2023/0911], underestimates the degree of alteration that would be experienced.

The verified views included in Section 11 of the DAS (Built Heritage, Townscape and Visual Impact Assessment) show various vistas and viewpoints within the Town Centre Conservation Area and into the area. The scale of change shown in these views from the existing townscape within the conservation area to those which include the proposed development is considerable. The impact on the conservation area would be significant and would alter views into and out of the area. However as stated with regard to the consideration of the previous application and its eventual determination, the assessment of this proposal should be considered within the context of recent appeal decisions, most notably that of the scheme at Crown Place (ref APP/A3655/W/20/3259819). At para 19 of the Inspector’s decision letter, it states that,

It seems to me that the significance of the CA is mainly derived from its historic value and to a lesser extent its architectural value in terms of individual buildings as well as building groups. These aspects would remain unaffected by the proposed development. The area beyond the boundaries seems to me to contribute relatively little to significance. This is because there is not much of the Victorian townscape remaining and redevelopment has taken place that has been generally unsympathetic in terms of its grain and massing. Nevertheless, the lower height of much of the surrounding built development, including on the appeal site, does allow the historic skyline to continue to be appreciated from within the narrow streets of the CA. This provides some reflection of the historical context. The appeal site is a small part of that setting and overall makes a limited contribution to the significance of the CA.

The conclusions of the appeal Inspector, in considering a proposal of 28 storeys on a site immediately adjacent to the east, from the current application site are very pertinent to the assessment of the current application. The Inspector concluded, with regard to the contribution made to the conservation area by its setting, that the area beyond the boundaries seems to me to contribute relatively little to significance. The Inspector therefore accorded limited importance to the contribution to significance made by this part of the setting to the area.

At para 21 of the Inspector’s decision letter, she states that,

Although the towers would be set well back within the site, they would be very much taller than their immediate surroundings. They would punctuate the historic skyline, and this would be apparent from various places within the CA, particularly as the streets widen out towards the south-western end of Chertsey Road. There is an attractive locally listed three-storey building on the corner with Chobham Road and at this point the visual effect of the towers and their contrast with the lower scale and narrow grain of the historic built environment would be most keenly experienced. There would therefore be harm to the significance of the CA. However, as indicated

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above, the setting is only a small element of the significance of this CA and the site is only a small part of the setting. More widely there are intrusions to the skyline that also play their part. In the circumstances, I therefore consider that the less than substantial harm to significance would be at the lowest end of the spectrum

As part of the assessment of the previous application [ref: PLAN/2023/0911] it was concluded that in light of this recent appeal decision, it is reasonable to assume that the same level of harm should be identified in this instance also. The size and scale of the two schemes are similar and the relationship to the conservation area is consistent between the two development proposals. On this basis it would be difficult to identify a higher degree of harm or assert that this part of the setting to the conservation area is more sensitive than as described by the Inspector”.

259. As such, and notwithstanding that the applicant contends that a lower level of harm (seemingly towards the bottom end of the spectrum of ‘less than substantial’ harm for the purposes of the NPPF) would arise to the heritage significance of the Woking Town Conservation Area (WTCCA) as a whole than was previously identified by the applicant (within their HTVIA submitted) with previous application ref: PLAN/2023/0911 Officers are of the view that the proposed development would cause a minor degree of harm (towards the lower end of the scale within the spectrum of ‘less than substantial’ harm for the purposes of the NPPF) to the heritage significance of the Woking Town Conservation Area (WTCCA) as a whole. This harm will be weighed in the planning balance at the conclusion of this report.

Basingstoke Canal Conservation Area (BCCA)

260. The site is around 140 metres south/south-east (at its closest) from the Basingstoke Canal Conservation Area (BCCA) and is separated from it by intervening buildings/land and the dual-carriageway of Victoria Way. The BCCA was first designated in March 1984 and extended in April 1992. The Basingstoke Canal is a historic canal (completed in 1794) which traverses the Borough (as well as through some adjoining Boroughs), its boundary forms a linear Conservation Area and is focused upon the canal, as well as some of the immediate adjoining land and built development, as a significant element of 18th century industrial engineering and transport infrastructure. The canal was significant as one of the first agricultural waterways, designed primarily to stimulate agricultural development in Hampshire, and was particularly significant in opening up the countryside. It was originally used to transport agricultural produce across Hampshire, then for the export of fertiliser, flour, coal and timber to London through the later 19th century.
261. The BCCA area retains towpaths and locks and has a green, leafy and more tranquil character than the surrounding area, with many trees and other types of vegetation enclosing the canal on its northern and southern sides. Where proximate to the site the Basingstoke Canal cuts through at a lower level than the development on each side. It retains much of its original features, with towpaths and locks, but, where proximate to the site, its setting has changed significantly with the development of Woking Town Centre, particularly during the 20th century, and as such the environs of this part of the Basingstoke Canal have a readily urban character (in other areas of the Borough, as well as within adjoining Boroughs, it has a more rural character). It is also pertinent that, whilst today the canal corridor provides for wildlife and recreational activities, the Basingstoke Canal was originally constructed as a form of industrial engineering and transport infrastructure. The BCCA is generally self-contained, and its special interest

and significance is defined by the historic waterway, as a good example of heroic industrial engineering and transport infrastructure, and its role in the development of the areas it traverses. The Lightbox - a modern museum of art, sculpture and inventions - is one of very few buildings located within the BCCA, and the only building within it where the BCCA is proximate to the site.

262. The HTVIA sets out that due to the linear shape of the BCCA, its setting is not uniform and comprises areas of green space and suburban development, as well as the taller, mixed development within Woking Town Centre, and that the areas of green space extend the characteristics of the BCCA and are sympathetic elements of its setting. It identifies that, on the whole, the surrounding suburban development dates from the 20th century and has little historic, functional or aesthetic relationship with the BCCA, with the exception of that within the Wheatsheaf Conservation Area (to the north), an area consisting of more historic properties which provide an attractive setting to the BCCA. It identifies that the existing taller buildings within Woking Town Centre are visible from within the BCCA, in views walking along the banks of the canal and that this appreciation of built form outside of the BCCA does not contribute to the overall character and appearance of the BCCA.
263. In the existing situation glimpsed views of the existing development on the site may be visible from the canal towpath (particularly during the winter months) however the site has no direct historic, functional or aesthetic relationship with the BCCA and forms part of an appreciation of the taller, built form outside of the BCCA boundary. In this context, the site does not contribute to the overall heritage significance of the BCCA.

Impact on Basingstoke Canal Conservation Area

264. Because the site is located outside of the BCCA boundary, the proposed development would only have an indirect impact on the overall heritage significance of the Basingstoke Canal Conservation Area. The taller element of the proposed development would introduce an additional element of built form into the wider townscape context, which would be glimpsed from some, oblique, locations within the BCCA, such as from the town quay just south of the WWF Living Planet Centre. However, this glimpsed intervisibility would be incidental and the proposed development would be experienced as part of the existing urban context of Woking Town Centre in such views.
265. Around 160 metres to the north/north-west of the site the Basingstoke Canal is traversed by the Chobham Road Bridge, which provides vehicular and pedestrian access to and from Woking Town Centre (Representative View 7 within the HTVIA). Although falling within the BCCA this location is markedly different from the prevailing character and appearance of the BCCA, with an obvious and apparent proximity to the urban environment of Woking Town Centre created by the clear sight lines. The water channel of the canal, and the towpath beside it, are at a lower-level, running beneath Chobham Road Bridge. As such, the northern elevation (i.e., Church Street East) of the proposed development would be readily visible from this location, aligning with Chobham Road (the main route into Woking Town Centre from the north) and rising above the existing intervening modern built form.
266. Whilst the proposed development would introduce a prominent element of tall built form where there is none currently due to the location of the site at the confluence of several importance routes (i.e., Chobham Road, Church Street East, Church Path and Chertsey Road) the introduction of a tall, slender built form element here will assist wayfinding in that it will provide a landmark building, providing greater townscape

legibility for pedestrians and road users along Chobham Road and on approach to Woking Town Centre from the suburbs to the north. Moreover, the approach to articulating the form of the proposed development, including variations in height and materiality, legible vertical divisions between elements (including the crown of the building) and fenestration pattern, would be experienced in the view, creating a more architecturally interesting and varied skyline in this urban view. Furthermore, the extant Crown Place (WBC Ref: PLAN/2019/1141, Appeal Ref: APP/A3655/W/20/3259819, 28 storeys) and 'Chobham Road Island' (WBC Ref: PLAN/2023/0835, 12 storeys) developments would both be visible in this view, the 'Chobham Road Island' development would be seen immediately in front of the proposed development, largely obscuring it from view. In this context the proposed development would be experienced as part of a cluster of new, high quality tall building development within this eastern part of Woking Town Centre.

267. For these reasons the taller element of the proposed development would not alter or disrupt the existing experience, or otherwise undermine an appreciation of the character and appearance of the BCCA as a historic, more tranquil and leafy canal, which would remain legible.
268. The experience along the water channel and towpath of the canal itself would not be adversely impacted by the proposed development, which would be glimpsed in the wider setting as part of a mixed, existing (and emerging) urban Woking Town Centre environment. Moreover, where proximate to the site, views towards Woking Town Centre from the water channel and towpath of the canal are marked by mid-to-late 20th century (i.e., The Peacocks Shopping Centre, WBC Civic Offices) and more modern commercial buildings along Victoria Way (i.e., Victoria Gate), and the proposed development would be seen within this existing built context, whereby it would not be harmful to the setting of the BCCA.
269. In respect of the impact on the Basingstoke Canal Conservation Area (BCCA) the Council's Built Heritage Consultant concludes that the description of the significance, as set out in the application documents, is accurate and the limited contribution made by the application site to the special interest of the BCCA has been correctly identified and described within the application submission. Therefore, in conclusion, and for the reasoning set out, the proposed development would cause no harm to, and would thus preserve, the overall heritage significance of the Basingstoke Canal Conservation Area (BCCA).

Wheatsheaf Conservation Area (WCA)

270. The site is around 190 metres south/south-east (at its closest) of the boundary of the Wheatsheaf Conservation Area (WCA) and is separated from it by intervening buildings/land, the dual-carriageway of Victoria Way and the Basingstoke Canal (which is designated as a separate, linear, Conservation Area, albeit adjoins part of the Wheatsheaf Conservation Area). Wheatsheaf was designated as a Conservation Area in April 1992; it forms a focal point at the entrance into Woking Town Centre from the north having been developed in association with the growth of Woking as a railway town. The WCA consists predominantly of detached and semi-detached residential development set along The Grove, Ferndale Road, Broomhall and subsidiary roads. Properties date from the mid-Victorian to late Victorian period, the architectural quality of the buildings is mixed, but the WCA has a strong, cohesive character and there are examples of higher architectural quality with typical Victorian domestic architectural features (several of which are locally listed). The WCA also has a strong character in its relationship with the Wheatsheaf Recreation Ground, Horsell Common and the

Basingstoke Canal and it forms an important route into Woking Town Centre from the north.

271. The later suburban development to the north of the WCA has no historic or aesthetic relationship with that within the Conservation Area and does not contribute to its overall heritage significance. The WCA borders two green spaces to the east and west which provide a gap between the later suburban and commercial development surrounding the Conservation Area and retain a sense of the open character of the historic setting of the WCA. In addition, the WCA addresses the Wheatsheaf Recreation Ground and together they form an important route into Woking Town Centre from the north, which makes a positive contribution to the overall heritage significance of the WCA.
272. The WCA is located to the north of Woking Town Centre, separated by the dual-carriageway of Victoria Way and the Basingstoke Canal. Notwithstanding this, there is an existing acute awareness of Woking Town Centre in the wider setting of the WCA when moving through it, particularly when travelling southwards towards Woking Town Centre along Chobham Road, where development in Woking Town Centre terminates views southwards. The character of this Town Centre development contrasts with that of the WCA but is clearly part of a different townscape context. The existing tall buildings forming part of Victoria Place can be glimpsed above and beyond houses in some locations from within the WCA, signalling the transformative redevelopment of Woking Town Centre. This appreciation of built form outside of the WCA does not contribute to the overall character and appearance of the WCA.
273. Glimpses of existing development on the site are visible when moving south along Chobham Road (where within the WCA) however the site has no direct historic, functional or aesthetic relationship with the WCA and forms part of an appreciation of the taller, built form outside of the boundary of the WCA. In this context, the site does not contribute to the overall heritage significance of the WCA.

Impact on Wheatsheaf Conservation Area

274. Because the site is located outside of the Wheatsheaf Conservation Area boundary, the proposed development would only have an indirect impact on the overall heritage significance of the Wheatsheaf Conservation Area (WCA). Whilst there would be intervisibility between the proposed development (particularly the tallest 26 storey component) and the WCA, in particular along Chobham Road and within the open green spaces (noting that the Wheatsheaf Recreation Ground falls outside of the WCA) this visibility has been further interrogated through analysis of several representative views located within, and looking across, the WCA.
275. Chobham Road (Representative Viewpoint 7 within the HTVIA) provides vehicular and pedestrian access to and from Woking Town Centre from the north and therefore the character of this main road is markedly different from the adjacent residential streets, with an obvious and apparent proximity to the urban town centre created by the clear sight lines. Whilst Representative Viewpoint 7 is located within the Basingstoke Canal Conservation Area (BCCA) it is only a very short distance from the boundary of the Wheatsheaf Conservation Area (WCA) and thus represents a 'worst-case' scenario in terms of views of the proposed development from the WCA. In Representative Viewpoint 7 the proposed development can be seen terminating the axial route into Woking, marking Woking Town Centre, the scale of the proposed development would be greater than buildings immediately adjacent to it on each side, albeit one that is commensurate with the Woking Town Centre location and readily apparent as separate from the foreground due to the busy dual-carriageway of Victoria Way

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(running east-west across the view). The proposed development would thus clearly be read as part of the townscape of Woking Town Centre, separate from that of the WCA, and this would not conflict with the experience of domestic scale architecture within the WCA.

276. Representative Viewpoint 9 has also been 'scoped' in looking towards the site across parts of the WCA to further interrogate the Zone of Theoretical Visibility (ZTV). Representative Viewpoint 9 is located towards the north of the Wheatsheaf Recreation Ground (which is outside of the WCA, although looks south across it). In this view the uppermost storeys of the proposed development would be visible in the background of the view, behind the built form which fronts Ferndale Road and The Grove, within the WCA. The proposed development would be a new element in the view, with the extent of visibility varying with the seasons (depending on tree canopy cover on the southern edge of the Recreation Ground) and would be experienced as part of the contrasting Woking Town Centre context, located beyond the traditional suburban townscape of the WCA in the middle ground of the view. In this view the proposed development would appear of a similar scale to the existing Victoria Place development, which is a prominent element in the background of the view. The siting and extent of visibility of the proposed development in the view would not reduce an appreciation of the composition and qualities of this view, including the reciprocal relationship between the Wheatsheaf Recreation Ground and enclosing traditional building stock. As such, the taller element of the proposed development would not alter or disrupt the existing experience, or otherwise undermine an appreciation of the character and appearance of the BCA, as a mid-to-late Victorian residential suburb, which would remain legible.
277. Moreover, in the cumulative scenario the extant schemes at No.46 Chertsey Road (WBC Ref: PLAN/2017/0802, 12 storeys), Crown Place (WBC Ref: PLAN/2019/1141, Appeal Ref: APP/A3655/W/20/3259819, 28 storeys) and 'Chobham Road Island' (WBC Ref: PLAN/2023/0835, 12 storeys) as well as the resolved to grant (subject to S106) scheme at Nos.3-12 High Street (WBC Ref: PLAN/2023/0645) would all be visible in this view, introducing large areas of built form into the background, resulting in a greater magnitude of change experienced by the visual receptor. In the cumulative scenario the proposed development would be seen behind the 'Chobham Road Island' scheme and would be experienced as part of a cluster of taller buildings, a grouping would provide a more marked contrast between the urban scale of buildings within Woking Town Centre and the open space of Wheatsheaf Recreation Ground (which falls outside of the WCA) and the historic townscape within the WCA.
278. In respect of the impact on the Wheatsheaf Canal Conservation Area (WCA) the Council's Built Heritage Consultant concludes that the description of the significance, as set out in the application documents, is accurate and the limited contribution made by the application site to the special interest of the WCA has been correctly identified and described within the application submission. Therefore, in conclusion, and for the reasoning set out, the proposed development would form a neutral part of the wider setting of the Wheatsheaf Conservation Area. It would therefore cause no harm to, and would thus preserve, the heritage significance of the Wheatsheaf Conservation Area (WCA).

Horsell Conservation Area (HCA)

279. The site is around 860 metres south-east of the closest boundary of the Horsell Conservation Area (HCA). This suburban Conservation Area is focused on the Grade II* listed, mid-12th century St Mary the Virgin Church, although much of the surviving building stock within the HCA dates from the Victorian and Edwardian periods. These,

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often semi-detached, properties were built as another peripheral suburb to Woking following its growth as both a commuter hub for London and a commercial centre in its own right. These historic buildings remain largely intact and are, in places, located on wide, tree-line avenues, creating an attractive, spacious character.

280. Horsell Conservation Area is surrounded by later, suburban development dating from the mid-20th century onwards, areas which have no functional, historic or aesthetic relationship with the HCA and do not contribute to its overall heritage significance. The HCA is set on a hill, with land rising steadily towards the north and, as a result, there are glimpsed views of the existing taller buildings within Woking Town Centre, particularly along Church Hill. However, this appreciation of existing built form outside of the HCA does not contribute to the overall character and appearance of the HCA.
281. The site has no direct historic, functional or aesthetic relationship with the HCA and, if visible, forms part of an appreciation of the taller, built form outside of the boundary of the HCA. In this context, the site does not contribute to the overall heritage significance of the Horsell Conservation Area.

Impact on Horsell Conservation Area

282. Because the site is located outside of the HCA boundary, the proposed development would only have an indirect impact on the overall heritage significance of the Horsell Conservation Area. Representative Viewpoint 12 (within the HTVIA), located on Church Hill, at the junction with Lych Way (in close proximity to the Grade II* listed St Mary the Virgin Church on Church Hill) falls within the Horsell Conservation Area (approximately 920 metres to the north-west of the site). The proposed development would be a minor element in the background of the view, located beyond the existing mature landscaping and suburban development, the upper storeys of the tallest element of the proposed development would not be perceptible whilst the intervening landscape is in leaf, with greater visibility at other times of the year when it would be consistent with the urban townscape visually signalling Woking Town Centre in the background of the view.
283. Moreover, in the cumulative scenario, elements of the extant schemes at No.46 Chertsey Road (WBC Ref: PLAN/2017/0802, 12 storeys), Crown Place (WBC Ref: PLAN/2019/1141, Appeal Ref: APP/A3655/W/20/3259819, 28 storeys) and 'Chobham Road Island' (WBC Ref: PLAN/2023/0835, 12 storeys) as well as the (resolved to grant subject to S106) Nos.3-12 High Street (WBC Ref: PLAN/2023/0645) scheme would be visible as minor elements in this view and would introduce a limited amount of additional built form into the background, resulting in a slight increase in the magnitude of change experienced by the visual receptor, when the intervening landscape is not in leaf. In this context, the proposed development would be experienced as part of a cluster of new, high quality tall building development within this eastern part of Woking Town Centre. As such, the taller elements of the proposed development would not alter or disrupt the existing experience, or otherwise undermine an appreciation, of the character and appearance of the Horsell Conservation Area as a historic, peripheral suburb to Woking, which would remain legible.
284. In respect of the impact on the Horsell Conservation Area the Council's Built Heritage Consultant concludes that the description of the significance, as set out in the application documents, is accurate and the limited contribution made by the application site to the special interest of the Horsell Conservation Area has been correctly identified and described within the application submission. Therefore, in conclusion,

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and for the reasoning set out, the proposed development would cause no harm to, and would thus preserve, the heritage significance of the Horsell Conservation Area.

Conclusion on Conservation Areas

285. Whilst having only an indirect impact the proposed development would nonetheless, by reason of development within its setting, cause a minor degree of harm (towards the lower end of the scale within the spectrum of 'less than substantial' harm for the purposes of the NPPF) to the heritage significance of the Woking Town Centre Conservation Area (WTCCA) as a whole.
286. The proposed development would cause no harm to, and would thus preserve, the overall heritage significance of the Basingstoke Canal Conservation Area. It would form a neutral part of the wider setting of the Wheatsheaf Conservation Area and would therefore cause no harm to, and would thus preserve, the heritage significance of the Wheatsheaf Conservation Area. The proposed development would cause no harm to, and would thus preserve, the heritage significance of the (more distant) Horsell Conservation Area.

Statutory listed buildings

Christ Church

287. Christ Church is statutory listed at Grade II and located immediately east of the site. The church was designed by William Frederick Unsworth (1850-1912), whom the HTVIA sets out is a recognised architect of national interest, but on a tier that is significantly below the most important of his contemporaries: Burges, Street and Norman Shaw and who is not recorded as designing any other buildings of national interest in England, although did design a number of significant buildings in County Tyrone, Ireland.
288. The HTVIA sets out that the establishment of Woking and its rapid growth during the 19th century led to the building of a small Chapel of Ease in Church Street, which was a simple Iron Room with a capacity for 400, and that in 1885 it was decided that the congregation had outgrown the chapel and that a new church should be built. Christ Church opened to the public 1889 and the building was completed in 1908. The HTVIA sets out that during the 1970s there was development pressure to replace the church as part of the major town centre redevelopment but that the church refused to sell, which would have otherwise led to its demolition, instead remaining, albeit now in a completely altered setting to that which existed in the 19th and early 20th centuries when it sat within a more tranquil setting.
289. The HTVIA sets out that the church was designed by Unsworth in an austere Cistercian style, that it is built of fine brickwork externally, with clay tile roofs, copper-covered flèche above the "crossing" and bell turret. The windows are simple lancets, apart from the large rose at the west end and the smaller roses lighting the transepts and a continuous brickwork string runs around the building, rising to form hood moulds over the clerestory-level lancets, interrupted only by the stepping of the shallow buttresses, on the same line. The apsidal end is treated in the same fashion. This detailing lending the 19th-century building a dignified harmony and great interest, tempering the austerity of the whole.
290. Whilst the external walls are all brickwork, the interior is a mixture of brick, stone and plaster. The HTVIA identifies that there have been significant alterations undertaken to

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the building in the 20th century, including that originally the interior brickwork masonry was all exposed, but the sanctuary walls were painted in the 1960s and in 1962, the plain glass of the five lancets and rose above the narthex were replaced with stained glass followed, in 1975, by construction of a new octagonal choir vestry on the south side of the church.

291. It also identifies that in 1989-91, a major refurbishment and enlargement project was carried out which included converting the narthex into a café, replacing the triplet lancets with a single window in each bay and adding a small oculus to the north and south faces of the narthex to give more light into the newly-formed space; creating offices and small meeting rooms along the south side; installing an upper floor at the west end of the nave to create a high-level meeting room with separate staircase access in a tower lightly attached to the church building; re-glazing all the windows containing plain glass with a Y-tracery design; and replacing most of the fixtures and furnishings.
292. The HTVIA identifies that planning permission was granted for another phase of extensive alterations and extensions to the building (WBC Ref: PLAN/2019/0352), works which are intended to make the building more open, increasing the ability to view the interior from the exterior, to attract and draw in passers-by and to communicate the Church's contemporary approach to worship, as well as providing more space, with additional rooms for use on Sundays, improved room hire offering, support to the café and bookshop, improved toilets and to enable easier management and security arrangements.
293. The HTVIA further identifies that the granted extensions to Christ Church will be primarily faced in terracotta, in contrast to the existing brick, with the Officer's report stating that this material will sit comfortably alongside the red brick of the church and will allow a high-quality finish, explaining that "*this is an attractive external material and will respect the original brick facing of the church whilst enabling the modern additions to be recognisable*". The HTVIA identifies that, once planning permission ref: PLAN/2019/0352 is implemented, the character and appearance of the church will be significantly different to that when it was first built.
294. The respective grant of planning permission (PLAN/2019/0352), dates from 29th January 2020 although had a (longer than usual) lifespan of five (5) years, thus has an expiry date of 29th January 2025. A non-material amendment application (AMEND/2023/0031) was subsequently approved in September 2023 to impose an additional 'phasing condition' to allow the permitted development to be carried out in phases in accordance with a phasing plan, details pursuant to which (COND/2024/0111) were subsequently approved on 6th November 2024. Details pursuant to the Construction Transport Management Plan condition for Phase 1 only also approved on 6th November 2024. The LPA understands that development to implement Phase 1 of planning permission ref: PLAN/2019/0352 is due to commence in December 2024, and at the time of writing tree protection measures are in-situ. As such, on the balance of probabilities, development to implement planning permission ref: PLAN/2019/0352 at Christ Church is very likely to be commenced prior to the expiry date, albeit with development thereafter undertaken in a phased manner.
295. The HTVIA identifies that the addition of modern extensions and contrasting material to the church, indicates that this building's significance is not dependent upon the retention of its original external appearance or immediate setting, with the planning permission ref: PLAN/2019/0352 additions introducing a complex grouping of new building forms, including two large mono-pitched forms to its south and the overall

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effect of this being to reduce the original 19th century character of the church, which in turn, helps to blend the building into its modern environs. The HTVIA advances also that, at the same time, the planning permission ref: PLAN/2019/0352 additions would reduce the legibility of the building's architectural interest.

296. The artistic and architectural value of the church is high, with the HTVIA advancing that the greatest significance is in what remains of the architecture of the original church, both internally and externally and that it is this interest and the association with its architect that are the primary reasons for its statutory listing.
297. The HTVIA advances that the changes to the church building in the 20th century have altered its appearance and reduced the architectural value of its exterior and that whilst its complete external brick construction and detailing, including tall narrow arched windows, decorative banding, buttresses, turrets and elegant copper spires add to its interest, the largest proportion of its artistic and architectural value is contained within its interior, which has more precious building materials and detailing.
298. In respect of its historic value the HTVIA sets out that its architect, Unsworth is not amongst the most important of Victorian architects, albeit is an architect of some note, and that this church represents one of his rare ecclesiastical designs, thereby adding a significant level of interest. It identifies that this church is one of the most prominent of the original or early buildings of Woking, and therefore provides a link back to the town's origins, that when it was built it would have been a clear landmark in the town, and although the importance of religion in British culture has diminished over the past century, its historical landmark status will have achieved a moderate level of communal or civic interest for those that live and work in the town, irrespective of religious interests or persuasion, thus contributing to its historic interest.
299. In respect of its setting the HTVIA states that this has changed beyond recognition compared to when the church was built, with it originally sitting amongst buildings of the same period, and generally smaller in scale than the church, whereas today it church sits in the centre of a modern commercial and civic centre, where none of the immediate buildings around it have any architectural or historic connection with it.
300. There is, however, a connection between the civic nature of the church, Jubilee Square, and other civic features, such as the Woking War Memorial (also statutory listed at Grade II), which create a group value in respect to the civic history of the town. The church and war memorial are intervisible and have shared messages regarding commemoration and as a focal point for civic and religious functions within the town. The church is architecturally distinct, and its massing makes a positive contribution to Jubilee Square, the central feature of which is the Woking War Memorial. The church provides contrast and texture in comparison to the modern plate glass facades of Victoria Place and the quality of the nearby commercial buildings. The Crown Place Inspector considered that *"the setting in which the church is appreciated and experienced is now quite different in terms of grain, scale and uses. This is a modern commercial context including buildings with a far greater height and scale than the church itself"*.
301. Spaces around the church, particularly from the west and north, allow its form and composition to be appreciated although it is necessary to bear in mind that the overall form and appearance of the church has altered over the past 100 years and that there are areas of its immediate setting that do not allow the architectural significance of the church to be revealed, and that spaces such as that between the church and site provide no incentive to loiter and enjoy the church's appearance, with a lack of

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commercial activity and poor-quality landscaping. The HTVIA advances that the quality of the public realm to the east of the church, including the buildings that enclose the space (i.e., the existing building on the site), is very poor and does not encourage people to stay and enjoy the architecture and history of the church from that location and perspective.

302. Overall, the HTVIA concludes that the setting of the church makes a low contribution to its significance, that the application site has no historic relationship with the church or any architectural connection or symbiosis and therefore makes a neutral contribution to the significance of the church, with its lack of active frontage and general poor-quality environment discouraging people from enjoying the church's external architectural interest from the east.
303. It is considered that the Woking Town Centre Conservation Area (WTCCA) to the south, as the main surviving area of the historic townscape within Woking Town Centre, makes a positive contribution to the overall heritage significance of the church as an element of setting. These two assets are contemporaneous and have a historic and functional connection, because the church was constructed to serve to the residents of Woking that the shopping parades within the WTCCA also served. In addition, the church and the WTCCA also have a shared material palette (i.e., red brick) and architectural detailing, both of which enhance an appreciation of their shared history.
304. However, the relationship between the church and the WTCCA is obscured somewhat by the presence of intervening late 20th century, large-scale commercial and industrial buildings which make up the majority of the existing immediate setting of the church, including the former Wolsey Place Shopping Centre (now part of Victoria Place) to the south and west, Town Gate House and Concord House to the north and the site itself to the east. The two storey terrace to the west of the site (Nos.63-75 Commercial Way) is the only surviving, historic, connecting element between the church and the WTCCA.
305. The surrounding modern buildings do not have a historic relationship with the church, are of a larger footprint and scale than the historic setting of the church and are of varied architectural quality. In this context, they do not contribute to the overall heritage significance of the church as elements of setting. Notwithstanding this, these existing buildings are of a similar, comparatively lower height (i.e., 3-4 storeys), in contrast to the more variable wider townscape which includes taller buildings. In addition, Town Gate House, Concord House and the site are faced in red brick, corresponding in part sensitively to the church and providing a coherent, historically appropriate material palette.
306. Although a relatively recent construction, the large open space of Jubilee Square, which is a public focal point within Woking Town Centre, allows the local landmark status of the church to continue to be experienced, albeit in a relatively new way. The external architectural interest of the church is today best appreciated from the centre of Jubilee Square, where there are uninterrupted views of its whole composition, and where it is also experienced in conjunction with the Woking War Memorial, with which it has a group value. Intervening built form restricts wider views of the church from the north, east and south however the tall spires of the church can be seen in many longer distance views and this general visibility also contributes to an appreciation of the church's landmark status.
307. The site has no historic relationship with Christ Church and is of a larger footprint and scale than the historic setting of the church. In this context, it does not contribute to the

overall heritage significance of Christ Church as an element of setting. Notwithstanding this, the height of the existing building on the site is similar to the surrounding buildings and it is comparatively lower than the wider, more variable townscape which includes tall buildings. Although of different architectural style, the facades of the existing building are also faced in red brick, which responds sensitively to the church, corresponding in part sensitively to the church and helping to provide a coherent, historically appropriate material palette. The primary facades of the existing site address Church Street East (to the north), Chobham Road (to the east) and Commercial Way (to the south). The existing west elevation, facing the church, comprises an unattractive back of house loading/car parking area that does not respond to the church in any way.

Impact on Christ Church

308. Impacts on Christ Church will be only indirect, via change in part of its townscape setting. The fabric, architecture and historical and communal associations of the church would not be impacted by the proposed development and therefore these elements of its significance would be retained, as would the group value with the Woking War Memorial. Aside from visual impacts, the more kinetic aspects of the setting of Christ Church within this very central Woking Town Centre context (i.e., the noise, activity, bustle etc. associated with the role of Woking Town Centre as the principal centre within the Borough) would remain undiminished by the proposed development.
309. The HTVIA sets out that the contribution that its setting makes to the significance of Christ Church is low, given the extent to which its surroundings have been redeveloped and changed considerably over time: there is no longer any significant contemporaneous context for this building and no other features or buildings within its surroundings that have an historic or architectural connection with it. Furthermore, the HTVIA advances that the ability to appreciate the building's original architectural design and form from its setting has been diminished by significant alterations and additions to the church: that the architectural archaeology of the building's exterior has become increasingly confused and illegible.
310. The HTVIA identifies that the scale and height of the proposed development means that it will, in general, be more dominant in the street scene than the church but that it will not restrict visibility of the church. It identifies that in views where both the proposed development and the church are present, the landmark value of the church will be diminished, compared to the present built form on the application site, resulting in a loss of historic interest, by reducing the ability to appreciate the original landmark status of the church. It identifies that the proposed development has sought to take the significance of the church into account, by consciously designing the building to respect its position and scale, by stepping down the building's height as it approaches the church.
311. The HTVIA identifies that the architectural interest of the exterior of the church is legible in two main forms: its overall composition (the ratio and shape of its forms and how they are conjoined) and its detail (the quality of its materials, finishes and construction), advancing that the former interest has been significantly eroded by the various alterations that have taken place since it was first built but that it is still possible to enjoy the simple, architectural beauty of its principal composition: a single large nave, above which is a large, steeply pitched and unfettered roof, upon which sits an elegant, needle-like spire, leading one's eyes up to the sky above. It identifies that the largest proportion of its external interest is in its detailed construction and finish and

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that the proposed development will not affect the ability to understand what remains to be seen of the original building or the ability to observe the brickwork, window surrounds, buttresses or the high-level string course that joins up all of the nave window heads. Clearly the proposed development would not affect the physical fabric or the church, nor would it affect how its interior is experienced.

312. When considering the impact of the Crown Place scheme on Christ Church the Inspector, within their appeal decision, said at paragraph 25 (in italics):

“the proposed towers would change this context to the extent that they would be evident in easterly views from Jubilee Square and from some places would be seen to rise directly behind the church. Because of their height they would diminish the focal prominence of the heritage asset and detract from an appreciation of features such as the copper spires. However, the effect on overall significance would be limited and it would be confined to a relatively small part of the setting. Nevertheless, I consider that the proposal would cause a degree of detriment to the significance of Christ Church, albeit at the lower end of the scale of less than substantial harm”.

313. Clearly the application site is closer to the church than the Crown Place site, but the considerations are the same. It is unarguable that the proposed development will materially change part of the setting to the church, but that does not necessarily mean that there will be any erosion of its significance.
314. In this respect the HTVIA advances that this part of the church’s setting makes no material contribution to the its significance, the stark and almost brutalist design approach of the existing building on the application site has meant that the church has sought to distance itself from the application site, with trees having been planted and nurtured between the application site and the church and the space between the two buildings has developed the character and appearance of a service street.
315. The HTVIA advances that in contrast to this existing poor-quality relationship between the church and the application site, the proposed development will increase the separation distance at ground level between the buildings on the application site and the church, from 21 metres to 32 metres, that the additional open space created will be landscaped as part of the public realm, with active ground floor uses, within the proposed building, directly accessed from this new public space. The effect of this particular element of the proposed development will significantly improve the immediate setting of the church and is likely to result in more people experiencing and appreciating the external qualities and significance of this heritage asset from its eastern side, constituting a significant heritage benefit to the setting and significance of the church.
316. The HTVIA identifies that the findings of the Heritage Statement which was submitted with previous planning application ref: PLAN/2023/0911, which the Council’s Heritage Consultant agreed with, is that the overall impact on the church, taking into account the various and competing adverse and beneficial effects within it immediate setting, will be a moderate degree of harm (between the low end and middle of the scale within the category of ‘less than substantial harm’ for the purposes of the NPPF) to its significance, stating that it appears that that level of harm has been established by reason of the high visibility of the proposed development within Jubilee Square and the much stronger contrast of scale between it and the church. However, the HTVIA reiterates, the level of harm to a heritage asset is not proportional to the degree of visual change: the measure of impact is the degree to which the significance of an

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asset or the legibility of its significance are reduced, advancing that the only aspect of the church's significance that will be harder to appreciate is its landmark status, and that is only when the church is viewed from certain directions and places.

317. The HTVIA thus concludes that in considering the limited area of significance that the proposed development can affect and the benefits of the improvements to its setting from the public realm enhancements, the overall impact upon the setting and significance of Christ Church "*is minor, towards the bottom end of the spectrum of less than substantial harm, just a tad higher than that caused by Crown Place*" (para 5.3.15).
318. The proposed development would be very highly visible in views from Jubilee Square, particularly in views looking east from the western side of the square, facing the church (Representative Viewpoint 1, within the HTVIA). In this view, a large amount of the proposed development, including all of the tallest (26 storey) element, would be visible behind the Grade II listed Christ Church. The proposed development would result in a much greater contrast in scale and height compared to that which already exists between the listed building and its immediate modern context. This more marked contrast would be distracting in views of the listed building, particularly in views from Jubilee Square, and would undermine, to some extent, the prominence and visual experience of the listed building as a local landmark.
319. However, as set out in the applicant's DAS, the proposed development has been designed to respond to the character of the surrounding historic townscape, including the Grade II listed Christ Church, as well as the recently granted development at the 'Chobham Road Island site' (to the north - WBC Ref: PLAN/2023/0835). The massing of the proposed development has been stepped down (during the pre-application process) to better respond to the lower height of the church and surrounding modern buildings and the placement of the stepped terraces has also been refined (again during the pre-application process) to better consider the spires and roofline of the church, as these would still be seen in silhouette against the sky from within Jubilee Square. In some views from Jubilee Square the tallest element of the proposed development (26 storeys) would be seen to the left of the church's main spire which, along with the western gable end, would retain a degree of isolation and expression against the sky. Furthermore, the proposed material palette (largely red brickwork) reflects that of the church and takes architectural cues from the surviving historic townscape within the Woking Town Centre Conservation Area (to the south). However, whilst these elements would respond to their context and present a high quality building and architectural design, they would not fully mitigate the marked contrast in scale identified above.
320. The proposed development would create a new area of landscaped public realm ('Church Path Yard') which would constitute a substantial improvement upon the current character of the western part of the application site, which currently comprises unattractive back of house loading/car parking that does not respond to the church in any way. The creation of this new public space would serve to improve the setting of the listed church, provide for a place to better appreciate and enjoy its historic architecture, and also help to mediate the relationship with the new taller building, through its quality landscape design and planting. Other improvements to surrounding streets and spaces to reinforce the animation and interest of street frontages/corners would also support the permeability and legibility of the wider pedestrian and vehicular network, such as the historic route of Church Path leading from the railway station to the church and through the older part of the town centre.

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321. In the cumulative scenario the extant extensions to Christ Church (WBC Ref: PLAN/2019/0352) would be seen in the foreground of views from Jubilee Square. In addition, elements of the extant scheme at Crown Place (WBC Ref: PLAN/2019/1141, Appeal Ref: APP/A3655/W/20/3259819, up to 28 storeys) would be seen behind the proposed development and in the immediate context of Christ Church.
322. The proposed landscaping scheme close to the corner of Church Path and Church Street East ('Church Path Yard'), which is not visible in the respective verified views, would enhance the immediate setting to the east of the church with an improved pedestrian environment, and would include planting beds and green infrastructure. In conjunction with the provision of activity provided by the flexible Class E ground floor uses, the improved landscape environment would enhance the opportunity to dwell and appreciate the special interest of the adjacent listed church.
323. In allowing the Crown Place appeal (WBC Ref: PLAN/2019/1141, Appeal Ref: APP/A3655/W/20/3259819, up to 28 storeys) the Inspector identified that that proposed development would cause a degree of detriment to the significance of Christ Church, albeit at the lower end of the scale of less than substantial harm. The Inspector found (at para 25) that *"The proposed towers...would be evident in easterly views from Jubilee Square and from some places would be seen to rise directly behind the church. Because of their height they would diminish the focal prominence of the heritage asset and detract from an appreciation of features such as the copper spires"*.
324. The HTVIA concludes that in considering the limited area of significance that the proposed development can affect and the benefits of the improvements to its setting from the public realm enhancements, the overall impact upon the setting and significance of Christ Church *"is minor, towards the bottom end of the spectrum of less than substantial harm, just a tad higher than that caused by Crown Place"* (para 5.3.15).
325. The effect on the settings of Christ Church and the Woking War Memorial will be further considered below due to the close proximity of, and group value between, these two proximate listed buildings.

Woking War Memorial

326. The Woking War Memorial is statutory listed at Grade II and located around 75 metres west of the site. It forms the current centrepiece of Jubilee Square and is an important commemorative sculpture which was unveiled in 1922, remembering the lives lost in the conflicts of the 20th century. It is of architectural and historic interest, and has communal value, featuring a bronze statue of winged Victory, who stands on a globe and pedestal which is in turn set atop a sandstone column and plinth, which stands on a two-stepped base. It has inscribed dedications to those who were lost in both the First and Second World Wars. The composition is a high-quality piece of public art, having been relocated from Victoria Gardens (which was otherwise known as Sparrow Park) to Jubilee Square in 1975. The memorial is experienced within the context of a busy, urban centre which is continually undergoing change and has a group value with Christ Church, though there is no historical or functional relationship between the two structures, the proximity of the church reinforces the public, commemorative function of the memorial. Historic interest is derived from the memorial's association with the noteworthy sculptor, Francis William Doyle Jones (1873 - 1938) who was responsible for many war memorials and public monuments. Though there is no historical or functional relationship between Christ Church and the Woking War Memorial, the proximity of the church reinforces the public, commemorative function of the memorial.

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327. As set out above the war memorial is not in its original location and its setting has altered significantly since it has been in Jubilee Square. Nonetheless, its prominent, central position in this open, outdoor civic space amplifies the aesthetic interest of the memorial, by reinforcing an appreciation of its special architectural and historic interest as a piece of public art and as a local landmark and focal point of remembrance.
328. More widely, the war memorial is located within Woking Town Centre, which is a varied urban townscape, characterised by a broad mix of buildings and structures of different ages, styles, forms and uses. This wider setting does not contribute positively to an understanding or appreciation of the memorial's special interest although the war memorial is a prominent landmark in the centre of the town, which elevates it in the public conscience and knowledge. The memorial can only be experienced by pedestrians from within Jubilee Square (together with more limited views from Church Street East, Market Walk and Mercia Walk, on approach to Jubilee Square).
329. The existing building on the application site has no historic, functional or architectural link with the war memorial and, where visible, it forms part of the varied urban townscape surrounding the listed building comprised of larger, taller and modern commercial buildings. Nonetheless the application site is one of many buildings that helps to form the enclosure to the public space in which the war memorial is the focus. The existence of a structure on the application site is therefore beneficial, but there is no historic, functional or architectural link between the two. In this context the site does not contribute to the overall heritage significance of the War Memorial as an element of setting.

Impact on Woking War Memorial

330. Impacts on Woking War Memorial will be only indirect, via change in part of its townscape setting. As previously set out the war memorial was moved to its current location in 1975 and does not, therefore, have a contemporaneous context, but the new location has increased the legibility of its historical significance, making it visible and accessible to a much higher number of Woking residents and visitors. Its artistic and architectural interest largely lies in its fine detailing and execution, and it is located further away from the application site than Christ Church, within an open space that is enclosed by buildings that vary considerably in scale and height. As previously set out, the significance of this memorial is not dependent upon its setting, other than to facilitate public access and space that allows it to be seen and its significance revealed by those that stop and observe it.
331. The HTVIA identifies that the finding of the Heritage Statement which was submitted with previous planning application ref: PLAN/2023/0911, was that a very minor degree of harm, which was stated to be because of the perceived visual distraction from the war memorial, that will arise from the contrasting scale of the proposed development with that which exists between the war memorial and its immediate context, would arise. The HTVIA accepts that it is a matter of judgement, but that the judgement of the author of the HTVIA which has been submitted with the present application is "*that any visual distraction from the memorial will only be momentary, it will not reduce the number of people who witness it: the memorial will remain the central, landmark feature within Jubilee Square*" (para 5.3.19).
332. The HTVIA goes on to identify that Jubilee Square is not a regular square, it is a square within which there is half of a circus, with the radius of that circus creating a visual focus upon the war memorial that is far greater than would exist in a simple

square and that the positioning of the war memorial and its relationship with the circus is such that it would be very hard to enter this public space without one's attention being drawn to the war memorial. As such the HTVIA advances that the increase in scale and height of the proposed development on the application site will not reduce the war memorial's prominence in Jubilee Square, with the war memorial remaining a visual draw to anyone entering into the square such that its significance will be unaffected. The HTVIA thus sets out that the historical interest of the war memorial cannot change, and the ability to reveal that interest will not change as it will continue to be prominent and an attraction with its artistic and architectural interest best experienced within its immediate setting whereby the application site will either be out of sight or blurred in the distance as the viewer appreciates the detailing of the sculpture or reads the engravings on the stone. Overall the HTVIA concludes that the proposed development will have a neutral effect upon the significance of the Woking War Memorial.

333. Clearly it is in views from Jubilee Square where the new visual relationship between the war memorial and the proposed development would be the most evident. As is also the case in respect of Christ Church the proposed development would be very highly visible from within Jubilee Square and in the backdrop of the war memorial. It would result in a much greater contrast in scale and height compared to that which already exists between the war memorial and its immediate context (Representative Viewpoint 1 within the HTVIA). However, as the war memorial is experienced in 360 degrees, the proposed development would only be experienced in conjunction with the war memorial in some views (i.e., looking east/north-east, towards Church Street East). It is considered that the more marked contrast in these views would represent a distracting element in views of the war memorial, and would undermine, to a minor extent, the experience of the listed building as a local landmark and a focus within Jubilee Square. However, the special architectural and historic interest of the war memorial as a piece of public art would still continue to be able to be fully appreciated, as would its relationship and group value with adjacent Christ Church.
334. In the cumulative scenario the extant extensions to Christ Church (WBC Ref: PLAN/2019/0352) would be seen in the proximate background of the war memorial in views from Jubilee Square, as would elements of the extant scheme at Crown Place (WBC Ref: PLAN/2019/1141, Appeal Ref: APP/A3655/W/20/3259819, up to 28 storeys) which would be seen behind the proposed development and in context of the Woking War Memorial.
335. Overall the HTVIA concludes that the proposed development will have a neutral effect upon the significance of the Woking War Memorial, meaning that it considers it would cause no harm to, and would thus preserve, the heritage significance of the Woking War Memorial.

Impacts on Christ Church and Woking War Memorial

336. In respect of the impact on Christ Church and the Woking War Memorial the Council's Built Heritage Consultant states that *"The description and assessment of settings for Christ Church and the War Memorial are complex and require a subtle understanding of the way in which these have changed over recent decades and the way in which the listed buildings respond to and draw significance from their modern settings as seen and experienced today. With regard to both listed structures, the church and the memorial, the heritage statement and the associated documents show that the nature and degree of contribution made by the settings to these buildings is understood and that understanding has been used to inform the design of the application proposals"*

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and that “...the submitted assessment in the HTVIA concludes a lower level of harm to the setting of Christ Church than was previously identified. In para 5.3.14, the assessment states,

The findings of the Heritage Statement to the previous planning application, which the Council’s Heritage Consultant agreed with, is that the overall impact on the church, taking into account the various and competing adverse and beneficial effects within its immediate setting, will be a moderate degree of harm (between the low end and middle of the scale within the category of less than substantial harm for the purposes of the NPPF) to its significance. It appears that that level of harm has been established by virtue of the high visibility of the proposed development within Jubilee Gardens and the much stronger contrast of scale between it and the church. However, the level of harm to a heritage asset is not proportional to the degree of visual change: the measure of impact is the degree to which the significance of an asset or the legibility of its significance are reduced. The only aspect of the church’s significance that will be harder to appreciate is its landmark status, and that is only when the church is viewed in from certain directions and places.”

337. The Council’s Built Heritage Consultant continues by stating that “*The argument about scale and impact is a valid one, however in this instance it was concluded as part of the assessment of the scheme under the previous submission that the impact on significance would be less than substantial harm (between the low end and middle of the scale within the category of less than substantial harm) to the overall heritage significance of Christ Church and the revised assessment has not produced new evidence to support a conclusion that a lower level of harm would be a reasonable assessment*”.

338. The Council’s Built Heritage Consultant further states that (in italics):

“It is not possible to argue that the scale of the application proposal will not have an impact on...the listed buildings, Christ Church, and the War Memorial. In the case of likely impact on the listed buildings the immediate setting to the buildings to the east would be greatly altered in appearance and character by the application scheme. However, it must also be acknowledged that the settings to these buildings have changed substantially already and their significance does not rely on an historic connection to their setting. Views to and from, together with experience of, these structures would be altered as a result of the proposals. These buildings...do not rely on particular views to preserve significance, and they are experienced already within a busy commercial location, however the change in the degree of harm identified in the revised application, from that identified in the heritage assessment prepared by Turley Heritage in the previous submission [ref: PLAN/2023/0911], underestimates the degree of alteration that would be experienced.

The verified views included in Section 11 of the DAS (Built Heritage, Townscape and Visual Impact Assessment) show the likely visual impact of the proposed scheme within the selected views. Image 11.1 and 11.3.3 on pages 250 and 252 of this document show the scale of the proposed new building to the east of the listed church and war memorial. These show that the application proposals would result in a substantial change to the views and experience but as seen in this view, the visual distinction and character of the church and memorial remain. The views would alter but the impact on the significance of the listed structures through changes to their setting would be less than substantial and at the lower

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end of that spectrum of harm, as set out in para 208 of the NPPF. Given the scale of the change within the setting to the listed church it seems unreasonable to conclude that the level of harm that would arise as a result of the proposals would be towards the bottom end of the spectrum of less than substantial harm as stated in the HTVIA and the Planning Statement.”

339. As such, and notwithstanding that the applicant contends that a lower level of harm (towards the bottom end of the spectrum of ‘less than substantial’ harm for the purposes of the NPPF) would arise to the setting of Christ Church than was previously identified by the applicant (within their HTVIA submitted) with previous application ref: PLAN/2023/0911 Officers are of the view that in assessing the overall indirect impact on Grade II listed Christ Church, when considering the various and competing adverse and beneficial effects within its immediate urban setting, the proposed development would cause ‘less than substantial’ harm at the lower end of that spectrum of harm (as opposed to the bottom end of that spectrum as contended by the applicant) to the heritage significance of the listed building of Christ Church as a whole.
340. For the same reasoning Officers also conclude, and again notwithstanding that the applicant contends that a neutral effect would arise to the setting of the Woking War Memorial, as opposed to harm at the lower end of the spectrum of the category of ‘less than substantial’ harm which was previously identified by the applicant (within their HTVIA submitted) with previous application ref: PLAN/2023/0911, that in assessing the overall impact on the Grade II listed Woking War Memorial, the proposed development would cause ‘less than substantial’ harm at the lower end of that spectrum of harm (as opposed to the neutral effect contended by the applicant) to the heritage significance of the listed Woking War Memorial. These ‘less than substantial’ harms will be weighed in the planning balance at the conclusion of this report.

Woking Signal Box

341. Woking Signal Box is statutory listed at Grade II and located around 210 metres south/south-west of the site, at the west end of platforms 2 and 3 of Woking railway station. It is a 2-storey, 1930s, electro-mechanical signal box constructed of brick, with a flat roof, canopy and single storey wings. It stands as a good example of its type within the Southern Region and is a good example of the work of James Robb Scott, who was responsible for designing many such buildings. It marks a transitional phase in railway signalling, from mechanical processing to full electrical power and is significant as a piece of 1930s railway infrastructure, showcasing Woking’s continued development as a commuter town with vital rail connections to London. Evidence of original machinery is contained within.
342. The signal box is principally appreciated within the context and setting of Woking railway station, the railway tracks, platforms and associated buildings, which make the strongest positive contribution to its significance as elements of setting, having functional, historic and aesthetic relationships with the listed building. The significance and shared group value of those structures is best appreciated when using the railway station and in the approach via train. Woking Town Centre is readily visible, together with the signal box, to the north and south beyond the confines of the railway station. Modern residential blocks to the south, and the mixed character formal layout of commercial streets to the north, make neutral contributions as elements of setting.
343. Due to the intervening existing built form, there is limited visibility between the Woking Signal Box and the site and, if the site is visible, it is read as part of the wider context of tall residential blocks and commercial blocks with larger massing, that form part of

Woking Town Centre. There is no historic, functional or aesthetic relationship between the site and the listed building. In this context, the site does not contribute to the overall heritage significance of the Woking Signal Box as an element of setting.

Impact on Woking Signal Box

344. Impacts on Woking Signal Box will be only indirect, via change in part of its townscape setting. If the site is, once completed, intervisible with the Woking Signal Box, it would be experienced as part of the wider context of tall residential and commercial blocks with larger massing, that form part of the existing townscape of Woking Town Centre. The taller elements of the proposed development would introduce an additional element of built form into this wider context, which may be visible in glimpsed views from parts of Woking railway station. However, as with the existing context of taller, built form within the setting of the Woking Signal Box, the taller elements of the proposed development would not alter or disrupt the existing experience, or otherwise undermine an appreciation, of the special and architectural interest of the listed building or the contribution of positively contributing elements of setting (i.e., Woking railway station), which would remain legible. The Council's Built Heritage Consultant has not made any comments on the impact on Woking Signal Box specifically although comments that "*The heritage statement within the HTVIA includes a description and assessment of significance for each of the listed buildings that include the site within their setting or which may be affected by the application proposals and with regard to these parts of the submission statements the assessments and consideration of contribution made to the settings to significance are sound*".
345. In conclusion, for the reasoning set out the proposed development would cause no harm to, and would thus preserve, the heritage significance of the Woking Signal Box.

Conclusion on Statutory listed buildings

346. Taking into account the various and competing adverse and beneficial effects within its immediate urban setting, Officers consider that the proposed development would cause 'less than substantial' harm at the lower end of that spectrum of harm (as opposed to the bottom end of that spectrum as contended by the applicant) to the heritage significance of the Grade II listed building of Christ Church as a whole. Officers consider that the proposed development would also cause 'less than substantial' harm at the lower end of that spectrum of harm (as opposed to the neutral, or no harm, effect contended by the applicant) to the heritage significance of the Grade II listed Woking War Memorial. Officers consider that the proposed development would cause no harm to, and would thus preserve, the heritage significance of the Grade II listed Woking Signal Box.

Locally listed buildings / Non-designated heritage assets

No.1 High Street (National Westminster Bank)

347. No.1 High Street is a building of architectural significance by reason of its age (built in 1908 as a bank) and its good architectural character. It is a grand and imposing example of Edwardian 'Wrenaissance' architecture positioned on a prominent corner plot between Church Path and High Street. Visual contrast is provided between yellow stock brick and red brick with engaged giant composite pilasters, entablature and windows surrounding articulate key architectural elements, creating an elegant design that communicates the messages of solidity and responsibility of a banking institution.

Nos. 2-5 High Street (Lambeth Building Society & Former Abbey National)

348. Nos.2-5 High Street are buildings of architectural significance by reason of their age (1890s/1900s) and their good architectural character. No.2 High Street is a two-bay, three-storey building of red brick construction with original windows and flanking stone pilasters at first and second floors creating a restrained and classically influenced composition. The large shop windows at first and second floor (perhaps originally related to showrooms) provide evidence of its original commercial function whilst the ground floor shopfront is modern and does not contribute to its local interest. The first floor of No.3 High Street is an attractive example of late 19th century commercial architecture, constructed of rich red/orange brick, with enriched brick detailing and a fine Dutch gable, the ground floor is a modern, unsympathetic shopfront that detracts from the building's local significance. The upper storeys of Nos.4-5 High Street are a balanced and attractive composition, a good example of Edwardian commercial architecture, with a secondary scale of detail provided by a pair of stone canted bay windows and enriched brick detailing. The roofscape is articulated by a pair of gabled dormers and chimneys. The ground floor is a modern, unsympathetic shopfront that detracts from the building's local significance.

Nos.13-14 High Street

349. No.13 High Street has been much altered from the mid-20th century, the originally exposed brickwork has been rendered over and the historic shopfront has been removed, replaced by inappropriate openings with curved heads. Notwithstanding this, the modest scale of the building, its character and form, and the surviving sash windows at first floor, continue to provide a sense that the building was historically part of a traditional parade of shops along High Street. No.14 High Street has limited, local architectural interest derived principally from the character of its upper floor to the High Street, which retains the historic exposed brick and bay window and roof form, contributing to a sense of its historic character as part of an early 20th century shopping parade. However, the ground floor is a modern, unsympathetic shopfront that detracts from the building's local significance.

Impact on No.1 High Street, Nos.2-5 High Street & Nos.13-14 High Street

350. These locally listed buildings are located around 150 metres to the south-east of the site, separated by a varied existing townscape that includes recent taller buildings such as Albion House. The Zone of Theoretical Visibility (ZTV) shows no visibility of the proposed development along this section of the High Street with a potential, glimpsed view at the junction of the High Street and Chapel Street. In this context, the taller element of the proposed development is unlikely to be visible in views of the front elevations of these locally listed buildings (from which their local significance is principally derived and best appreciated). Where the taller element of the proposed development may be visible, at the corner of the High Street and Chapel Street, it would represent a small additional element within a wider, varied existing townscape context that includes other tall buildings. As such, the proposed development would not alter or disrupt the existing experience, or otherwise undermine an appreciation, of the local significance of these locally listed buildings, which would remain legible and the local heritage significance of these locally listed buildings would therefore be preserved.

Nos.9-18 The Broadway

351. Nos.9-18 The Broadway have local significance by reason of their age (1890s/1900s) and their architectural character, as an attractive row of commercial properties with a shared architectural language and rhythm which is principally retained at the upper levels, including the central projecting architectural element including sash windows with flat lintels and keystones with arches above, cornices and console brackets. At ground floor level No.12 retains the capitals, frieze and cornice of the historic shopfront however the other shopfronts are modern and unsympathetic and detract from the building's local significance.

Impact on Nos.9-18 The Broadway

352. These locally listed buildings are located around 85 metres to the south of the site. The Zone of Theoretical Visibility (ZTV) shows no visibility along this section of The Broadway and therefore the taller element of the proposed development is unlikely to be visible in views of the front elevations of these buildings (from which their local significance is principally derived and best appreciated). As such, the proposed development would preserve the local heritage significance of these locally listed buildings.

Nos. 1, 3 & 5 Chertsey Road

353. No.1 Chertsey Road is a building of townscape merit due to its prominent corner site and its distinctive architectural character as a considered and well-executed Victorian/Edward commercial corner property, principally derived from the considered use of stone and brick, as well as architectural features such as a deep eaves cornice and decorative window reveals, some with pediments.
354. No.3 Chertsey Road is a building of architectural significance due to its age (1890s) and its good architectural character as a modest-scale but ornately-detailed, Victorian/Edwardian commercial property, principally derived from the form of its upper storeys, with oriel windows and dormers, and the survival of original architectural details at first floor level, particularly the fine decorative terracotta panels and frieze at cornice level. However, the shopfront is modern and unsympathetic design and detracts from the building's local significance.
355. No.5 Chertsey Road is a building of architectural significance due to its age (1890s) and its good architectural character as an ornately-detailed Victorian/Edwardian commercial property, principally derived from its first and second floors, including two pairs of windows at first floor level with decorative surrounds, and the fine terracotta and stone panels at first and second floor. However, the shopfront is modern and does not contribute to its local significance.

Impact on Nos. 1, 3 & 5 Chertsey Road

356. These locally listed buildings are located around 85 metres to the south-east of the site. The Zone of Theoretical Visibility (ZTV) shows some visibility along the southern side of Chertsey Road, particularly where it meets The Broadway. At this point, the proposed development would be experienced in the context of the prominent corner plot of No.1 Chertsey Road (Representative Viewpoint 4 within the HTVIA, which has been previously discussed under the sub-heading 'Impact on Woking Town Centre Conservation Area (WTCCA)'). Within this view, the taller element of the proposed development would establish a stronger contrast in scale compared to that which

already exists between the historic townscape along Chertsey Road and the tall residential and commercial blocks with larger massing, that form part of the centre of Woking. The taller element of the proposed development would result in a minor alteration and disruption to the existing experience and would therefore undermine, albeit to a small degree, an appreciation of the local significance of No.1 Chertsey Road. The effect would be similar, albeit to a lesser extent, on the local heritage significance of Nos.3 and 5 Chertsey Road because these are not located on the prominent corner site. As such, the proposed development would cause a minor degree of harm (at the lowest end of the spectrum of 'less than substantial harm') to the overall heritage significance of these locally listed buildings.

Nos.6-12 Chertsey Road

357. Nos.6-12 Chertsey Road are buildings of townscape merit due to their distinctive architectural character, representing a good example of a group of contemporaneous Victorian/Edwardian commercial buildings that, whilst they have a shared material palette and architectural language, also exhibit individuality through variations in architectural details. Collectively the buildings have fine terracotta panels at first floor level and decorative keystones and window lintels. Nos.8 and 12 have two-storey oriel windows with pedimented gables above. However, the modern, unsympathetic shopfronts, as well as replacement modern windows on the upper levels, detract from their local significance. No.8 retains its historic shopfront (albeit altered) which contributes to its local significance.

Impact on Nos.6-12 Chertsey Road

358. These locally listed buildings are located around 80 metres to the south-west of the site. The Zone of Theoretical Visibility (ZTV) shows some visibility along the southern side of Chertsey Road, demonstrating that the taller element of the proposed development may be visible in conjunction with the front elevations of these buildings (from which their local significance is principally derived and best appreciated). However, these buildings are already appreciated within the context of the tall residential and commercial blocks with larger massing, that form part of the centre of Woking. The addition of the taller element of the proposed development would result in a negligible alteration and disruption to the existing experience and would undermine, albeit to a very small degree, an appreciation of the local significance of these locally listed buildings. As such, the proposed development would cause a negligible level of harm (at the very lowest end of the spectrum of 'less than substantial harm') to the overall heritage significance of these locally listed buildings.

Nos.20-24 Chertsey Road

359. Nos.20-24 Chertsey Road are buildings of architectural significance due to their age (1900s) and good architectural character as an attractive and harmonious group of Victorian/Edwardian commercial properties, derived principally from the ground floor pilasters with decorative capitals that separate the shopfronts, the first floor of which is faced in brick and divided by pilasters with decorative capitals. The dormers at roof level also share the same architectural treatment although the unsympathetic modern shopfronts, and replacement of historic sash windows with modern, detract from the building's local significance.

No.24b Chertsey Road

360. No.24b Chertsey Road is a building of townscape merit due to its prominent corner site at the junction of Chobham Road and Chertsey Road and its distinctive architectural character. Although it was constructed later in comparison to the surrounding buildings (i.e., mid-20th century) it incorporates many Victorian architectural features, including two-storey Ionic pilasters with entablature and cornice with brick parapet above, as well as sash windows on the first and second floor with flat brick lintels, which responds positively to its surrounding whilst creating a successful, bold composition in its own right. However, the ground floor shopfront is modern and does not contribute to the building's local significance.

Impact on Nos.20-24 Chertsey Road & No.24b Chertsey Road

361. These buildings are located in very close proximity to the site and, correspondingly, in areas where the Zone of Theoretical Visibility (ZTV) shows high visibility of the proposed development. The front elevations of these buildings (from which their local significance is principally derived and best appreciated) would be experienced in the immediate context of the proposed development (Representative Viewpoint 3 within the HTVIA, which has been previously discussed under the sub-heading 'Impact on Woking Town Centre Conservation Area (WTCCA)'). Within this view, the proposed development would establish a much stronger contrast in scale compared to that which already exists between the historic townscape along Chertsey Road and the tall residential and commercial blocks with larger massing, that form part of the centre of Woking. The proposed development would result in a minor alteration and disruption to the existing experience and would undermine, albeit to a small degree, an appreciation of the local significance of these locally listed buildings. As such, the proposed development would cause a minor degree of harm (at the lowest end of the spectrum of 'less than substantial harm') to the overall heritage significance of these locally listed buildings.

Nos.23-33 Chertsey Road

362. Nos.23-33 Chertsey Road are buildings of townscape merit due to their distinctive architectural character as an attractive row of commercial properties with a shared architectural language and rhythm, principally derived from the upper floors which include pairs of round-headed windows at first floor (missing on Nos.25 & 31) with keystone and contrast brick lintel and string course. In addition, all of the buildings have a traditional mansard roof with a prominent, central, round-headed dormer with decorative contrast brickwork lintels and keystones. However, the unsympathetic modern shopfronts detract from the building's local significance.

Nos.35-41 Chertsey Road

363. Nos.35-41 Chertsey Road are buildings of townscape merit due to their distinctive architectural character as a cohesive group of early 20th century commercial premises (with residential accommodation above), interest is principally derived from the upper floors including the corner turret at No.35, arched openings at first floor level (Nos.37-41) and dormers that extend down to the second floor (albeit much altered). The red brick facing, string courses and flatarch lintels to sash windows also contribute positively although the unsympathetic modern shopfronts detract from the building's local significance.

Impact on Nos.23-33 Chertsey Road & Nos.35-41 Chertsey Road

364. These locally listed buildings are located, at their closest point, around 53 metres to the south and south-east of the site. The proposed development would not be experienced directly in conjunction with the front elevations of these buildings (from which their local significance is principally derived and best appreciated) because views towards these front elevations are orientated away from the site. Notwithstanding this, the wider appreciation of the these locally listed buildings would be in the context of the proposed development, which is within close proximity. However, these locally listed buildings are already appreciated within the context of the tall residential and commercial blocks with larger massing, that form part of the centre of Woking. The addition of the taller element of the proposed development would result in a negligible alteration and disruption to the existing experience and would undermine, albeit to a very small degree, an appreciation of the local significance of the locally listed buildings. As such, the proposed development would cause a negligible level of harm (at the very lowest end of the spectrum of 'less than substantial harm') to the overall heritage significance of these locally listed buildings.

Nos.1-10 Chobham Road

365. Nos.1-10 Chobham Road are buildings of architectural significance due to their age (1900s/1910s) and their good architectural character as a matching pair of elaborate, early 20th century commercial premises, principally derived from the brick pilasters with decorative capitals at ground floor delineating the individual shopfronts, decorative architectural features at first floor including a central, projecting window group with ornate pediment, string courses, brick pilasters with capitals and a striking Dutch gable. However, the unsympathetic modern shopfronts detract from the building's local significance. Nos.5-10 Chobham Road are buildings of architectural significance due to their age (1890s) and their good architectural character as modest, utilitarian, two-storey Victorian commercial buildings, principally derived from the first floor of the buildings, faced in brick, which have two sash windows with contrast brick lintels and string courses. The ground floor of the properties is modern and does not contribute to the buildings' local significance.

The Red House Public House

366. This building is a building of townscape merit due to its distinctive architectural character. As with the adjacent No.24b Chertsey Road, although it was constructed later in comparison to the surrounding buildings (i.e., mid-20th century) it incorporates many Victorian architectural features, including red brick elevations with a prominent, circular entrance with pillars on the canted bay facing Chobham Road. The first floor has flat brick lintels, a wide entablature with broken pediment to the central, first floor window on the canted bay and there is a brick parapet with a hipped roof and dormers above. The building is a good example of later development that responds sensitively to the earlier town centre context.

Impact on Nos.1-10 Chobham Road & The Red House Public House

367. These locally listed buildings are located in very close proximity to the site and, correspondingly, in areas where the Zone of Theoretical Visibility (ZTV) shows high visibility of the proposed development. The front elevations of these buildings (from which their local significance is principally derived and best appreciated) would be experienced in the immediate context of the proposed development (Representative Viewpoint 3 within the HTVIA, which has been previously discussed under the sub-

heading 'Impact on Woking Town Centre Conservation Area (WTCCA)'). Within this view, the proposed development would establish a much stronger contrast in scale compared to that which already exists between the historic townscape along this part of Chobham Road and the tall residential and commercial blocks with larger massing, that form part of the centre of Woking. The proposed development would result in a minor alteration and disruption to the existing experience and undermine, albeit to a small degree, an appreciation of the local significance of these locally listed buildings. As such, the proposed development would cause a minor degree of harm (at the lowest end of the spectrum of 'less than substantial harm') to the overall heritage significance of these locally listed buildings.

Nos.40-42 Commercial Way

368. Nos.40-42 Commercial Way are buildings of townscape merit due to their distinctive architectural character as modest and restrained example of Woking's inter-war redevelopment, principally derived from the unusual circular tower at the junction of Commercial Way and Church Path, brick quoins at first floor level, a series of tripartite windows (along Church Path) and brick reveals to windows along Commercial Way. However, the local significance of this building has been undermined by later alterations, including the installation of modern shopfronts.

Impact on Nos.40-42 Commercial Way

369. These locally listed buildings are located around 70 metres to the south-west of the site in a varied townscape context that includes existing tall buildings such as Albion House, adjacent to the locally listed buildings, on the eastern side of Church Path. The proposed development would not be experienced directly in conjunction with the front elevations of these buildings (from which their local significance is principally derived and best appreciated) because views towards these front elevations are orientated away from the site. The wider appreciation of these locally listed buildings would be in the context of the proposed development (Representative Viewpoint 5 within the HTVIA, which has been previously discussed under the sub-heading 'Townscape Character Area 1 - Woking Town Centre') however, these locally listed buildings are already appreciated within the immediate context of the other tall commercial blocks with larger massing, that form part of the centre of Woking. As such, the proposed development would preserve the local heritage significance of these locally listed buildings.

No.46 Commercial Way

370. No.46 Commercial Way is a building of townscape merit due to its distinctive architectural character as a matching pair of more elaborate, early 20th century commercial premises, principally derived from the pilasters with capitals, cornice and fascia at ground floor level, two pairs of wide, arched windows with rubbed brick and stone lintels at first floor, small oval windows at second floor and gable ends with stone string courses above.

Impact on No.46 Commercial Way

371. This locally listed building is located in very close proximity to the site and, correspondingly, in areas where the Zone of Theoretical Visibility (ZTV) shows high visibility of the proposed development. The front elevations of this building (from which its local significance is principally derived and best appreciated) would be experienced in immediate context of the proposed development (Representative Viewpoint 3 within

the HTVIA, which has been previously discussed under the sub-heading 'Impact on Woking Town Centre Conservation Area (WTCCA)'. Within this view, the proposed development would establish a much stronger contrast in scale compared to that which already exists between the historic townscape along Commercial Way and the tall residential and commercial blocks with larger massing, that form part of the centre of Woking. The proposed development would result in a minor alteration and disruption to the existing experience and would undermine, albeit to a small degree, an appreciation of the local significance of this locally listed building. As such, the proposed development would cause a minor degree of harm (at the lowest end of the spectrum of 'less than substantial harm') to the overall heritage significance of this locally listed building.

Conclusion on Locally listed buildings / Non-designated heritage assets

372. The proposed development would preserve the local heritage significance of the locally listed buildings of No.1 High Street (National Westminster Bank), Nos.2-5 High Street (Lambeth Building Society & Former Abbey National), Nos.13-14 High Street, Nos.9-18 The Broadway and Nos.40-42 Commercial Way.
373. The taller element of the proposed development would undermine, albeit to a small degree, an appreciation of the local significance of the locally listed building of No.1 Chertsey Road and would have a similar effect, albeit to a lesser extent, on the local heritage significance of the locally listed buildings of Nos.3 and 5 Chertsey Road. As such, the proposed development would cause a minor degree of harm (at the lowest end of the spectrum of 'less than substantial harm') to the overall heritage significance of these locally listed buildings. Similarly, the proposed development would cause a minor degree of harm (at the lowest end of the spectrum of 'less than substantial harm') to the overall heritage significance of the locally listed buildings of Nos.20-24 Chertsey Road, No.24b Chertsey Road, Nos.1-10 Chobham Road, The Red House Public House and No.46 Commercial Way.
374. The addition of the taller element of the proposed development would cause a negligible level of harm (at the very lowest end of the spectrum of 'less than substantial harm') to the overall heritage significance of the locally listed buildings of Nos.6-12 Chertsey Road, Nos.23-33 Chertsey Road and Nos.35-41 Chertsey Road.
375. The Council's Built Heritage Consultant has not provided comments on locally listed buildings specifically although has provided comments on the impact on the Woking Town Centre Conservation Area (addressed previously), within which most of the locally listed buildings are located and does comment that *"The assessment of the built heritage included in the HTVIA is largely consistent with that submitted for the previous application [ref: PLAN/2023/0911]. It identifies the significance of the Town Centre Conservation Area as a whole... The analysis and the conclusions of the assessment with regard to the nature and degree of significance and the contribution that the site makes to the significance of each heritage asset is sound"*.

Conclusion on built heritage

376. In conclusion, clearly the proposed development would deliver transformational change of the site, in the context of the current Development Plan, which identifies (Policy CS1 of the Woking Core Strategy (2012)) that Woking Town Centre is *"designated as a centre to undergo significant change"*. The proposed transformational change will clearly result in new and changed relationships between the site and the relevant proximate built heritage assets. The detailed design of the proposed development, as

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explained in the applicant's DAS, has been informed by a robust understanding of the site constraints, including the particular heritage significance of built heritage assets in the surrounding area with the potential to be affected and includes consideration of both the contribution made by setting to the significance of the heritage assets and the contribution (if any) of the site as an element of setting.

377. Clearly the impacts of the proposed development on the significance of the relevant built heritage assets differ from asset to asset and are informed by the contribution of setting (and the site) to the particular significance of the relevant built heritage asset, together with matters of proximity, intervening buildings and landscaping and the extent of visibility of the proposed new built form.

378. In summary, the proposed development would preserve the overall heritage significance of the following (built) heritage assets:

- Basingstoke Canal Conservation Area;
- Wheatsheaf Conservation Area;
- Horsell Conservation Area;
- Woking Signal Box (Grade II Listed Building);
- No.1 High Street (National Westminster Bank) (Locally Listed Building/Non-Designated Heritage Asset);
- Nos.2-5 High Street (Lambeth Building Society & Former Abbey National) (Locally Listed Building/Non-Designated Heritage Asset);
- Nos.13-14 High Street (Locally Listed Building/Non-Designated Heritage Asset);
- Nos.9-18 The Broadway; and
- Nos.40-42 Commercial Way (Locally Listed Building/Non-Designated Heritage Asset).

379. As is set out in the applicant's DAS the proposed development has been designed to respond positively to the character of the surrounding historic townscape in terms of disposition of massing, material palette and architectural articulation. In addition, the proposed development would deliver heritage benefits including a new public space ('Church Path Yard') adjacent to the eastern end of the Grade II listed Christ Church, which would represent a substantial improvement upon the existing situation in this area and would serve (as would the x272 new dwellings which are proposed) to draw pedestrians along Church Path (a historic route which passes through the Woking Town Centre Conservation Area) whilst the proposed Class E uses at ground floor level would also improve activity, vitality and vibrancy within the immediate context of the Woking Town Centre Conservation Area, thus supporting the overall vibrancy and vitality of this historic commercial and retail centre.

380. In this respect the Council's Built Heritage Consultant comments that:

"The HTVIA, in Section 3, Embedded Mitigation, includes a description of the way in which the development of the design of the proposed building has responded to the opportunities and constraints of the built heritage around the site and describes the key design principles and the way in which they respond to the built heritage. This is similar to the description of the benefits of the scheme as set out with regard to the previous application. However, it is surprising that more description is not included to highlight the impact of the reinstatement and reinforcement of the historic route alongside the site within Church Path. This was discussed at pre meetings and within the Design Review

Panel and identified as a key benefit in reinforcing the legibility of the historic routes through Woking which were established in the first phase of the development of the town following the construction of the railway. This was identified as a heritage benefit in the previous submission and *should be recognised as part of the advocacy for the current scheme and taken into account as part of the determination of the proposals.*” (emphasis added)

381. Notwithstanding these heritage benefits (as defined by the PPG), the proposed development would result in a considerable change in scale, grain, and appearance within this part of Woking Town Centre, including in close proximity to Grade II listed Christ Church, the historic townscape of the Woking Town Centre Conservation Area, the identified locally listed buildings located immediately adjacent to the site and the tall residential and commercial blocks with larger massing, that form part of the town centre of Woking.
382. This more marked contrast would be distracting in views of the Grade II listed Christ Church, particularly from Jubilee Square, and would undermine, to some extent, the experience of the listed building as a local landmark. In this context, in assessing the overall indirect impact on Grade II listed Christ Church, when considering the various and competing adverse and beneficial effects within its immediate urban setting, the proposed development would cause ‘less than substantial’ harm at the lower end of that spectrum of harm (as opposed to the bottom end of that spectrum as contended by the applicant) to the heritage significance of the listed building of Christ Church as a whole. Similarly, in assessing the overall impact on the Grade II listed Woking War Memorial, the proposed development would cause ‘less than substantial’ harm at the lower end of that spectrum of harm (as opposed to the neutral effect contended by the applicant) to the heritage significance of the listed Woking War Memorial.
383. The proposed development would constitute a minor distracting element to the existing experience of both the Woking Town Centre Conservation Area (a designated heritage asset) and identified locally listed buildings (non-designated heritage assets) and so would undermine an appreciation of, respectively, the character and appearance of the Woking Town Centre Conservation Area and the local heritage significance of the identified locally listed buildings within it. In this context, the proposed development would cause a minor degree of harm (towards the lower end of the scale within the spectrum of ‘less than substantial’ harm for the purposes of the NPPF) to the heritage significance of the Woking Town Centre Conservation Area (WTCCA) as a whole and harms falling between a minor degree of harm (at the lowest end of the spectrum of ‘less than substantial harm’) and a negligible level of harm (at the very lowest end of the spectrum of ‘less than substantial harm’) to the overall heritage significance of the identified locally listed buildings within the WTCCA.
384. The Council’s Built Heritage Consultant comments (in italics) that:

“In summary, the revised application proposals would result in a considerable change in scale, grain, and appearance within this part of the town centre. The site forms part of the setting to two listed buildings and the Town Centre Conservation Area and the scale of the development proposed means that the resultant building would have the potential to affect a number of other heritage assets at a greater distance from the site.

The revised application submission has employed a slightly different approach to the consideration of harm and the levels of harm that make a direct comparison more complicated. The HTVIA uses the EIA methodology and language to

identify significance and likely harm to reach a conclusion but this has been incorporated into the Planning Statement and expressed within the context of the NPPF and PPG. The outcome is that the overall conclusions as to the level of harm have been amended and describe a lower level of harm to all the identified assets than was concluded with the previous submission [ref: PLAN/2023/0911].

However, the other application documents [that is, other than the HTVIA and Planning Statement which use EIA terminology in respect of built heritage matters] do still show that the proposals have been developed within the context of an understanding and appreciation of the character and significance of the built heritage within this area. The design seeks to respond to the existing appearance and character of the surrounding townscape. The landscaping proposals are sensitive and elements such as the enhanced prominence of Church Path to the west side of the site should help reinforce elements of the historic layout within the historic core of the town centre that have been obscured by later development. The proposals for the landscaping to the west side of the site should help provide a more appropriate setting within the immediate environs of the listed church and this is to be welcomed. Section 9 of the DAS sets out the detailed landscape proposals and shows the way in which the proposed public realm would be integrated into the existing townscape around the site. The proposals appear carefully considered and the designs are sensitive to the proposals and its immediate setting. Similarly, the application documents show that considerable care has been exercised as to choice of materials and treatments for the design of the building.

It is concluded that despite the inclusion of reports that seek to underestimate the likely impact of the proposals, which are lower than those included as part of the previous submission, the balance of benefit and harm would still fall in favour of the application proposals given the benefits both public and in terms of the heritage that can be demonstrated would arise from this proposal." (emphasis added)

385. In summary, the proposed development would cause, in overall (built heritage) terms:

- A minor degree of harm, towards the lower end of the scale within the spectrum of 'less than substantial' harm for the purposes of the NPPF, to the heritage significance of the (adjacent and proximate) Woking Town Centre Conservation Area as a whole;
- Less than substantial harm at the lower end of the spectrum of 'less than substantial' harm for the purposes of the NPPF (as opposed to at the bottom end of that spectrum as contended by the applicant) to the heritage significance of Christ Church (Grade II Listed Building) as a whole;
- Less than substantial harm at the lower end of the spectrum of 'less than substantial' harm for the purposes of the NPPF (as opposed to the neutral effect contended by the applicant) to the overall heritage significance of the Woking War Memorial (Grade II Listed Building);
- A minor degree of harm at the lowest end of the spectrum of 'less than substantial harm' for the purposes of the NPPF to the overall heritage significance of Nos.1-5, 20-24 and No.24b Chertsey Road, Nos.1-10 Chobham Road, The Red House Public House and No.46 Commercial Way (Locally Listed Buildings/Non-Designated Heritage Assets); and

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- A negligible level of harm at the very lowest end of the spectrum of 'less than substantial harm' for the purposes of the NPPF to the overall heritage significance of Nos.6-12, Nos.23-33 and Nos.35-41 Chertsey Road (Locally Listed Buildings/Non-Designated Heritage Assets).
386. The NPPF sets out, at paragraph 213, that any harm to, or loss of, the significance of a designated heritage asset (i.e., a Conservation Area and/or a Statutory Listed Building, being those which are relevant in this instance) should require clear and convincing justification. Where harm would occur to designated heritage assets these harms have been identified as being towards the lower end of the scale within the spectrum of 'less than substantial' harm for the purposes of the NPPF. This is relevant to the (adjacent and proximate) Woking Town Centre Conservation Area and the Grade II Listed Buildings of Christ Church and Woking War Memorial. Nonetheless, paragraph 212 of the NPPF makes clear that when considering the impact of a proposed development on the significance of a designated heritage asset (i.e., a Conservation Area and/or a Statutory Listed Building, being those which are relevant in this instance), great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be) and that this is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. As such, the identified 'less than substantial' harm must nonetheless be afforded considerable weight and importance.
387. As set out in the DAS (prepared by POD Architects), and also the Landscape Masterplan (prepared by Exterior Architecture), the proposed development has identified measures to minimise and/or mitigate the heritage harm where possible. The embedded mitigation which is inherent in the proposed development (as a result of iterative testing, design development and pre-application engagement, including independent Design Review) includes (in summary, although is not limited to):
- The principle of concentrating the greatest height in the northern corner of the site (towards the junction of Church Street East and Chobham Road) and stepping down in height to more sensitive boundaries, thus reducing potential impacts on the significance of the Woking Town Centre Conservation Area and identified listed buildings, including views which contribute to their heritage significance;
 - Early stage testing was carried out to appraise the relative impacts of development of various heights and disposition within the site in key views, to establish the potential scope of harm to the significance of the relevant built heritage assets, in parallel with appraisal of the potential impacts on overshadowing, residential amenity within the proposed development and in neighbouring buildings;
 - The distribution of height and buildings presented in the proposed development was considered to provide the best balance in addressing potential visual impacts on the significance of the most sensitive built heritage assets (i.e., the Woking Town Centre Conservation Area and the Grade II listed Christ Church) and the visual amenity of residents. A careful, evidence-led approach has been adopted to the proposed massing strategy based on the following principles:
 - The massing of the proposed development has been pushed back from the line of the existing building along both the northern and western

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sections of Church Street East to improve and increase the amount of public realm;

- The massing of the tallest element of the proposed development has been lowered to relate to the lower hip of the adjacent (extant) Crown Place scheme;
- The massing on Commercial Way has been lowered to better mediate between the Woking Town Centre Conservation Area and the taller elements of the proposed development;
- The stepped down massing towards the Woking Town Centre Conservation Area and the Grade II listed Christ Church has been simplified.

- As further explained in the applicant's DAS, the architectural treatment and material palette for the proposed development has been developed to reflect and complement local townscape character, informed by the widespread use of brick in the Woking Town Centre Conservation Area, with changes in tone/colour assisting in articulating the different components of the proposed development in local heritage and townscape context and views, with variations in brick details, depth to window reveals, and patterns of projection and recession adding richness and a secondary scale of detailing to the elevations.
- As described in the applicant's Landscape Masterplan (prepared by Exterior Architecture), public realm improvements would be integral to how the use of the proposed development, and also its built form and architecture, relates to its immediate and wider townscape setting. These include the creation of a new public space ('Church Path Yard') to improve the setting of listed Christ Church, and also help mediate the relationship with the proposed new taller building, through quality landscape design and planting. Other improvements to surrounding streets and spaces to reinforce the animation and interest of street frontages/corners would also support the permeability and legibility of the wider pedestrian and vehicular network, such as along Church Path.

388. Paragraph 215 of the NPPF, regarding 'less than substantial' harm is, therefore, engaged, it states that *"Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use"*. Having regard to paragraph 212 of the NPPF the exercise under paragraph 215 of the NPPF (i.e., weighing 'less than substantial harm' against the public benefits of a proposed development) is not an even balance and it has been undertaken in this assessment accordingly.

389. Paragraph 216 of the NPPF is also engaged, which requires the effect of an application on the significance of non-designated heritage asset(s) (i.e., locally listed buildings, being those which are relevant in this instance) to be taken into account in determining the application. It states that *"In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset"*. The proposed development would cause a minor degree of harm, at the lowest end of the spectrum of 'less than substantial harm' for the purposes of the NPPF, to the overall heritage significance of locally listed Nos.1-5, 20-24 and No.24b Chertsey Road, Nos.1-10 Chobham Road, The Red House Public House and No.46 Commercial Way (all non-designated heritage assets) and a negligible level of harm, at the very

lowest end of the spectrum of 'less than substantial harm' for the purposes of the NPPF, to the overall heritage significance of locally listed Nos.6-12, Nos.23-33 and Nos.35-41 Chertsey Road (all non-designated heritage assets).

390. The PPG states that "*The National Planning Policy Framework requires any harm to designated heritage assets to be weighed against the public benefits of the proposal. Public benefits may follow from many developments and could be anything that delivers economic, social or environmental objectives as described in the National Planning Policy Framework (paragraph 8). Public benefits should flow from the proposed development. They should be of a nature or scale to be of benefit to the public at large and not just be a private benefit. However, benefits do not always have to be visible or accessible to the public in order to be genuine public benefits, for example, works to a listed private dwelling which secure its future as a designated heritage asset could be a public benefit.*" (Paragraph: 020 Reference ID: 18a-020-20190723, Revision date: 23 07 2019) (Revision date correct as of time of writing). The public and heritage benefits will be considered in the overall planning balance, at the conclusion of this report.
391. Insofar as the proposed development would preserve the significance of a range of proximate built heritage assets, it is consistent with the objectives of Policy CS20 of the Woking Core Strategy (2012), Policy DM20 of the Development Management Policies (DPD) (2016), the Planning (Listed Buildings and Conservation Areas) Act 1990 and the NPPF. Where the proposed development would cause harm to the significance of the Woking Town Centre Conservation Area, to Grade II Listed Christ Church and Woking War Memorial, as well as to proximate locally listed buildings (non-designated heritage assets) there would be conflict with these Development Plan policies, the Planning (Listed Buildings and Conservation Areas) Act 1990 (in respect of designated heritage assets only) and the NPPF. The Development Plan policy context is generally aligned with NPPF policy and allows for harm to the significance of heritage assets to be weighed against the public benefits of a proposed development in the overall planning balance.

Design

392. The NPPF states that "*The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities*" (para 131).
393. The NPPF also states (at para 135) that "*Planning policies and decisions should ensure that developments:*
- a) *will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*
 - b) *are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*
 - c) *are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);*
 - d) *establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;*

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- e) *optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and*
- f) *create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.”*

394. The NPPF states that *“Local planning authorities should ensure that they have access to, and make appropriate use of, tools and processes for assessing and improving the design of development. The National Model Design Code is the primary basis for the preparation and use of local design codes. For assessing proposals there is a range of tools including workshops to engage the local community, design advice and review arrangements, and assessment frameworks such as Building for a Healthy Life. These are of most benefit if used as early as possible in the evolution of schemes, and are particularly important for significant projects such as large scale housing and mixed use developments. In assessing applications, local planning authorities should have regard to the outcome from these processes, including any recommendations made by design review panels”* (para 138).

395. Policy CS21 of the Woking Core Strategy (2012) requires proposals for new development to, among other things, *“Create buildings and places that are attractive with their own distinct identity; they should respect and make a positive contribution to the street scene and the character of the area in which they are situated, paying due regard to the scale, height, proportions, building lines, layout, materials and other characteristics of adjoining buildings and land. Tall Buildings could be supported in Woking Town Centre, if well designed and can be justified within the context”* (emphasis added).

396. Paragraph 5.248 of the Development Management Policies DPD (2016) states that *“Landscape character is a distinct, recognisable and consistent pattern of elements in the landscape that makes one landscape different from another. Townscape character is the appearance and character of buildings and all other features of an urban area taken together to create a distinct visual impression.”*

397. Policy CS24 of the Woking Core Strategy (2012) states that:

“All development proposals will provide a positive benefit in terms of landscape and townscape character, and local distinctiveness and will have regard to landscape character areas.

To protect local landscape and townscape character, development will be expected to:

- *conserve, and where possible enhance existing character, especially key landscapes such as heathlands, escarpments and the canal/river network and settlement characteristics; maintain locally valued features, and enhance or restore deteriorating features*
- *respect the setting of, and relationship between, settlements and individual buildings in the landscape*
- *conserve, and where possible, enhance townscape character, including structure and land form, landscape features, views and landmarks, and appropriate building styles and materials*
- *support land management practices that have no adverse impact on characteristic landscape patterns and local biodiversity.*

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- *Protect and encourage the planting of new trees where it is relevant to do so.”*

398. Policy DM17 of the DM Policies DPD (2016) relates to public realm and states:

“Development should create or contribute to a safe, attractive, high quality, inclusive and legible public realm that contributes positively to local character and identity and encourages appropriate levels of activity and social interaction.

Proposals for new development which impact upon the public realm should pay regard to the principles set out in the Woking Design SPD, and:

- *ensure schemes provide for or contribute towards an appropriate range of public realm features, including spill-out spaces for trade, events, relaxation and recreation; and*
- *enable easy, inclusive access into and through the public realm and to buildings that provides adequately for the mobility needs of all users having regard to age, gender and disability; and*
- *ensure that any car parking and provision for servicing are appropriate to the context and sensitively integrated so as not to dominate the public realm; and*
- *ensure schemes incorporate appropriate street furniture, clear signs, lighting and surface and landscape materials and planting of high quality, environmental performance and durability that enhance the quality, character and appearance of the public realm through their siting and design.”*

399. Policy DM19 of the DM Policies DPD (2016) relates to shopfronts and states:

“Proposals for new and replacement shopfronts will be permitted where they pay regard to the guidance set out in the Woking Design SPD on Shopfronts in terms of character, proportion, materiality, lighting and security; and:

- *they do not adversely affect pedestrian or highway safety;*
- *they would preserve or enhance heritage assets having regard to design and materials of the building and adjoining shops, including any traditional or original features that should be retained;*
- *they are designed to allow equal access for all users; and*
- *they do not detrimentally affect the amenity of neighbouring occupiers.*

In Conservation Areas and on heritage assets, where traditional shopfronts are important, new shopfronts should be of a traditional format and reflect the character of the building and/or the area.”

400. SPD Design (2015) provides design guidance and good practice to improve the quality of design in new development across the Borough albeit it does not form part of the Development Plan itself, and therefore does not have the weight of policy. The SPD provides (at para 4.4) the criteria against which proposals for tall buildings will be considered include, but are not necessarily limited to:

- *“Be of exceptional design quality and subject to a formalised design review process during the evolution of the scheme;*

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- *Not adversely affect the site's surrounds in terms of micro-climate, wind, overshadowing, glare, aviation navigation and telecommunications interference;*
- *Contribute positively to the setting of identified heritage assets that might be affected by the proposal;*
- *Take account of key views both across the site and long views towards the building itself. Design proposals will need to take into account the need for the building to be designed so it is seen in the round; and*
- *Pay particular attention to the environment created at ground floor. Proposals must be appropriate to the streets and spaces they address and should exploit opportunities for improvement of existing and creation of new public spaces."*

401. SPD Design (2015) also sets out that new high density mixed-use development should provide street trees where possible and that opportunities to enhance existing or create new public spaces should be optimised and providing places to sit is encouraged. The SPD also seeks that development coming forward addresses the deficiency of green spaces in Woking town centre. The preceding criteria will inform the (wider) analysis undertaken within this report.

402. The DAS identifies that the site is located "*on a landmark corner plot between two main gateway thoroughfares, Church Street East and Commercial Way*" (para 2.2.1) that it is bordered to the north by Church Street East, which is the site of much post-war development including Cleary Court, and that to the west the site faces, across Church Path (which is an important historic route) Grade II Listed Christ Church which is an important historical anchor for Woking Town Centre. It identifies that to the south is Commercial Way, which is a main thoroughfare running east-to-west through the commercial retail centre of Woking Town Centre, enjoying a vibrant mix of restaurants and cafés, creating an attractive street scene, which the proposed development seeks to enhance. It identifies that to the east/north-east is Chobham Road, a pedestrianised street containing the Martian sculpture, and which serves to link Commercial Way to Church Street East. The DAS identifies one of the benefits of the proposed development as being the enhancement of Church Path, through the provision of a new landscaped public space ('Church Path Yard') in place of the existing parking/loading bay area.

403. The DAS identifies that "*The architecture which defines the immediate context around the site is of low architectural merit. Their massing ranges between 4 and 8 storeys, and comprises buildings that were constructed around the late 20th Century. Low quality red and brown brick, and dark tinted glass are the prevailing material palette*" (para 2.18.1). It identifies that although Woking Town Centre is a rich blend of architectural styles that span across decades and centuries the adjacent Woking Town Centre Conservation Area has a cohesive architectural language with, like most Victorian and Edwardian buildings, brick being the predominant material choice, complimented by light stone which is commonly used for window surrounds, horizontal banding, cornices and often for keystones in arched window details, and offers decoration. The DAS identifies that what is unique to Woking is the distinctive Surrey red brick which has particularly deep red hues, with beige brick tending to be secondary to the Surrey red brick which is the prevailing material and helping to unify buildings which span across decades. It identifies that the proposed development offers the opportunity for a new contemporary reinterpretation of red brick in a more subtle and varied architecture that will form a suitable backdrop to the important view from Jubilee Square to Christ Church as an addition to the Woking Town Centre skyline.

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404. The DAS identifies that between the mid and late 20th century Woking Town Centre was subject to significant redevelopment, introducing numerous offices and other commercial buildings, and that such developments drew upon more contemporary materials, with dark tinted curtain walling increasingly used with red and beige brick sometimes used to accompany the prominent tinted glass. It sets out that the design of the proposed development seeks to 'weave' a link between the historic past of Woking, while creating a dialogue with the new emerging, more contemporary vernacular, so that it would sit comfortably within the varied blend of architectural styles.
405. The DAS identifies that the site now sits at the centre of a new emerging development cluster for Woking Town Centre which, cumulatively, will change the landscape and appearance of this part of the Town Centre, and that the site sits close to the extant 12 storey residential development of the Former Rat & Parrot Public House (WBC Ref: PLAN/2017/0802, at No.46 Chertsey Road) as well as the extant residential-led (BtR) mixed-use Crown Place development (WBC Ref: PLAN/2019/1141, Appeal Ref: APP/A3655/W/20/3259819), of up to 28 storeys. In addition, the recently granted 'Chobham Road Island' development (WBC Ref: PLAN/2023/0835), on the opposite side of Church Street East, would reach up to 12 storeys.
406. The DAS (at Section 6) includes an analysis of constraints, as well as identifying opportunities which include:

Setting - The site acts as a link between the Woking Town Centre Conservation Area and the Grade II Listed Christ Church and offers the opportunity to assess the setting and create spaces and set-backs that respect the church and that responds to existing Commercial Way and Chobham Road, as well as the emerging Cleary Court [i.e., 'Chobham Road Island'] development (resolved to grant subject to S106 and conditions in January 2024) on the opposite side of Church Street East.

Key landmark opportunity at node - Situated at the heart of Woking Town Centre, the site occupies a key location at the junction of two important thoroughfares, Church Street East and Commercial Way, both of which act as important urban gateways within the town. The proposed development offers the opportunity to create a new urban marker at a key nodal location where the north/south and east/west routes cross.

Key active frontage/ views at the corners - The corners of the proposed development will be most visible to pedestrians and moving traffic and as such, this offers the opportunity to create memorable landmark bookend corners that both terminate vistas and create new urban gateways with the Cleary Court [i.e., 'Chobham Road Island'] development (resolved to grant subject to S106 and conditions in January 2024) and the existing office building on Chobham Road. Active frontage at ground floor level is important and will be introduced wherever possible, considering the served and servant spaces associated with the building uses. A centralised controlled residential entrance foyer should be strategically located to inform this new focus of activity.

Heritage Character - As noted above the site acts as an important link between the Woking Town Centre Conservation Area and the Grade II Listed Christ Church. There is the opportunity for the architectural approach to reflect and compliment the heritage character through reflective selection of external

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materials and responding to the prominent architectural features of the existing Conservation Area.

407. The DAS identifies that through reinvigorating this strategically important but underutilised site within Woking Town Centre, and providing increased active frontages along Commercial Way, Chobham Road, Church Street East and Church Path, including 'animated' corners, the proposed development can create a greater sense of place and purpose with enhancements to the public realm including street level planting increasing urban greening, and a new public square focused on Christ Church ('Church Path Yard'). Landscaped podium and roof level terraces would provide additional urban greening which would be visible from street level and would notably increase biodiversity.
408. The DAS also identifies that the ground floor commercial, business and service (Class E) areas are designed to be adaptable to changing market requirements with a number of Class E units of varying sizes provided, which can be separate or amalgamated (if the requirement arises). It identifies that the double height residential foyer and concierge space have been designed with a multitude of potential informal meeting points for those passing through the spaces and that the proposed ground floor level commercial, business and service (Class E) units will active frontages to engage the local community, passers-by and future residential occupiers of the proposed development in a mixture of spaces.
409. Importantly the DAS identifies that the proposed development would also serve to reinforce a historic route through Woking Town Centre, being that of Church Path, which would have a reinforced purpose as a new and active desire line to and from the residential foyer and Commercial Way and Woking railway station. The provision of a new landscaped public square ('Church Path Yard') facing towards Grade II listed Christ Church (west, across Church Path), as well as public realm improvements to Church Path itself, would significantly enhance this area of Woking Town Centre public realm. This enhancement would be particularly pronounced in the event that the extant 'Chobham Road Island' development was also constructed, the principal entrance into the office accommodation of the 'Chobham Road Island' scheme has been designed to align with Church Path. This element of the proposed development would represent a contribution to the historic context of Christ Church, and Woking Town Centre more widely, and would serve to turn this area from a 'back of house' area into a comfortable, landscaped, safe, well lit, and well overlooked piece of new public realm within Woking Town Centre.
410. The DAS provides information about the evolution of the design and the factors taken into consideration when preparing the proposed development, including the design development process. The DAS (at Section 6B) also describes how the design has evolved, prior to submission of the planning application, in response to feedback received from Planning Officers, the independent Design Review Panel (DRP) and other consultees. Some of the main design evolutions which should be noted are:
- Reduced from a scheme of two separate tower elements of 20 storeys and a maximum of 28 storeys, with a lower central linking podium of 10 storeys (providing x278 dwellings). This represents a reduction of height on Commercial Way and of 2 storeys to the tallest component (i.e., reduced from 28 storeys to 26 storeys at the maximum);
 - The massing of the tallest component has been lowered to relate to the lower hip of the proximate extant Crown Place scheme (Appeal Ref: APP/A3655/W/20/3259819);

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- The proposed development has been 'pushed back' from Church Street East to improve the public realm, increasing the separation to the (now granted) 'Chobham Road Island' scheme;
 - Reorganisation of apartment layouts to reduce the number of single-aspect apartments and increase the amount of daylight within;
 - Reorganisation of ground floor layout to increase provision of commercial, business and service (Use Class E) space, whilst accommodating sufficient cycle parking and bin storage;
 - The location of the residential foyer has been changed from Chobham Road to Church Path to link into the new public square ('Church Path Yard') and on into Jubilee Square; and
 - Architectural refinements including revisions to lower-level elevations and corner treatments, variation in the architectural treatment of the podium level around the building, in recognition of the changing context around the building, pilaster details and the proposed treatment of the crown.
411. The initial scheme concept of two separate tower elements of 20 storeys and a maximum of 28 storeys, with a lower central linking podium of 10 storeys, was dropped in order to improve the appreciation of the spires of Christ Church, when viewed from Jubilee Square, and also to reduce the impact on the adjacent Woking Town Centre Conservation Area (to the south). Also, the positioning of the tallest component of the proposed development was more appropriate in townscape terms when set against the backdrop of the extant Crown Place development (Appeal Ref: APP/A3655/W/20/3259819, which would reach a maximum height of 28 storeys).
412. The DAS identifies that, in comparison to a previous scheme on the site which was refused in March 2020 (WBC Ref: PLAN/2019/0611), the proposed development represents a reduction in maximum height of around 45 metres (i.e., from maximum AOD of +165.50m to +119.05m), and that it seeks to create a series of 'sculpted' terraces which step away from Christ Church in views from Jubilee Square. It identifies that the tallest component is designed to sit offset from the alignment of the copper spires to the nave of Christ Church in the eyeline of the extant Crown Place scheme (which was not extant at the time of the previous refusal) and therefore retains sky behind the spires. In views from the junction of Chertsey Road and Chobham Road (within the Woking Town Centre Conservation Area) the DAS identifies that the element fronting Commercial Way has been designed to align with the height of No.26 Chertsey Road, a locally listed building on the right-hand side of this view, creating a "*connection between the new and the old*" in this view, a connection which is reinforced through architectural design and external materiality. The architectural design of the proposed development references the stone pilasters that define the locally listed building of No.26 Chertsey Road, whilst the proposed warm metal colour and red brick hues create a dialogue between the old and new.
413. In respect of building height the DAS sets out that the tallest component of the proposed development (+119.05 AOD) would be subordinate to that of the extant Crown Place scheme (+126.93 AOD), by around 7.9 metres.
414. The DAS identifies that there would be some commonality to the application of external materials (i.e., red brick) between the proposed development and the southern component of the (now granted) 'Chobham Road Island' scheme (WBC Ref: PLAN/2023/0835) on the opposite side of Church Street East, both of which have been influenced by the use of red brick at Grade II listed Christ Church. The DAS identifies (in Section 6E) that within the late Victorian and Edwardian architecture which is evident within Woking Town Centre (principally within the Woking Town Centre

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Conservation Area), stone pilasters, often double height, span across predominantly Surrey red brick with white windows set back in shallow reveals. The strong vertical language of the pilasters is a theme picked up on in more recent mid-20th Century buildings and this reflective grid, and its red-brick materiality, is something which the proposed development would reflect, albeit in a more contemporary manner. Strong vertical pilasters, in red brickwork, would be incorporated within the architectural design of the proposed development, with deep set (225mm window set-backs from facade) regular fenestration and white horizontal banding at key points (which would protrude slightly from the facade).

415. The form and massing of the proposed development would be 'broken down' into what can be described as three distinct elements, two important 'gateway' red brick blocks to the north and south respectively (i.e., 26 storeys and 13 storeys) which would act as architectural 'book-ends', and address views from various townscape points, being linked by a simplified lighter brick element (i.e., 12 storeys) which would front Chobham Road.
416. Red brickwork would be the principal external material, with the exception of the 12 storey 'linking' (or 'central block') element (fronting Chobham Road and the 'internal courtyard') which would utilise white brickwork, creating a contrasting connection between the northern and southern 'blocks'. This change in brick tone along the Chobham Road elevation would also serve to visually break down the overall visual impression of the three 'blocks' of the proposed development, into two more slender, 'tower' elements (i.e., 26 storeys and 13 storeys), also breaking down the overall form in views from this direction.
417. Bronze metal is proposed to the window and door frames (other than where facing onto the external access gantry facing into the 'internal courtyard' where there would be dark blue metal frames), louvres, and ironmongery, including to the balcony balustrades, canopy framings, and panelling elsewhere. The bronze colour of metalwork would serve to complement the principal use of red brickwork, whilst appearing consistent with the contemporary nature of the proposed development.
418. The visual impression of the proposed development would also be vertically 'broken up' by a series of white horizontal bands which would 'break' the vertical red brick pilasters at key points, including at the stepped terraces up through the building. At the base of the building, the pilaster features would go down to ground level, thus affording strong anchors or 'architectural roots' to the building and presenting a more regular pattern at street level. At the lowest levels (i.e., at ground and mezzanine floor levels) the red brick pilasters would be further expressed by double height white feature surrounds that would seek to create a series of feature 'picture frames', into which the ground floor level (Class E) shopfronts would be 'inserted'. These double height white feature surrounds would be further 'broken up' by horizontal bands and new coloured shop-front awnings that would take commercial signage and hide the air-intake and extract grills. At ground floor level the red brick pilasters would all have white feature plinths where meeting the ground, and the shopfronts would all have stallrisers which would take up the stepped ground floor levels as a result of the ground level changes which occur between Commercial Way and Church Street East.
419. The strong grid pattern which would be created by the vertical red brick pilasters and white horizontal banding is considered to be architecturally successful, it would clearly be a contemporary approach to the composition of the facade of the proposed development, albeit one which is appropriate to a development of this scale (i.e., up to 26 storeys). It would successfully reinterpret architectural cues taken from proximate

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No.26 Chertsey Road in particular, a locally listed building within the Woking Town Centre Conservation Area (on the corner of Chertsey Road and Chobham Road). At higher levels the white horizontal banding would subdivide the facades into alternating expressions of two and three storeys, this would help to reduce the perceived scale of the proposed development.

420. The architecture and materiality of the north and south elevations which would face into the 'internal courtyard' of the proposed development (i.e., across the first floor level podium roof garden) would reflect that of the 'outward' facing elevations, with the vertical red brick pilasters horizontally sub-divided by white banding. The architecture of the west 'internal courtyard' elevation would differ because it would use a white brickwork, so as to provide a lighter backdrop to the copper spires of Grade II listed Christ Church in views from Jubilee Square. This western 'internal courtyard' elevation would also feature the external access gantry between the north and south components which would be deliberately expressed as a protruding component against the white brickwork. The external access gantry would take the form of a simple concrete framed element, with expressed architectural joints and simple metal balustrading between, reflecting the colour and detail of the main balconies and Juliette balconies within the proposed development.
421. In respect of the 'crown' of the proposed development the architecture of the top three storeys would differ from that of the levels below. Although the main architectural features and detailing would remain consistent with the lower levels, a change of material, from a predominantly red brick to a white brick, is proposed and considered to be appropriate. The use of a white brick at this highest level would assist in terminating the top of the proposed development successfully and this lighter materiality would appear 'lighter weight' against the skyline when viewed from various viewpoints in the townscape (as demonstrated by the architectural imagery and the HTVIA views).
422. The architecture of the 'crown' would also be further elaborated through a narrowing of the vertical pilaster widths at these three highest levels so as to enable the darker fenestration (which would be set back from the pilasters) to visually express the openings in a more apparent manner. Bronze PCC metal panels would also be integrated into the 'crown', and white horizontal banding would be readily appreciable between each floor level within it. Overall, the architectural design of the 'crown' is considered to provide a distinct architectural top to the proposed development which would integrate successfully into the architectural design as a whole whilst also achieving an appropriate and high quality celebration of the top, or 'crown', of the proposed development. It would provide a distinct architectural 'crown' whilst maintaining the verticality and rhythm of the main vertical pilasters and horizontal banding.
423. The new area of public realm which would be provided off Church Path (referred to as 'Church Path Yard' within the applicant's DAS) is envisioned as a small urban square, which is intended to provide a clean and uncluttered public realm which would provide new street trees and planting, informal seating and an amenity spill-out area for the closest Class E unit within the proposed development. In addition significant amounts of new landscaping would be provided at higher levels of the proposed development, including on the new podium roof garden at first floor level and on roof terraces at higher levels.
424. A new screen wall is proposed on the southern side of the new public square (off Church Path) to screen the 'back of house' and parking area which is located to the

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rear of Nos.63-75 Commercial Way. This screen wall is proposed as a continuation of the main vertical brick pilasters with feature green wall infills with feature artworks.

425. In its stepped heights the lower elements of the proposed development would provide an interesting silhouette overall. The proposed metal framed windows would achieve a clean and crisp finish to the building and the proportions of the window openings are considered to work well within the wider architectural composition. The design includes a deep (225mm) brick reveal between the facade and the windows; the reveal depths are detailed in the application drawings and would ensure that the window reveals would be sufficiently deep so as to achieve good modelling within the facades, as well as surface contrast within the scale of the facades which are proposed. Further depth and shadow would also be provided by the inset balconies which would be provided at key corners and locations and would be most apparent in the Chobham Road elevation of the 26 storey tower (in which they would be provided across the full height of the elevation). Further visual interest and projection, depth and shadow would be provided by the projecting balconies which would front Church Street East, Chobham Road, the 'internal courtyard' and Church Path (i.e., above new 'Church Path Yard').
426. At ground floor level, fronting Church Street East, Chobham Road and Commercial Way in particular the provision of Class E units would retain, and improve, activity at street level (together with that of the residential entrance on Church Path) albeit in a more contemporary approach than existing. The design and architectural treatment of ground and mezzanine floor levels in particular would achieve a familiar character in views from street level, with new shopfronts being of a high quality design, activating the proposed development (as far as practicable) at ground floor level.
427. The proposed development has been the subject of two Design Review Panels (DRPs) (with Design South East), these having taken place on 5th April 2023 and 24th August 2023. Whilst the panel stated that "*Whilst we do not support the development of a new 'eastern cluster' of tall buildings in Woking, we recognise that a taller building than that set out in the draft masterplan may be required to mediate between Cleary Court and the height of the emerging Crown Place development*" within their report for the second DRP (of 24th August 2023) the Panel did comment that "*Positive progress has been made on this scheme, particularly with regards to the relationship to Christ Church and the church path*", that "*The revised facade design is an improvement on the previous iteration - generally, it appears calmer and has a stronger reference to the surrounding townscape despite its scale*" and that "*We are supportive of the light-coloured string courses, which successfully mediate the strong verticality of the brick piers.*"
428. As set out previously the Crown Place appeal decision (Appeal Ref: APP/A3655/W/20/3259819) which granted planning permission for a residential-led mixed-use scheme, including towers rising to 22, 25 and 28 storeys fronting Church Street East, forms a very weighty material consideration in the determination of this application, due to the fact that the extant Crown Place development includes a tower of a greater height (28 storeys maximum) than is proposed here (26 storeys maximum), the close proximity of the Crown Place site to the proposed development site (a distance of around 30 metres at its closest, beyond intervening Crown House) and that the Crown Place site is also within this eastern part of Woking Town Centre.
429. Moreover, the Crown Place appeal decision states (at para 13) that "*In the circumstances, I do not consider there is a policy impediment to a tall building of any particular height on the appeal site. It seems to me that such buildings, including towers, are now part of the character of the town centre overall. It is though recognised that to date those on regenerated sites within the eastern sector, such as 175 Church*

Street East and One Crown Square, are lower in height and not comparable with the scale of the Victoria Square towers or those permitted at Goldsworth Road. The 23, 25 and 28 storey towers proposed on the appeal site would undoubtedly represent a significant step change in terms of height within this location. However, the main question in terms of the development plan is whether this would be harmful in terms of its impact on existing character.”

430. At paragraph 15 the Crown Place appeal decision states that “...the appeal site is in a gateway location when approaching the town centre from the east. At the present time this entrance to the town is relatively unremarkable with mid-rise developments in the foreground and the Victoria Square towers visible in the distance. The proposed towers would provide a landmark feature and a focal point to signal arrival at the town centre from the easterly approach. Indeed, the supporting text to policy CS1 refers to tall buildings in this very context.” A similar rationale is considered applicable to this site, in the event the extant Crown Place scheme was also to be constructed (and there is no reason at present to believe that it will not be) the proposed development would form part of a ‘cluster’ of tall buildings within this eastern part of Woking Town Centre, an effect which would be reinforced by the presence of the (albeit lower although still a tall building) extant ‘Chobham Road Island’ scheme (WBC Ref: PLAN/2023/0835). In the event that the Crown Place scheme was not be constructed the proposed development would nonetheless provide a landmark feature and a focal point to signal arrival at the town centre from the eastern approach. Moreover, the fact that the Crown Place Inspector considered a building reaching a maximum height of 28 storeys to be acceptable only a short distance away is a very weighty material consideration given the lower (26 storey) maximum height of the proposed development in this instance.
431. Furthermore, the site is relatively central in the view when approaching Woking Town Centre from the north (i.e., across the Chobham Road Bridge from the northern side of the Basingstoke Canal), notably more so than the Crown Place site in this approach. The tallest (26 storey) tower element would therefore provide something of a ‘focal’ point opposite this key junction (this being the only crossing over the Basingstoke Canal in a northerly direction of the central part of Woking Town Centre) and would thus serve to ‘signal’ Woking Town Centre from the northerly approach. Whilst, if it is constructed, the extant ‘Chobham Road Island’ scheme (WBC Ref: PLAN/2023/0835) would appear ‘in front’ of (i.e., to the north of) the proposed development in views from the north the greater height of the proposed development (compared to the ‘Chobham Road Island’ scheme) would ensure that it would nonetheless remain visible above the top of the extant ‘Chobham Road Island’ scheme, thus retaining its townscape function as a landmark feature and a focal point within this eastern part of Woking Town Centre.
432. Furthermore, in the Crown Place appeal decision the Inspector states (at para 26) that “There is no doubt that the towers would be highly visible and would not reflect their immediate surroundings in terms of height. However, that does not mean that the scheme would thus be unacceptable. The existing built environment within the eastern part of the town centre is generally uninspiring and has little to commend it. The proposal would introduce a development of high quality and distinction and a landmark at the easterly approach to the town centre.”
433. The site is located in an area (i.e., Woking Town Centre) which is identified by the Development Plan (Policy CS1 of the Woking Core Strategy (2012)) “as a centre to undergo significant change”. The proposed redevelopment of the site would reinforce the legibility and townscape function of Woking Town Centre, particularly on approach from the north and east, irrespective of whether the extant Crown Place development

is constructed. The proposed development would represent an improvement to the character, appearance and function of the site and its relationship with surrounding existing and emerging development in Woking Town Centre, including the extant Crown Place scheme to the east and the extant 'Chobham Road Island' scheme to the north. The massing and height of the proposed development has been developed in direct response to context. It would also provide notable improvements to the proximate public realm, including urban greening.

434. Overall, the proposed development would remain consistent with the emerging context of development in the area and form part of its wider regeneration, in accordance with the aspirations of the Development Plan (most notably Policy CS1). At 26 storeys in maximum height, although clearly tall, the proposed development would nonetheless be subservient to the tallest existing and extant developments within Woking Town Centre, including Victoria Place, EcoWorld (WBC Ref: PLAN/2020/0568, Appeal Ref: APP/A3655/W/21/3276474, up to 37 storeys) and most notably to Crown Place (WBC Ref: PLAN/2019/1141, Appeal Ref: APP/A3655/W/20/3259819, up to 28 storeys) which is very close to the site, thus ensuring a balance to the overall townscape of Woking Town Centre.

Conclusion on Design

435. Overall, the proposed development is considered to have been designed to the highest standard with specific attention given to the edges of the building at ground level and with a well resolved elevational form overall, offering visual interest and with a clear hierarchy to the facades, being proposed. The proposed heights are considered to be justified in the context, irrespective of whether the extant Crown Place development is constructed. The ground floor edges are appropriate to the streets and spaces they would address. The building has been designed with its inherent visibility from all sides having been carefully considered, facade materials would have depth and definition, a richness in treatment and would achieve a high-quality appearance, also having been informed by long-term maintenance considerations (i.e., the predominant use of masonry/brickwork). The proposed development would play an important role in creating an attractive town centre environment and would support the aspiration for a vibrant town centre with strongly defined, active streets.

Transport, highways, parking and servicing

436. Woking Core Strategy (2012) (at paragraph 3.3) sets out 13 objectives (in no particular priority order) which will deliver the spatial vision of the Core Strategy. These objectives include (most relevant to the proposed development) (emphasis added):

- "1) To enable a diverse range of development such as offices, housing, shops, leisure and cultural facilities in Woking Town Centre to enable its status as a centre of regional significance to be maintained. Development will be of high quality and high density to create an attractive environment for people to live, do business and visit
- 10) To work in partnership with Surrey County Council and other stakeholders with an interest in transport provision to deliver a transport system that enables people to access key services, facilities and jobs by all relevant modes of travel. In particular, by encouraging the use of public transport and creating a safe environment for people to walk and cycle to the town, district and local centres."

437. Policy CS18 of the Woking Core Strategy (2012) states that “*The Council is committed to developing a well-integrated community connected by a sustainable transport system which connects people to jobs, services and community facilities, and minimises impacts on biodiversity and that this will be achieved by taking the following steps [among others] (emphasis added):*

- “Locating most new development in the main urban areas, served by a range of sustainable transport modes, such as public transport, walking and cycling to minimise the need to travel and distance travelled.
- *Ensuring development proposals provide appropriate infrastructure measures to mitigate the adverse effects of development traffic and other environmental and safety impacts (direct or cumulative). Transport Assessments will be required for development proposals, where relevant, to fully assess the impacts of development and identify appropriate mitigation measures. Developer contributions will be secured to implement transport mitigation schemes.*
- *Requiring development proposals that generate significant traffic or have significant impact on the Strategic Road Network to be accompanied by a travel plan, clearly setting out how the travel needs of occupiers and visitors will be managed in a sustainable manner.*
- *Implementing maximum car parking standards for all types of non-residential development, including consideration of zero parking in Woking Town Centre, providing it does not create new or exacerbate existing on-street car parking problems. Minimum standards will be set for residential development. However, in applying these standards, the Council will seek to ensure that this will not undermine the overall sustainability objectives of the Core Strategy, including the effects on highway safety. If necessary, the Council will consider managing the demand and supply of parking in order to control congestion and encourage use of sustainable transport.”*

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

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

439. The proposed development accords with this key aim by being located within the principal centre of the Borough (Woking Town Centre) and thus minimising the number of journeys, as the needs of the population can be met by the services and facilities around them, and providing direct access to public transport in the form of key bus and rail services.

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

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

441. Section 9 of the NPPF (Promoting sustainable transport) states, at paragraph 109, that:

“Transport issues should be considered from the earliest stages of plan-making and development proposals, using a vision-led approach to identify transport solutions that deliver well-designed, sustainable and popular places. This should involve:

- a) making transport considerations an important part of early engagement with local communities;*
- b) ensuring patterns of movement, streets, parking and other transport considerations are integral to the design of schemes, and contribute to making high quality places;*
- c) understanding and addressing the potential impacts of development on transport networks;*
- d) realising opportunities from existing or proposed transport infrastructure, and changing transport technology and usage – for example in relation to the scale, location or density of development that can be accommodated;*
- e) identifying and pursuing opportunities to promote walking, cycling and public transport use; and*
- f) identifying, assessing and taking into account the environmental impacts of traffic and transport infrastructure – including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains.”*

442. Paragraph 110 states that *“The planning system should actively manage patterns of growth in support of these objectives. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health. However, opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making”* (emphasis added).

443. Paragraph 111 of the NPPF states that *“Planning policies should [among other things] support an appropriate mix of uses across an area, and within larger scale sites, to minimise the number and length of journeys needed for employment, shopping, leisure, education and other activities”*. At paragraph 112 the NPPF states that:

“If setting local parking standards for residential and non-residential development, policies should take into account:

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

444. Paragraph 115 states that *“In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:*

- a) *sustainable transport modes are prioritised taking account of the vision for the site, the type of development and its location;*
- b) *safe and suitable access to the site can be achieved for all users;*
- c) *the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code; and*
- d) *any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree through a vision-led approach”* (emphasis added).

445. Paragraph 116 of the NPPF states that *“Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios”.*

446. The NPPF states that all developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment. Within the preceding context the NPPF states that all applications for developments should (para 117):

- “a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;*
- b) *address the needs of people with disabilities and reduced mobility in relation to all modes of transport;*
- c) *create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;*
- d) *allow for the efficient delivery of goods, and access by service and emergency vehicles; and*
- e) *be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.”*

447. SPD Climate Change (2023) sets out that spatial planning plays a key role in mitigating and adapting to climate change through decision-making on the location, scale, mix and character of development. In respect of sustainable transport for both residential and non-residential development the SPD identifies that:

- *“Designs should prioritise walking, cycling and public transport. Provide strong links to existing footpaths, cycle routes and public transport nodes.*
- *Secure and covered cycle parking should be located close to a property, with appropriate provision provided based on occupancy.*
- *Certain developments (major development or highly disruptive to transport) will be required to conduct Transport Assessments and provide Travel Plans to manage travel needs sustainably.*
- *Provision of car parking should be consistent with cutting emissions, including through providing for EV charging infrastructure.*

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- *Meet the minimum requirements for the provision of EV charge points in accordance with the current Building Regulations Part S” (emphasis added).*
448. The application has been submitted with a Transport Assessment (TA), dated November 2024, Draft Framework Travel Plan (Draft TP) and Outline Construction Traffic Management Plan (CTMP), all dated November 2024 and prepared by Pulsar Transport Planning. The application has also been submitted with a Parking Technical Note, dated November 2024 and prepared by SLR Consulting Limited. That Parking Technical Note has been submitted to seek to overcome reason for refusal 03 of ref: PLAN/2023/0911 which stated (in italics) that:
- “03. The proposed development would provide insufficient on site car parking provision, including insufficient on site disabled car parking provision, and has failed to demonstrate that the insufficient level of on site car parking provision proposed would not result in the displacement of vehicle parking onto nearby streets, thereby exacerbating existing pressure for on-street car parking and thus causing harm to the environment and general amenity of the local area. The proposed development is therefore contrary to Policies CS18 and CS21 of the Woking Core Strategy (2012), Supplementary Planning Document (SPD) Parking Standards (2018) and the National Planning Policy Framework (NPPF) (December 2023).”*
449. The application has also been submitted with drawings of proposed Church Street East disabled parking bay and loading bay arrangements, proposed Crown Path (Church Path) parking arrangements, proposed refuse collection arrangement (on Commercial Way), corresponding swept path analyses and a swept path analysis of construction vehicles (these drawings are provided as appendices to both the TA and the Outline CTMP).
450. The site is located within Woking Town Centre, being bounded by Commercial Way, the pedestrianised zone of Chobham Road, Church Street East and Church Path to the south, east, north and west respectively. The site currently consists of a large British Heart Foundation retail store, with office space above, with the main pedestrian entrances provided from Church Street East and Commercial Way respectively and with vehicular access provided from Church Path, which provides access to a parking and loading area. The TA identifies that a previous planning application at the site (WBC Ref: PLAN/2019/0611) for a x39 storey residential-led development comprising x310 dwellings, with x26 car parking spaces (including x10 accessible bays) was refused in March 2020, albeit that the reasons for refusal did not include any highways reasons with the more recent previous planning application (WBC Ref: PLAN/2023/0911) being refused for, among other reasons, providing insufficient on site car parking provision, including insufficient on site disabled car parking provision, and failed to demonstrate that the insufficient level of site car parking provision proposed would not result in the displacement of vehicle parking onto nearby streets, thereby exacerbating existing pressure for on-street car parking and thus causing harm to the environment and general amenity of the local area.
451. The TA sets out that this planning application is for an identical scheme, acknowledging that there have been changes to the existing conditions of the site vicinity since application ref: PLAN/2023/0911 was submitted, including the reopening of Church Street East to motorised traffic, and the reinstating of the one-way system around the ‘Chobham Road Island’ site.

452. The proposed development would create new public realm within, and provide highway works to, Church Path, Church Street East, Chobham Road and Commercial Way, including alterations to, and provision of new, parking, servicing and loading/delivery bays and that the proposed development is proposed to be 'car-free', with the exception of x6 disabled parking spaces which would be provided from Church Path (x3 spaces) and along Church Street East (x3 spaces), with deliveries, loading and servicing proposed to be undertaken from proposed new loading bays on both Church Street East and Commercial Way. An activated ground floor level is proposed with the principal, residential building access opening onto a newly created area of public realm ('Church Path Yard') adjacent to Church Path with a secondary residential access located on Chobham Road. The proposed Commercial, Business and Service (Class E) units would be located on the corners of Church Street East and Church Path, Church Street East and Chobham Road and occupy the majority of the Commercial Way frontage. The TA identifies that as a Build to Rent (BtR) development, the proposed development would benefit from 24/7 on-site management, a management suite and offices located adjacent to the residential foyer on ground floor level.

Walking & Cycling

453. Walking is the most important mode of travel at the local level and offers the greatest potential to replace short car trips, particularly under 2km (a walk which would be expected to take 25 minutes on average). The proposed development is located within Woking Town Centre, so the pedestrian facilities are considered to be very good with a generally flat topography, which is good for walking and cycling, with the pedestrianised zone of Chobham Road bordering the site to the east. The pedestrian facilities surrounding the site are of good quality and feature tactile paving and dropped kerbs at crossing locations. Given it is a town centre location, a large number of facilities, amenities and services are available within a short walking distance from the site, including shops and community facilities. The TA identifies that given there is no through-route to the west for vehicles, the volume of vehicle traffic in the area is considered to be fairly low, which aids pedestrians crossing Church Street East and other roads in the vicinity.
454. Surrounding pedestrian footways would connect the proposed development to surrounding amenities and Woking railway station. The footways would also connect the site to nearby multi-storey car parks, including that at Victoria Way (x922 spaces, around 90 metres away) and the Brewery Road car park (x146 spaces, around 300 metres away). In terms of public transport links, the site is located around 250 metres away from the Woking railway station bus stops (located on The Broadway, High Street and Locke Way), around 370 metres away from the High Street link road bus stops (i.e., those close to Victoria Arch), around 270 metres away from the bus stop on Victoria Way (i.e., the Town Quay bus stop near to the Brewery Road car park) and around 360 metres away from the Chertsey Road bus stop (which is identified as Board School Road bus stop) to the east/north-east of the site. The site is also around 360 metres away from the Brewery Road bus stops (i.e., those outside of Trinity Methodist Church and the WWF Living Planet Centre).
455. The site is also around 200 metres away from Woking railway station and is around 110 metres away from Victoria Place Shopping Centre, where numerous shopping, eating, leisure and market stall amenities are located, as well as additional car parking. Overall, most of Woking Town Centre (as defined on the Council's Proposals Map) falls within a 400 metre radius of the site (approx. 5-minute walk), with all of Woking Town Centre within an 800 metre radius of the site (approx. 10-minute walk).

456. Existing pedestrian footways are provided on all sides of the proposed building, facilitating pedestrian movements. The main pedestrian access to the proposed development, including access to the residential component, is proposed to be provided from Church Path, across an area of new landscaping and public realm ('Church Path Yard'). Secondary access points are also proposed from each of the other three sides of the proposed development. The northern secondary access (Church Street East) would be primarily for servicing and maintenance, while the eastern access (Chobham Road) would be to the cycle store. The southern secondary access (Commercial Way) would provide access to the refuse/recycling bin store. Each of the Class E units on the ground floor would be provided with their own pedestrian access. Public realm improvements form part of the proposed development.
457. The site is well served by existing cycling infrastructure including advisory cycle routes, the National Cycle Network, greenways, and shared use paths. Around the town of Woking a cycle network has been introduced known as the Planet Network. Located to the north of the site is the National Cycle Network (NCN) Route 221, which connects West Byfleet to Brookwood along the Basingstoke Canal. The 'Planet Network' Route Saturn - Brookwood to New Haw, via Woking Town Centre, largely follows along this route. The route itself is of a high-quality, varying in width between around 1.5 metres and 4.0 metres in the vicinity of the site. This route has recently been further improved with the opening (in October 2020) of the Chobham Road pedestrian and cycle bridge located adjacent to (and underneath) the Chobham Road Bridge to the north of the site, which enables pedestrians and cyclists to cross the Basingstoke Canal and thus avoid the need to cross Chobham Road. National Cycle Network Route 223 borders the site to the south, east and north, which links Woking to destinations including Guildford to the south and Chertsey and Staines to the north. Overall, existing traffic free routes, cycle lanes and tracks are located in the vicinity of the site and would make travelling to and from the proposed development by bicycle an attractive option.

Public Transport

Bus

458. The location of the site within Woking Town Centre means that there is a high standard of public transport provision available, facilitating access between the site and major locations within the Borough, within Surrey and indeed further afield. The site is located around 250 metres away from the Woking railway station bus stops (located on The Broadway, High Street and Locke Way), around 370 metres away from the High Street link road bus stops (i.e., those close to Victoria Arch), around 270 metres away from the bus stop on Victoria Way (i.e., the Town Quay bus stop near to the Brewery Road car park) and around 360 metres away from the Chertsey Road bus stop (which is identified as Board School Road bus stop) to the east/north-east of the site. The site is also around 360 metres away from the Brewery Road bus stops (i.e., those outside of Trinity Methodist Church and the WWF Living Planet Centre).
459. Bus stops within the area, particularly those at Woking railway station and the High Street link road, have shelters, seating, and timetables. There are a wide range of bus services operating from (and through) nearby bus stops to destinations within (i.e., Knaphill, St Johns, Brookwood, Goldsworth Park, Horsell, Sheerwater, Pyrford, West Byfleet and Byfleet) and outside of the Borough (i.e., Guildford, Staines, Addlestone, Brooklands, Weybridge, Chobham and Camberley). Table 2.1 of the TA provides a full list of the bus services which serve bus stops local to the site, although a selection of the most frequent services is shown in the table below:

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Bus Service	Route	Typical Frequencies (Mins)		
		Weekday	Saturday	Sunday
28	Woking - Knaphill - Brookwood - Worplesdon - Guildford Friary Bus Station	60	60	N/A
34	Guildford Friary Bus Station - Woking - Knaphill - Lightwater - Bagshot - Camberley	30	30	30
81	Woking Station - Woking High Street - Woking Station (Woking Circular)	30	30	N/A
91	Woking - Knaphill - Brookwood - Pirbright - Guildford Bus Station	15	15	20
436	Weybridge - Brooklands - Byfleet - Sheerwater - Woking	30	30	N/A
456	Staines - Chertsey - Addlestone - Woodham - West Byfleet Station - Sheerwater - Woking	60	60	N/A

Rail

460. The closest railway station to the site is Woking railway station, with the (High Street side) entrance of the railway station located approximately 200 metres to the south of the site. Woking railway station has circa x570 car parking spaces and circa x456 sheltered bike storage spaces including some located within a recent cycle hub which has 24-hour access, full CCTV coverage and maintenance tools. Cycle hire is also available from a Brompton Bicycles bike hire dock on the southern side of the railway. Woking railway station has step free access to all platforms and excellent transport links to surrounding areas, Heathrow Airport and, through connections, to locations throughout the national rail network. A selection of train services operating from (and through) Woking railway station are as follows:

Direction	Frequency
Portsmouth and Haslemere - London Waterloo (Via Woking)	Approximately every 20 minutes Monday-Saturday and 30 Minutes Sunday
London Waterloo - Portsmouth and Haslemere (Via Woking)	Approximately every 25 minutes Monday-Saturday and 30 Minutes Sunday
Weybridge - London Waterloo (Via Woking)	Approximately every 30 minutes Monday-Saturday and 60 Minutes Sunday
London Waterloo - Weybridge (Via Woking)	Approximately every 30 minutes Monday-Saturday and 60 Minutes Sunday
Southampton and Winchester - London Waterloo (Via Woking)	Approximately every 45 minutes Monday-Saturday and 60 Minutes Sunday
London Waterloo - Southampton and Winchester (Via Woking)	Approximately every 30 minutes
Portsmouth and Fareham Via Eastleigh - London Waterloo (Via Woking)	Approximately every 30 minutes Monday-Friday and 60 Minutes Saturday, Sunday
London Waterloo - Portsmouth and Fareham Via Eastleigh (Via Woking)	Approximately every 30 minutes Monday-Friday

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Basingstoke, Alton and Aldershot - London Waterloo (Via Woking)	Approximately every 15 minutes
London Waterloo - Basingstoke, Alton, and Aldershot (Via Woking)	Approximately every 15 minutes

461. At the time of writing no consultation responses have been received from Network Rail or South Western Railway.

Local Facilities

462. The Parking Technical Note sets out that the site is located centrally within Woking Town Centre and is within close proximity to a wide range of retail, commercial, health and leisure amenities with a significant number of shops and eateries located on Chertsey Road around 50 metres south-east of the site and over 150 local businesses and high street brand are located in the nearby Victoria Place Shopping Centre.
463. It sets out that several primary schools and nurseries are located a short distance from the site including Bright Horizons Woking Day Nursery, Maybury Primary School & Nursery, St. Dunstan's Catholic Primary School, and Goldsworth Primary School and that for secondary school aged children, Woking High School and St John the Baptist Catholic Comprehensive School are both within 2km of the site, and that the Park School, which caters for secondary aged children with special educational needs, is also within 2km.
464. The Parking Technical Note also identifies that the site benefits from proximity to a range of local sports and leisure facilities with Woking Leisure Centre, Wisheal Lawn Tennis Club, and Pool in the Park (an indoor swimming pool) all located circa 1km to the south of the site. It identifies that Wheatsheaf Recreation Ground and Horsell Moor Recreation Ground, both of which feature Local Equipped Area for Play (LEAP) for children, are located circa 500 metres north and 800 metres west of the site respectively. It also identifies that a number of healthcare facilities are also located a short distance from the site including Woking Community Hospital, Hillview Medical Centre, and several dental practices and pharmacies.

Highway Network

465. The site is bound by Commercial Way, the pedestrianised zone of Chobham Road, Church Street East and Church Path to the south, east, north and west respectively. Commercial Way leads from Chobham Road to the east, through to Victoria Square to the west (with the area west of Church Path being pedestrianised), lockable bollards are located at the southern end of Chobham Road, restricting traffic from Chertsey Road to the south. There are also fixed bollards along Commercial Way as it meets Church Path, preventing through movement for vehicles. The TA identifies that Commercial Way incorporates a number of disabled parking bays (x6 in total) and double yellow lines with loading restrictions and that a turning head is located immediately east of Church Path, which it is understood is also used by refuse/recycling collection vehicles.
466. Church Street East runs to the north of the site and has recently been re-opened (following a period of temporary pedestrianisation) to vehicular traffic operating a one-way system in a westbound direction along the site frontage. A one-way system is also in operation on Christchurch Way (northbound) and Chobham Road (southbound),

which allows for a wider one-way route around the 'Chobham Road Island' site, in a clockwise direction. To the west and east of the site, Church Street East continues to accommodate two-way traffic, as does Church Path to the west of the site. Within the application site, on its northern boundary, there is an existing layby on the south side of the Church Street East carriageway which can accommodate approximately 5-6 cars. The TA sets out that this layby does not currently include any signed restrictions, and so is assumed to be currently unrestricted. An existing loading bay is provided on Church Street East (close to its junction with Chobham Road) and is used to service many of the existing retail/commercial properties in the vicinity of the site.

467. To the west of the site, Church Street East / Church Path provides a short access to the existing servicing area of the site and the retail/commercial units fronting Commercial Way, at Nos.63-75 Commercial Way (parking being restricted in this carriageway between 08:30 and 22:00 every day), with car parking spaces for Christ Church provided on the opposite side of Church Path. Whilst the section of Chobham Road bordering the site to the east is formally pedestrianised, lockable bollards are in place at the junction with Commercial Way to provide access for emergencies and/or authorised vehicles.
468. The TA identifies that the nearby extant Crown Place development (WBC Ref: PLAN/2019/1141, Appeal Ref: APP/A3655/W/20/3259819) would be serviced from a new proposed loading bay on Church Street East, which will be located approximately 50 metres from the north-eastern corner of the application site and that the Crown Place scheme also proposed the provision of x2 car club bays on Church Street East, which will be located directly opposite the Crown Place scheme, replacing existing on-street pay and display bays.

Parking Standards

Car Parking – Residential

469. Previous application ref: PLAN/2023/0911 was refused for, among other reasons, reason for refusal 03 which stated (in italics):
- “03. The proposed development would provide insufficient on site car parking provision, including insufficient on site disabled car parking provision, and has failed to demonstrate that the insufficient level of on site car parking provision proposed would not result in the displacement of vehicle parking onto nearby streets, thereby exacerbating existing pressure for on-street car parking and thus causing harm to the environment and general amenity of the local area. The proposed development is therefore contrary to Policies CS18 and CS21 of the Woking Core Strategy (2012), Supplementary Planning Document (SPD) Parking Standards (2018) and the National Planning Policy Framework (NPPF) (December 2023).”*
470. SPD Parking Standards (2018) does not form part of the Development Plan for the Borough although its purpose is to act as guidance on how Policy CS18 of the Woking Core Strategy (2012), concerning transport and accessibility, could be applied. The SPD sets out the following minimum on-site residential parking standards (table on following page):

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No. of bedrooms	SPD Parking Standard per flat, apartment or maisonette	Number of flats, apartments or maisonettes	Total number of parking spaces
Studio / 1 bedroom	0.5	115	57.5
2 bedrooms	1	135	135
3 bedrooms	1	22	22
Totals		272	214.5

471. Relevant minimum parking standards suggest that a total of x214.5 on-site residential parking spaces would need to be provided (as per the table above). However, Table 3 of SPD Parking Standards (2018) is clear about the circumstances where development with on-site provision below the minimum standards could be appropriate, namely within Woking Town Centre, as is the case here. Furthermore both Policy CS18 of the Woking Core Strategy (2012), and SPDs Parking Standards (2018) and Climate Change (2023), acknowledge that the application of the parking standards should be balanced against the overall sustainability objectives of the Woking Core Strategy (2012).
472. SPD Parking Standards (2018) makes no reference to levels of residential car parking provision for those with registered mobility difficulties. In terms of schemes providing up to x200 parking spaces the number of accessible spaces is put forward at a rate of 5% of the total number of car parking spaces for employment land-uses and a rate of 6% for shopping, recreation and leisure land-uses.
473. It is proposed that x3 disabled parking spaces will be accessed from Church Path, positioned perpendicular to the carriageway (the TA provides swept path analysis of entry and exit vehicle movements to and from these spaces), with these x3 spaces being allocated to qualifying residents within the proposed development. The further x3 disabled spaces are proposed to be provided on Church Street East (parallel to the carriageway). The TA sets out that because these x3 spaces (on Church Street East) would be located within the highway boundary, it would not be possible to allocate these x3 bays to individual dwellings at the proposed development although that it is proposed that these bays will be provided without a timed restriction (thus qualifying residents of the proposed development could use them, subject to availability).
474. SPD Climate Change (2023) states (at para 6.2.3) that “*Policy CS22 of the Core Strategy states that new development in Woking Borough will be expected to contribute to charging infrastructure. This SPD sets out the minimum requirements for the provision of EV charge points in accordance with the current Building Regulations Part S as summarised in Table 6.2*”. Table 6.2 of the SPD provides a summary of the installation and charge point requirements in Part S to the Building Regulations which applies, among others, to new residential and non-residential buildings. An Electric Vehicle (EV) charging point condition is not recommended to be attached to new residential (and/or non-residential) development because EV charging point provision is now a requirement of Part S to the Building Regulations for such development. As such, a potential planning condition to this effect would not meet the test of ‘necessity’, because it would replicate the requirements of other regulatory provisions, and therefore is not suggested within the conditions schedule at the end of this report. This approach has been confirmed by Inspectors within recent appeal decisions, including Appeal Ref: APP/R1845/W/23/3320016 (in Kidderminster).

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475. Car clubs provide easy and convenient access to cars and vans on a short-term rental basis, therefore allowing people to use a car when they require one, without having to use or own a private vehicle. They have grown significantly in popularity over recent years and have the potential to reduce private car ownership and use. Enterprise Car Club, which is one of the largest car club networks currently operating in the UK, operate within Woking Town Centre. This service allows car club members access to a car on an occasional, 'pay-as-you-go' basis. At the time of writing Enterprise Car Club has x4 car club cars based within Woking Town Centre; x1 Nissan Leaf Auto EV based in the Victoria Place (Red) car park, x1 Peugeot 208 based on-street outside No.32 Goldsworth Road and x1 Nissan Leaf Auto EV and x1 Kia Niro EV based on-street on Montgomery Road (i.e., outside of Quadrant Court).
476. The TA sets out that to promote the car-free nature of the proposed development, discussions have taken place between the applicant and Enterprise Car Club (to understand the potential for car club spaces to be provided proximate to the site) and that it is proposed that x1 Car Club vehicle will be provided within the nearby Victoria Way Car Park (or other location as may be agreed), with the first occupying household of each apartment within the proposed development receiving a one (1) year pre-paid membership of either the Woking Town Centre Car Club or a similar town centre car club (these provisions are to be secured via the Section 106 Legal Agreement).
477. The provision of x1 new Car Club vehicle proximate to the site, together with the first occupying household of each apartment within the proposed development receiving a one (1) year pre-paid membership of either the Woking Town Centre Car Club or a similar town centre car club, would contribute towards providing an attractive alternative to private car use and is considered an appropriate response to residential parking provision in a highly sustainable central Woking Town Centre location in which the provision, and quantum, of residential parking should be consistent with the planning objective of cutting carbon emissions and promoting travel by active and sustainable modes.
478. Given the accessibility of the site, not only in terms of the range of active and sustainable travel modes (i.e. walking, cycling, bus, rail) which would be available to future residential occupiers to travel to and from the local area but also in terms of the range of local amenities which can be accessed practically primarily on foot given the central Woking Town Centre location of the site, the scope to both provide a car free development (albeit with some disabled parking) is very significant. The provision of a car free residential development in a highly sustainable location such as this is supported by national and local planning policy which promote sustainable travel and a shift away from the use of the private car, for reasons which include cutting carbon emissions.
479. Furthermore, Woking Town Centre, and much of the surrounding built-up area, is subject to Controlled Parking Zones (CPZ), the effect of which is to prohibit or limit on-street parking. On-street parking within this central part of Woking Town Centre (CPZ Area 1) is restricted between 08:30 and 18:00 hrs from Monday to Sunday (incl.). Outside of these hours of control there are limited areas of kerbside that can be used for parking and CPZ1 is otherwise restricted to disabled bays, pay and display, voucher parking and permit holders. During the hours of control, drivers need to display a valid Blue Badge or pay and display ticket or display a voucher or permit with disabled parking spaces providing a maximum 3 hours stay (no return within 1 hour).
480. The Parking Technical Note, prepared by SLR Consulting Ltd, which is a new report which was not submitted with previous application ref: PLAN/2023/0911, sets out that

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the site is in a highly sustainable location with a significant number of bus and rail services, as well as Car Club cars easily accessible from the site. Furthermore, the site's location centrally within Woking Town Centre means that it benefits from proximity to a broad range of local amenities including shops, eateries, schools and leisure and health facilities within comfortable walking and cycling distance and that, as a result, there is no need to own a car to live at the site. It also identifies that the site is located within CPZ 1 which abuts CPZ 2, CPZ 3, CPZ 4 and CPZ 5, during the hours of control for these CPZ areas, residents need to display a permit to park on street.

481. It further identifies that permits for residents to park on-street in Woking are issued by Surrey County Council (SCC) and that residents of new developments within Woking are not automatically eligible to apply for permits to park on street with it being understood that this could be re-considered as part of the review SCC undertake of parking across Woking every 12-18 months. Whilst it is possible through this parking review process for individuals, or groups of individuals, to request changes to the way in which SCC manage and control on-street parking there is no guarantee that SCC would allow residents of new developments to apply for permits. The Parking Technical Note advances that it is considered SCC are only likely to do so in the event they are satisfied that it would not result in people parking inappropriately on-street to the detriment of pedestrians, highway safety and traffic flow. Based on the preceding, if a resident of the proposed development wished to own a car and they were not disabled, they would have to park it on-street and manage it around the controlled hours to avoid receiving Penalty Charge Notices (PCN). The controlled hours for the zones identified previously are as follows (all days are inclusive):
- CPZ 1 – 08:30-18:00 Monday to Sunday;
 - CPZ 2 – 08:30-18:00 Monday to Saturday;
 - CPZ 3 - 08:30-18:00 Monday to Saturday;
 - CPZ 4 – 09:30-11:30 Monday to Friday; and,
 - CPZ 5 – 09:30-11:30 Monday to Friday.
482. The Parking Technical Note identifies that if a resident of the proposed development drove to work every day, it would be possible to leave before 08:30 and to return after 18:30 (Monday-Friday). However, if a person was ill or on leave, they would still have to move their car every day of the week to avoid receiving PCN for parking in any of the identified CPZ, and on at least one day of the weekend to avoid receiving PCN for parking in CPZ 1, 2 and 3.
483. It identifies that *“the applicant will make it clear to potential tenants that, unless they are registered disabled, they would not be able to park on site and they would not be eligible to apply for a permit to park on street”* (para 5.7) and that if owning a car is essential to a potential occupier, it is most likely that they would decide to look at alternative properties with car parking rather than accepting the considerable inconvenience of managing a car around the hours when car parking on the streets surrounding the site is controlled with the inconvenience being readily apparent from reviewing the publicly available information about the CPZ in Woking and so it is also unlikely that any residents would buy a car after they have moved into a dwelling on site without one. The Parking Technical Note concludes that, based on the preceding, the proposed general car parking provision is sufficient and that there would be no overspill parking on-street as a result of the proposed development.

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484. The car free nature of the proposed development, together with the restrictions imposed by the CPZ areas, would represent a very strong deterrent to residential car ownership.
485. Moreover, the Technology House appeal decision (WBC Ref: PLAN/2022/0685, Appeal Ref: APP/A3655/W/23/3328994) was issued on 13th March 2024. Whilst the Technology House appeal decision was not referenced within the Planning Committee report for previous application ref: PLAN/2023/0911, because that Planning Committee report was finalised for publication before the Technology House appeal decision was issued on 13th March, Officers did verbally advise the Planning Committee (at the outset of the 19th March meeting) that the Technology House appeal decision would be pertinent to consideration of application ref: PLAN/2023/0911, and Officers referred to the Technology House appeal decision throughout the verbal discussion at Planning Committee on application ref: PLAN/2023/0911, particularly in respect of car parking provision. Clearly there has now been more time for Officers (and Members) to consider the implications of the Technology House appeal decision.
486. For the sake of comparison the Technology House appeal development comprised 224 dwellings together with ground floor commercial units. It was also proposed to operate primarily as a 'car free' development, except for x6 disabled car parking spaces and an anticipated x1 Car Club parking space, the latter secured by planning obligation. The Technology House appeal site is located towards the western boundary of Woking Town Centre, on the western side of Victoria Way, close to principally residential roads, including Oaks Road and Vale Farm Road. It is located around 500 metres walking distance from Woking railway station and falls within CPZ 3 of Woking Town Centre, in which residents parking permits or vouchers are required for on-street parking between 08:30-18:00hrs Monday to Saturday (incl.), with parking being unrestricted outside of the stated hours and unrestricted all day on Sundays.
487. In the case of the Technology House appeal development even within the hours of operation of CPZ 3, there are roads further afield in the area where there are no parking restrictions or less stringent restrictions, with the (Borough) Council and residents contending (at appeal) that the Technology House development would provide insufficient on-site car parking provision and that the displacement of any subsequent car parking demand arising from occupants or use of the appeal development would then be transferred onto surrounding roads and streets, to the detriment of the function and amenity of the area.
488. As such, the present application site differs from the Technology House appeal site in that it is located within the central part of Woking Town Centre (CPZ 1 and is located centrally within CPZ 1) in which on-street parking is restricted between 08:30-18:00hrs from Monday to Sunday (incl.), these hours of restriction being longer in duration (i.e., including Sundays) than is the case with the Technology House appeal site.
489. Furthermore, and importantly, the present application site is located more distant from principally residential roads than the Technology House appeal site with the nearest principally residential roads being located to the north of busy Victoria Way (and to the north of the Basingstoke Canal), and to the south of the railway, meaning that if future residents of the proposed development wished to park on-street they would have to cross busy Victoria Way (and the Basingstoke Canal via the Chobham Road Bridge) or the railway (via the underpass beneath Woking railway station), these being distances of at least 250 metres to the north and 330 metres to the south in each direction (i.e., distances 'to' and 'from' a car parked on-street of at least 500 metres to the north and

at least 660 metres to the south), these distances, and the barriers presented by the busy Victoria Way and the railway, would act as a deterrent such that if future residents had a regular reliance on use of a private vehicle (and were not eligible for disabled parking) they would very likely simply choose not to live within the proposed development.

490. Moreover, the closest residential roads to the north of Victoria Way are The Grove and Ferndale Road, in which parking within on-street bays is controlled between 08:30-18:00hrs Monday to Sunday (incl.) to permit holders or Pay and Display with a 1 hour limit. As such, if future residents had a regular reliance on use of a private vehicle (and were not eligible for a disabled parking) on-street parking within The Grove and Ferndale Road does not represent a practical or sustainable option and thus they would very likely simply choose not to live within the proposed development.
491. Other roads north of Victoria Way, such as Brewery Road and Chobham Road, provide no potential for on-street parking. Parking within Wheatsheaf Close is controlled between Mondays-Fridays (incl.) between 9:30-11:30hrs with only permit holders or voucher parking with a 1 hour limit able to take place within those hours of control. In any case Wheatsheaf Close is a distance of at least 600 metres to the north (i.e., distances 'to' and 'from' a car parked on-street of at least 1,200 metres, or around 0.7 miles), these distances, and the barrier presented by the busy Victoria Way, would act as a deterrent such that on-street parking within Wheatsheaf Close does not represent a practical or sustainable option and thus if future residents had a regular reliance on use of a private vehicle (and were not eligible for disabled parking) they would very likely simply choose not to live within the proposed development.
492. There is also very limited potential for on-street parking to take place on principally residential roads to the south of railway, with Heathside Crescent, White Rose Lane, Heathside Road and part of Oriental Road providing no potential for on-street parking. Whilst there are some on-street parking bays more eastward on Oriental Road, and within Park Road, these are very limited in number and again are controlled between Mondays-Fridays between 9:30-11:30hrs with only permit holders or voucher parking with a 1 hour limit able to take place within those hours of control. In any case on-street parking spaces within those roads are at a distance of at least 500 metres to the south (i.e., distances 'to' and 'from' a car parked on-street of at least 1,000 metres), these distances, and the barrier presented by having to use the steps of the railway underpass in each direction (use of Victoria Arch would increase the 'to' and 'from' distances), would act as a deterrent such that on-street parking within Oriental Road, and within Park Road does not represent a practical or sustainable option and thus if future residents had a regular reliance on use of a private vehicle (and were not eligible for disabled parking) they would very likely simply choose not to live within the proposed development.
493. In the Technology House appeal decision the Inspector states that "*I note the minimum parking level required by WBC Parking Standards Supplementary Planning Document April 2018 (PSSPD), equates to providing around 179 or so parking spaces. Nevertheless, the absence of on-site parking is still in line with the spatial vision, objectives, and strategy points 6, 7, and 10 of the WCS: which collectively seek to minimise the adverse impacts of climate change; maintain and improve air quality; and to deliver a transport system that enables people to access key services, facilities, and jobs*" (para 40), also noting that the NPPF encourages that the planning system seeks to actively manage patterns of growth in locations that are sustainable or can be made sustainable by offering a genuine choice of transport modes, with the advantages of doing so including reducing congestion and emissions (para 41).

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494. At paragraphs 42 - 44 (incl.) the Inspector set out the provisions of paragraph 115 of the NPPF, as well as the locational characteristics of the Technology House appeal site, including its proximity to public transport connections and amenities, setting out that that appeal development provided lots of opportunities to avoid car use. The locational characteristics of the present application site, including its proximity to local transport connections and amenities, are more pronounced than that of the Technology House appeal site with the present application site being located much more centrally within Woking Town Centre, and within closer proximity to Woking Railway Station (around 200 metres walking distance), than the Technology House appeal site.
495. At paragraph 45 of the Technology House appeal decision the Inspector set out that they *“agree that the appeal site location does lend itself extremely well to a car free design concept. Nevertheless, the concept is heavily dependent on the choices of occupants choosing to live there knowing there would be no parking other than the car club space and disabled bays”*, acknowledging that this would mean that should any occupants own cars they would need to park in surrounding roads and streets in accordance with the substantial car parking restrictions already prevailing in the area, and that *“In that regard, there are existing controlled Car Parking Zones (CPZs) in place and other parking restrictions which would limit parking for both occupants and visitors alike. The Town Centre car parks referred to also offer regulated parking provision. The development otherwise provides extensive cycle parking (at some 231 spaces altogether, and locker storage) facilities embedded in its overall design, as a further factor”* (para 46). These preceding conclusions of the Inspector in the Technology House appeal decision are equally applicable to the present application development, which would provide a higher quantum/ratio of cycle parking (438 spaces) and which would be located more proximate to the existing amenities and public car parks within Woking Town Centre, also being located within a more restrictive CPZ Zone (CPZ 1 as opposed to CPZ 3) and with less opportunity for on-street parking within the surrounding area, than was the case with the Technology House appeal development.
496. At paragraph 49 of the Technology House appeal decision the Inspector set out that *“Without a permit, if a resident of the appeal development wished to own a car and they were not disabled, they would have to park on street in the wider vicinity and manage parking around the controlled hours to avoid receiving a parking penalty. Nonetheless, there is nothing to suggest parking restrictions would not be respected by future occupants of the development. SCC [Surrey County Council] would have sufficient parking enforcement powers as well as oversight review channels available to ensure this. Beyond that other potential public highway obstructions could be dealt with by the Police”* and that *“Because of the favourable town centre service provision with realistic alternative transport modes available to car use, coupled with the existing parking controls evident, I am satisfied by the appellant’s arguments that the likelihood is that future occupants of the development would choose not to own a car if they wanted to live in the units”* (para 50). Again, these conclusions of the Inspector in respect of the Technology House appeal development are equally, and it is considered by Officers more, applicable to the present application development.
497. In respect of the sufficiency of disabled car parking the Parking Technical Note sets out that there are five (5) wheelchair accessible M(4)3 dwellings within the proposed development and that six (6) disabled car parking spaces will be provided as part of the proposed development, three (3) being on-site and three (3) being on-street. The Parking Technical Note acknowledges that the three (3) disabled spaces proposed on-

street cannot be dedicated to residents of the proposed development and will be available to anyone with a blue badge although sets out that is not necessarily the case that the occupant(s) of the five (5) wheelchair accessible dwellings within the proposed development would be blue badge holders and own their own car.

498. The Parking Technical Note sets out that according to a report entitled 'Who lives in Build-to-Rent? An analysis of Build-to-Rent occupancy in London' published by the British Property Federation (BPF) in January 2021, 79% of residents of BTR schemes were aged between 16 and 34 years old and that only 1% of residents are over 55 years old. It sets out that 490 residents are likely to live in the proposed BTR dwellings and that, based on the BPF report, 387 of them are likely to be aged between 16 and 34 years old. Whilst the Parking Technical Note acknowledges that the BPF report was based on data from BTR residential developments in London it sets out that the BTR concept of large scale, high quality professionally managed properties with shared facilities for residents is successful in any location that has good access to public transport and local amenities, which is the case for Woking Town Centre.
499. The Parking Technical Note replicates a figure (Figure 5.1) from the DfT: *Blue Badge scheme statistics, England: 2021* which is based on data from the National Travel Survey 2020 setting out that whilst the Department for Transport (DfT) statistics apply to all household types, they show that the proportion of the population aged between 16 and 39 that are blue badge holders ranges from 0.7% to 1.8% and that taking the middle of the range (1.25%) and applying it to the number of residents of the proposed development aged between 16 and 34 (387), indicates there could be five (5) Blue Badge holders.
500. It advances that residents living within the proposed development who are eligible for Blue Badges would benefit from the same convenient step free access to local amenities and public transport as other residents and therefore that although they may be eligible for Blue Badge parking, it is likely that a significant appeal of living at the proposed development for those people would be that they can complete many of their day to day journeys without a car. It continues that it is not necessarily true, therefore, that all eligible Blue Badge holders living within the proposed development would own their own vehicle and that according to Disability, accessibility and blue badge statistics, England, 2022 to 2023 published by the DfT, only 56% of disabled people aged 17-59 held a full driving licence in 2022 with many disabled people relying on other people, such as their carers', to drive them with Enterprise Car Club allowing non-driver members to nominate someone to drive on their behalf.
501. The Parking Technical Note sets out that there were previously five (5) disabled parking spaces on Church Street East in the location where the three (3) on-street disabled spaces provided by the proposed development will be located and that the five (5) disabled spaces were removed from that section of Church Street East when it was temporarily pedestrianised such that any blue badge holders parking in these spaces would have to have found somewhere else to park within Woking Town Centre.
502. It continues by stating that the respective section of Church Street East has been reopened and five (5) parking spaces have been provided although these spaces are not designated for any particular use, disabled or otherwise with discussions with a transport officer at Surrey County Council (SCC) who covers the Woking area indicating there is no intention to designate them for disabled use. The Parking Technical Note advances that this suggests that SCC are satisfied that the existing blue badge parking provision in Woking Town Centre is sufficient to satisfy the existing demand with is also indicating that there may not be demand for the three (3) disabled

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spaces that would be provided in that area under the proposed development by anyone other than residents of the proposed development or their carers'. It continues by setting out that even if there were a demand by non-resident blue badge holders, Woking Borough Council (WBC) offer Blue Badge holders free parking in Woking Town Centre car parks with this concession offered to valid Blue Badge holders who have had a successful application to WBC for what is referred to a car park exit sticker with users having to park in a bay marked 'Blue Badge Holder only' and can park for 24 hours a day.

503. The Parking Technical Note sets out that relevant car parks in Woking Town Centre are as follows:

- Brewery Road car park - 8 disabled bays
- Victoria Place (Blue) car park - 37 disabled bays
- Victoria Place (Yellow) car park - 19 disabled bays
- Victoria Place (Red) car park - 40 disabled bays
- Victoria Place (Green) car park - 17 disabled bays
- Victoria Way car park - 15 disabled bays

Total - 136 disabled bays

504. The preceding proximate disabled parking provision means that any blue badge holder regularly visiting Woking Town Centre that would like to park outside the site (on Church Street East) but finds the spaces occupied by resident related vehicles (theirs or their carers) they should be able to find another place to park either on or off street. Finally, in respect of the sufficiency of disabled car parking the Parking Technical Note sets out that people are currently parking in the five (5) undesignated spaces on Church Street East outside the site, most of whom are not blue badge holders and that it is likely that these people are parking in that location because there are no restrictions and/or they don't have to pay rather than because they cannot find a place to park elsewhere.

505. In addition the County Highway Authority (CHA, Surrey County Council) have commented (in italics) that:

"There are Controlled Parking Zones (CPZ) are in place across Woking. The Site is located within CPZ 1, which covers most of Woking town centre. This controls parking over the period of general working hours 8:30am to 6:30pm. However, the area adjacent and to the north of the site (Church Street East, Christchurch Way and Chobham Road) is subject to restrictions between 8:30am and 10pm, and that directly to the south (Commercial Way, Chobham Road, and Chertsey Road) there is no parking at any time except for Blue Badge holders.

During the hours of control spaces are limited and drivers need to display a valid Blue Badge or pay and display ticket or display a voucher or residents' permit.

Permits for residents to park on-street in Woking are issued by SCC. Residents of new developments within Woking are not eligible to apply for permits to park on street, as from 1st April 2023 permits are not issued for residents of new development within town centres. This makes parking very inconvenient for any residents of the development who choose to own a car, as generally restrictions apply over an area of a walk distance of 1.2km from the development."

and (among other comments) that

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“The scheme proposes to provide parking for blue badge holders only. Based on the sites’ accessible location (with a wide range of public transport facilities), the broad range of local amenities and employment opportunities, and established on-street parking controls, the site is well suited for a low or zero parking residential development. Therefore, SCC do not wish to object to the scheme on parking grounds.”

506. In light of the additional information (i.e., the Parking Technical Note) submitted with this application, together with a considered comparative analysis of the conclusions of the Technology House appeal decision on parking matters, and subject to conditions and a Section 106 Legal Agreement which will secure car club provisions (i.e., x1 car club space and free membership for each household of the proposed development for one (1) year), this application is considered to have sufficiently overcome reason for refusal 03 of ref: PLAN/2023/0911. The proposed development is therefore considered to be acceptable in terms of the adequacy of parking provision, including in terms of the adequacy of disabled parking provision. Existing parking controls are adequate to safeguard against overspill on-street parking and the proposed development would accord with Policies CS18 and CS21 of the Woking Core Strategy (2012) which collectively seek to ensure appropriate accessibility levels; the promotion of sustainable travel; the safe function of the local road network as well as safeguarding the amenities of the area. It would also be consistent with Section 9 of the NPPF which seeks to manage growth and transportation needs in a sustainable manner.
507. In respect of the largely car free nature of the proposed development it must be reiterated that the NPPF requires the planning system to manage patterns of growth and sets out that significant development should be focussed on locations which are, or can be made sustainable, through limiting the need for travel and offering a genuine choice of transport modes. This site is clearly such a location. Policy CS18 of the Woking Core Strategy (2012) also states that development will be directed to the main urban areas so that they are served by a range of sustainable transport modes including public transport, walking and cycling, so that the need to travel, along with the distance travelled, is kept to a minimum. Under the policy, minimum parking standards will be applied to residential developments but only in circumstances where doing so would not undermine the overall sustainability objectives of the Woking Core Strategy (2012). In this regard, potential refusal of the proposed development on the grounds of residential parking provision would clearly serve to severely undermine such objectives because it would prevent the construction of x272 dwellings within a location which is very well served by services, employment and public transport and where the use of the private motor vehicle is not required.
508. Furthermore, the largely car free nature of the proposed development is further supported by an October 2019 Woking Borough Council resolution which states, having regard to the parking standards, wherever possible, zero or minimal parking provision should be considered in Woking Town Centre developments following the recommendations of the Council’s Climate Change Working Group.

Car Parking – Non-residential

509. The site is located within Woking Town Centre, and within the Primary Shopping Area and Primary Shopping Frontage, as defined by the Council’s Proposals Map. With regard to the proposed Commercial, Business and Service (Class E) floorspace at ground floor level, as stated within paragraph 4.3 of SPD Parking Standards (2018), *“maximum parking standards will be implemented for all types of non-residential parking standards, including consideration of zero parking in Woking Town Centre”*.

Under 'Part A Use Classes' the SPD also states that "*Woking Town Centre is a highly sustainable and accessible location with huge pressure on the demand for land. To ensure the efficient use of land in this area zero parking has been applied, in line with Core Strategy Policy CS18: Transport and accessibility*". It must be noted that what were previously uses falling within A Use Classes now fall within Use Class E (other than former Classes A4 & A5, which are now *sui generis*). As such, the provision of zero car parking to serve the proposed Commercial, Business and Service (Class E) floorspace at ground floor level is entirely consistent with the Development Plan and SPD Parking Standards (2018).

Cycle Parking – Residential

510. Policy CS18 of the Woking Core Strategy (2012) states that:

"The Council is committed to developing a well-integrated community connected by a sustainable transport system which connects people to jobs, services and community facilities, and minimises impacts on biodiversity. This will be achieved by taking the following steps:

- *Supporting proposals that deliver improvements and increased accessibility to cycle, pedestrian and public transport networks and interchange facilities..."*

511. Cycle parking standards are set out within SPD Parking Standards (2018), which states the purpose of the guidance as being "*to set appropriate car and cycle parking standards for all forms of development to balance a wide set of aims*", including to "*influence a shift in behaviour towards sustainable modes of transport*" such as cycling.

512. Clearly, the provision of good quality cycle parking supports cycling as a means of transport and is therefore critical to increasing the use of cycles. Section 4.6 of Parking Standards SPD (2018) sets out minimum cycle provision as being "*2 spaces per dwelling*" for "*C3 Dwelling houses (family houses, up to 6 residents living as a single household, including households where care is provided)*". The applicant states (within the TA, para 3.28) that "*In terms of cycle parking, the SPD does not specify the number of cycle parking spaces for flatted units, only for family houses of up to six residents. It was therefore agreed with SCC [Surrey County Council] as part of pre-application discussions to use the Surrey Cycle Parking Standards noted above*". The Surrey County Council (SCC) 'Vehicular, electric vehicle and cycle parking guidance for new developments' guidance sets out minimum on-site residential cycle parking standards as shown below:

No. of bedrooms (Flats / houses without garages or gardens)	Minimum cycle parking standard per flat / house	Number of flats, apartments or maisonettes	Total number of cycle parking spaces
1 and 2 bedrooms *	1	250	250
3 or more bedrooms	2	22	44
Totals		272	294

* Officer Note: Studio dwellings have been counted as 1 bedroom dwellings for these purposes

513. In the absence of specific guidance for flatted developments within the Council's SPD Parking Standards (2018) the SCC guidance produces a minimum residential parking requirement of x294 cycle spaces. The proposed development would provide x438

indoor cycle parking spaces within a secure ‘cycle hub’ (across ground floor and mezzanine levels, with a cycle lift to be provided between these floors), which would be directly accessible from Chobham Road. The proposed provision of x438 cycle parking spaces would represent a provision of around 149% of the minimum requirement on the basis of the SCC ‘Vehicular, electric vehicle and cycle parking guidance for new developments’. Moreover, the ‘cycle hub’ would be located on the eastern side of the proposed development at ground floor level, with its own dedicated access point from Chobham Road, which forms part of a national cycle route, and the location of the cycle parking and supporting facilities would thus integrate with the existing cycle network.

514. It must be noted that x115 (around 42%) of the x272 proposed dwellings would be studio (x14) or 1 bedroom (x101) in size; therefore it is not considered that applying a minimum cycle parking standard (of x2 spaces per dwelling) for family dwelling houses would be appropriate to those, smaller, flatted dwellings (although it would be for the, larger, 2 and 3 bedroom flatted dwellings). Moreover, the x438 indoor cycle parking spaces proposed within the secure ‘cycle hub’ would comfortably provide for x1 cycle space for each studio and 1 bedroom dwelling (x115 spaces) and x2 cycle spaces for each 2 and 3 bedroom dwelling (x314 spaces) with x9 ‘free’ cycle spaces remaining to accommodate any extra residential demand (and to provide for staff of the proposed Class E units at ground floor level). The TA also sets out (at para 4.30) that *“The cycle hub will also provide an area for cycle washing and maintenance, including a maintenance kit for use by residents and staff.”* The quantum, location, and provision, of the cycle parking and supporting facilities would encourage future residents to continue and/or to take up cycling as means of active travel.
515. Overall, the provision of x438 indoor cycle parking spaces within the secure ‘cycle hub’ is considered to represent a suitable and acceptable level of residential cycle parking provision, particularly given the central Woking Town Centre location of the site and due to the range of amenities available in the town centre itself, as well as the fact that the site is also located within walking distance of a range of public transport services including those at Woking railway station and local bus stops/routes. Moreover, the provision of this level of residential cycle parking would support the car-free nature of the scheme, and the aim to encourage active travel amongst future residents. Recommended condition 13 refers in respect of cycle parking.

Cycle Parking – Non-residential

516. There are currently no known formal cycle parking facilities within the site although SPD Parking Standards (2018) identifies (at section 4.6) that *“The provision of good quality cycle parking supports cycling as a means of transport and is therefore critical to increasing the use of cycles”*. The final use of the Class E units at ground floor level is unknown (as the inherent intention is that they be flexible, within Class E, to respond quickly to future market and operational demands, as Government intended, particularly within town centre locations such as this, by bringing Class E into force). SPD Parking Standards (2018) identifies minimum cycle parking, for relevant non-residential uses (bearing in mind Class E includes any and all such uses), as below:

Use Class	Minimum cycle parking	GFA / No. of seats	Minimum quantum required	Proposed quantum
B1 Business <i>(now Class E(g))</i>				
Offices	1 space per			

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	125 sq.m (min. 2 spaces)	Unable to be calculated due to the flexible Class E use which is proposed at ground floor level - floorspace within which could alternate between any of the uses now falling within the Class E (which would not be development for planning purposes) - SPD Parking Standards (2018) pre-dates substantive changes to The Town and Country Planning (Use Classes) Order 1987 (as amended) which came into force on 1 September 2020.
A1 Retail <i>(now Class E(a))</i>		
Food retail	1 space per 125 sq.m (town/local centre)	
Non-food retail	1 space per 300m sq.m (town/local centre)	
All other retail uses	Individual assessment	
A2 Financial/ professional services <i>(now Class E(c))</i>	1 space per 125 sq.m	
A3 Food and drink <i>(now Class E(b))</i>		
Restaurants, snack bars and café's. For sale & consumption on the premises (if located beyond Town Centre locations).	1 space per 20 seats (min 2 spaces), town centre parking not necessarily required	

517. Given the above, and the inherent intention that the Class E units at ground floor be flexible in land use terms (albeit only for purposes falling within Class E) applying the most onerous cycle parking standards of the applicable land uses (food retail (town/local centre)), which requires x1 cycle space per 125 sq.m, to the proposed Class E floorspace at ground floor level the proposed development would need to provide x4 cycle parking spaces to serve the Class E units/floorspace. Cycle spaces are proposed within the new public realm off Church Path, condition 13 is recommended to secure further details in that respect.
518. The TA sets out (at para 4.28) that, in addition to the indoor 'cycle hub', x3 (outdoor) Sheffield cycle stands will be provided for public use within the new public realm close to the corner of Church Street East and Church Path. The TA also sets out (at para 4.29) that "*Staff of the proposed retail units [i.e., the Class E units at ground floor level] will also have access to this cycle hub*", whilst it is proposed that customers of the Class E units can utilise existing (and relocated, from Commercial Way) public cycle parking available on Chobham Road, Commercial Way or the proposed new x3 Sheffield cycle stands in the proposed new public realm space. The TA also sets out (at para 4.30) that "*The cycle hub will also provide an area for cycle washing and maintenance, including a maintenance kit for use by residents and staff.*" Again, recommended condition 13 refers in respect of cycle parking.

Deliveries and Servicing

519. It is proposed that two (2) new loading/delivery bays will be provided to service the proposed development, one (to the north) on Church Street East, which will principally be used for deliveries to, and maintenance of, the proposed development. The second will be provided (to the south) on Commercial Way and will principally be used for refuse/recycling collections but will have the potential to be used by other vehicles (as it will be within the extent of the public highway).
520. The loading bay on Church Street East is proposed to be located on the southern side of the carriageway, at the western end of the northern site frontage, with three (3)

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disabled bays provided to the east, to replace a section of the existing layby area that is currently unrestricted. Delivery and servicing vehicles would pull into the loading bay and on departing would follow the existing one-way system in a clockwise direction. The TA sets out that this loading bay has been designed so that a 7.5t box van can safely manoeuvre in and out and that it is proposed that a 20-minute loading duration restriction would be placed on the layby (any such restriction would need to be imposed by Surrey County Council, as the County Highway Authority, as part of the Section 278 works / Traffic Regulations Order (TRO)).

521. The loading bay on Commercial Way is proposed to be located on the northern side of the carriageway and has principally been positioned and designed so that refuse/recycling collections can be undertaken from the southern side of the proposed development. Joint Waste Solutions (JWS), who manage residential refuse/recycling/food waste etc. collections for the Council, have confirmed that refuse vehicles already conduct refuse collections on Commercial Way, using a c.10.5 metre long refuse vehicle and as such this layby has been designed to accommodate this vehicle. The TA sets out that the exact restrictions of the Commercial Way layby will be agreed with the County Highway Authority (Surrey CC); however, it is likely that this will take the form of a 20-minute loading restriction (with an understanding that Council refuse/recycling vehicles could exceed this), a 'HGVs only' restriction or double yellow lines, where loading is permitted (again, any such restrictions would need to be imposed by the County Highway Authority as part of the Section 278 works / Traffic Regulations Order (TRO)).
522. The provision of the layby on Commercial Way would require the relocation of x1 (street) tree and x15 Sheffield cycle stands which are within the existing highway boundary. It is proposed that these will be relocated within the pedestrianised zone of Chobham Road, to the east of the proposed development (this will be secured via recommended condition 10 and the Section 278 highways works, which are to be secured via the Section 106 Legal Agreement).
523. The TA sets out that given there is limited data available in terms of delivery and servicing trips at residential developments, agreed trip rates and information approved by SCC [Surrey County Council, as the County Highway Authority] at another application site in Woking have been utilised to assess the impact of delivery and servicing trips at the proposed development and that, for robustness, it has been assumed that no deliveries will be consolidated into the same vehicle (although this is unlikely to represent the operational scenario) and therefore that the trip generations are likely to represent an over-estimation.
524. In respect of residential non-food deliveries (i.e., packages) the TA sets out (at para 5.29) that *“Previous assessments accepted by SCC notes that an average of 4.77 non-food delivery packages are delivered per residential unit, per month, equating to approximately 0.16 deliveries per unit daily. Based on the proposed development’s 272 units, this equates to 44 non-food deliveries per day. It is acknowledged that this figure represents an average throughout the year, and some months (such as the run up to Christmas) may be busier than other months. However, given this figure does not account for any consolidation of deliveries it is suggested that the figure remains robust.”*
525. The TA sets out that approximately 85% of these deliveries are estimated to be small packages, such as “Amazon” deliveries, with the remaining 10% estimated to be large/bulky items and 5% miscellaneous items, such as flowers or dry cleaning and that all deliveries are anticipated to be taken from the proposed loading bay on Church

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Street East, with deliveries made to the residential concierge in the entrance lobby, thus allowing *“for a quick and seamless delivery process, particularly for the small packages and miscellaneous deliveries”* (TA, para 5.30). It must also be noted that there is an existing loading bay on Church Street East (adjacent to the north-east corner of the site) that could also be used for such deliveries. The TA identifies that across the day (07:00-19:00) the estimated number of residential non-food deliveries (i.e., packages) would equate to an average of less than x4 per hour.

526. In respect of residential food deliveries (i.e., groceries and takeaways) the TA sets out (at para 5.32) that *“The SCC approved data assumes that 60% of residential units will receive at least one food delivery per week. This figure incorporates both hot-food takeaways...and groceries...This assumption would equate to a total of 163 food deliveries per week, or 23 deliveries per day. These deliveries are much less likely to be consolidated, however it is acknowledged that a large proportion of takeaway deliveries are made by bicycle or motorcycle.”*
527. The TA identifies that residential food deliveries can only be made when a resident is at home to receive the delivery (i.e., they cannot be left with a concierge) and therefore that it is assumed that the majority of food deliveries will take place between the hours of 17:00 and 21:00. Based on this four hour period, the TA identifies that this equates to an average of approximately x6 deliveries per hour during the week (i.e., Monday to Friday incl.) and that such deliveries are more likely to be spread throughout the day at the weekend.
528. Overall, the TA identifies that between residential food and non-food deliveries, it is anticipated that the residential component of the proposed development would require a total of approximately x67 deliveries per day, that deliveries will likely be spread across the day (and a number of these will be consolidated) and that, on average, this would equate to 4-5 deliveries per hour (or one every 12-15 minutes). The TA states (at para 5.35) that *“the majority of these deliveries should only require the vehicle to wait in the loading bay for a few minutes (say 5-10 minutes) and will involve small vans. This effectively equates to a capacity of 6-12 vans per bay per hour”*.
529. In respect of residential deliveries the TA concludes (at para 5.36) that *“The proposed loading area on Church Street East would accommodate two small vans (or one larger van). Therefore, it could potentially accommodate 12-24 vans per hour. Given the above, the proposed additional layby should be able to comfortably accommodate the additional deliveries generated by the development...a layby is also proposed on Commercial Way and there are other loading opportunities in the vicinity of the site [i.e., on Church Street East] should demand warrant this.”*
530. In respect of deliveries to the Class E units/floorspace which are proposed at ground floor level the TA states (at para 5.37) that *“The commercial units at the proposed development are relatively small, so a broad assumption of two deliveries per unit, per day has been assumed: one by light van and one by HGV”* and that (at para 5.38) *“On occupation of the units, the occupiers will be encouraged to consolidate deliveries and organise for them to be undertaken outside of the network peak periods and at times when there is less demand for residential deliveries, where possible.”*
531. The TA sets out that the residential component of the proposed development would be serviced by a weekly food waste collection and a fortnightly recycling and general waste collection (i.e., one each week, with recycling and general waste collection on alternating weeks) and therefore that x2 refuse/recycling collection vehicles per week would service the residential component, from the proposed new loading bay on

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Commercial Way. In respect of the Class E units at ground floor level mixed dry recyclables, organic/food and residual wastes would be collected from the site by a commercial service provider (Joint Waste Solutions only undertake residential collection for the Council, the Council has no statutory duty to collect commercial recyclables/waste etc.). The TA sets out that it is envisaged that such collection for the Class E units/floorspace would be collated into x1 weekly collection, which would utilise the proposed new loading bays on Commercial Way and Church Street East.

532. Overall, the provision of the proposed new loading bays on both Church Street East and Commercial Way would serve to minimise the impact of delivery and service vehicle parking and activity on the local road network (outside of designated areas) as well as providing a wider benefit to all businesses in the area, who would be able to use the new loading bays (as they would be within the highway boundary). Furthermore, the TA demonstrates that the level of delivery / servicing trips generated by the proposed development is unlikely to have a substantial impact on the local road network in the vicinity of the site and that the proposed provision of a two (2) new loading bays would be sufficient to accommodate the additional delivery / servicing requirements which would arise as a result of the proposed development. Condition 12 is recommended to secure a Service and Deliveries Management Plan (SDMP).

Trip Generation

533. The TA considers the likely future travel demands to and from the proposed development by all travel modes (using the Trip Rate Information Computer System (TRICS) database) for the existing and proposed land use types in Town Centre areas.
534. The TA sets out that the existing building (which is proposed to be demolished) comprises a retail unit on the ground floor (currently occupied by the British Heart Foundation although potential occupation by other retailers would clearly not require planning permission) with associated servicing and storage, having a total floor area of 4,217 sq.m.
535. In respect of existing retail trip generation the TA sets out (at para 5.3) that *“There is limited information on the trip generation characteristics of a town centre shopping area, and it is acknowledged that there will be a significant number of linked trips in the area”*, it sets out that the proposed development includes 472 sq.m of retail space [i.e., this is a slight overestimation of the Class E units at ground floor level], and therefore there would be a net reduction of 3,745 sq.m in this respect (note: the x2 ‘live-work’ units have been assessed as residential for trip generation purposes as that is the most robust scenario).
536. It should be noted that, although it is envisaged that the ground floor Class E units are likely incorporate a variety of specific use types within Class E (i.e., such as café, restaurant and retail for example), for the purposes of the travel demands assessment the most onerous land use at ground floor has been assumed within the TA, which is retail and therefore, the trip generation and impact assessment assumes that the ground floor Class E units are exclusively occupied by the retail land use (as a ‘worst case’ scenario in trip generation terms). In recognition of the fact that some of the existing retail trips are likely to take the form of linked retail visits across the town centre, and therefore may not necessarily be trips that are removed from the network if the existing retail unit was to be removed from the site, 25% of the existing retail trips associated with the site have therefore been removed to reflect this fact.

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537. Having regard to the preceding the TA sets out that the existing retail unit at the site is estimated to generate approximately 32 more two-way person trips in the AM peak (08:00-09:00), and approximately 107 more two-way person trips in the PM peak (17:00-18:00), than the proposed retail [Class E] units, and that the existing retail unit on the site is estimated to generate approximately 1,123 more two-way person trips throughout the day (07:00-19:00) than the proposed retail [Class E] units.
538. In respect of existing office trip generation the TA sets out that the existing building (which is proposed to be demolished) provides 1,818 sq.m of office floorspace at upper levels and that this existing floorspace is estimated to generate approximately 50 two-way person trips in the AM peak (08:00-09:00), approximately 45 two-way person trips in the PM peak (17:00-18:00) and approximately 489 two-way person trips throughout the day (07:00-19:00). The existing office floorspace would not be replaced within the proposed development although the Class E units at ground floor level could be used for office purposes, which now falls within Class E (although this eventuality would reduce the retail floorspace, the trip generation impacts for which have been previously discussed and which would be greater than for office floorspace).
539. The TA sets out that the residential component of the proposed development (272 dwellings) is anticipated to generate up to 152 two-way person trips in the AM peak (08:00-09:00), up to approximately 180 two-way person trips in the PM peak (17:00-18:00) and up to approximately 1,369 two-way person trips throughout the day (07:00-19:00).
540. The TA sets out that a multi-modal trip generation exercise for the proposed trips has been undertaken by applying Census Journey to Work data for the Woking 008 MSOA (as a place of residence) to the person trip generation generated by the TRICS assessment. It sets out that, given the proposed development will be car free, the Census mode share has been adjusted to reflect the reduced number of future residents travelling by car, because x6 disabled parking spaces are proposed it has been assumed that the driver mode share will be approximately 2.2% (i.e., 6 out of 272 dwellings) and that the other mode shares have been adjusted on a pro-rata basis to reflect this. The below is a replication of Table 5.6 (Multi Modal Trip Generation) within the TA:

Mode	Census Mode Share	Adjusted Mode Share	Proposed Two-Way Trips		
			AM Peak	PM Peak	Daily*
Underground / Light Rail / Tram	0.6%	1.0%	2	2	14
Train	29.6%	51.5%	78	93	705
Bus	2.3%	4.1%	6	7	56
Taxi	0.5%	0.8%	1	1	11
Motorcycle	0.7%	1.2%	2	2	16
Car Driver	43.7%	2.2%	3	4	30
Car Passenger	2.8%	4.8%	7	9	66
Bicycle	2.5%	4.3%	7	8	59
Walking	17.2%	29.9%	45	54	409
Other	0.1%	0.2%	0	0	3
Total	100.0%	100.0%	152	180	1,369

**Discrepancies due to rounding errors*

541. As can be seen above the majority of trips which would be generated by the proposed development are likely to be made by train. However, the provision of good levels of cycle parking should increase the (adjusted) mode share of bicycle (above that of 4.3% adopted above) and thus reduce the impact of the proposed

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development on local public transport. Moreover, the preceding table does not take account of the existing trips which are generated to and from the existing development on the site (and hence does not 'net off' these existing trips).

542. As such, the TA sets out the total net multi-modal trip generation in Table 5.8 which is replicated below:

Mode	Net Two-Way Trips		
	AM Peak*	PM Peak*	Daily*
Underground / Light Rail / Tram	+1	+1	-1
Train	+65	+71	+450
Bus	+3	+1	-12
Taxi	+1	+1	+6
Motorcycle	+1	+1	+3
Car Driver	-41	-80	-861
Car Passenger	+3	+2	-13
Bicycle	+5	+4	+12
Walking	+33	+32	+172
Other	0	0	-2
Total	+72	+29	-243

*Discrepancies due to rounding errors

543. Therefore, when accounting for the trip generation resulting from the existing development on the site, the TA demonstrates that the proposed development is anticipated to generate approximately 72 (net) additional all person trips in the AM peak (08:00-09:00), approximately 29 (net) additional all person trips in the PM peak (17:00-18:00) and approximately 243 fewer (net) two-way person trips throughout the day (07:00-19:00). The TA states (at para 5.25) that "*This should have a minimal impact on the local transport network*" and that the "*multi-modal trip generation shows that the proposals will see a large reduction in car driver trips, with an estimated corresponding increase in train and walking trips*" (para 5.26).
544. The multi-modal (net) trip generation undertaken within the TA demonstrates that the proposed development is anticipated to result in a large reduction in car driver trips (-861 daily), with an estimated corresponding increase in train (+450 daily) and walking (+172 daily) trips.
545. In respect of train trips, based on the adjusted mode share (which accounts for the proposed development being car free), the TA demonstrates that 65 (net) two-way trips are anticipated by train in the AM peak (08:00-09:00) and 71 (net) two-way trips in the PM peak (17:00-18:00). The TA sets out (at para 5.23) that "*according to National Rail, 24 trains arrive at and depart from Woking in the AM peak and 22 trains in the PM peak*". When distributed across the AM and PM peak hour rail trips on services that operate from, and through, Woking railway station, the proposed development is anticipated to lead to a (net) increase of up to 2.7 passengers per rail service in the AM peak and up to 3.2 in the PM peak, which is considered to represent a negligible impact.

Time period	Services per hour	Net additional passengers (two-way)	Impact (passengers per service)
AM Peak (08:00-09:00)	24	65	2.7
PM Peak (17:00-18:00)	22	71	3.2

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546. Active Travel England (ATE) has advised that “*Following a high-level review of the above planning consultation, Active Travel England has determined that standing advice should be issued and would encourage the local planning authority to consider this as part of its assessment of the application*”. The Active Travel England Standing Advice Note: Active travel and sustainable development has been considered by Officers.
547. It must be noted that in their consultation response to previous application ref: PLAN/2023/0911 ATE set out that the proposed location, in terms of its proximity to local transport and amenities, is generally supported although ATE also commented that the surrounding areas would appear to have a number of opportunities for investment in order to make access to the proposed development easier by walking, wheeling or cycling and that to the north and south of Woking Town Centre there are significant residential populations, but also significant barriers - to the north, Victoria Way, and to the south, the railway and that presently, each of these barriers are served by underpasses, but these underpasses are neither fully accessible (due to stairs, some of which are uneven) nor attractive. As such, ATE stated that a key opportunity therefore arises to help overcome these barriers via a contribution towards a solution (for example, the remodelling of the Victoria Way/Chobham Road junction referenced in the Draft Woking Town Centre Masterplan, which could negate the need for an underpass altogether) but also through modernisation such as better lighting or public art where this not possible (for example, where the railway is a barrier) in order to take full advantage of this excellent opportunity to bridge missing links to existing good infrastructure such as the Saturn trail.
548. It must also be noted that in their consultation response to previous application ref: PLAN/2023/0911 ATE welcomed the provision of good levels of cycle parking for residents, as well as the provision of an area for cycle maintenance and cleaning although requested clarity around cycle parking arrangements for visitors to the development and employees of the retail [Class E] units.
549. Officers note that the National Cycle Route 223 (NCN 223) passes the site on Chobham Road, and that to the north NCN 223 continues over Victoria Way. Officers also note that a signalised Toucan crossing is provided for pedestrians and cyclists over Victoria Way, therefore providing a high level of accessibility to the north for active travel users and that thus there is no requirement to use an underpass at this location.
550. Officers further note that to the south of the site it is acknowledged that the railway and Woking railway station do present a barrier. However, some improvement works to the railway underpass have been undertaken in the past 1-2 years and nonetheless, it is not considered likely that a feasible solution could be achieved to the south that would be commensurate to the level of development proposed - an alternative pedestrian route is available to the south of the railway line on Victoria Way approximately 500 metres from the site (whilst this is also an underpass - i.e., footways beneath Victoria Arch - it is at grade, is equipped with a 2 metre wide footway and is well lit). It is also material in this respect that the Housing Infrastructure Fund (HIF) project, which would have included improvements to the pedestrian and cyclist environment beneath Victoria Arch, has recently been terminated by the Council due to, among other issues, rising costs and the Council’s present financial position (i.e., Section 114).
551. It is also material that the Draft Woking Town Centre Masterplan (which was referenced in the ATE comments made under previous ref: PLAN/2023/0911) is not currently being progressed and therefore presently attracts no weight in planning

decision making, and thus has no weight regarding contribution mechanisms for improvement works in Woking Town Centre. Further, Officers are of the opinion that there is no Development Plan position which is considered to justify a (potential) financial contribution towards such works and that there are no identified schemes to: (i) improve the quality of the pedestrian crossing across Victoria Way, (ii) remodel the major junction between Victoria Way and Chobham Road for the benefit of pedestrians or (iii) improve the quality of the connections between the Town Centre and the north of the town, with Surrey County Council being the relevant Highway Authority. In this context it is considered that requiring the applicant to contribute financially towards such potential schemes would not meet the requirements of paragraph 58 of the NPPF which states that “*Planning obligations must only be sought where they meet all of the following tests: a) necessary to make the development acceptable in planning terms; b) directly related to the development; and c) fairly and reasonably related in scale and kind to the development*”. Such a contribution would also very likely result in a reduction in the provision of on-site affordable housing as part of the proposed development (which is proposed at x28 dwellings).

Outline Construction Traffic Management Plan (CTMP)

552. An Outline Construction Traffic Management Plan (CTMP) has been submitted with the application. It sets out a broad assumption of how the proposed development would be constructed (including demolition of the existing building), how the logistics of the construction would work, routing plans for construction vehicles and measures to limit the impact of construction on the local area. Because this document is in outline form it therefore remains an effective draft document. As such, should planning permission be granted, and following appointment of a contractor, and ahead of any construction and/or demolition works taking place, the Outline CTMP would need to be updated and a Detailed CTMP issued and approved by the Council. Condition 11 is recommended to secure a finalised Demolition / Construction Transport Management Plan (DCTMP).

Travel Plan

553. The application has been submitted with a Draft Framework Travel Plan (FTP) which sets out the overarching objectives for the FTP, as well as targets for the short and medium term. The FTP identifies that it is primarily aimed at reducing the dependence primarily of residents, but also staff travelling by car, by increasing awareness of sustainable modes of travel and therefore that the main objectives of the FTP would be to:

- Increase awareness of the advantages and availability of sustainable modes;
- Introduce a package of physical and management measures that will facilitate travel by sustainable modes;
- Reduce unnecessary or unsustainable use of the car for the journey to/from the site; and
- Increase travel by active modes.

554. There are a large number of benefits that could be derived from the successful implementation of a Framework Travel Plan for the proposed development for all site users, including:

- improved health and fitness through increased levels of walking and cycling;
- increased flexibility offered through wider travel choices;
- the social aspects of sharing transport with others; and
- a better, more amenable environment within the site and its immediate environs due to vehicular movements being minimised.

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555. If planning permission is granted a full, detailed Travel Plan, together with a mechanism for monitoring at appropriate intervals once the proposed development is occupied, would be secured through the Section 106 Legal Agreement. Whilst it is noted that the County Highway Authority (CHA, Surrey County Council) have not recommended a Travel Plan condition, nor a Travel Plan provision within the Section 106 Legal Agreement, the CHA is a consultee in this instance (i.e., is not the decision-maker). Overall, in view of the largely car free nature of the proposed development it is considered reasonable and appropriate that Travel Plan provisions be secured through the Section 106 Legal Agreement.

Conclusion on Transport, highways and parking

556. The proposed development has been considered by the County Highway Authority (CHA, Surrey County Council) who, having assessed the application on safety, capacity and policy grounds, have raised no objection subject to recommended conditions which have been incorporated into this recommendation, albeit with minor changes for demolition and construction sequencing reasons (conditions 10, 11, 12 and 13 refer). The Section 106 Legal Agreement will also secure car club provisions (i.e., x1 car club space and free membership for each household for one (1) year) and that the applicant enters into a Section 278 Agreement (under the Highways Act 1980) with the County Highway Authority (CHA, Surrey County Council) to secure the implementation of highways alterations which are required to implement the proposed development, including public realm/landscaping works, loading bay provision on both Church Street East and Commercial Way, changes to on-street parking on Church Street East and the relocation of existing cycle stands (& street tree) from Commercial Way to Chobham Road (so as to facilitate the proposed new loading bay).
557. Overall, the site is clearly excellently located and is well served by active travel and public transport infrastructure, with public transport in the vicinity of the site providing excellent accessibility to numerous destinations, making travelling to and from the site by public transport a highly attractive and viable option for future residents, staff and visitors of the proposed development (including the Class E units at ground floor level).
558. Furthermore, in light of the additional information (i.e., the Parking Technical Note) submitted with this application, together with a considered comparative analysis of the conclusions of the Technology House appeal decision on parking matters, and subject to conditions and a Section 106 Legal Agreement, this application is considered to have sufficiently overcome reason for refusal 03 of ref: PLAN/2023/0911. The proposed development is therefore considered to be acceptable in terms of the adequacy of parking provision, including in terms of the adequacy of disabled parking provision. Existing parking controls are adequate to safeguard against overspill on-street parking and the proposed development would accord with Policies CS18 and CS21 of the Woking Core Strategy (2012) which collectively seek to ensure appropriate accessibility levels; the promotion of sustainable travel; the safe function of the local road network as well as safeguarding the amenities of the area. It would also be consistent with Section 9 of the NPPF which seeks to manage growth and transportation needs in a sustainable manner, reducing carbon and associated emissions which are associated with many forms of transportation.

Arboriculture

559. Policy CS21 of the Woking Core Strategy (2012) states that proposals for new development should, among other things, incorporate landscaping to enhance the

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setting of the development, including the retention of any trees of amenity value, and other significant landscape features of merit. Policy DM2 of the DM Policies DPD (2016) states that the Council “*will support or consent to the removal of protected trees (TPO trees and trees within a Conservation Area) and/or proposals that would have detrimental impact on the health of protected trees only in exceptional circumstances and where there are over-riding planning benefits... make sure that where trees, hedgerows or other landscape feature are to be removed it is justified to the satisfaction of the Council and appropriate replacement planting will be required if it is safe and practical to do so and will enhance the quality of the development... require landscape proposals for new development to retain existing trees and other important landscape features where practicable and include the planting of new trees and other planting to enhance the quality and character of the development and the general area [and] require any trees which are to be retained to be adequately protected to avoid damage during construction*”.

560. Paragraph 136 of the NPPF states that:

“Trees make an important contribution to the character and quality of urban environments, and can also help mitigate and adapt to climate change. Planning policies and decisions should ensure that new streets are tree-lined, that opportunities are taken to incorporate trees elsewhere in developments (such as parks and community orchards), that appropriate measures are in place to secure the long-term maintenance of newly-planted trees, and that existing trees are retained wherever possible. Applicants and local planning authorities should work with highways officers and tree officers to ensure that the right trees are planted in the right places, and solutions are found that are compatible with highways standards and the needs of different users.”

561. The application has been submitted with a Tree Survey, Arboricultural Impact Assessment & Method Statement, dated October 2023 (prepared by Indigo Surveys Ltd) which identifies (at para 3.2) that *“The proposed new loading bay is in conflict with the ‘C’ category tree T5 [a Lime on Commercial Way]. However, this tree is a relatively young tree and growing in a planting pit covered with bonded gravel in hard surfaced surrounds. Based on the relatively young age and scale of T5, this can be mitigated by new street tree planting utilising a similar planting design. Therefore, T5 should be removed to facilitate the scheme and be mitigated by new tree planting as part of a landscape scheme is recommended; a 1:1 removal to replacement ratio as mitigation is recommended for ‘C’ category trees.”*

562. The statement also identifies (at para 3.3) that *“The proposed loading bay encroaches the Root Protection Area (RPA) of T6 [also a Lime on Commercial Way]. This incursion is minor and at the outer extents of the RPA. In consideration for the age, planting pit design and hard surfaced surrounds, the RPA impact is considered to be minor and T6 could be safely retained...The crown of T6 is clear of the loading bay with suitable ground to crown clearance.”*

563. The statement also identifies that as part of the proposed development, there would be landscape works and resurfacing works proposed on Church Path in proximity to the offsite trees T1 - T4 [all Jacquemontii Birch, with T1 - T3 being in the grounds of Christ Church] however that the RPAs of trees T1, T2 and T4 are clear of the proposed works, and tree T3 (a very small tree within the car park to the rear of Nos.63-75 Commercial Way) has a minor RPA encroachment on to the site which is currently hard surfaced and *“as the proposed works relate to resurfacing, there is no new impact*

to T3 as the proposed resurfacing can be undertaken on a like-for-like basis” (para 3.4).

564. The Council’s Senior Arboricultural Officer comments that “*While it is a shame to lose a tree to create a parking bay the proposal does indicate significant tree planting which should offset its loss*”. Whilst the removal of this street tree is regrettable the provision of a new loading bay in the proposed position on Commercial Way is necessary to serve the proposed development, particularly residential refuse/recycling bin collection and the loss of this x1 tree must also be considered in the context of the significant new landscaping which would be provided as part of the proposed development, which would include the planting of around x22 new trees at ground level, in addition to further new planting at ground level and at podium and roof terrace levels. It must also be considered in the context of the provision of x272 new dwellings within a highly sustainable location within the principal centre of the Borough (Woking Town Centre). As such, the removal of this x1 ‘C’ category street tree is not considered to be objectionable, or harmful, in the overall context of the proposed development.
565. The Council’s Senior Arboricultural Officer also comments that “*...the tree planting in all areas shown will need to use structured cells to provide enough rooting environment for these to develop to maturity. This is a method that has worked with great success throughout the town centre*”. Provisions in respect of the protection of T6 (on Commercial Way), that structured cells will be required to ensure successful establishment and suitable rooting environments for new trees (and to allow unrestricted growth to maturity), that tree pit designs (with details of rooting volumes suitable for the species specified) will be required, and that an Arboricultural Method Statement (AMS) and Tree Protection Plan (TPP) will be required prior to any works on site, are recognised. These provisions can be secured via recommended conditions 08 and 53. Overall, subject to recommended conditions, the arboriculture impacts of the proposed development are acceptable.

Archaeology (below-ground heritage)

566. Section 16 of the NPPF places the conservation of archaeological interest as a material planning consideration. Paragraph 207 states that “*Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation*”. Policy CS20 of the Woking Core Strategy (2012) states that “*On all development sites over 0.4 hectares an archaeological evaluation and investigation will be necessary if, in the opinion of the County Archaeologist, an archaeological assessment demonstrates that the site has archaeological potential.*”
567. The application has been submitted with an archaeological desk-based assessment (dated September 2023) which identifies that no relevant nationally significant designated archaeological heritage assets, as defined in the NPPF (i.e., no World Heritage sites, Scheduled Ancient Monuments, Historic Battlefield or Historic Wreck sites) are recorded within, or proximate to, the site and therefore that the proposed development would not impact any relevant designated archaeological heritage assets. The archaeological desk-based assessment also identifies that the site does not lie within, nor adjacent to, any Area of High Archaeological Potential (AHAP) or County Site of Archaeological Importance (CSAI) and that, based on current evidence, a generally low archaeological potential for all past periods of human activity (i.e., Early Prehistoric, Later Prehistoric, Roman, Saxon/Early Medieval & Medieval and Post Medieval & Modern) have been identified within the site, that if hitherto unknown

remains were to be present, they are considered likely to be of local significance and that there are no non-designated archaeological assets recorded within the site by the Historic Environment Record (HER).

568. The archaeological desk-based assessment also identifies that the construction and subsequent demolition of the previous phases of development on the site are likely to have had a cumulatively severe negative impact on any potentially underlying archaeological deposits (i.e., through the cutting of foundations and services etc.). As such, it is likely that any archaeological remains present will have been severely impacted by previous phases of development on the site. The archaeological desk-based assessment concludes that overall, due to the site's limited archaeological potential, combined with the extent of past ground disturbance across the site, the proposed development is considered unlikely to have any significant or widespread archaeological impact and therefore that no further archaeological mitigation measures works are recommended in this instance.
569. The Archaeological Officer (Surrey County Council) states that the an archaeological desk based assessment has been submitted with the application which is of good quality and suitable to support the application, that it details a history of extensive development at this site which will have had a seriously negative impact on the potential for archaeological remains of significance to survive at this site and that due to that fact they consider there are no archaeological concerns regarding the proposed development.
570. In conclusion, the impact on archaeology is acceptable and there are no further requirements in relation to archaeological mitigation. The proposed development complies with Policy CS20 of the Woking Core Strategy (2012) and the provisions of the NPPF, most notably paragraph 207, in respect of archaeology.

Impacts on neighbouring and nearby residential amenities

571. Policy CS21 of the Woking Core Strategy (2012) states that "*Proposals for new development should...Achieve a satisfactory relationship to adjoining properties, avoiding significant harmful impact in terms of loss of privacy, daylight or sunlight, or an overbearing effect due to bulk, proximity or outlook*". More detailed guidance is provided within SPDs Outlook, Amenity, Privacy and Daylight (2022) and Design (2015).

Overbearing and privacy

572. The potential loss of enjoyment of a view is not a ground on which planning permission can potentially be refused although the impact of a development on outlook is a material planning consideration and stems on whether the development would give rise to an undue sense of enclosure or overbearing effect to neighbouring/nearby residential properties. There are no established guidelines for what is acceptable or unacceptable in this regard, with any assessment subjective as opposed to empirical, with key factors in this assessment being the existing local context and the existing and proposed arrangement of buildings and uses. However, paragraph 2.5 of SPD Outlook, Amenity, Privacy and Daylight (2022) states that "*Outlook from a principal window will generally become adversely affected when the height of any vertical facing structure exceeds the separation distance from the window. When a structure is placed too close to a window so that it completely dominates the outlook it will have an overbearing impact*". It must also be noted that Policy CS21 of the Woking Core Strategy (2012) refers to "*significant harmful impact*", this is the threshold which must

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be reached to form any potentially robust, and defensible, (potential) reason for refusal and/or objection on neighbouring amenity grounds.

573. SPD Outlook, Amenity, Privacy and Daylight (2022) states (at para 4.1) that “*New developments should be designed to protect the privacy of both new and existing dwellings*” and states (at para 4.11) that “*For three storey or taller accommodation (including dwellings with second floor dormer windows), a separation distance of approximately 30m will be adequate to prevent overlooking of dwellings of a similar or lesser height*”. Appendix 1 of the SPD sets out recommended minimum separation distances for achieving privacy (as below) stating that “*Standards of amenity may be relaxed for housing in Woking Town Centre...*”.

Number of storeys	Measured Dimension	Distance (metres)
Three and over	Front to front elevation	15
	Rear to rear elevation	30
	Front or rear to boundary/flank	15
	Side to boundary	2

574. New residential accommodation within the proposed development would be located at mezzanine level (i.e., the level between ground and first floor levels, around 5.4m above ground level) at the lowest. Residential accommodation would terminate, at its highest, at thirteenth floor level (eleventh floor level on plan) where fronting Commercial Way (& turning the corner into Crown Square, Chobham Road), and would terminate at twelfth floor level (tenth floor level on plan) where fronting Crown Square. Where fronting Church Street East (& turning the corner into Crown Square) residential accommodation would terminate, at its highest, at twenty sixth floor level (twenty fourth floor level on plan). Some of the proposed residential accommodation would face ‘into the site’ (i.e., across the first floor level podium amenity space).
575. The closest nearby residential properties which need to be considered are (for the avoidance of any doubt daylight and sunlight effects will be considered separately subsequently):

- Hollywood House, Church Street East (WBC Ref: PLAN/2021/0866);
- Central Buildings, Chobham Road (WBC Ref: PLAN/2017/1118);
- O’Neill’s Public House, Crown Square (residential accommodation at second floor level);
- Nos.35, 37, 39, 41, 43, 45, 47 & 47A Chertsey Road (incl.);
- No.75 Commercial Way;
- Nos.6, 8, 18, 22, 24 Chertsey Road & No.1 Chobham Road;
- Nos.23-25 Chertsey Road;
- Waterloo House, Nos.11-17 Chertsey Road;
- Aqua House, No.7 Chertsey Road;
- Nos.5, 7, 8, 11, 16, 17 & 18 The Broadway (incl.);
- Nos.13-37 Century Court and properties north of the Basingstoke Canal; and
- The extant development at Crown Place (WBC Ref: PLAN/2019/1141).

Hollywood House, Church Street East (WBC Ref: PLAN/2021/0866)

576. Hollywood House is located on the opposite side of Church Street East to the north-east and was a formerly an office building, which has been converted, at least in part at the time of writing, under prior approval provisions (WBC Ref: PLAN/2021/0866) to residential use to provide x49 flats between first and fifth floors (inclusive).

577. Whilst the proposed development would clearly be apparent, and visible, to residential occupiers of Hollywood House it would only be so in generally oblique views towards the south/south-west from windows at first floor level and above within the Church Street East and Chobham Road elevations. The proposed development would be located notably offset from Hollywood House, and around 28.0m away from the closest windows of Hollywood House. As such, the oblique nature of the resulting relationship, combined with the separation distance, would preclude significant harmful loss of privacy, and would also preclude significant harmful overbearing effect (due to bulk, proximity or loss of outlook), to Hollywood House, particularly given the central Woking Town Centre context.
578. Whilst Hollywood House is the subject of a pending s.78 appeal against the refusal of a prior approval application (under the provisions of Sch.2, Part 20, Class AA of the GPDO 2015) (WBC Ref: PLAN/2024/0031) that pending appeal development is for the construction of two additional storeys above the existing building, at sixth and seventh floor levels, and therefore the proposed development would avoid significant harmful loss of privacy, and also avoid significant harmful overbearing effect, to the new dwellings which are proposed at those levels, in the event that the pending appeal is allowed and those additional floors are subsequently constructed. A further prior approval application for change of use to residential (WBC Ref: PLAN/2024/0035, being a variation of extant WBC Ref: PLAN/2021/0866) was refused in April 2024, with no s.78 appeal having been made against that refusal. In any event the new dwellings which were proposed under that refused application would have been located away from the proposed development, being served by windows in elevations facing away from the application site (i.e., within the north/north-west and east/north-east elevations) such that the proposed development would have no impact on those dwellings in any case.

Central Buildings, Chobham Road

579. Central Buildings front Chobham Road to the north-east of the site and contain flats across first and second floor levels, windows within which face west/south-west (across Chobham Road) and east/north-east (towards Hollywood House). Whilst the proposed development would clearly be apparent, and visible, to residential occupiers of Central Buildings it would only be so in oblique views towards the south-west from first and second floor level windows within the Chobham Road elevation. The proposed development would be located notably offset from Central Buildings, in a perpendicular relationship and around 30.0m away from the closest window of Central Buildings. As such, the oblique and perpendicular nature of the resulting relationship, combined with the separation distance, would preclude significant harmful loss of privacy, and would also preclude significant harmful overbearing effect (due to bulk, proximity or loss of outlook), to Central Buildings, particularly given the central Woking Town Centre context.

O'Neill's Public House, Crown Square (residential accommodation at second floor level)

580. O'Neill's Public House is located to the south-east of the proposed development. On the basis of records held on the Council's planning register (WBC Ref: PLAN/1996/0031), together with site visit observations, it is understood that residential areas are restricted to the top (i.e., second) floor level, being served by x7 dormer windows within the roof slopes. Three of these dormer windows face south-east across Chobham Road (i.e., towards the Slug & Lettuce Public House), three face north-west

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across Crown Square (i.e., towards Crown House) and one (that within the 'corner') faces west/north-west directly towards the site. The 'corner' dormer window which faces directly towards the site is understood to serve a bedroom, this being part of staff accommodation which is provided at second floor level.

581. The closest element of the proposed development would be the 13 storey tower component which would front Commercial Way (& turn the corner into Crown Square), which would have a (parapet top) height (Above Ground Level, AGL) of around 44.0m. This closest element of the proposed development would remain around 19.0m away from the directly facing elevation of O'Neill's Public House, this being the distance from the directly opposite 'corner' dormer window.
582. The six other dormer windows within O'Neill's Public House (i.e., the x3 fronting Chobham Road and the x3 fronting Crown Square) do not directly face the site, as described previously. Therefore, whilst the proposed development would clearly be apparent, and visible, from these six second floor level dormer windows to staff of O'Neill's Public House, it would only be so in oblique views towards the north-west.
583. Due to the direct orientation of the 'corner' dormer window (within O'Neill's Public House) towards the site, combined with the fact that the height of the closest element of the proposed development (around 44.0m AGL) would notably exceed the retained separation distance to this 'corner' dormer window (around 19.0m) the proposed development would give rise to a harmful overbearing effect (due to bulk, proximity and loss of outlook) to the room served by this 'corner' dormer window.
584. However, whilst this would be the case, it is considered that the extent of this overbearing effect would be reduced by the following factors; (i) that the affected room is understood to serve as a bedroom, in which levels of outlook are less sensitive (than that within principal living areas for example), (ii) the second floor level of the affected bedroom reducing the perceived height of the proposed development to occupiers of the relevant room, (iii) that the affected room forms part of a wider area of staff accommodation associated with, and located directly above, this Public House, (iv) the location of this Public House within a central Woking Town Centre location, particularly given that Woking Town Centre is designated, within the Development Plan (within Policy CS1 of the Woking Core Strategy (2012)), "*as a centre to undergo significant change*" and (v) that this window is only one of seven which serve residential accommodation within O'Neill's PH which would be subject to a harmful overbearing effect. Therefore, whilst the proposed development would give rise to a harmful overbearing effect (due to bulk, proximity and loss of outlook) to the room served by this 'corner' dormer window for the preceding reasoning this harm is not considered to reach the threshold of 'significant' harmful impact so as to conflict with Policy CS21 of the Woking Core Strategy (2012) and the supporting SPDs.

Nos.35, 37, 39, 41, 43, 45, 47 & 47A Chertsey Road (incl.)

585. Nos.35, 37, 39, 41, 43, 45, 47 & 47A Chertsey Road (incl.) are located on the eastern side of Chertsey Road, north-east of its junction with Addison Road, and provide residential accommodation above ground floor level. Relevant (upper floor) windows/elevations within these properties face north-west across Chertsey Road and are separated from the site by Chertsey Road itself as well as by existing intervening built development on the opposite (western) side of Chertsey Road and that of O'Neill's Public House and The Big Apple centre.

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586. At its closest the proposed development would remain around 49.0m away from No.35 Chertsey Road, which would be the closest, and least-oblique, of these Chertsey Road properties, with the remainder of these Chertsey Road properties being located further distant from, and in more oblique relationships with, the site (thus these impacts would be reduced in comparison to No.35). The closest element of the proposed development would be the 13 storey tower component which would front Commercial Way (& turn the corner into Crown Square), which would have a (parapet top) height (Above Ground Level, AGL) of around 44.0m.
587. That the retained level of separation (at least 49.0m) would exceed the approximate height (AGL) of the closest part of the proposed development would preclude any significant harmful loss of privacy and would also preclude any significant harmful overbearing effect (due to bulk, proximity or loss of outlook), to Nos.35, 37, 39, 41, 43, 45, 47 & 47A Chertsey Road (incl.), particularly given the central Woking Town Centre location, and the position of these Chertsey Road properties above commercial units/uses.
588. Whilst the tallest tower component would rise to a maximum height of 26 storeys (around 86.0m AGL to parapet top) this tallest element would be located at least 84.0m away from Nos.35, 37, 39, 41, 43, 45, 47 & 47A Chertsey Road (incl.), the lowest facing residential elevations of which are at first floor level (and thus are at least around 3.5m above ground level, thus reducing the perceived height of the tallest element of the proposed building) meaning that the tallest tower component would not cause significant harmful loss of privacy and would also not cause significant harmful overbearing effect (due to bulk, proximity or loss of outlook), to Nos.35, 37, 39, 41, 43, 45, 47 & 47A Chertsey Road (incl.), particularly given the central Woking Town Centre location, and the position of these Chertsey Road properties above commercial units/uses.

No.75 Commercial Way (residential accommodation at upper floors)

589. No.75 Commercial way is a residential property located on the south-western boundary of the site above the Ihlara Valley restaurant. The most recent relevant planning history on the Council's records for the first and second floor levels within No.75 (the ground floor serves as the restaurant) are WBC Ref: 81/0718 and WBC Ref: PLAN/1998/0376. Whilst there is residential accommodation at upper floor levels within No.75 Commercial Way on the basis of this most recent relevant planning history it is understood that first and second floor level windows within the rear (north-west) elevation, including those within a 'corner', serve non-habitable rooms (i.e., kitchen and wash-up area to restaurant, staff changing, storage and bathrooms and w/c). This is supported by the fact that several of these windows are obscure-glazed, and it is noted that no representations have been received from occupiers of No.75 Commercial Way.
590. Furthermore, whilst it would result in an increased height on the common boundary with No.75 Commercial Way the closest element of the proposed development would not project beyond the first and second floor level front elevation nor, to any material extent, beyond the first and second floor level rear elevation, of No.75 Commercial Way. Where the new facing elevation of the proposed development would project above No.75 Commercial Way it would contain no windows or other openings, until it steps back a sufficient distance away from the common boundary so as to do so without harmful impacts.
591. Whilst the Commercial Way elevation of the proposed development would step forwards of the front elevation of No.75 Commercial Way (by around 6.0m) it would

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align with the front elevation of No.75 for a distance of around 13.0m before this step forwards. Moreover, this step forwards would, although taller, be generally consistent with the existing building on the site (to be demolished).

592. Overall, for the combined preceding reasons, it is considered that the proposed development would avoid significant harmful overbearing effect (due to bulk, proximity or loss of outlook), to residential accommodation within the upper levels of No.75 Commercial Way, particularly given that Woking Town Centre is designated, within the Development Plan (within Policy CS1 of the Woking Core Strategy (2012)), “as a centre to undergo significant change”.

Nos.6, 8, 18, 22, 24 Chertsey Road & No.1 Chobham Road (incl.)

593. Nos.6, 8, 18, 22, 24 Chertsey Road & No.1 Chobham Road (incl.) are located on the western side of Chertsey Road, south of its junction with Chobham Road (with No.1 Chobham Road ‘turning the corner’ from Chertsey Road into Chobham Road) and provide residential accommodation above ground floor level. Relevant (upper floor) windows/elevations within these properties face west/north-west across a ‘back of house’ area between buildings fronting Chertsey Road and Commercial Way and are separated from the site by Commercial Way itself as well as by existing intervening built development fronting the (southern) side of Commercial Way, including that of Harland House.
594. At its closest the proposed development would remain around 34.0m away from No.1 Chobham Road, which would be the closest, and least-oblique, of these Chertsey/Chobham Road properties, with the remainder of these Chertsey/Chobham Road properties being located further distant from, and in more oblique relationships with, the site (thus these impacts would be reduced in comparison to No.1 Chobham Road). The closest element of the proposed development would be the 11 storey component which would front Commercial Way, which would have a (parapet top) height (Above Ground Level, AGL) of around 38.0m. Moving west/south-west along Commercial Way the proposed development would reduce in height to 8 storeys (around 28.0m to parapet top AGL) and then to 6 storeys (around 22.0m to parapet top AGL), it would be these 8 and 6 storey components which would be most evident from Nos.6, 8, 18, 22 & 24 Chertsey Road.
595. Taking into account the generally oblique relationships that residential properties within these Chertsey/Chobham Road properties would have with the site, combined with the fact that the lowest facing residential elevations of these Chertsey/Chobham Road properties are at first floor level (and thus are at least around 3.5m above ground level, thus reducing the perceived height of the closest element of the proposed building), the closest 11 storey component would not cause significant harmful loss of privacy, and would also not cause significant harmful overbearing effect (due to bulk, proximity or loss of outlook), to Nos.6, 8, 18, 22, 24 Chertsey Road & No.1 Chobham Road (incl.), particularly given the central Woking Town Centre location, and the position of these Chertsey/Chobham Road properties above commercial units/uses.
596. Whilst the tallest tower component would rise to a maximum height of 26 storeys (around 86.0m AGL to parapet top) this tallest element would be located at least 71.0m away from Nos.6, 8, 18, 22, 24 Chertsey Road & No.1 Chobham Road (incl.), the lowest facing residential elevations of which are at first floor level (and thus are at least around 3.5m above ground level, thus reducing the perceived height of the tallest element of the proposed building) meaning that the tallest tower component would not cause significant harmful loss of privacy and would also not cause significant harmful

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overbearing effect (due to bulk, proximity or loss of outlook), to Nos.6, 8, 18, 22, 24 Chertsey Road & No.1 Chobham Road (incl.), particularly given the central Woking Town Centre location, and the position of these Chertsey/Chobham Road properties above commercial units/uses.

Nos.23-25 Chertsey Road (incl.)

597. Nos.23-25 Chertsey Road (incl.) are located on the eastern side of Chertsey Road, a short distance south of its junction with Chobham Road, and provide residential accommodation above ground floor level. Relevant (upper floor) windows/elevations within these properties face west/north-west across Chertsey Road and are separated from the site by Chertsey Road itself as well as by existing intervening built development on the opposite (west/north-west) side of Chertsey Road, as well as by Commercial Way.
598. At its closest the proposed development would remain around 56.0m away from Nos.23-25 Chertsey Road which would have a slightly oblique relationship with the site. The closest element of the proposed development would be the 13 storey tower component which would front Commercial Way (& turn the corner into Crown Square), which would have a (parapet top) height (Above Ground Level, AGL) of around 44.0m.
599. That the retained level of separation (at least 56.0m) would exceed the approximate height (AGL) of the closest part of the proposed development would preclude any significant harmful loss of privacy and would also preclude any significant harmful overbearing effect (due to bulk, proximity or loss of outlook), to Nos.23-25 Chertsey Road, particularly given the central Woking Town Centre location, and the position of these residential properties above commercial units/uses.
600. Whilst the tallest tower component would rise to a maximum height of 26 storeys (around 86.0m AGL to parapet top) this tallest element would be located at least 92.0m away from Nos.23-25 Chertsey Road, meaning that the tallest tower component would not cause significant harmful loss of privacy, and would also not cause significant harmful overbearing effect (due to bulk, proximity or loss of outlook), to Nos.23-25 Chertsey Road, particularly given the central Woking Town Centre location, and the position of these Chertsey Road properties above commercial units/uses.

Waterloo House, Nos.11-17 Chertsey Road

601. Waterloo House (Nos.11-17 Chertsey Road) is located on the eastern side of Chertsey Road, around mid-way between its junctions with Chobham Road and The Broadway and provides flats above ground floor level. Relevant (upper floor) windows/elevations within these flats face west/north-west across Chertsey Road and are separated from the site by Chertsey Road itself as well as by existing intervening built development on the opposite (west/north-west) side of Chertsey Road, as well as by Commercial Way.
602. At its closest the proposed development would remain around 62.0m away from Waterloo House, which would have a slightly oblique relationship with the site. The closest element of the proposed development would be the 11 storey component which would front Commercial Way, which would have a (parapet top) height (Above Ground Level, AGL) of around 38.0m. Moving west/south-west along Commercial Way the proposed development would reduce in height to 8 storeys (around 28.0m to parapet top AGL) and then to 6 storeys (around 22.0m to parapet top AGL), it would be these 8 and 6 storey components which would be most evident to most of the facing flats within Waterloo House.

603. That the retained level of separation (at least 62.0m) would exceed the approximate height (AGL) of the closest part of the proposed development (and also of the 13 storey component fronting Commercial Way) would preclude any significant harmful loss of privacy, and would also preclude any significant harmful overbearing effect (due to bulk, proximity or loss of outlook), to Waterloo House, particularly given the central Woking Town Centre location, and the position of these flats above commercial units/uses.
604. Whilst the tallest tower component would rise to a maximum height of 26 storeys (around 86.0m AGL to parapet top) this tallest element would be located at least 98.0m away from Waterloo House, meaning that the tallest tower component would not cause significant harmful loss of privacy, and would also not cause significant harmful overbearing effect (due to bulk, proximity or loss of outlook), to Waterloo House, particularly given the central Woking Town Centre location, and the position of these flats above commercial units/uses.

Aqua House, No.7 Chertsey Road

605. Aqua House (No.7 Chertsey Road) is located on the eastern side of Chertsey Road, a short distance north of its junction with The Broadway and provides flats above ground floor level. Relevant (upper floor) windows/elevations within these flats face west/north-west across Chertsey Road and are separated from the site by Chertsey Road itself as well as by existing intervening built development on the opposite (west/north-west) side of Chertsey Road, as well as by Commercial Way.
606. At its closest the proposed development would remain around 80.0m away from Aqua House, which would have a very oblique relationship with the site. The closest element of the proposed development would be the 11 storey component which would front Commercial Way, which would have a (parapet top) height (Above Ground Level, AGL) of around 38.0m. Moving west/south-west along Commercial Way the proposed development would reduce in height to 8 storeys (around 28.0m to parapet top AGL) and then to 6 storeys (around 22.0m to parapet top AGL), it would be these 8 and 6 storey components which would be most evident to most of the facing flats within Aqua House.
607. That the retained level of separation (at least 80.0m) would exceed the approximate height (AGL) of the closest part of the proposed development (and of the 13 storey component fronting Commercial Way) would preclude any significant harmful loss of privacy, and would also preclude any significant harmful overbearing effect (due to bulk, proximity or loss of outlook), to Aqua House, particularly given the central Woking Town Centre location, and the position of these flats above commercial units/uses.
608. Whilst the tallest tower component would rise to a maximum height of 26 storeys (around 86.0m AGL to parapet top) this tallest element would be located at least 116.0m away from Aqua House, meaning that the tallest tower component would not cause significant harmful loss of privacy, and would also not cause significant harmful overbearing effect (due to bulk, proximity or loss of outlook), to Aqua House, particularly given the central Woking Town Centre location, and the position of these flats above commercial units/uses.

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Nos.5, 7, 8, 11, 16, 17 & 18 The Broadway (incl.)

609. Nos.5, 7, 8, 11, 16, 17 & 18 The Broadway (incl.) are located on the north/north-west side of The Broadway, between its junctions with Chertsey Road and Locke Way, and provide residential accommodation above ground floor level. Relevant (upper floor) windows/elevations within these properties face north-west across a 'back of house' area between buildings fronting The Broadway and Chertsey Road and are separated from the site by existing intervening built development fronting both sides (south/south-east and north/north-west) of Chertsey Road, by Chertsey Road itself, as well as by Commercial Way.
610. At its closest the proposed development would remain around 87.0m away from these The Broadway properties, which would have rather oblique relationships with the site. The closest element of the proposed development would be the 13 storey tower component which would front Commercial Way (& turn the corner into Crown Square), which would have a (parapet top) height (Above Ground Level, AGL) of around 44.0m.
611. That the retained level of separation (at least 87.0m) would very readily exceed the approximate height (AGL) of the closest part of the proposed development would preclude any significant harmful loss of privacy and would also preclude any significant harmful overbearing effect (due to bulk, proximity or loss of outlook), to The Broadway properties, particularly given the central Woking Town Centre location, and the position of this residential accommodation above commercial units/uses.
612. Whilst the tallest tower component would rise to a maximum height of 26 storeys (around 86.0m AGL to parapet top) this tallest element would be located at least 123.0m away from these The Broadway properties, meaning that the tallest tower component would not cause significant harmful loss of privacy, and would also not cause significant harmful overbearing effect (due to bulk, proximity or loss of outlook), to these The Broadway properties, particularly given the central Woking Town Centre location, and the position of these flats above commercial units/uses.

Nos.13-37 Century Court and properties north of the Basingstoke Canal

613. Nos.13-37 Century Court is a flatted building located on the northern side of Victoria Way, it presents a frontage to Victoria Way which also extends along part of Chobham Road (i.e., just south of the Chobham Road bridge which crosses the Basingstoke Canal). The tallest 26 storey tower component of the proposed development would clearly be visible to occupiers of Nos.13-37 Century Court however its positioning would be offset from this flatted building (i.e., it would not be directly opposite it) and with the carriageway of Victoria Way, and, in places, also existing buildings intervening. The proposed development would remain around 148.0m away from Nos.13-37 Century Court (at its closest point), a retained separation distance which would very readily exceed the maximum height of the tallest (26 storey) component of the proposed development, which would reach around 86.0m AGL (to parapet top). For these combined reasons the proposed development would avoid significant harmful loss of privacy and would also avoid significant harmful overbearing effect (due to bulk, proximity or loss of outlook), to Nos.13-37 Century Court.
614. In respect of residential properties to the north of the Basingstoke Canal the closest of these to the site are the flatted building of Bridge House (located just north-east of the Chobham Road bridge which crosses the Basingstoke Canal) and dwellings at Kingswood Court (which is on the opposite side of the Basingstoke Canal to The Lightbox). The proposed development would remain around 192.0m away from Bridge

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House and Kingswood Court (and further distant from properties which are north of these), a retained separation distance which would be greater than double the maximum height of the 26 storey tower component of the proposed development, which would reach around 86.0m AGL (to parapet top). For these combined reasons the proposed development would avoid significant harmful loss of privacy and would also avoid significant harmful overbearing effect (due to bulk, proximity or loss of outlook), to properties located north of the Basingstoke Canal.

The extant development at Crown Place (WBC Ref: PLAN/2019/1141)

615. The extant Crown Place development (WBC Ref: PLAN/2019/1141), which was allowed on appeal on 3 November 2022 (Appeal Ref: APP/A3655/W/20/3259819), would, principally (i.e., other than where it would front Chertsey Road), be located to the east/north-east of the proposed development, beyond intervening Crown House. The facing residential accommodation within the taller components of the Crown Place development would remain, at least, around 46.0m away from the directly facing (Chobham Road) elevation of the proposed development, with the majority of the directly facing (Chobham Road) elevation of the proposed development measuring between around 42.0m and 44.0m AGL (to parapet tops), with only the most northerly 'main tower' component of the proposed development measuring around 86.0m AGL (to parapet top), this maximum height remaining entirely consistent with the height of the Crown Place development.
616. Clearly, whilst (if the proposed development is granted planning permission and both the proposed development and that at Crown Place are subsequently constructed) the presence of the proposed development would be evident to future residents of facing apartments within Crown Place it is not considered that the height and proximity of the proposed development (which would be located beyond intervening Crown House) would give rise to an unacceptable overbearing effect, or to an unacceptable impact on privacy, to future residents of facing apartments at all levels of the extant Crown Place development, particularly in the context of this central Woking Town Centre location. As such, it is considered that relevant facing apartments at all levels of the extant Crown Place development would experience acceptable to very good levels of outlook and privacy (in the event the proposed development is granted planning permission and both developments are subsequently constructed).
617. Where it would front Chertsey Road (to the east) the extant Crown Place development would terminate at fifth floor level (i.e., ground + 4 levels) and thus would have a maximum height in this location of around 17.5m AGL. This lower element of the Crown Place development would, at its closest, be located around 38.5m east of the proposed development. The closest element of the proposed development would be the 13 storey tower component which would front Commercial Way (& turn the corner into Crown Square), which would have a (parapet top) height (Above Ground Level, AGL) of around 44.0m. The height of the closest element of the proposed development is considered sufficient, given that residential accommodation within this part of the Crown Place development would be at first floor level at its lowest, and combined with the separation distance, to preclude the proposed development from giving rise to a harmful overbearing effect (due to bulk, proximity and loss of outlook), or to a harmful loss of privacy, to this part of the extant Crown Place development (in the event the Crown Place development is also constructed).
618. Whilst the tallest tower component would rise to a maximum height of 26 storeys (around 86.0m AGL to parapet top) this tallest element would be located at least 73.5m away from this part (i.e., where fronting Chertsey Road) of the extant Crown Place

development, this relationship being considered sufficient, given that residential accommodation within this part of the Crown Place development would be at first floor level at its lowest, to preclude the tallest tower component of the proposed development from giving rise to a harmful overbearing effect (due to bulk, proximity and loss of outlook), or to a harmful loss of privacy, to this part of the extant Crown Place development (in the event the Crown Place development is also constructed).

619. For the combined preceding reasons it is considered that the proposed development would avoid significant harmful loss of privacy and would also avoid significant harmful overbearing effect (due to bulk, proximity or loss of outlook), to properties within the extant Crown Place development (in the event the Crown Place development is also constructed).

Daylight

620. Policy CS21 of the Woking Core strategy (2012) states that proposals for new development should “Achieve a satisfactory relationship to adjoining properties avoiding significant harmful impact in terms of loss of [among other things] daylight or sunlight.” SPD Outlook, Amenity, Privacy and Daylight (2022) states, in respect of daylight and sunlight, (at para 5.1) that “The BRE makes a number of recommendations in its report ‘Site Layout Planning for Daylight and Sunlight: A guide to good practice (2011)’”.
621. The BRE Site layout planning for daylight and sunlight: A guide to good practice (Third edition, 2022) has since superseded the second edition (2011), which is referred to within SPD Outlook, Amenity, Privacy and Daylight (2022). Hence the more recent third edition (2022) will be referred to.
622. The impact of the proposed development upon nearby existing residential properties has been assessed by the applicant within the Environmental Statement (ES), in compliance with the methodology outlined within the BRE Site layout planning for daylight and sunlight: A guide to good practice (Third edition, 2022) (the BRE Guide), a recognised industry tool for assessing these effects. In respect of the extant proximate residential development at Crown Place, and the pending application at Concorde House, a Supporting Standalone Report - Facade Study, dated October 2023 (prepared by Point 2 Surveyors Ltd) has been submitted with the application.
623. Where the BRE guidelines are exceeded then daylighting and/or sunlighting may be adversely affected. The BRE Guide provides numerical guidelines although emphasizes that the advice given is not mandatory and the BRE Guide should not be seen as an instrument of planning policy; the (numerical guidelines) are to be interpreted flexibly since natural lighting is only one of many factors in site layout and design. The BRE Guide also sets out that in special circumstances the developer or Local Planning Authority may wish to use different target values. For example, in a historic city centre, or in an area with modern high rise buildings, a higher degree of obstruction may be unavoidable if new developments are to match the height and proportions of existing buildings.
624. It is also a material consideration that paragraph 130c) of the NPPF states that “local planning authorities should refuse applications which they consider fail to make efficient use of land, taking into account the policies in this Framework. In this context, when considering applications for housing, authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would

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otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living standards)."

625. The BRE Guide states (at para 2.2.2) that the guidelines “*are intended for use for rooms in adjoining dwellings where daylight is required, including living rooms, kitchens, and bedrooms. Windows to bathrooms, toilets, storerooms, circulation areas, and garages need not be analysed.*” Vertical Sky Component (VSC) and No Sky Line Contour (NSL) are the primary tests used to assess the impact of new development upon the daylighting of existing buildings.
626. Commercial properties are generally not treated as having a reasonable expectation of daylight or sunlight because they are usually designed to rely on electric lighting to provide sufficient light by which to work rather than natural daylight or sunlight.
627. The ES assesses the impact of the proposed development on the daylighting of the following surrounding residential addresses:
- Hollywood House, Church Street East;
 - Central Buildings, Chobham Road;
 - O’Neill’s Public House, Crown Square (residential accommodation at second floor level);
 - No.35 Chertsey Road;
 - No.37 Chertsey Road;
 - No.39 Chertsey Road
 - No.41 Chertsey Road;
 - No.43 Chertsey Road;
 - No.45 Chertsey Road;
 - No.47 & No.47a Chertsey Road;
 - No.75 Commercial Way;
 - No.6 Chertsey Road;
 - No.8 Chertsey Road;
 - No.18 Chertsey Road;
 - No.22 Chertsey Road;
 - No.24 Chertsey Road;
 - No.1 Chobham Road;
 - Nos.23-25 Chertsey Road;
 - Waterloo House, Nos.11-17 Chertsey Road;
 - Aqua House, No.7 Chertsey Road;
 - No.5 The Broadway;
 - No.7 The Broadway;
 - No.8 The Broadway;
 - No.11 The Broadway;
 - No.16 The Broadway;
 - No.17 The Broadway; and
 - No.18 The Broadway.

Vertical Sky Component (VSC)

628. Vertical Sky Component (VSC) quantifies the amount of skylight falling on a vertical wall or window, measured on the outer pane of the window. According to the BRE Guide if the VSC, with the new development in place, is greater than 27% then enough daylight should still be reaching the window of the existing building. If the VSC, with the

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new development in place, is both less than 27% and less than 0.8 times (i.e., a greater than 20% reduction in existing VSC is sustained as a result of the new development) of its former (i.e., pre-development) value, occupants of the existing building will notice the reduction in the amount of skylight. For the purposes of this report changes below this threshold will be identified as a 'negligible' effect. It should be noted that 'noticeable', as per the BRE Guide, is a different test than that set out within Policy CS21 of the Woking Core Strategy (2012), which refers to 'significant' harm. As such, a 'noticeable' loss of daylight does not automatically equate to a finding of 'significant harm' contrary to Policy CS21 of the Woking Core Strategy (2012).

629. If there would be a significant loss of light to the main window but the room served also has one or more smaller windows, an overall VSC may be derived by weighting each VSC element in accordance with the proportion of the total glazing area represented by its window. Where there will be a 'noticeable' change, the results have been summarised dependant on how far beyond the suggested targets the reductions are from existing levels. For VSC, the ranges of reduction are:

- 20.00% reduction or less (Typically >0.80 times former value) (Negligible) (i.e., BRE Guide compliant)
- 20.01%-29.9% reduction (0.70-0.79 times former value) (Small);
- 30.00-39.9% reduction (0.60-0.69 times former value) (Medium); and
- 40.00%+ reduction (<0.60 times former value) (Large).

630. The following table summarises the Vertical Sky Component (VSC) results against the BRE Guide:

Surrounding Properties	Total Number of Windows	Total that meet the BRE Guidelines (i.e., 20% loss or less)	Below BRE Guidelines			Total BRE Fails
			20-29.9% Loss - Small	30-39.9% Loss - Medium	40%+ Loss - Large	
Hollywood House, Church Street East	55	49	3	1	2	6
Central Buildings, Chobham Road	24	24	0	0	0	0
O'Neill's Public House, Crown Square (resi at second floor)	7	0	2	1	4	7
No.35 Chertsey Road	24	24	0	0	0	0
No.37 Chertsey Road	3	3	0	0	0	0
No.39 Chertsey Road	4	4	0	0	0	0
No.41 Chertsey Road	3	3	0	0	0	0
No.43 Chertsey Road	9	9	0	0	0	0
No.45 Chertsey Road	9	9	0	0	0	0
No.47 Chertsey Road	9	9	0	0	0	0

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No.47a Chertsey Road	9	9	0	0	0	0
No.75 Commercial Way	16	11	1	0	4	5
No.6 Chertsey Road	6	6	0	0	0	0
No.8 Chertsey Road	8	8	0	0	0	0
No.18 Chertsey Road	2	2	0	0	0	0
No.22 Chertsey Road	2	2	0	0	0	0
No.24 Chertsey Road	6	5	1	0	0	1
No.1 Chobham Road	6	6	0	0	0	0
Nos.23-25 Chertsey Road	6	6	0	0	0	0
Waterloo House, Nos.11-17 Chertsey Road	22	22	0	0	0	0
Aqua House, No.7 Chertsey Road	47	47	0	0	0	0
No.5 The Broadway	5	5	0	0	0	0
No.7 The Broadway	3	3	0	0	0	0
No.8 The Broadway	4	4	0	0	0	0
No.11 The Broadway	9	9	0	0	0	0
No.16 The Broadway	7	7	0	0	0	0
No.17 The Broadway	12	12	0	0	0	0
No.18 The Broadway	7	7	0	0	0	0
Total	324	305	7	2	10	19

631. The VSC results confirm that a total of 305 of 324 of the windows tested (94%) would meet the BRE Guidelines. As such, these 305 windows would either experience no change or a ‘Negligible’ loss of skylight such that occupiers are unlikely to notice the reduction in the amount of skylight as a result of the proposed development. 7 of the remaining windows would experience a small loss (i.e., between 20-29.9% loss), 2 of the remaining windows would experience a medium loss (i.e., between 30%-39.9% loss) and 10 windows would experience a large loss (i.e., 40%+ loss).

No Sky Line Contour (NSL)

632. The BRE Guide sets out (at para 2.2.10) that *“Where room layouts are known (for example if they are available on the local authority’s planning portal), the impact on the daylighting distribution in the existing building should be found by plotting the no sky line in each of the main rooms. For houses this would include living rooms, dining rooms, and kitchens; bedrooms should also be analysed although they are less important.”*

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633. The no sky line divides points on the working plane (in housing assumed to be horizontal and 0.85m high) which can and cannot see the sky. The BRE Guide states (at para 2.2.11) that *“If, following construction of a new development, the no sky line moves so that the area of the existing room, which does receive direct skylight, is reduced to less than 0.80 times its former value [i.e., a greater than 20% reduction] this will be noticeable to the occupants, and more of the room will appear poorly lit.”* For the purposes of this report changes below this threshold will be identified as a ‘negligible’ effect. Again, it should be noted that ‘noticeable’, as per the BRE Guide, is a different test than that set out within Policy CS21 of the Woking Core Strategy (2012), which refers to ‘significant’ harm. As such, a ‘noticeable’ reduction in daylighting distribution does not automatically equate to a finding of ‘significant harm’ contrary to Policy CS21 of the Woking Core Strategy (2012).

634. Where there will be a ‘noticeable’ change, the results have been summarised dependant on how far beyond the suggested targets the reductions are from existing levels. For NSL, the ranges of reduction are:

- 20.00% reduction or less (Typically >0.80 times former value) (Negligible) (i.e., BRE Guide compliant)
- 20.01%-29.9% reduction (0.70-0.79 times former value) (Small);
- 30.00-39.9% reduction (0.60-0.69 times former value) (Medium); and
- 40.00%+ reduction (<0.60 times former value) (Large).

635. The BRE Guide also states (at para 2.2.12) that *“The guidelines above need to be applied sensibly and flexibly...If an existing building contains rooms lit from one side only and greater than 5m deep, then a greater movement of the no sky line may be unavoidable.”*

636. The following table summarises the No Sky Line Contour (NSL) results against the BRE Guide:

Surrounding Properties	Total Number of Rooms	Total that meet the BRE Guidelines (i.e., 20% loss or less)	Below BRE Guidelines			Total BRE Fails
			20-29.9% Loss - Small	30-39.9% Loss - Medium	40%+ Loss - Large	
Hollywood House, Church Street East	43	43	0	0	0	0
Central Buildings, Chobham Road	16	16	0	0	0	0
O’Neils Public House, Crown Square (resi at second floor)	7	1	3	1	2	6
No.35 Chertsey Road	7	7	0	0	0	0
No.37 Chertsey Road	3	3	0	0	0	0
No.39 Chertsey Road	4	3	0	1	0	1
No.41 Chertsey Road	3	3	0	0	0	0

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No.43 Chertsey Road	3	2	1	0	0	1
No.45 Chertsey Road	3	2	1	0	0	1
No.47 Chertsey Road	3	2	1	0	0	1
No.47a Chertsey Road	3	3	0	0	0	0
No.75 Commercial Way	9	6	0	2	1	3
No.6 Chertsey Road	6	6	0	0	0	0
No.8 Chertsey Road	4	4	0	0	0	0
No.18 Chertsey Road	2	2	0	0	0	0
No.22 Chertsey Road	2	2	0	0	0	0
No.24 Chertsey Road	3	2	0	1	0	1
No.1 Chobham Road	4	4	0	0	0	0
Nos.23-25 Chertsey Road	4	4	0	0	0	0
Waterloo House, Nos.11-17 Chertsey Road	15	15	0	0	0	0
Aqua House, No.7 Chertsey Road	14	14	0	0	0	0
No.5 The Broadway	4	4	0	0	0	0
No.7 The Broadway	3	3	0	0	0	0
No.8 The Broadway	4	4	0	0	0	0
No.11 The Broadway	4	4	0	0	0	0
No.16 The Broadway	3	3	0	0	0	0
No.17 The Broadway	7	7	0	0	0	0
No.18 The Broadway	4	4	0	0	0	0
Total	187	173	6	5	3	14

637. The NSL results confirm that a total of 173 of 187 of the rooms tested (92%) would meet the BRE Guidelines with the proposed development in place. As such, these 173 rooms would either experience no change or a 'Negligible' loss of daylight distribution such that this is unlikely to be noticeable to occupiers. 6 of the remaining rooms would experience a small loss (i.e., between 20-29.9%), 5 rooms would experience a medium loss (i.e., between 30-39.9%) and 3 rooms would experience a large level of loss (i.e., 40%+).

638. The ES demonstrates that, of the 28 surrounding residential addresses that have been assessed for VSC and NSL, 20 of these (71%) would either experience no change or a

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'Negligible' loss of daylight such that loss of daylight is unlikely to be noticeable to occupiers with the proposed development in place. This is the case for the following residential addresses:

- Central Buildings, Chobham Road;
- No.35 Chertsey Road;
- No.37 Chertsey Road;
- No.41 Chertsey Road;
- No.47a Chertsey Road;
- No.6 Chertsey Road;
- No.8 Chertsey Road;
- No.18 Chertsey Road;
- No.22 Chertsey Road;
- No.1 Chobham Road;
- Nos.23-25 Chertsey Road;
- Waterloo House, Nos.11-17 Chertsey Road;
- Aqua House, No.7 Chertsey Road;
- No.5 The Broadway;
- No.7 The Broadway;
- No.8 The Broadway;
- No.11 The Broadway;
- No.16 The Broadway;
- No.17 The Broadway; and
- No.18 The Broadway.

639. The ES sets out that 6 residential addresses would experience small reductions in daylight which, whilst exceeding the BRE Guidelines (thus would not amount to a 'Negligible' effect and therefore would likely be noticeable to occupiers) would not amount to significant harmful impact contrary to Policy CS21 of the Woking Core Strategy (2012) by reason of the retained values, including across both the VSC and NSL assessment methodologies. This is the case for the following residential addresses which are considered in turn as follows:

Hollywood House, Church Street East

640. One window within Hollywood House (ref: W11/72) would sustain a VSC reduction of 20.43%, exceeding the BRE Guide (of 20%) by only 0.43% and thus, in reality, loss of daylight to this window is unlikely to be noticeable to occupiers. Three windows, refs: W12/72 (26.94%), W13/72 (40.53%) and W14/72 (35.42%) would sustain VSC reductions varying between small (i.e., 26.94%) to large (i.e., 40.53%) however these three windows all serve a bedroom (ref: R12/72) such that the loss of daylight to this bedroom overall, combined with an NSL reduction to this room of only 0.1%, would not amount to significant harmful impact to the daylighting amenity of this room overall. It should also be noted that this bedroom is extant, as opposed to existing. Similarly, whilst two further windows, refs: W15/73 (26.37%) and W16/73 (41.33%), would sustain small and large VSC losses respectively, these windows serve the same room (ref: R11/73) which is also served by window W14/73, which would sustain no VSC reduction (0.00%), and which would retain VSC of 27.84%. There would also be no NSL reduction to this room (0.00%). As such, the loss of daylight to this room overall would not amount to significant harmful impact contrary to Policy CS21 of the Woking Core Strategy (2012), notwithstanding that the loss of daylight is likely to be noticeable to occupiers.

No.39 Chertsey Road

641. The NSL assessment demonstrates that 1 room (ref: R2/361) within No.39 Chertsey Road would sustain NSL loss of 31.5%. That this NSL loss is just above the 'Medium' threshold (of 30.00%), combined with the fact that the window (ref: W1/361) serving this room would sustain a small, BRE Guide compliant, VSC loss of 12.01%, and would retain 24.25% VSC (only slightly short of 27.00% VSC), leads to a conclusion that the loss of daylight to this room overall would not amount to significant harmful impact contrary to Policy CS21 of the Woking Core Strategy (2012), notwithstanding that the loss of daylight is likely to be noticeable to occupiers.

No.43 Chertsey Road

642. The NSL assessment demonstrates that 1 room (ref: R1/943) within No.43 Chertsey Road would sustain NSL loss of 29.1%. That this NSL loss is at the very upper end of the 'Small' threshold (i.e., 20.00%-29.9%), combined with the fact that the three windows (refs: W1/943, W2/943, W3/943) serving this room would sustain small, BRE Guide compliant, VSC losses of between 4.87% and 15.78%, and would retain (good, BRE Guide compliant) VSCs of between 27.85% and 31.48%, leads to a conclusion that the loss of daylight to this room overall would not amount to significant harmful impact contrary to Policy CS21 of the Woking Core Strategy (2012), notwithstanding that the loss of daylight is likely to be noticeable to occupiers.

No.45 Chertsey Road

643. The NSL assessment demonstrates that 1 room (ref: R1/953) within No.45 Chertsey Road would sustain NSL loss of 28.0%. That this NSL loss is towards the very upper end of the 'Small' threshold (i.e., 20.00%-29.9%), combined with the fact that the three windows (refs: W1/953, W2/953, W3/953) serving this room would sustain small, BRE Guide compliant, VSC losses of between 6.03% and 15.03%, and would retain (good, BRE Compliant) VSC of between 28.56% and 30.85%, leads to a conclusion that the loss of daylight to this room overall would not amount to significant harmful impact contrary to Policy CS21 of the Woking Core Strategy (2012), notwithstanding that the loss of daylight is likely to be noticeable to occupiers.

No.47 Chertsey Road

644. The NSL assessment demonstrates that 1 room (ref: R1/963) within No.47 Chertsey Road would sustain NSL loss of 23.5%. That this NSL loss is towards the lower end of the 'Small' threshold (i.e., 20.00%-29.9%), combined with the fact that the three windows (refs: W1/963, W2/963, W3/963) serving this room would sustain small, BRE Guide compliant, VSC losses of between 5.15% and 14.07%, and would retain (good, BRE Guide compliant) VSC of between 28.95% and 30.56%, leads to a conclusion that the loss of daylight to this room overall would not amount to significant harmful impact contrary to Policy CS21 of the Woking Core Strategy (2012), notwithstanding that the loss of daylight is likely to be noticeable to occupiers.

No.24 Chertsey Road

645. One window within No.24 Chertsey Road (ref: W1/835) would sustain a VSC reduction of 25.81%. That this VSC loss is within the middle of the range of 'Small' (i.e., 20.00%-29.9%), combined with the fact that the room served by this window (ref: R3/835) is served by other windows (refs: W3/835, W4/835 & W5/835), none of which would sustain any VSC losses (all 0.00%), and all of which would retain VSC of above 26%,

leads to a conclusion that the loss of daylight to this room overall would not amount to significant harmful impact contrary to Policy CS21 of the Woking Core Strategy (2012), notwithstanding that the loss of daylight is likely to be noticeable to occupiers.

646. The NSL assessment demonstrates that 1 room (ref: R1/831) would sustain NSL loss of 32%. That this NSL loss is at the lower end of the 'Medium' threshold (i.e., 30.00%-39.9%), combined with the fact that the window (ref: W3/831) serving this room would sustain a BRE Guide compliant VSC loss of 17.84% and would retain (good, BRE compliant) VSC of 27.40%, leads to a conclusion that the loss of daylight to this room overall would not amount to significant harmful impact contrary to Policy CS21 of the Woking Core Strategy (2012), notwithstanding that the loss of daylight is likely to be noticeable to occupiers.
647. More detailed consideration of daylight effects will now be given to residential addresses which would sustain more significant, and thus more noticeable, reductions in daylighting.

O'Neill's Public House, Crown Square (residential accommodation at second floor level)

648. O'Neill's Public House is located to the south-east of the proposed development and x1 residential window (ref: W5/102, a dormer window within the corner, which is understood to serve a bedroom) has a direct outlook towards the site. On the basis of records held on the Council's planning register (WBC Ref: PLAN/1996/0031), together with site visit observations, it is understood that residential areas are restricted to the top (i.e., second) floor level. The VSC assessment demonstrates that 0 out of 7 windows would meet the BRE Guide although that 3 windows (refs: W2/102, W3/102 & W4/102) would retain VSC values in excess of 21%, which is considered very good for a central Woking Town Centre location such as this, particularly given that Woking Town Centre is designated, within the Development Plan (within Policy CS1 of the Woking Core Strategy (2012)), "as a centre to undergo significant change".
649. The VSC assessment demonstrates that the remaining 4 windows (refs: W5/102, W1/102, W6/102 & W7/102) would sustain 'Large' VSC losses of between 48.05% (ref: W6/102) and 54.00% (ref: W5/102), with these 4 windows also retaining VSC values of less than 14%. However, on the basis of records held on the Council's planning register, window ref: W1/102 is understood to serve a bathroom (a non-habitable room), and therefore the loss of daylight to this room would not amount to significant harmful impact. On the same basis window W5/102 is understood to serve a bedroom, window W6/102 a 'brewers bedsit' (i.e., staff accommodation) and window W7/102 an 'assistant manager's flat' (i.e., also staff accommodation).
650. The NSL assessment demonstrates that 1 out of 7 rooms (ref: R4/102, being served by window ref: W4/102 and understood to serve a bedroom) would meet the BRE Guide (i.e., would sustain a NSL loss of less than 20%). Three rooms (refs: R1/102, R2/102 & R5/102) would sustain 'Small' NSL losses of 23.4%, 23.6% and 29.4% respectively, which would not amount to significant harmful impact contrary to Policy CS21 of the Woking Core Strategy (2012) in this central Woking Town Centre context. For context room R1/102 is understood to be a living room (served by window W2/102), room R2/102 is understood to be a kitchen (served by window W3/102) and room R5/102 is understood to be a bathroom (a non-habitable room) (served by window W1/102).
651. A further room (ref: R3/102, understood to be a bedroom, served by window W5/102) would sustain a 'Medium' NSL loss of 31.2% however, this would be only slightly

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above the 'Medium' threshold of 30%, such that this loss is not considered to amount to a significant harmful impact for the same reasoning as set out within the preceding sentence and given that it is understood to serve a bedroom, in which daylight distribution is less important (than in principal living areas for example). Two further rooms (refs: R6/102 & R7/102) would sustain 'Large' NSL losses of 57.5% and 53.9% respectively.

652. Overall therefore, the reduction in daylighting (and distribution thereof) to the specified windows and rooms at second floor level of O'Neill's Public House, Crown Square would amount to significant harmful impact contrary to Policy CS21 of the Woking Core Strategy (2012), this will be weighed in the planning balance at the conclusion of this report. Whilst the reduction in daylighting (and distribution thereof) to the specified windows and rooms would amount to significant harmful impact it is a material consideration, of some notable weight, that the residential accommodation which would be impacted takes the form of staff accommodation associated with, and located directly above, this Public House which is located centrally within Woking Town Centre. This factor is considered to reduce the level of harm to an extent.

No.75 Commercial Way (residential accommodation at upper floors)

653. No.75 Commercial way is a residential property located on the south-western boundary of the site above the Ihlara Valley restaurant. The most recent relevant planning history on the Council's records for the first and second floor levels within No.75 (the ground floor serves as the restaurant) are WBC Ref: 81/0718 and WBC Ref: PLAN/1998/0376.
654. The VSC assessment demonstrates that 10 out of 16 windows (62.5%) would meet the BRE Guide (these being window refs: W1/301, W2/301, W3/301, W4/301 W5/301, W2/302, W1/302, W2/304, W1/305 & W2/305). Two of the six windows which would experience VSC losses above the BRE Guide would experience 'Small' losses of 26.36% (ref: W4/302) and 23.43% (ref: W4/305) respectively. Although above the BRE Guide the VSC losses to these windows would not amount to significant harmful impact in this central Woking Town Centre context and taking into account, on the basis of the most recent relevant planning history on the Council's records and site visit observations, that window W4/305 appears to serve a staff changing room to the restaurant (non-habitable).
655. The remaining four windows would all experience 'Large' VSC losses of 67.95% (ref: W6/301), 68.25% (ref: W3/302), 71.83% (ref: W1/304) and 94.90% (ref: W3/305). The Council's planning history records indicate that window W6/301 serves the 'kitchen and wash-up' area to the restaurant (non-habitable), that windows W3/302 and W1/304 appear to serve storage areas (non-habitable), and that window W3/305, which would sustain the greatest VSC loss of 94.90%, is understood to serve a 'staff changing area' to the restaurant. For the combined preceding reasoning the VSC losses which would be sustained to No.75 Commercial Way are not considered to amount to significant harmful impact as they would, where they would be the most significant (i.e., adverse), appear to be restricted to windows which serve non-habitable rooms/areas.
656. The NSL assessment demonstrates that 6 of the 9 rooms (67%) would meet the BRE Guide (i.e., would sustain a NSL loss of less than 20%). For clarity these rooms are refs R1/301, R2/301, R1/302, R2/302, R1/304 and R1/305. Two rooms would experience 'Medium' NSL losses of between 32.4% (ref: R3/301, served by window refs W5/301 & W6/301) and 35.6% (ref: R3/302, served by window refs W3/302 & W4/302) which would not amount to significant harmful impact contrary to Policy CS21 of the Woking Core Strategy (2012) in this central Woking Town Centre context,

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particularly given that room R3/301 is understood to be the 'kitchen and wash-up' area to the restaurant (non-habitable) and that room R3/302 is understood to serve as a storage area. A further room (ref: R2/304, served by window W1/304) would experience a 'Large' NSL loss of 81.5% although this takes the form of a horizontal 'slit' window which appears to serve a storage area, together with window W3/302 (non-habitable).

657. Overall, for the preceding reasoning, whilst there would be VSC and NSL losses to the specified windows and rooms which would be beyond the BRE Guide, it is considered, for the preceding reasoning (principally that most of the affected windows and rooms appear to serve non-habitable rooms/areas) that the proposed development would not cause a significant harmful loss of daylight to the residential property at upper floor levels of No.75 Commercial Way (i.e., above the Ihlara Valley restaurant), particularly given the central Woking Town Centre context.

The extant development at Crown Place (WBC Ref: PLAN/2019/1141)

658. The extant Crown Place development (WBC Ref: PLAN/2019/1141), which was allowed on appeal on 3 November 2022 (Appeal Ref: APP/A3655/W/20/3259819), would, principally (i.e., other than where it would front Chertsey Road), be located to the east/north-east of the proposed development, beyond intervening Crown House.
659. The Supporting Standalone Report - Facade Study considers the daylight availability which would remain available, with the proposed development in place, to the extant Crown Place development. This assessment has been undertaken by way of VSC facade assessments which consider the potential for daylight in both the existing and proposed site conditions. It is important to note that, in the event that this planning application (WBC Ref: PLAN/2023/0911) was to be granted there is a strong possibility that it would be under construction before any future occupiers of the extant Crown Place development were in place and therefore the 'existing' daylight availability is unlikely to be experienced by future residential occupiers of that scheme.
660. The VSC facade analysis demonstrates that the (facing) western elevation of the extant Crown Place development would record very good to exceptional daylight availability levels, notwithstanding the close proximity of adjacent, existing Crown House which lies directly adjacent to the west of that site. The analysis demonstrates that, with the proposed development in place, the extant Crown Place development would still record very good retained light levels and that, notwithstanding the close proximity of existing Crown House, the lower levels of the tower at Crown Place would remain relatively consistent (with the levels of VSC that it would receive without the proposed development in place), and that the majority of the lower facade would retain 15% VSC. In respect of the facade of the Crown Place tower that would have an outlook over the proposed development, the VSC facade analysis demonstrates that the elevation would record between 20% and 40% VSC, which is considered to represent very good to exceptional levels of daylight in a Town Centre location such as this.
661. The VSC facade analysis demonstrates that the lower block component of the extant Crown Place development (i.e., that fronting Chertsey Road) would experience slight changes of daylight levels from the existing baseline (i.e., that without the proposed development in place), although the retained levels are considered to be good and acceptable in a Town Centre location such as this.

Sunlight (to windows)

662. Unlike daylight, which is non-directional and assumes that light from the sky is uniform, the availability of sunlight is dependent on the orientation of the window (or area of ground) being assessed relative to the position of due south. The BRE Guide states that obstruction to sunlight may become an issue if some part of a new development is situated within 90° of due south of a main window wall of an existing building.
663. The BRE Guide states (at para 3.2.3) that *“To assess loss of sunlight to an existing building, it is suggested that all main living rooms of dwellings, and conservatories, should be checked if they have a window facing within 90° of due south. Kitchens and bedrooms are less important, although care should be taken not to block too much sun. Normally loss of sunlight need not be analysed to kitchens and bedrooms, except for bedrooms that also comprise a living space”*. The BRE Guide continues (at para 3.2.4) stating that *“To calculate the loss of sunlight over the year, a different metric, the annual probable sunlight hours (APSH), is used. Here ‘probable sunlight hours’ means the total number of hours in the year that the sun is expected to shine on unobstructed ground, allowing for average levels of cloudiness for the location in question (based on sunshine probability data). The sunlight reaching a window is quantified as a percentage of this unobstructed annual total”* and (at para 3.2.5) that *“If the main living room to a dwelling has a main window facing within 90° of due north, but a secondary window facing within 90° of due south, sunlight to the secondary window should be checked.”*
664. The BRE Guide states (at para 3.2.6) that *“If a room can receive more than one quarter of annual probable sunlight hours (APSH), including at least 5% of APSH in the winter months between 21 September and 21 March, then it should still receive enough sunlight. Also, if the overall annual loss of APSH is 4% or less, the loss of sunlight is small.”*
665. The BRE Guide goes on to state that if these guidelines are not met, and a window receives less than 0.80 times its former value of total APSH or winter APSH, and if that window has a reduction in total APSH of more than 4% *“then the occupants of the existing building will notice the loss of sunlight”*.
666. Where there will be a ‘noticeable’ change, the results have been summarised dependant on how far beyond the suggested targets the reductions are from existing levels. For APSH, the ranges of reduction are:
- 20.00% reduction or less (Typically >0.80 times former value) (Negligible) (i.e., BRE Guide compliant)
 - 20.01%-29.9% reduction (0.70-0.79 times former value) (Small);
 - 30.00-39.9% reduction (0.60-0.69 times former value) (Medium); and
 - 40.00%+ reduction (<0.60 times former value) (Large).
667. The ES identifies that there are 171 windows serving 97 residential rooms surrounding the site which are relevant for sunlight amenity assessment. The tables on the following pages summarise the Winter APSH and Total APSH results against the BRE Guide:

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Winter APSH

Surrounding Properties	Total Number of Rooms	Total that meet the BRE Guidelines (i.e., 20% loss or less)	Below BRE Guidelines			
			20-29.9% Loss - Small	30-39.9% Loss - Medium	40%+ Loss - Large	Total BRE Fails
Hollywood House, Church Street East	43	39	0	0	4	4
Central Buildings, Chobham Road	16	15	0	0	1	1
O'Neill's Public House, Crown Square (resi at second floor)	3	3	0	0	0	0
No.35 Chertsey Road	7	7	0	0	0	0
No.43 Chertsey Road	3	3	0	0	0	0
No.45 Chertsey Road	3	3	0	0	0	0
No.47 Chertsey Road	3	2	0	1	0	1
No.47a Chertsey Road	3	2	0	1	0	1
No.75 Commercial Way	4	4	0	0	0	0
No.6 Chertsey Road	1	1	0	0	0	0
No.8 Chertsey Road	2	2	0	0	0	0
No.24 Chertsey Road	1	1	0	0	0	0
No.1 Chobham Road	3	3	0	0	0	0
Nos.23-25 Chertsey Road	1	1	0	0	0	0
No.17 The Broadway	4	4	0	0	0	0
Total	97	90	0	2	5	7

Total APSH

Surrounding Properties	Total Number of Rooms	Total that meet the BRE Guidelines (i.e., 20% loss or less)	Below BRE Guidelines			
			20-29.9% Loss - Small	30-39.9% Loss - Medium	40%+ Loss - Large	Total BRE Fails
Hollywood House, Church Street East	43	41	0	2	0	2
Central Buildings, Chobham Road	16	15	0	1	0	1
O'Neill's Public House, Crown Square (resi at second floor)	3	3	0	0	0	0
No.35 Chertsey Road	7	7	0	0	0	0
No.43 Chertsey Road	3	2	1	0	0	1
No.45 Chertsey Road	3	2	1	0	0	1
No.47 Chertsey Road	3	2	1	0	0	1
No.47a Chertsey Road	3	2	1	0	0	1
No.75 Commercial Way	4	4	0	0	0	0
No.6 Chertsey Road	1	1	0	0	0	0
No.8 Chertsey Road	2	2	0	0	0	0

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No.24 Chertsey Road	1	1	0	0	0	0
No.1 Chobham Road	3	3	0	0	0	0
Nos.23-25 Chertsey Road	1	1	0	0	0	0
No.17 The Broadway	4	4	0	0	0	0
Total	97	90	4	3	0	7

668. The APSH assessment within the ES demonstrates an overall compliance level of 91%, recording 88 out of 97 relevant surrounding rooms (i.e., those with an orientation of due south) would meet the BRE Guidelines for retained sunlighting with the proposed development in place. The ES sets out that, recognising the weight of the retained values, the effect of the proposed development upon the sunlight amenity to the properties surrounding the site is considered to be of minor adverse impact in situations where, despite the Winter APSH alteration to the assessed room, the Total APSH alteration to the room is fully BRE Guide compliant, or the affected room retains an Annual APSH of at least 20%. Where such impacts occur, they are not considered to amount to significant harmful impact contrary to Policy CS21 of the Woking Core Strategy (2012) in this central Woking Town Centre context. Therefore, in accordance with the BRE Guide criteria and consideration of retained values, the following surrounding properties will record a negligible effect, which would thus not amount to significant harmful impact contrary to Policy CS21 of the Woking Core Strategy (2012):

- O'Neill's Public House, Crown Square (staff accommodation at second floor level);
- No.35 Chertsey Road;
- No.75 Commercial Way;
- No.6 Chertsey Road;
- No.8 Chertsey Road;
- No.24 Chertsey Road;
- No.1 Chobham Road;
- Nos.23-25 Chertsey Road; and
- No.17 The Broadway.

669. The ES further sets out that the following surrounding properties have an orientation of due south and will record a light change considered minor adverse, by reference the retained values. It sets out that each surrounding property which would record a BRE Guide transgression, would record their breach within the winter months when sunlight is inherently more challenged, and the technical analysis shows that each affected room which would sustain a minor adverse effect would nonetheless retain an APSH % >20% and is considered good for a central Woking Town Centre location such as this. These properties are:

- Hollywood House, Church Street East;
- Central Buildings, Chobham Road;
- No.43 Chertsey Road;
- No.45 Chertsey Road;
- No.47 Chertsey Road; and
- No.47a Chertsey Road.

Sun on the ground

670. The BRE Guide states (at para 3.3.1) that *“Good site layout planning for daylight and sunlight should not limit itself to providing good natural lighting inside buildings.*

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Sunlight in the spaces between and around buildings has an important impact on the overall appearance and ambience of a development” and (at para 3.3.7) that “it is recommended that at least half of the amenity areas listed above [i.e., gardens, parks and playing fields, sitting out areas etc.] should receive at least two hours of sunlight on 21 March”. The BRE Guide continues (at para 3.3.14), stating that “If a space is used all year round, the equinox (21 March) is the best date for which to prepare shadow plots as it gives an average level of shadowing. Lengths of shadows at the autumn equinox (21 September) will be the same as those for 21 March, so a separate set of plots for September is not required”. The BRE Guide states (at para 3.3.17) that “It is recommended that for it to appear adequately sunlit throughout the year, at least half of a garden or amenity area should receive at least two hours of sunlight on 21 March. If as a result of new development an existing garden or amenity area does not meet the above, and the area that can receive two hours of sun on 21 March is less than 0.80 times its former value, then the loss of sunlight is likely to be noticeable.”

671. There are no private amenity areas within the vicinity of the site which are deemed relevant for technical sun on the ground analysis. The ES contains technical sun on the ground analysis for the following public amenity areas within the vicinity of the site which are deemed to be relevant:

- (i) Jubilee Square & part of Gloucester Walk (within the ES shown as ‘57 Commercial Way - West Amenity Space’);
- (ii) Crown Square, Chobham Road (within the ES shown as ‘Christ Church Woking Amenity East Amenity Space’); and
- (iii) Section of pedestrianised Commercial Way between No.63 Commercial Way (i.e., Café Nero) & Mercia Walk (within the ES shown as ‘Crown House, Crown Square South Amenity Space’).

672. The technical sun on the ground analysis within the ES demonstrates that both (i) Jubilee Square & part of Gloucester Walk and (iii) the section of pedestrianised Commercial Way between No.63 Commercial Way (i.e., Café Nero) & Mercia Walk would sustain no reductions in direct sunlight on 21 March. Area (ii) Crown Square, Chobham Road would experience a relative reduction in sun on the ground of 18.1%, with the area that receives 2 hours of direct sunlight on 21 March reducing from 84.7% to 66.6%. However, notwithstanding this reduction, much more than half of Crown Square would continue to receive at least two hours of sunlight on 21 March (thus complying with the BRE Guide) and therefore Crown Square would continue to appear adequately sunlit throughout the year, such that the loss of sunlight is unlikely to be noticeable. This reduction would not amount to significant harmful impact contrary to Policy CS21 of the Woking Core Strategy (2012). Moreover, the ES demonstrates that, in the cumulative scenario (i.e., with both the proposed development and the extant Crown Place development in place) the area of Crown Square which would receive 2 hours of sunlight on 21 March would be slightly increased (to 69.2%) compared to the result with just the proposed development in place.

Conclusion on impacts on neighbouring and nearby residential amenities

673. Overall, the reduction in daylighting (and distribution thereof) to the specified windows and rooms at second floor level of O’Neill’s Public House, Crown Square would amount to significant harmful impact contrary to Policy CS21 of the Woking Core Strategy (2012), this will be weighed in the planning balance at the conclusion of this report. Whilst the reduction in daylighting (and distribution thereof) to the specified windows and rooms would amount to significant harmful impact it is a material consideration, of some notable weight, that the residential accommodation which

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would be impacted takes the form of staff accommodation associated with, and located directly above, this Public House which is located centrally within Woking Town Centre. This factor is considered to reduce the level of harm to an extent.

674. In respect of all other neighbouring and nearby residential amenities the preceding assessment has concluded that the proposed development would avoid significant harmful impact in terms of loss of privacy, daylight or sunlight, or an overbearing effect (due to bulk, proximity or outlook).

Thames Basin Heaths Special Protection Area (TBH SPA)

675. The Thames Basin Heaths Special Protection Area (TBH SPA) is an internationally important site of nature conservation and has been given the highest degree of protection under The Conservation of Habitats and Species Regulations 2017 (as amended), technical changes to which have been made by the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 following EU exit. As such EU exit has no bearing on the protection afforded to the TBH SPA.

676. The Thames Basin Heaths Special Protection Area (TBH SPA) was designated on 9 March 2005 under the EU Directive to specifically protect nightjars, woodlarks and Dartford warblers, all three are ground nesting birds, or at low level, and are easily disturbed by human activity, in particular, recreational activity such as dog walking. Also, predation by domestic cats and fly tipping into the heathland are potential threats. The three pronged approach that is used to avoid any significant effect of new residential development on the TBH SPA includes:

- The provision and maintenance of Suitable Alternative Natural Green Space (SANG) to attract people away from the TBH SPA;
- Strategic Access Management and Monitoring (SAMM) to monitor and manage the impact of people using the TBH SPA; and
- Habitat management of the TBH SPA to improve the habitats of the protected birds (this measure relates to longer term management of the TBH SPA and is the duty of the landowner).

677. The South East Plan (2009) was partially revoked in 2013. However, Policy NRM6 (Thames Basin Heaths Special Protection Areas) remains in place as a saved policy and sets out the principle of the protection of the Thames Basin Heaths SPA in the South East.

678. Policy CS8 of the Woking Core Strategy (2012) states that any proposal with potential significant impacts (alone or in combination with other relevant developments) on the Thames Basin Heaths Special Protection Area (TBH SPA) will be subject to Habitats Regulations Assessment to determine the need for Appropriate Assessment (AA). Following recent European Court of Justice rulings, a full and precise analysis of the measures capable of avoiding or reducing any significant effects on European sites must be carried out at an 'Appropriate Assessment' stage rather than taken into consideration at screening stage, for the purposes the Habitats Directive (as interpreted into English law by The Conservation of Habitats and Species Regulations 2017 (the "Habitat Regulations 2017")).

679. Policy CS8 of the Woking Core Strategy (2012) states that "*New residential development beyond 400m threshold but within 5 kilometres of the SPA boundary (in a straight line) will be required to make an appropriate contribution towards the provision*

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of Suitable Alternative Natural Greenspace (SANG) and the Strategic Access Management and Monitoring (SAMM)."

680. Policy CS17 of the Woking Core Strategy (2012) states that *"New residential units within five km of an SPA will be required to provide or contribute to the provision and improvement of Strategic Alternative Natural Greenspace (SANG) which is a component of Green Infrastructure and also its Strategic Access Management and Monitoring (SAMM). This land will be used to mitigate the impact and effect of residential development on the SPA, by providing informal recreation land of appropriate quality across Woking Borough"*.
681. As set out within the Updated Thames Basin Heath Avoidance Strategy (2022) (at para 1.16) *"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 collected outside of CIL. The relevant proportions of the CIL contribution is ring fenced for the provision and maintenance of SANGs."*
682. The Updated Thames Basin Heath Avoidance Strategy (2022) states (at para 1.20) that *"It is important to note that the Avoidance Strategy does not address all possible effects of development on the SPA but only those resulting from recreational visits arising from residential development (including unconventional residential). Therefore any development not directly connected with or necessary for the conservation management of the SPA, which could have other (non-recreational) likely significant effects upon the SPA would still require an Appropriate Assessment. This will be determined on a case by case basis."* As such, an Appropriate Assessment will be undertaken for the proposed development.
683. The Updated Thames Basin Heath Avoidance Strategy (2022) states (at para 2.14) that *"In the majority of cases applicants have made/will make a contribution towards Council operating SANGs rather than providing their own"* and (at para 2.15) that *"Prior to April 2015, the Council applied a tariff for SANG and SAMM for any scheme which resulted in a net additional dwelling. The council has introduced CIL as the primary mechanism for securing developers contributions. Given that SANGs are deemed as a form of infrastructure contributions are now secured as part of CIL"*. The Avoidance Strategy sets out that 39.5% of Community Infrastructure Levy (CIL) income will be ring-fenced for the provision and maintenance of SANG.
684. The residential component of the proposed development falls within the definition of 'residential', as set out within the Council's CIL Charging Schedule (2014) and would therefore be liable for the Community Infrastructure Levy (CIL). As such, the financial contribution of the proposed development towards the provision and maintenance of SANG would be secured through CIL.
685. As is usual practice, the SAMM element of the TBH SPA tariff is required to be addressed outside of CIL and would need to be secured via the Section 106 Legal Agreement. The following table shows the SAMM tariff calculation for the proposed development (on the basis of the 1st April 2024 - 31st March 2025 SAMM tariff) (note: the SAMM tariff is indexed linked year on year):

Size of dwelling (bedrooms)	SAMM contribution per dwelling (2023/2024) (i)	Number of dwellings in proposal (ii)	Overall SAMM contribution (i.e., i x ii)
Studio	£690	14	£9,660

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1 bedroom	£690	101	£69,690
2 bedroom	£935	135	£126,225
3 bedroom	£1,230	22	£27,060
Total dwellings		272	
Total SAMM tariff required			£232,635

686. The applicant has agreed to make a SAMM contribution of **£232,635** in line with the Thames Basin Heaths Special Protection Area Avoidance Strategy (April 2024 update) as a result of the uplift of x272 dwellings as set out in the preceding table. This would need to be secured through the Section 106 Legal Agreement and index linked - based on the RPI annual inflation.
687. The application has been submitted with a Report to inform Habitat Regulations Assessment Screening Assessment, dated July 2024 (prepared by The Ecology Partnership Ltd), together with a statement of reliance dated October 2024 which has been used to inform the Council's Appropriate Assessment (AA) which sets out the potential impacts of the proposed development on the two European sites which fall partially within Woking Borough – the Thames Basin Heaths SPA (TBH SPA) and Thursley, Ash, Pirbright and Chobham SAC (which overlaps with the TBH SPA).
688. The Council's AA identifies that, as per the measures in the TBH SPA Avoidance Strategy (April 2024 update), the proposed development will avoid adverse impacts on the TBHSPA and SAC through recreational disturbance and urbanisation by making a financial contribution via the Community Infrastructure Levy (CIL) towards the provision of Suitable Alternative Natural Greenspace (SANG) on commencement of development (or as soon as possible thereafter), there is sufficient SANG capacity at Heather Farm SANG (250 dwellings) and Horsell Common SANG (22 dwellings) and paying a tariff for SAMM to implement an identified programme of works to mitigate the impacts of the proposed development. Subject to securing the provision of the SAMMs tariff and an appropriate contribution, the Council's AA concludes that the proposed development will not affect the integrity of the TBHSPA or SAC either alone or in combination with other plans and projects in relation to urbanisation and recreational pressure pathways.
689. The Council's AA further identifies that other members of the Thames Basin Heaths Joint Strategic Partnership Board have Avoidance Strategies to protect the TBH SPA from excess recreational pressure, and this remains the case. All partners have identified SANGs or the requirement for SANGs at levels in alignment with those required by the Avoidance Strategies, and therefore with this in place it is possible to conclude that there would be no adverse effects on the integrity of European sites from the development proposal in combination with other plans and projects through recreational pressure.
690. The Council's AA concludes that the Council is content that the documentation provided by the applicant is sufficient to demonstrate that the proposed development will not result in a significant likely effect on the integrity of the TBHSPA or SAC either alone or in combination with other plans and projects with regard to an air quality impact pathway. It also identifies that owing to the distance of the proposed development from the Borough's European sites, it will not result in an adverse effect on the integrity of the sites due to any other additional impact pathway such as noise, atmospheric pollution or light (separate to urbanisation and recreational pressure).
691. In accordance with Regulation 63(3) of The Conservation of Habitats and Species Regulations 2017 (as amended), Natural England must be consulted upon the

Council's Appropriate Assessment before the application can be granted. Natural England has been consulted and having considered the Council's AA, and the measures proposed to mitigate for all identified adverse effects that could potentially occur as a result of the proposal, Natural England concurs with the assessment conclusions, providing that all mitigation measures are appropriately secured in any planning permission.

692. Overall, subject to securing the provision of both the SANG contribution (via CIL), and the SAMM contribution (via the Section 106 Legal Agreement) the Local Planning Authority is able to determine that the proposed development would not affect the integrity of the two European sites which fall partially within Woking Borough - the Thames Basin Heaths SPA (TBH SPA) and Thursley, Ash, Pirbright and Chobham SAC (which overlaps with the TBH SPA) - either alone, or in combination with other plans and projects. On that basis the proposed development accords with Policies CS8 and CS17 of the Woking Core Strategy (2012), the Updated Thames Basin Heaths Avoidance Strategy (February 2022), Saved Policy NRM6 of the South East Plan 2009 and the requirements of The Conservation of Habitats and Species Regulations 2017 (as amended).

Wind microclimate

693. The tall buildings strategy within SPD Design (2015) requires proposals for tall buildings to not adversely affect the site's surrounds in terms of, among other things, wind.
694. Whilst it is acknowledged that the construction phase of the proposed development may have an impact on the local wind microclimate the Environmental Statement (ES) submitted with the application sets out that hoarding will be installed and maintained around the site to ensure safety and security during the construction phase and therefore that given the site's limited accessibility to the public during this period, any effects on the wind microclimate are expected to be temporary and not of significant concern. Moreover, wind conditions would be expected to gradually shift from the existing state to that of the completed and operational proposed development. The ES sets out that meteorological data indicates that the prevailing wind throughout the year is from the south-west (this is typical for many areas of southern England).
695. The wind microclimate section of the ES sets out that the assessment of wind conditions has been informed by Computational Fluid Dynamics (CFD), which is a computer modelling technique (covering an extent of 400m radius from the centre of the site) for numerically simulating wind flow in complex environments and delivers a detailed assessment of the mean wind conditions in and around the site and the proposed development for the key wind directions tested in terms of pedestrian comfort and safety. It identifies that a 'worst case' scenario was simulated, thus excluding the presence of existing trees and proposed landscaping within and around the proposed development.
696. The ES sets out that the assessment has applied the Lawson Comfort Criteria (which is widely used on building developments across the UK), which provides a scale for assessing the suitability of wind conditions in the built environment, defining a range of pedestrian activities from sitting through to more transient activities such as walking along a thoroughfare, and for each activity defines a threshold wind speed and frequency of occurrence beyond which the wind environment would be unsuitable for the stated activity, reflecting the fact that sedentary activity, such as sitting, requires a low wind speed whereas for more transient activity (such as walking) pedestrians

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would tolerate stronger winds. If the wind conditions exceed the threshold, then the conditions are unacceptable for the stated activity. If the wind conditions are below the threshold, then they are described as tolerable (or suitable) for the stated activity:

Comfort category	Wind speed (mph)	Description
Sitting	0-4	Light breezes desired for outdoor restaurants & seating areas where one can read a paper or comfortably sit for long periods.
Standing	4-6	Gentle breezes acceptable for main building entrances, pick-up/drop-off points & bus stops.
Strolling	6-8	Moderate breezes that would be appropriate for strolling along a city/town street, plaza, or park.
Walking	8-10	Relatively high speeds that can be tolerated if the person objective is to walk, run or cycle without lingering.
Uncomfortable	>10	Winds of this magnitude are considered a nuisance for most activities, and wind mitigation is typically recommended.

697. The ES sets out that the assessment is based on worst-case wind speeds, expected to be encountered during the winter season (December, January and February) in the UK, and that additional consideration has been made for summer (June, July and August) wind conditions due to the presence of above ground amenity spaces (podium, terrace and balcony levels) within the proposed development. This complies with the standard methodology set out by Lawson for wind-microclimate assessments. The ES sets out that the assessment of wind comfort conditions has considered the following aspects, in line with Lawson Comfort Criteria guidance.

Thoroughfares

- A pedestrian thoroughfare should be suitable for strolling or calmer (i.e., standing, sitting) during the winter season, assessment therefore focuses on the winter season result, as a 'worst-case'. Localised occurrences of walking conditions may be acceptable in areas with limited footfall, or service areas, if the strong wind criteria (see sub-heading 'Strong Winds') is not exceeded.

Entrances

- In areas in proximity to building entrances, a wind environment suitable for standing or calmer is desired, as pedestrians will transition from the calm indoors to the windier outdoors throughout the year. The assessment for building entrances therefore focuses on the winter season result, as a 'worst-case'. Generally, an entrance that is recessed provides a transitional zone with calmer wind conditions for pedestrians exiting the building. If strolling conditions were observed on the pavement outside a recessed entrance, acceptable standing conditions would be expected at the recessed entrance and would therefore be suitable for an entrance use.

Amenity Areas and Podium Terraces

- The target conditions for seating in amenity areas is a wind microclimate that is suitable for sitting use during the summer season, because these areas are more likely to be frequently used during the summer when pedestrians would expect to be able to sit comfortably. If an area is classified as suitable for sitting in the

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summer, the windier conditions that occur during the winter season usually mean that the area would be classified as suitable for standing in the winter season, unless additional shelter was provided. This is tolerable on the basis that such an area would be most frequently used for sitting during the summer months. At other times of the year, the expectation of usability is lower due to other factors such as temperature and rainfall.

- Large upper-level terraces and large amenity spaces are assessed on the basis that they are intended for good weather use only. A mix of sitting and standing conditions during the summer would be acceptable provided that any desired seating areas are situated in areas having sitting use wind conditions.

Balconies

- The target wind conditions for balcony levels are a wind microclimate that is suitable for standing use or calmer during the summer season.

Roads and Cyclists

- The Lawson Criteria does not specify criteria for acceptable wind conditions for cyclists; however, the occurrence of winds exceeding the strong winds threshold would be considered unsuitable for cyclists. The assessment for roads focuses on annual strong winds only.

Strong Winds

- The Lawson Criteria also specifies a strong wind threshold when winds exceed 15m/s for more than 0.025% of the time (approximately 2 hours of the year) and would have the potential to cause distress to pedestrians and cyclists. Exceedance of this threshold may indicate a need for remedial measures or a careful assessment of the expected use of that location.
- Strong winds are generally associated with areas which would be classified as acceptable for walking or conditions which would be considered uncomfortable. In a mixed-use urban development scheme, walking and uncomfortable conditions would not usually form part of the 'target' wind environment and would usually require mitigation due to pedestrian comfort considerations. This mitigation would also have the impact of reducing the frequency of, or even eliminate, any strong winds.

698. The ES sets out that in its existing 'baseline' environment the site has wind conditions ranging from suitable for sitting to standing use during the winter season, with a small area on Church Street East suitable for strolling use, that during the summer season, wind conditions are generally one category calmer, resulting in a larger area covering sitting to standing use wind conditions, and that there are no strong winds expected to exceed the safety criteria in this scenario as there are no areas of walking use conditions or windier during the winter season.

699. The ES sets out that the assessment has considered wind conditions across the key pedestrian activity areas (i.e., throughfares, entrances etc.). The results of the wind modelling and associated intended (or required) wind conditions are shown on the following page:

Thoroughfares – Winter Season

- Wind conditions on thoroughfares would range from suitable for sitting to strolling use during the winter season, suitable for the intended pedestrian use.

Entrances – Winter Season

- Wind conditions at entrances to the proposed development would range from suitable for sitting to standing use during the winter season. Similarly, wind conditions at off-site entrances would range from suitable for sitting to standing use during the winter season, suitable for the intended pedestrian use.

Roads and Cyclists – Winter Season

- Wind conditions at roads would range from suitable for sitting to strolling use during the winter season, suitable for the intended use.

Amenity Spaces – Ground Level – Summer Season

- Amenity spaces at ground level (introduced by the proposed development) are situated to the south-west of the proposed building, where wind conditions would be suitable for sitting use during the summer season, suitable for the intended use.
- The majority of off-site seating areas situated on Commercial Way and Chobham Road would also remain suitable for sitting use during the summer season. However, the seating area at the junction of Chobham Road and Chertsey Road, would be one category windier than suitable for the intended use, representing a minor adverse effect. Nonetheless, this seating area is flanked by shrubs on both sides, which were not considered during a 'worst-case' assessment scenario. As such, it would be expected that with these shrubs in place wind conditions would improve to be suitable for the intended use.

Amenity Spaces – Podium Level – Summer Season

- Wind conditions at the podium level (introduced by the proposed development) would range from suitable for sitting to standing use during the summer season. This is suitable for the intended use given that no long-term designated seating is placed at areas suitable for standing use.

Amenity Spaces – Roof Terraces – Summer Season

- Wind conditions at roof terraces would range from suitable for sitting to standing use during the summer season. This is suitable for the intended use given that no long-term designated seating is placed at areas suitable for standing use.

Amenity Spaces – Balconies – Summer Season

- Wind conditions at the majority of balconies would range from sitting to standing use during the summer season, suitable for the intended use. However, two balconies on the north-western elevation (i.e., that facing Church Street East) would have wind conditions one category windier than suitable for the intended use.

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during the summer season. As such, these two balconies would require mitigation (further discussed in following paragraphs).

700. In summary, the ES demonstrates that, with the mitigation measures in place, pedestrian level wind conditions in and around the site, and within amenity spaces, are expected to rate as safe for all users.
701. Overall, the assessment contained within the ES demonstrates that the majority of wind conditions within and around the site would meet the desired comfort criteria for the intended uses. Wind microclimate mitigation is generally not required because post-development wind conditions would be appropriate for the intended uses of the respective areas. However, the two balconies on the north-western elevation, facing Church Street East (which have been flagged to be one category windier than suitable for the intended use during the summer season) would require mitigation in the form of a solid or 50% porous balustrade at least 1.2m tall (which has been incorporated within the design). With these mitigation measures in place wind conditions on these two balconies would be appropriate for the intended use during the summer season. As such, the wind microclimate effects of the proposed development are therefore considered to be acceptable.

Solar glare

702. The tall buildings strategy within SPD Design (2015) requires proposals for tall buildings to not adversely affect the site's surrounds in terms of, among other things, glare. The BRE Guide states (at para 5.8.1) that *“Glare or dazzle can occur when sunlight is reflected from a glazed facade or area of metal cladding. There are two types of reflected glare problem that can occur. Discomfort glare causes visual discomfort without necessarily affecting the ability to see. Disability glare happens when a bright source of light (such as the reflected sun) impairs the vision of other objects. The bright light is scattered in the eye, making it harder to see everything else. Outdoors, disability glare is easily the more serious problem, as it can affect motorists’ and train drivers’ ability to drive safely.”*
703. The BRE continues (at para 5.8.2) stating that *“The problem can occur either when there are large areas of reflective glass or cladding on the facade, or when there are areas of glass or cladding that slope back so that high altitude sunlight can be reflected along the ground. Thus solar dazzle is only a long-term problem for some heavily glazed (or mirror clad) buildings. Photovoltaic panels generally tend to cause less dazzle because they are designed to absorb light.”*
704. In respect of solar glare Volume 1, Chapter 8 of the Environmental Statement (ES) states (at para 8.10) that *“The primary concern from solar glare perspective is the surrounding road network and network rail line, albeit these railway lines are located further afield and with intervening screening. The primary facade material proposed for the Proposed Scheme is brick...Although glazing is proposed it is broken up by the proposed brick (and other materials). Given the above, is it not considered that solar glare would result in a significant effect and therefore will not be assessed further within the EIA [Environmental Impact Assessment] and this ES.”*
705. Having regard to the guidance contained within the BRE Guide, together with paragraph 8.10 of the ES, it is not considered that solar glare requires further assessment in this instance because the proposed development would not be heavily glazed (or mirror clad).

Air quality

706. Paragraph 187 of the NPPF states that *“Planning policies and decisions should contribute to and enhance the natural and local environment by [among other things] e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality”*. Paragraph 198 states that *“Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development.”*
707. Paragraph 199 of the NPPF sets out that planning decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and Clean Air Zones, and the cumulative impacts from individual sites in local areas and that opportunities to improve air quality or mitigate impacts should be identified, such as through traffic and travel management, and green infrastructure provision and enhancement. It also sets out that planning decisions should ensure that any new development in Air Quality Management Areas and Clean Air Zones is consistent with the local air quality action plan. Paragraph 201 of the NPPF states that *“The focus of planning policies and decisions should be on whether proposed development is an acceptable use of land, rather than the control of processes or emissions (where these are subject to separate pollution control regimes). Planning decisions should assume that these regimes will operate effectively”*.
708. Policy CS21 of the Woking Core Strategy (2012) states, among other things, that *“Proposals for new development should...Be designed to avoid significant harm to the environment and general amenity, resulting from noise, dust, vibrations, light or other releases”*. Policy DM5 of the DM Policies DPD (2016) states that *“When assessed individually or cumulatively, development proposals should ensure that there will be no unacceptable impacts on [among other things] air quality.”* Policy DM6 of the DM Policies DPD (2016) states that *“Development that has the potential, either individually or cumulatively, for significant emissions to the detriment of air quality, particularly in designated Air Quality Management Areas or in areas at risk of becoming an Air Quality Management Area, should include an appropriate scheme of mitigation which may take the form of on-site measures or, where appropriate, a financial contribution to off-site measures. An Air Quality Assessment will be required for schemes that meet the thresholds set out in paragraph 4.15”*. This threshold is, among others, development in excess of 100 dwellings or 10,000 sq.m other floorspace (or equivalent combination) anywhere in the Borough.
709. The application has been submitted with an Air Quality Assessment (dated 27th October 2023) (hereafter referred to as the ‘AQA’). The AQA sets out that the proposed energy strategy for the primary supply to the proposed development is to be all-electric with the Low Temperature Hot Water (LTHW) to be served via a connection to the Woking District Heat Network (DHN) and that the Class E Use areas are to be served by dedicated Variable Refrigerant Flow (VRF) units for space/heating cooling with hot water provided via direct electric point of use units (Photovoltaic (PV) solar panels would also serve both residential and Class E use areas). As such, the proposed development would not utilise on-site combustion sources for the primary energy supply although the AQA sets out that a diesel life safety generator is proposed

to be located at roof level and intended for emergency purposes only (maintenance testing for which is to be carried out sparingly). Therefore, because no on-site combustion sources are proposed for the primary energy supply, and the proposed diesel life safety generator is expected to be used in emergency situations only, the AQA sets out that the proposed development would not generate any significant on-site emissions and impacts on local air quality from energy provision would be negligible and therefore would not give rise to adverse air quality impacts. As such, they have been screened out of the AQA.

710. The AQA identifies that a single Air Quality Management Area (AQMA) has been declared within Woking Borough, named as the “*Guildford Road AQMA*”, which was declared in 2017 for exceedances of the Nitrogen Dioxide (NO₂) annual mean Air Quality Objective (AQO) only. The site is not located within the “*Guildford Road AQMA*” and is around 0.8km (around 0.5 miles or 800 metres) north-east at the closest point. The AQA also identifies that a review of local monitoring data from passive diffusion tube monitoring locations within the vicinity of the site, in addition to Defra predicted background concentrations, indicates that no likely exceedances of the respective Air Quality Objectives (AQOs) for pollutants Nitrogen Dioxide (NO₂), Fine Particulate Matter (PM₁₀) and Fine Particulate Matter (PM_{2.5}) is expected at the site based on available monitoring data from 2015 to 2022. As such, the AQA concludes that air quality at the site is considered to be suitable for the proposed uses, including for residential use, and that no embedded mitigation is required into the design of the proposed development (with natural ventilation being possible in air quality terms).
711. The main likely effects on local air quality during construction relates to nuisance dust. Activities associated with the demolition and construction of the development would give rise to a risk of dust impacts at existing sensitive receptors during demolition, earthworks and construction, as well as from trackout of dust and dirt by vehicles onto the public highway.
712. The assessment of effects from dust during demolition and construction has been undertaken in accordance with Institute of Air Quality Management (IAQM), 2014, ‘Guidance on the Assessment of dust from demolition and construction’. The proposed development has been identified as being of ‘large’ magnitude for dust emissions during demolition, ‘small’ magnitude during earthworks, ‘large’ magnitude during construction and of ‘small’ magnitude during trackout. Potential dust effects during the (demolition and) construction phase would be temporary (as they would only potentially occur throughout the demolition and construction phase) and short term (because these would only arise at particular times when certain activities and meteorological conditions combine to create the predicted level). The control of dust emissions from demolition and construction site activities relies upon management provisions and mitigation techniques to reduce emissions of dust and limit dispersion. The AQA concludes that, following implementation of appropriate dust and pollution control measures, which are recommended for inclusion within the Dust Management Plan (DMP) (condition 09 refers, within the DCEMP), it is considered that the release of dust would be effectively controlled and mitigated, with a residual effect at all receptors which will be ‘not significant’ (in accordance with the IAQM guidance).
713. During the demolition and construction phase the AQA estimates (on the basis of the Transport Assessment, TA) that there would be 16 additional Heavy Duty Vehicles (HDVs) generated on the local road network on any given day. The Environmental Protection UK & Institute of Air Quality Management (2017), ‘Land-Use Planning & Development Control: Planning for Air Quality’ (hereafter referred to as the EPUK & IAQM air quality guidance) guidance assessment criteria indicate that significant

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impacts on air quality are unlikely to occur where a development results in less than 100 HDV movements per day in locations which are not within or adjacent to an AQMA (as is the case in this instance). As such, the AQA concludes that potential air quality impacts associated with demolition and construction road traffic emissions “*are considered to have an insignificant effect on air quality and mitigation measures are not considered to be required*”.

714. In respect of the operational phase of the development, the EPUK & IAQM air quality guidance sets out criteria for when an air quality assessment is required to accompany a planning application. The guidance states that an air quality assessment is required if there is (post-development) a change of:
- more than 100 Light Duty Vehicles (LDVs) flows in Annual Average Daily Traffic (AADT) within or adjacent to an AQMA or more than 500 AADT elsewhere; or
 - more than 25 Heavy Duty Vehicles (HDVs) flows AADT within or adjacent to an AQMA or more than 100 AADT elsewhere; or
 - combustion plant where the single or combined NO_x [nitric oxide] emission rate exceeds 5 mg/sec.
715. The Transport Assessment (TA) identifies that the proposed development will be ‘car-free’ (except for x6 disabled parking spaces) and that gross AADT figures of 140 Light Duty Vehicles (LDVs, <3.5 tonnes gross vehicle weight) and 18 Heavy Duty Vehicles (HDVs, >3.5 tonnes gross vehicle weight) would be introduced on the local road network during the operation of the proposed development. The AADT includes all road traffic movements (i.e., deliveries, servicing, disabled parking) associated with the proposed development, and these AADT figures do not account for the difference between the road traffic movements generated by the existing uses on the site and those which would be generated by the proposed development (which would be minimal). These AADT figures are well below the indicative criteria of the EPUK & IAQM air quality guidance (i.e., a change of more than 500 LDV AADT and/or a change of more than 100 HDV AADT, where not within or adjacent to an AQMA), particularly given that they represent a ‘worst case’ scenario (i.e., they do not account for road traffic movements generated by the existing site). As such, the impact of the operational phase road traffic emissions (arising as a result of the proposed development) on local air quality in the vicinity of the site would not be significant and therefore would not give rise to adverse air quality impacts and mitigation measures are not required.
716. In respect of air quality the Environmental Health service state that “*There are no adverse comments to forward from EH [Environmental Health] [and that] The emergency plant and generators hereby permitted may be operated only for essential testing, except when required by an emergency loss of power. Testing of emergency plant and generators hereby permitted may be carried out only for up to one hour in a calendar month, and only during the hours 09.00 to 17.00 hrs Monday to Friday and not at all on Saturdays, Sundays, Bank or Public holidays*”.
717. Overall, subject to recommended conditions (conditions 14 and 15 refer), there would be no significant impacts to existing or proposed sensitive receptors during the construction and/or operational phases of the proposed development. The proposed development therefore complies with Policy CS21 of the Woking Core Strategy (2012), Policies DM5 and DM6 of the Development Management Policies DPD (2016), and the NPPF, in respect of air quality.

Contamination

718. Paragraph 187 of the NPPF states that “*Planning...decisions should contribute to and enhance the natural and local environment by [among other things] f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate*”. Paragraph 196 of the NPPF states that “*Planning...decisions should ensure that: a) a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination...[that] b) after remediation, as a minimum, land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990; and [that]...c) adequate site investigation information, prepared by a competent person, is available to inform these assessments.*” Paragraph 197 states that “*Where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner*”.
719. Policy DM8 of the Development Management Policies DPD (2016) states, among other things, that “*Adequate site investigation information should be provided with development proposals, including the site’s history, potential contamination sources, pathways and receptors, and where appropriate, physical investigation, chemical testing, and a risk assessment to cover ground gas and groundwater.*”
720. The application has been submitted with a ground investigation desk study report (dated September 2023) which identifies that the site does not have a potentially contaminative history, having been occupied by residential and commercial buildings, that are likely to have been shops and offices, since 1896 and that increased thicknesses of made ground are not anticipated. The desk study report identifies that, due to the age of the existing building on the site (having been built in the 1980s) there is a risk that asbestos containing materials may be present within the building, with the potential for waste materials having been discarded to the ground (i.e., during that construction).
721. The desk study report identifies that the proposed redevelopment of the site to have a primarily residential end use will result in end users representing high sensitivity receptors (to potential contaminated ground), that adjacent sites are also considered to be sensitive receptors and that, because the site is directly underlain by a Secondary ‘A’ Aquifer, groundwater is also considered to be a sensitive receptor. It identifies that new buried services and concrete are likely to come into contact with any contaminants present within the soils in which they are laid and that site workers are potential receptors during construction and/or maintenance works and that within the site, end users will be largely isolated from direct contact with any contaminants present within the made ground by the presence of the buildings and the extent of the hardstanding, however that the areas of soft landscaping will present a potential exposure pathway. The desk study report concludes that on the basis of the findings of the research carried out there is considered to be a low risk of there being significant contamination linkage at the site and that risk from soil gas is not envisaged.
722. An intrusive ground investigation is recommended by the desk study report in order to allow the risks associated with any potentially contaminated soils that may be present (due to past activities on the site) to be determined. There is potential for the implementation of remediation measures, during the construction phase, to ensure that the proposed development is suitable for use.
723. The Council’s Contaminated Land Officer has recommended conditions 36 (Asbestos - demolition), 37 (investigation and risk assessment), 38 (remediation method

Statement), 39 (remediation validation report) and 40 (Unexpected ground contamination). Given that the site is located upon a Secondary 'A' Aquifer, and that piling/investigation boreholes using penetrative methods can result in risks to groundwater resources from, for example, pollution/turbidity, risk of mobilising contamination and creating preferential pathways, condition 41 (Piling/investigation boreholes using penetrative methods) is also recommended to ensure that the development will not present unacceptable risks to groundwater resources.

724. Overall, subject to recommended conditions, and the implementation of any required mitigation and/or remediation measures, the proposed development would comply with Policy DM8 of the DM Policies DPD (2016), and the NPPF, in terms of contamination.

Flooding and water management

725. Policy CS9 of the Woking Core Strategy (2012) states that "*The Council will determine planning applications in accordance with the guidance contained within the NPPF. The SFRA will inform the application of the Sequential and Exceptional Test set out in the NPPF*". It also states that "*The Council expects development to be in Flood Zone 1 as defined in the SFRA...The Council will require all significant forms of development to incorporate sustainable drainage systems (SUDS) as part of any development proposals...To further reduce the risk from surface water flooding, all new development should work towards mimicking greenfield run-off situations*".
726. Paragraphs 170 - 182 (inclusive) of the NPPF relate to planning and flood risk. Paragraph 182 states that "*Applications which could affect drainage on or around the site should incorporate sustainable drainage systems to control flow rates and reduce volumes of runoff, and which are proportionate to the nature and scale of the proposal*" and also sets out requirements for sustainable drainage systems provided as part of proposals for major development.
727. The application has been submitted with a Flood Risk Assessment & Surface and Foul Water Drainage Strategy (hereafter referred to for brevity as the 'FRA') (Revision: P05, Issue Date: 04.01.24, with covering Technical Note dated 4th January 2024) which identifies that the site is located entirely within fluvial Flood Zone 1 (low risk), and significant distances away from fluvial Flood Zones 2 and 3 (medium and high risks), such that the sequential and exception tests are not required (due to fluvial flood risk) in this instance. In accordance with Policy CS9 of the Woking Core Strategy (2012) and the NPPF all forms of development, including residential development, are suitable in Flood Zone 1.
728. As well as being at a very low risk of fluvial flooding the FRA identifies that the site is at very low risk of flooding from surface water. The Council's Strategic Flood Risk Assessment (SFRA) (November 2015) identifies some areas of surface water flood risk along sections of the existing Church Path and Commercial Way carriageways however the proposed building footprint would not be located on any of these areas and, whilst these areas would (in part) be subject to some highways and public realm works, they would remain carriageways and pavements post-development. The FRA identifies that it is envisaged that the surface water will run-off in the same way that it is does at present, in regards to the existing levels, and that the proposed development would also incorporate Sustainable Urban Drainage Systems (SuDS), hence reducing the existing likelihood of surface water flooding.
729. In respect of groundwater flooding (i.e., when water levels in the ground rise above the ground surface) the SFRA identifies that the groundwater flooding map from the

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Council's SFRA (November 2015) indicates that there is no potential for groundwater flooding at surface level, and that the groundwater flooding map from the Surrey Local Flood Risk Management strategy also supports this. The FRA also identifies that the proposed development would not increase the risk of groundwater flooding because additional infiltration (into the ground) is not proposed as a method of discharging surface water. In addition, the proposed development includes no basement level(s).

730. In respect of flooding from sewers (which may occur during heavy rainfall events, which generate significant quantities of surface water that can overwhelm the local drainage network) the FRA sets out that with no known site-specific sewer flood events, the site is deemed to be at low risk of flooding from sewers. Furthermore, the Council's SFRA (November 2015) states that as part of management of the sewer flood risk SuDS are used to decrease the probability of flooding by limiting the peak demand on urban drainage infrastructure.
731. In respect of flooding from reservoirs, canals and other artificial sources the FRA sets out that Environment Agency (EA) Reservoir Flood Mapping shows that flooding from reservoir failure in this area would not extend into the site. Moreover, the Council's SFRA (November 2015) does not identify the site to be at risk of flooding from the nearby Basingstoke Canal (i.e., in the event of a potential breach to the canal).
732. The FRA identifies that the existing site is laid totally to building footprints or impermeable hardstanding and that, based on the available information, it appears that the existing (surface water) drainage is collected on site via gullies, downpipes and channels before freely discharging to the Thames Water public sewer without any form of SuDS, attenuation systems or flow controls (i.e., surface water discharges to the Thames Water public sewer from the existing site at an uncontrolled rate).
733. The FRA identifies that the proposed surface water drainage strategy has been designed to restrict surface water runoff rates as close as practicable to the Greenfield run-off rates whilst still maintaining a gravity led surface water drainage network (this is because during storm events pumped surface water drainage systems are prone to electrical and/or mechanical failure due to power outages etc.).
734. The FRA sets out that to reduce surface water run-off rates from the site (including for the 1 in 100 year plus 45% climate change allowance) the proposed development would incorporate blue roofs (these comprise a multi-layered system that covers the roof of a building or podium structures with a layer of attenuation - in this case of around 50mm depth - along with various layers of insulation, waterproofing, and roofing material) (providing around 98m³ of attenuation) and that, based on the SuDS hierarchy, it is also proposed to include a (below ground) attenuation tank (providing around a further 72m³ of attenuation). This below ground attenuation tank would be located below part of the proposed new public square ('Church Path Yard') (i.e., close to the corner of Church Path and Church Street East).
735. Surface water run-off from impermeable areas would be collected by rainwater pipes, linear drainage channels and gullies positioned at strategic locations around the site. Surface water would be discharged to the existing Thames Water surface water sewer running beneath Church Street East, limited (via a flow control chamber) to a rate of 1.4 l/s (litres per second). The FRA sets out that the calculated Greenfield run-off rate of 0.77 l/s (litres per second) is deemed impractical due to the rate being too low, resulting in an increased risk of blockages, and that if the flow rate is restricted to the Greenfield runoff rate the half drain down time for the proposed attenuation tank would exceed the industry standard of 24 hours, hence a minimum discharge rate of 1.4 l/s

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(litres per second) would ensure that the half drain down time is met. Permeable paving, with a lined 250mm deep subbase (such that surface water would not infiltrate into the ground, but rather discharge to the surface water sewer), would also be provided to the new public square ('Church Path Yard') (i.e., close to the corner of Church Path and Church Street East) to provide further attenuation of surface water (around 33m³).

736. Overall, the FRA demonstrates that, due to the incorporation of the proposed SuDS scheme, there would be a significant reduction in the existing surface water discharge rates from the site, the estimated existing maximum surface water discharge rate of 56.8 litres per second (l/s) being very significantly reduced to 1.4 l/s (when including for the 1 in 100 year plus 45% climate change allowance), equating to a reduction of around 97.5%. Clearly, this very significant reduction in surface water discharge rates from the site would reduce the risk of flooding to the surrounding area and reduce demands on the local drainage network (particularly during heavy rainfall events).
737. The FRA notes that further drainage works would be required outside of the 'developed' site area but within the red-lined planning application boundary (i.e., within the public realm/highways areas along Church Path, Church Street East, Chobham Road and Commercial Way) and that drainage works within those areas would be detailed as part of the wider Section 278 (Highways Act 1980) and public realm works (these are to be secured via the Section 106 Legal Agreement).
738. Thames Water have commented (via response dated 19th November 2024) that, with regard to surface water network infrastructure capacity, they do not have any objection, based on the information provided. Thames Water have identified that the proposed development is located within 15 metres of a strategic sewer (which is not unusual in a town centre context such as this) and have therefore requested a piling method statement condition be attached to any grant of planning permission. This condition is considered reasonable and necessary to prevent and minimise the potential for damage to subsurface sewerage infrastructure (condition 35 refers).
739. The proposed development would lead to an increase in foul water flows from the site, it is proposed that foul water is directed into the public sewer system adjacent to Church Street East. Thames Water (the relevant sewerage undertaker) have commented (also via response dated 19th November 2024) that, with regard to foul water sewerage network infrastructure capacity, they do not have any objection, based on the information provided. At the time of writing the Environment Agency (EA) have yet to provide a formal consultation response on this application (despite the 30 day public consultation period having expired). Whilst the EA had no substantive comments to make within their consultation response to previous application ref: PLAN/2023/0911 it is noted that the EA made comments, in early October 2024, directly to the Planning Inspectorate (PINS) on the associated PLAN/2023/0911 appeal (Appeal Ref: APP/A3655/W/24/3350062) which set out that recently, through their regulatory responsibilities, the EA has become aware that the Sewage Treatment Works (STW) at Woking is not complying with its current permit limits and that upgrades and/or improvements need to be undertaken there in order to make the STW fit for purpose.
740. Within those appeal comments the EA suggested that a 'Grampian' condition is imposed to any grant of planning permission (on appeal) in order to secure necessary upgrades to the STW at Woking STW, and recommended that a further condition is imposed (on appeal) requiring an assessment of water quality in the receiving waterbody (the River Wey), although Thames Water have been very clear to date that they have no objection to this planning application. Thames Water have subsequently

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been contacted by the LPA in respect of this matter and (further) comments from Thames Water are presently awaited. At the time of writing, in the absence of a formal EA consultation response and of (further) comments from Thames Water, conditions 54 and 55 are recommended in this respect although this matter may be subject to updates prior to, or at, Planning Committee.

741. The proposed development would also lead to an increase in potable water demand. The relevant potable water supplier, Affinity Water, have commented that *“the site is not located within an Environment Agency defined groundwater Source Protection Zone (SPZ) or close to our abstractions”*, and that *“For any works involving excavations below the chalk groundwater table (for example, piling or the implementation of a geothermal open/closed loop system), a ground investigation should first be carried out to identify appropriate techniques and to avoid displacing any shallow contamination to a greater depth, which could impact the chalk aquifer”* (condition 41 refers). Affinity Water also state that *“Being within a water stressed area, we expect that the development includes water efficient fixtures and fittings”* (condition 44 refers) and that *“Affinity Water will supply drinking water to the development in the event that it is constructed. Should planning permission be granted, the applicant is also advised to contact Developer Services as soon as possible regarding supply matters due to the increased demand for water in the area resulting from this development”*. As such, there is no evidence to suggest that the increased potable water demand would not be able to be met and, if Affinity Water had any significant (planning) concerns in this respect, Officers would clearly expect them to have been raised (at this stage) by Affinity Water within their consultation response.
742. The statutory consultee (in respect of surface water drainage) of the Lead Local Flood Authority (LLFA) (Surrey County Council), has advised that they are satisfied that the proposed drainage scheme meets the requirements set out in Policy CS9 of the Woking Core Strategy (2012), the NPPF, its accompanying PPG and the Non-Statutory Technical Standards for sustainable drainage systems, and are content with the development proposed (in respect of surface water). Should planning permission be granted, suitably worded conditions will be attached to ensure that the SuDS Scheme is properly implemented and maintained throughout the lifetime of the development (conditions 33 and 34 refer).
743. Overall, subject to recommended conditions, the proposed development complies with Policy CS9 of the Woking Core Strategy (2012), the NPPF, its accompanying PPG and the Non-Statutory Technical Standards for sustainable drainage systems, in respect of flooding and water management.

Noise

744. Policy CS21 of the Woking Core Strategy (2012) states that proposals for new development should, among other things, *“Be designed to avoid significant harm to the environment and general amenity, resulting from noise, dust, vibrations, light or other releases”*.
745. Policy DM7 of the DM Policies DPD (2016) states that *“The Council will require noise generating forms of development or proposals that would affect noise-sensitive uses to be accompanied by a statement detailing potential noise generation levels and any mitigation measures proposed to ensure that all noise is reduced to an acceptable level”* and that *“Development will only be permitted where mitigation can be provided to an appropriate standard with an acceptable design, particularly in proximity to sensitive*

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existing uses or sites". Policy DM7 sets out that *"In general, the following values will be sought for residential development:*

- *Day time (7am – 11pm) 35 dB LAeq4 16 hours in all rooms and 50 dB in outdoor living areas.*
- *Night time (11pm – 7am) 30 dB LAeq 8 hours and LAmx5 less than 45 dB in bedrooms."*

746. The reasoned justification text to Policy DM7 states (at para 4.19) that *"Noise-sensitive development generally includes housing, hospitals and schools. Such development should not generally be located next to existing sources of significant environmental noise (such as road, rail and air noise, and certain types of industrial development)...However, the spatial strategy for Woking Borough foresees most new development being directed to previously developed land in the town, district and local centres, where it is more likely that environmental noise exists. Depending on the level of environmental noise, the impact can in some cases be satisfactorily mitigated, allowing noise-sensitive development or noise generating development to proceed on the affected site. The design of mitigation measures should have regard to the need to provide a satisfactory environment for future occupiers and take account of other material planning considerations such as urban design and heritage settings."*
747. Paragraph 187e) of the NPPF states that *"Planning...decisions should contribute to and enhance the natural and local environment by...preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of [among other things] noise pollution".* Paragraph 198 states that *"Planning...decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should: a) mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life"*.
748. Paragraph 200 of the NPPF also states that *"Planning policies and decisions should ensure that new development can be integrated effectively with existing businesses and community facilities (such as places of worship, pubs, music venues and sports clubs). Existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established. Where the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use) in its vicinity, the applicant (or 'agent of change') should be required to provide suitable mitigation before the development has been completed"*. The Planning Practice Guidance (PPG) also contains guidance on noise.
749. The application has been submitted with an Noise Impact Assessment report (dated October 2023) (hereafter referred to for brevity as the 'NIA') which identifies that because the proposed development will contain external building services plant and Class E uses (at ground floor level) it will be noise generating (such that the potential noise impacts from the proposed development on nearby sensitive receptors have been assessed within the NIA) and also that because the site is proposed (in part, although principally) for residential use, it is noise sensitive (such that a site suitability assessment, in terms of noise, is provided within the NIA). The NIA sets out that operational traffic noise is excluded from noise assessment, as only x6 disabled car

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parking spaces are to be included as part of the proposed development, which is expected to have a negligible influence on the sound climate in a Town Centre context such as this.

750. The NIA identifies that the general sound climate in and around the site is characterised by its central location within Woking Town Centre and that close to the site, intermittent road traffic noise on local roads primarily defines the soundscape although local commercial noise sources also influence the sound climate close to the site, with building services plant from the neighbouring restaurant (Ihlara Valley Restaurant) influencing background sound levels and noise from local pubs/restaurants (i.e., the Slug and Lettuce Public House (PH), O'Neill's PH and the Ihlara Valley Restaurant) being dominant when in evening use (particularly on Friday and Saturday evenings/nights). It identifies that to the north of the site, noise from the A3046 (Chobham Road, where north of Victoria Way, around 140 metres at its closest) and A320 (Victoria Way, around 120 metres at its closest) is relatively constant and that to the south of the site, noise contributions from the railway (around 115 metres south at its closest) are more noticeable.
751. The NIA also identifies that further distant from the site the surrounding areas are more residential, with more tranquil sound climates, and that most noise associated with the proposed development is expected to be very low at these locations. It identifies that the railway to the south of the site is the only existing source of meaningful vibration in the area although that the levels of vibration across the site are expected to be negligible (the site is around 115 metres from the railway at its closest).
752. The NIA sets out that an environmental acoustic survey was conducted to characterise the prevailing sound climate across the site and at the nearest noise sensitive receptors, with unattended (long-term) survey measurements taken (in three different positions) between Wednesday 10th May 2023 and Wednesday 17th May 2023, including to establish road traffic noise levels along Commercial Way and Church Street East as well as any operational noise relating to the Slug and Lettuce Public House (PH), and O'Neill's PH (which are situated to the south and south-east of the proposed development), and the influence of operational plant associated with restaurants and cafes on Commercial Way (i.e., the Ihlara Valley Restaurant). In addition, short duration measurements were made to capture the noise level of the existing kitchen extract system serving Ihlara Valley Restaurant (at No.75 Commercial Way) and to establish the sound climate at street level along Commercial Way and Chobham Road.
753. The NIA sets out that because the site is located in a town centre, providing suitable protection to future residential occupiers against noise from road traffic, building services plant and local pubs/restaurant uses is the priority and that measured noise levels at the site indicate that glazing affording a minimum sound insulation performance of between R_w 31 dB (C_{tr} -4 dB) (where facade facing podium amenity space), R_w 39 dB (C_{tr} -4 dB) (C_{tr} -6 dB) (where facades facing west towards Christ Church and north to Church Street East) and R_w 43 dB (C_{tr} -4 dB) (where facades facing towards Commercial Way and Chobham Road) would be required in order to achieve desirable internal ambient noise levels to the proposed dwellings. Full indicative minimum acoustic performance for glazing is contained within the NIA.
754. In respect of noise levels in external amenity spaces BS 8233:2014 Guidance on sound insulation and noise reduction for buildings states that "*the acoustic environment of external amenity areas that are an intrinsic part of the overall design should always be assessed and noise levels should ideally not be above the range 50-55 dB LAeq,16h.*

These guideline values may not be achievable in all circumstances where development might be desirable. In such a situation, development should be designed to achieve the lowest practicable noise levels in these external amenity spaces but should not be prohibited”.

755. In traditional amenity spaces, such as gardens and patios, it is desirable for noise levels to not exceed 50dB LA_{eq}, with an upper guideline value of 55dB LA_{eq} in noisier environments. In terms of noise external amenity areas are considered for use during day time (07:00 - 23:00 hrs), as per Policy DM7 of the DM Policies DPD (2016). It must also be recognised that recommended values are not achievable in all circumstances where development might be desirable, and that in higher noise areas, such as city centres or urban areas adjoining the strategic transport network, a compromise between elevated noise levels, and other factors, such as the convenience of living in these locations and/or making efficient use of land, might be warranted.
756. In respect of the principal proposed external amenity area (at podium level) within the proposed development the NIA identifies (on p.18) that this area is *“elevated and surrounded by buildings in a bid to provide acoustic screening, reduce noise levels and facilitate a more tranquil environment”* and that within around half of this area noise levels would not exceed 50dB LA_{eq16hr}. Whilst part of this area would be subject to noise levels of between 50dB LA_{eq16hr} and 55dB LA_{eq16hr} this would still fall below the upper guideline value for noisier environments, such as a Town Centre location, as is applicable in this instance. The NIA shows that a small part of the principal podium level external amenity area would experience noise levels above 55dB LA_{eq16hr} however that this would only be relevant towards the ‘edge’ of the podium (i.e., where it abuts the site boundary and the new public square, ‘Church Path Yard’) and where it would be subject to amenity planting. As such, the NIA demonstrates that the principal podium level external amenity area would experience daytime noise levels of an acceptable level, particularly in a Town Centre location, such as this, where the convenience of living in this location and making efficient use of land, is warranted.
757. The residential element of the proposed development would not adversely impact the surrounding land-uses in terms of noise. In respect of the flexible Class E uses proposed at ground floor level (Class E allowing for potential restaurant use etc.) the NIA sets out that, typically, noise levels of around 80 dB LA_{eq,(5 minutes)} can be anticipated in restaurants during the busiest periods, including for concurrent background music and occupancy noise. It identifies that, with the facade glazing serving the Class E uses having a minimum acoustic performance requirement of R_w 31 dB, the Class E uses would avoid adverse noise impacts to nearby existing noise sensitive receptors, including adjacent Christ Church. The NIA also identifies, on the basis of the minimum acoustic performance requirements set out within it, that the Class E uses at ground floor level would not adversely impact the dwellings within the proposed development. Recommended conditions 17 and 20 refer in these respects.
758. In respect of noise levels from building services plant clearly the most onerous time is the night-time period (i.e., 23:00 - 07:00 hrs) when background noise levels are lower due to reduced road traffic and human and commercial activities. The NIA identifies that although details of building services plant are not presently available (due to that stage of design development having not been yet reached) appropriate noise levels from building services plant should nonetheless be achievable through implementation of the following measures:
- the rooftop generator and smoke extract fans will need to be selected appropriately to control noise at source;

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- atmospheric (exhaust) side attenuators will likely need to be installed on any smoke extract fans;
 - generators will likely warrant some form of acoustic enclosure;
 - to control noise break-in through the slab to dwellings below, a mass barrier ceiling and/or floated concrete slab is likely to be required;
 - to control structure borne noise transmission, generators and rooftop smoke extract plant are to be installed on resilient spring mounts; and
 - the mechanical ventilation and heat recovery (MVHR) units installed in each dwelling will likely warrant attenuators on all sides to control both internal noise levels and noise levels emissions to nearby noise sensitive receptors.
759. Furthermore, indicative noise criteria for building services plant are provided within the NIA, based on measured typical daily background sound levels and guidance contained in BS 4142 to safeguard existing and future residential amenity. To allow for cumulative effect the recommended plant noise criteria is for the rating level to be 10dB below the representative background sound level. The NIA sets out that emergency building services plant are expected to only be operational during emergencies and during fortnightly daytime testing and, as such, it is proposed that a relaxed noise limit of 10dB above background sound levels is applied for emergency plant, which is considered reasonable subject to recommended condition 15.
760. Noise and vibration during demolition and construction phases can be mitigated, as far as is practicable, through a Demolition / Construction and Environmental management Plan (DCEMP) (condition 09 refers).
761. The Environmental Health service comment that *“There are no adverse comments to forward from EH [Environmental Health]. The NIA submitted with this application is the one considered previously under PLAN/2023/0911 therefore the same comments would apply. If planning approval is granted, EH would recommend noting the below in respect of the NIA and suggest attaching the following conditions:...Works are to be carried out in accordance with the recommendations of the NIA and details/specifications of all design and mitigation measures are to be submitted for prior approval, so that compliance with the noise report can be verified”* (condition 16 refers). That service also requests conditions in respect of testing of the emergency plant (condition 15 refers), details of plant and equipment (condition 19 refers) and in respect of hours of demolition and construction works. However, hours of demolition and construction works will be set through the Demolition / Construction and Environmental Management Plan (DCEMP) (condition 09 refers) and it is not standard practice for specific planning conditions to be attached in this respect (given that enforcement measures, if required, are more effective through Environmental Health provisions such as statutory nuisance etc.).
762. The Environmental Health service also advise that a condition should be attached to *“Restrict the hours during which deliveries can be accepted. The specified hours should be in line with other Town Centre businesses that have residential use close by”* and that *“The conditions should take into account future development of the area”, “Where the commercial floorspace is intended for occupation by a food outlet, condition AM2 [in respect of fume extraction] to be applied” [with the] “Opening hours of the commercial premises to also be in line with other Town Centre retail units”.*
763. In this respect condition 24 is recommended to restrict hours of use/opening of the flexible Class E floorspace/units at ground floor level, to only between:

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- 07:00 and 23:00 hours on Mondays to Saturdays (inclusive) (excluding Bank/Public Holidays); and
- 08:00 and 22:00 hours on Sundays, Bank and Public Holidays.

764. The above hours of use/opening are consistent with those for the flexible Class E floorspace at ground and first floor levels within the adjacent extant 'Chobham Road Island' scheme (WBC Ref: PLAN/2023/0835). Given the central Woking Town Centre location of the site these hours of use/opening are considered to be appropriate and represent maximum potential hours of use/opening (without further planning permission being granted).
765. A condition is not recommended in respect of hours of delivery etc. to/from the site because the site would be served by loading bays which would be provided within the public highway (on Church Street East and Commercial Way), which are to be delivered via an agreement between the applicant and the County Highway Authority (Surrey County Council) under Section 278 of the Highways Act 1980 (which the Section 106 Legal Agreement will require the applicant to enter into with Surrey CC). Given the location of the loading bays within the public highway hours of use of these loading bays would not be enforceable by the Local Planning Authority through planning conditions (although the County Highway Authority may stipulate hours of use of the loading bay(s) under their (different) powers). Moreover, the finalised Service and Deliveries Management Plan (SDMP) (condition 12 refers) would, as far as practicable, incorporate measures to minimise noise disturbance arising from deliveries to/from the site.
766. Overall, subject to recommended conditions, the proposed development would comply with Policy CS21 of the Woking Core Strategy (2012), Policy DM7 of the Development Management Policies DPD (2016), the NPPF, and the Planning Practice Guidance (PPG) in respect of noise.

Ecology and biodiversity

767. Policy CS7 of the Woking Core Strategy (2012) states that "*The Council is committed to conserving and protecting existing biodiversity assets within the Borough. It will require development proposals to contribute to the enhancement of existing biodiversity and geodiversity features and also explore opportunities to create and manage new ones where it is appropriate.*" Paragraph 187d) of the NPPF states that "*Planning...decisions should contribute to and enhance the natural and local environment by... minimising impacts on and providing net gains for biodiversity*".
768. Circular 06/05 - Biodiversity and Geological Conservation provides further guidance in respect of statutory obligations for biodiversity and geological conservation and their impact within the planning system and requires the impact of a development on protected species to be established before planning permission is granted. Paragraph 193 of the NPPF sets out the principles that local planning authorities should apply, in relation to biodiversity, when determining planning applications, including (at d)) that "*...opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.*"
769. The application has been submitted with a Preliminary Ecological Appraisal and Biodiversity Net Gain Assessment, dated October 2024 (hereafter referred to for brevity as the 'PEA / BNG report') which identifies that the site is dominated by a single building, of several stories in height and constructed with brick walls (with a small glass

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section) and a flat roof which was observed to be well sealed with no loft voids internally. It identifies that the site is otherwise very largely laid to hardstanding, including an area to the west used as a car park and delivery area as well as a pedestrian area, that it includes two areas of introduced shrubs (on Church Street East and Chobham Road), and that as part of the proposed development a single immature lime (street) tree will be removed (from Commercial Way). The PEA / BNG report identifies that the site is surrounded by dense urban development with Commercial Way adjacent to the south, Church Path to the west, Church Street East to the north, and Chobham Road to the east.

Bats

770. The PEA / BNG report identifies that the existing building (which is proposed to be demolished) has no loft voids and that the flat roof was observed to be well sealed and therefore that the building has 'negligible' suitability for roosting bats. It also identifies that the on-site tree and off-site tree (both to be removed) do not support potential roosting features and therefore have 'negligible' suitability for roosting bats. As such, the PEA / BNG report identifies that no further (bat) surveys are required and that the site provides negligible foraging and commuting opportunities for bats.
771. Surrey Wildlife Trust Ecology Planning Advice Service ('SWT') (the ecological advisor to the Local Planning Authority) comment that *"The submitted Preliminary Ecological Appraisal and Biodiversity Net Gain Assessment (The Ecology Partnership, October 2024) appears appropriate in scope and methodology and has identified the likely absence of active bat roosts within the development site. We therefore advise that bats do not appear to present a constraint to the proposed development"*.

Birds

772. Nesting birds, eggs and their nests are protected from any intentional damage under the Wildlife and Countryside Act 1981 (as amended). The PEA / BNG report identifies that the introduced shrubs and trees which are present on the site have limited potential to support nesting birds.
773. The PEA / BNG report recommends that any vegetation clearance is undertaken outside of the breeding bird season (which runs from March to August incl.), or immediately after a nesting bird check by a suitably qualified ecologist, and that if active nests are identified, works in the vicinity of the nest must cease until the birds have fledged the nest. This can be secured via recommended condition 28.
774. The PEA / BNG report identifies that the proposed urban trees, introduced shrub, and hedgerows within the proposed development is considered a significant ecological enhancement and may benefit a range of species including birds.

Other species

775. The PEA / BNG report identifies that due to a lack of suitable habitat, the site is not considered suitable for other protected species such as reptiles, great crested newts, badgers, dormice, water voles and otters and therefore that no further surveys are required for these species.

Designated Sites - Statutory and Non-Statutory (including Thames Basin Heaths SPA) and Priority Habitats

776. The PEA / BNG report identifies that the site does not fall within, or adjacent to, any statutory and non-statutory designated sites. There are international statutory designated sites within 10km (6.2 miles, or 10,000 metres) of the site as follows:
- Thames Basin Heaths Special Protection Area (TBH SPA) is located approximately 1.4km north of the site (0.8 miles, or 1,400 metres) and designated for its internationally important bird populations of Dartford warbler, nightjar and woodlark (The TBH SPA and Horsell Common SSSI designations overlap); and
 - Thursley, Ash, Pirbright and Chobham Special Area of Conservation (SAC) is located approximately 4.4km north of the site (2.7 miles, or 4,400 metres) and designated, in respect of habitats, for Northern Atlantic wet heaths with *Erica tetralix*, European dry heaths and Depressions on peat substrates of the Rhynchosporion.
777. Impacts upon the TBH SPA (and SAC) have been considered previously within this report (under the section titled 'Thames Basin Heaths Special Protection Area (TBH SPA)'). The PEA / BNG report identifies that there is one national statutory designated site within 2km of the site (1.2 miles), the White Rose Lane Local Nature Reserve (LNR), a damp alder woodland which is located approximately 1.3km south-east of the site (0.8 miles), identifying that at this distance, it is considered unlikely that the proposed development would have a significant direct, or indirect, impact on this statutory designated site.
778. There are also multiple non-statutory designated sites within 2km of the site, the closest of which is the Basingstoke Canal Site of Nature Conservation Importance (SNCI), which is located approximately 170 metres north of the site (on the opposite side of Victoria Way) and is designated for its aquatic plants and invertebrates, supporting nationally scarce and regionally rare species (the stretch of the canal between Hermitage Road bridge in the west and Monument Road bridge in the east is designated as a SNCI, the remaining stretches being a SSSI, a statutory designation). Woodham Common SNCI is the next closest, being around 0.37km (0.22 miles, or 370 metres) north-east of the site. Other SNCIs are at a minimum of around 1.1km distant from the site (0.7 miles, or 1,100 metres). The PEA / BNG report identifies that due to the distance of these non-statutory sites from the site boundary, it is considered that no direct negative impacts would occur as a result of the proposed development.
779. The PEA / BNG report also identifies that no priority habitats were present on, or adjacent to, the site, that the closest priority habitat is an area of deciduous woodland, which was also wood pasture and parkland (located approximately 260 metres north-west of the site), and that due to the distance of the site from any priority habitats, it is considered that the proposed development would have no direct, or indirect, impact on any priority habitats.

Biodiversity Enhancements / Biodiversity Net Gain (BNG)

780. The Environment Act 2021 inserts new Section 90A and Schedule 7A into The Town and Country Planning Act 1990 (as amended) which establishes a statutory requirement for Biodiversity Net Gain (BNG) to be a condition of planning permissions in England. This came into effect on 12th February 2024 (in respect of Major

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development, as applicable in this instance) and planning applications submitted after that date need to demonstrate a 10% Biodiversity Net Gain (BNG).

781. Policy CS7 of the Woking Core Strategy (2012) requires “*development proposals to contribute to the enhancement of existing biodiversity and geodiversity features and also explore opportunities to create and manage new ones where it is appropriate*”. Paragraph 193d) of the NPPF states that “*...opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity*”, and paragraph 187d) of the NPPF states that “*Planning...decisions should contribute to and enhance the natural and local environment by...d) minimising impacts on and providing net gains for biodiversity*”.
782. The PEA / BNG report identifies that a Biodiversity Net Gain (BNG) assessment has been undertaken for the proposed development and that it would include extensive green planting in the form of urban trees, introduced shrub and hedgerows. It identifies that the proposed development would result in a +1358.88% biodiversity net gain in habitat units and an increase in hedgerow units from 0.00 to 0.02 units (and that the trading rules would also be satisfied). This is due to the inclusion within the proposed development of proposed urban trees, introduced shrub, and hedgerows. SWT have advised that “*...This large gain in habitat units appears to be due to the very low value of baseline habitats identified*”. As such, the proposed development would nonetheless deliver measurable improvements to the biodiversity value of the site, and thus would meet the respective requirements of Section 90A and Schedule 7A of The Town and Country Planning Act 1990 (as amended), Policy CS7 of the Woking Core Strategy (2012) and the provisions of the NPPF (most notably paragraphs 187 and 193).
783. The PEA / BNG report identifies that several enhancements can be made to the final development to further enhance opportunities for wildlife, including:
- Native species should be included within the landscape planting;
 - Green roofs could be utilised to further improve biodiversity within the site;
 - Bird boxes could be integrated within the proposed development; and
 - Bat boxes could be integrated within the proposed development;
 - To support the invertebrates and bees attracted to the site by the surrounding vegetation and new planting, Bee Bricks can be incorporated into the proposed development.
784. Recommended conditions 27, 28, 29 and 31 refer in respect of the preceding and further details of biodiversity enhancement measures can be secured via recommended condition 30. SWT comment that “*A HMMP [Habitat Management and Monitoring Plan] details the management measures required to deliver the biodiversity net gain identified in the biodiversity net gain assessment*” and that “*We advise that that prior to commencement a HMMP is submitted to and approved in writing by the LPA*”. It must be noted that the Biodiversity Gain Plan condition is inherent under Schedule 7A of the Town and Country Planning Act 1990. The Biodiversity Net Gain section of the PPG states that:

“Planning conditions are normally imposed on the grant of planning permission under section 70 (1) and section 72 of the Town and Country Planning Act 1990.

By contrast, the biodiversity gain condition has its own separate statutory basis, as a planning condition under paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990. The condition is deemed to apply to every planning

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permission granted for the development of land in England (unless exemptions or transitional provisions apply), and there are separate provisions governing the Biodiversity Gain Plan.

To ensure applicants are clear about this distinction, the local planning authority are strongly encouraged to not include the biodiversity gain condition, or the reasons for applying this, in the list of conditions imposed in the written notice when granting planning permission.”

(Paragraph: 024 Reference ID: 74-024-20240214)

785. The need to secure BNG and its monitoring via a condition on the written notice of a grant of planning permission is therefore not necessary because the Biodiversity Net Gain Plan condition is inherently applied to a relevant grant of planning permission. Therefore the Biodiversity Net Gain Plan, along with a Habitat Management and Monitoring Plan (HMPP) and other requirements regarding BNG need to be submitted to and approved in writing by the LPA prior to the commencement of development (informative 18 refers).
786. Overall, subject to recommended conditions, the approach to ecology and biodiversity net gain is acceptable, with the proposed development avoiding adverse impact upon biodiversity and protected species and providing a +1358.88% biodiversity net gain in habitat units, and an increase in hedgerow units from 0.00 to 0.02 units. As such, the proposed development complies with the respective provisions of Policy CS7 of the Woking Core Strategy (2012), the NPPF (most notably paragraphs 187 and 193) and Circular 06/05 - Biodiversity and Geological Conservation in respect of ecology and biodiversity.

Energy and water consumption

787. Paragraph 161 of the NPPF states that *“The planning system should support the transition to net zero by 2050 and take full account of all climate impacts...It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure”*. Paragraph 164 states that *“New development should be planned for in ways that...b) help to reduce greenhouse gas emissions, such as through its location, orientation and design. Any local requirements for the sustainability of buildings in plans should reflect the Government’s policy for national technical standards.”*
788. Paragraph 166 of the NPPF states that *“In determining planning applications, local planning authorities should expect new development to: a) comply with any development plan policies on local requirements for decentralised energy supply unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable; and b) take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption.”*
789. Policy CS21 of the Woking Core Strategy (2012) requires proposals for new development to, among other things, *“Incorporate measures to minimise energy consumption, conserve water resources, use the principles of sustainable construction and provide for renewable energy generation in accordance with policy CS22 Sustainable Construction and CS23 Renewable and Low Carbon Energy Generation.”*

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

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

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

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

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

792. Policy CS22 of the Woking Core Strategy (2012) also states that *“All new development should consider the integration of Combined Heat and Power (CHP) or other forms of low carbon district heating in the development. All new development in proximity of an existing or proposed CHP station or district heating network will be required to be connected to it unless it can be demonstrated that a better alternative for reducing carbon emissions from the development can be achieved. Details of the zones where connection will be required will be set out in an SPD and will be determined by factors such as the capacity of the existing CHP network, distance from it and physical constraints”.* Policy CS22 also states that *“The evidence base sets out the locations in the Borough which have significant potential for CHP or other forms of low carbon district heating networks. Subject to technical feasibility and financial viability, all development within these zones will be required to be designed and constructed to enable connection to the future network”.* SPD Climate Change (2023) provides more detailed guidance.

793. Part L of the Building Regulations in England is the key mechanism that prescribes standards for the energy performance of new, and the refurbishment of existing buildings, in the UK based on metrics such as the estimated level of primary energy demand and carbon dioxide (CO₂) emissions. Approved Documents (AD) set out the measures required to comply with Building Regulations. As of June 15th 2022, Part L 2021, the Government’s update to Building Regulations, came into effect and is the new set of Building Regulations with which development must comply.

794. With regards to carbon and sustainable energy for residential development SPD Climate Change (2023) sets out (on p.4) the following:

- *“Apply the energy hierarchy to any new development, adopting a ‘fabric first’ approach.*
- *Developments are encouraged to exceed minimum local planning policy and Building Regulations Part L requirements.*

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- Sources of renewable / LZC power should be considered. Review design issues and planning requirements associated with these technologies.
- Consider opportunities and constraints associated with stand-alone sustainable energy generation.
- All new buildings should utilise low carbon heat for heating and hot water.
- Connect to Woking Town Centre DEN [Decentralised Energy Network] if within proximity.”

795. With regards to carbon and sustainable energy for non-residential development the SPD sets out (on p.6) the following:

- “Apply the energy hierarchy to any new development, adopting a ‘fabric first’ approach.
- Developments are encouraged to exceed minimum local planning policy and Building Regulations Part L requirements. For developments with high energy consumption – include three credits from BREEAM Ene04.
- Sources of renewable / LZC power should be considered. Early-stage review design issues and planning requirements associated with these technologies.
- Consider opportunities and constraints associated with stand-alone sustainable energy generation.
- All new buildings should utilise low carbon heat for heating and hot water.
- Connect to Woking Town Centre DEN [Decentralised Energy Network] if within proximity.”

796. The application has been submitted with an Energy and Sustainability Strategy report, dated 25 October 2023 (prepared by Hoare Lea). Appendix A of this report contains the Energy Strategy which has been developed using the ‘be lean, clean and green’ energy hierarchy which utilises a fabric first approach to maximise reduction in energy consumption through passive design measures. The Energy Strategy identifies that, through the measures detailed within it, an overall regulated CO₂ (Carbon dioxide) reduction of 52.66% against the Part L (of the Building Regulations) Target Emission Rate (TER) baseline can be demonstrated as follows:

Be lean (Use Less Energy)	
Passive Energy Efficiency measures	10.27% reduction over baseline.
Be clean (Supply Energy Efficiently)	
DHN	40.08% additional reduction over baseline. The proposed development is expected to connect to the existing Woking District Heat Network (DHN). The (Be clean) savings presented at this stage are indicative until further detail is received on the DHN.
Be green (Assess Low or Zero Carbon (LZC) Energy Sources)	
	2.31% additional reduction over baseline. The proposed development has an identified area of 490 sq.m that is suitable for Photovoltaic (PV) installation. Of this, an assumed panel area of 376 sq.m has been allowed for within the initial assessment. It is assumed that the Class E units will not connect to the DHN due to low thermal demand and ‘shell and core’ design. Therefore, the Class E units will utilise dedicated Variable Refrigerant Flow (VRF) units to provide space heating and hot water.

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797. The 'Be lean' stage of the energy hierarchy relates to using passive design and energy efficiency measures to reduce the demand for energy, without consuming energy in the process, and forms the basis for a reduction in overall energy demand and carbon emissions. The Energy Strategy identifies that energy demand will be reduced, at this initial stage of the energy hierarchy, by optimising the envelope and building services within the proposed development, thus achieving a 10.27% reduction over the Part L TER baseline.
798. The 'Be clean' stage of the energy hierarchy includes consideration of connection to available district heat networks, or the use of on-site heat networks and decentralised energy production, such as Combined Heat and Power (CHP), in order to provide energy and reduce consumption from the national grid and gas networks, through the generation of electricity, heating and cooling on-site. The Energy Strategy identifies, in respect of potential incorporation of Combined Heat and Power (CHP), that changes to the carbon factor of grid electricity have meant that previously favoured systems such as CHP are becoming much less carbon efficient and that, due to the decarbonisation of the electricity grid, alongside air quality concerns, CHP is not proposed in this instance. The Energy Strategy identifies that the site is within proximity of the Woking District Heat Network (DHN) and that the proposed development is expected to connect to it, in respect of residential areas, with retail (i.e., the Class E units) having dedicated plant. It identifies that this would achieve an additional 40.08% reduction over the Part L TER baseline (although that this is an indicative reduction at this stage).
799. The 'Be green' stage of the energy hierarchy, being the final stage, explores the feasibility of Low and Zero Carbon (LZC) technologies to allow for the production of renewable energy on-site in order to deliver further reduction in carbon emissions. The Energy Strategy discounts the following LZC technologies for the following reasons:

LZC Technology	Reason for being discounted
Ground Source Heat Pumps (GSHPs)	Would require extensive below ground works to bury and install the system on site. As such, GSHPs are not considered a feasible option, and are not proposed.
Solar thermal	Available roof area is to prioritise solar Photovoltaics (PVs) since the electrical output from PV panels will be more suitable for implementation and building energy usage.

800. The Energy Strategy identifies the proposed LZC technologies as follows:

LZC Technology	
Solar Photovoltaics (PV)	Solar irradiance analysis on the site has shown a good opportunity for the deployment of solar PV technologies for on-site electricity generation. A panel area of 367 sq.m has been identified for a PV array. It is estimated that the electricity generation produced by the PV array will be 26,582 kWh (equivalent to 52 kWp based on panel efficiency of 7m ² /kWp). It is proposed that the PV array will be apportioned between the retail (Class E) areas and landlord supply.
Air Source Heat Pumps (ASHPs)	ASHP plant can be located at roof level and integrated into space heating and hot water systems (albeit with some degree of ancillary top-

	<p>up heating to raise water temperatures) with the benefit of a shift towards combustion-free development, with the associated benefit to local air quality.</p> <p>As the residential areas will be thermally led (i.e., DHN connection for space heating and hot water) for energy demand, only the retail (Class E) areas of the site have been considered for ASHP application in the form of Variable Refrigerant Flow (VRF) units. The VRF units will provide space heating and cooling to the retail units, with hot water being supplied by direct electric point of use systems in kitchens and toilet spaces.</p>
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801. The Energy Strategy identifies that the ‘Be green’ stage incorporation of Low and Zero Carbon (LZC) technologies, in this case taking the form of Solar Photovoltaics (PV) and Air Source Heat Pumps (ASHPs), would achieve an additional 2.31% reduction over the Part L TER baseline.

802. ThamesWey Energy comment that they currently supply customers from two energy centres in Woking Town Centre which will be interconnected as part of Government-funded investment programme to reduce carbon intensity of heat generation and to improve overall efficiencies of customer supplies, that they support the proposal to connect the proposed development to the existing District Energy Network (DEN) within Woking Town Centre and that *“The Energy and Sustainability Strategy submitted by Hoare Lea, dated October 2023, aligns with Woking Borough Council’s Core Strategy and the aims for Low Carbon Heat and Decentralised Energy Networks as stated in the updated Climate Change SPD 2023 (CCSPD)”*.

803. ThamesWey Energy further comment that:

“The development site is located within the connection zone and within close proximity to the nearest connection point. It should be noted that page 31 of the Energy Strategy references Figure 6 which shows the district energy network currently running next to the site boundary. However, the network shown in Figure 6 at the western end of Church Street East is a proposed extension to the network to supply this site and the adjacent site at Cleary Court. Nonetheless, we are confident that this extension a connection would be cost effective for the developer and subsequently for the occupants, with lower energy bills than a building-based solution would deliver. Furthermore, the connection of the proposed development would accelerate the decarbonisation of the current network, improve its operational efficiency, generate economic benefits to existing customers and help to keep constrained grid capacity free for other developments less well-suited to a DH network connection.”

804. ThamesWey Energy further comment that:

“As required by the CCSDP [Climate Change SPD 2023] we can confirm that we have had pre-planning discussions with the developer’s representatives regarding the supply of energy to this site and engagement is ongoing and progressing in a positive manner. We recognise that the Energy Strategy currently lacks specific detail on the decarbonisation projections for the Woking Town Centre DEN. ThamesWey will continue to work with the developers to ensure the energy strategy maintains compliance with Woking Borough Council’s

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Core Strategy and supporting policies and achieves a development compliant with Building Regulations.”

805. It must be noted that the non-residential (i.e., Commercial, Business and Service, Class E) areas at ground floor level within the proposed development do not measure 1,000 sq.m or more in (gross) floorspace and therefore are not required, by Policy CS22 of the Woking Core Strategy (2012), to comply with the BREEAM ‘very good’ standards (or any future national equivalent). Recommended condition 44 refers in respect of potable water use.
806. Overall the submitted Energy and Sustainability Strategy report, dated 25 October 2023 (prepared by Hoare Lea), Appendix A of which contains the Energy Strategy, is considered to demonstrate compliance with the relevant requirements of Policies CS22 and CS23 of the Woking Core Strategy (2012), SPD Climate Change (2023) and the provisions of the NPPF. Recommended conditions 42, 43, 44 and 45 can secure the requisite energy and water provisions.

Fire safety

807. Measures to ensure the consideration of fire safety matters as they relate to land use planning are (from 1st August 2021) incorporated at the planning stage for schemes involving a relevant high-rise residential building. Government made a commitment in ‘*A reformed building safety regulatory system: government response to the ‘Building a Safer Future’ consultation*’ to introduce planning gateway one. Planning gateway one has two key elements:
- to require the developer to submit a fire statement setting out fire safety considerations specific to the development with a relevant application for planning permission for development which involves one or more relevant buildings; and
 - to establish the Health and Safety Executive (HSE) as a statutory consultee for relevant planning applications.
808. A relevant building contains two or more dwellings (or educational accommodation) and meets the height condition of 18 metres or more in height, or 7 or more storeys. A Local Planning Authority is required to consult the Health and Safety Executive (HSE) before granting planning permission for a relevant building. It must be noted that the fire safety matters contained in a fire statement are relevant only to the extent they are relevant to land use planning and therefore the level of detail and focus of information is not meant to contain the breadth and depth of information on fire safety which would be submitted at building control stage (and local planning authorities are not responsible for any building regulation matters or for the enforcement of building control requirements).
809. The proposed development is for a relevant building and therefore the application has been submitted with a Stage 2 Report - Fire Strategy, dated 24th October 2023 and a Gateway One Fire Safety Statement, dated 26th October 2023 (both prepared by Hoare Lea). The Gateway One Fire Safety Statement identifies, among other things, that “*Three staircases have been provided at the development, two in block A and one in block B. To ensure that all occupants have access to a minimum of two staircases in the event of a fire connection has been provided between the blocks. This is internal at mezzanine level, via rooftops at level 01 and level 11, and via a balcony approach between levels 2 and 10*” and that “*Access to the site is provided via the adjacent public highways, allowing fire tenders to be sited within 18m of rising main inlets and*

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Fire Service entry points. Two firefighting shafts are provided, one in block A and one in block B. Entry points to the firefighting shafts are located along Commercial Way and Church Street East”.

810. The Health and Safety Executive (HSE), as the statutory consultee for developments that include a relevant building, comment that *“Following a review of the information provided in the planning application, HSE is content with the fire safety design as set out in the project description, to the extent it affects land use planning considerations.”*
811. Surrey Fire and Rescue Service (SFRS) have been consulted on the application (albeit for planning application purposes such consultations with SFRS are considered to be informal, with HSE being the relevant statutory consultee) and comment that the *“application (including any schedule) has been examined by a Fire Safety Inspecting Officer and it appears to demonstrate compliance with the Fire Safety Order [Regulatory Reform (Fire Safety) Order 2005] in respect of means of warning and escape in case of fire”* and that *“it appears to demonstrate compliance with the Regulations”* [Building Regulations 2010].
812. Overall, given the consultation response received from the Health and Safety Executive (HSE), as the statutory consultee for developments that include a relevant building, together with the (albeit informal) comments received from Surrey Fire and Rescue Service (SFRS), the proposed development is acceptable in terms of fire safety design, to the extent it affects land use planning considerations.

Aviation

813. Building developments have the potential to affect aviation operations in numerous ways. The most common impacts relate to building developments as physical obstructions both to aircraft and wireless signals used for radar and radio systems. The application has been submitted with an Aviation Safeguarding Assessment report, dated October 2023 (prepared by Eddowes Aviation Safety Ltd), together with a statement of reliance dated October 2024.
814. Fairoaks Airport, which is approximately 3km (around 1.9 miles) to the north of the site, have commented, among other things, that *“The top of the proposed development is 119.050m AOD therefore it infringes the Conical Surface by 21.75m and in relation to the Conical Surface CAP168 paragraph 4.37 states that “It represents the level above which consideration needs to be given to the control of new obstructions and the removal or marking of existing obstructions so as to ensure safe visual manoeuvring in the vicinity of an aerodrome”*”. Fairoaks Airport therefore object to the proposed development on the grounds of flight safety.
815. The Aviation Safeguarding Assessment report submitted with the application assesses the impact of the proposed development on Fairoaks Airport in great detail (which it is not intended to repeat fully here, that document being within the public domain as part of the planning application), acknowledging *“that the proposed development at a height of 119.050 m AOD would be an infringement of the conical surface at Fairoaks Airport by a maximum of 22.89 m at the north corner and by slightly less elsewhere across the building footprint.”*
816. The Aviation Safeguarding Assessment report submitted with the application reaches (at para 3.3.5) the following conclusions in respect of the potential impacts of the proposed development on operations at Fairoaks Airport:

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- “i. Broad operational experience demonstrates that aircraft will be able to maintain either a safe lateral or vertical margin with respect to the proposed development when undertaking operations at Fairoaks Airport. Those operations must already accommodate the existing obstacle environment. Operational practices at Fairoaks in place to ensure safe margins with respect to the existing obstacles will ensure safe margins with respect to the proposed development. If the proposed development were considered to represent a material threat to the safety of operations undertaken in accordance with current practices, those operations would currently be at risk from the existing obstacle environment and would therefore not be acceptable. That is not the case, as has been confirmed by previous detailed assessment [18] of operations.*
- ii. Given the above conclusion, it is evident that no additional restrictions on operations will be required to ensure that an acceptable level of safety is maintained.*
- iii. There are no regulatory requirements that would place any additional restriction on operations at Fairoaks Airport if the development were to proceed. Infringements of the conical surface are permitted under the circumstances that apply in this case. The proposed development would not lead to any conflict with regulations that might impact on the licensing and continued operation of the Airport. The key regulatory objectives according to the relevant guidance [11, 12] that should be respected in this instance are not to impose unnecessary constraints on non-aviation developments.”*

817. It is also very highly material that, in granting planning permission for the proximate Crown Place scheme (WBC Ref: PLAN/2019/1141, Appeal Ref: APP/A3655/W/20/3259819) the Inspector stated (at para 59) that *“I note that Fairoaks Airport has objected to the scheme, but it has provided no evidence to demonstrate that the safe operations of that facility would be adversely affected by the proposed development”* (emphasis added). The tallest (26 storey) component of the proposed development (+119.05 AOD) would be lower (by around 7.9 metres) than that of the extant Crown Place scheme (+126.93 AOD). This factor is clearly very highly material considering the close proximity of the extant Crown Place scheme to the proposed development and that, in allowing the Crown Place appeal, the Inspector was not satisfied that the (taller) Crown Place development would adversely affect the safe operations of Fairoaks Airport.

818. The Town and Country Planning (Safeguarded Aerodromes, Technical Sites and Military Explosives Storage Areas) Direction (2002) identifies two officially safeguarded civil aerodromes within 20km of the site; [London] Heathrow Airport and Farnborough Airport. [London] Heathrow Airport has confirmed, having assessed the application against safeguarding criteria, that they have no safeguarding objections to the proposed development. Farnborough Airport have also confirmed that they have no objection to the application, albeit request early engagement with the airport on any use of building mounted cranes (recommended informative 16 refers). Furthermore, National Air Traffic Services (NATS) Safeguarding have confirmed that the proposed development has been examined from a technical safeguarding aspect and does not conflict with their safeguarding criteria. As such, they have no safeguarding objection to the proposal. Whilst Fairoaks Airport has raised an objection to the proposed development it must be noted that Fairoaks Airport is not an officially safeguarded

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aerodrome for the purposes of The Town and Country Planning (Safeguarded Aerodromes, Technical Sites and Military Explosives Storage Areas) Direction (2002).

819. The Town and Country Planning (Safeguarded Aerodromes, Technical Sites and Military Explosives Storage Areas) Direction (2002) sets out that “*Operators of licensed aerodromes which are not officially safeguarded, and operators of unlicensed aerodromes and sites for other aviation activities (for example gliding or parachuting) should take steps to protect their locations from the effects of possible adverse development by establishing an agreed consultation procedure between themselves and the local planning authority or authorities. One method, recommended by the Civil Aviation Authority to aerodrome licensees, is to lodge a non-official safeguarding map with the local planning authority or authorities. Local planning authorities are asked to respond sympathetically to requests for non-official safeguarding. The general advice in this Annex is applicable to non-officially as well as to officially safeguarded aerodromes, but the requirements of the Direction at Annex 1 will not apply” (emphasis added).*
820. Fairoaks Airport is not currently an officially safeguarded aerodrome (it is not listed in Annex 3 of the Direction) and has not lodged a non-official safeguarding map with Woking Borough Council as an LPA. The LPA has consulted Fairoaks Airport on this application and has considered its objection to the proposed development. However, having regard to the conclusions of the submitted Aviation Safeguarding Assessment in respect of the potential impacts of the proposed development on operations at Fairoaks Airport, which have not been rebutted in any way within the consultation response of Fairoaks Airport, taken together with the conclusions of the Inspector in granting planning permission for the proximate Crown Place scheme (WBC Ref: PLAN/2019/1141, Appeal Ref: APP/A3655/W/20/3259819) who stated that Fairoaks Airport had “*provided no evidence to demonstrate that the safe operations of that facility would be adversely affected by the proposed development*”, it is considered that the proposed development would not adversely affect the safe operations of Fairoaks Airport.
821. For the avoidance of any doubt because Fairoaks Airport is not currently an officially safeguarded aerodrome the LPA is not required to notify the Civil Aviation Authority (CAA) and/or Fairoaks Airport if it is minded to grant planning permission because the Direction at Annex 1 of The Town and Country Planning (Safeguarded Aerodromes, Technical Sites and Military Explosives Storage Areas) Direction (2002) does not apply.

Impact on healthcare services

822. NHS Surrey Heartlands Integrated Care Board (ICB) have submitted a consultation response, dated 16th December 2024, setting out that “*the proposed development will likely result in 454 additional persons...which will have an impact on the provision of primary healthcare*”. The consultation response states that due to the size of the proposed development on-site provision is not sought with an index linked Section 106 financial contribution of £129,424 instead sought, to be used specifically towards the provision of health care facilities and associated infrastructure within the Woking Wise 2 or Woking Wise 3 Primary Care Network (PCN) or successor body. Although this consultation response is noted in this instance this present planning application follows the recent (March 2024) refusal of previous application ref: PLAN/2024/0811, which proposed an identical form and quantum of development. NHS Surrey Heartlands ICB provided no consultation response on that previous application, nor any at appeal stage, and thus no Section 106 financial contribution was sought towards the provision

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of health care facilities and associated infrastructure in respect of previous application ref: PLAN/2023/0911. Given this background and context it would not be reasonable to require the applicant to provide such a financial contribution in this instance. Furthermore, any such contribution would very likely reduce the number of Affordable Private Rented dwellings which would be provided as part of the proposed development.

LOCAL FINANCE CONSIDERATIONS

823. The proposed development would be liable for Community Infrastructure Levy (CIL) to the sum of **£2,182,181 (i.e., £2.1 million)** (including the 2024 Indexation). It must be noted that the preceding sum would reduce to an estimated **£1,963,963 (i.e., 1.9 million)** (including the 2024 indexation) in the event that affordable housing exemptions from CIL are applied for by the Applicant, and subsequently granted by the CIL Charging Authority, this reduction in CIL liability being on the basis of 10% of dwellings [i.e., 28no. dwellings] being provided at affordable private rent. Any affordable housing exemptions from CIL would be assessed separately by Officers at the relevant point in time (as is usual practice).
824. It must also be noted, because any grant of planning permission would (clearly) occur after 1st January 2025, that the 2025 CIL indexation would apply to any grant of planning permission in this case because CIL is, in accordance with Paragraph 1(5) of Schedule 1 of the CIL Regulations 2010 (as amended), index linked from 1st January each year (on the basis of the RICS CIL Index figure for the preceding November). The 2025 CIL indexation rate is unknown at the time of writing. As such, the CIL liability of the proposed development is likely to be higher than those above.

CONCLUSION AND PLANNING BALANCE

825. This planning application is Environmental Impact Assessment (EIA) development. Officers have taken account of the environmental information which is contained within the Environmental Statement (the ES) in their consideration and conclusions.
826. Overall, the proposed development would result in a high quality mixed use (albeit residential-led) development on a previously developed, brownfield site which is located centrally within Woking Town Centre (the principal centre of the Borough), this being the preferred location for town centre uses and high density residential development. Woking Town Centre is the most sustainable centre of the Borough and one which the Development Plan (through Policy CS1 of the Woking Core Strategy (2012) in particular) designates "*as a centre to undergo significant change*".
827. The proposed development would provide for active ground floor Class E uses and closely aligns with national and local planning policy which seek to make the best use of urban land in the most sustainable locations such as this, thus promoting travel by active means and by public transport, helping to reduce the use of private cars (thus reduce emissions) and to create sustainable communities. The proposed development would deliver a high quality, well designed building, the result of an iterative design-led process, which has had particular regard to the relevant built heritage considerations and to the existing and emerging townscape of Woking Town Centre. The proposed development would contribute significantly to the prosperity and functionality of Woking Town Centre, adding to its attractiveness and competitiveness, with the resulting additional residential population in particular adding to the vitality, and social, community and economic vibrancy, of this principal centre of the Borough and important centre within the wider region.

828. It has been identified that the reduction in daylighting (and distribution thereof) to the specified windows and rooms at the second floor level staff accommodation within O'Neill's Public House, Crown Square would amount to significant harmful impact contrary to Policy CS21 of the Woking Core Strategy (2012). Whilst this would be the case it is a material consideration, of some notable weight, that the residential accommodation which would be impacted takes the form of staff accommodation associated with, and located directly above, this Public House which is located centrally within Woking Town Centre. This factor is considered to reduce the level of harm to an extent.
829. It has also been identified that the reduction in 'tradeable' Class E(a) floorspace across the ground floor as a whole (and more Class E(a) floorspace overall), within this Primary Shopping Area and Primary Shopping Frontage would conflict with an element of Policy CS2 of the Woking Core Strategy (2012). However, given the substantive (1st September 2020) changes which have occurred to The Town and Country Planning (Use Classes) Order 1987 (as amended), and the reduced demand for retail floorspace within town centres, since the Core Strategy was adopted in 2012, together with the economic activity and footfall which would be generated by residents of the x272 dwellings which are proposed as part of the proposed development, this purely 'policy harm' is considered to be very limited when the Development Plan is read as a whole.
830. The NPPF sets out, at paragraph 213, that any harm to, or loss of, the significance of a designated heritage asset (i.e., a Conservation Area and/or a Statutory Listed Building, being those which are relevant in this instance) should require clear and convincing justification. Where harm would occur to designated heritage assets these harms have been identified as being towards the lower end of the scale within the spectrum of 'less than substantial' harm for the purposes of the NPPF. This is relevant to the (adjacent and proximate) Woking Town Centre Conservation Area and the Grade II Listed Buildings of Christ Church and Woking War Memorial. Nonetheless, paragraph 212 of the NPPF makes clear that when considering the impact of a proposed development on the significance of a designated heritage asset (i.e., a Conservation Area and/or a Statutory Listed Building, being those which are relevant in this instance), great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be) and that this is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. As such, the identified 'less than substantial' harm must nonetheless be afforded considerable weight and importance.
831. The proposed development incorporates measures to minimise and/or mitigate the heritage harm where possible. Paragraph 215 of the NPPF, regarding 'less than substantial harm' is, therefore, engaged, it states that under these circumstances, any such harm should be weighed against the "...*public benefits of the proposal including, where appropriate, securing its optimum viable use*". Having regard to paragraph 212 of the NPPF the exercise under paragraph 215 of the NPPF (i.e., weighing 'less than substantial harm' against the public benefits of a proposed development) is not an even balance and it has been undertaken in this assessment accordingly.
832. Paragraph 216 of the NPPF is also engaged, which requires the effect of an application on the significance of non-designated heritage asset(s) (i.e., locally listed buildings, being those which are relevant in this instance) to be taken into account in determining the application. It states that "*In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage*

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asset". The proposed development would cause a minor degree of harm, at the lowest end of the spectrum of 'less than substantial harm' for the purposes of the NPPF, to the overall heritage significance of locally listed Nos.1-5, 20-24 and No.24b Chertsey Road, Nos.1-10 Chobham Road, The Red House Public House and No.46 Commercial Way (all non-designated heritage assets) and a negligible level of harm, at the very lowest end of the spectrum of 'less than substantial harm' for the purposes of the NPPF, to the overall heritage significance of locally listed Nos.6-12, Nos.23-33 and Nos.35-41 Chertsey Road (all non-designated heritage assets).

833. The PPG states that "...Public benefits may follow from many developments and could be anything that delivers economic, social or environmental objectives as described in the National Planning Policy Framework (paragraph 8). Public benefits should flow from the proposed development. They should be of a nature or scale to be of benefit to the public at large and not just be a private benefit. However, benefits do not always have to be visible or accessible to the public in order to be genuine public benefits, for example, works to a listed private dwelling which secure its future as a designated heritage asset could be a public benefit." (Paragraph: 020 Reference ID: 18a-020-20190723, Revision date: 23 07 2019) (Revision date correct as of time of writing).
834. In this instance, the public (and heritage) benefits of the proposed development would be considerable and can be summarised as follows:
- The creation of a new public space ('Church Path Yard') adjacent to the eastern end of Grade II listed Christ Church (a designated heritage asset), and other public realm improvements, which would be a substantial improvement upon the existing situation, and which would draw pedestrians along Church Path (a historic route within the town centre), which would become a more attractive and activated pedestrian route;
 - The physical regeneration of a key town centre site which presently contributes little to the economic or environmental character and quality of Woking Town Centre. The proposed development would result in the replacement of a dated, poorly designed building, dating from the 1980s, and with limited active frontage with a new building which would re-activate the surrounding streets and spaces;
 - The proposed town centre commercial, business and service (Class E) uses and active frontages/corners at street level which would improve activity, vitality and vibrancy within the immediate context of the Woking Town Centre Conservation Area, supporting the overall vibrancy and vitality of this historic commercial and retail centre;
 - The proposed x272 new dwellings would provide an important, and significant, quantum of new housing for the Borough, within the principal centre of the Borough, and would greatly assist in achieving the Council's overarching aim to deliver x1,980 new homes within Woking Town Centre by 2027, in line with the Woking Core Strategy (2012);
 - The provision of 10% of all dwellings [28 no. dwellings] at a discounted rate of 80% of the market unit rent (i.e., at affordable private rent, which constitutes affordable housing);
 - Creation of a significant new residential community which would contribute to the wider social and economic vitality and well-being of Woking Town Centre (as the principal centre of the Borough). The increased residential population in this

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sustainable Woking Town Centre location would create linked benefits to shops, services and business in the wider Town Centre due to increased spending and footfall arising from new residents. New residents would support an estimated £4.1 million in local household retail expenditure and £2.2 million on leisure goods and services per annum (increasing to £6.7 million and £3.6 million respectively if fully occupied);

- Creation of an almost car free development (car club and Accessible parking spaces only) supporting ambitions for active travel, fitness and well-being, within a highly sustainable Woking Town Centre location;
- Direct benefits in terms of job creation and investment from the construction and operational phases, with the construction phase estimated to support 520 person-years of direct employment, equating to an average of 210 FTE gross direct jobs over the duration of the estimated construction period of 2.5 years;
- Due to the proposed SuDS scheme, there would be a significant reduction in the existing surface water discharge rates from the site, the estimated existing maximum (surface water) discharge rate of 56.8 litres per second (l/s) being very significantly reduced to 1.4 l/s (when including for the 1 in 100 year plus 45% climate change allowance), equating to a reduction of 97.5%. Clearly, this very significant reduction in surface water discharge rates from the site would reduce the risk of flooding to the surrounding area and reduce demands on the local drainage network (particularly during heavy rainfall events); and
- Providing a +1358.88% biodiversity net gain in habitat units and an increase in hedgerow units, thus significantly increasing the existing ecological value of the site.

835. In light of the additional information (i.e., the Parking Technical Note) submitted with this application, together with a considered comparative analysis of the conclusions of the Technology House appeal decision (WBC Ref: PLAN/2022/0685, Appeal Ref: APP/A3655/W/23/3328994) on parking matters, and subject to conditions and a Section 106 Legal Agreement which will secure car club provisions (i.e., x1 car club space and free membership for each household of the proposed development for one (1) year), this application is considered to have sufficiently overcome reason for refusal 03 of ref: PLAN/2023/0911. The proposed development is therefore considered to be acceptable in terms of the adequacy of parking provision, including in terms of the adequacy of disabled parking provision. Existing parking controls are adequate to safeguard against overspill on-street parking and the proposed development would accord with Policies CS18 and CS21 of the Woking Core Strategy (2012) which collectively seek to ensure appropriate accessibility levels; the promotion of sustainable travel; the safe function of the local road network as well as safeguarding the amenities of the area. It would also be consistent with Section 9 of the NPPF which seeks to manage growth and transportation needs in a sustainable manner.

836. Clearly, this is a case (as with most large-scale Major development) where there are competing national and local planning policy objectives which pull in different directions. Although there are some reservations about the impact of the proposed development on the settings of nearby built heritage assets (designated and non-designated) these reservations are relatively limited in extent (i.e., they have been identified, at their greatest, as being towards the lower end of the scale within the spectrum of 'less than substantial' harm for the purposes of the NPPF) and must be weighed against the very substantial (public and heritage) benefits which would flow

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from the proposed development. In this respect it is highly material that the Council's Built Heritage Consultant comments that "*It is concluded that...the balance of benefit and harm would still fall in favour of the application proposals given the benefits both public and in terms of the heritage that can be demonstrated would arise from this proposal*".

837. In respect of the delivery of x272 new dwellings which would flow from the proposed development whilst the Council has passed the latest Housing Delivery Test (HDT), published by Government on 12th December 2024, and can also expect to pass the next HDT (2024 measurement), beyond that passing the HDT (2025 measurement and onwards) will be dependent on the rates at which housing planning permissions are granted and subsequently built-out, and will sooner or later be made more challenging by the greatly increased local housing need (indicative figure of 794 dwellings per annum, that figure representing an unconstrained assessment of the minimum number of homes needed in Woking Borough using the Government's standard method) which the Government also introduced on 12th December 2024. Officers expect that the Council's performance will be measured against a figure close to the new (794 dwellings per annum) local housing need figure by the time the proposed development is expected to be completed (should planning permission be granted).
838. Moreover, the introduction (by Government on 12th December 2024) of the standard method for assessing local housing need, which produces a figure of 794 dwellings per annum for Woking Borough, complicates the Council's 5 year housing land supply situation. Whilst the Council's 2023 HDT results are positive these clearly have to be set against an 82% increase in local housing need. Whilst the Council does still have a 5 year housing land supply (including appropriate buffer) in the short term, still being within the Woking Core Strategy plan period (up to 2027), clearly it would be prudent to lay the ground now to ensure that the Council will still have a 5 year housing land supply (including appropriate buffer) in the medium term.
839. For that to be achieved in the context of the greatly increased local housing need (794 dwellings per annum) it is necessary as of now to increase the number of dwellings granted planning permission each year. For instance, in each of the last two years less than 500 dwellings were granted planning permission in Woking Borough. In terms of the Council (potentially) failing, in the medium term, to sustain a 5 year housing land supply (including appropriate buffer) the PPG explains that "*In decision-taking, if an authority cannot demonstrate a 5 year housing land supply, including any appropriate buffer, the presumption in favour of sustainable development will apply, as set out in paragraph 11d of the National Planning Policy Framework*" (Paragraph: 008 Reference ID: 68-008-20190722).
840. Overall, it is clear that the proposed development would make an important, and significant, contribution to the provision of new homes within the Borough and would assist in achieving the Council's overarching aim to deliver 1,980 new dwellings within Woking Town Centre by 2027, in line with Policy CS10 of the Woking Core Strategy (2012) and the Development Plan when read as a whole. It would also make an important, and significant, contribution to maintaining, in the medium term, a 5 year housing land supply (including appropriate buffer) in the context of the greatly increased local housing need (indicative figure of 794 dwellings per annum) introduced by Government on 12th December 2024.
841. In the preceding context, which materially differs from that which existed when application ref: PLAN/2023/0911 was refused in March 2024, Officers conclude that the substantial benefits of the proposed development would outweigh the limited harms

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which have been identified, including the 'less than substantial harm' to proximate designated and non-designated heritage assets, and therefore that the proposed development would accord with the Development Plan when taken as a whole. It is therefore recommended that planning permission should be granted, subject to the recommendation set out within this report. The additional information which has been submitted with this application, taken together with the differences in circumstances compared to those which existed when previous application ref: PLAN/2023/0911 was refused in March 2024, are considered to justify a recommendation that planning permission should be granted (subject to the recommendation set out within this report) notwithstanding that previous refusal of planning permission.

842. If the Planning Committee still has concerns regarding the impacts of the proposed development they must undertake a balancing exercise, weighing those harms against the public (and heritage) benefits which would flow from the proposed development. That balancing exercise must be undertaken in light of the greatly increased local housing need (indicative figure of 794 dwellings per annum) which the Government introduced on 12th December 2024.

SECTION 106 LEGAL AGREEMENT REQUIREMENTS

- An undertaking to maintain and manage 100% of the x272 proposed homes for Build-to-Rent (BtR), including; (i) a requirement to submit a Build-to-Rent management scheme for approval and that the operators offer tenancies of three (3) or more years to all tenants in the development, who are eligible to live in the country for that period (under the right to rent), irrespective of whether paying market rent or affordable private rent and (ii) a Build-to-Rent clawback covenant.
- 10% of dwellings [28 no. dwellings] to be provided at affordable private rent (a rent discount of 20% relative to the market unit rent (inclusive of service charges)) for the same or equivalent dwelling);
- Highway / public realm works - requirement to enter into a Section 278 agreement(s) (under the Highways Act 1980) with the County Highway Authority (Surrey County Council) to secure the carrying out of highway / public realm works, including (together with any reasonably required enabling and/or ancillary works required by the County Highway Authority) the implementation of highways alterations which are required to implement the proposed development, including:
 - Creation of a new urban green space, envisaged as an urban square / pocket park adjacent to Church Path. To include tree planting, soft landscaping, street furniture, seating and lighting;
 - Re-surfacing of Church Path;
 - Introduction of street trees in raised planters on Church Street East;
 - Introduction of trees in raised planters on Chobham Road;
 - Creation of a loading bay and 3 'blue-badge' parking bays on Church Street East;
 - Creation of a loading / delivery bay on Commercial Way; and
 - Relocation of cycle parking (from Commercial Way to Chobham Road).
- Car Club - x1 parking space within the Victoria Way car park (or other agreed alternative Town Centre public car park location) would become a Car Club space and that the first occupying household of each dwelling would receive a one (1) year pre-paid membership of either the Woking Town Centre Car Club (or a similar town centre car club).

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- Submission of a Travel Plan for approval prior to first occupation, together with implementation of the approved Travel Plan thereafter (from first occupation onwards) and its ongoing monitoring and management.
- £232,635 Strategic Access Management and Monitoring (SAMM) (Thames Basin Heaths SPA) financial contribution (including index linking based on RPI annual inflation).

BACKGROUND PAPERS

Site & Press Notices
Letters of representation
Consultation responses

RECOMMENDATION

That the Planning Committee resolves to **Grant** planning permission subject to:

1. The prior completion of a Section 106 Legal Agreement to secure the requirements as set out at the conclusion of this report; and
2. Planning conditions as set out at the end of this report.

The Planning Committee is also requested to authorise the Strategic Director - Place (and their authorised deputies) to take all necessary action(s) in connection with points 1-2 above.

Conditions

Time limit

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 comply with the provision of Section 91(1) of the Town and Country Planning Act 1990.

Approved plans

02. The development hereby permitted must be carried out only in accordance with the approved plans listed in this notice, unless where required or allowed by other conditions attached to this planning permission, or by details subsequently approved by the Local Planning Authority pursuant to other conditions (and/or, in respect of the Landscape Plans only, where otherwise required by works subject to a Section 278 Agreement under the Highways Act 1980):

Drawing Number	Drawing Title	Rev.	Date
Site Plans			
262_POD_XX_XX_DR_A_STAGE3_TPE_0001_A1	Site Location Plan	00	28/02/2023
262_POD_XX_XX_DR_A_STAGE3_	Proposed Site Plan	00	31/10/2023

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TPP_0001_A1			
262_POD_XX_XX_DR_A_STAGE3_TPP_0002_A1	Proposed Block Plan	00	31/10/2023
Floor Plans			
262_POD_XX_00_DR_A_STAGE3_TPP_1000_A1	Proposed Ground Floor Plan	01	19/12/2023
262_POD_XX_MZ_DR_A_STAGE3_TPP_1001_A1	Proposed Mezzanine Floor Plan	00	20/10/2023
262_POD_XX_01_DR_A_STAGE3_TPP_1002_A1	Proposed First Floor Plan	00	26/10/2023
262_POD_XX_02_DR_A_STAGE3_TPP_1003_A1	Proposed Second Floor Plan	00	20/10/2023
262_POD_XX_03_DR_A_STAGE3_TPP_1004_A1	Proposed Third Floor Plan	00	20/10/2023
262_POD_XX_04_DR_A_STAGE3_TPP_1005_A1	Proposed Fourth Floor Plan	00	20/10/2023
262_POD_XX_05_DR_A_STAGE3_TPP_1006_A1	Proposed Fifth Floor Plan	00	26/10/2023
262_POD_XX_06_DR_A_STAGE3_TPP_1007_A1	Proposed Sixth Floor Plan	00	20/10/2023
262_POD_XX_07_DR_A_STAGE3_TPP_1008_A1	Proposed Seventh Floor Plan	00	26/10/2023
262_POD_XX_08_DR_A_STAGE3_TPP_1009_A1	Proposed Eighth Floor Plan	00	20/10/2023
262_POD_XX_09_DR_A_STAGE3_TPP_1010_A1	Proposed Ninth Floor Plan	00	20/10/2023
262_POD_XX_10_DR_A_STAGE3_TPP_1011_A1	Proposed Tenth Floor Plan	01	05/03/2024
262_POD_XX_11_DR_A_STAGE3_TPP_1012_A1	Proposed Eleventh Floor Plan	01	05/03/2024
262_POD_XX_12_DR_A_STAGE3_TPP_1013_A1	Proposed Twelfth to Thirteenth Floor Plan	00	23/10/2023

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262_POD_XX_14_DR_A_STAGE3_TPP_1014_A1	Proposed Fourteenth Floor Plan	00	20/10/2023
262_POD_XX_15_DR_A_STAGE3_TPP_1015_A1	Proposed Fifteenth to Twenty First Floor Plan	00	26/10/2023
262_POD_XX_22_DR_A_STAGE3_TPP_1016_A1	Proposed Twenty Second to Twenty Fourth Floor Plan	00	26/10/2023
262_POD_XX_RF_DR_A_STAGE3_TPP_1017_A1	Proposed Roof Plan	00	26/10/2023
Elevations			
262_POD_XX_XX_DR_A_STAGE3_TPP_2001_A1	Proposed Street Elevation - North East & South East	00	23/10/2023
262_POD_XX_XX_DR_A_STAGE3_TPP_2002_A1	Proposed Street Elevation - North West & South West	00	26/10/2023
262_POD_XX_XX_DR_A_STAGE3_TPP_2003_A1	Proposed Elevation 01 - Chobham Road (NE)	00	23/10/2023
262_POD_XX_XX_DR_A_STAGE3_TPP_2004_A1	Proposed Elevation 02 - Commercial Way (SE)	00	23/10/2023
262_POD_XX_XX_DR_A_STAGE3_TPP_2005_A1	Proposed Elevation 03 - Church Street East (NW)	00	26/10/2023
262_POD_XX_XX_DR_A_STAGE3_TPP_2006_A1	Proposed Elevation 04 - Church Path (SW)	00	23/10/2023
262_POD_XX_XX_DR_A_STAGE3_TPP_2007_A1	Proposed Strip Elevation 01 - Chobham Road	00	23/10/2023
262_POD_XX_XX_DR_A_STAGE3_TPP_2008_A1	Proposed Strip Elevation 02 - Central Block	00	23/10/2023
262_POD_XX_XX_DR_A_STAGE3_TPP_2009_A1	Proposed Strip Elevation 03 - Church Street East	00	26/10/2023
262_POD_XX_XX_DR_A_STAGE3_TPP_2010_A1	Proposed Strip Elevation 04 - Church Street East	-	23/10/2023
262_POD_XX_XX_DR_A_STAGE3_TPP_2011_A1	Proposed Strip Elevation 05 - Main Entrance	-	23/10/2023
262_POD_XX_XX_DR_A_STAGE3_TPP_2012_A1	Proposed Strip Elevation 06 - Commercial Way	00	23/10/2023

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262_POD_XX_XX_DR_A_STAGE3_TPP_2013_A1	Proposed Strip Elevation 07 - Crown	00	23/10/2023
262_POD_XX_XX_DR_A_STAGE3_TPP_2014_A1	Proposed Strip Elevation 08 - External Walkway	00	26/10/2023
262_POD_XX_XX_DR_A_STAGE3_TPP_2015_A1	Proposed Strip Elevation 09 - Internal Courtyard	-	23/10/2023
Sections			
262_POD_XX_XX_DR_A_STAGE3_TPP_3001_A1	Proposed Section A	00	23/10/2023
262_POD_XX_XX_DR_A_STAGE3_TPP_3002_A1	Proposed Section B	00	26/10/2023
262_POD_XX_XX_DR_A_STAGE3_TPP_3003_A1	Proposed Section C	00	26/10/2023
262_POD_XX_XX_DR_A_STAGE3_TPP_3004_A1	Proposed Section D	00	23/10/2023
262_POD_XX_XX_DR_A_STAGE3_TPP_3005_A1	Proposed Section E	00	23/10/2023
262_POD_XX_XX_DR_A_STAGE3_TPP_3006_A1	Proposed Section F	00	26/10/2023
262_POD_XX_XX_DR_A_STAGE3_TPP_3007_A1	Proposed Section G	00	26/10/2023
Landscape			
2328-EXA-ZZ-00-DR-L-00101	General Arrangement Plan - Ground Floor	P09	11/01/2024
2328-EXA-ZZ-01-DR-L-00111	General Arrangement Plan - Podium	P02	20/10/2023
2328-EXA-ZZ-RF-DR-L-00121	General Arrangement Plan - Roof Terraces	P02	20/10/2023
2328-EXA-ZZ-ZZ-SH-L-00200	Planting Schedule	P02	20/10/2023
2328-EXA-ZZ-00-DR-L-00201	Ground Floor Planting Plan	P02	20/10/2023
2328-EXA-ZZ-01-DR-L-00202	Podium Planting Plan	P02	20/10/2023

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2328-EXA-ZZ-RF-DR-L-00203	Roof Terrace Planting Plan	P02	20/10/2023
2328-EXA-ZZ-ZZ-DR-L-00600	Hard Landscape Details	P03	25/10/2023
2328-EXA-ZZ-ZZ-DR-L-00700	Soft Landscape Details	P03	25/10/2023
Highways			
23040 004	Proposed Refuse Collection Arrangement (Page 1 of 2)	B	12.01.24
23040 009	Proposed Church Street East Parking & Loading Arrangements (Westbound) (Sheer 1 of 3)	-	11.10.2023

Reason: To ensure the development is carried out in accordance with the planning permission and to ensure that the development that is carried out is that which has been assessed.

Levels

03. The development hereby permitted must be carried out only in accordance with the proposed finished floor levels and proposed finished ground levels as shown on the approved plans listed within condition 02 of this notice.

Reason: In the interests of visual amenity of the site and surrounding area, including the settings of nearby built heritage assets, in accordance with Policies CS2, CS20, CS21 and CS24 of the Woking Core Strategy (2012), Policy DM20 of the Development Management Policies DPD (2016) and the National Planning Policy Framework (NPPF) (December 2024).

External materials

04. ++ An external facing material must not be installed and/or applied to the development hereby permitted until samples and full particulars of that external facing material have first been submitted to and approved in writing by the Local Planning Authority. Details submitted pursuant to this condition must include but not be restricted to:
- a) Mock-up panels of no less than 2 metres by 2 metres of each external cladding material. Details and mock-up panels of external cladding must include both red and white brick cladding types and all other cladding materials (i.e., all colours and/or finishes of metalwork and/or metal panels, lintels, bandings, copings, green walling and white footings) to be used, details of bond, mortar and pointing for brick cladding and details of joints, panel sizes and fixing method for other types of cladding. If off-site manufactured cladding system(s) are to be used, the full details of the system(s) must be provided, and the sample panel(s) must include at least one junction between pre-assembled panels of each cladding type;

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- b) Details and samples of all window types, including with window reveals where relevant (and including details of finish and RAL colour, where applicable);
- c) Details and samples of all colours and/or finishes of projecting balconies and of balustrades;
- d) Details and samples of external rainwater goods, flues, grilles, louvres and vents; and
- e) Details of external plant, plant enclosures (including RAL colour and finish) and safety balustrades; and
- f) 1:50 scale drawings of rooftop layout, showing plant, machinery and building services equipment required for the functioning of the building.

The details must accord with the type and quality of materials indicated within the application. The development must thereafter be carried out and permanently maintained in accordance with the approved details.

Reason: In the interests of visual amenity of the site and surrounding area, including the settings of nearby built heritage assets, in accordance with Policies CS2, CS20, CS21 and CS24 of the Woking Core Strategy (2012), Policy DM20 of the Development Management Policies DPD (2016) and the National Planning Policy Framework (NPPF) (December 2024).

05. The approved glazing to the ground floor level of the development hereby permitted must be formed in clear glass and must not be painted, covered or otherwise obscured or obstructed (including with any form of film or similar) without the prior written approval of the Local Planning Authority.

Reason: In the interests of the visual amenity of the site and surrounding area, including in maintaining active frontages at ground floor level within Woking Town Centre and the settings of nearby built heritage assets, in accordance with Policies CS2, CS20, CS21 and CS24 of the Woking Core Strategy (2012), Policy DM20 of the Development Management Policies DPD (2016), SPD Design (2015) and the National Planning Policy Framework (NPPF) (December 2024).

Uses at ground floor level

06. Before the floorspace at mezzanine level and above (i.e., first floor, second floor etc.) of the development hereby permitted is first occupied or brought into use all of the unit(s) and/or floorspace labelled as 'Use Class E' and/or 'Live/Work Unit' at ground floor level on the approved plans listed within condition 02 of this notice must first all be constructed at least to 'shell and core' level on site in accordance with the approved plans.

Notwithstanding the provisions of The Town and Country Planning (Use Classes) Order 1987 (as amended) or Article 3, Schedule 2 of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (and/or any order(s) revoking and/or re-enacting those Order(s) with or without modification(s)) the use of all of the unit(s) and/or floorspace labelled as 'Use Class E' and/or 'Live/Work Unit' at ground floor level on the approved plans listed within condition 02 of this notice must be restricted solely to uses falling within Use Class E (Commercial, Business & Service) of The Town and Country Planning (Use Classes) Order 1987 (as amended) and for no other purpose(s) without the prior written permission of the Local Planning Authority.

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Reason: To ensure that active ground floor uses are provided in this Woking Town Centre location in accordance with Policy CS2 of the Woking Core Strategy (2012), SPD Design (2015) and the National Planning Policy Framework (NPPF) (December 2024).

Aerials/ pipework etc

07. Notwithstanding The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (and/or any equivalent Order(s) revoking and/or re-enacting and/or modifying that Order with or without modification(s)), no cables, wires, aerials, pipework, meter boxes or flues must be fixed to any elevation of the building hereby permitted without the prior written consent of the Local Planning Authority. Any such works must be undertaken only in accordance with the approved details and thereafter permanently maintained for the lifetime of the building.

Reason: In the interests of visual amenity of the site and surrounding area, including the settings of nearby built heritage assets, in accordance with Policies CS2, CS20, CS21 and CS24 of the Woking Core Strategy (2012), Policy DM20 of the Development Management Policies DPD (2016) and the National Planning Policy Framework (NPPF) (December 2024).

Landscape

08. ++ The overall concept, layout, extent and type of hard and soft landscaping for the development hereby permitted (including to the first floor level roof garden and to all roof level terraces at higher levels) must generally accord with the approved plans listed within condition 02 of this notice (and must have regard to the approved surface water drainage scheme and to Section 278 works under the Highways Act 1980). Prior to the commencement of any superstructure works (for the avoidance of any doubt this allows for demolition and works below ground level to first take place) details of the hard and soft landscaping scheme must first be submitted to and approved in writing by the Local Planning Authority. The submitted details must include:
- a) full details of all soft planting, trees, planters, shrub and herbaceous areas including details of species, sizes, numbers/densities and sections of landscaped areas;
 - b) a Tree Planting Statement providing full details of tree location, species and sizes and specifications and construction methods for all tree pits including underground structured cell rooting systems and associated above ground features, including specifications for tree protection and a stated volume of suitable growing medium to facilitate and promote the healthy development of the proposed trees;
 - c) specifications for operations associated with plant establishment and maintenance that are compliant with best practice;
 - d) enclosures including type, dimensions and treatments of any walls, screen walls, and railings;
 - e) hard landscaping, including samples and specifications of all ground and roof terrace surface materials, kerbs, edges, steps and any synthetic surfaces;
 - f) any other landscaping features forming part of the scheme, including any associated outdoor structures;
 - g) a landscape management plan for the public and private areas to include a maintenance schedule for all landscaped areas; and
 - h) any signage and information boards.

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All landscaping must be completed/planted in accordance with the approved details prior to the first occupation of the development hereby permitted or in accordance with a programme otherwise first agreed in writing with the Local Planning Authority. All soft landscaping must have a written five year maintenance programme following planting. Any new tree(s) that die(s), is/are removed or become(s) severely damaged or diseased must be replaced and any new planting which dies, is removed, becomes severely damaged or diseased within five years of planting must be replaced. Unless further specific permission has been given by the Local Planning Authority, replacement planting must be in accordance with the approved details and take place in the next planting season.

Reason: In the interests of visual amenity of the site and surrounding area, including the settings of nearby built heritage assets, in accordance with Policies CS2, CS20, CS21 and CS24 of the Woking Core Strategy (2012), Policies DM1, DM2 and DM20 of the Development Management Policies DPD (2016) and the National Planning Policy Framework (NPPF) (December 2024).

Demolition and Construction Environmental Management Plan (DCEMP)

09. ++ Prior to the commencement of each of the following phases of development on the site:

- a. Demolition; and
- b. Construction

a Demolition / Construction Environmental Management Plan (DCEMP) for that phase of development must first be submitted to and approved in writing by the Local Planning Authority. The DCEMP(s) must accord with and give effect to the principles for such a plan(s) proposed by the Environmental Statement Volume 3: Environmental Management Plan, dated November 2024, prepared by Turley, which was submitted with the planning application. The detailed DCEMP(s) shall include the following matters:

- a) Programme and phasing details of proposed demolition and construction works, including expected dates for key activities likely to give rise to nuisance issues (i.e., demolition works, installation of piled foundations etc.);
- b) Outlining demolition and construction working hours, which will be restricted to 08:00 to 18:00 on Mondays to Fridays (inclusive); 08:30 to 14:00 on Saturdays; and no noisy work on Sundays and/or Bank or Public Holidays. Any activities outside of these hours will be subject to agreement with Woking Borough Council;
- c) A plan of site preparation and demolition and construction works, highlighting the various stages and their context within the project, including a full schedule of materials, manpower resources, and plant and equipment schedules;
- d) Detailed layout arrangements, plans for storage, accommodation (i.e., construction compound and associated amenities), vehicular movements, delivery, and access. Layout plans should also detail all elements of site securement (i.e., fencing / hoarding), need and location of exclusion zones

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(i.e., for demolition works) required across the entire demolition and construction stages;

- e) Management strategy for construction traffic to and from the Site (through the inclusion of a Demolition and Construction Traffic Management Plan), which will set out the proposed routing of demolition and construction traffic and measures to enforce such routing (i.e., signage). This should also set out details of any proposed full / temporary closures to roads around the site, or the need for temporary diversions through the demolition and construction stages. All aspects of the DCTMP will be subject to agreement with the Local Planning Authority (in consultation with the County Highway Authority);
- f) Details of the proposed temporary drainage strategy to be adopted throughout the demolition and construction stages. This should detail any known surface water flood risks within the site and set out the approach to temporary drainage and discharge. It should also set out practices for the management of surface water, taking account of current and relevant industry best practice and guidance (i.e. British Standard 8582:2013 - Code of practice for surface water management for development sites and Guidelines for Pollution Prevention and The SuDS Manual (C753));
- g) Setting out prohibition or restricted operations; including the identification of areas of retained features (including trees) that require protection through the demolition and construction stages. Protective measures should accord with relevant and up to date guidance where applicable;
- h) Preparation of a Waste Management Strategy to account for all waste associated with demolition and construction activities required. Furthermore, it will include details of proposed waste arisings, their classification (i.e. into waste types, including identifying any potential hazardous waste) and the appropriate on-site management, storage, handling and disposal in line with relevant and up to date regulations/guidance (i.e. The Waste Regulations (England and Wales) 2015, Environmental Protection Act 1990, the Environmental Protection (Duty of Care) Regulations 1991, the Hazardous Waste (England and Wales) Regulations 2005, the Control of Asbestos Regulations 2012 and CIRIA C741 (2015));
- i) Details of proposed earthworks, excavations and foundations required for the development hereby permitted;
- j) Identification of best practice measures to be adopted for the control / minimise the risk of pollution events to the ground / waterbodies arising from demolition and/or construction activities, including the use of specific method statements and adherence to good-site practices (i.e., details of wheel washing, screening stockpiles, sediment traps, safe storage of materials/fuels/oils, washing down/ cleaning of equipment, regular sweeping, etc.);
- k) Identification of best practice measures to be adopted for the control / minimise the risk of pollution events to air (including dust), based on the necessary mitigation set out within the IAQM Guidance on the Assessment of Dust from Demolition and Construction as a minimum;

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- l) Identification of best practice measures to be adopted for the control / minimise risk of noise and vibration disturbance / nuisance issues, based on measures set out within BS 5228-1 & 2 2009+A1:2014 Code of Practice for Noise and Vibration Control on Open Construction Sites as a minimum;
- m) Identification of best practice measures to be adopted for the control / minimise risk of light pollution / nuisance / disturbance, based on measures set out within ILP Guidance Notes for the Reduction of Obtrusive Light (2021) as a minimum;
- n) Setting out of all protective measures to be adopted for all on-site construction works (including sub-contractors) based on measures set out within Construction (Design and Management) Regulations and other health and safety legislation (i.e. PPE requirements);
- o) Identification of roles and responsibilities of key staff in relation to environmental management;
- p) Details of engagement strategy and communication protocols with members of public, including procedures and protocols for logging nuisance or disturbance issues and the procedures for investigation of such incidents;
- q) Identification of site security measures to be implemented, including the need for manned security (if applicable); and
- r) Arrangements for liaising with other contractors in the vicinity of the site to maximise the potential for consolidated construction traffic movements and to minimise traffic impacts.

Development must be carried out only in accordance with the approved Demolition / Construction Environmental Management Plan (DCEMP) for that phase of development.

Reason: To ensure the proposed development does not prejudice the amenities of occupiers of adjoining properties and in the interests of highway and pedestrian safety and to protect the environmental interests and the amenity of the area and to comply with Policies CS7, CS9 and CS21 of the Woking Core Strategy (2012) and the National Planning Policy Framework (NPPF) (December 2024). This condition is required to be addressed prior to commencement in order that the ability to discharge its requirement is not prejudiced by the carrying out of building works or other operations on the site.

Highways / Transport

- 10. ++ No part of the development hereby permitted must be first occupied unless and until the proposed:
 - a) delivery bay, and disabled parking alterations to the existing parking restrictions on Church Street East and the associated Traffic Regulation Orders;
 - b) delivery bay on Commercial Way (or an alternative scheme first agreed in writing with both the Local Planning Authority and the County Highway Authority) and the associated Traffic Regulation Order (TRO);

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- c) landscape features on the adjacent sections of Church Street East, Commercial Way, and Chobham Road; and
- d) the re-provision of a minimum of 14 cycle stands within Chobham Road.

have first been designed and implemented in accordance with a scheme to first be submitted to and approved in writing by the Local Planning Authority. Thereafter the delivery bays, disabled parking alterations, landscape features and re-provided cycle stands must be permanently maintained for the lifetime of the development hereby permitted (unless otherwise removed by the County Highway Authority).

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with Policy CS18 of the Woking Core Strategy (2012), Policy DM16 of the Development Management Policies DPD (2016) and the National Planning Policy Framework (NPPF) (December 2024).

11. ++ Prior to the commencement of each of the following phases of development on the site:

- a. Demolition; and
- b. Construction

a Demolition / Construction Transport Management Plan (DCTMP) for that phase of development must first be submitted to and approved in writing by the Local Planning Authority. The submitted DCTMP must include details of:

- a. loading and unloading of plant and materials within the site and/or to/from the public highway;
- b. storage of plant and materials within the site and/or on the public highway;
- c. provision of any boundary hoarding on the public highway frontage(s) of the site;
- d. the routing of heavy goods vehicles to/from the site;
- e. measures to prevent the deposit of earth or other construction-related materials from the site onto the public highway;
- f. turning of heavy goods vehicles; and
- g. any proposed temporary occupation of the public highway, associated with the demolition and/or construction of the development together with any proposals to temporarily divert public highway users during any such highway occupation;
- h. a plan showing the area to be surveyed to establish existing public highway condition; and
- i. a pre-start record of the condition of the public highway identified by the plan referred to above, undertaken in consultation with Surrey County Council Highways, together with a written commitment (including a timetable for implementation) to repair any damage caused by the carrying out of the development.

Development must be carried out only in accordance with the approved Demolition / Construction Transport Management Plan (DCTMP) for that phase of development.

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with Policy CS18 of the Woking Core Strategy (2012) and the National Planning Policy Framework (NPPF) (December 2024). This condition is required to be addressed prior to commencement

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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.

12. ++ Prior to the first occupation of the development hereby permitted a Service and Deliveries Management Plan (SDMP), for the residential and commercial, business & service (Class E and Live/Work) floorspace must first be submitted to and approved in writing by the Local Planning Authority. The SDMP must include (but not be limited to) details of:
- a. details of the parcel drop facilities and its management;
 - b. maximum delivery and service vehicle sizes;
 - c. key staff of the residential component to manage delivery and serving activity;
 - d. monitoring of delivery and servicing activity;
 - e. refuse and/or recycling collection procedure; and
 - f. for servicing and delivery activities taking place between the hours of 23:00 and 07:00 on any day the SDMP must detail measures for protecting residential receptors from noise (including, but not limited to, noise from vehicle movements) such as use of white noise reversing beepers, rubber mats to minimise noise from cages etc.

Development must be carried out in accordance with the approved Service and Deliveries Management Plan (SDMP).

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with Policy CS18 of the Woking Core Strategy (2012), Policy DM16 of the Development Management Policies DPD (2016) and the National Planning Policy Framework (NPPF) (December 2024).

13. ++ The development hereby permitted must not be first occupied unless and until the cycle parking (including cycle lift) has been constructed in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. The approved scheme must be for a total minimum of x438 cycle parking spaces internally within the development and for further cycle parking spaces within the external landscaping areas of the development. The submitted scheme must include:
- details on how the cycle spaces and access to the cycle store will be managed and enforced;
 - details on how the cycle lift will be maintained;
 - details of the design and materials of all types of cycle stands/storage (including details of any two-tier cycle parking stands which are to be provided);
 - details of any CCTV coverage and of all internal and external lighting for the cycle storage area, including any CCTV coverage and lighting to the entrance/exit doors to and from the cycle store/cycle repair area from Chobham Road;
 - details of the cycle parking spaces which are to be provided within the external landscaping areas, including location(s) and cycle stand type(s);
 - details of access control measures, of door width(s), of door type(s) and of opening and closing mechanism(s) of doors which are located between the building entrance from Chobham Road (including details of the building entrance doors) and the cycle store/cycle repair area; and
 - details of the cycle repair area, including facilities to be provided within.

The cycle storage approved under this condition must be installed and made available for use prior to the first occupation of any dwelling hereby permitted and

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must be permanently retained at all times for cycle storage only and must not be used for any other purpose(s).

Reason: To encourage travel by means other than the private car in accordance with Policy CS18 of the Woking Core Strategy (2012), SPD Parking Standards (2018) and the National Planning Policy Framework (NPPF) (December 2024).

Air quality

14. The source(s) of energy for the development hereby permitted must be provided, and permanently maintained thereafter, only in accordance with the provisions of the Energy Strategy contained at Appendix A of the Energy and Sustainability Strategy (Revision: 02, Revision date: 25/10/2023), prepared Hoare Lea (and submitted with the planning application) unless additional future air quality modelling in respect of alternative energy source(s) has first been submitted to and approved in writing by the Local Planning Authority in order to ensure that there are no significant adverse air quality impacts. The development must thereafter be permanently maintained in accordance with any such approved details.

Reason: To ensure no adverse impact upon air quality in accordance with Policy CS21 of the Woking Core Strategy (2012), Policy DM6 of the Development Management Policies DPD (2016) and the National Planning Policy Framework (NPPF) (December 2024).

15. a) Emergency building services plant and/or generator(s) including (but not limited to) rooftop smoke extract plant must be operated only for essential testing purposes, except when required by an emergency loss of power or during an emergency situation. During essential testing purposes and/or operation when required by an emergency loss of power or during an emergency situation the emergency building services plant and/or generator(s) and/or rooftop smoke extract plant must be designed, installed and thereafter permanently maintained for the lifetime of the development hereby permitted such that the total noise from all emergency building services plant and/or generators and/or rooftop smoke extract plant as assessed in accordance with British Standard 4142:2014 +A1:2019 (or any superseding standard) does not exceed the following limits at the facades or gardens of the nearby noise sensitive receptors (where outside of the red line of the development hereby permitted) (whichever noise sensitive receptor is closest):

Receptors	Noise limits for emergency building services plant noise	
	Daytime (07:00 – 23:00)	Night-time (23:00 – 07:00)
All nearby noise sensitive receptors	58 dB L _{Ar,15 min}	54 dB L _{Ar,15 min}

- b) A Post Completion Verification Report, including acoustic test results and confirming that the above maximum noise standards have been complied with, must be submitted to the Local Planning Authority for written approval prior to the expiry of the period of six (6) months from first occupation of any part of the development hereby permitted.

Should the Post Completion Verification Report indicate that the relevant maximum noise limits have not been met, the Post Completion Verification Report must include a Mitigation Scheme detailing measures to remedy the shortfall(s).

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The Post Verification Report and any Mitigation Scheme so approved must be implemented, in full, within nine (9) months from first occupation of any part of the development hereby permitted and must be permanently retained as such thereafter for the lifetime of the development.

Emergency building services plant and/or generator(s) and/or rooftop smoke extract plant must thereafter be permanently maintained in accordance with the approved details for the lifetime of the development.

In addition, essential testing of emergency building services plant and/or generator(s) must be carried out only for up to one (1) hour in each calendar month, only during the hours of 09:00 to 17:00 on Mondays to Fridays (inclusive) and not at all on Saturdays, Sundays, Bank or Public holidays.

A maximum of one (1) emergency rooftop diesel generator is hereby permitted to be installed as part of the development hereby permitted although must be restricted to essential testing and/or operation for a maximum of twelve (12) hours each calendar year (except when required by an emergency loss of power) unless an alternative essential testing and/or operating regime (including air quality modelling in order to ensure that there are no significant adverse air quality impacts) has first been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure no adverse impact upon air quality and the local noise climate in accordance with Policy CS21 of the Woking Core Strategy (2012), Policies DM6 and DM7 of the Development Management Policies DPD (2016) and the National Planning Policy Framework (NPPF) (December 2024).

Noise

16. ++ a) The residential component of the development hereby permitted must be constructed with the facade glazing, insulation, ventilation and other acoustic design measures strictly in accordance with the details specified within the Noise Impact Assessment (Project number: 10/14784, Document reference: 1014784-HLE-RP-AC-Noise Impact Assessment-R2.docx), Revision 02, dated 27/10/2023 (as per Audit Sheet on p.2), prepared by Hoare Lea, including (but not limited to) the recommended minimum acoustic performance requirements for facade glazing (contained within Table 12 on p.19), measures to mitigate intrusive building services/plant noise so that the proposed development complies with the internal building services noise criteria (contained within Table 13 on p.22) and any and all other proposed acoustic mitigation measures.

b) Prior to first occupation of any of the dwellings hereby permitted, a Post Completion Verification Report, including acoustic test results, acoustic data for the facade glazing system and ventilation system to a sample of the dwellings hereby permitted, and confirming that the relevant maximum noise standards have been complied with must be first submitted to and approved in writing by the Local Planning Authority. Should the Post Completion Verification Report indicate that the relevant maximum noise standards have not been met, the Post Completion Verification Report must include a Mitigation Scheme detailing measures to remedy the shortfall(s).

The Post Verification Report and any Mitigation Scheme so approved must be implemented, in full, prior to first occupation of the dwellings hereby permitted and must be permanently retained as such thereafter for the lifetime of the development.

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Reason: To safeguard the residential amenities of future residential occupiers in accordance with Policy CS21 of the Woking Core Strategy (2012), Policy DM7 of the Development Management Policies DPD (2016) and the National Planning Policy Framework (NPPF) (December 2024).

17. ++ Superstructure works pursuant to the development hereby permitted must not commence until (for the avoidance of any doubt this allows for demolition and works below ground level to first take place) details of the facade elements for the Class E units and/or Live/Work units at ground floor level have first been submitted to and approved in writing by the Local Planning Authority. The submitted details must confirm that the facade elements for these units/spaces will meet the minimum acoustic performance requirement of R_w 31 dB as specified within the Noise Impact Assessment (Project number: 10/14784, Document reference: 1014784-HLE-RP-AC-Noise Impact Assessment-R2.docx), Revision 02, dated 27/10/2023 (as per Audit Sheet on p.2), prepared by Hoare Lea. Development must thereafter be undertaken and permanently maintained in accordance with the approved details for its lifetime unless otherwise first agreed in writing by the Local Planning Authority.

Reason: To safeguard the amenity of the surrounding area and the residential amenities of future occupiers in accordance with Policy CS21 of the Woking Core Strategy (2012), Policy DM7 of the Development Management Policies DPD (2016) and the National Planning Policy Framework (NPPF) (December 2024).

18. ++ a) Building services plant and/or equipment, including (but not limited to) the Mechanical Ventilation and Heat Recovery (MVHR) units to be installed in each apartment (with the exception of emergency building services plant and/or generator(s) which are subject to the provisions of condition 15 of this planning permission) within the development hereby permitted must be designed, installed and thereafter permanently maintained for the lifetime of the development hereby permitted such that the total noise from all building services plant and/or equipment as assessed in accordance with British Standard 4142:2014 +A1:2019 (or any superseding standard) does not exceed the following limits at the facades or gardens of the nearby noise sensitive receptors (where outside of the red line of the development hereby permitted) (whichever noise sensitive receptor is closest):

Receptors	Noise limits for building services plant noise	
	Daytime (07:00 – 23:00)	Night-time (23:00 – 07:00)
All nearby noise sensitive receptors	48 dB $L_{Ar,15\ min}$	44 dB $L_{Ar,15\ min}$

Building services plant and/or equipment must not create an audible tonal noise nor cause perceptible vibration to be transmitted through the structure of the building.

- b) A Post Completion Verification Report, including acoustic test results and confirming that the above maximum noise standards have been complied with, must be submitted to the Local Planning Authority for written approval prior to the expiry of the period of three (3) months from first occupation of any part of the development hereby permitted.

Should the Post Completion Verification Report indicate that the relevant maximum noise limits have not been met, the Post Completion Verification Report must include a Mitigation Scheme detailing measures to remedy the shortfall(s).

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The Post Verification Report and any Mitigation Scheme so approved must be implemented, in full, within nine (9) months from first occupation of any part of the development hereby permitted and must be permanently retained as such thereafter for the lifetime of the development.

Building services plant and/or equipment must thereafter be permanently maintained in accordance with the approved details for the lifetime of the development.

Reason: To safeguard the amenity of the surrounding area and the residential amenities of existing and future occupiers in accordance with Policy CS21 of the Woking Core Strategy (2012), Policy DM7 of the Development Management Policies DPD (2016) and the National Planning Policy Framework (NPPF) (December 2024).

19. ++ Prior to the installation of any internal and external plant equipment and trunking, including (but not limited to) Air Source Heat Pumps (ASHPs) and/or Air Handling Units (AHUs) and/or the Mechanical Ventilation and Heat Recovery (MVHR) units, equipment associated with air moving equipment, compressors, generators, building services plant, ventilation and filtration equipment and any commercial kitchen exhaust ducting/ventilation, full details (including acoustic specifications where relevant) of internal and external plant equipment and trunking, including, but not limited to, ASHPs)and/or AHUs and/or MVHR units, equipment associated with air moving equipment, compressors, generators, building services plant, ventilation and filtration equipment and any commercial kitchen exhaust ducting/ventilation, must first be submitted to and approved in writing by the Local Planning Authority.

The development must thereafter be carried out only in accordance with the approved details and all flues, ducting and other equipment must be installed in accordance with the approved details prior to the use commencing and must thereafter be permanently maintained in accordance with the manufacturers' instructions for the lifetime of the development.

Reason: To safeguard the amenity of the surrounding area and the residential amenities of existing and future occupiers in accordance with Policy CS21 of the Woking Core Strategy (2012), Policy DM7 of the Development Management Policies DPD (2016) and the National Planning Policy Framework (NPPF) (December 2024).

20. ++ Prior to the commencement of above ground works, excluding demolition and below ground works, a scheme for the insulation of the residential areas and/or rooms at mezzanine floor level against the transmission of airborne sound and impact sound between these areas and/or rooms and (i) the Class E units/floorspace, (ii) the Live/Work units/floorspace and (iii) the plant rooms and electric substation at ground floor level, must first be submitted to and approved in writing by the Local Planning Authority. The approved scheme must be implemented prior to first occupation of any of the dwellings on the mezzanine floor level of the development hereby permitted and thereafter be permanently retained and maintained in accordance with the approved details.

Reason: To safeguard the residential amenities of future residential occupiers in accordance with Policy CS21 of the Woking Core Strategy (2012), Policy DM7 of the Development Management Policies DPD (2016) and the National Planning Policy Framework (NPPF) (December 2024).

21. Sound reproduction equipment which conveys messages, music or other sound by voice or otherwise which is audible outside the development hereby permitted must

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not be installed on the site without the prior written approval of the Local Planning Authority.

Reason: To safeguard the amenity of the surrounding area and the residential amenities of future occupiers in accordance with Policy CS21 of the Woking Core Strategy (2012), Policy DM7 of the Development Management Policies DPD (2016) and the National Planning Policy Framework (NPPF) (December 2024).

22. ++ Superstructure works pursuant to the development hereby permitted must not commence until (for the avoidance of any doubt this allows for demolition and works below ground level to first take place) details of:

- the design condition for overheating;
- how overheating shall be addressed through glazing and ventilation design; and
- that predicted levels do not lead to unacceptably high levels of noise when glazing and ventilation are operating to prevent overheating

have first been submitted to and approved in writing by the Local Planning Authority. The development must thereafter be permanently maintained in accordance with the approved details for the lifetime of the development.

Reason: To safeguard the residential amenities of future occupiers in accordance with Policy CS21 of the Woking Core Strategy (2012), Policy DM7 of the Development Management Policies DPD (2016) and the National Planning Policy Framework (NPPF) (December 2024).

23. ++ Superstructure works pursuant to the development hereby permitted must not commence until (for the avoidance of any doubt this allows for demolition and works below ground level to first take place):

- a) Details of the location(s) of ducting to be installed from the unit(s) and/or floorspace labelled as 'Class E' and/or 'Live/Work' at ground floor level up through the building to the relevant roof level and details of the height and type of flue(s) have first been submitted to and approved in writing by the Local Planning Authority. Development must thereafter be constructed only in accordance with the details which are approved in writing by the Local Planning Authority.
- b) Prior to the commencement of use of any of the unit(s) and/or floorspace labelled as 'Class E' and/or 'Live/Work' at ground floor level where food will be prepared, full particulars and details of a kitchen extract scheme for the ventilation of the relevant kitchen to the appropriate outlet level approved in part a) must first be submitted to and approved in writing by the Local Planning Authority. Such application should include details of odour emissions abatement equipment, sound attenuation for any necessary plant, filtration systems and the standard of dilution of exhaust air expected, and a maintenance plan for its ongoing management. Development must not be carried out otherwise than in accordance with the details which are approved in writing by the Local Planning Authority.

Reason: To safeguard the residential amenities of future occupiers in accordance with Policy CS21 of the Woking Core Strategy (2012), Policy DM7 of the Development Management Policies DPD (2016) and the National Planning Policy Framework (NPPF) (December 2024).

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24. The use(s) of the unit(s) and/or floorspace labelled as 'Class E' and/or 'Live/Work' at ground floor level of the development hereby permitted must not operate other than between the following hours:
- 07:00 and 23:00 hours on Mondays to Saturdays (inclusive) (excluding Bank and Public Holidays); and
 - 08:00 and 22:00 hours on Sundays, Bank and Public Holidays.

Reason: To safeguard the amenity of the surrounding area and the residential amenities of proximate existing and future occupiers in accordance with Policy CS21 of the Woking Core Strategy (2012), Policy DM7 of the Development Management Policies DPD (2016) and the National Planning Policy Framework (NPPF) (December 2024).

External lighting / CCTV etc

25. ++ Before the development hereby permitted is first occupied or brought into use, the following details on and/or around the building must first be submitted to and approved in writing by the Local Planning Authority:
- any Closed-Circuit Television (CCTV);
 - any General external lighting;
 - any Security lighting; and
 - any Access control measures for building entrances.

The submitted details must include the location and specification of all lamps, light levels/spill, illumination, close circuit television cameras (CCTV) (including view paths) and support structures including type, materials and manufacturer's specifications. The details must include an assessment of the impact of any such lighting on the surrounding environment of Woking Town Centre. Development must be carried out in accordance with the approved details before the first occupation and/or use and must be permanently retained and maintained in accordance with the manufacturer's instructions for the lifetime of the development.

Reason: To protect the general environment, the amenities of the area, the residential amenities of neighbouring and nearby existing and introduced properties in accordance with Policy CS21 of the Woking Core Strategy (2012), Policy DM7 of the Development Management Policies DPD (2016) and the National Planning Policy Framework (NPPF) (December 2024).

Refuse / recycling

26. ++ The areas labelled as 'Management Bin Storage' and 'Residents' Bin Storage' at ground floor level on the approved plans listed within condition 02 of this notice must both be provided prior to first occupation of the development for residential purposes and thereafter both be maintained in an operational condition and made available to the occupiers of the building for the relevant purpose for the lifetime of the development hereby permitted.

Before the development is first occupied or brought into use for residential purposes, a Residential Refuse and Recycling Management Plan must first be submitted to and approved in writing by the Local Planning Authority. The submitted Residential Refuse and Recycling Management Plan must include details of:

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- a) How sufficient door sizes with catches or stays are to be provided to bin storage areas;
- b) How the bin storage areas will be appropriately ventilated;
- c) How bin storage areas will have a suitably robust design including walls that are fitted with rubber buffers;
- d) That bin storage areas have maintenance facilities, including a wash-down tap and floor drain;
- e) That bin storage areas are to be free from any steps;
- f) Information of dropped kerbs to be provided and within 10 metres of trolleying distance from bin stores;
- g) Managing agent shall present all waste streams including bulky waste where these are not within 10 metres trolleying distance for the refuse, recycling and food waste collection operatives, and
- h) Details of how the refuse, recycling and food waste collections vehicle(s) will service the development hereby permitted including all loading and unloading areas that must be provided.

The approved Residential Refuse and Recycling Management Plan must thereafter be maintained and operated for the lifetime of the development hereby permitted.

Refuse, recycling and food waste communal bins must be provided within the areas labelled as 'Management Bin Storage' and 'Residents' Bin Storage' at ground floor level on the approved plans listed within condition 02 of this notice prior to the first residential occupation of the development hereby permitted.

Reason: To ensure the provision of satisfactory facilities for the storage and recycling of waste and to protect the general amenity of the area in accordance with Policy CS21 of the Woking Core Strategy (2012), SPD Design (2015) and the National Planning Policy Framework (NPPF) (December 2024).

Biodiversity / ecology

27. The development hereby permitted must be undertaken only in strict accordance with the measures that have been identified within the Preliminary Ecological Appraisal and Biodiversity Net Gain Assessment, dated October 2024, prepared by The Ecology Partnership:
- (i) the provision of new urban trees, introduced shrub, and hedgerows with native species within the landscape planting, recommended species including bilberry (*Vaccinium myrtillus*), spindle (*Euonymus europaeus*), buckthorn (*Rhamnus cathartica*), foxglove (*Digitalis purpurea*), wood sage (*Teucrium scorodonia*), betony (*Stachys officinalis*) and sweet woodruff (*Galium odoratum*);
 - (ii) the incorporation of biodiverse green roof areas;
 - (iii) the integration of bird boxes which should be woodcrete (or similar) and positioned on a north or east facing aspect and at least 2 metre above ground level; and
 - (iv) the incorporation of bee bricks into the new building, being located placed in a warm sunny spot on a south-facing wall at a minimum height of 1 metre above ground level, with no vegetation obstructing the holes.

The above measures must be completed/planted/provided in accordance with the approved details prior to the first occupation of the development hereby permitted or

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in accordance with a programme otherwise first agreed in writing with the Local Planning Authority and must thereafter be permanently retained and maintained for the lifetime of the development.

Reason: To contribute towards and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity in accordance with Policies CS21 and CS7 of the Woking Core Strategy (2012) and the National Planning Policy Framework (NPPF) (December 2024).

28. ++ All removal of shrubs, scrub or tall herbaceous vegetation must be undertaken between September and February inclusive. If this is not possible then a suitably qualified and experienced Ecologist must carry out an inspection of the areas concerned immediately prior to the clearance works (within 5 days) to ensure that no nesting or nestbuilding birds are present. If any nesting birds are present, then the vegetation around the nest must not be removed until a suitably qualified and experienced Ecologist confirms that the birds have finished nesting.

If no nesting birds are found, there is no need to report the survey findings to the Local Planning Authority before clearance of vegetation.

Once the site has been cleared, details of measures taken to ensure no nesting birds were harmed must be subsequently submitted to and approved in writing by the Local Planning Authority. This could include that the site has been cleared between the months of September and February (inclusive); that a survey has been undertaken and no nests were found; or that nests were found, protection measures put in place around the nest(s), and a subsequent survey found that birds were no longer nesting.

Reason: To prevent birds being injured or killed during site works and to comply with Policy CS7 of the Woking Core Strategy (2012), Circular 06/05 Biodiversity and Geological Conservation, the National Planning Policy Framework (NPPF) (December 2024) and the Wildlife and Countryside Act 1981 (as amended).

29. ++ External lighting must not be installed within the red line of the development hereby permitted (with the exception of any temporary demolition/construction required external lighting and/or any street lighting which may be relocated and/or installed as part of the Section 278 works under the Highways Act 1980) until full details (to include a layout plan with beam orientation and a schedule of equipment in the design (luminaire type, mounting height, aiming angles and luminaire profiles)) and demonstrating compliance with both the recommendations of the BCT & ILP (2023) Guidance Note 08/23. Bats and artificial lighting at night (Bat Conservation Trust, London & Institution of Lighting Professionals, Rugby) (or any future equivalent(s)) and the recommendations of the Institute of Lighting Professionals Guidance Note GN01/21 for The Reduction of Obtrusive Light (2021) (or any future equivalent(s)) have first been submitted to and approved in writing by the Local Planning Authority. The external lighting scheme must thereafter be installed and permanently maintained and operated only in accordance with the approved details for the lifetime of the development.

Reason: To protect the general environment, the amenities of the area, the residential amenities of neighbouring and nearby existing properties and habitat for bats and other nocturnal animals which are sensitive to any increase in artificial lighting of their foraging places and commuting routes. To accord with Policies CS7 and CS21 of the Woking Core Strategy (2012), Circular 06/05 Biodiversity and

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Geological Conservation and the National Planning Policy Framework (NPPF) (December 2024).

30. ++ Superstructure works must not advance any higher than the floor level of the mezzanine level (for the avoidance of any doubt this is +38450 AOD) until full details of biodiversity enhancements have first been submitted to and approved in writing by the Local Planning Authority (for the avoidance of any doubt this allows for demolition, works below ground level and superstructure works up to the stated level to first take place). The biodiversity enhancements across the development must be in accordance with the relevant recommendations of the following reports:

- Preliminary Ecological Appraisal and Biodiversity Net Gain Assessment, dated October 2024, prepared by The Ecology Partnership; and
- The Biodiversity Metric 4.0 Calculation Tool, prepared by The Ecology Partnership.

and must include (as a minimum) the following biodiversity enhancement measures:

- a) incorporation of areas of biodiverse green roof where possible;
- b) provision of log piles, rope coils, hibernacula and rock and sand piles, details of which must include number, locations and type of feature;
- c) provision of planting at ground floor level with planters which must include tree planting;
- d) provision of integrated and/or facade mounted bat boxes, details of which must include number, locations and type of boxes;
- e) provision of integrated and/or facade bound bird nesting boxes, details of which must include number, locations and type of boxes; and
- f) provision of habitat panels, insect hotels, bee bricks and bee posts, details of which must include number, locations and type of feature.

The approved biodiversity enhancement measures must be implemented in full prior to the first occupation of the development hereby permitted and must thereafter be permanently retained as such for the lifetime of the development.

Reason: To contribute towards and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity in accordance with Policies CS21 and CS7 of the Woking Core Strategy (2012) and the National Planning Policy Framework (NPPF) (December 2024).

31. ++ Superstructure works must not advance any higher than the floor level of the mezzanine level (for the avoidance of any doubt this is +38450 AOD) until a Landscape and Ecological Management Plan (LEMP) has first been submitted to and approved in writing by the Local Planning Authority. The submitted LEMP must be based on the proposed impact avoidance, mitigation and enhancement measures specified in the Preliminary Ecological Appraisal and Biodiversity Net Gain Assessment, dated October 2024, prepared by The Ecology Partnership, and should include, but not be limited to, the following:

- a) Aims and objectives of management;
- b) Appropriate management options for achieving aims and objectives;
- c) Prescriptions for management actions, together with a plan of management compartments;
- d) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a 30 year period);

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- e) Details of the body or organisation responsible for implementation of the plan;
- f) Ongoing monitoring and remedial measures;
- g) Legal and funding mechanisms by which the long-term implementation of the plan will be secured by the applicant with the management body(ies) responsible for its delivery;
- h) Monitoring strategy, including details of how contingencies and/or remedial action will be identified, agreed, and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.

The LEMP as approved must be carried out concurrently with the development hereby permitted and thereafter be permanently maintained for the lifetime of the development.

Reason: In the interests of biodiversity and to protect the general amenity and character and appearance of the locality in accordance with Policies CS7, CS17, CS21 and CS24 of the Woking Core Strategy (2012) and the National Planning Policy Framework (NPPF) (December 2024).

Thames Basin Heaths SPA

32. ++ No residential development within the development hereby permitted must commence pursuant to this planning permission until written confirmation has first been obtained from the Local Planning Authority that Suitable Alternative Natural Green Space (SANGs) has been secured for the residential development and no dwelling hereby permitted must be first occupied before written confirmation has been obtained from the Local Planning Authority that the works required to bring the land up to acceptable SANGS standard for the development have been completed.

Reason: To accord with The Conservation of Habitats and Species Regulations 2017 (as amended), saved policy NRM6 of the South East Plan (2009), Policies CS8 and CS17 of the Woking Core Strategy (2012), the Updated Thames Basin Heaths Avoidance Strategy (February 2022) and the

Water management (SuDS) (LLFA)

33. ++ Prior to the commencement of the development hereby permitted, with the exception of demolition works, details of the design of a surface water drainage scheme must first be submitted to and approved in writing by the Local Planning Authority. The submitted surface water drainage scheme design must satisfy the SuDS Hierarchy and be compliant with the national Non-Statutory Technical Standards for SuDS, National Planning Policy Framework (NPPF) and Ministerial Statement on SuDS. The required drainage details must include:

- a) Evidence that the proposed final solution will effectively manage the 1 in 30 (+35% allowance for climate change) & 1 in 100 (+45% allowance for climate change) storm events during all stages of the development. If infiltration is deemed unfeasible, associated discharge rates and storage volumes must be provided using a maximum discharge rate equivalent to 1.4l/s;
- b) Detailed drainage design drawings and calculations to include: a finalised drainage layout detailing the location of drainage elements, pipe diameters, levels, and long and cross sections of each element including

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- details of any flow restrictions and maintenance/risk reducing features (silt traps, inspection chambers etc.);
- c) A plan showing exceedance flows (i.e., during rainfall greater than design events or during blockage) and how property on and off site will be protected from increased flood risk;
 - d) Details of drainage management responsibilities and maintenance regimes for the drainage system; and
 - e) Details of how the drainage system will be protected during construction and how runoff (including any pollutants) from the development site will be managed before the drainage system is operational.

Reason: To ensure the SuDS design meets the national Non-Statutory Technical Standards for SuDS and the final drainage design does not increase flood risk on or off site in accordance with Policies CS9 and CS16 of the Woking Core Strategy (2012), the national Non-Statutory Technical Standards for SuDS, the National Planning Policy Framework (NPPF) (December 2024) and the Ministerial Statement on SuDS. This condition is required to be addressed prior to commencement (with the exception of demolition) in order that the ability to discharge its requirement is not prejudiced by the carrying out of building works or other operations on the site.

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

Reason: To ensure the constructed design meets the national Non-Statutory Technical Standards for SuDS and does not increase flood risk on or off site in accordance with Policies CS9 and CS16 of the Woking Core Strategy (2012), the national Non-Statutory Technical Standards for SuDS, the National Planning Policy Framework (NPPF) (December 2024) and the Ministerial Statement on SuDS.

Thames Water

35. ++ No piling must take place pursuant to the development hereby permitted until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has first been submitted to and approved in writing by the Local Planning Authority (in consultation with Thames Water). Any piling must thereafter be undertaken only in accordance with the terms of the approved piling method statement.

Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure and piling has the potential to significantly impact / cause failure of local underground sewerage utility infrastructure. This condition is required by Policy CS16 of the Woking Core Strategy (2012) and the National Planning Policy Framework (NPPF) (December 2024).

Asbestos and land contamination

36. ++ Prior to the commencement of development (including prior to the commencement of any and all demolition works) evidence that the existing building(s) on the site was built post year 2000 or an intrusive pre-demolition asbestos survey in accordance with HSG264 must first be submitted to and approved in writing by the Local Planning Authority. The pre-demolition asbestos survey must be undertaken, and a report produced by a suitably qualified and experienced person and must include any recommendations deemed necessary. The development must then be undertaken only in accordance with the approved details. Upon completion of demolition works, the developer must provide in writing to the Local Planning Authority (within four weeks of the completion of such demolition works) suitably detailed confirmation that demolition works were carried out with regard to the aforementioned pre-demolition asbestos survey and recommendations contained therein.

Reason: To address any potential asbestos contamination and make the land suitable for the development hereby permitted without resulting in risk to construction workers, future users of the land, occupiers of nearby land and the environment generally in accordance with Policy DM8 of the Development Management Policies DPD (2016) and the National Planning Policy Framework (NPPF) (December 2024). This condition is required to be addressed prior to commencement (including prior to demolition) in order that the ability to discharge its requirement is not prejudiced by the carrying out of building works or other operations on the site.

37. ++ Prior to the commencement of the development hereby permitted, other than demolition works, a contaminated land site investigation and risk assessment, undertaken in accordance with the approved site investigation proposal (within the Desk Study Report - 81 Commercial Way, Woking, Surrey, GU21 6HR, prepared by Geotechnical & Environmental Associates Limited (GEA) (Ref: J23192, Rev 1), dated 21 September 2023) that determines the extent and nature of contamination on site and reported in accordance with the current best practice and guidance such as Land Contamination Risk Management (LCRM) and British Standard BS 10175, must first be submitted to and approved in writing by the Local Planning Authority (including any additional requirements that the Local Planning Authority may specify). If applicable, ground gas risk assessments must be completed in line with CIRIA C665 guidance.

Reason: To address any potential land contamination and make the land suitable for the development hereby permitted without resulting in risk to construction workers, future users of the land, occupiers of nearby land and the environment generally in accordance with Policy DM8 of the Development Management Policies DPD (2016) and the National Planning Policy Framework (NPPF) (December 2024). This condition is required to be addressed prior to commencement (other than demolition) in order that the ability to discharge its requirement is not prejudiced by the carrying out of building works or other operations on the site.

38. ++ Prior to the commencement of the development hereby permitted, other than demolition, a detailed remediation method statement must first be submitted to and approved in writing by the Local Planning Authority (including any additional requirements that the Local Planning Authority may specify). The remediation method statement must detail the extent and method(s) by which the site is to be remediated, to ensure that unacceptable risks are not posed to identified receptors at the site and must detail the information to be included in a validation report. The remediation method statement must also provide information on a suitable discovery strategy to

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be utilised on site should contamination manifest itself during site works that was not anticipated. The Local Planning Authority must be given a minimum of two weeks written prior notice of the commencement of the remediation works on site. The development must then be undertaken in accordance with the approved details.

Reason: To address any potential land contamination and make the land suitable for the development hereby permitted without resulting in risk to construction workers, future users of the land, occupiers of nearby land and the environment generally in accordance with Policy DM8 of the Development Management Policies DPD (2016) and the National Planning Policy Framework (NPPF) (December 2024). This condition is required to be addressed prior to commencement (other than demolition) in order that the ability to discharge its requirement is not prejudiced by the carrying out of building works or other operations on the site.

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

Reason: To address any potential land contamination and make the land suitable for the development hereby permitted without resulting in risk to construction workers, future users of the land, occupiers of nearby land and the environment generally in accordance with Policy DM8 of the Development Management Policies DPD (2016) and the National Planning Policy Framework (NPPF) (December 2024).

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

Reason: To address any potential land contamination and make the land suitable for the development hereby permitted without resulting in risk to construction workers, future users of the land, occupiers of nearby land and the environment generally in accordance with Policy DM8 of the Development Management Policies DPD (2016) and the National Planning Policy Framework (NPPF) (December 2024).

41. ++ Piling works and/or investigation boreholes using penetrative methods must not be undertaken pursuant to the development hereby permitted unless and until a Piling / Borehole Risk Assessment (detailing the depth, location and type of piling to be undertaken, the methodology by which such piling will be carried out, including

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measures to prevent and minimise the potential for damage to aquifers, the programme for the works and details of how any boreholes are to be decommissioned and how any boreholes that need to be retained, post-development, for monitoring purposes will be secured, protected and inspected) has first been submitted to and approved in writing by Local Planning Authority.

Development must thereafter be carried out only in accordance with the approved Piling / Borehole Risk Assessment.

Reason: To ensure that any proposed Piling/investigation boreholes and geotechnical investigation, does not harm groundwater resources in accordance with Policy DM8 of the Development Management Policies DPD (2016) and the National Planning Policy Framework (NPPF) (December 2024). Piling/investigation boreholes using penetrative methods can result in risks to potable supplies from, for example, pollution/turbidity, risk of mobilising contamination, drilling through different aquifers and creating preferential pathways.

Energy and water

42. ++ Within three months of the commencement of any above ground works, (excluding demolition works and ground clearance) details of the proposed energy saving and renewable energy measures must be submitted to, and approved in writing by, the Local Planning Authority. The measures must be based on those set out in the Energy Strategy contained at Appendix A of the Energy and Sustainability Strategy, prepared by Hoare Lea (Revision 02, dated 25 October 2023). Thereafter the construction of the development must only be carried out in accordance with the approved details.

Reason: To ensure that the development achieves a high standard of sustainability and makes efficient use of resources in accordance with Policy CS22 of the Woking Core Strategy (2012), SPD Climate Change (2023) and the National Planning Policy Framework (NPPF) (December 2024).

43. ++ Within three months of the commencement of any above ground works, (excluding demolition works and ground clearance) details, including timescales, of the connection of the development hereby permitted to the local District Energy Network (DEN), or details of alternative on-site provision to serve the development, must be submitted to and approved in writing by the Local Planning Authority. The approved details must include measures to ensure compliance with good practice for connecting new buildings to heat networks by reference to CIBSE Heat Networks Code of Practice for the UK and be implemented in accordance with the approved details prior to the first occupation and/or use of the residential component of the development hereby permitted.

Reason: To ensure that the development achieves a high standard of sustainability and makes efficient use of resources in accordance with Policy CS22 of the Woking Core Strategy (2012), SPD Climate Change (2023) and the National Planning Policy Framework (NPPF) (December 2024).

44. ++ Within three months of the commencement of any above ground works, (excluding demolition works and ground clearance) a copy of the water efficiency calculator for new dwellings from Building Regulations Approved Document Part G must be submitted to and approved by the Local Planning Authority for each dwelling within the development hereby permitted, with a unique sanitary ware and water-

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consuming appliances specification. The document must demonstrate that each dwelling will achieve water use of not more than 110 litres per person per day (including a 5 litre per person per day allowance for external water use) in line with the optional requirements of Approved Document G. The calculator tools must be accompanied by specification documents demonstrating the water consuming fittings and fixtures which have been specified within the dwellings in order to achieve the calculated water use.

Reason: To ensure that the development achieves a high standard of sustainability and makes efficient use of potable water resources in accordance with Policy CS22 of the Woking Core Strategy (2012), SPD Climate Change (2023) and the National Planning Policy Framework (NPPF) (December 2024).

45. ++ Within three months of the commencement of any above ground works, (excluding demolition works and ground clearance) details of the Air Source Heat Pumps (ASHPs), or any such alternative energy source as previously agreed in writing by the Local Planning Authority (including manufacturer's specifications, acoustic properties and location) to serve the development hereby permitted must be submitted to and approved in writing by the Local Planning Authority. Such approved details must be installed prior to the first occupation of the development hereby permitted and thereafter be permanently maintained and operated for the lifetime of the development unless otherwise first agreed in writing by the Local Planning Authority.

Reason: To ensure that the development achieves a high standard of sustainability and makes efficient use of resources in accordance with Policy CS22 of the Woking Core Strategy (2012), SPD Climate Change (2023) and the National Planning Policy Framework (NPPF) (December 2024).

Communal amenity spaces and private amenity spaces

46. No dwelling hereby permitted must be first occupied until all of the indoor and outdoor communal facilities and indoor residential communal amenity space provision associated within the development hereby permitted are available for use in accordance with the approved plans listed within condition 02 of this notice. These indoor and outdoor communal facilities and residential communal amenity spaces include (on the approved plans listed within condition 02 of this notice) (and, for the avoidance of any doubt, excluding any and all areas labelled as 'Private Terrace'):

- First Floor - Residential Amenity Space (to north of External Amenity Space), Residential Amenity Space (to south of External Amenity Space) & External Amenity Space;
- Fifth Floor - Roof Terrace x1;
- Seventh Floor - Roof Terraces x2;
- Tenth Floor - Roof Terrace x1;
- Eleventh Floor - Roof Terrace/Garden x1; and
- Fourteenth Floor - Residential Amenity Space and Roof Terrace x1.

Thereafter all of the indoor and outdoor communal facilities and indoor communal residential amenity space provision must be permanently maintained for the lifetime of the development hereby permitted and made available to occupiers of all dwellings within the development hereby permitted at all reasonable times.

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Reason: To ensure a good standard of residential amenity in accordance with Policy CS21 of the Woking Core Strategy (2012), SPD Outlook, Amenity, Privacy and Daylight (2022) and the National Planning Policy Framework (NPPF) (December 2024).

47. Where a dwelling hereby permitted is shown on the approved plans listed within condition 02 of this notice to have a private projecting and/or inset balcony and/or area of private roof terrace that dwelling must not be first occupied unless and until that private projecting and/or inset balcony and/or area of private roof terrace has first been provided and made available to occupiers of that dwelling. Thereafter the private projecting and/or inset balcony and/or area of private roof terrace must be permanently retained and maintained to serve that respective dwelling for the lifetime of the development hereby permitted.

Reason: To ensure a good standard of residential amenity in accordance with Policy CS21 of the Woking Core Strategy (2012), SPD Outlook, Amenity, Privacy and Daylight (2022) and the National Planning Policy Framework (NPPF) (December 2024).

48. Notwithstanding the provisions of Article 3 of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (and/or any order(s) amending and/or re-enacting that Order, or superseding equivalent Order(s), with or without modification(s)), other than where identified as such on the approved plans listed within condition 02 of this notice the flat roof areas of the development hereby permitted must not be used as a roof terrace, sitting out area or similar amenity area.

Reason: In order to protect adjoining and nearby properties from overlooking and noise in accordance with Policy CS21 of the Woking Core Strategy (2012), Policy DM7 of the Development Management Policies DPD (2016) and the National Planning Policy Framework (NPPF) (December 2024).

Telecoms equipment

49. Notwithstanding the provisions of Schedule 2 of The Town and Country Planning (General Permitted Development) Order 2015 (as amended) (and/or any order(s) amending and/or re-enacting that Order(s), or superseding equivalent Order(s), with or without modification(s)), the following development must not be undertaken without prior specific express planning permission in writing from the Local Planning Authority:

The installation of any structures or apparatus for purposes relating to telecommunications on any part the development hereby permitted, including any structures or development otherwise permitted under Part 16 "Communications".

Reason: To ensure that any structures or apparatus for purposes relating to telecommunications on the development hereby permitted do not adversely affect the appearance of the area, including the settings of nearby built heritage assets, in accordance with Policies CS2, CS20, CS21 and CS24 of the Woking Core Strategy (2012), Policy DM20 of the Development Management Policies DPD (2016) and the National Planning Policy Framework (NPPF) (December 2024).

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50. ++ Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (and/or any order(s) amending and/or re-enacting that Order(s), or superseding equivalent Order(s), with or without modification(s)), no satellite antennae shall be erected or installed on the development hereby permitted. The development hereby permitted must have a central dish or aerial system for receiving all broadcasts for the dwellings created; details of such a scheme must be first submitted to and approved in writing by the Local Planning Authority prior to first occupation of the development hereby permitted, and the approved scheme must be implemented prior to the occupation of any dwelling within the development and thereafter be permanently retained for the lifetime of the development unless otherwise first agreed in writing by the Local Planning Authority.

Reason: To ensure that any satellite antennae on the development hereby permitted do not adversely affect the appearance of the area, including the settings of nearby built heritage assets, in accordance with Policies CS2, CS20, CS21 and CS24 of the Woking Core Strategy (2012), Policy DM20 of the Development Management Policies DPD (2016) and the National Planning Policy Framework (NPPF) (December 2024).

51. Five (5) of the dwellings within the development hereby permitted must be designed, constructed and fitted out to comply with the Building Regulations 2010 (as amended) optional requirement M4(3): Category 3 - '*Wheelchair user dwellings*' prior to first residential occupation of each of the relevant dwellings.

All of the other two hundred and sixty seven (267) dwellings within the development hereby permitted must be designed, constructed and fitted out to comply with the Building Regulations 2010 (as amended) optional requirement M4(2): Category 2 - '*Accessible and adaptable dwellings*' prior to first residential occupation of each of the relevant dwellings.

Thereafter the dwellings hereby permitted must be permanently retained as such for the lifetime of the development.

The lifts shown on the approved plans listed within condition 02 of this notice must be installed and in an operational condition prior to the first occupation of the relevant residential access cores. The lifts must thereafter be retained and maintained in an operational condition for the lifetime of the development.

Reason: To ensure that the residential element of the development is constructed in an inclusive way to accommodate all members of the community, regardless of any disability, and to allow scope for changes to be made to meet the needs of the occupier, in accordance with Policy CS21 of the Woking Core Strategy (2012) and the National Planning Policy Framework (NPPF) (December 2024).

52. The development hereby permitted must provide no more than two hundred and seventy two (272) dwellings, this number including the residential component of the Live/Work units hereby permitted.

Reason: To ensure a good standard of residential amenity in accordance with Policy CS21 of the Woking Core Strategy (2012), SPD Outlook, Amenity, Privacy and Daylight (2022) and the National Planning Policy Framework (NPPF) and to accord with The Conservation of Habitats and Species Regulations 2017 (as amended), saved policy NRM6 of the South East Plan (2009), Policies CS8 and CS17 of the

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Woking Core Strategy (2012), the Updated Thames Basin Heaths Avoidance Strategy (February 2022) and the National Planning Policy Framework (NPPF) (December 2024).

53. ++ Notwithstanding the BS5837:2012 Tree Survey, Arboricultural Impact Assessment & Method Statement submitted with the application (prepared by Indigo Surveys) prior to the commencement of the development hereby permitted (including prior to any and all demolition and preparatory work) a scheme for the protection of the retained trees, in accordance with BS 5837:2012 (or any future equivalent(s)), including a revised Tree Protection Plan(s) (TPP) and a full, detailed Arboricultural Method Statement (AMS) must first be submitted to and approved in writing by the Local Planning Authority. The following specific issues must be addressed within the TPP and AMS:
- a) A proposal for the monitoring of disturbance to the structured cells of tree T6 during construction of the new loading bay on Commercial Way and an appraisal of potential remedial options and a remedial method statement in the event that the structured cells of tree T6 are damaged during construction of the loading bay;
 - b) Tree protection during demolition and construction indicated on a revised Tree Protection Plan (TPP) and demolition and construction activities clearly identified as prohibited in these area(s);
 - c) Provision for the convening of a pre-commencement site meeting attended by the developer's appointed arboricultural consultant, the site manager/foreman and a representative from the Local Planning Authority to discuss details of the working procedures and agree either the precise position of the approved tree protection measures to be installed or that all tree protection measures have been installed in accordance with the approved tree protection plan;
 - d) Provision for arboricultural supervision and inspection(s) by suitably qualified and experienced arboricultural consultant(s) where required, including for works within Root Protection Areas; and
 - e) Reporting of arboricultural inspection and supervision.

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

Reason: To ensure the retention and protection of trees in the interests of the visual amenities of the area and the appearance of the development in accordance with Policy CS21 of the Woking Core Strategy (2012), Policy DM2 of the Development Management Policies DPD (2016) and the provisions of the National Planning Policy Framework (NPPF) (December 2024). This condition is required to be addressed prior to commencement in order that the Local Planning Authority may be satisfied that the trees to be retained will not be damaged during development works (including demolition works).

54. ++ No development pursuant to this planning permission shall be commenced until a scheme for the improvement of the sewerage system to accommodate the additional wastewater flows from the development has first been submitted to and approved in writing by the Local Planning Authority. The submitted scheme must:

- Identify the network and/or wastewater treatment works improvements required to provide sufficient capacity to accommodate the development;
- Include a timeline of the required network and/or wastewater treatment works improvements in relation to the timescales of the development;
- Demonstrate that no occupation of buildings shall occur until adequate network and wastewater treatment work capacity has been created. This may be in line with a development and infrastructure phasing plan that ensures the sewage system has capacity for the increase in foul flows before each building or commercial space is brought into use.

The development pursuant to this planning permission must only be implemented in accordance with the approved scheme for the improvement of the sewerage system. Occupation of building(s) granted by this planning permission must not occur until either the approved scheme for improvement of the sewerage system has either been completed or in line with a phasing plan set out within the scheme.

Reason: To reduce the risk of environmental harm by creating additional wastewater capacity before buildings are occupied, reducing the likelihood of spills/release of untreated foul waste into the environment in accordance with paragraph 187(e) of the National Planning Policy Framework (NPPF) (December 2024) and Policies CS9 and CS17 of the Woking Core Strategy (2012). 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.

55. ++ No development pursuant to this grant of planning permission shall be commenced until a water quality assessment of the waterbody receiving the treated foul waste from the development has first been submitted to and approved in writing by the Local Planning Authority. The submitted assessment must identify:

- where the foul waste will be treated;
- any effects of the increase in discharge volume on the receiving waterbody; and
- any changes in permitted conditions required to prevent deterioration in any element/overall Water Framework Directive (WFD) status of the receiving waterbody.

A scheme for the mitigation of any environmental impacts on the waterbody receiving the treated foul waste from the development must be included and must be implemented in accordance with a timeframe which must first have been submitted to and approved in writing by the Local Planning Authority. 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.

Reason: To take into account the impacts of the development on water quality and to reduce the likelihood of spills/release of untreated foul waste into the water environment, in accordance with paragraph 187(e) of the National Planning Policy Framework (NPPF) (December 2024) and Policies CS9 and CS17 of the Woking Core Strategy (2012).

Informatives

01. The Council confirms that in assessing this planning application it has worked with the applicant in a positive and proactive way, in line with the requirements of the National Planning Policy Framework (NPPF).
02. The applicant's attention is specifically drawn to the planning conditions above marked ++. These condition(s) require the submission of details, information, drawings, etc. to the Local Planning Authority PRIOR TO THE RELEVANT TRIGGER POINT. Failure to observe these requirements will result in a contravention of the terms of the planning permission and the Local Planning Authority may serve Breach of Condition Notices (BCNs) to secure compliance. The applicant is advised that sufficient time needs to be allowed when submitting details in response to planning conditions, to allow the Local Planning Authority to consider the details and discharge the condition(s). A period of between five and eight weeks should be allowed for.
03. 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.
04. 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>
05. All bridges, buildings or apparatus (with the exception of projecting signs) which project over or span the highway may be erected only with the formal approval of the Transportation Development Planning Team of Surrey County Council under Section 177 or 178 of the Highways Act 1980.
06. 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.
07. The permission hereby granted shall not be construed as authority to carry out any works (including Stats connections/diversions required by the development itself or the associated highway works) on the highway or any works that may affect a drainage channel/culvert or water course. The applicant is advised that a permit and, potentially, a Section 278 agreement must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. All works (including Stats connections/diversions required by the development itself or the associated highway works) on the highway will require a permit and an application will need to be submitted to the County Council's Street Works Team up to 3 months in advance of the intended start date, depending on the scale of the works proposed and the classification of the road. Please see <http://www.surreycc.gov.uk/roads-andtransport/permits-and-licences/traffic-management-permit-scheme>. The applicant is also advised that Consent may be required under Section 23 of the Land Drainage Act 1991. Please see www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/flooding-advice.

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08. Section 59 of the Highways Act permits the Highway Authority to charge developers for damage caused by excessive weight and movement 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 Contaminated Land Officer would like to draw the applicants/agents/consultants attention to the specifics of the contaminated land conditional wording such as 'prior to commencement', 'prior to occupation' and 'provide a minimum of two weeks' notice'. The submission of information not in accordance with the specifics of the planning conditional wording can lead to delays in approving details pursuant to conditions, potentially result in details pursuant to conditions being unable to be approved or even enforcement action should the required level of evidence/information be unable to be supplied. All relevant information should be formally submitted to the Local Planning Authority and not directly to the Contaminated Land Officer.
10. Thames Water recommend that the developer read the Thames Water guide 'working near our assets' to ensure the workings will be in line with the necessary processes the developer needs to follow if the developer is working above Thames Water pipes or other structures. Please see: <https://www.thameswater.co.uk/developers/larger-scale-developments/planning-your-development/working-near-our-pipes>
Should the developer require further information in this respect please contact Thames Water. Email: developer.services@thameswater.co.uk Phone: 0800 009 3921 (Monday to Friday, 8am to 5pm) Write to: Thames Water Developer Services, Clearwater Court, Vastern Road, Reading, Berkshire, RG1 8DB.
11. Thames Water would expect the developer to demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Thames Water would expect the developer to demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing trade.effluent@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk. Please refer to the Wholesale; Business customers; Groundwater discharges section.
12. With regard to water supply, this comes within the area covered by the Affinity Water Company. For your information the address to write to is - Affinity Water Company The Hub, Tamblin Way, Hatfield, Herts, AL10 9EZ - Tel - 0845 782 3333.
13. The applicant should ensure that demolition and construction activities on site have regard to the potential presence of terrestrial mammals to ensure that these species do not become trapped in trenches, culverts, or pipes. All trenches left open overnight should include a means of escape for any animals that may fall in.
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-

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[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.

15. The Surrey Police Designing Out Crime Officer has advised that the proposed development:
 1. Should seek to attain the Secured by Design Gold Award, for both the residential and commercial elements of the development;
 2. That the parking area to achieves 'Park Mark' Accreditation; and
 3. That the Public Realm areas are developed in consultation with the Surrey Police Design Out Crime Officers and the Counter Terrorism Security Advisor.The applicant is therefore strongly encouraged to continue to liaise with the Surrey Surrey Police Designing Out Crime Officer in this regard.
16. The applicant should undertake early engagement on the planned use of cranes with Farnborough Airport (because a building mounted crane may have an impact on Farnborough Airport's Instrument Flight Procedures). The applicant should contact Farnborough Airport by emailing: safeguarding@farnboroughairport.com
17. 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).

18. Biodiversity Net Gain

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.

Based on the information available this permission is considered to be one which will require the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements are considered to apply.

The effect of section 73D of the Town and Country Planning Act 1990

If planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 (application to develop land without compliance with conditions previously attached) and a Biodiversity Gain Plan was approved in relation to the previous planning permission (“the earlier Biodiversity Gain Plan”) there are circumstances when the earlier Biodiversity Gain Plan is regarded as approved for the purpose of discharging the biodiversity gain condition subject to which the section 73 planning permission is granted.

Those circumstances are that the conditions subject to which the section 73 permission is granted:

- (i) do not affect the post-development value of the onsite habitat as specified in the earlier Biodiversity Gain Plan, and
- (ii) in the case of planning permission for a development where all or any part of the onsite habitat is irreplaceable habitat the conditions do not change the effect of the development on the biodiversity of that onsite habitat (including any arrangements made to compensate for any such effect) as specified in the earlier Biodiversity Gain Plan.

SECTION B

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

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

SECTION C

**APPLICATION REPORTS NOT TO BE
PRESENTED BY OFFICERS UNLESS REQUESTED
BY A MEMBER OF THE COMMITTEE**

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

