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

You are hereby summoned to attend a meeting of the Planning Committee to be held on Tuesday, 27 February 2018 at 7.00 pm in the Council Chamber - Civic Offices.

The agenda for the meeting is set out below.

RAY MORGAN
Chief Executive

NOTE: Filming Council Meetings

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

AGENDA

PART I - PRESS AND PUBLIC PRESENT

1. Minutes

To approve the minutes of the meeting of the Planning Committee held on 6 February 2018 as published.

1a. Apologies for Absence

2. Declarations of Interest

- (i) To receive declarations of disclosable pecuniary and other interests from Members in respect of any item to be considered at the meeting.
- (ii) In accordance with the Members' Code of Conduct, any Member who is a Council- appointed Director of a Thamesway Group company will declare a non-pecuniary interest in any item involving that Thamesway Group company. The interest will not prevent the Member from participating in the consideration of that item.
- (iii) In accordance with the Officer Procedure Rules, any Officer who is a Council- appointed Director of a Thamesway Group company will declare an interest in any item involving that Thamesway Group company. The interest will not prevent the Officer from advising the Committee on that item.

3. Urgent Business

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

Matters for Determination

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

5. Planning Applications (Pages 5 - 8)

Section A - Applications for Public Speaking

5a. 2016/1204 Britannia Wharf, Monument Road, Woking (Pages 11 - 46)

Section B - Application reports to be introduced by Officers

5b. 2017/121 Land between Royal Mail Depot and Allotments Site, Kestrel Way, Woking (Pages 49 - 74)

5c. 2017/1336 43a Chertsey Road, Woking (Pages 75 - 88)

5d. 2017/1410 86 Orchard Drive, Horsell (Pages 89 - 104)

5e. 2017/1001 183 Boundary Road, Woking (Pages 105 - 118)

5f. 2017/0761 3 Claremont Road, West Byfleet (Pages 119 - 138)

5g. 2017/1364 Land at Pumping Station, Bonners Close, Westfield (Pages 139 - 158)

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

5h. 2017/1009 75 Walton Road, Woking (Pages 161 - 174)

5i. 2017/1376 4 Summerhayes Close, Horsell, Woking (Pages 175 - 184)

5j. 2017/1291 7 Tanglewood Close, Pyrford (Pages 185 - 194)

5k. 1 Elm Close, Horsell (Enforcement) (Pages 195 - 202)

AGENDA ENDS

Date Published - 19 February 2018

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



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PLANNING COMMITTEE - 27 FEBRUARY 2018

PLANNING AND ENFORCEMENT APPEALS

The Committee is requested to:

RESOLVE:

That the report be noted.

The Committee has authority to determine the above recommendation.

Background Papers:

Planning Inspectorate Reports

Reporting Person:

Peter Bryant, Head of Legal and Democratic Services

Date Published:

19 February 2018

APPEALS LODGED

2017/1035

Application for Erection of a part two-storey/part single-storey side extension following demolition of an existing detached garage, erection of a first floor front extension and alteration to an existing front dormer at 46 Greenmeads, Woking.

Refused by Delegated Powers
3 November 2017.
Appeal Lodged
30 January 2018.

2017/0938

Application for proposed single storey side/front extension with basement and double garage at Hampton Manor, Heath House Road, Woking.

Refused by Delegated Powers
11 October 2017
Appeal Lodged
5 February 2018

2017/0520

Application for erection of dwelling house within curtilage of Pine Tree Cottage, Pembroke Road, Woking.

Refused by Delegated Powers
19 July 2017.
Appeal Lodged
8 February 2018.

2017/0247

Application for change of use from amenity land (grass verge) to residential use and erection of 1.8m high fencing at 74 Lambourne Crescent, Sheerwater, Woking.

Refused by Delegated Powers
2 May 2017.
Appeal Lodged
8 February 2018.

TREE APPEALS LODGED

TREE/2017/8401

Appeal against refusal to consent for works to trees covered by a TPO (T1 Oak – Fell) at Robinia, 2 White Pillars, Holly Bank Road, Woking, Surrey, GU22 0LL.

Refused by Delegated Powers
16 January 2018.
Appeal lodged
2 February 2018.

APPEAL DECISIONS

ENF/15/00164

Appeal against an Enforcement Notice against erection of a garden shed in the rear garden and erection of a 1.8m closed boarded fence along side boundary and 1.1m farmhouse fence (post and rail) around the front and part of the side of 36 Falstone, Woking.

Enforcement Notice authorised at
Planning Committee
15 November 2016
Appeal lodged
19 May 2017.
Appeal Allowed (Split Decision)
5 January 2018.
Corrected Appeal Decision
5 February 2018

TREE APPEAL DECISION

TREE/2017/8235

Appeal against refusal to consent for works to trees covered by a TPO (T1 Oak – Fell) at 8 Claydon Road, Woking, Surrey, GU21 4XE.

Refused by Delegated powers
31 August 2017.
Appeal Lodged
26 October 2017
Appeal Dismissed
14 February 2018.

APPEALS WITHDRAWN

2017/0396

Application for proposed two-storey rear extension and creation of two first-floor windows to front side elevation (West) at Sagana Lodge, Guildford Road Mayford, Woking.

Refused by Delegated Powers
16 September 2016.
Appeal lodged
7 December 2016.
Appeal Withdrawn
9 February 2018.

PLANNING COMMITTEE AGENDA **PLANNING APPLICATIONS AS AT 27TH FEBRUARY 2018**

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

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

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

Key to Ward Codes:

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

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

Major Applications Index to Planning Committee

27 February 2018

<u>ITEM</u>	<u>LOCATION</u>	<u>APP. NO.</u>	<u>REC</u>	<u>WARD</u>
0005A	Britannia Wharf, Monument Road, Woking, Surrey	PLAN/2016/1204	LEGAL	HEW
0005B	Land Between Royal Mail Depot And Allotments Site, Kestrel Way, Woking, Surrey	PLAN/2017/0121	PER	GP
0005C	43A Chertsey Road, Woking, Surrey, GU21 5AJ	PLAN/2017/1336	LEGAL	C
0005D	86 Orchard Drive, Horsell, Woking, Surrey, GU21 4BS	PLAN/2017/1410	PER	HO
0005E	183 Boundary Road, Woking, Surrey, GU21 5BU	PLAN/2017/1001	LEGAL	C
0005F	3 Claremont Road, West Byfleet, Surrey, KT14 6DY	PLAN/2017/0761	LEGAL	BWB
0005G	Land At Pumping Station, Bonners Close, Westfield, Woking, Surrey	PLAN/2017/1364	LEGAL	HV
0005H	75 Walton Road, Woking, Surrey, GU21 5DW	PLAN/2017/1009	REF	C
0005I	4 Summerhayes Close, Horsell, Woking, Surrey, GU21 4JD	PLAN/2017/1376	PER	HO
0005J	7 Tanglewood Close, Pyrford, Woking, Surrey, GU22 8LG	PLAN/2017/1291	PER	PY
0005K	1 Elm Close, Horsell, Woking, Surrey, GU21 4TG	ENFORCEMENT		HO

SECTION A - A

SECTION B - B, C, D, E, F, G

SECTION C - H, I, J, K

PER - Grant Planning Permission

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

REF - Refuse

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)

Britannia Wharf, Monument Road, Woking

PLAN/2016/1204

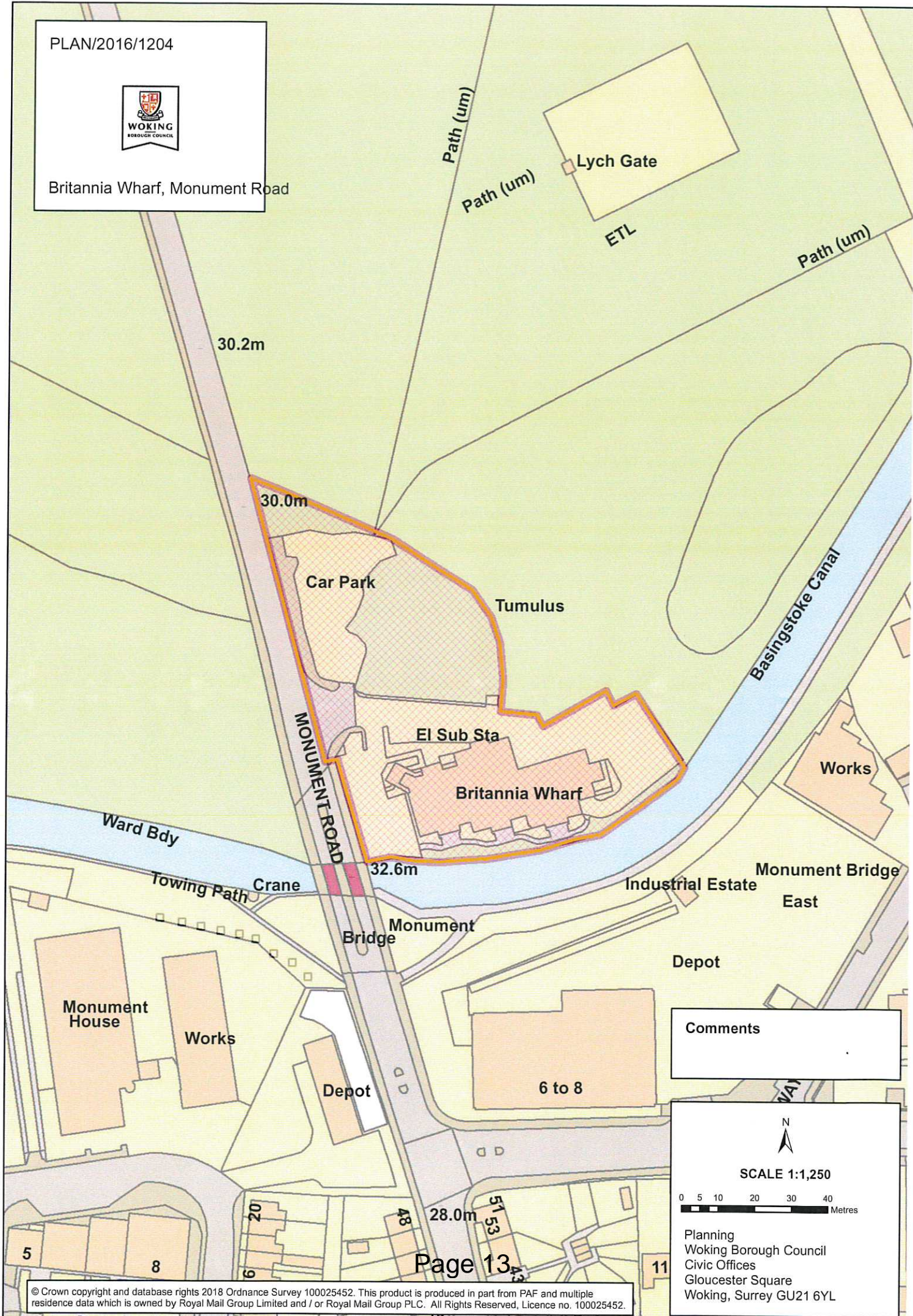
The partial demolition, rebuild and extension of existing B1 office building to create a 4/5 storey building for Class C3 use including 52 (47no. 2 bed and 5no. 1 bed) apartments, associated works. Existing access roads/car parking to be retained.



PLAN/2016/1204



Britannia Wharf, Monument Road



Comments

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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5a **16/1204** Reg'd: 26.10.16 Expires: 31.03.18 Ward: **HEW**

Nei. 21.11.16 BVPI 07 – Major Number of Weeks 68/68 On Y
Con. Target on Cttee' Day: Target?
Exp:

LOCATION: Britannia Wharf, Monument Road, Woking, GU21 5LW

PROPOSAL: The partial demolition, rebuild and extension of existing B1 office building to create a 4/5 storey building for Class C3 use including 52 (47no. 2 bed and 5no. 1 bed) apartments, associated works. Existing access roads/car parking to be retained

TYPE: FULL

APPLICANT: Campmoss Property Ltd

OFFICER: Joanne
Hollingdale

REASON FOR REFERRAL TO COMMITTEE

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

SUMMARY OF PROPOSED DEVELOPMENT

This application seeks full planning permission for the partial demolition, rebuild and extension of existing B1 office building to create a 4/5 storey building for Class C3 use including 52 (47no. 2 bed and 5no. 1 bed) apartments, associated works. Existing access roads/car parking to be retained.

Site area:	0.57 ha
Number of units:	52 (47no. 2-bed and 5no. 1-bed)
Number of proposed parking spaces:	69
Number of proposed cycle parking spaces:	55
Existing density on site:	0 (as the site is in commercial use)
Proposed density on site:	91dph

PLANNING STATUS

- Green Belt
- Basingstoke Canal Conservation Area
- Scheduled Ancient Monument
- Common Land
- Basingstoke Canal SSSI
- Site of Nature Conservation Importance (Woodham Common SNCI)
- High Archaeological Potential
- Flood Zone 1
- Thames Basin Heaths SPA Zone B (400m-5km)

RECOMMENDATION

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

- i) the prior completion of a S106 Legal Agreement to secure the use of the informal car park for public use on the same terms as the existing (which shall cease if the application under PLAN/2017/1185 is granted planning permission), an affordable housing contribution and overage clause and the required S106 financial contribution; and
- ii) planning conditions.

SITE DESCRIPTION

The application site extends to around 0.57 hectares in area and comprises an existing 4 storey purpose built office building constructed in 1989. The existing building is faced with red brick with horizontal boarding under a plain tiled roof.

The southern boundary of the site is formed by the Basingstoke Canal with the eastern and northern boundary of the site being formed by Horsell Common. The north-western part of the application site includes part of Horsell Common and the informal car park which can accommodate around 19 vehicles. This part of the site also includes part of the bell barrow (Tumulus) which is designated as a scheduled ancient monument.

Vehicular access into the site is from Monument Road which leads to the informal car park in the north-western part of the site and to the remainder of the site which has hard surfacing to three sides of the building providing car parking and also a vehicular access to a basement on the southern side of the building which provides further car parking.

The building forms an isolated site with no neighbouring premises/properties immediately adjoining the application site.

PLANNING HISTORY

There is a long planning history for this site mostly relating to the site before the existing office building was constructed. The most recent planning history for the site is as follows:

PLAN/2017/1185 - Change of use of land currently forming in forward car park (land coloured green) to publicly accessible open space, change of use of land (coloured blue) from publicly accessible recreational open space to car park and construction of car park for exclusive use of the owners/occupiers of the property known as Britannia Wharf, change of use of land (coloured green and cross hatched black) from publicly accessible recreational open space to vehicle lay-by and construction of lay-by and removal/expunging of the existing S106 legal agreement dated 29th July 2017 to facilitate the proposed development. Under consideration.

PLAN/2016/0724 - Prior notification for a proposed change of use - conversion of 4/5 storey office building (B1 use) to create 51 residential units (C3 use). Withdrawn

PLAN/2016/0358 - Prior notification for a proposed change of use - conversion of 4/5 storey office building (B1 use) to create 51 residential units (C3 use). Withdrawn

PLAN/2015/1438 - Demolition of existing 4/5 storey office building B1 Use and the construction of a new 3/4 storey care home (82 beds) C2 Use with associated access roads, car parking, landscaped amenity areas and new electricity sub station. Planning Committee resolution on 16.05.17 to grant planning permission subject to S106 legal agreement and conditions.

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PLAN/1991/0474 - Relaxation of Condition 5 (restricting office use to less than 300 square metres) of application 87/1213 for the erection of a three storey B1 office building. Granted 13.06.91

PLAN/1989/1073 - Amendment to application 88/0638 proposing use of redundant plant room to directors dining/board room and use of part of basement as lecture room/projection room and revisions to parking layout. Granted 06.04.90

PLAN/1988/0638 - Approval of Reserved Matters pursuant to application 87/1213 in respect of demolition of existing building, erection of B1 Use Class building and car parking, construction of new vehicle access. Granted 15.09.88

PLAN/1987/1213 - Demolition of existing industrial buildings and erection of a three storey building providing 25,188sq.ft. of Class B1 (Business) floor space (revised proposal). Granted 25.04.88

PROPOSED DEVELOPMENT

This application seeks full planning permission for the partial demolition, rebuild and extension of existing B1 office building to create a 4/5 storey building for Class C3 use including 52 (47no. 2 bed and 5no. 1 bed) apartments, associated works. Existing access roads/car parking to be retained.

The breakdown of the proposed apartments is as follows:

- 5no. 1 bedroom apartments; and
- 47no. 2 bedroom apartments

The proposed building would be 4/5 storey above ground level with a basement. There would be 3 storeys of accommodation above a basement and the fourth storey would be within the roof space over the whole building and the fifth storey would be in a further roof space over part of the building. A pitched roof is proposed with a flat crown and the roof space accommodation would be lit by dormer windows and gable features.

The proposed building would have an almost identical footprint to the existing building and would have a maximum width of 55.8 metres and a maximum depth of 24 metres. The majority of the proposed building would have an eaves height of 7.7 metres on the northern elevation with an eaves height of 9 metres on the canal side elevation (as the building is raised up on this side). The main ridge height of the building would vary from 11.8 metres on the northern side of the building to 13.1 metres on the canal side. The height of the roof of the fifth floor accommodation over part of the building would measure 14.4 metres on the northern side and 15.4 metres on the canal side of the building. The proposed building would be faced in red brick with render and horizontal cladding under a natural slate roof.

The existing vehicular access would be retained to access the site as would the informal car park in the north-western corner of the site. The existing parking area to the western and eastern sides of the building would be retained, although modified slightly to provide some additional landscaping. The access to the basement car park would also be retained. 42no. parking spaces would be provided around the building, 27no. parking spaces would be provided in the basement and a further 19no. parking spaces would be retained in the informal car park in the north-western corner of the site. A cycle store would be provided in the basement for 55no. cycles and a bin store would be provided to the northern part of the site.

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In support of the application a Design Statement, Access Statement, Heritage Statement, Transport Statement, Extended Ecology Survey Report, Travel Plan, SuDS Statement, SuDS Checklist, Planning Policy Statement, Environmental Statement, sun path diagrams and Contamination Assessment Report have been submitted. The CIL Additional Information form has also been submitted with the application. Viability Information has also been submitted with the application.

CONSULTATIONS

County Highway Authority – Having assessed the application in terms of the likely net additional traffic generation, access arrangements and parking provision, satisfied that the application would not have a material impact on the safety and operation of the adjoining public highway.

Historic England (first response) – The development site lies in close proximity to several designated heritage assets, including a group of scheduled Bronze Age barrows, one of which overlaps with the development boundary. The proposed new building is unlikely to cause harm to the designated heritage assets through development within their setting that is greater than any harm caused by the existing building. There is however, the potential for the development proposals to cause harm to the eastern barrow through construction, demolition, ground works, additions and continued parking or vehicle movements on the monument. Service trenches should be diverted outside the boundary of the scheduled area and the proposed refuse storage should also be re-located away from the barrow and the plans should be amended in this regard as these aspects have the potential to cause harm to the adjacent scheduled barrow. A Construction Management Plan would also be needed to control construction activities to ensure no inadvertent damage is caused. A Heritage Management Plan should also be secured by condition to deliver positive heritage benefits to the eastern barrow [*Officer note: the proposed bin store has been relocated outside the outer perimeter of the scheduled area*] (conditions 11 and 27).

Historic England (second response) – the amended plans include a gated entrance which appears to overlie the schedule area. Ground disturbance from a fence and gate posts has the potential to cause harm to designated buried archaeological remains that form part of the scheduled barrow. The applicant will need to demonstrate that digging post holes within the schedule area is essential for the development and will cause a low level of harm. [*Officer note: the proposed gated entrance was subsequently omitted from the proposal*]

Ancient Monuments Society – Defer to Historic England on the acceptability of the proposals.

Natural England – With regard to the TBHSPA, providing the proposals are meeting the requirements of the Council's TBHSPA Avoidance Strategy we do not object to the application. The application site is within close proximity to the Basingstoke Canal SSSI and given the nature and scale of this proposal there is not likely to be an adverse effect on this SSSI site. However a condition relating to a Construction and Environmental Management Plan is recommended (condition 11). Other general comments are given with regard to biodiversity enhancements and protected species.

Environment Agency – No comments received.

Surrey Wildlife Trust – Recommends that conditions be imposed on any permission granted and that emergence surveys are undertaken [*Officer note: The emergence surveys have been undertaken with the conclusion being that the building is highly unlikely to host a bat roost. All trees were also inspected and it is also highly unlikely that trees on the site host a bat roost*] (conditions 11, 19, 20 and 22).

Thames Water – No objection with regard to sewerage infrastructure, a condition relating to piling is required and informatives should be added to any planning permission (condition 28, informatives 4, 5, 6 and 7).

Lead Local Flood Authority – Subject to your Flood Risk Engineer being satisfied we have no further comments to make.

County Archaeologist (first response) - With regard to below ground archaeological remains outside the Scheduled Ancient Monument, largely agree with the conclusion of the submitted archaeological information but a condition should be attached to any planning permission granted (condition 9).

County Archaeologist (second response) – Pleased to note that the proposed refuse area has been moved to an area of the site less likely to impact upon the Scheduled Bronze Age Barrow but I will defer to Historic England regarding whether the new location is acceptable. No change to previously recommended condition.

WBC Drainage and Flood Risk Engineer (first and second response) – The proposal is not compliant on drainage grounds. Additional information will therefore be required and is awaited. Any further comments from the Council’s Drainage and Flood Risk Engineer will be verbally reported. In any event conditions 16, 17 and 18 are recommended.

WBC Scientific Officer – Although contamination reports have been submitted further assessment/investigations will be required. Therefore no objection subject to contamination condition (condition 8).

WBC Housing Strategy and Enabling Officer – The matter is to be referred to the Council’s Independent Viability Consultant.

WBC Planning Policy Officer – The response sets out the planning policies to be considered in the determination of this case. Based on the evidence presented no objections are raised to the re-development of Britannia Wharf. Although the site is an existing employment use it has for some time been under-occupied. The site is also located outside of main centres and it can be demonstrated that the location is unsuitable for modern business needs. Policy CS12 relating to affordable housing should be considered and a 5 metre buffer zone in accordance with Policy CS17 should be achieved. With regard to the Green Belt it is considered that overall the scheme would not have a negative impact on the openness of the Green Belt and that the case for very special circumstances has been made.

WBC Conservation Consultant – I assume that the objections by Historic England can be addressed in full by amendments and it appears they can be addressed without significant change to the proposed building. The scheme, although having 5 stories in part does manage to partially conceal the upper two floors within the roofspace. The building does not have the bulk or mass of a full five storey building. The footprint is also articulated which provides interesting elevations. The development is generally viewed from across the canal and the distance and scale create a back drop before giving way to more open land beyond. Subject to materials and a well detailed quality of development I do not consider the character of the conservation area would be harmed.

WBC Waste Services Officer – Details regarding the number of bins required for the site is given. Following the re-siting of the proposed bin store, bin capacity, layout and storage looks sufficient for this development. The collection vehicle will be able to reverse into the site and make collections.

WBC Arboricultural Officer – The previous application was supported with arboricultural information and information should also be submitted for this application [*Officer note: As this application does not propose to enlarge the footprint of the existing building it is considered reasonable that this information is provided by a condition in this instance*].

WBC Environmental Health Officer – There are no existing residential uses in close proximity and although there is some noise generated from the industrial site across the canal, it is unlikely to have any adverse impact on the proposed use. Due to road traffic noise on Monument Road a planning condition requiring a higher glazing/ventilation specification for habitable rooms facing the road is recommended (condition 25).

REPRESENTATIONS

2 letters of representation has been received. A summary of the main comments made is given below:

- This is an area of outstanding natural beauty and the current low level impact building fits in well, being both attractive and discrete. A 4/5 storey block of flats with its population and heavily increased traffic would be totally unsuitable for this canal side wooded site impacting as it does on the quiet rural area, wildlife and bird communities. It would impact on water birds living and nesting around the canal.
- There are no blocks of flats in the immediate area. The current housing consists of low level detached, semi-detached and terraced dwellings and the proposal is wrong for this area;
- Plan is totally unsuitable for this site;
- Proposal would be to the detriment of the area resulting in increased population and traffic;
- This development does not result in an increase in green space;
- The roof garden element is welcome in an area where congestion occurs and with poor air quality;
- No mention of landscaping and there should be some;
- Homes are needed and a smaller development would not be unreasonable;
- The infrastructure is not ready for additional traffic movements from residential development in comparison to office use;
- Roads are congested in the area and traffic noise and fumes are unpleasant;
- Air quality has worsened over recent years which is detrimental to health;
- It is not clear that there would be sufficient parking spaces and for delivery, utility and refuse vehicles; and
- It is a long walk to the station for commuters and cyclists will find the roads busy.

RELEVANT PLANNING POLICIES

The relevant development plan policies are:

South East Plan 2009

Saved Policy NRM6 – Thames Basin Heaths Special Protection Area

Woking Core Strategy 2012

CS1 – A spatial strategy for Woking

CS6 – Green Belt

CS7 – Biodiversity and nature conservation

CS8 – Thames Basin Heaths Special Protection Areas

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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
CS20 – Heritage and conservation
CS21 – Design
CS22 – Sustainable construction
CS24 – Woking's landscape and townscape
CS25 – Presumption in favour of sustainable development

Development Management Policies DPD 2016

DM2 – Trees and landscaping
DM4 – Development in the Vicinity of Basingstoke Canal
DM5 – Environmental Pollution
DM6 – Air and Water Quality
DM7 – Noise and light pollution
DM8 – Land contamination and hazards
DM13 – Buildings in and adjacent to the Green Belt
DM20 – Heritage Assets and their settings

Other material considerations

SPD

Parking Standards July 2006
Outlook, Amenity, Privacy and Daylight 2008
Thames Basin Heaths Special Protection Area Avoidance Strategy 2010-2015
Climate Change December 2013
Affordable Housing Delivery 2014
Design February 2015
Waste and recycling provisions for new residential developments

National Planning Policy Framework

Planning Practice Guidance

PLANNING ISSUES

1. The main issues to consider in the determination of this application are the acceptability of the proposed use, Green Belt, heritage matters including impact on the scheduled monument and archaeology, the visual impact of the proposed development including the impact on the Basingstoke Canal Conservation Area, the impact on neighbouring occupiers, highway and parking issues, sustainable construction, flood risk and surface water drainage, contamination, ecology, affordable housing, Thames Basin Heaths Special Protection Area and local finance considerations.

Acceptability of proposed use, housing provision and density

2. The existing site comprises previously developed land and the building on the site was previously used as an office under Class B1 (offices), although the building is now vacant. The land around the existing building is predominantly laid to hard surfacing used for car parking. The application proposes to partially demolish the existing building and redevelop the site for residential development comprising 52no. apartments. Although the site is in an employment use, the site is not located in one of the

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safeguarded areas under Policy CS15 of the Core Strategy. Policy CS15 also states that the redevelopment of sites elsewhere in the Borough will be permitted where either (i) the existing use causes harm to amenity or (ii) it can be demonstrated that the location is unsuitable for the needs of modern businesses. The first criterion is not relevant as no harm to amenity results from the Class B1 (office) use.

3. Submitted with the previous care home application PLAN/2015/1438 on this site was a letter (dated March 2016) from a local commercial property agent which stated that they along with other agents *“have since 2012 continuously been involved in the marketing of the [above] office building in an attempt to secure tenants for the unoccupied space within the building, currently standing at circa 30% of the whole”*. It is advised that *“throughout this period we have extensively marketed the property, including advertising with Rightmove and other recognised websites. We have also circulated brochures of the property to all local companies and all the principal London agents who would represent the larger property enquiries from major companies with an office requirement in the area.”* It is further stated that *“we have progressively reduced the asking rent, whereby at present the rental being asked is, in our opinion, unsustainable.”* The letter from the agent submitted with PLAN/2015/1438 advises that they had received very few enquiries regarding the office space and those they did receive expressed various reasons why the property was not suitable for their clients with the principle reasons *“being, (1) the location of the premises out of the town centre and too far to walk with poor local transport links and (2) the building and its services were now out of date and did not reflect the image or requirements of today’s businesses”*. The agent concludes that in their opinion *“with the current plentiful supply of modern, sustainable, economical, well equipped offices located within Woking and other nearby town centres that Britannia Wharf is no longer a location which is sustainable or can be considered appropriate for any substantial B1 use.”* Given this information planning permission PLAN/2015/1238 was granted for the demolition of the office building and the erection of a care home (Class C2) on the site thus accepting the principle of an alternative use on the site. No objection has been raised in principle to the current application by the Planning Policy Manager. Mindful of the above considerations, the redevelopment of this site for an alternative use is considered acceptable and complies with Policy CS15 of the Core Strategy.
4. Policies CS1 and CS10 of the Woking Core Strategy 2012 identify that the Council will make provision for 4,964 net additional dwellings in the Borough between 2010 and 2027. Policy CS1 also states that the impact of development will be fully assessed to ensure it does not adversely impact on sensitive environmental features and other built and natural features including the Green Belt and heritage assets. Policy CS1 advises that the Green Belt and Woking Town Centre are identified as broad locations for future growth to meet housing need between 2022 and 2027 which will be informed by a Green Belt review to ensure the release of Green Belt land for development does not undermine its purpose and integrity. This part of the policy relates to future proposed Green Belt releases and does not preclude the consideration of proposals for residential development in the Green Belt which may meet existing Green Belt policies but which do not have the effect of releasing the land from the Green Belt.
5. Policy CS10 provides indicative densities for housing development within the Borough but as this site is an existing Green Belt site none of the indicative density ranges are applicable to this application. The text of Policy CS10 further states that *“density levels will be influenced by design with the aim to achieve the most efficient use of land.”* In this case the proposed density would be 91dph. The site is separated from the closest residential development by the Basingstoke Canal and also the industrial estate areas located immediately to the south of the Basingstoke Canal. Therefore given the position of the site, the proposed density is not in principle objectionable as there are no other

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immediately adjoining residential areas to this site. However whether the site can suitably accommodate the proposed development and its requirements having regard to the other planning matters is assessed below.

Housing mix and size of units

6. Policy CS11 seeks to secure a mix of dwelling types and sizes across the Borough to meet the identified need which will be informed by the latest Strategic Housing Market Assessment. In this case the proposal would result in 10% 1 bed units and 90% 2 bed units. However it is acknowledged that not every development site will deliver the complete mix and it is also noted that the policy operates and is monitored Borough wide. The proposed mix is therefore considered to be acceptable.
7. In terms of unit size, the proposed 1 bed units would vary between 42-58sqm in floor area with the 2 bed units varying between 61-75sqm, although there is one 2 bed flat which would have a floor area of 47.69sqm. Excluding the smallest proposed 2 bed flat, these sizes are considered to be acceptable for the nature of accommodation proposed and reflect the nationally described space standard for housing (1 bed minimum 39sqm and 2 bed minimum 61sqm). As there would only be one unit which falls below the nationally described space standard for housing with the size of all other units being considered acceptable, the size of this smallest unit is not considered to be objectionable.
8. The proposed development is therefore considered to provide an appropriate mix of units by dwelling size on this site and the size of the proposed 1 and 2 bed units are also considered to be acceptable. The proposal would therefore comply with Policy CS11 of the Core Strategy and the policies in the NPPF.

Green Belt

9. Paragraph 79 of the NPPF confirms that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. Paragraph 89 defines the type of development that is not inappropriate development in the Green Belt. In this case it is acknowledged that the use of the proposed replacement building would not be the same as the use of the existing building and therefore bullet point 4 (i.e. the replacement of an existing building with a new one in the same use) in paragraph 89 is not relevant to the consideration of this proposal. However the 6th bullet point of paragraph 89 states that *“limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development”* is not inappropriate development.
10. In determining whether the 6th bullet point exception applies in this case, the site falls within the NPPF definition of previously developed land which is defined as *“land which is or was occupied by a permanent structure including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure”*. Therefore as the proposal comprises the *“complete redevelopment of a previously developed site whether redundant or in continuing use”* the 6th bullet point of Paragraph 89 of the NPPF is engaged by the proposal. This is also consistent with the approach taken for PLAN/2015/1438.
11. In order for the proposal to comply with the 6th bullet point of paragraph 89, it also has to be demonstrated that the redevelopment *“would not have a greater impact on openness*

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and the purpose of including land within it than the existing development". No further guidance is given in the NPPF, Policy CS6 of the Core Strategy or Policy DM13 of the DM Policies DPD to guide any such assessment.

12. The application site is currently occupied by a four storey substantial building with basement. The proposed replacement building, on a very similar footprint to the existing building would be 4/5 storey. A basement is also proposed. A size comparison between the existing and proposed scheme is given in the table below:

	Existing	Proposed	% change
Footprint	1103sqm	922sqm	-17%
Volume	14,863m ³	12,740m ³	-14%
Floorspace	3894sqm	4697sqm	+21%
Hard surfacing	1780sqm	1560sqm	-12%
Maximum width	58m	55.8m	-4%
Maximum depth	24m	24m	0
Main eaves height	7.5m	7.7m	+3%
Main ridge height	13.4m	13.1m	-2%
Maximum height	15.4m	15.4m	0

13. The above table shows that although there would be some increase in floorspace and a minimal increase in eaves height of the proposed building, there would be a reduction in footprint, volume and width of the proposed building. There would also be no increase in the depth or maximum height of the proposed building in comparison to the existing building. In visual terms it is acknowledged that the proposed building would have three storeys of accommodation below the eaves height although the existing building has two storeys below eaves height (due to the taller floor to ceiling heights for office accommodation). The proposed building would have a similar scale and massing to the existing building and along with the improvements to the appearance of its elevations, would present a more pleasing aesthetic on the site than the bland office building.
14. Overall, it is therefore considered that the proposed development would not have a greater impact on openness than the existing development and it is considered that this part of the 6th bullet point is met. In addition it is also considered that the proposed development would not conflict with the five purposes of the Green Belt, as the proposal would not result in sprawl, neighbouring towns would not merge into one another, the countryside would be safeguarded from encroachment, the historic town purpose is not relevant in this case and the proposal would not have any adverse impact on urban regeneration which is already taking place in Woking.
15. It is therefore considered that the proposed development complies with the 6th bullet point of Paragraph 89 of the NPPF and as such the proposed development is considered to be appropriate development within the Green Belt. The proposed development would therefore comply with Policy CS6 of the Core Strategy, Policy DM13 of the DM Policies DPD and the policies in the NPPF.

Scheduled Monument and archaeology

16. Three Bronze Age funerary mounds are located on Horsell Common, a bell and disc barrow located to the west of Monument Road and a single bell barrow on the east side of Monument Road, the boundary of which extends into the application site. The barrow adjacent to and partly within the application site is designated as a scheduled monument and Historic England advise that these "*are considered to be rare and fragile survivals*

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that contain important archaeological and environmental information. Bell barrows are particularly rare, with very few being located outside of Wessex. The survival of different types of barrow adjacent to each other is also uncommon, and this particular group of barrows are outstanding examples of their kind.”

17. Monuments fall within the NPPF definition of a heritage asset. Paragraph 132 of the NPPF 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. The more important the asset the greater the weight should be.*” A scheduled monument is an asset of national importance. Policy CS20 of the Core Strategy and Policy DM20 of the DM Policies DPD relate to development affecting heritage assets and states that new development should make a positive contribution to the historic environment. The applicant has submitted a Heritage Statement with the application.
18. With regard to the impact of the proposed development on the scheduled monument, the applicant’s Heritage Statement advises that the previous development, originally a packaging works (industrial use) and the current office building has set a precedent for a building adjacent to the canal. It advises that the replacement building will have little additional visual impact on the setting of the barrow as the new building would be positioned in a similar position to the existing building. In terms of archaeological impact, the applicant’s Heritage Statement advises that archaeological potential on the site is good/high owing to its position close to the Bronze Age barrow but, as the site has undergone previous phases of development including the construction of the existing building which would have resulted in a significant amount of below ground impact due to the construction of the basement and the creation of the hard surfacing this has reduced the archaeological potential of the site to low. The proposed development would not result in any new ground disturbance in areas which have not already undergone significant groundworks and as such no further archaeological works is recommended. The County Archaeologist has advised that the applicant’s conclusions are largely agreed but the refuse area should be relocated (this has subsequently been re-located), construction phase impacts should be reduced by utilising protective fencing to the barrow and a protective surface should be utilised to ensure any below ground heritage assets within the car park area are preserved intact (condition 9).
19. With regard to the proposed development, Historic England has advised that the building itself is unlikely to cause harm to the designated heritage assets that is greater than any harm caused by the existing building. In their original comments Historic England advised that there is potential for the development to cause harm to the barrow through construction, demolition and ground works, additions and through continued parking and vehicular movements on the monument. It was further advised that improvements should be made to the scheme to avoid or reduce this harm and that a heritage management maintenance plan should be secured for the eastern barrow located on land within the applicant’s control. A construction management plan can be secured by condition to minimise any harm to the barrow during construction (condition 11). The application proposal has also been amended to relocate the bin stores away from the barrow and to omit the permanent gated entrance which would have been located within the outer perimeter of the barrow.
20. With regard to the informal car park, this is an existing car park and is permitted to be used by both the applicant and also the public accessing Horsell Common for recreation use and this situation would remain if the application site is not re-developed. It is further noted that a current application is under consideration PLAN/2017/1185 which proposes a ‘land swap’ to relocate this car park and restore the existing informal car park back to common land. If this other application is approved then this land would cease to be

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public car park and would revert to common land which would provide an enhanced setting on this side of the barrow. If however this other application is not approved or is not implemented then in order to maintain the current situation this application should also be subject to a S106 Legal Agreement to secure the existing informal car park for its current purposes to maintain the status quo. Although it is further considered that the S106 Legal Agreement should cease to have effect if planning permission is granted under PLAN/2017/1185 and that permission is subsequently completed which would enable a 'land swap' to occur to revert the informal car park back to common land.

21. The proposed development is not therefore considered to have an adverse effect on archaeology and the scheduled monument, subject to the recommended conditions and the proposal is considered to comply with Policy CS20 of the Core Strategy, Policy DM20 of the DM Policies DPD and the policies in the NPPF.

Visual Amenity including Basingstoke Canal Conservation Area

22. The application site is located within the Basingstoke Canal Conservation Area. In this location the conservation area includes the canal, all of the application site and also part of Horsell Common. In relation to conservation areas, Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that "special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area" when Local Planning Authorities are exercising their planning functions. This requirement is also reflected in Policy CS20 of the Core Strategy and Policy DM20 of the DM Policies DPD.
23. As the consideration of the impact of the proposed development on the Basingstoke Canal Conservation Area is a visual assessment it should also be noted that Policy CS21 of the Core Strategy states that new development should respect and make a positive contribution to the street scene and the character of the area within which it is located. Policy CS24 requires all development proposals to provide a positive benefit in terms of landscape and townscape character. Policy DM4 of the DM Policies DPD also states that proposals which conserve and enhance the landscape, heritage, architectural or ecological character, setting or enjoyment of the Basingstoke Canal and would not result in the loss of important views will be permitted. Policy CS17 also seeks to secure an undeveloped buffer zone alongside watercourses, including the Basingstoke Canal to help to protect them.
24. The existing building was granted planning permission in the late 1980s/early 1990s and was constructed shortly thereafter. The existing building replaced a site in industrial use. It should also be noted that the application site is separated from the nearby urban area by the Basingstoke Canal and therefore it has a somewhat separate/isolated position in terms of visual amenity.
25. The proposed development would have a slightly smaller above ground footprint than the existing building. Around the proposed replacement building, including its northern side additional landscaping would occur. Currently there is very limited landscaping to the eastern and northern sides of the building within the application site (outside of Horsell Common). Except at the far western end of the building, the proposed new building would achieve a separation of at least 5 metres to the canal as required by Policy CS17. Although the western end of the building would be closer at 4 metres, there is already hard surfacing and low level planting in this area. In addition this area would provide the terrace at basement level and boundary wall rather than the actual building.

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26. A parking area would be retained to the western and eastern sides of the building. The proposed cycle parking would be accommodated within the basement. Condition 4 will require a landscaping scheme for the site to be approved enhancing the overall appearance of the site, although it should be noted that no trees will be permitted to be planted on the site within the outer perimeter of the scheduled monument. Overall the layout of the proposed development on the site would be very similar to the existing layout.
27. Some of the architectural characteristics of the existing building would be reflected in the proposed new building such as, pitched roofs, gable projections and accommodation with the roof space. The architectural appearance of the proposed building would be more interesting in comparison to the rather bland office building and would also be more obviously 'domestic' in appearance, with the proposed number of window openings, dormer windows and balconies. The 5th storey would be recessed at roof level and would only extend over part of the roof of the proposed building. As the site is separated from the urban area by the canal and there is no built structure in the immediate vicinity of the application site, there is no constraint in terms of an architectural style/theme for the proposed building. Given the proposed use of the building for residential use the scale and appearance of the proposed building is considered to be acceptable for this canal-side setting. The building would be faced with brick and render under a natural slate roofing. All of the materials will be subject to approval (condition 3).
28. The Council's Conservation Consultant has advised that *"this scheme, although having 5 stories in part, does manage to partially conceal the upper two within the roofspace, which again uses steeply pitched gables. The building does not have the bulk or mass of a fully five storey building. The footprint is also articulated, which provides interesting elevations not found on rectangular plans. All this tends to conceal the density of the development. The development is generally viewed from across the canal and the distance and scale create a back drop before giving way to more open land beyond. Subject to materials and a well detailed quality development I do not consider the character of the conservation area would be harmed."* No comments have been received from the Basingstoke Canal Authority or the Environment Agency.
29. In visual amenity terms it is therefore considered that the proposal would be of an acceptable layout, scale, massing, height, design and appearance for this site and would preserve the character and appearance of the Basingstoke Canal Conservation Area and the wider local area subject to conditions (3, 4, 5 and 6). The proposed development would therefore result in a positive contribution to the character and appearance of the site and surrounding local area and would comply with Policies CS17, CS20, CS21 and CS24 of the Woking Core Strategy, Policies DM4 and DM20 of the DM Policies DPD and the policies in the NPPF.

Impact on trees/vegetation

30. Policy DM2 of the DM Policies DPD reflects Policy CS21 and requires trees and vegetation to be considered holistically as part of any proposal, requires tree removal to be justified to the satisfaction of the Council and requires appropriate replacement planting to enhance the quality of any development.
31. There are only a few trees around the building, within the site. To facilitate the proposed development it is likely that the 3no. existing trees to the north of the building would be removed but these can be replaced as part of the landscaping scheme. It was noted under PLAN/2015/1438 that two further trees to the canal side of the building would also be removed as one tree is dead and the other diseased (arboricultural information

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submitted with PLAN/2015/1438). These trees could also be replaced as part of the landscaping scheme. There are also a number of other trees to the east of the site (outside the application site) and to the northern side (within and outside the application site) which would require protection during development. As no tree information has been submitted with the application condition 7 will require the submission of Arboricultural Information including a tree protection plan and an Arboricultural Method Statement for any works within root protection areas and details of drainage and service runs (condition 7). A landscaping scheme is also secured by condition 4 which would improve the overall quality and appearance of the proposed development.

32. Subject to the above conditions, it is considered that the impact of the development on trees/vegetation is acceptable and the additional landscaping would enhance the overall appearance of the site. The proposal is therefore considered to comply with Policy CS21 of the Core Strategy, Policy DM2 of the DM Policies DPD and the policies in the NPPF.

Impact on residential amenity

33. In order to comply with Policy CS21 of the Core Strategy, new developments must achieve a satisfactory relationship to adjoining properties avoiding significant harmful impacts in terms of loss of privacy, daylight or sunlight, or an overbearing effect due to bulk, proximity or outlook.
34. There are no existing residential occupiers immediately adjoining the site or nearby to be affected by the proposal. The premises to the southern side of the canal opposite the application site are in commercial/industrial use.
35. With regard to the amenities of the future occupiers of the site, Monument Bridge Industrial Estate lies to the south of the application site. Given the separation distance between the industrial estate and the proposed building it is not considered that the industrial uses would be detrimental to the future occupiers of the development. The Council's Environmental Health Officer has been consulted and has not raised any concerns in this regard. Nonetheless it is noted that Monument Road is busy and that traffic queues over Monument Bridge. It is therefore considered appropriate for the building to be suitably glazed and ventilated to ensure that future occupiers have an acceptable noise environment within the building (condition 30). It is also considered reasonable to include a condition relating to any plant which may be required for the building (condition 25).
36. In terms of the proposed occupiers, it is acknowledged that the 4no. basement apartments would have a more limited outlook than the above ground apartments, nonetheless this is not unusual for basement apartments and each basement apartment would have a terrace area. In terms of daylight sections through each window of the basement apartments have been provided and whilst a glass balustrade would be required to protect the lower terraced area, the 25 degree vertical splayline would otherwise not be obstructed from these windows. Due to the shape of the building which has some recessed elements, there would be some bedroom windows positioned in the recessed areas, which would conflict with the 45 degree splayline drawn on one side from these windows. Nonetheless all apartments would have a living room/kitchen with an opening which is not obstructed and the floor plan of the building also serves to provide privacy to the relevant bedroom windows and also the balconies to the apartments. Mindful of these considerations it is considered that the outlook and daylight/sunlight to the proposed building would provide an acceptable level of amenity for the future occupiers.

37. In terms of privacy, the proposed apartments have been laid out to utilise the irregular footprint of the proposed building to maximise the privacy to windows and proposed balconies. There are two apartments on four of the floors, where some oblique views may be possible between windows of different apartments but as these views would only enable limited views into the rooms they serve and this only relates to a small number of apartments of the scheme as a whole, it is considered that this arrangement is acceptable in this case. One of the balconies on each floor could offer direct views into a different apartment but this could be easily mitigated by the provision of a balcony screen to the relevant balconies and it will also be necessary for terrace partitions for the terraced area to the basement flats (condition 31). Overall it is considered that the proposed development would result in an acceptable level of privacy for the future occupiers of the proposed apartments.
38. In terms of amenity, the basement apartments would all have a terraced area, albeit one basement apartment would have limited space for sitting out. All apartments on the ground, first, second and third floor would each have a small balcony and three of the four roof level flats (fourth floor) would have small terraced area. It is also noted that the proposed roof plan shows a roof garden which would be accessible to all residents via the internal communal staircase and the provision of this would be subject to condition 4. There would also be a small area to the canal side of the building which could be utilised for amenity, but the site also lies immediately adjacent to Horsell Common which is a large public open space for recreation purposes. It is therefore considered that the proposed development would have an acceptable level of amenity for future occupiers.
39. The proposed development is therefore considered to comply with Policy CS21 of the Woking Core Strategy and the policies in the NPPF relating to amenity and the proposed development would not result in any adverse impacts to existing neighbouring occupiers or the future occupiers of the development.

Highways and parking issues

40. The existing vehicular access to the site from Monument Road would be retained. Vehicular access would be to a parking area providing 42 surface level car parking spaces and a further 27 parking spaces within the basement. The informal car parking area in the northern part of the site would also be available and this would provide a further 19 car parking spaces. In the event that application PLAN/2017/1185 is approved, an alternative 19 car parking spaces would be available for the proposed development following the 'land-swap'. A Transport Statement and Travel Plan have been submitted in support of the application. The NPPF advises that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.
41. The existing building is in a Class B1(a) office use which has a floor area of approximately 4,000sqm and a car parking provision of 110 spaces. The Transport Statement considers the traffic generation as a result of the development, the accessibility of the site and also the proposed parking provision. The Transport Statement demonstrates that there would be a significant reduction in traffic movements at the site comprising a daily reduction of 159 traffic movements, including an AM peak hour reduction of 37 movements and a PM peak hour reduction of 36 movements, in comparison to the existing use of the site. This reduction in traffic movements would result in a highways benefit and would have a positive impact on the operation of the local highway network. The County Highway Authority has also not raised any objection to the application on highway safety grounds.

42. The Transport Statement also advises that the site is located within walking distance (within 1.5km) of Woking Railway Station and consequently the Town Centre which provides access to a wide range of facilities. The nearest bus stops to the site are approximately 300m to the north on Monument Road and the Transport Statement shows that the site is accessible by several bus routes providing access to a variety of nearby destinations. The site is also within walking distance of the urban area and a number of nearby residential areas. The application site also lies immediately adjacent to the Basingstoke Canal and the Saturn (cycle) Trail, which is an off-road cycle route, is accessible on the opposite side of the canal. This cycle route provides a link to Woking Town Centre and West Byfleet. Other on-road cycle routes are also available within the locality. A Travel Plan has been provided with the application which details a number of measures which will be promoted to reduce the reliance on the private car and sets out targets and monitoring details (condition 12).
43. In terms of parking, the site is located outside the High Accessibility Zone as set out in the Council's SPD on Parking Standards. The maximum parking standard outside the High Accessibility Zone as set out in the Parking Standards SPD for the proposed development is 76 car parking spaces. The proposed parking provision, excluding the informal car park, would be 69 spaces which would represent a shortfall of 7 spaces below the maximum parking standard. As the provision would be less than the maximum parking standard it is considered acceptable given the accessibility of the site by bus, cycling and walking. It is also noted that the informal car park to the northern part of the site (which is also available to the public in connection with the recreational use of Horsell Common) would also be available for use by the residents of the development (or the alternative car park if planning permission is granted under PLAN/2017/1185). It is noted that by including all of the spaces in the informal car park to the north, the parking standards would be exceeded but, as these spaces can also be used by the public utilising Horsell Common and thus it is likely that the peak demand for spaces in the informal car park would be at the same time i.e. weekends, it is considered that this provision would also be acceptable and would not be unsustainable.
44. There is no requirement within the SPD on Parking Standards for the provision of accessible parking spaces for residential development schemes but it is noted that an accessible parking space could be accommodated within the site if required. With regard to cycle parking the SPD requires 1 space per unit for flats and as the scheme proposes secure and covered space for 55 cycles within the basement this exceeds the requirement (condition 13). The applicant's submitted Transport Statement advises that 20% of the available spaces would be fitted with a trickle charging point for electric vehicles and in this regard condition 14 is recommended to secure this provision with at least 5% of the spaces being provided as active charging points and a further 15% as passive charging points.
45. With regard to servicing, the refuse/recycling stores would be located adjacent to the car parking area to the eastern side of the site (condition 15). The Council's Waste Services Officer has advised that the proposed refuse/recycling arrangements are acceptable.
46. The County Highway Authority does not raise any objection to the application and the proposed development is therefore considered to comply with Policy CS18 of the Woking Core Strategy and the policies in the NPPF.

Sustainable Construction

47. Policy CS22 of the Core Strategy requires new residential development on previously developed land to meet Level 4 of the Code of Sustainable Homes. Following a Ministerial Written Statement to Parliament on 25 March 2015, the Code for Sustainable

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Homes has now been withdrawn. For the specific issue of energy performance, Local Planning Authorities will continue to be able to apply policies in their Local Plans that require compliance with energy performance standards that exceed the energy requirements of Building Regulations until commencement of amendments to the Planning and Energy Act 2008 in the Deregulation Bill 2015. The Government has stated that the energy performance requirements in Building Regulations will be set at a level equivalent to the outgoing Code for Sustainable Homes Level 4. Until the amendment is commenced, the Council has altered its approach and alternative conditions will be applied to all new residential permissions which seeks the equivalent water and energy improvements of the former Code Level 4 (Conditions 23 and 24). On this basis the proposed development is therefore considered to comply with Policy CS22 of the Woking Core Strategy, the Council's Climate Change SPD and the NPPF.

Flood Risk, Surface Water Drainage and Water Utilities

48. The site is located within Flood Zone 1 (low risk) and no issues relating to flood risk are raised. As the proposal is for major development, surface water drainage is a material planning consideration. In respect of surface water drainage, the applicant has provided a Surface Water Drainage/SuDS strategy with the application and in response to the Council's Drainage and Flood Risk Engineer's comments on the application, further revised information is awaited from the applicant and this will be subject to further consultation with the Council's Drainage and Flood Risk Engineer. Any comments received will be verbally reported. In any event conditions 15, 16 and 17 are recommended to be imposed on any permission granted. The proposal is therefore considered to accord with Policies CS9 and CS16 of the Core Strategy, Policy DM4 of the DM Policies DPD and the policies in the NPPF.
49. Thames Water has been consulted on the application and has advised that as the proposed development works would be in close proximity to underground sewerage utility infrastructure it is requested that a condition be imposed on any permission granted relating to any use of piling to construct the development (condition 28).

Contamination

50. Paragraphs 120 and 121 of the NPPF relate to contamination and advise that the effects of pollution should be taken into account and that the responsibility for securing a safe development rests with the developer and/or landowner. Policy DM5 of the DM Policies DPD relates to environmental pollution and Policy DM8 relates to land contamination and seeks to remediate or minimise the risks from contamination.
51. The Council's Scientific Officer has been consulted on the application and has advised that the history of the site would have included industrial processes and there is no information on any previous remediation. The Council's Scientific Officer has advised that the full contamination condition should be imposed on any permission granted (condition 8). Subject to condition the proposed development, in relation to contamination, is considered acceptable and would comply with Policies DM5 and DM8 of the DM Policies DPD and the guidance in paragraphs 120 and 121 of the NPPF relating to contamination.

Ecology

52. The NPPF states that the planning system should contribute to and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible. Circular 06/05 – Biodiversity Geological Conservation also requires the impact of a development on protected species to be established before

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planning permission is granted. This approach is reflected in Policy CS7 of the Core Strategy.

53. The site is adjoined to the south by the Basingstoke Canal SSSI which has the potential to be impacted by the development during construction activities from pollution/run off etc. Natural England has raised no objection to the application subject to a condition requiring a detailed Construction and Environmental Management Plan to be approved to ensure that the proposal would not impact on the features of special interest for which the Basingstoke Canal SSSI is notified. This condition will detail how construction activities will be undertaken to avoid any detrimental impact on the SSSI e.g. from dust, spillages, polluted run off, including relevant controls and that no materials machinery or work should encroach onto the SSSI during construction (condition 11).
54. The applicant has submitted an Extended Phase 1 Habitat Survey and a Bat Survey. To the north of the site is the Woodham Common SNCI which also covers part of the northern informal car park. The bat surveys concluded that the existing building and trees on the site are very unlikely to host roosting bats. No badger setts were found within or adjacent to the application site, although there are signs of badger activity to the north of the site. As badgers can open up holes for new setts overnight the ecology report recommends that a pre-commencement badger survey be conducted within one month of the commencement of works (condition 20). It is not considered likely that the proposal would have any adverse impact upon other protected species, such as reptiles, great crested newts or dormice as the habitats to be affected by the development are sub-optimal for use by these species. The habitats around the building are of limited ecological value being common, widespread and easily replaceable. Any vegetation removal and demolition should be undertaken outside the bird nesting season unless the vegetation/building has been surveyed for nesting birds (condition 19) and conditions are recommended in relation to external lighting, construction works, eradication of Japanese knotweed and the provision of a wildlife friendly landscaping scheme (conditions 26, 11, 21 and 4). These measures will ensure that the proposals do not have any adverse impact on ecology and the Basingstoke Canal SSSI. A condition requiring biodiversity enhancements has also been included in the recommendation (condition 22).
55. The Surrey Wildlife Trust has advised that no construction or activities should be undertaken within the Woodham Common SNCI boundary during construction. However the SNCI boundary includes the most northern part of the informal car park which also falls within the application site. Under the previous application for this site, PLAN/2015/1438, the applicant advised that the only works to the informal car park would be infilling existing pot holes and overlaying with a course of wood bark (condition 29). However if the application for PLAN/2017/1185 is approved then the informal northern car park would eventually be put back to common land. For construction, given the need to minimise the impact of construction activities on the Basingstoke Canal SSSI, the scheduled monument, the Woodham Common SNCI and also highway safety, it is likely that a pragmatic approach will need to be taken with regard to construction activities and thus condition 11 is recommended in this regard which will be subject to consultation with all relevant consultees. The Surrey Wildlife Trust also advises that the mitigation and enhancement actions as detailed in sections 4 and 5 of the submitted Ecological Report should be secured by condition (conditions 19, 20, 21 and 22).
56. Subject to the recommended conditions the proposal is considered to be acceptable in terms of ecological impact and would comply with Policy CS7 of the Core Strategy and the policies in the NPPF relating to ecology and biodiversity and the guidance in Circular 06/05.

Affordable Housing

57. Policy CS12 of the Core Strategy states that all new residential development on previously developed land will be expected to contribute to the provision of affordable housing. On sites providing 15 or more dwellings, the Council will require 40% of dwellings to be affordable. The policy also states that the proportion of affordable housing to be provided by a particular site will take into account a number of factors, including the costs relating to the development, in particular the financial viability of developing the site (using an approved viability model).
58. The applicant has submitted a financial viability assessment and this has been assessed by the Council's Viability Consultant. As a result of the initial viability assessment a further review of the applicant's proposed costs has been undertaken by an Independent Cost Consultant. As a result of the further assessment the Council's Viability Consultant has advised that the scheme is able to provide 3 on-site social rented units, with an additional off-site contribution of £33,110 whilst still providing the developer with a full profit level thus maintaining viability. It is further advised that in the event that a Registered Provider cannot be found to take on such a small number of units then an off-site financial contribution of £242,528 can be provided whilst maintaining viability. It is also recommended that a review clause is included within the S106 Legal Agreement in the event that the proposed development creates a higher level of revenue than has been currently adopted.
59. The Council's Housing Strategy and Enabling Officer has advised that a Registered Provider is unlikely to want such a small number of units due to management /maintenance arrangements and in this case the off-site affordable housing financial contribution would be acceptable with the review clause. The applicant has agreed to enter into a S106 Legal Agreement to secure this financial contribution towards the provision of off-site affordable housing with an overage clause (along with the SAMM contribution – see paragraph 61 below). The proposed development is therefore considered to comply with Policy CS12 of the Core Strategy.

Thames Basin Heaths Special Protection Area

60. The Thames Basin Heaths Special Protection Area are internationally important and designated for their interest as habitats for ground nesting birds. Policy CS8 of the Woking Core Strategy requires all new residential development within the 400m-5km zone to make a financial contribution towards the provision of Suitable Alternative Natural Greenspace (SANG) and the Strategic Access Management and Monitoring (SAMM) to avoid adverse effects. The SANG contribution is now encompassed within the Community Infrastructure Levy (CIL) but the SAMM element of the contribution is required to be secured outside of CIL.
61. The applicant has agreed to make a SAMM contribution of £33,455.00 in line with the Thames Basin Heaths Special Protection Area Avoidance Strategy as a result of the provision of 5no. 1 bed apartments and 47no. 2 bed apartments which would result from the proposal. This financial contribution would be secured by a S106 Legal Agreement.
62. In view of the above, the Local Planning Authority is able to determine that the development would have no significant effect upon the TBHSPA and therefore accords with Policy NRM6 of the South East Plan, Policy CS8 of the Core Strategy 2012 and the Thames Basin Heaths Special Protection Area Avoidance Strategy.

Local Finance Considerations

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63. The Council implemented the Community Infrastructure Levy (CIL) on 1st April 2015. The proposal would be liable for Community Infrastructure Levy (CIL) to the sum of approximately £120,600.00 (including the 2017 Indexation) for an uplift of 871sqm.

CONCLUSION

Overall the proposal is considered to comprise appropriate development within the Green Belt, would safeguard the scheduled monument and archaeology, would preserve the character and appearance of the Basingstoke Canal Conservation Area and would not result in any adverse consequences to the visual amenity of the wider area, the amenities of neighbouring and future occupiers, highway safety and parking, sustainable construction, flood risk and drainage, contamination, ecology and the Thames Basin Heaths Special Protection Area. In addition the proposed development would contribute to the provision of additional residential accommodation in the Borough. Having regard to the relevant policies of the Development Plan, other relevant material planning considerations and national planning policy and guidance, the proposal is considered to be an acceptable form of development that complies with Policies CS1, CS6, CS7, CS8, CS9, CS12, CS13, CS16, CS17, CS18, CS20, CS21, CS22, CS24, and CS25 of the Woking Core Strategy 2012, Policies DM2, DM4, DM5, DM7, DM8, DM13 and DM20 of the DM Policies DPD 2016, the guidance in the relevant SPDs and the policies within the NPPF. It is therefore recommended that planning permission be granted subject to the prior completion of a S106 Legal Agreement and the recommended conditions as set out below.

	Obligation	Reason for Agreeing Obligation
1.	To secure the use of the informal car park for public use on the same terms as the existing. In the event that planning permission is granted under PLAN/2017/1185 and the development is completed the obligation shall be extinguished	To accord with Policy CS17 of the Woking Core Strategy 2012.
2.	Affordable Housing financial contribution of £242,528.00	To accord with Policy CS12 of the Woking Core Strategy 2012.
3.	Affordable Housing overage clause	To accord with Policy CS12 of the Woking Core Strategy 2012.
4.	SAMM (SPA) contribution of £33,455.00 (to be increased in line with indexation if the S106 Legal Agreement is not signed before 1 st April 2018)	To accord with the Habitat Regulations, policy CS8 of the Woking Core Strategy 2012 and The Thames Basin Heaths SPA Avoidance Strategy 2010-2015.

BACKGROUND PAPERS

Planning application file PLAN/2016/1204

RECOMMENDATION

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

- i) the prior completion of a S106 Legal Agreement to secure the use of the informal car park for public use on the same terms as the existing (which shall cease if the application under PLAN/2017/1185 is granted planning permission),

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an affordable housing contribution and overage clause and the required SAMM financial contribution; and

ii) the following planning conditions:

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

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

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

Site Location Plan (2016/BRW_R/200 Rev A) rec 21.09.16
Existing Basement Floor plan (2016/BRW_R/1) rec 21.09.16
Existing Ground Floor plan (2016/BRW_R/2) rec 21.09.16
Existing First Floor plan (2016/BRW_R/3) rec 21.09.16
Existing Second Floor plan (2016/BRW_R/4) rec 21.09.16
Existing Third Floor plan (2016/BRW_R/5) rec 21.09.16
Existing Roof plan (2016/BRW_R/6) rec 21.09.16
Existing North West Elevation (2016/BRW_R/10) rec 21.09.16
Existing North East Elevation (2016/BRW_R/7) rec 21.09.16
Existing South East Elevation (2016/BRW_R/8) rec 21.09.16
Existing South West Elevation (2016/BRW_R/9) rec 21.09.16

Proposed Site plan (2017/BRW_R/201 Rev E) rec 29.09.17
Proposed Site – daylight study (2017/BRW_R/271) rec 07.06.17
Proposed Basement Floor plan – daylight study (2017/BRW_R/270) rec 07.06.17
Proposed Ground Floor plan (2016/BRW_R/203 Rev A) rec 21.09.16
Proposed First Floor plan (2016/BRW_R/204 Rev A) rec 21.09.16
Proposed Second Floor plan (2016/BRW_R/205 Rev A) rec 21.09.16
Proposed Third Floor plan (2016/BRW_R/206 Rev A) rec 21.09.16
Proposed Roof plan (2016/BRW_R/207 Rev A) rec 21.09.16

Proposed South East Elevation (2017/BRW_R/211 Rev C) rec 07.06.17
Proposed North West Elevation (2017/BRW_R/213 Rev C) rec 07.06.17
Proposed South West Elevation (2017/BRW_R/212 Rev C) rec 07.06.17
Proposed North East Elevation (2017/BRW_R/210 Rev C) rec 07.06.17
Sections 1-6 – daylight study (2017/BRW_R/272) rec 07.06.17
Sections 7-11 – daylight study (2017/BRW_R/273) rec 07.06.17

Illustration of proposed South West and North West Elevations (2016/BRW_R/222) rec 03.10.16

Illustration of proposed South East and South West Elevations (2016/BRW_R/221)

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

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

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thereafter retained in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority

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

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

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

5. Notwithstanding the provisions of Article 3 and Schedule 2, Part 2 and Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any orders amending or re-enacting that Order with or without modification) no fences, gates or walls or other means of enclosures shall be erected anywhere on the application site, including anywhere between the building hereby approved and the Basingstoke Canal without planning permission being first obtained from the Local Planning Authority.

Reason: To ensure that the proposed development does not adversely affect the character and appearance of the site and its position adjacent to the Basingstoke Canal and Horsell Common and the Scheduled Monument in accordance with Policies CS6, CS17, CS20 and CS21 of the Woking Core Strategy 2012 and the policies in the NPPF.

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

Reason: In the interests of visual amenity and in accordance with Policies CS20 and CS21 of the Woking Core Strategy 2012 and policies in the NPPF.

7. No development related works shall be undertaken on site (including clearance and demolition) until tree protection details, to include the protection of trees hedges and shrubs, have been submitted to and approved in writing by the Local Planning Authority. These details shall adhere to the principles embodied in BS 5837 2012 and shall include a Tree Survey, Arboricultural Impact Assessment and Arboricultural Method Statement. The details shall make provision for the convening of a pre-commencement meeting and Arboricultural supervision by a suitably qualified and experienced Arboricultural Consultant for works within the RPAs of retained trees. Full details shall be provided to indicate exactly how and when the retained trees will be protected during the site works and details of the drainage and service runs. The development shall be carried out strictly in accordance with the agreed details.

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Reason: To ensure measures are taken to safeguard trees in the interest of local amenity and the enhancement of the development itself to comply with Policy CS21 of the Woking Core Strategy 2012, Policy DM2 of the DM Policies DPD and policies in the NPPF.

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

The above scheme shall include :-

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

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

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

9. No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a Written Scheme of Investigation which has been submitted to and approved in writing by the Local Planning Authority. The programme of archaeological work shall be implemented fully in accordance with the approved scheme.

Reason: To ensure that the required archaeological work is undertaken and in accordance with Policy CS20 of the Woking Core Strategy 2012 and the policies in the NPPF.

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

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

11. No development shall commence until a Construction and Environmental Management Plan [which shall be subject to consultation with Natural England,

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Historic England and the County Highway Authority], to include details of (but not limited to):

- (a) measures to mitigate the impact of demolition and construction activities on ecology on and adjacent to the site including the Basingstoke Canal SSSI e.g. from dust, spillages and polluted run-off;
- (b) measures to prevent pollution, sediment and particulates from being washed from the site and entering the Basingstoke Canal;
- (c) specifying that no materials, machinery or work would encroach onto the Basingstoke Canal SSSI either before, during or after demolition and construction;
- (d) any temporary site fencing/hoarding and security measures;
- (e) the prohibition of burning of materials and refuse on site;
- (f) management of materials and waste;
- (g) all site construction buildings, containers etc and their positions on the site;
- (h) identification of areas/containers for the storage of fuels, oils and chemicals;
- (i) parking for vehicles of site personnel, operatives and visitors;
- (j) loading and unloading of plant and materials;
- (k) storage of plant and materials;
- (l) programme of works (including measures for traffic management);
- (m) provision of boundary hoarding behind any visibility zones;
- (n) measures to prevent the deposit of materials on the highway;
- (o) on-site turning for construction vehicles;

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

Reason: To ensure the proposed development does not prejudice the adjacent SSSI, ecology, the scheduled monument, 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 policies in the NPPF.

12. Prior to the first occupation of the development hereby approved a Travel Plan shall be submitted for the written approval of the Local Planning Authority in accordance with Surrey County Council's Travel Plans Good Practice Guide and in general accordance with the Travel Plan Framework document dated October 2016 and submitted with the application. The approved Travel Plan shall be implemented on the first occupation of the building and shall thereafter be maintained and developed in accordance with the details contained therein.

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

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

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

14. The development hereby approved shall not be first occupied unless and until the infrastructure for the provision of 4no. active and 10no. passive electric charging

parking space have been provided in the car park in accordance with details specifying the location and details of the proposed active and passive parking spaces and the 4no. active parking spaces have been made available for use by the future occupiers of the development. The development shall thereafter be retained in accordance with the approved details.

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

15. Prior to the commencement of development full design details of the proposed bin stores shall be submitted to and approved in writing by the Local Planning Authority. The development hereby approved shall not be first occupied unless and until the bin stores have been provided on the site in accordance with the approved details and are available for use. Thereafter the bin stores shall be retained and maintained in accordance with the approved details.

Reason: In the interests of amenity and to ensure the provision of satisfactory facilities for the storage and recycling of refuse in accordance with Policies CS20 and CS21 of the Woking Core Strategy 2012 and policies in the NPPF.

16. Prior to the commencement of development, construction drawings of the agreed surface water drainage network as per the Surface Water Drainage/SUDS Strategy (dated March 2016), including the associated sustainable drainage components, and a construction method statement shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall then be constructed in accordance with the approved details (drawings and calculations). No alteration to the agreed drainage scheme shall occur without the prior written approval from the Local Planning Authority.

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

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

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

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

18. Prior to the first occupation of the development hereby approved, a verification report, appended with substantiating evidence demonstrating the approved construction details and specifications have been implemented shall be submitted to and approved in writing by the Local Planning Authority. This report will include photographs of excavations and soil profiles/horizons, any installation of any surface water structure and Control mechanism.

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

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

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

20. Within a calendar month immediately prior to the commencement of development a badger survey shall be conducted on the whole site with the findings of the survey (including any recommendations for mitigation including during construction) being submitted to and approved in writing by the Local Planning Authority. The development shall then be implemented in accordance with the approved details.

Reason: To ensure that badgers and/or badger habitat are protected and to comply with Policy CS7 of the Woking Core Strategy 2012, Circular 06/05 Biodiversity and Geological Conservation and the policies in the NPPF.

21. No development shall commence until a detailed method statement for the removal/eradication of Japanese knotweed from the site (including timescales for the works) has been submitted to and approved in writing by the Local Planning Authority. The method statement shall include proposed measures to prevent the spread of Japanese knotweed during any operations such as mowing, strimming or soil movement. Thereafter, the development shall be implemented in accordance with the approved details.

Reason: In order to enhance the biodiversity on the site and to comply with Policy CS7 of the Woking Core Strategy 2012, Circular 06/05 Biodiversity and Geological Conservation and the policies in the NPPF.

22. No development shall commence until full details of the measures for the enhancement of biodiversity on the site, including a timetable for their provision on the site and details of their long term management and maintenance have been submitted to and approved in writing by the Local Planning Authority. The biodiversity enhancements shall be carried out and shall thereafter be retained on the site in accordance with the approved details.

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Reason: In order to enhance the biodiversity on the site and to comply with Policy CS7 of the Woking Core Strategy 2012, Circular 06/05 Biodiversity and Geological Conservation and the policies in the NPPF.

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

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

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

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

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

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

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

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

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

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

27. Prior to the commencement of development on the site, a heritage management and maintenance plan for the scheduled barrow (for those parts which are within the application site) shall be submitted to and approved in writing by the Local Planning Authority. The barrow shall thereafter be managed and maintained in accordance with the approved details unless otherwise first approved in writing by the Local Planning Authority.

Reason: To improve the presentation and management of the scheduled barrow and to comply with Policy CS20 of the Woking Core Strategy 2012 and the policies in the NPPF.

28. No piling shall take place on the site until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the Local Planning Authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to impact on local underground sewerage utility infrastructure and to comply with Policy CS16 of the Woking Core Strategy 2012 and the policies in the NPPF.

29. If any works are proposed to the northern informal car park then prior to the commencement of any works to repair or re-surface the existing northern informal car park, full details of the proposed works and samples of any re-surfacing treatment shall be submitted to and approved in writing by the Local Planning Authority. The proposed development shall only be implemented in accordance with the approved details.

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

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30. The development hereby permitted shall not commence until a fully detailed scheme for protecting the proposed development from road traffic noise has been submitted to and approved in writing by the Local Planning Authority. The scheme shall comprise suitable acoustic double glazing with ventilation and any other measures to protect the building from noise. The approved scheme shall be carried out concurrently with the development of the site and shall then be implemented in full as agreed in writing by the Local Planning Authority before each dwelling is occupied and shall be retained thereafter.

Reason: To protect the occupants of the new development from noise disturbance in accordance with Policy CS21 of the Woking Core Strategy 2012 and to comply with policies in the NPPF.

31. Prior to the commencement of development on the site full design details of the terrace partitions (position, height and appearance) between the terraced areas for the proposed basement apartments and full design details of balcony screens (position, height and appearance) for the balconies to apartments 14, 25, 36 and 47 as shown on the approved plans shall be submitted to and approved in writing by the Local Planning Authority. The terrace partitions and balcony screens shall be installed in accordance with the approved details prior to the first occupation of the apartments to which this condition relates and shall thereafter be retained and maintained in accordance with the approved details.

Reason: To protect the occupants of the new development from noise disturbance in accordance with Policy CS21 of the Woking Core Strategy 2012 and to comply with policies in the NPPF.

Informatives

1. This application is subject to a Section 106 legal agreement.
2. The applicant is reminded that flats/apartments do not benefit from 'permitted development rights'.
3. In connection with condition 9 (Archaeology) the applicant's attention is drawn to the consultation response from the County Archaeologist which advises that the details to be submitted to satisfy the condition should also include temporary fencing being erected around the existing earthwork and steps to ensure that any previously unidentified below ground heritage assets which lie within the car park area are preserved intact in the form of a protective surface across the car park to minimise impact from heavy construction traffic etc.
4. In connection with condition 28 the applicant is advised to contact Thames Water Developer Services on 0800 009 3921 to discuss the details of the piling method statement.
5. A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measure he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing wwqriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality.

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6. Surface water drainage – With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where a developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921.
7. Thames Water would recommend that petrol/oil interceptors be fitted in all car parking facilities. Failure to enforce the effective use of petrol/oil interceptors could result in oil-polluted discharges entering local watercourses.
8. You are advised that Council officers may undertake inspections without prior warning to check compliance with approved plans and to establish that all planning conditions are being complied with in full. Inspections may be undertaken both during and after construction.
9. The permission hereby granted shall not be construed as authority to carry out works on the highway or any works that may affect a drainage channel/culvert or watercourse. The applicant is advised that a permit and, potentially, a Section 278 agreement must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. All works on the highway will require a permit and an application will need to be submitted to the County Council's Street Works Team up to 3 months in advance of the intended start date, depending on the scale of the works proposed and the classification of the road. Please see <http://surreycc.gov.uk/roads-and-transport/road-permits-and-licences/the-traffic-management-permit-scheme>. The applicant is also advised that consent may be required under Section 23 of the Land Drainage Act 1991. Please see www.surreycc.gov.uk/people-and-community/ermergency-planning-and-community-safety/flooding-advice.
10. The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders (Highways Act 1980 Sections 131,148 and 149).
11. **Noise Control** The applicant's attention is drawn to Sections 60 and 61 of the Control of Pollution Act 1974 and the associated British Standard Code of Practice BS 5228: 1984 "Noise Control on Construction and Open Sites" (with respect to the statutory provision relating to the control of noise on construction and demolition sites. If work is to be carried out outside normal working hours, (i.e. 8 am to 6 p.m. Monday to Friday, 8 am to 1 p.m. Saturday and not at all on Sundays or Bank Holidays) prior consent should be obtained from the Environmental Health Manager prior to commencement of works.
12. The applicant is advised that in addition to any planning permission, the consent of the Secretary of State is also required for any works on common land.
13. The applicant is also advised that any works (including ground disturbance, landscaping or insertion of fence posts) within the scheduled area will require Scheduled Monument Consent and in this regard you are advised to contact Historic England.

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14. The applicant is advised that when submitting any plans of the site as required pursuant to the requirements of any condition, it would be of assistance if the outer perimeter of the scheduled monument could be included on the site plan submitted.
15. The Council confirms that in assessing this planning application it has worked with the applicant in a positive and proactive way, in line with the requirements of paragraph 186-187 of the National Planning Policy Framework 2012.

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)

Land Between Royal Mail Depot and Allotments Site, Kestrel Way, Woking

PLAN/2017/0121

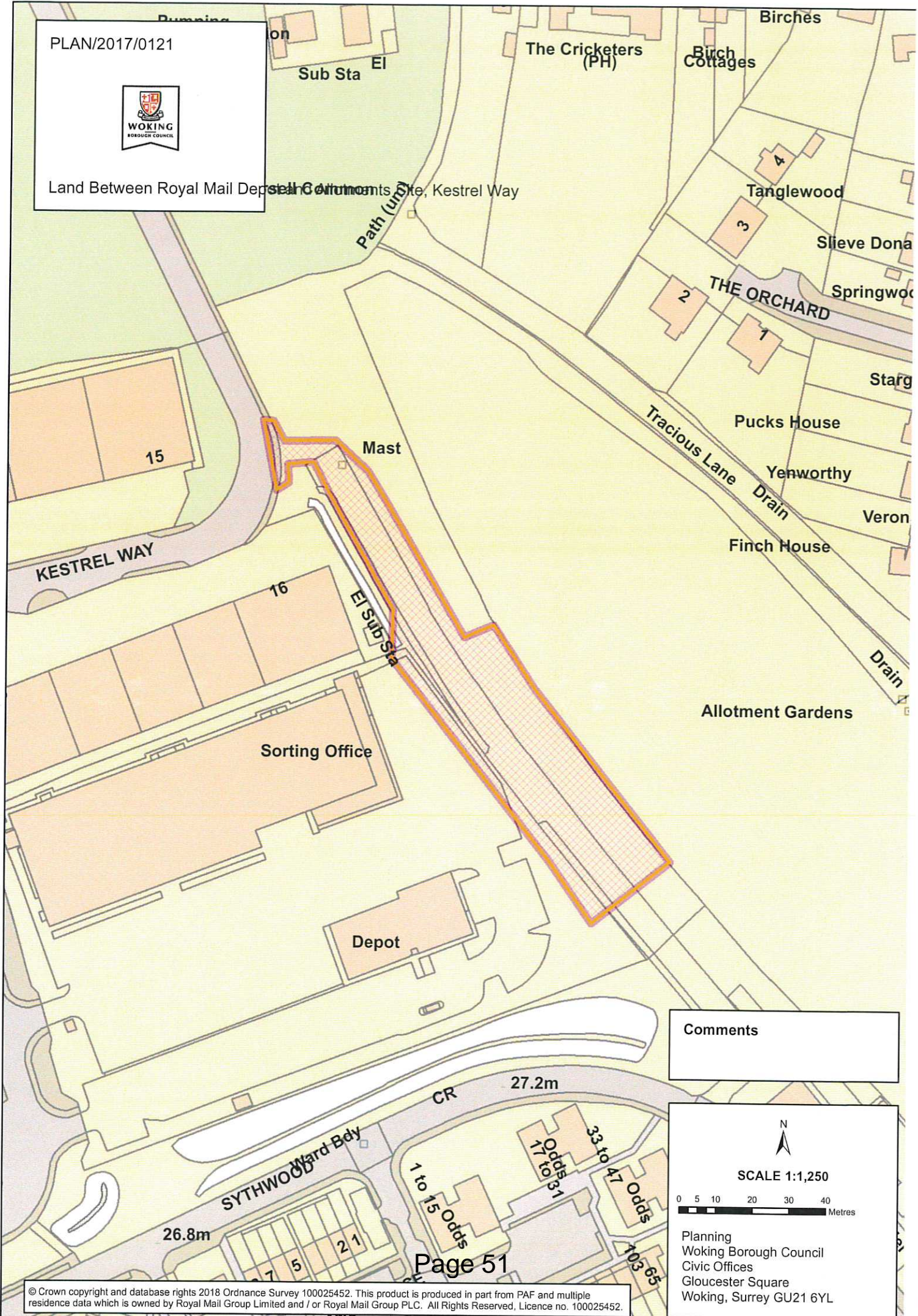
Erection of 1no. detached industrial unit for Class B2 (General Industrial use) (327sqm GIFA) with ancillary shop and external storage and bottle wash areas and associated vehicular access, parking, refuse store and fencing (additional biodiversity impact appraisal information submitted)



PLAN/2017/0121



Land Between Royal Mail Depot and Allotment Gardens Site, Kestrel Way



Comments

N

SCALE 1:1,250

0 5 10 20 30 40 Metres

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

27th FEBRUARY 2018 PLANNING COMMITTEE

5b 17/0121 Reg'd: 03.02.17 Expires: 27.02.18 Ward: GP

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LOCATION: Land Between Royal Mail Depot And Allotments Site, Kestrel Way, Woking, Surrey

PROPOSAL: Erection of 1no. detached industrial unit for Class B2 (General Industrial use) (327sqm GIFA) with ancillary shop and external storage and bottle wash areas and associated vehicular access, parking, refuse store and fencing.

TYPE: Full planning application

APPLICANT: Rutland (Woking) Ltd

OFFICER: Joanne Hollingdale

REASON FOR REFERRAL TO COMMITTEE

The proposal is for development which falls outside of the Scheme of Delegation.

SUMMARY OF PROPOSED DEVELOPMENT

The proposal is for the erection of 1no. detached industrial unit for Class B2 (General Industrial use) (327sqm GIFA) with ancillary shop and external storage and bottle wash areas and associated vehicular access, parking, refuse store and fencing.

PLANNING STATUS

- Thames Basin Heaths Special Protection Area (SPA) Zone A (within 400m)
- Urban Area
- TPO 626/0132/1971 - revoked
- Adjacent to Employment Area

RECOMMENDATION

GRANT planning permission subject to the prior completion of an Undertaking of the Chief Executive to secure the off-site ecological mitigation and conditions.

(Officer Note: As Woking Borough Council is the owner of the land the subject of this planning application, it cannot enter into a Section 106 legal agreement to secure any planning obligations which may be required to mitigate the effects of the proposed development. However the Council's Chief Executive is able to commit the Council to give effect to the specific measures required in this case under delegated authority. Any such commitment by the Council's Chief Executive would provide certainty that such measures will be given effect to if planning permission is granted and implemented for the proposed development and that the Council will ensure obligations are passed to any successor in title or leaseholder as appropriate to give effect to the mitigation required.)

SITE DESCRIPTION

The application site extends to some 0.2 hectares and currently forms an area of hard standing and land covered with trees and vegetation between the Royal Mail depot site and the neighbouring allotment site.

The only access into the site is via the Royal Mail site or through the former recycling centre (located to the north of the site) off Kestrel Way which serves the adjacent Goldsworth Park Trading Estate which lies to the west of the application site. To the east of the site, beyond the allotments and Tracious Lane lie the rear gardens of a number of residential properties.

PLANNING HISTORY

No on-site planning history.

Adjacent site to the north

However the site immediately adjacent to the north of this application site has been subject to the following most recent planning application:

PLAN/2016/1012 - Erection of 2No. detached industrial units comprising Building 1 for Class B1(c) (Light Industrial Use) (563sqm GIA) and Building 2 for Class B1(c) (Light Industrial Use) (223sqm GIA) and associated altered vehicular access, parking, refuse stores, retaining wall, fencing and landscaping (amended description, amended plans and additional information). Granted 11.01.17

PROPOSED DEVELOPMENT

This application seeks full planning permission for the erection of 1no. detached industrial unit for Class B2 (General Industrial use) (327sqm GIFA) with ancillary shop and external storage and bottle wash areas and associated vehicular access, parking, refuse store and fencing.

The proposed building would be located adjacent to the western boundary of the site and would measure 30.8 metres in length by 10.8 metres in depth with an eaves height of 6.7 metres and a ridge height of 7.7 metres.

Access into the site would be through the adjacent site to the north which would utilise the existing access off Kestrel Way, which is to be modified under PLAN/2016/1012, through the site to the north.

A total of 12 parking spaces would be provided of which 1 would be an accessible space. 4 cycle spaces are also shown on the plan along with a refuse store.

CONSULTATIONS

County Highway Authority: Having assessed the application on safety, capacity and policy grounds, recommends conditions on any permission granted (conditions 4, 5 and 6).

Natural England: No objection.

Surrey Wildlife Trust (first response): The submitted Preliminary Ecological Appraisal (PEA) identifies that there would be a loss of deciduous woodland habitat of Principal Importance. Legislation and planning policies require biodiversity to be conserved including restoring or enhancing a population or habitat. In order to meet the legislative requirement the Council will need to be assured that the proposed development would result in the restoration or enhancement of the woodland habitats on site and the current proposals do

not appear to present significant mitigation or compensation for the loss of woodland habitat. Natural England should be consulted on the application. The site is located in close proximity to Horsell Common SSSI and Horsell Birch SNCI and thus a Construction and Ecological Management Plan (CEMP) condition should be imposed if planning permission is granted. If planning permission is granted it should only proceed in a precautionary manner relating to reptiles, a walkover survey should be undertaken with regard to badgers, all external lighting should comply with the lighting guidance for bats and if the mature oak identified in the PEA is identified as having a high potential for roosting bats then a survey should be undertaken before any works commence to ensure no loss or disturbance of a roost [*Officer note: the comment regarding the mature oak tree and bats relates to the adjacent site under PLAN/2017/0122*]. Vegetation clearance should only occur outside the bird breeding season.

Surrey Wildlife Trust (second response): Following the submission of revised information relating to the loss of woodland any proposals to manage/retain some vegetation and improve connectivity between sites is welcome. However concerns remain that the proposal would result in the loss or deterioration of the woodland habitat on the site. The retained vegetation would not appear to be large enough to function as deciduous woodland and the submitted information does not demonstrate that the proposal would not result in a loss of ecological connectivity for a range of protected species.

[Officer note: following the above response the applicant has submitted a Biodiversity Impact Appraisal which proposes off-site compensation for the loss the deciduous woodland on this site]

Surrey Wildlife Trust (third response): The submitted Biodiversity Impact Appraisal report proposes a net gain in biodiversity as a result of development primarily through the provision of an enhanced management regime of an area of off-site compensatory woodland. The calculations presented appear appropriate in scope and methodology and indicate a net gain of as a result of the development. It is agreed that a Landscape and Ecological Management Plan is an appropriate tool to document the required further details for the on-site and off-site enhancement measures. This should include financial management to ensure the off-site compensation is provided and maintained in the long term. (Conditions 7, 8, 9, 10, 11 and Undertaking)

Thames Water: No objection with regard to sewerage infrastructure capacity and with regard to surface water drainage. It is the responsibility of the developer to make proper provision (Informative 5).

WBC Drainage and Flood Risk Engineer: No objection subject to conditions (conditions 27 and 28).

WBC Scientific Officer: No objection subject to conditions (conditions 30 and 31)

WBC Environmental Health Officer (first response): Conditions and informatives are recommended (conditions 16,18, 19, 20, 21, 22, 23, 24, 25, 26 and 33) in the knowledge that Thurston's, The Horsell Brewing Company will be occupying the site following construction. The new building will therefore be custom built for a brewing process, which will be registered as food business establishment and will include such activities as boiling and fermenting of ingredients, use of chemicals, such as acids and strong alkalines, bottling, storage and dispatch of goods and waste and all associated processes to brewing. As the site is close to nearby residential accommodation, Environmental Health would like the planning conditions to provide some protection to the residents from excessive noise from vehicles and processes associated with the brewing process, pests, artificial light, and odours and the buildings will require appropriate ventilation/extraction and drainage.

If Thurstons occupy this site, they may in future utilise the services of a mobile bottling plant, which is a large lorry equipped to bottle large volumes of beers, ales etc. The vehicle will pull up next to the premises and the produce will be bottled and packed. This activity could take up to a couple of hours per session and generate noise from the site, which cannot be confined to within the premises, therefore restrictions should be imposed on the hours of use. The addition of acoustic fencing could also assist with the reduction of externally produced noise.

WBC Environmental Health Officer (second response): My original comments with recommendations raised concerns regarding noise which may be generated by the mobile bottling plant. The noise consultants have based their report on the noise generated by a generator similar to one which may be used during this type of activity. I think the additional clatter of glass bottles on top of the generator noise will probably push the sound pressure level up further and for that reason do recommend some form of external sound proofing measures between the site and the nearest residential accommodation so that they are protected from externally produced noise.

[Officer note: the applicant subsequently advised that they are no longer intending to use an external mobile bottling plant and will bottle manually or send the beer away to be bottled.]

WBC Environmental Health Officer (third response): The current facility at High Street, Horsell carries out hand bottling, which is all table top, rather than conveyor belt filling. This has not given rise to any complaints of excessive noise since the brewery began operating, so as long as the new facility carries out bottling in a similar way, I cannot see that there will be any problems. If they are adding in conveyors, or using machinery, then consideration will need to be given for additional sound proofing of the building. Otherwise, a certain level of sound proofing would be expected anyway and a condition regarding no external industrial processes would cover the use of mobile bottling plants, or similar.

WBC Arboricultural Officer: To facilitate the proposed a total of 89 trees will be removed, 3 of these will need to be removed irrespective of any proposals for development. The remainder comprise 7 Category B trees and 79 Category C trees. The vast majority of the trees are low quality specimens and as such removal of these trees will have limited impact on the wider character of the area. A landscaping plan specifying replacement tree planting will ensure continuity of tree cover. Some clarification is requested regarding T32 and the information submitted. The Arboricultural Officer has subsequently advised that the removal of T32 is acceptable providing it is replaced as even using a no dig construction method the level would not be conducive to its retention (conditions 12 and 13).

WBC Planning Policy: The policy considerations for this application are the same as those for application PLAN/2016/1012 as follows - *Overall, the main policy issue is that the proposal is seeking for new commercial floorspace outside of an existing employment area. Whilst this is not the preferred approach, policy allows for infill development and redevelopment on previously developed land within the urban area provided there has been a full assessment of its impact and appropriate mitigation measures make the proposal acceptable. All potential impacts should be carefully considered and satisfactorily mitigated before recommending approval.*

WBC Waste Services: No comments as we do not collect commercial waste.

REPRESENTATIONS

5 letters of objection have been received to the application (including a letter on behalf of the adjacent Royal Mail depot site). A summary of the main comments made is given below:

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- The proposed development would result in additional noise to nearby residential dwellings including gardens.
- Although an acoustic fence is recommended no further details are given with regard to its acoustic performance.
- Reference is made to the development permitted under PLAN/2016/1012 and the position of loading bays etc and states that local residents are already suffering from noise from the existing Trading Estate. A substantial acoustic fence would mitigate this.
- The residents of Goldsworth Park are protected by a substantial bund but the residents of Horsell have no such protection. Developments should therefore detail how amenity will be preserved.
- Smells from the brewing process can be overpowering. Unless the fumes can be dissipated at a high level the properties will be decimated. There should be a high chimney.
- Comments made with regard to the neighbour notification process.
- Royal Mail has a statutory duty to provide efficient mail sorting and delivery services within Woking and the Woking Rural Delivery Office and Vehicles Operations Centre is of strategic importance to Royal Mail. 85 staff are employed at the premises and it relies on off-street and on-street parking. Many staff have no alternative but to use their car for work due to anti-social hours of working.
- Royal Mail currently uses the private roadway to the rear of the site (within the application site) as staff car parking for 25-30 vehicles on a daily basis. The land is rented from Woking Borough Council and has been since 1997. The application proposal would mean Royal Mail's use of this land for parking would have to cease.
- The land is ideal for staff parking and avoids the displacement of parking onto surrounding roads which given unsocial working hours could cause nuisance and could impact on road safety and result in subsequent complaints to the Council.
- If the proposal comes forward without alternative parking provision Royal Mail's operations at this site may be compromised and could preclude further investment at this site. Insufficient thought has been given to the consequences of the proposed development.

RELEVANT PLANNING POLICIES

National Planning Policy Framework 2012

Woking Core Strategy 2012:

- CS1 - A spatial strategy for Woking
- CS7 - Biodiversity and nature conservation
- CS9 - Flooding and water management
- CS15 – Sustainable economic development
- CS18 - Transport and accessibility
- CS21 - Design
- CS24 - Woking's Landscape and townscape
- CS25 – Presumption in favour of sustainable development

Development Management Policies DPD 2016:

- DM2 - Trees and Landscaping
- DM5 - Environmental Pollution
- DM6 - Air and Water Quality
- DM7 - Noise and Light Pollution
- DM8 - Land contamination and hazards

- DM16 - Servicing development

Supplementary Planning Documents

Parking Standards 2006

Design 2015

Other Material Considerations

National Planning Practice Guidance (NPPG)

PLANNING ISSUES

1. The main planning issues to be considered in this case are whether the proposed development is acceptable in principle, impact on trees, impact on the character of the area, impact on neighbouring amenity, highway safety, ecology, contamination and local finance considerations. These matters will be considered having regard to national planning guidance, the Development Plan policies and any other material planning considerations.

Principle of the proposed development

2. Policy CS1 sets out the Spatial Strategy for Woking and although it seeks new office and warehousing development on previously developed land in the town, district and local centres, the policy does not specifically preclude other industrial/commercial development on other sites within the urban area subject to an assessment of impacts. Policy CS15 relates to sustainable economic development and although this policy primarily relates to development proposals within existing employment areas it again does not specifically preclude Class B uses on sites within the urban area.
3. The NPPF does however provide positive support for economic development which is one of the three dimensions of sustainable development – that is to build a strong, responsive and competitive economy by ensuring sufficient land is available. One of the core land-use planning principles of the NPPF is that planning should proactively drive and support sustainable economic development to deliver business and industrial units and thriving local places the country needs. In this case the site lies adjacent to the Goldsworth Park Trading Estate and would take vehicular access off Kestrel Way which also serves the Trading Estate. As such the proposed use of the site within the urban area and its relationship in terms of position and visual proximity with the adjacent existing employment area would not be incongruent.
4. As noted in the representations section of this report, the application site lies adjacent to the Royal Mail Woking Rural Delivery Office and Vehicles Operations Centre. It is also noted that in the recent past the hard surfacing part of the application site has been used for staff parking for Royal Mail employees under licence from Woking Borough Council. The applicant has subsequently advised that Woking Borough Council will be serving notice terminating the Licence. It is acknowledged that the adjacent Royal Mail was only able to utilise part of the application site for parking under licence and the land owner was/is able to give notice at any time. In addition there are no local planning policies which seek to protect existing car parks in private use. The loss of this land as parking is not therefore objectionable in policy terms.
5. It is noted that the proposed building would also have a small retail shop which is not unusual for a small brewery or any other commercial use where an ancillary element of retail sales may be present. In order to ensure that the element of retail sales remains ancillary to the primary Class B2 use of the unit condition 34 will ensure that the retail sales area is not enlarged beyond that shown on the proposed plans.

6. As the site is located within the urban area, in close proximity to the existing Trading Estate, it is considered that there is no objection in principle to further economic development on this site, in compliance with Policies CS1 and CS15 of the Core Strategy and the policies in the NPPF, subject to the detailed considerations assessed below.

Impact on trees

7. Policy DM2 of the DM Policies DPD reflects Policy CS21 and requires trees and vegetation to be considered holistically as part of any proposal, requires tree removal to be justified to the satisfaction of the Council and requires appropriate replacement planting to enhance the quality of any development.
8. The application is supported by an Arboricultural Report. It is acknowledged that a significant number of the trees on the site will be removed to accommodate the proposed development. The Council's Arboricultural Officer has advised that the vast majority of the trees are low quality specimens and as such removal of these trees will have limited impact on the wider character of the area. Some trees would be retained to part of the eastern boundary of the site and in the south-eastern corner of the site. These trees will be protected during the construction works (condition 12).
9. A strip of land to the eastern side of the hard surfacing within the site would remain unsurfaced and it would therefore be possible to introduce some additional landscaping and possibly tree planting to this part of the site to mitigate the removal of the existing trees, to enhance the overall appearance of the development and to provide a suitable transitional area between the application site and the adjacent allotment site. Some additional tree planting and landscaping could also be accommodated along the southern part of the site. Condition 13 is therefore recommended to secure a landscaping scheme for the proposal.
10. Overall with regard to the impact of the proposal on the trees on the site from an arboricultural perspective, subject to the tree protection and a condition relating to landscaping (conditions 12 and 13) it is considered that the impact of the development is acceptable and complies with Policy CS21 of the Core Strategy, Policy DM2 of the DM Policies DPD and the policies in the NPPF.

Impact on the character of the area

11. Policy CS21 sets out design criteria that new development proposals should meet. Policy CS24 also supports that future development should be sensitive to its location whilst being able to accommodate change needed to contribute to environmental, social and economic objectives.
12. The site is located within the urban area. The proposed development would occupy a site which is partly developed (hard surfacing) and partly undeveloped, comprising areas of scrub and woodland. A Design and Access Statement has been submitted in support of the application.
13. The site adjoins Kestrel Way and the access through the adjacent site approved under PLAN/2016/1012 would be utilised. The proposed building would have a ridge height of 7.7 metres and would be clad in profiled metal cladding to reflect its use as an industrial building. The proposed building would be located around 2.4 metres from the western boundary of the site with the adjacent Royal Mail site and would be located to the south of the Class B1 units granted under PLAN/2016/1012. The

proposed building would therefore be viewed as an extension to the site granted planning permission under PLAN/2016/1012 and the existing Trading Estate. The proposed building would not therefore appear incongruent or out of context with the character and appearance of the existing Trading Estate.

14. From the adjacent allotments facing west the existing industrial buildings are visible through the existing trees. Whilst this building would be closer to the allotments than the existing Royal Mail site, with some of the trees being retained and the eastern part of the site being supplemented by landscaping it is not considered that these views would be detrimental to the character and appearance of the site when viewed from the adjacent allotments.
15. The retention of some trees along to the eastern part of the site will assist in softening the appearance of the development. In addition the proposed external materials will be subject to the approval of the Local Planning Authority to ensure the colours are appropriate to the use of the building, its location adjacent to the previously approved buildings, the Trading Estate whilst also having regard to the adjacent allotment site (condition 3). Overall whilst the proposal will change the character of the site there is no over-riding policy objection to development on this site. It would bring an area of urban land into productive use which would contribute to the economic development of the area and would have an appearance which, whilst different to the existing appearance of the site, is considered to be appropriate given the proposed use of the site and its visual relationship with the adjacent established Trading Estate.
16. Mindful of the above factors it is considered that the proposal is visually acceptable and would not be harmful to the character and visual amenities of the site and surrounding local area, subject to conditions relating to external materials, boundary treatments, external lighting, levels and landscaping (conditions 3, 14, 11, 13 and 32). The proposed development would therefore comply with Policies CS21 and CS24 of the Core Strategy, Policies DM2 and DM7 of the DM Policies DPD and the policies in the NPPF.

Impact on neighbouring amenities

17. There are no residential properties which immediately adjoin the application site. The neighbouring residential properties to the north-east of the site are those which lie beyond Tracious Lane and those which front Bullbeggars Lane. There would be a separation distance of around 90 metres between the proposed building and the rear and/or side garden boundaries of the dwellings with gardens adjoining Tracious Lane. There would also be a separation distance of around 75 metres between the proposed building and the properties opposite Sythwood (Brookfield). It is also noted that these dwellings in Brookfield are separated from the Trading Estate by a substantial earth bund. Given these separation distances the proposed built structure would not have any overbearing impact and would not result in any adverse impact to these neighbouring properties in terms of loss of light, overshadowing or loss of privacy.
18. The proposed building is for a Class B2 (general industrial) use. In this case a brewery is the likely occupier which could give rise to smells and any Class B2 use has the potential to result in noise. The application is accompanied by a Noise Assessment Report. In this regard the details of the application have been amended to omit the proposed use of an external bottling plant which could have been a source of noise and this will be further restricted by condition (condition 23). The Council's Environmental Health Officer has reviewed the application and subject to conditions relating to foul and surface water drainage, control of emissions, hours of use and deliveries, storage and recycling of waste and no conveyor belt bottling, no industrial

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processes outside the building and the provision of an acoustic fence, no objection is raised to the application in terms of noise and odour (conditions 16, 19, 20, 21, 22, 23, 24, 25 and 26).

19. Given the proposed conditions and the separation distances to neighbouring properties it is not considered that the proposal would adversely affect the residential amenities of any nearby neighbouring occupiers. The proposed development is therefore considered to comply with Policy CS21 of the Core Strategy, Policy DM7 of the DM Policies DPD and the policies in the NPPF.

Impact on highway safety

20. Access into the site is proposed via the site to the north which has an existing access off Kestrel Way, albeit the access radii will be widened under PLAN/2016/1012. The application site would also incorporate a turning circle for larger vehicles which would be able to serve the application site and the site approved under PLAN/2016/1012. The application is accompanied by a Transport Statement. The Transport Statement concludes that the proposed development would not have any material impact on the existing traffic levels at the Goldsworth Park Trading Estate or on the operation of the previously approved development under PLAN/2016/1012. The County Highway Authority has been consulted on the application and no objections have been raised to the proposal subject to conditions (conditions 4, 5 and 6).
21. The proposed building would have a gross floor area of 334sqm with an additional 34sqm of ancillary office floorspace (total floorspace of 368sqm). In terms of parking, the maximum parking provision requirement in accordance with the Parking Standards SPD for Class B2 floorspace proposed is 8 spaces. 12 spaces are proposed on site. 8 spaces are annotated for employee use with 4 spaces, including a disabled space, annotated for customer use as a small part of the ground floor would be used as a shop for the brewery. Whilst the proposed parking provision is 4 spaces above the standard, it is not considered that this over-provision of parking would be unsustainable in this location. The Parking Standards SPD requires 5% of the spaces to be accessible and in this case 1 accessible space would be provided equating to 8%, thus exceeding the requirement. In terms of cycle parking provision 2no. Sheffield stands are proposed providing 4 cycle parking spaces which exceeds the Parking Standards SPD requirement for cycle parking.
22. Subject to the imposition of conditions (4, 5 and 6) it is considered that the proposed development would in terms of highway safety and parking and cycle parking provision comply with Policy CS18 of the Core Strategy and the policies in the NPPF.

Impact on ecology

23. The NPPF states that the planning system should contribute to and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible. This approach is supported by Circular 06/05 – Biodiversity and Geological Conservation and is reflected in Policy CS7 of the Woking Core Strategy. The application is supported by a Preliminary Ecological Assessment and has been subject to consultation with Natural England and the Surrey Wildlife Trust.
24. The application site lies around 200 metres from Horsell Common SSSI which is also part of the Thames Basins Heaths Special Protection Area (TBHSPA). In this regard Natural England has raised no objection to the application. Surrey Wildlife Trust has also advised that Horsell Birch is an SNCI and given the proximity of the development

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to this site a CEMP should be required detailing how any construction activities will avoid any adverse impact (condition 8).

25. Part of the application site is undeveloped and part of the site comprises deciduous woodland which is a habitat of Principal Importance. The proposed development would result in a loss of part of this woodland habitat. In response to the consultation comments of the Surrey Wildlife Trust additional ecological information has been submitted during the course of the application in the form of a Biodiversity Impact Appraisal. The Biodiversity Impact Appraisal acknowledges the loss of part of the woodland habitat on the site and proposes to mitigate this impact by providing compensatory off-site woodland planting of between 0.1-0.12 hectares at Havering Farm. It is noted in the Biodiversity Impact Appraisal that with the off-site compensatory planting, overall there would be a net gain in biodiversity value in the Borough. In addition it is further noted that new planting will also occur on the application site, which will include biodiversity enhancement features such as bird, bat and insect boxes and a stag beetle loggery.
26. The Surrey Wildlife Trust has reviewed the submitted information and has advised that the proposed off-site ecological compensation measures are appropriate but a Landscape and Ecological Management Plan is required for both the on-site proposals and also the off-site habitats at Havering Farm to ensure the long term biodiversity value of these areas (condition 9 and Undertaking). It is also recommended that any Management Plan should included costings to ensure long term security for the compensatory woodland. However in this particular case it is noted that Woking Borough Council own the application site and also own Havering Farm. Therefore the Undertaking of the Chief Executive to secure the planning obligation of the compensatory woodland along with the Management Plan will ensure that the ecological compensation will be retained and managed in perpetuity. Havering Farm in general is considered a suitable location for the compensatory woodland as this site is also providing the compensatory woodland from the Hoe Valley School site. In this regard it is considered that the proposed development would comply with local and national planning policies and would overall result in a biodiversity gain.
27. With regard to protected species, the Surrey Wildlife Trust has advised that precautionary methods of working for reptiles should be undertaken (this would be included as a requirement of the CEMP condition 8). With regard to badgers prior to the commencement of any works it is advised that a walkover survey should be undertaken to confirm the badger sett is disused and this would also be included as a requirement of the CEMP condition 8. Conditions relating to lighting, vegetation clearance and biodiversity enhancements are also included (conditions 7, 10 and 11). Retained trees will also be protected during construction.
28. Having regard to the above considerations and the proposed mitigation and off-site compensation the impact of the development on ecology is considered to be acceptable subject to securing the mitigations by planning conditions (7, 8, 9, 10 and 11) and securing the off-site compensation by an Undertaking. The proposal is therefore considered to comply with Policy CS7 of the Core Strategy, the policies in the NPPF relating to ecology and biodiversity and the guidance in Circular 06/05.

Contamination

29. Paragraphs 120 and 121 of the NPPF relate to contamination and advise that the effects of pollution should be taken into account and that the responsibility for securing a safe development rests with the developer and/or landowner. Policy DM5 of the DM

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Policies DPD relates to environmental pollution and Policy DM8 relates to land contamination and seeks to remediate or minimise the risks from contamination.

30. The Council's Contaminated Land Officer has been consulted on the application and has raised no objection subject to a condition requiring a remediation strategy to be approved (condition 30) and a condition relating to unexpected discovery of contamination (condition 31). In this regard the proposed development would comply with Policies DM5 and DM8 of the DM Policies DPD and also the policies in the NPPF.

Other matters

31. Policy CS22 of the Core Strategy relating to sustainable construction requires new non-residential development of 1,000sqm or more to comply with BREEAM very good standards. In this case the building would be less than 1000sqm and therefore Policy CS22 is not engaged by the proposed development. The site lies within flood zone 1 (low risk) and as the proposed development is under 1000sqm no specific information relating to surface water drainage is required to be submitted. Nonetheless the applicant has advised that sustainable drainage systems will be incorporated to the proposal and in this regard the Council's Drainage and Flood Risk Officer has requested conditions be imposed on any permission granted (conditions 27 and 28).

LOCAL FINANCE CONSIDERATIONS

32. The Council implemented the Community Infrastructure Levy (CIL) on 1st April 2015. The proposed building is for industrial use and therefore the relevant CIL rate is nil.

CONCLUSION

The proposed development along with the off-site ecological compensation would not result in any adverse impacts to visual amenity, trees, neighbouring amenity, highway safety, ecology and contamination subject to the mitigations and conditions as set out. The proposed development would bring into effective use an underused site within the urban area and would contribute to sustainable economic development in the Borough. The proposal therefore accords with Policies CS1, CS7, CS9, CS15, CS17, CS18, CS21 and CS24 of the Woking Core Strategy 2012, Policies DM2, DM5, DM6, DM7, DM8, DM13 and DM16 of the DM Policies DPD and the policies in the NPPF. In considering this application the Council has had regard to the provisions of the development plan, so far as material to the application and to any other material considerations including any letters of representation. It is therefore recommended that planning permission is granted as set out below.

BACKGROUND PAPERS

1. Planning file PLAN/2017/0121

RECOMMENDATION

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

- i. the prior completion of the Undertaking of the Chief Executive to secure the off-site compensatory woodland planting as below:
 - to secure the use of part of the land owned by Woking Borough Council at Havering Farm in perpetuity for the provision of off-site ecological mitigation by

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providing an area of between 0.1 to 0.12 hectares of new broadleaved woodland planting of appropriate native species ideally to enhance existing woodland planting:

- to achieve this by the provision of a Landscape and Ecological Management Plan to be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The Landscape and Ecological Management Plan shall include (but not be limited to) the following details:
 - o Description and evaluation of features to be created and managed (including a site location plan identifying the proposed area);
 - o Sufficient information to confirm that the area chosen is suitable to provide the proposed off-site compensation;
 - o Long term aims and objectives of management;
 - o Design and locations of enhancements required/ full details of the measures to be undertaken to achieve the off-site mitigation including planting plans and a timetable for the undertaking of such works;
 - o Management responsibilities and maintenance schedules for all trees and landscaped areas, including the replacement of trees which die/become diseased or are removed;
 - o Details of ongoing monitoring and remedial measures;
 - o Confirmation that the land shall be retained/managed in perpetuity for ecological purposes;
 - o All information relating to ecological matters to be provided by qualified ecologist; and

ii. the following conditions:

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

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

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

Site Location Plan 12840.20/1[L] 001 Rev A rec 02.02.17

Block Plan 12840.20/1[PL] 002 Rev A rec 02.02.17

Site Plan, site section and indicative refuse areas 12840.20/1[PL] 003 Rev A rec 02.02.17

Plan, Sections and Elevations 12840.20/1[PL] 301 Rev A rec 02.02.17

Site restrictions drawing 12840.20/1[PL] 001 Rev A rec 02.02.17

Topographical Survey rec 02.02.17 (part of site) rec 02.02.17

Topographical Survey rec 02.02.17 (other part of site) rec 02.02.17

Level 5 Utility Survey Sheet 1 of 2 rec 02.02.17

Level 5 Utility Survey Sheet 2 of 2 rec 02.02.17

Reason: In the interests of visual amenity and to comply with Policies CS21 and CS24 of the Woking Core Strategy 2012 and the policies in the NPPF.

3. Notwithstanding the details given in the application the development hereby permitted shall not commence until details and samples of the materials to be used in the external elevations and hard surfaced areas have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and

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thereafter retained in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority

Reason: In the interests of visual amenity and to comply with Policies CS21 and CS24 of the Woking Core Strategy 2012 and the policies in the NPPF.

4. The development hereby approved shall not be first occupied unless and until: (a) the modified highway access to Kestrel Way, and (b) the on-site access road leading from Kestrel Way to the proposed building, have both been constructed in accordance with the approved plans.

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

5. The development hereby approved shall not be first occupied unless and until space has been laid out within the site in accordance with the approved plans for: (a) vehicles and cycles to be parked, (b) for vehicles to load and unload, and (c) for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the parking, loading/unloading and turning area(s) shall be retained and maintained for their designated purpose(s).

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

6. The development hereby approved shall be constructed in accordance with a Construction Transport Management Plan to be first submitted to and approved in writing by the local planning authority and to include details of:
 - (a) parking for vehicles of site personnel, operatives and visitors
 - (b) loading and unloading of plant and materials
 - (c) storage of plant and materials
 - (h) measures to prevent the deposit on the highway of materials associated with the on-site construction activities
 - (k) turning for construction vehicles clear of Kestrel Way.

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

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

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

8. No development shall commence until a Construction Ecological Management Plan (CEMP), which shall include details relating to precautionary methods of working for reptiles, details of a walkover survey to ascertain the presence/absence of badgers and details demonstrating how best practice will be used to minimise the potential

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impacts of the construction phase of the development on the existing ecology of the site and off-site receptors including nearby designated sites (SSSI and SNCI) has been submitted to and approved in writing by the Local Planning Authority. The details to be submitted shall include all provisions relating to the matters as specified in the Surrey Wildlife Trust's consultation response on the application dated 4th May 2017 and shall include all recommendations/requirements as relevant. The development shall not then be undertaken other than in accordance with the approved details.

Reason: In order to ensure the proposed development has no adverse impact on the ecology of the site and the nearby designated sites and to comply with Policy CS7 of the Woking Core Strategy 2012, Circular 06/05 Biodiversity and Geological Conservation and the policies in the NPPF.

9. Prior to the commencement of development a Landscape and Ecological Management Plan, including a description and evaluation of features to be managed and created, long term aims and objectives of management, design and locations of enhancements required, management responsibilities and maintenance schedules for all trees and landscaped areas within the site and the details referred to in an email dated 17th May 2017 from the applicant's agent shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented and maintained in accordance with the approved scheme unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to ensure the proposed development has no adverse impact on ecology and to comply with Policy CS7 of the Woking Core Strategy 2012, Circular 06/05 Biodiversity and Geological Conservation and the policies in the NPPF.

10. No development shall commence until details of the measures for the enhancement of biodiversity on the site in broad accordance with the details specified in paragraph 4.3 of the submitted Biodiversity Impact Appraisal, a timetable for their provision on the site and details of their long term management and maintenance have been submitted to and approved in writing by the Local Planning Authority. The biodiversity enhancements shall be carried out and shall thereafter be retained on the site in accordance with the approved details.

Reason: In order to enhance the biodiversity on the site and to comply with Policy CS7 of the Woking Core Strategy 2012, Circular 06/05 Biodiversity and Geological Conservation and the policies in the NPPF.

11. No external lighting including floodlighting shall be installed anywhere on the site until full details of any proposed external lighting (in accordance with guidance from Landscape and Urban Design for Bats and Biodiversity (Gunnell et al, 2012, Bat Conservation Trust and also ensuring compliance with the recommendations of the Institute of Lighting Engineers 'Guidance Notes for Reduction of Light Pollution' and the provisions of BS 5489 Part 9) have been submitted to and approved in writing by the Local Planning Authority. Any lighting on the site shall thereafter be installed and maintained in accordance with the approved details.

Reason: To protect the ecology on/adjacent to the site and to protect the appearance of the surrounding area in accordance with Policies CS7 and CS21 of the Woking Core Strategy 2012, Circular 06/05 Biodiversity and Geological Conservation and the policies in the NPPF.

12. Protective measures shall be carried out in strict accordance with the arboricultural information provided by APArboriculture received on 30.03.17 including the convening

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of a pre-commencement meeting and arboricultural supervision as indicated. No works or demolition shall take place until the tree protective measures have been implemented. Any deviation from the works prescribed or methods agreed in the report will require prior written approval from the Local Planning Authority.

Reason: To ensure measures are taken to safeguard trees in the interest of local amenity and the enhancement of the development itself to comply with Policy CS21 of the Woking Core Strategy 2012, Policy DM2 of the DM Policies DPD and policies in the NPPF.

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

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

14. The development hereby permitted shall not commence until details of all boundary fences and any other means of enclosure have been submitted to and approved in writing by the Local Planning Authority. The means of enclosure shall be implemented in accordance with the approved details prior to the occupation of any part of the development and thereafter maintained to the height and position as approved unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the proposed development does not adversely affect the amenities at present enjoyed by the occupiers of the adjoining and nearby properties and to preserve and enhance the character and appearance of the locality in accordance with Policy CS21 of the Woking Core Strategy 2012.

15. The development hereby approved shall not be first occupied unless and until the 2no. Sheffield cycle hoops/stands have been installed and are available for use. Thereafter the cycle parking facilities shall be retained and maintained for their designated purpose.

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

16. The development (use) hereby permitted shall not commence until a scheme for the storage of refuse and recycling has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in full prior to the first occupation of the development and the refuse and recycling storage facilities shall be retained thereafter for use at all times.

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

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17. Notwithstanding the provisions of Article 3, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) and the Town and Country Planning (Use Classes) Order 1987 (or any Order revoking and re-enacting that Order with or without modification) the building hereby approved shall only be used as a brewery (Class B2 general industrial use) and for no other purpose whatsoever unless planning permission is first granted by the Local Planning Authority.

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

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

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

19. The development hereby permitted shall not commence until details of foul and surface water drainage and sewerage have been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the works have been completed in accordance with the approved details. Drainage plans are to include any floor / channel drains, equipment drains, traps etc and floor pitch in areas where spillages may occur.

Reason: To ensure provision of the infrastructure required to make the development acceptable in accordance with Policy CS16 of the Woking Core Strategy 2012.

20. Prior to the commencement of the development hereby permitted, a scheme for the installation of equipment to control emissions from the premises including, an extract / ventilation system, to include make-up air should be designed and installed to manage emissions associated with the brewing process, e.g. steam, gas appliance and odours shall be submitted to and approved in writing by the Local Planning Authority. These measures shall be implemented fully in accordance with the approved scheme prior to the occupation of the development (or commencement of the use hereby approved). The outlet from the ventilation / extraction flue must finish at least one metre from openings such as doors and windows and be at least one metre above eaves level, to ensure the dispersal of fumes and odours away from neighbouring properties. The flue ductwork must be supported using mountings fixed to the structure of the building in such a way that any vibration or noise associated with mechanical ventilation/extraction is reduced to a level which does not cause a nuisance to neighbours. All equipment installed as part of the scheme shall thereafter be operated and maintained in accordance with the approved details and retained as such thereafter.

Reason: To protect the environment and amenities of the occupants of neighbouring properties and prevent nuisance arising from noise, fumes, smell, smoke, ash, grit or other emissions in accordance with Policy CS21 of the Woking Core Strategy 2012.

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21. The shop as annotated on the approved floor plan shall not be open to customers outside the hours of 0800hrs and 1800hrs Mondays to Fridays inclusive; 0800hrs and 1700hrs on Saturdays and not at all on Sundays, Bank or Public Holidays.

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

22. The premises hereby approved shall not be used/open and no machinery shall be operated, no process shall be carried out and no deliveries taken at or despatched from the site outside the hours between 08:00 and 18.00 nor at any time on Sundays, Bank or Public Holidays.

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

23. No mobile bottling plant shall be operated on the site/premises at any time. Any bottling which shall occur on the site/premises shall only take place within the building and shall be at all times limited to table-top bottling which shall not include any conveyor belt or mechanical bottling unless otherwise first approved in writing by the Local Planning Authority.

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

24. Other than bottle washing, which shall only occur in the area indicated on the approved site plan, no other industrial process shall occur outside the building (except for the loading and unloading of goods).

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

25. The development hereby permitted shall not commence until details of the measures to be undertaken to acoustically insulate and ventilate the building for the containment of internally generated noise have been submitted to and approved in writing by the Local Planning Authority.

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

26. Prior to the first occupation of the building hereby approved an acoustic fence shall be installed on the site in accordance with details of its acoustic composition/specification, height, position on the site and colour which shall first be submitted to and approved in writing by the Local Planning Authority. Once installed the fence shall be retained and maintained in accordance with the approved details for the lifetime of the development.

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

27. No development shall commence until a surface water drainage scheme for the site based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development has been submitted to and approved in writing by the Local Planning Authority. The drainage scheme should demonstrate the surface water run-off generated up to and including the 1 in 100 plus climate change critical storm will not exceed the run-off from the existing site following the

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corresponding rainfall event. The drainage scheme details to be submitted for approval shall also include:

- Calculations demonstrating no increase in surface water runoff rates and volumes discharged from the site compared to the existing scenario up to the 1 in 100 plus climate change storm event.
- Calculations demonstrating no on site flooding up to the 1 in 30 storm event and any flooding between the 1 in 30 and 1 in 100 plus climate change storm event will be safely stored on site ensuring no overland flow routes.
- Detail drainage plans showing where surface water will be accommodated on site,
- A management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

The surface water drainage scheme shall be implemented in accordance with the approved details prior to the first occupation of the development hereby permitted and thereafter it shall be managed and maintained in accordance with the approved details in perpetuity.

Reason: To prevent the increased risk of flooding, to improve and protect water quality and to ensure the future maintenance of these in accordance with Policies CS9 and CS16 of the Woking Core Strategy 2012 and policies in the NPPF.

28. Prior to first use of the building hereby permitted a verification report, (appended with substantiating evidence demonstrating the approved construction details and specifications have been implemented in accordance with the surface water drainage scheme), will have been submitted to and approved in writing by the Local Planning Authority. The verification report shall include photographs of excavations and soil profiles/horizons, any installation of any surface water structure and Control mechanism.

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

29. Notwithstanding the provisions of Article 3, Schedule 2, Part 7, Classes H, I and J of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no development falling within these Classes of development shall take place anywhere on the site without the prior written approval of the Local Planning Authority of any application made for that purpose.

Reason: In order to control the development on the site in the interests of the visual amenity of the site and the surrounding area, neighbour impact and surface water drainage and to comply with Policies CS9, CS21 and CS24 of the Woking Core Strategy 2012 and policies in the NPPF.

30. The development hereby permitted shall not commence until details of the proposed remedial measures to be included within the construction of the building hereby approved to prevent the ingress of contamination and to be used on the proposed landscaped areas have been submitted to and approved in writing by the Local Planning Authority. As part of the details of the proposed remedial measures to be

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submitted the details shall make provision for the remedial measures to be verified by the submission of a Verification of Remediation Report which shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the development hereby approved. Unless otherwise agreed in writing by the Local Planning Authority the development shall be carried out and completed wholly in accordance with the details and timescales as approved.

Reason: To ensure that a satisfactory strategy is put in place for addressing contaminated land before development commences and to make the land suitable for the development without resulting in risk to construction workers, future users of the land, occupiers of nearby land and the environment generally in accordance with Policies CS9 and CS21 of the Woking Core Strategy 2012, Policies DM5 and DM8 of the DM Policies DPD and policies in the NPPF.

31. If during development, contamination not previously identified is found present at the site then no further development (unless otherwise agreed in writing by the Local Planning Authority) shall be carried out until a remediation strategy has been submitted to and approved in writing by the Local Planning Authority detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented in accordance with the approved details.

Reason: To ensure that a satisfactory strategy is put in place for addressing contaminated land before development commences and to make the land suitable for the development without resulting in risk to construction workers, future users of the land, occupiers of nearby land and the environment generally in accordance with Policies CS9 and CS21 of the Woking Core Strategy 2012, Policies DM5 and DM8 of the DM Policies DPD and policies in the NPPF.

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

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

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

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

34. The ancillary shop hereby permitted shall be limited to the area within the building annotated as the shop and shall not be enlarged in any way without the prior written permission of the Local Planning Authority.

Reason: The retail shop is intended to be an ancillary facility within this industrial unit which itself is located within a wider Trading Estate and in the interests of parking and highway safety and to comply with Policies CS15 and CS18 of the Woking Core Strategy and the policies in the NPPF.

Informatives

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1. **Noise Control** The applicant's attention is drawn to Sections 60 and 61 of the Control of Pollution Act 1974 and the associated British Standard Code of Practice BS 5228 : 1984 "Noise Control on Construction and Open Sites" (with respect to the statutory provision relating to the control of noise on construction and demolition sites. If work is to be carried out outside normal working hours, (i.e. 8 am to 6 p.m. Monday to Friday, 8 am to 1 p.m. Saturday and not at all on Sundays or Bank Holidays) prior consent should be obtained from the Environmental Health Officer prior to commencement of works.
2. **New Business - Advise Environmental Health** before the new business opens the applicant is advised to contact the Environmental Health Department, Civic Offices, Gloucester Square, Woking, Surrey, GU21 1YL, telephone (01483) 755855 regarding the provisions of the Health & Safety at work Etc. Act 1974.
3. **Food Safety Act (1)** The premises will be required to comply with the Food Safety Act 1990 and the Local Government (Miscellaneous Provisions) Act 1976. In this context details of the kitchen/food preparation areas including the number and position of sinks, wash hand basins and other fittings, water closet and urinal accommodation for staff and public, including facilities for disabled persons, should be submitted to the Chief Environmental Health Officer prior to the commencement of any work.
4. **Food Safety Act (2)** All new food premises are required by the Food Safety Act 1990 to register with the Local Authority at least 28 days before the food business opens. Please contact the Environmental Health Department on Woking (01483 755855) for the appropriate registration form.
5. **Thames Water informative** - Surface water drainage – With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommend that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921.
6. The permission hereby granted shall not be construed as authority to carry out any works on the highway. The applicant is advised that prior approval must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway or verge to form a vehicle crossover to install dropped kerbs – www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/vehicle-crossovers-or-dropped-kerbs
7. The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders. (Highways Act 1980 Sections 131, 148, 149).
8. The developer is advised that as part of the detailed design of the highway works required by the above condition(s), the County Highway Authority may require necessary accommodation works to street lights, road signs, road markings, highway drainage, surface covers, street trees, highway verges, highway surfaces, surface edge restraints and any other street furniture/equipment.

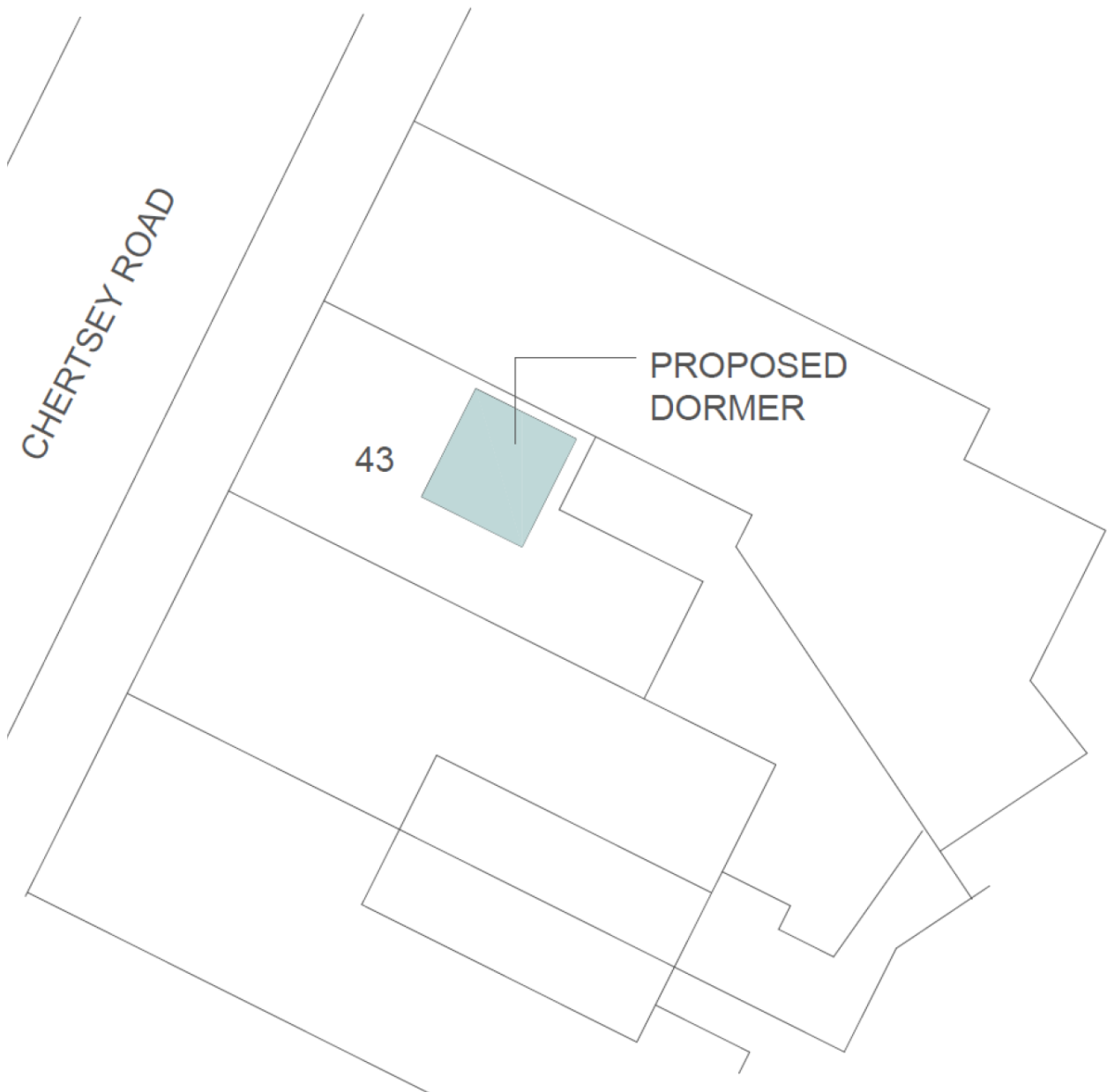
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9. The applicant is advised that Council officers may undertake inspections without prior warning to check compliance with approved plans and to establish that all planning conditions are being complied with in full. Inspections may be undertaken both during and after construction.
10. The Council confirms that in assessing this planning application it has worked with the applicant in a positive and proactive way, in line with the requirements of paragraph 186-187 of the National Planning Policy Framework 2012. Which included feedback to the applicant and agent throughout the application process.
11. With regard to condition 20, the applicant is advised that early and careful consideration should be given to the proposed extract, ventilation and, if required, any flue. If any external flue is required advice should be sought from the Local Planning Authority at an early stage who will be able to advise on the merits of any proposed equipment with regard to visual impact and also whether there is a need for a separate full planning application to be submitted or whether the scheme can be dealt with under condition 20 of this planning permission.

43A Chertsey Road, Woking

PLAN/2017/1336

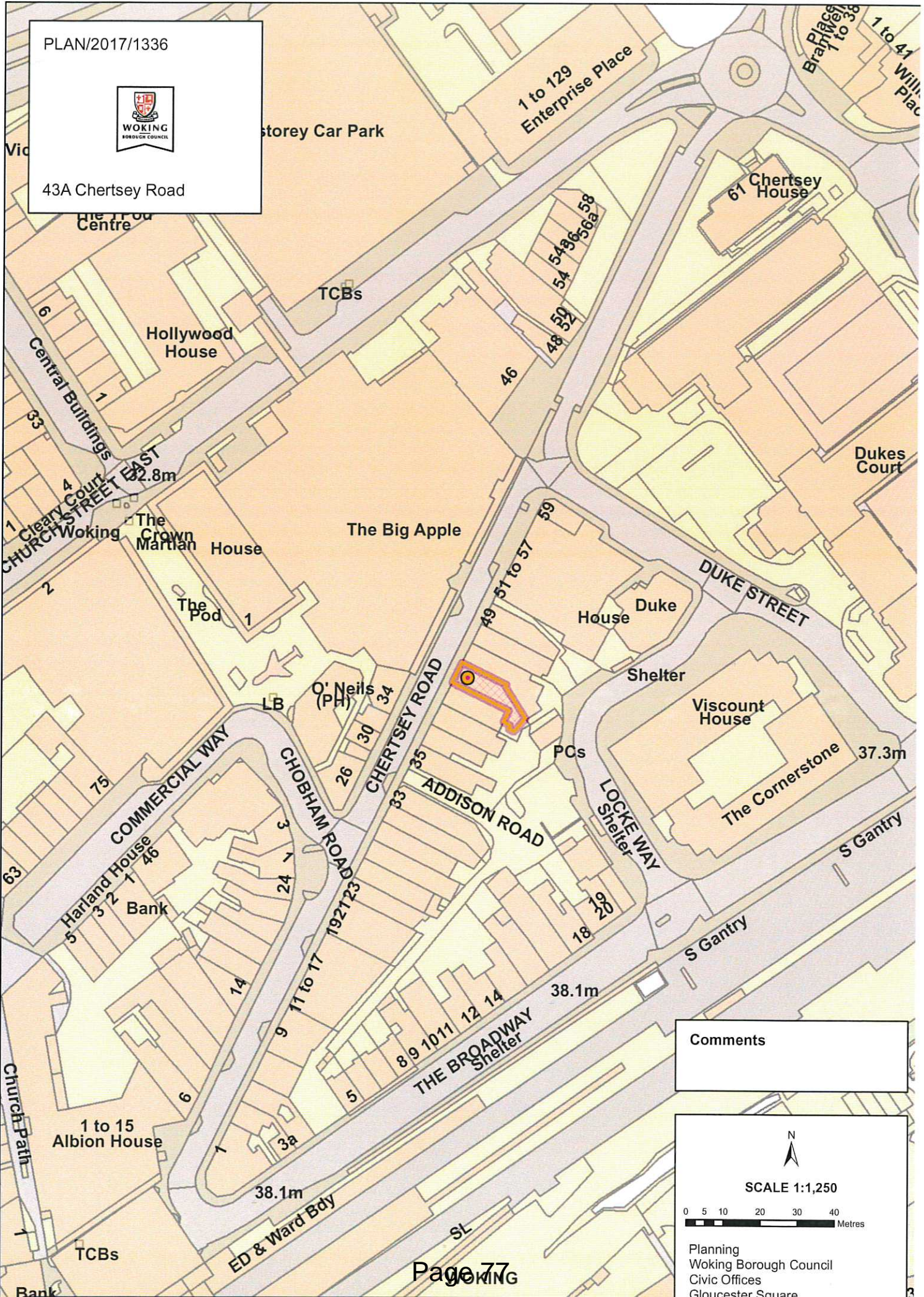
Erection of a rear dormer to facilitate the change of use of offices (B1a) on the first, second and third floors to three 1-bedroom flats (C3).



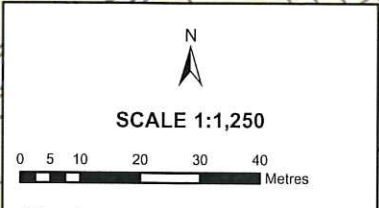
PLAN/2017/1336



43A Chertsey Road



Comments



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

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5c 17/1336 Reg'd: 12.12.2017 Expires: 06.02.18 Ward: C
Nei. 08.01.18 BVPI Number 11/8 On No
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LOCATION: 43a Chertsey Road, Woking, Surrey, GU21 5AJ

PROPOSAL: Erection of a rear dormer to facilitate the change of use of offices (B1a) on the first, second and third floors to three 1-bedroom flats (C3).

TYPE: Full

APPLICANT: Mr V Butler

OFFICER: Tanveer
Rahman

REASON FOR REFERRAL TO COMMITTEE

The proposal involves the creation of new dwellings which falls outside of the scheme of delegated powers.

RECOMMENDATION

GRANT planning permission subject to conditions and a SAMM (TBH SPA) contribution to be secured by a S106 legal agreement.

PLANNING STATUS

- Urban Area
- Conservation Area
- Town Centre
- Primary Shopping Area
- Secondary Shopping Frontage
- Thames Basin Heaths SPA Zone B (400m-5km)

SITE DESCRIPTION

The application site is located on the south east side of Chertsey Road within the Woking Town Centre Conservation Area and consists of office space spread over the first floor, second floor and roof space of a mid-terrace building. The three-storey building has a pitched roof, a two-storey rear outrigger and a three-storey front oriel window element. The ground floor of the building is a public house. The main access to 43a is actually within the front elevation of the adjoining property 41 Chertsey Road. 41 Chertsey Road which is part of the 35-41 Chertsey Road Locally Listed Building.

RELEVANT PLANNING HISTORY

43 - 47 Chertsey Road

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PLAN/1999/0433: Relaxation of condition 3 (opening hours) of planning permission 82/815 to allow opening between 10:00 hours to 01:00 on Thursdays, 10:00 hours to 02:00 on Fridays, Saturdays and Bank holidays and 10:00 hours to 23:00 on all other occasions – permitted 17.06.1999.

PLAN/1999/0514: Installation of a new air conditioning unit and ducting on the existing single storey flat roof to the rear of the property - permitted 03.06.1999.

43a Chertsey Road

PLAN/1987/0463: Change Of Use Of 1st, 2nd & 3rd Floors From Residential To Offices – refused 07.07.1987.

87/0055: DISPLAY.ILLUMINATED.ADVERT.SIGNBOX SIGN - permitted 01.03.1987.

86/0277: CHANGE-OF-USE GROUND FLOOR LICENCE RESTAURANT - permitted 01.05.1986.

0017074: ALTERATION AND EXTENSION - refused 01.09.1963.

0016783: DISPLAY.ILLUMINATED.ADVERT.SIGN - permitted 01.06.1963.

0016751: SHOP FRONT- permitted 01.06.1963.

PROPOSED DEVELOPMENT

The application is for a change of use of the first floor, second floor and roof space from offices (B1a) to residential (C3). Each floor is proposed to be converted to a 1-bedroom flat. A flat roof rear dormer is proposed to be erected in order to facilitate the flat in the roof space.

SUMMARY INFORMATION

Site area (excluding dropped kerb area)	0.0136ha
Existing units	0 unit
Proposed units	3 units
Bedrooms/unit	1 bedroom
Existing site density	0 dwellings/hectare
Proposed site density	73.53 dwellings/hectare

CONSULTATIONS

LPA Planning Policy

The LPA's Planning Policy team objected to this application however their comments stated that "a 'fallback' position of GDPO development can be given material planning consideration provided it is a clear possibility. As the possibility for GDPO development is restricted at this site, planning policy considers that limited weight should be given to this material consideration, and more weight given to the up-to-date policies of the Development Plan. However, this is ultimately for the case officer to decide".

LPA Heritage & Conservation Consultant

No objection.

County Highway Authority (SCC)

No objection.

LPA Waste & Recycling Team

No objection.

LPA Environmental Health Team

No comments received at the time of writing this report. The committee will be updated verbally with any response that is received.

NEIGHBOUR REPRESENTATIONS

No representations were received.

RELEVANT PLANNING POLICIES

National Planning Policy Framework (2012):

Section 6 - Delivering a wide choice of high quality homes

Section 7 - Requiring good design

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

Section 11 - Conserving and enhancing the natural environment

Woking Core Strategy (2012):

CS1 - A Spatial Strategy for Woking

CS7 - Biodiversity and nature conservation

CS8 - Thames Basin Heaths Special Protection Area

CS10 - Housing provision and distribution

CS11 - Housing mix

CS12 - Affordable housing

CS15 - Sustainable economic development

CS16 - Infrastructure Delivery

CS18 - Transport and accessibility

CS20 - Heritage and Conservation

CS21 - Design

CS22 - Sustainable Design and Construction

CS24 - Woking's Landscape and Townscape

CS25 - Presumption in Favour of Sustainable Development

Development Management Policies DPD (2016):

DM7 - Noise and light pollution

DM9 - Flats Above Shops and Ancillary Accommodation

DM20 - Heritage Assets and their settings

Supplementary Planning Documents

Woking Design SPD (2015)

Outlook, Amenity, Privacy and Daylight (2008)

Parking Standards (2006)

Thames Basin Heaths Special Protection Area Avoidance Strategy 2010-2015

Climate Change (2013)
Affordable Housing Delivery (2014)

PLANNING ISSUES

The main issues to consider in determining this application are the principle of development, impact on the character and appearance of the Town Centre Conservation Area, impact on neighbours, quality of accommodation, impact on car parking provision and highway safety, impact on sustainability and the impact on the Thames Basin Heaths Special Protection Area having regard to the relevant policies of the Development Plan.

Principle of Development

1. The application site is within the designated Urban Area, Woking Town Centre, outside of the 400m (Zone A buffer) of the Thames Basin Heaths Special Protection Area (TBH SPA) and outside of fluvial flood zones.
2. Policy CS10 of the *Woking Core Strategy (2012)* identifies that the Council will make provision for 4,964 net additional dwellings in the Borough between 2010 and 2027. The justification text for policy CS10 states that new residential development within the Urban Area will be provided through redevelopment, change of use, conversion and refurbishment of existing properties or through infilling.
3. Policy CS2 of the *Woking Core Strategy (2012)* states that the *“Town Centre is the preferred location for town centre uses and high density residential development”*. Policy CS2 sets an indicative amount of 2,180 net dwellings to be achieved within Woking Town Centre during the period 2010 – 2027 and that *“proposals will be achieved through mixed-use high density redevelopment of existing sites, refurbishment of outmoded sites and intensification of existing sites”* among others.
4. Policy CS10 of the *Woking Core Strategy (2012)* identifies an indicative density range for residential development within Woking Town Centre of in excess of 200 dph. The proposal would create a residential density of the application site of 73.53dph, falling significantly short of the indicative range set by policy CS10. However given the constraints of the existing building and its location in a Conservation Area it is considered unrealistic to achieve a significantly higher density at this site.
5. Policy CS2 also explicitly states that existing office floor space will be safeguarded where there is evidence to justify this. It places an emphasis on retaining office space in the Town Centre to cater for a range of business needs and if the space is considered to inadequately cater for modern business needs it should be redeveloped and refurbished to continue meeting business needs, rather than lost entirely.
6. With this being said it is noted that it is likely that the proposed change of use from B1(a) to C3 would be granted under Schedule 2, Part 3, Class O of *The Town and Country Planning (General Permitted Development) (England) Order 2015* (as amended). It is also considered that this it is likely that this would be implemented given the similarity between this current application and a potential prior approval application under the GPDO. It is therefore considered that this could a be realistic fall-back option.

7. For these reasons it is considered that on balance the principle of development is acceptable.

Impact on character of the Conservation Area

8. The property is located in the Woking Town Centre Conservation Area. Section 72 of the *Planning (Listed Buildings and Conservation Areas) Act 1990* states that in considering applications within conservation areas, Local Planning Authorities shall pay “special attention...to the desirability of preserving or enhancing the character or appearance of that area”. Policy CS20 of the *Woking Core Strategy (2012)* and policy DM20 of the *Development Management Policies DPD (2016)* reflects this guidance. The principle significance of the host building in terms of character and heritage is derived from its frontage within the street scene of Chertsey Road. The proposed dormer would not be visible from Chertsey Road and would be mainly visible from Locke Way to the rear. It is noted that it would be set down from the main ridge of the host building and set in from its boundary with 41 Chertsey Road which is considered to make it appear subservient to the host building. As previously mentioned the LPA’s Heritage & Conservation Consultant has raised no objection. It is also noted that a resolution to grant planning permission was made by the Planning Committee on 16.01.2018 for PLAN/2017/0981 which proposed a similar rear dormer at the adjoining property 41 Chertsey Road.
9. For these reasons it is considered that the proposal would preserve the character and appearance of the Conservation Area.

Impact on neighbouring amenity

10. It is considered that the massing, design and location of the dormer would not create unacceptable overlooking issues, would not unacceptably impact sunlight/daylight levels and would not appear unacceptably overbearing towards neighbouring properties.
11. For these reasons it is considered that the proposal would have an acceptable impact on neighbouring amenity.

Quality of accommodation and private amenity space

12. The DCLG’s *Technical housing standards – nationally described space standard (2017)* recommends that 1 bedroom flats should have a minimum gross internal area (GIA) of 37sqm. The proposed first floor flat would have a GIA of 40.3sqm and therefore exceed this guideline. The proposed second floor flat would have a GIA of 40.3sqm and would therefore also exceed this guideline. The proposed third floor flat would have a GIA of 30.8sqm and would therefore fall below this guideline however this 6.2sqm shortfall is not considered to result in material harm to the residential amenity of future occupiers, particularly taking into account the central Woking Town Centre location.
13. In terms of the proposed flats it is considered, having regard to the locational characteristics of the application site within Woking Town Centre, that an acceptable standard of outlook, daylight and sunlight would be achieved to habitable rooms.
14. The Council’s SPD Outlook, Amenity, Privacy and Daylight (2008) states that “dwellings specifically designed not to be used for family accommodation do not require any specific area to be set aside for each as private amenity space. This

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would apply to one and two bedroom flats and other forms of dwelling less than 65sq.m. floorspace". The three proposed flats in would each have less than 65sqm of floorspace and therefore the SPD does not require any specific area of amenity space.

15. The agent submitted a block showing all proposed recycling and waste receptacles to be located at the rear of the site. As previously mentioned the LPA's Waste & Recycling Team considers that the proposed recycling and refuse arrangements would be acceptable.
16. It is considered that noise from the existing ground floor pub as well as from existing residential uses on the first, second and third floors of 45 and 47 Chertsey Road would not have an unacceptable impact on future occupiers of the proposed flats but only subject to a condition requiring noise mitigation details to be submitted and agreed by the LPA prior to commencement of development.
17. For these reasons it is considered that the proposal would not provide an unacceptable quality of accommodation and private amenity space.

Impact on car parking provision & highway safety

18. The Council's SPD *Parking Standards* (2006) sets maximum parking standards, with the objective of promoting sustainable non-car travel. It advises that where car parking provision falls below the stated maximum standard the scheme needs to be examined to ensure it does not have an adverse impact on highway safety, the free flow of traffic or parking provision in the locality. Policy CS18 of *the Woking Core Strategy* (2012) highlights the Council's commitment to sustainable transport modes. With this in mind new development is steered to urban locations, such as Woking Town Centre, that are served by a range of sustainable transport options.
19. The *National Planning Policy Framework* (2012) states that in setting local parking standards local planning authorities should take into account the accessibility of the development; the type and mix of the development; the availability and opportunities for public transport; local car ownership levels; and the need to reduce the use of high emission vehicles.
20. While *Parking Standards* (2006) identifies a parking standard of one car parking space for every 1-bedroom flat it also states that "*for car parking the standards define the maximum acceptable provision for the most common forms of development. Provision above this level will not normally be permitted. A minimum requirement will not normally be imposed unless under provision would result in road safety implications*". Also paragraph 32 of the *National Planning Policy Framework* (2012) advises that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.
21. The fact that the proposal would provide no on-site car parking which is below guidelines in the SPD is a significant material consideration. However, it is noted that the application site is located within a highly accessible and sustainable location within Woking Town Centre within only 185 metres of Woking railway station and within immediate proximity to the wide range of retail, business, leisure, arts, culture and community facilities and other public transport connections, such as bus, cycle and pedestrian facilities, available within Woking Town Centre. Furthermore Woking Town Centre and its wider area are covered by a number of Controlled Parking Zones (CPZs) which cover all kerbsides within Woking Town Centre, making them subject to waiting restriction and parking charges. For these reasons the proposed

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flats would likely be attractive to non-car owners and are thus consistent with the planning objective to reduce greenhouse gas emissions. The absence of on site car parking would likely be unattractive to persons who own or rely upon private vehicles for transport. The availability of on street parking and car parks in the locality would readily meet the needs of visitors to the flats. Residents of the flats could equally apply for permits enabling them to park vehicles within the Woking Town Centre public car parks.

22. It is also noted that no cycle storage is proposed as part of this application.
23. As previously mentioned the County Highway Authority (SCC) has raised no objection to this application.
24. For these reasons it is considered that the proposal would have an acceptable impact on car parking provision and highway safety.

Impact on Thames Basin Heaths Special Protection Area

25. The site falls within the 400m -5km (Zone B) buffer of the Thames Basin Heaths Special Protection Area (TBH SPA). The TBH SPA is a European designated site afforded protection under the Conservation of Habitats and Species Regulations 2010 (as amended).
26. Policy CS8 of the Woking Core Strategy (2012) requires new residential development beyond a 400m threshold, but within 5 kilometres, of the TBH SPA boundary to make an appropriate contribution towards the provision of Suitable Alternative Natural Greenspace (SANG) and Strategic Access Management and Monitoring (SAMM).
27. The Suitable Alternative Natural Greenspace (SANG) element of the TBH SPA avoidance tariff is encompassed within the Community Infrastructure Levy (CIL) however the Strategic Access Management and Monitoring (SAMM) element of the TBH SPA avoidance tariff is required to be addressed outside of CIL. The applicant has agreed to make a SAMM contribution of **£1,461** in line with the Thames Basin Heaths Special Protection Area Avoidance Strategy as a result of the uplift of three 1-bedroom flats which would arise from the proposal.
28. A signed Unilateral Undertaking will be used to secure this financial contribution.
29. In view of the above, the Local Planning Authority is able to determine that the development would have no significant effect upon the TBH SPA and therefore accords with policy CS8 of the *Woking Core Strategy* (2012) and the 'Thames Basin Heaths Special Protection Area Avoidance Strategy'.

Sustainability

30. Policy CS22 of the *Woking Core Strategy* (2012) relating to sustainable construction does not explicitly state that it relates to conversions of existing buildings. Therefore it is not considered reasonable or necessary to impose any conditions relating to sustainable construction.

Affordable Housing

31. Policy CS12 of the *Woking Core Strategy* (2012) states that all new residential development will be expected to contribute towards the provision of affordable

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housing and that, on sites providing fewer than five new dwellings, the Council will require a financial contribution equivalent to the cost to the developer of providing 10% of the number of dwellings to be affordable on site.

32. However, following the Court of Appeal's judgment of 11th May 2016 (*Secretary of State for Communities and Local Government v West Berkshire District Council and Reading Borough Council* [2016] EWCA Civ 441), wherein the Secretary of State for Communities and Local Government successfully appealed against the judgment of the High Court of 31st July 2015 (*West Berkshire district Council and Reading Borough Council v Department for Communities and Local Government* [2015] EWHC 2222 (Admin)), it is acknowledged that the policies within the Written Ministerial Statement of 28th November 2014, as to the specific circumstances where contributions for affordable housing and tariff-style planning obligations should not be sought from small scale and self build development, must once again be treated as a material consideration in development management decisions.
33. Additionally the Planning Practice Guidance (Paragraph 031 - Revision date: 19.05.2016) sets out that there are specific circumstances where contributions for affordable housing planning obligations should not be sought from small scale and self-build development. This follows the order of the Court of Appeal judgment dated 13th May 2016, which again gives legal effect to the policy set out in the Written Ministerial Statement of 28th November 2014 and should be taken into account. These circumstances include that contributions should not be sought from developments of 10-units or less, and which have a maximum combined gross floor space of no more than 1000sqm.
34. Whilst it is considered that weight should still be afforded to policy CS12 (Affordable housing) of the Woking Core Strategy 2012 it is considered that greater weight should be afforded to the policies within the Written Ministerial Statement of 28th November 2014 and the Planning Practice Guidance (Paragraph 031 - Revision date: 19.05.2016). As the proposal represents a development of 10-units or less, and has a maximum combined gross floor space of no more than 1000sqm, no affordable housing financial contribution is therefore sought from the application scheme.

Local finance consideration

35. The proposed development would increase the gross internal area by 4.5sqm of gross in the designated town centre. It therefore be liable to a contribution to the Community Infrastructure Levy (CIL) of **£373.85** according to the current financial year's price index however it is noted that a CIL self -exemption form has been submitted by the applicant.

CONCLUSION

Overall the principle of development is considered to be acceptable and it is considered that it would have an acceptable impact on the character and appearance of the Conservation Area, impact on trees, impact on neighbours, quality of accommodation, impact on car parking provision and highway safety, impact on sustainability and the impact on the Thames Basin Heaths Special Protection Area having regard to the relevant policies of the Development Plan. The proposal therefore accords with sections 6, 7, 10 and 11 of the *National Planning Policy Framework* (2012), policies CS1, CS7, CS8, CS10, CS11, CS12, CS15, CS16, CS18, CS21, CS22, CS24 and CS25 of the *Woking Core Strategy* (2012), policies DM9 of the *Development Management Policies DPD* (2016), *Woking Design SPD* (2015), *Outlook, Amenity, Privacy and Daylight* (2008), *Parking Standards* (2006), *Thames*

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Basin Heaths Special Protection Area Avoidance Strategy 2010-2015, Climate Change (2013) and Affordable Housing Delivery (2014).

BACKGROUND PAPERS

Site visit photographs (30.01.2018)
Conservation Area site notice (displayed 20.12.2017)

PLANNING OBLIGATIONS

	Obligation	Reason for Agreeing Obligation
1.	Provision of £1,461 contribution to provide SAMM.	To accord with the Habitat Regulations and associated Development Plan policies and the Council's Adopted Avoidance Strategy.

RECOMMENDATION

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

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

Reason:

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

2. The development hereby permitted shall be carried out in accordance with the approved drawings listed below:
 - 1:1250 location plan (received by the LPA on 27.11.2017)
 - 1:500 and 1:200 proposed block plan Drwg no.WOK/013 (received by the LPA on 01.12.2017)
 - 1:50 proposed first and second floor plans Drwg no.WOK/011 (received by the LPA on 27.11.2017)
 - 1:50 proposed roof space plan and proposed 1:50 proposed section Drwg no.WOK/012 (received by the LPA on 27.11.2017)
 - 1:100 proposed elevations Drwg no.WOK/014 (received by the LPA on 01.12.2017)
 - 1:200 proposed refuse and recycling plan Drwg No.WOK/012/A (received by the LPA on 01.12.2017)

Reason:

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

3. The external finishes of the development hereby permitted shall match those used in the existing building in material, colour, style, bonding and texture.

Reason:

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

4. Prior to the first occupation of the development hereby permitted, the refuse and recycling facilities shown on the approved plans shall be made available and thereafter be retained for use at all times.

Reason:

To ensure the provision of satisfactory facilities for the storage and recycling of refuse and to protect the amenities of the area in accordance with policy CS21 of *the Woking Core Strategy* (2012).

5. The development hereby permitted shall not commence until details of the measures to be undertaken to upgrade the acoustic performance of the party ceilings/floors and walls have been submitted to and approved in writing by the Local Planning Authority. The works shall be completed in accordance with the approved details prior to the first occupation of the development.

Reason:

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

Informatives

01. Site Inspections:

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

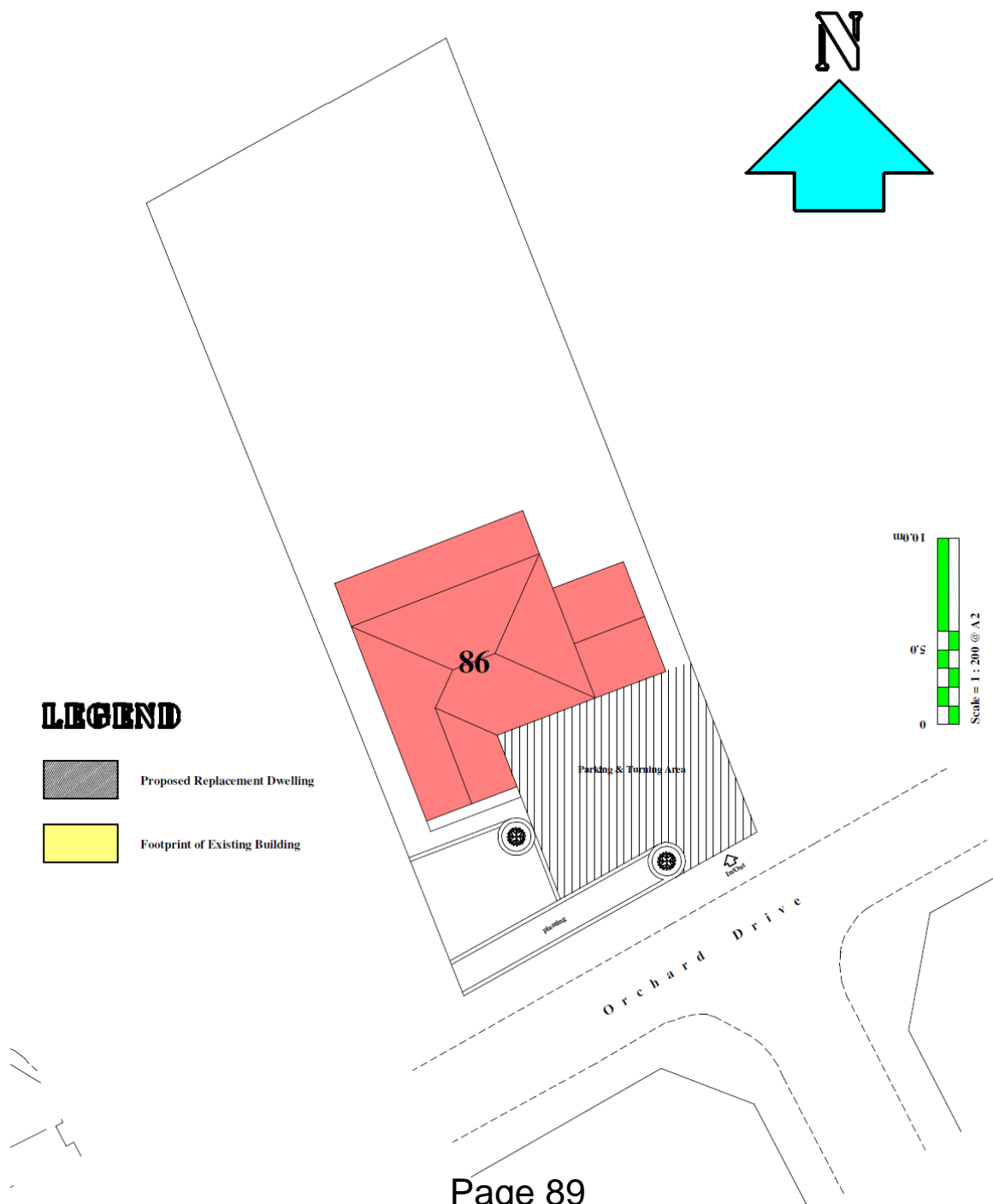
02. The application will not be formally approved until the applicant has entered into a legal agreement with the council to secure a provision of **£1,461** to provide avoidance measures against the impact of the site on the TBH SPA in accordance with the formula in the Avoidance Strategy and the **£373.85** CIL contribution.

03. The applicant is advised that this planning permission does not convey the right to enter onto or build on land not within his ownership.

86 Orchard Drive, Horsell

PLAN/2017/1410

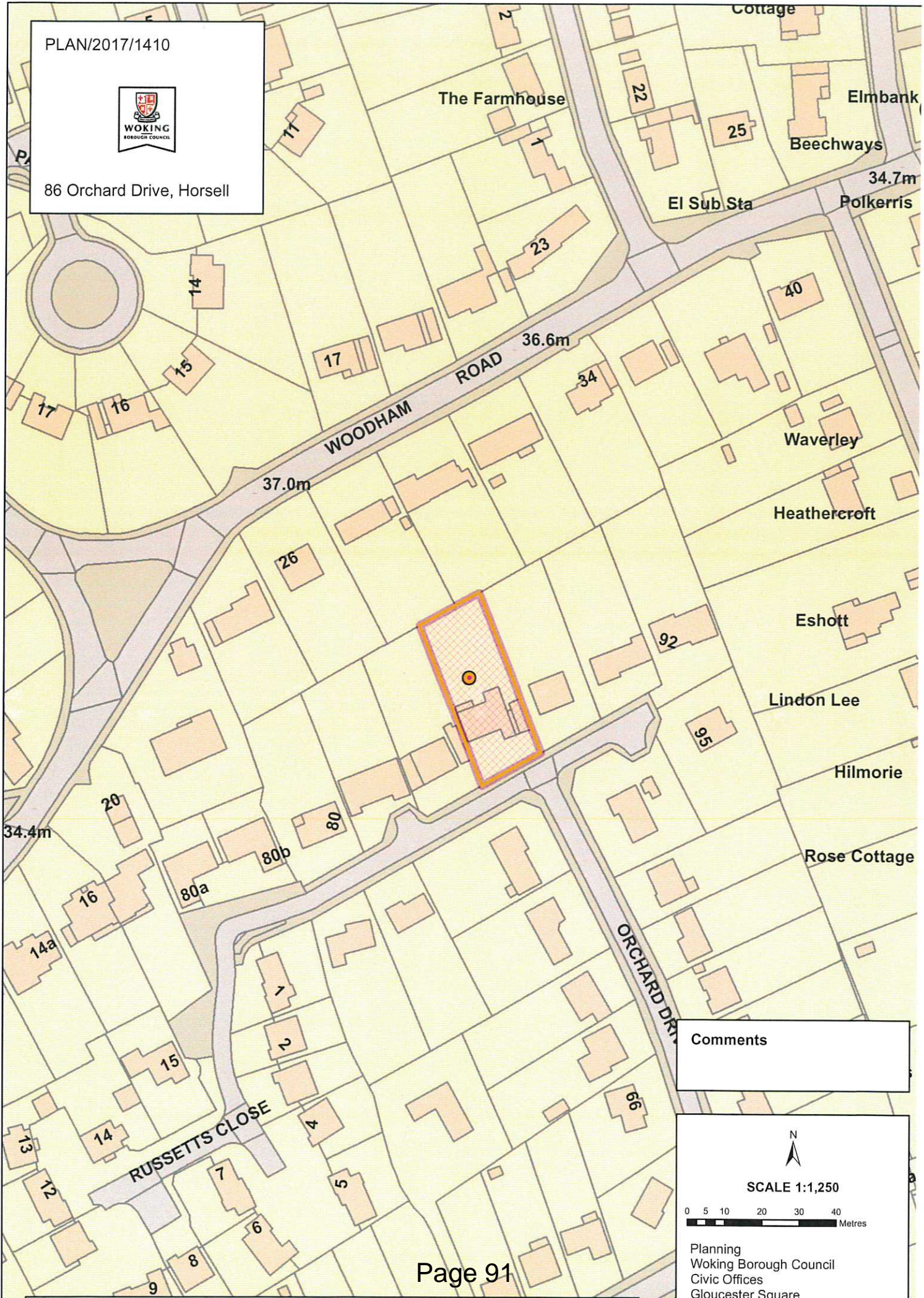
Demolition of existing dwelling and garage and the erection of a two storey replacement dwelling with accommodation in the roof space.



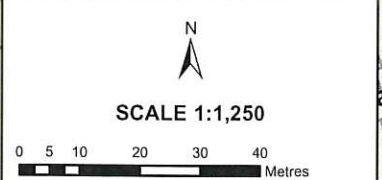
PLAN/2017/1410



86 Orchard Drive, Horsell



Comments



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

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5d 17/1410 Reg'd: 02.01.18 Expires: 27.02.18 Ward: HO
Nei. 26.01.18 BVPI Minor Number 8 On Yes
Con. Target dwellings -13 of Weeks Target?
Exp: on Cttee'
Day:

LOCATION: 86 Orchard Drive, Horsell, Woking, GU21 4BS

PROPOSAL: Demolition of existing dwelling and garage and the erection of a two storey replacement dwelling with accommodation in the roof space.

TYPE: Full Planning Application

APPLICANT: Mr Benning

OFFICER: William Flaherty

REASON FOR REFERRAL TO COMMITTEE:

The proposal includes the creation of a replacement dwelling which falls outside the scope of delegated powers as set out by the Management Arrangements and Scheme of Delegation.

PLANNING STATUS

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

RECOMMENDATION

GRANT planning permission subject to conditions.

SITE DESCRIPTION

The proposal site features a single storey dwelling with accommodation in the roof space and a detached single garage. Orchard Drive and surrounding streets are characterised by detached dwellings of similar ages and styles dating from the mid C20.

PLANNING HISTORY

- PLAN/2017/0682 – Demolition of Existing Bungalow & Erection of a Replacement Dwelling – Withdrawn
- AMEND/2017/0069 – Non -Material Amendment to permission ref: PLAN/2016/0555 (Proposed erection of a two storey replacement dwelling with accommodation in the roof space following demolition of existing dwelling and garage) to allow changes to fenestration – Permit 27.10.2017
- COND/2016/0146 - Submission of details pursuant to Conditions 2 (materials), 6 (sustainability) and 8 (Construction Management Plan) of permission ref:

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PLAN/2016/0555 for the erection of a two storey replacement dwelling with accommodation in the roof space following demolition of existing dwelling and garage) – Discharged 15.02.2017

- PLAN/2016/0555 - Proposed erection of a two storey replacement dwelling with accommodation in the roof space following demolition of existing dwelling and garage – Permit 29.09.2016
- PLAN/2016/0182 - Proposed first floor extension, two storey side extension to form two storey house and single storey rear extension – Withdrawn
- PLAN/2015/1220 - Proposed erection of a pair of attached dwellings following demolition of bungalow. – Withdrawn

PROPOSED DEVELOPMENT

The proposal is for the demolition of the existing dwelling and garage and the erection of a two storey replacement dwelling with accommodation in the roof space.

CONSULTATIONS

County Highway Authority: No objection.

Drainage and Flood Risk Officer: No objection subject to a planning condition requiring a scheme for disposing of surface water by means of a sustainable drainage system prior to the commencement of development.

REPRESENTATIONS

1 letter has been submitted raising the following comments on the application:

- The proposed patio at the rear could create flooding and drainage issues onto neighbouring properties;
- What will the boundary treatments for the site be?
- The digging of foundations may affect soakaways on neighbouring properties.

RELEVANT PLANNING POLICIES

National Planning Policy Framework (NPPF) (2012):
Section 6 - Delivering a wide choice of high quality homes
Section 7 – Requiring Good Design

Woking Borough Core Strategy (2012):
CS18 – Transport and Accessibility
CS21 – Design
CS22 – Sustainable Construction
CS24 – Woking's Landscape and Townscape
CS25 – Presumption in favour of sustainable development

Supplementary Planning Documents:
Woking Design (2015)
Outlook, Amenity, Privacy and Daylight (2008)
Parking Standards (2006)

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Development Management Policies DPD (2015)
DM2 – Trees and Landscaping

BACKGROUND

A previous proposal for the subdivision of the plot to create an additional dwelling was withdrawn following concerns raised by officers with the principle of the proposal (PLAN/2015/1220).

A similar application was previously submitted as a Householder application for extensions to the existing dwelling. Following concerns raised by Officers, including concerns that the level of demolition involved in the proposal would constitute a replacement dwelling, this application was withdrawn (PLAN/2016/0182).

Planning permission (PLAN/2016/0555) was granted in September 2016 for the erection of a two storey replacement dwelling with accommodation in the roof space following demolition of existing dwelling and garage.

The current planning application is a Full application for the erection of a two-storey replacement dwelling with accommodation in the roof space following the demolition of the existing dwelling and garage. The application is reduced in size compared to extant planning permission ref: PLAN/2016/0555 with all but 1 of the rear dormers removed and an overall reduction in footprint. Please see the table below for a comparison between extant planning permission ref: PLAN/2016/0555 and the dwelling proposed by the current application:

	PLAN/2016/0555 (Extant)	PLAN/2017/1410 (Current)
Maximum roof ridge height	8.7m	8.7m
Maximum width along the front elevation	15.9m	14.9m
Maximum depth	13.9m	13.9m
Minimum set back from the boundary with No. 84	0.9m	1.9m
Minimum set back from the boundary with No. 88	1.5m	1.5m
Gross Internal Floor Area (square metres)	352sqm	265.61sqm
Rear Garden Size (square metres)	447sqm	484sqm

PLANNING ISSUES

Impact on Character:

1. The proposal is for the demolition of the existing single storey dwelling and replacement with a two storey dwelling with accommodation in the roof space. Orchard Drive is characterised by detached dwellings of a traditional character. Dwellings are a mixture of two storey and single storey dwellings with accommodation in the roof space. Orchard Drive and surrounding roads were originally laid out in the mid C20 and dwellings are typically finished in a mixture of brickwork and tile hanging with clay

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roof tiles. The consistent use of materials and building forms gives a strong character to the area.

2. The demolition and replacement of the existing dwelling is considered acceptable in principle providing the replacement is visually acceptable and respects the character of the surrounding area. The proposed dwelling would be two storeys with accommodation in the roof space facilitated by a single dormer to the rear and a total of 4 rooflights. The dwelling would feature a hipped roof with a two storey front projecting element and an attached single storey garage. The proposal would have an open porch on the front elevation and a single storey rear extension with a mono-pitched roof.
3. On the front elevations, the dwelling would be finished in tile hanging at the first floor and facing brickwork on the ground floor level. The roof would be plain roof tiles (dark chestnut colour) with main walls on the side and rear elevations to be rendered (white colour). Windows would be dark grey coloured powder-coated aluminium while doors would be purpose-made timber/powder-coated aluminium. The proposed materials would be the same as those approved under planning permission ref: 2016/0555 with the brickwork and tile hanging considered to relate well to the prevailing character of the area in principle; however, further details and samples of materials would need to be secured by way of planning condition should planning permission be granted.
4. The proposed replacement dwelling would have a maximum ridge height of 8.7m which is 2.5m higher than the existing dwelling. The resulting height and scale of the dwelling is considered to be broadly consistent with building heights in the area including neighbouring dwellings (No.84 is approximately 8.8m in height and No.88 approximately 8.4m in height) and is therefore considered acceptable. The proposed dwelling would retain a 1.9m separation to the western side boundary with No. 84 and approximately 1.5m separation distance to the eastern side boundary with No. 88 (as shown on Drawing No. RCAL/1711-104C). The proposed separation distances are considered to retain sufficient visual separation between dwellings which is considered to be consistent with the character of the surrounding area.
5. The proposed dwelling would be two storeys with accommodation in the roof space, however the dwelling would have the outward appearance of a two storey dwelling as the proposal would have roof lights on the front and east side elevation and the proposed dormer serving the roof space accommodation would be confined to the rear.
6. The proposal site is in a prominent position given its elevated position at the end of Orchard Drive. However, considering the points discussed above, the proposal is considered to be a visually acceptable form of development and the prominence of the site is not considered to preclude permitting a larger replacement dwelling on the site. The proposed replacement dwelling would also have a reduced width and bulk within the streetscene compared to extant planning permission ref: 2016/0555 which is a material planning consideration in the consideration of this application.
7. Limited details of the front garden landscaping and parking area have been submitted while no details of boundary treatments have been provided. A detailed landscaping scheme and details of the proposed driveway/boundary treatments should be secured by way of planning conditions to ensure that the development enhances the character and appearance of the surrounding area and to ensure that the driveway does not increase surface water runoff off-site.

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8. For the reasons set out above, it is considered that the proposed replacement dwelling would be a visually acceptable form of development which would respect the character of the surrounding area, subject to planning conditions.

Impact on Neighbours:

9. The proposed dwelling would be positioned approximately 5m from the side elevation of neighbouring No.88 to the east with the two storey element of the proposal set back approximately 9m from the side elevation of No. 88. The proposal would pass the '45° test', as outlined in the Council's 'Outlook, Amenity, Privacy and Daylight' SPD 2008, in both plan and elevation form with this neighbour.
10. No. 88 features three ground floor side-facing windows. Two of these are small secondary windows to a living room where the main outlook and source of light is the window on the south-facing front elevation of this neighbour. The remaining window is relatively small and serves a dining room which leads onto a glazed conservatory on the rear. Although the proposal would breach the 25° test with this window, it is considered that the glazed conservatory provides light and outlook to this room. Additionally, the proposed dwelling and attached garage would move the built form further away from the site boundary when compared to the existing situation and would also represent an overall reduction in bulk and mass near the boundary when compared to extant planning permission ref: 2016/0555. Furthermore, it is considered that the hipped roof design of the proposed dwelling and the height of the single storey garage which is closest to the boundary would ensure that there is no unacceptable impact on habitable rooms at No. 88 in terms of overbearing or loss of light impacts.
11. The single storey rear element of the proposal would project 2.6m and is not considered to impact unduly on this neighbour in terms of overbearing or loss of light impacts. There would be 2 roof light windows facing No. 88, however, it is considered that these would not result in any significant loss of privacy as they would be secondary windows to the proposed bedroom and would not look directly into any habitable room windows at No.88. To ensure that there would be no unacceptable loss of privacy or overlooking to neighbouring No. 88, a planning condition is required to ensure that the roof light windows would be obscurely glazed and non-opening unless the parts of the windows which can be opened are more than 1.7 metres above the finished floor level of the rooms in which the windows are installed.
12. The proposal would pass the '45° test' in plan and elevation form with the neighbour at No.84. This neighbour features side-facing windows at ground and first floor levels however these serve bathrooms, a garage and utility room, and a secondary window to a family room. The first floor dormer windows are obscurely glazed. These windows are not therefore serving single aspect habitable rooms. The proposal is therefore considered to form an acceptable relationship with this neighbour.
13. The proposed dwelling features two first floor windows on the side elevation facing No. 84. The proposed first floor windows serve two en-suite bathrooms and could be required to be obscurely glazed with restricted opening by way of planning condition in order to avoid undue overlooking. Any views from front and rear-facing windows would be typical of a residential area and so are considered to be acceptable in terms of overlooking.
14. For the reasons set out above, it is considered that the proposal would have an acceptable impact on neighbours in terms of loss of light, overbearing and overlooking impacts.

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Transportation Impact:

15. The replacement dwelling would utilise the existing vehicular crossover onto the site and includes space to the frontage sufficient for the parking of two vehicles in accordance with the Council's Parking Standards. The County Highway Authority has been consulted and raises no objections. There is sufficient room within the site for waste and recycling bins to be stored and presented for collection. This part of Orchard Drive is a no-through road with relatively low volumes of traffic and low vehicle speeds; notwithstanding the position of the proposal site at a 'T' junction, the proposal is not considered to have an undue highway safety impact. Overall the proposed development is therefore considered to have an acceptable transportation impact compared to the existing situation.

Standard of Accommodation:

16. The proposed dwelling is considered to achieve an acceptable size and standard of accommodation with good quality outlooks to habitable rooms and a private rear garden. The size of the rear garden (approximately 484sqm) exceeds the internal floor area of the proposed dwelling (265.61sqm) and so is considered to achieve an appropriate size of amenity space for a large family dwelling in accordance with the Council's 'Outlook, Amenity, Privacy and Daylight' SPD (2008). The gross internal floor area of 265.61sqm would exceed the minimum 134sqm for a dwelling of this type, as set out in the Technical Housing Standards – Nationally Described Space Standard (March 2015) (as amended). The proposal is therefore considered to provide an acceptable standard of accommodation for future occupants.

Sustainability:

17. Following a Ministerial Written Statement to Parliament on 25 March 2015, the Code for Sustainable Homes (aside from the management of legacy cases) has now been withdrawn. For the specific issue of energy performance, Local Planning Authorities will continue to be able to set and apply policies in their Local Plans that require compliance with energy performance standards that exceed the energy requirements of Building Regulations until commencement of amendments to the Planning and Energy Act 2008 in the Deregulation Bill 2015. This is expected to happen alongside the introduction of Zero Carbon Homes policy in late 2016. The government has stated that the energy performance requirements in Building Regulations will be set at a level equivalent to the outgoing Code for Sustainable Homes Level 4.
18. Until the amendment is commenced, Local Planning Authorities are expected to take this statement of the Government's intention into account in applying existing policies and setting planning conditions. The Council has therefore amended its approach and an alternative condition will now be applied to all new residential permissions which seeks the equivalent water and energy improvements of the former Code Level 4 (Condition 9).

Local Finance Considerations:

19. In line with the Council's Charging Schedule, the proposed development would be CIL liable as it would result in a net additional increase of 87.85m² in internal floor space over the existing dwelling. The CIL charge in this case would therefore equate to £10,981.25.
20. Whilst the application site is located within Zone B of the Thames Basin Heaths Special Protection Area (SPA), given that this is a proposed replacement dwelling, it

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would not result in additional pressure, or any consequent significant effect, upon the SPA and as such no mitigation is required in the form of the SPA monetary contribution.

Trees and Landscaping:

21. There are no significant trees on the site which would require protection during construction, however a landscaping scheme would be secured by way of a planning condition.

Flood Risk:

22. The proposal site is not within Fluvial Flood Zones 2 or 3 or a surface water flood risk area. The Council's Drainage and Flood Risk Officer has reviewed the proposal and raises no objection subject to a pre-commencement planning condition requiring the submission of a scheme for disposing of surface water by means of a sustainable drainage system to be submitted to the Local Planning Authority for approval in writing.

Other issues:

23. Concerns were raised in a letter of representation that the proposal could create flooding and drainage issues, that it is unclear what the boundary treatment would be, and that the digging of foundations may affect soakaways on neighbouring properties. With reference to flooding, drainage, and boundary treatment, Officers consider that these matters could be clarified by details to be secured by planning condition prior to the commencement of development. Concerns regarding the impact of foundations on neighbouring soakaways are not a material planning consideration.

CONCLUSION

24. For the reasons set out above, it is considered that the proposed replacement dwelling would be acceptable in terms of character and design, impact on the amenities of neighbouring properties and impact on the public highway. The proposal therefore accords with Policies CS18 (Transport and Accessibility), CS21 (Design), CS22 (Sustainable Construction) and CS24 (Woking's Landscape and Townscape) of the Core Strategy (2012), Policy DM2 (Trees and Landscaping) of the Development Management Policies DPD (2015) and Supplementary Planning Documents: 'Outlook, Amenity, Privacy and Daylight' (2008) and 'Woking Design' (2015) and the National Planning Policy Framework (2012). The application is therefore recommended for approval.

BACKGROUND PAPERS

1. Site visit photographs dated 15.01.2018
2. Consultation responses
3. Representations

RECOMMENDATION

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

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

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

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

RCAL/1711-101 – Location, Block & Site Plans (Sheet 1 of 1), received 18.12.2017
RCAL/1711-106 – Existing/Proposed Street Scene (Sheet 1 of 1), received 18.12.2017
RCAL/1711-102 – Details of Existing (Sheet 1 of 1), received 18.12.2017
RCAL/1711-104C – Details of New Works (Sheet 1 of 2), received 14.02.2018
RCAL/1711-105A – Details of New Works (Sheet 2 of 2), received 22.12.2017

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

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

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

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

Reason: To ensure that the development achieves a high standard of sustainability and does not increase surface water flood risk in accordance with Policy CS9 of the Woking Core Strategy 2012.

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

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

6. ++ Prior to the occupation of the development hereby approved, the first floor windows on the west facing side elevation of the dwelling hereby permitted shall be glazed entirely with obscure glass and be non-opening unless the parts of the windows which can be opened are more than 1.7 metres above the finished floor level of the rooms in which the windows are installed. Once installed the windows shall be permanently retained in that condition unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard the amenities of the adjoining properties in accordance with Policy CS21 of the Woking Core Strategy 2012.

7. The roof light windows on the east side elevation (as shown on Drawing No. RCAL/1711-104C, dated 14.02.18) hereby permitted shall be glazed entirely with obscure glass and non-opening unless the parts of the windows which can be opened are more than 1.7 metres above the floor of the room in which the window is installed. Once installed the roof light windows shall be permanently retained in that condition unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard the amenities of the adjoining properties in accordance with Policy CS21 of the Woking Core Strategy 2012.

8. Notwithstanding the provisions of Article 3 and Schedule 2, Part 1, Classes A and B of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), (or any orders amending or re-enacting that Order with or without modification) no extension, enlargement or alteration of the dwellinghouse hereby approved shall be carried out without planning permission being first obtained from the Local Planning Authority.

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

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

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

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

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

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

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

11. ++ Prior to the first occupation of the development hereby approved, space shall be laid out within the site in accordance with the approved plans for vehicles to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the parking and turning areas shall be retained and used solely for parking and turning.

Reason: In order that the development should not prejudice highway safety nor should it inconvenience other highway users in accordance with Policy CS9 of the Woking Core Strategy (2012).

Informatives

1. The Council confirms that in assessing this planning application it has worked with the applicant in a positive and proactive way, in line with the requirements of paragraph 186-187 of the National Planning Policy Framework 2012.
2. The permission hereby granted shall not be construed as authority to carry out works on the highway. The applicant is advised that a licence must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway.
3. The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded

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vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders. (Highways Act 1980 Sections 131, 148, 149).

4. Your attention is specifically drawn to the conditions above marked ++. These condition(s) require the submission of details, information, drawings, etc. to the Local Planning Authority PRIOR TO THE COMMENCEMENT OF ANY DEVELOPMENT ON THE SITE or, require works to be carried out PRIOR TO THE COMMENCEMENT OF THE USE. Failure to observe these requirements will result in a contravention of the terms of the permission and the Local Planning Authority may serve Breach of Condition Notices to secure compliance.

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

5. The applicant is advised that this application is liable to make a CIL contribution of £10,981.25. The applicant must complete and submit a Commencement (of development) Notice to the Local Planning Authority, which the Local Planning Authority must receive prior to commencement of the development.
6. The applicant is advised that under the Control of Pollution Act 1974, works which will be audible at the site boundary will be restricted to the following hours:-

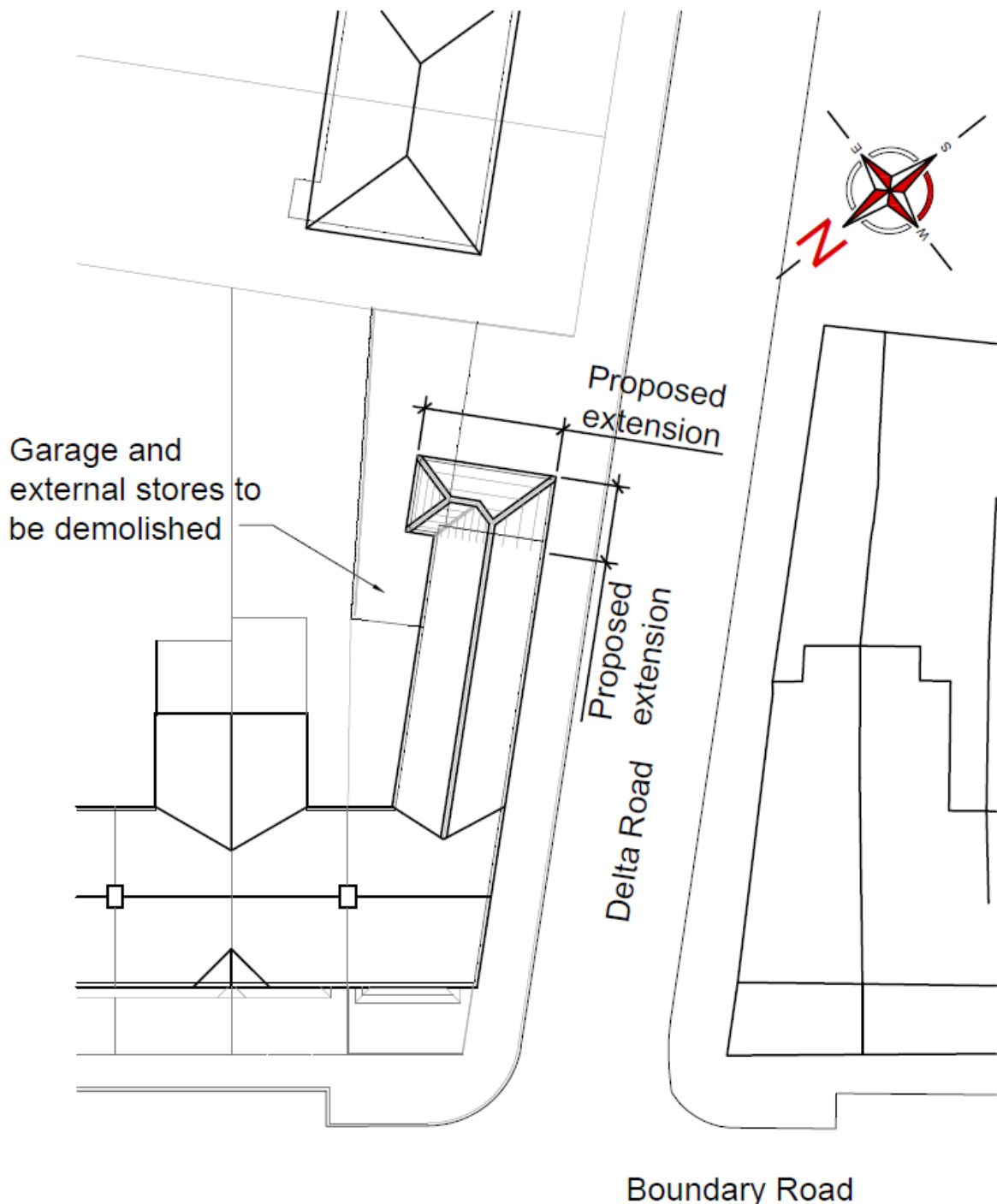
8.00 a.m. - 6.00 p.m. Monday to Friday
8.00 a.m. - 1.00 p.m. Saturday
and not at all on Sundays and Bank Holidays.

7. 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 setting out your obligations can be obtained from the Communities and Local Government website www.communities.gov.uk

183 Boundary Road, Woking

PLAN/2017/1001

Erection of a two storey rear extension and change of use and subdivision of building, including existing shop unit (A2 Use Class), to form 3x self-contained flats (1x two bedroom & 2x one bedroom), removal of shop front and erection of front canopy plus associated external alterations and provision of parking and bin storage following demolition of existing garages (Amended Plans & Description)



PLAN/2017/1001



183 Boundary Road

RiveDitch

Basingstoke Canal
Towing Path

Drain

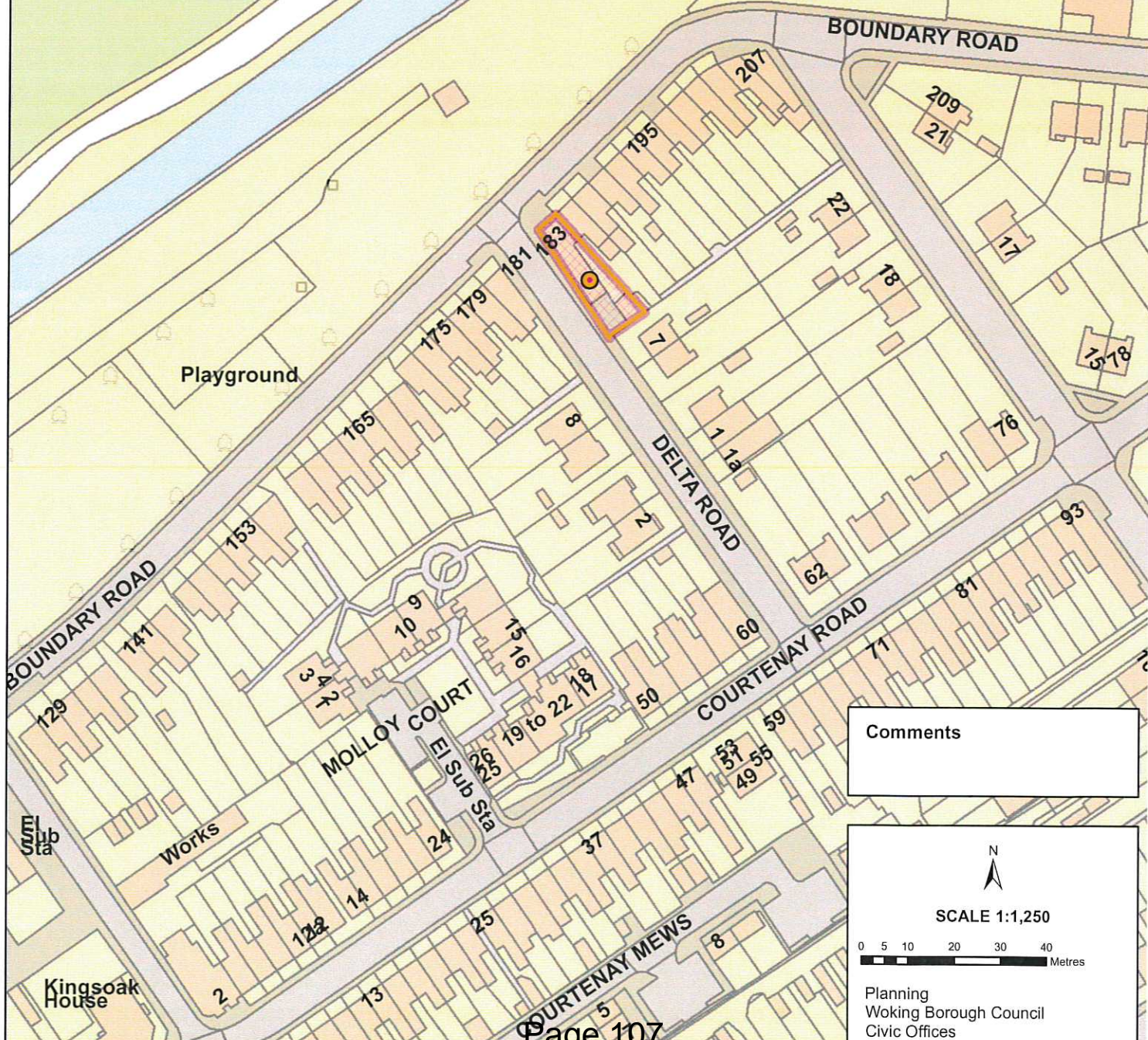
Scandia House

G M S House

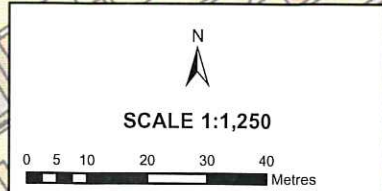
29.0m

BOUNDARY ROAD

Playground



Comments



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

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5e 17/1001 Reg'd: 14.09.17 Expires: 07.07.16 Ward: C
Nei. 13.12.16 BVPI Minor Number 24/8 On No
Con. Target dwellings -13 of Weeks Target?
Exp: on Cttee'
Day:

LOCATION: 183 Boundary Road, Woking, GU21 5BU

PROPOSAL: Erection of a two storey rear extension and change of use and subdivision of building, including existing shop unit (A2 Use Class), to form 3x self-contained flats (1x two bedroom & 2x one bedroom), removal of shop front and erection of front canopy plus associated external alterations and provision of parking and bin storage following demolition of existing garages

TYPE: Full Planning Application

APPLICANT: DiMe Limited

OFFICER: David Raper

REASON FOR REFERRAL TO COMMITTEE:

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

SUMMARY OF PROPOSED DEVELOPMENT

The proposal is for the change of use and subdivision of the existing property, including a ground floor shop unit, into 3x self-contained flats (1x two bedroom & 2x one bedroom). This would be facilitated by the erection of a two storey rear extension and external alterations following the demolition of existing single storey structures. Off-street parking for two vehicles would be provided to the rear accessed from Delta Road

Site Area: 0.022 ha (220 sq.m)
Existing units: 1
Proposed units: 3
Existing density: 45.5 dph (dwellings per hectare)
Proposed density: 136 dph

PLANNING STATUS

- Urban Area
- High Density Residential Area
- Priority Place
- High Accessibility Zone
- Surface Water Flood Risk Area
- Thames Basin Heaths SPA ZoneB (400m-5km)

RECOMMENDATION

GRANT planning permission subject to conditions and Section 106 Agreement to secure a SAMM contribution.

SITE DESCRIPTION

The proposal relates to a two storey end-of-terrace property with a vacant commercial (A2 use) unit at ground floor level with ancillary office space at first floor level and a garage and storage buildings to the rear. The property also features a flat at first floor level. The property forms a prominent corner plot. The surrounding area is characterised predominately by two storey terraced dwellings and is in a relatively high density area. The proposal site faces Boundary Park with the Basingstoke Canal beyond.

PLANNING HISTORY

- 81/0907 – Continued use of first floor as offices for electrical business – Refused 06.10.1981 but allowed at appeal
- 78/0672 – Two storey extension – Refused 01.12.1978
- 76/0759 - Erection of new shop front – Permitted 27.07.1976

CONSULTATIONS

County Highway Authority: No objection subject to conditions.

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

Scientific Officer: No objection subject to conditions.

REPRESENTATIONS

A total of 6x representations have been received objecting to the proposal raising the following concerns:

- Proposal would cause loss of light and an overbearing impact
- Proposal would place further pressure on parking and provides insufficient parking
- Proposal would be an over-intensification of use of the site and increased noise disturbance
- The area is already congested
- Proposal would be out of character with the area
- The construction phase would cause disruption
- The property is poorly maintained

RELEVANT PLANNING POLICIES

National Planning Policy Framework (NPPF) (2012):

Section 4 - Promoting sustainable transport

Section 6 - Delivering a wide choice of high quality homes

Section 7 - Requiring good design

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

Section 11 - Conserving and enhancing the natural environment

Development Management Policies DPD (2016):

DM2 – Trees and Landscaping

DM8 – Land Contamination and Hazards

DM15 – Shops Outside Designated Centres

Woking Core Strategy (2012):

- CS1 - A Spatial strategy for Woking Borough
- CS5 - Priority Places
- CS7 - Biodiversity and nature conservation
- CS8 - Thames Basin Heaths Special Protection Areas
- CS9 - Flooding and Water Management
- CS10 - Housing provision and distribution
- CS11 - Housing Mix
- CS12 - Affordable housing
- CS18 - Transport and accessibility
- CS21 - Design
- CS22 - Sustainable construction
- CS24 - Woking's landscape and townscape
- CS25 - Presumption in favour of sustainable development

Supplementary Planning Documents (SPDs):

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

BACKGROUND

Amended plans were received on 21/12/2017 which reduced the scale of the proposed two storey extension and reduced the number of proposed dwellings from five to three. A Flood Risk Assessment was also received on 16/01/2018. Neighbours were re-consulted on the amended plans and the proposal has been assessed based on these plans and information.

PLANNING ISSUES

Principle of Development:

1. The proposal relates to a building which includes a vacant commercial unit which is understood to have previously been in A2 use (financial and professional services). The loss of the existing use is therefore a material consideration however the proposal site is not within a designated shopping frontage. Woking DPD (2016) policy DM15 establishes a presumption against the loss of 'isolated' shop units except in certain circumstances; the proposal site is however located within 321m of the Walton Road Local Centre to the south (approximately a 5 minute walk) which contains a variety of A1 and A2 uses. The loss of the existing A2 use is not therefore considered to limit access to shops serving the day-to-day needs of local residents as there is alternative provision within the local area. The principle of the change of use of the existing commercial unit is therefore considered acceptable.
2. The NPPF (2012) and Core Strategy policy CS25 (2012) promote a presumption in favour of sustainable development. The site lies within the designated Urban Area, within the 'High Accessibility Zone' of Woking Town Centre and within the 400m-5km (Zone B) Thames Basin Heaths Special Protection Area (SPA) buffer zone. Core Strategy (2012) policy CS10 seeks to ensure that sufficient homes are built in sustainable locations where existing infrastructure is in place and the proposal is considered to constitute the efficient use of previously developed land within the urban area.

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3. The principle of residential development is therefore considered acceptable subject to further material planning considerations, specific development plan policies and national planning policy and guidance as discussed below.

Impact on Character:

4. The proposal relates to a two storey end-of-terrace property dating from the Victorian/Edwardian era which is typical of surrounding development and includes a two storey rear projection on the boundary with Delta Road. The proposed development includes a two storey rear extension and alterations to window and door openings including alterations to the existing shop front. The two storey rear extension would be attached to the existing rear projecting element following the demolition of the existing single storey garage and storage structures. The extension would match the ridge height of the existing rear projecting element and would be 2.4m in depth with a hipped roof design. Although the existing flank elevation is relatively large, the proposal is not considered to result in a disproportionate or incongruous addition to the host building and is considered a relatively modest addition. A separation distance of 6.4m would remain to the rear boundary and is considered to result in an acceptable level of visual separation between buildings.
5. The existing property forms a prominent corner plot and features a relatively large and blank flank elevation facing Delta Road. The proposal includes the insertion of 10x additional windows on this elevation which is considered to break-up and add visual interest to this elevation. The window openings generally align with each other at ground and first floor level and respect the window proportions of the Edwardian/Victorian architecture of the area. The existing shop front would be removed and replaced by a front projecting bay window and canopy which reflects the design features typical of the adjoining terraced dwellings and is considered a visually acceptable alteration.
6. The proposal site is positioned opposite the Basingstoke Canal Conservation Area however the scale and siting of the proposed development is not considered to materially impact on the special character or setting of the Conservation Area.
7. Overall the proposed development is considered to result in an acceptable impact on the character of the host building and surrounding area. The proposal therefore accords with Core Strategy (2012) policies CS21, CS24 and CS25, Supplementary Planning Document 'Woking Design' (2015) and the National Planning Policy Framework (2012).

Impact on Neighbours:

8. The closest neighbour to the proposal site is the adjoining neighbour at No.185 Boundary Road to the north-east which is a two storey mid-terrace property and features habitable room windows on the rear elevation and on the side elevation facing the proposal site.
9. The proposal includes the demolition of the existing single storey garage and storage buildings to the rear and the erection of a two storey rear extension. The two storey extension would extend a maximum of 2.6m from the existing rear projection and would extend 1.2m closer to the side boundary with No.183. The extension would be sited a minimum of 2m from the boundary and 12.5m from the windows on the rear elevation of No.185 and the proposal would not be positioned directly opposite the ground floor side-facing windows of this neighbour. The proposed extension is considered a relatively modest addition and the hipped roof further limits the bulk and

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scale of the extension. It is also borne in mind that the proposal would result in the removal of the existing single storey structures which measure 2.5m high and 13m deep and positioned directly on the boundary with this neighbour. The proposal would therefore alleviate any existing overbearing impact created by the existing structure. Overall the proposal is considered to have an acceptable impact on this neighbour in terms of loss of light and overbearing impacts.

10. The two storey extension would be positioned 7.5m from the boundary with No.187 further to the north-east and 10.5m from the neighbour on the opposite side of Delta Road to the south-west. Given the relatively modest scale of the proposed extension and the separation distances involved, the proposal is not considered to impact unacceptably on these neighbours or neighbours beyond in terms of loss of light and overbearing impacts.
11. The proposed two storey rear extension would be positioned 6.4m from the boundary with No.7 Delta Road which has a side-to-rear relationship with the proposal site. The proposal would pass the '45° test' in plan and elevation form with this neighbour and is not considered to result in an undue loss of light or overbearing impact on this neighbour. This neighbour does feature side-facing windows facing the proposal site however these are understood to serve non-habitable rooms or as secondary windows.
12. The existing property features several first floor side-facing windows facing north-east towards the neighbour at No.185 and there are is a mixture of clearly glazed and obscurely glazed windows. These would all be blocked-up and replaced and there would be 2x additional first floor windows on this elevation. All the first floor windows however would serve non-habitable rooms or as secondary windows and so these can be required to be obscurely glazed with restricted opening by condition in order to avoid undue overlooking. The proposal would also include ground floor side-facing windows however these would be positioned a minimum of 2m from the boundary which itself is proposed to be 2m high fencing; this is considered an acceptable relationship.
13. The windows on the south-west flank elevation would have a separation distance of 10.7m from the flank elevation of No.181 Boundary Road. This separation distance accords with the recommended minimum of 10m set out in the Council's 'Outlook, Amenity, Privacy and Daylight' SPD (2008). There would be no additional windows facing No.7 Delta Road to the south-east of the site.
14. Overall the proposal is therefore considered to have an acceptable impact on the amenities of neighbours in terms of loss of light, overlooking and overbearing impacts compared to the existing situation and accords with Core Strategy (2012) policy CS21, Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight' (2008) and the National Planning Policy Framework (2012).

Standard of Accommodation:

15. The proposal would create 2x one bedroom dwellings and 1x one bedroom dwelling and all would be split-level with bedrooms at first floor level. Whilst some of the ground floor windows would front directly onto the adjacent pavement, these would serve rooms which have secondary windows opening onto the rear courtyard area. Ground floor rooms are therefore considered to achieve an acceptable overall quality of outlook. First floor habitable rooms would face to the front side and rear. Some of the windows which face towards No.183 Boundary Road would be required to be obscurely glazed with restricted opening however these all serve rooms which are

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dual aspect with windows facing towards Delta Road which are considered to achieve an acceptable outlook. The proposed units would range from 55m² to 70m² which are considered to offer an acceptable size of accommodation. The proposed units would not achieve conventional areas of private amenity space however amenity space standards can be relaxed for flats and in high density areas. In any case there would be a courtyard space to the rear of each unit providing an area of outside space.

16. Overall the proposal is considered capable of achieving an acceptable standard of accommodation for future residents.

Transportation Impact:

17. The maximum parking requirement for the proposed development under the Council's Parking Standards (2006) would be three spaces. The proposed development would utilise the existing vehicular crossover onto Delta Road and would provide two off-street parking spaces. The proposal site is within the High Accessibility Zone of Woking Town Centre and is close to local shops and services; the proposal site is therefore in a sustainable location and the proposed parking provision is considered appropriate. There is space to the rear of the site in a fenced-off area for adequate bin and cycle storage within easy reach of Delta Road. The County Highway Authority has reviewed the proposal and raises no objection subject to conditions.
18. Overall the proposal is considered to result in an acceptable transportation impact.

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

19. The SPAs in this area are internationally-important and designated for their interest as habitats for ground-nesting and other birds. Core Strategy (2012) policy CS8 requires new residential development beyond a 400m threshold, but within 5km of the SPA boundary, to make an appropriate contribution towards the provisions of Suitable Alternative Natural Greenspace (SANG) and the Strategic Access Management and Monitoring (SAMM).
20. The SANG and Landowner Payment elements of the SPA tariff are encompassed within the Community Infrastructure Levy (CIL) however the SAMM element of the SPA tariff is required to be addressed outside of CIL. The applicant has agreed to make a SAMM contribution of **£1,147** in line with the Thames Basin Heaths Special Protection Area Avoidance Strategy 2010-2015 as a result of the net gain of 1x one bedroom and 1x two bedroom dwelling which would arise from the proposal.
21. In view of the above, the Local Planning Authority is able to determine that the development would have no significant effect upon the SPA and therefore accords with Core Strategy (2012) policy CS8 and the 'Thames Basin Heaths Special Protection Area Avoidance Strategy 2010-2015'.

Impact on Flood Risk:

22. The proposal site is not within a designated Flood Zone however the surrounding area is at high risk from surface water flooding. The applicant has provided a Flood Risk Assessment during the course of the application which the Council's Drainage and Flood Risk Engineer has reviewed and considers acceptable. The proposal is therefore considered to have an acceptable impact on flood risk.

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Affordable Housing:

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

Contamination:

26. The proposal site is located opposite the site of a former timber treatment works and there is potential for contamination on the site. The Council's Scientific Officer raises no objection to the proposal subject to a condition securing a Remediation Strategy should any contamination be discovered during construction.

Community Infrastructure Levy:

27. The proposal would not be CIL liable as there would be no net increase in floor area compared to the existing development on the site.

CONCLUSION

28. Considering the points discussed above, the proposal is considered an acceptable form of development which would have an acceptable impact on the amenities of neighbours, on the character of the surrounding area and in transportation terms. The proposal therefore accords with the Development Plan and is recommended for approval subject to conditions and subject to Section 106 Agreement.

BACKGROUND PAPERS

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

PLANNING OBLIGATIONS

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

	Obligation	Reason for Agreeing Obligation
1.	SAMM (SPA) contribution of £1,147	To accord with the Habitat Regulations, policy CS8 of the Woking Core Strategy 2012 and The Thames Basin Heaths SPA Avoidance Strategy 2010-2015.

RECOMMENDATION

PERMIT subject to the following conditions and S106 Agreement:

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

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

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

- 17061[S]01 (Existing Site Plan & Location Plan) received by the LPA on 29/08/2017
- 17061[S]02 (Existing Plans, Elevations & Section) received by the LPA on 29/08/2017
- 10761[PL]01 Rev.C (Proposed Site & Block Plans) received by the LPA on 12/02/2018
- 10761[PL]02 Rev.D (Proposed Floor & Roof Plans) received by the LPA on 12/02/2018
- 10761[PL]03 Rev.C (Proposed Elevations) received by the LPA on 12/02/2018

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

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

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

4. Prior to the first occupation of the development hereby approved, a hard and soft landscaping scheme showing details of shrubs, trees and hedges to be planted, details of materials for areas of hardstanding and details of boundary treatments, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and thereafter retained in accordance with the approved details unless otherwise first agreed in writing by the Local Planning Authority.

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

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

5. The first floor windows in the north-east facing side elevation of the development hereby approved shall be glazed entirely with obscure glass and non-opening unless the parts of the windows which can be opened are more than 1.7 metres above the floor levels of the rooms in which the windows are installed. Once installed the windows shall be permanently retained in that condition unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard the amenities of the adjoining properties in accordance with Policy CS21 of the Woking Core Strategy 2012.

6. Prior to the first occupation of the development hereby approved, space shall be laid out within the site in accordance with the approved plans for vehicles and bicycles to be parked. Thereafter the parking and turning areas shall be retained and maintained for their designated purposes.

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

7. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modification) no window, rooflight, door or other additional openings at first floor level or above, other than those expressly authorised by this permission, shall be formed in the north-east facing side elevation of the development hereby approved without planning permission being first obtained from the Local Planning Authority.

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

8. Prior to the first occupation of the development hereby approved, details of the proposed waste and recycling storage and management arrangements for the development shall be submitted to and approved in writing by the Local Planning Authority. Such details as may be agreed shall then be implemented and retained thereafter for the lifetime of the development hereby approved.

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

9. If during development, contamination not previously identified is found present at the site then no further development (unless otherwise agreed in writing by the Local Planning Authority) shall be carried out until a Remediation Strategy has been submitted to and approved in writing by the Local Planning Authority detailing how this

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unsuspected contamination shall be dealt with. The remediation strategy shall be implemented in accordance with the approved details.

Reason: To comply with the National Planning Policy Framework (NPPF) which requires development to contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from or being adversely affected by unacceptable levels of water pollution (paragraph 109) and to ensure that adequate site investigation information, prepared by a competent person, is presented (paragraph 12).

10. The development hereby approved shall be constructed in accordance with the submitted Flood Risk Statement Ref: 17068/PG dated 15/01/2018. As stated in the Flood Risk Statement there shall be no bedrooms located on the ground floor level unless otherwise first approved in writing by the Local Planning Authority.

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

Informatives

1. The Council confirms that in assessing this planning application it has worked with the applicant in a positive and proactive way, in line with the requirements of paragraph 186-187 of the National Planning Policy Framework 2012.
2. The permission hereby granted shall not be construed as authority to carry out works on the highway. The applicant is advised that a licence must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway.
3. The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders. (Highways Act 1980 Sections 131, 148, 149).
4. Your attention is specifically drawn to the conditions above marked ++. These condition(s) require the submission of details, information, drawings, etc. to the Local Planning Authority PRIOR TO THE COMMENCEMENT OF ANY DEVELOPMENT ON THE SITE or, require works to be carried out PRIOR TO THE COMMENCEMENT OF THE USE. Failure to observe these requirements will result in a contravention of the terms of the permission and the Local Planning Authority may serve Breach of Condition Notices to secure compliance.

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

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

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

3 Claremont Road, West Byfleet

PLAN/2017/0761

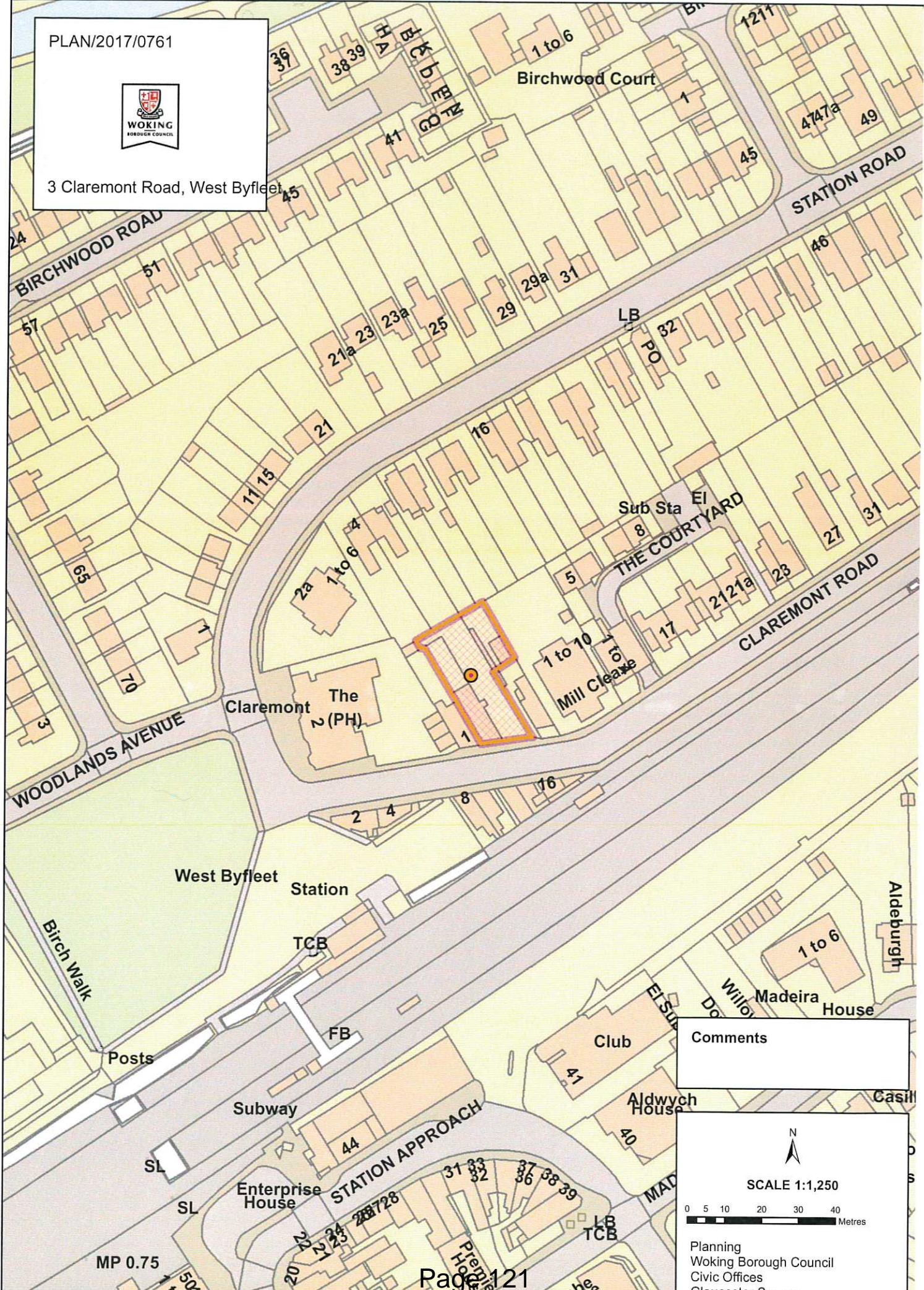
Change of use and sub-division of existing office (B1a use) building into 3x one bedroom dwellings, erection of single storey bay window extensions, insertion of side-facing windows and associated external alterations plus erection of 3x two storey terraced dwellings (one bed) to the rear plus associated parking and landscaping following demolition of existing garage (Amended Plans & Description)



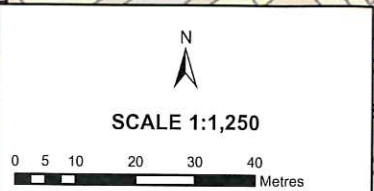
PLAN/2017/0761



3 Claremont Road, West Byfleet



Comments



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

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5f 17/0761 Reg'd: 12.05.16 Expires: 07.07.16 Ward: BWB
Nei. 17.11.17 BVPI Minor Number 29/8 On No
Con. Target dwellings -13 of Weeks Target?
Exp: on Cttee'
Day:

LOCATION: 3 Claremont Road, West Byfleet, Surrey, KT14 6DY

PROPOSAL: Change of use and sub-division of existing office (B1a use) building into 3x one bedroom dwellings, erection of single storey bay window extensions, insertion of side-facing windows and associated external alterations plus erection of 3x two storey terraced dwellings (one bed) to the rear plus associated parking and landscaping following demolition of existing garage

TYPE: Full Planning Application

APPLICANT: Mr Scott Livingston

OFFICER: David Raper

REASON FOR REFERRAL TO COMMITTEE:

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

SUMMARY OF PROPOSED DEVELOPMENT

The proposal is for the change of use and sub-division of the existing two storey Victorian building in office use (B1a) into 3x one bedroom dwellings. This would be facilitated by the erection of single storey bay window extensions, alterations to fenestration and insertion of new window openings. The proposal also includes the erection of a terrace of 3x one bedroom dwellings in a two storey building to the rear of the site following the demolition of an existing garage. Parking for six cars would be provided within the site and the existing vehicular crossover onto Claremont Road would be retained.

Site Area: 0.0572 ha (572 sq.m)
Existing units: 0
Proposed units: 6
Existing density: 0 dph (dwellings per hectare)
Proposed density: 105 dph

PLANNING STATUS

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

RECOMMENDATION

GRANT planning permission subject to conditions and Section 106 Agreement to secure a SAMM contribution.

SITE DESCRIPTION

The proposal relates to a two storey semi-detached property dating from the Victorian era. The building is currently in office use but has previously been in use as a shop. The site has a vehicular access onto Claremont Road leading to a large area of hardstanding to the side and rear of the property and a detached garage. The proposal site is close to the West Byfleet District Centre and Train Station and the immediate area is mixed in character and features predominately two storey development with other commercial uses in the immediate area. The Claremont Public House is located to the west and a three storey block of flats at Mill Cleave is located to the east with two storey residential development beyond. The proposal site is within the Urban Area but falls just outside the boundary of the West Byfleet District Centre

PLANNING HISTORY

- PLAN/2000/0845 – Change of use of one room from office to music teaching studio – Permitted 21.09.2000
- 86/1051 – New shop front – Permitted 01.10.1986
- 86/0033 – Change of use from residential to office – Permitted 03.01.1986
- 84/1258 – Certificate of existing use as offices – Permitted 01.10.1985
- 81/1289 - Certificate of existing use as residential – Refused 01.04.1982
- 1620 – Conversion to two shops – Permitted 27.06.1946

CONSULTATIONS

County Highway Authority: No objection subject to conditions.

Arboricultural Officer: No objection

Scientific Officer: No objection.

Environmental Health: No objection subject to conditions

West Byfleet Neighbourhood Forum: No comments received.

REPRESENTATIONS

6x representations were received in response to the original proposal including 5x objections and 1x letter of support. The representations raise the following concerns:

- Proposal would cause loss of light and overlooking
- Proposal would be tandem development which is out of character with the area
- Proposal would provide insufficient parking in an area where parking is already under pressure
- Proposal would restrict access to a third party garage
- Proposal would be a cramped overdevelopment of the site
- The construction phase would cause severe disruption
- Proposal would block access to garage
- Proposal would result in the loss of trees

Neighbours were re-consulted on amended plans and 4x additional representations were received reiterating concerns summarised above.

RELEVANT PLANNING POLICIES

National Planning Policy Framework (NPPF) (2012):

Section 4 - Promoting sustainable transport

Section 6 - Delivering a wide choice of high quality homes

Section 7 - Requiring good design

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

Section 11 - Conserving and enhancing the natural environment

Woking Core Strategy (2012):

CS1 - A Spatial strategy for Woking Borough

CS7 - Biodiversity and nature conservation

CS8 - Thames Basin Heaths Special Protection Areas

CS10 - Housing provision and distribution

CS11 - Housing Mix

CS12 - Affordable housing

CS15 - Sustainable economic development

CS18 - Transport and accessibility

CS21 - Design

CS22 - Sustainable construction

CS24 - Woking's landscape and townscape

CS25 - Presumption in favour of sustainable development

Development Management Policies DPD (2016):

DM2 – Trees and Landscaping

The West Byfleet Neighbourhood Development Plan (WBNDP) (2017–2027):

BE1 - Development character

BE2 - New housing quality

BE6 - Residential parking provision

OS4 - Trees and hedges

Supplementary Planning Documents (SPDs):

Woking Design (2015)

Affordable Housing Delivery (2014)

Climate Change (2013)

Outlook, Amenity, Privacy and Daylight (2008)

Parking Standards (2006)

BACKGROUND

Amended plans were received during the course of the application which have made the following amendments:

- The height, scale and footprint of 'Block B' to the rear has been reduced
- The previously proposed roof extensions and rear extension to the host building have been removed
- The parking layout has been amended to maintain access to a third party garage
- The extent of soft landscaping has been increased and adequate bin storage space identified within the site

The proposal has been assessed based on these plans.

PLANNING ISSUES

Principle of Development:

1. The existing building on the site is a two storey semi-detached property dating from the Victorian era which is in B1a office use and occupied. The proposal would result in the loss of the existing 164m² of office space and the change of use to residential. The proposal site is not within a designated Employment Area and falls outside the boundary of the West Byfleet District Centre. Considering the limited size and quality of the office space in question and the wider benefits of redeveloping the site to provide housing in a sustainable urban location, overall the principle of residential development is considered acceptable.
2. The NPPF (2012) and Core Strategy policy CS25 (2012) promote a presumption in favour of sustainable development. The site lies within the designated Urban Area and within the 400m-5km (Zone B) Thames Basin Heaths Special Protection Area (SPA) buffer zone. The development of previous garden land for additional dwellings can be acceptable provided that the proposal respects the overall grain and character of development in the area. Core Strategy (2012) policy CS10 seeks to ensure that sufficient homes are built in sustainable locations where existing infrastructure is in place. The proposal site is in a sustainable location close to the amenities of West Byfleet Local Centre and West Byfleet Station. The principle of infill residential development is considered acceptable subject to further material planning considerations, specific development plan policies and national planning policy and guidance as discussed below.

Impact on Character:

3. The proposal is for the conversion of the existing semi-detached property into 3x self contained dwellings including alterations to fenestration and removal of the shopfront. The proposal also includes the erection of a two storey building to the rear comprising 3x one bedroom dwellings. Parking and landscaping would also be provided within the site.
4. The existing semi-detached dwelling would effectively become a terrace of three dwellings with front elevations facing into the site onto front garden areas enclosed with railings. The existing shop front would be replaced with masonry and window openings and fenestration on the existing flank elevation would be altered and new openings inserted which are reflective of the Victorian style. Ground floor extensions would feature to the front of each dwelling creating bay window features. Overall the alterations are considered to create the appearance of a terrace of three dwellings and the proposal is considered to respect the character of the host building.
5. The building to the rear would be two storeys with a hipped roof and window openings which are typical of Victorian architecture and reflective of the character of the existing building on the site. The building is considered visually acceptable and reflective of the prevailing scale and character of development in the area.
6. The proposed dwellings would face inwards into the site around the access and parking area in a courtyard arrangement and the proposed development is considered to have the character of a 'mews' style form of development. This style of development is not considered out of character with the locality given the mixed character of the area and considering the presence of the development at 'The Courtyard' to the east. This is a development of flats fronting onto Claremont Road with four 1.5x storey dwellings positioned to the rear in a tandem arrangement. It is

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also borne in mind that there is already a vehicular access leading to the rear of the site and hardstanding and built development is already present to the rear of the site. The proposal site is positioned close to West Byfleet Station and the District Centre and the immediate area is consequently mixed in character with commercial units and a Public House located to the east and south and a three storey block of flats is present to the east. Overall the proposal is considered to constitute the efficient use of previously developed land in a particularly sustainable location close to an established District Centre where higher density infill developments can be supported.

7. The development would incorporate soft landscaping to the boundaries and to the frontages of Houses 1-3. Details of the landscaping and boundary treatments can be secured by condition and overall the proposed development is considered to achieve an acceptable balance of hard and soft landscaping. The rear of the proposal site is already primarily used for car parking and the provision of parking to the rear of the site is not therefore considered to unduly harm the character of the area.
8. The proposal site is positioned close to the Birchwood Road Conservation Area to the west however the scale and siting of the proposed development is not considered to materially impact on the special character or setting of the Conservation Area.
9. Overall the proposal is considered to result in a visually acceptable form of development which has an acceptable impact on the host building and the character of the surrounding area. The proposal therefore accords with Core Strategy (2012) policies CS21, CS24 and CS25, Woking DPD (2016) policy DM2, Supplementary Planning Document 'Woking Design' (2015) and the National Planning Policy Framework (2012).

Impact on Neighbours:

No.5 Claremont Road:

10. The neighbouring property to the east at No.5 Claremont Road is split into two flats and the ground and first floor flats feature windows on the side and rear elevations. The proposed building housing Houses 4-6 to the rear would be positioned 0.5m from the rear boundary of this neighbour and 5.7m from the rear elevation of this neighbour with an eaves height of 5.1m and a hipped roof form with a maximum ridge height of 7.2m. The ground floor windows in the rear elevation of the rear projecting element of this neighbour however are understood to serve a bathroom and so a non-habitable room. The rear elevation of the main section of this building serves a habitable room however this would be positioned approximately 11m from the proposed building. The proposed building would pass the '25° test' as set out in the Council's 'Outlook, Amenity, Privacy and Daylight' SPD (2008) and is not considered to result in an unacceptable loss of light impact on the ground floor flat. The proposed development would pass the '25° test' with first floor windows serving the first floor flat and the proposal is not considered to unduly impact on this neighbour in terms of loss of light and overbearing impacts. It is also borne in mind that the proposal would replace an existing detached garage with a ridge height of 4.8m in a similar position and the proposed building would be off-set from the rear elevation of the neighbours at No.5. Furthermore, the proposed building would be positioned to the north of these neighbours. The proposed building to the rear would not feature any windows in the flank elevation facing No.5 Claremont Road. Overall the proposal is not considered to result in an undue overbearing or loss of light impact on these neighbours or their amenity space.
11. The proposal includes the conversion of the existing building on the site into 3x dwellings orientated towards No.5 Claremont Road. The ground floor windows would

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be positioned 6.1m from the boundary; considering the ground floor position of these windows, the separation distance and the 1.8m high boundary treatment, the ground floor windows are not considered to cause undue overlooking to No.5.

12. The proposal would include 4x first floor windows facing No.5 sited 7.1m from the boundary. However 3x of these would serve landings and so can be required to be obscurely glazed with restricted opening by condition to avoid undue overlooking. Two second floor rooflights are also proposed however these are identified as high-level windows serving studies and so can similarly be restricted by condition to avoid overlooking. This leaves one first floor bedroom window which would face No.5. It is acknowledged that the separation distance to the boundary of 7.1m would fall short of the recommended minimum of 10m set out in the Council's 'Outlook, Amenity, Privacy and Daylight' SPD (2008) for front-to-boundary/flank relationships, however the existing relationship between the two sites should be taken into consideration. The existing building includes 4x first floor side facing windows including two opening, clearly glazed windows serving the office accommodation. There are therefore already windows facing No.5 and the proposal would effectively result in one clearly glazed window facing this neighbour. It is acknowledged that the nature of overlooking arising from residential accommodation is different to commercial uses however overall compared to the existing situation, the proposal is not considered to result in an unacceptable overlooking or loss of privacy impact on the flats at No.5. It is also borne in mind that the separation distance between the building itself at No.5 Claremont Road would be 9.4m to the principal flank elevation of this neighbour which falls only marginally short of the recommended minimum of 10m and 10.7m from the two storey rear projecting element of this neighbour. The Council's 'Outlook, Amenity, Privacy and Daylight' SPD (2008) also makes clear that the recommended separation distances are advisory and that compatibility with context is of overriding importance. Given the existing relatively close relationship and the more high density nature of the immediate area in close proximity to the Station and District Centre, overall the proposal is considered to result in an acceptable relationship with the neighbours at No.5 Claremont Road.

No.1 Claremont Road:

13. No.1 Claremont Road is the adjoining semi-detached neighbour and is understood to include residential accommodation at ground and first floor level. The external dimensions of the existing building would not increase at any point where the building adjoins this neighbour and is not therefore considered to result in an undue overbearing or loss of light impact on this neighbour. The proposed two storey building to the rear would have a separation distance of 11m to the side boundary with this neighbour which is considered sufficient to avoid an undue overbearing or loss of light impact. This building does feature windows facing towards No.1 however the 11m separation distance is considered sufficient to avoid an undue overlooking impact. The first floor rear-facing windows in the main building would have rear-facing views typical of a residential area and are not considered to result in undue overlooking.

No. 1-10 Mill Cleave:

14. The proposed block housing Houses 4-6 would be located 2.5m from the side boundary with No.1-10 Mill Cleave which is a block of flats and the proposal would be located a minimum of 8m from this neighbour itself. The proposed building would not be located directly opposite any habitable room windows of this building and so is not considered to result in an undue overbearing or loss of light impact. The proposed development includes rear-facing windows facing towards these neighbours however these serve non-habitable rooms and can be required to be obscurely glazed with restricted opening by condition.

Station Road:

15. The proposal site borders the rear garden boundaries of neighbours on Station Road to the north. The proposed Houses 4-6 would be positioned 0.5m from the boundary of these neighbours with an eaves height of 5.1m and a hipped roof form with a maximum ridge height of 7.2m. The neighbour at No.8 Station Road is sited approximately 28m from the boundary of the site and No.6 Station Road is located approximately 22m from the boundary. These separation distances are considered sufficient to avoid an undue loss of light or overbearing impact on neighbours in Station Road.
16. The proposal includes window openings in the rear elevation of House 3 at first floor level however these would be positioned 16m from the rear boundary of the site with No.6 Station Road and would be approximately 38m from the rear elevation of this neighbour. This exceeds the recommended minimum standards set out in the Council's 'Outlook, Amenity, Privacy and Daylight' SPD (2008) and is considered to result in an acceptable relationship with neighbours to the north in terms of overlooking and overbearing impacts.
17. Overall the proposal is therefore considered to have an acceptable impact on the amenities of neighbours and accords with Core Strategy (2012) policy CS21, Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight' (2008) and the National Planning Policy Framework (2012).

Standard of Accommodation:

18. The proposed units would range from 48m² to 80m² in area which is considered an acceptable size of accommodation for one bedroom units. Five of the six units would be dual aspect and the habitable rooms are considered to achieve a generally good quality outlook.
19. The proposed development would not achieve areas of enclosed private amenity space for Houses 1-3 and Houses 4-6 would have relatively small courtyard areas to the rear of each dwelling. Whilst it is acknowledged that some of the proposed dwellings would not achieve areas of private amenity space, the Council's 'Outlook, Amenity, Privacy and Daylight' SPD (2008) makes clear that no specific amenity space standards apply to non-family accommodation. The proposed units are one bedroom units and so unlikely to be used as family accommodation. The SPD also makes allowances for more densely populated parts of the borough where private amenity space may not be achievable. In this case the proposal site is constrained and as discussed above, is in a relatively built-up area close to West Byfleet District Centre and has been designed as 'mews' style development where areas of amenity space are often limited.
20. In any case Houses 1-3 would have areas of soft landscaping to the frontage providing an area of defensible space to each property and Houses 4-6 would achieve a private courtyard area to the rear of each property which would have some amenity value for residents.
21. Considering the constraints of the site, the housing mix and the nature of the proposed development and its surroundings, overall the proposal is considered to achieve an acceptable standard of accommodation for future residents. It is also considered that the amenity space arrangements are consistent with the 'mews' style form of development which the proposal is seeking to emulate.

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22. Overall the proposal is considered to achieve an acceptable standard of accommodation for future residents.

Housing Mix:

23. Core Strategy (2012) policy CS11 requires proposals to address local needs as evidenced in the Strategic Housing Market Assessment (SHMA) which identifies a need for family accommodation of two bedrooms or more. Policy CS11 does however state that lower proportions of family accommodation can be considered acceptable in more high density locations in the Borough. The original proposal included a mixture of two bedroom and one bedroom units however amendments to avoid an undue overlooking and overbearing impact has resulted in a development of one bedroom units. It is also recognized that the proposal site is close to the District Centre and the immediate area is relatively high density in nature. On balance it is considered that the proposed housing mix is considered acceptable for the context of the proposal site.

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

24. The SPAs in this area are internationally-important and designated for their interest as habitats for ground-nesting and other birds. Core Strategy (2012) policy CS8 requires new residential development beyond a 400m threshold, but within 5km of the SPA boundary, to make an appropriate contribution towards the provisions of Suitable Alternative Natural Greenspace (SANG) and the Strategic Access Management and Monitoring (SAMM).
25. The SANG and Landowner Payment elements of the SPA tariff are encompassed within the Community Infrastructure Levy (CIL) however the SAMM element of the SPA tariff is required to be addressed outside of CIL. The applicant has agreed to make a SAMM contribution of **£2,922** in line with the Thames Basin Heaths Special Protection Area Avoidance Strategy 2010-2015 as a result of the net gain 6x one bedroom dwellings which would arise from the proposal.
26. In view of the above, the Local Planning Authority is able to determine that the development would have no significant effect upon the SPA and therefore accords with Core Strategy (2012) policy CS8 and the 'Thames Basin Heaths Special Protection Area Avoidance Strategy 2010-2015'.

Sustainability:

27. Following a Ministerial Written Statement to Parliament on 25 March 2015, the Code for Sustainable Homes (aside from the management of legacy cases) has now been withdrawn. For the specific issue of energy performance, Local Planning Authorities will continue to be able to set and apply policies in their Local Plans that require compliance with energy performance standards that exceed the energy requirements of Building Regulations until commencement of amendments to the Planning and Energy Act 2008 in the Deregulation Bill 2015. This is expected to happen alongside the introduction of Zero Carbon Homes policy in late 2016. The government has stated that the energy performance requirements in Building Regulations will be set at a level equivalent to the outgoing Code for Sustainable Homes Level 4.
28. Until the amendment is commenced, Local Planning Authorities are expected to take this statement of the Government's intention into account in applying existing policies and setting planning conditions. The Council has therefore amended its approach and an alternative condition will now be applied to all new residential permissions which seeks the equivalent water and energy improvements of the former Code Level 4.

Transportation Impact:

29. The maximum parking requirement for the proposed development under the Council's Parking Standards (2006) would be six spaces. Policy BE6 of the West Byfleet Neighbourhood Development Plan (2017) states that developments should seek to meet a minimum standard of one space per one bedroom dwelling. Core Strategy (2012) policy CS18 seeks to direct new development to the main urban areas of the borough which are served by a range of sustainable transport modes in order to minimise the need to travel.
30. The proposed development would utilise the existing vehicular crossover onto Claremont Road and a total of six off-street parking spaces would be provided within the site to the rear in accordance the parking standards outlined above. The proposal site is in very close proximity to the services and amenities of West Byfleet which is a District Centre and the second centre of the Borough. The proposal site is also in very close proximity to West Byfleet Station which is well-served by train services. The proposal site is therefore in a particularly sustainable location within the urban area and the proposed level of parking provision is considered acceptable. The County Highway Authority has reviewed the proposal and raises no objection.
31. There is space within the site for adequate bin and cycle storage and further details of this can be secured by condition. Details of a Construction Transport Management Plan can be secured by condition. The neighbouring property at No.1 Claremont Road has access rights through the site to a detached garage located to the rear of the site; access through the site to this garage would be maintained.
32. Overall the proposal is considered to have an acceptable transportation impact.

Affordable Housing:

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

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Planning Practice Guidance (Paragraph 031 – Revision date: 19.05.2016). No affordable housing contribution is therefore sought for this application.

Tees and Landscaping:

36. There is a tree to the rear of the site which would be removed as part of the proposal however this is not protected and is not considered to hold significant public amenity value and the Council's Tree Officer raises no objection to its removal. Soft landscaping is identified on the plans within the site and further details of this and areas of new hard landscaping can be secured by condition.

Community Infrastructure Levy:

37. The proposal would be liable to make a CIL contribution of £24,576.92 based on a net increase in floor area of 177.5m².

CONCLUSION

38. Considering the points discussed above, the proposal is considered an acceptable form of development which would have an acceptable impact on the amenities of neighbours, on the character of the surrounding area and in transportation terms. The proposal therefore accords with the Development Plan and is recommended for approval subject to conditions and subject to Section 106 Agreement.

BACKGROUND PAPERS

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

PLANNING OBLIGATIONS

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

	Obligation	Reason for Agreeing Obligation
1.	SAMM (SPA) contribution of £2,922	To accord with the Habitat Regulations, policy CS8 of the Woking Core Strategy 2012 and The Thames Basin Heaths SPA Avoidance Strategy 2010-2015.

RECOMMENDATION

PERMIT subject to the following conditions and S106 Agreement:

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

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

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

5820/01 received by the LPA on 30/06/2017
5820/10 Rev.P received by the LPA on 09/08/2017
5820/200 Rev.P3 received by the LPA on 06/02/2018
5820/201 Rev.P3 received by the LPA on 06/02/2018
5820/202 Rev.P3 received by the LPA on 06/02/2018
5820/204 Rev.P3 received by the LPA on 06/02/2018
5820/205 Rev.P2 received by the LPA on 02/01/2018
5820/11 Rev.P1 received by the LPA on 02/01/2018
5820/100 Rev.P3 received by the LPA 06/02/2018

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

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

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

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

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

5. Prior to the first occupation of the development hereby approved, details of the proposed waste and recycling management arrangements for the development and details of secure cycle storage shall be submitted to and approved in writing by the Local Planning Authority. Such details as may be agreed shall then be implemented and retained thereafter for the lifetime of the development hereby approved.

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

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6. Prior to the first occupation of the development hereby approved, space shall be laid out within the site in accordance with the approved plans for vehicles and bicycles to be parked and turn so that they can leave the site in forward gear. Thereafter the parking and turning areas shall be retained and maintained for their designated purposes.

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

7. Notwithstanding the provisions of Article 3 and Schedule 2, Part 1, Classes A, B, C D and F of The Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any orders amending or re-enacting that Order with or without modification) no extension, enlargement, alteration or addition to the dwellings hereby approved, nor any areas of hardstanding forward of any principal front elevation, shall be carried out without planning permission being first obtained from the Local Planning Authority.

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

8. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modification) no window, rooflight, door or other additional openings other than those expressly authorised by this permission shall be formed in any elevation of the development hereby approved without planning permission being first obtained from the Local Planning Authority.

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

9. The windows and rooflights in the east-facing elevations of the development hereby approved at first floor level and above identifying as serving Houses 1, 3, 4 5 and 6 and the window and rooflight identified as serving a landing and study in House 2 on the approved plans shall be glazed entirely with obscured glass and shall be non-opening unless the parts of the windows which can be opened are more than 1.7 metres above the floor levels of the rooms in which the windows are installed. Once installed the window shall be permanently retained in that condition unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard the amenities of the adjoining properties in accordance with Policy CS21 of the Woking Core Strategy 2012.

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

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

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

11. ++Prior to the commencement of the development of the dwellings referred to on the approved plans listed in this notice as Houses 4-6, written evidence shall be submitted to and approved in writing by the Local Planning Authority (LPA) demonstrating that Houses 4-6 will:
 - a. Achieve a minimum of a 19% improvement in the dwelling emission rate over the target emission rate, as defined in the Building Regulations for England Approved Document L1A: Conservation of Fuel and Power in New Dwellings (2013 edition). Such evidence shall be in the form of a Design Stage Standard Assessment Procedure (SAP) Assessment, produced by an accredited energy assessor; and,
 - b. Achieve a maximum water use of no more than 110 litres per person per day as defined in paragraph 36(2b) of the Building Regulations 2010 (as amended), measured in accordance with the methodology set out in Approved Document G (2015 edition). Such evidence shall be in the form of a Design Stage water efficiency calculator.

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

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

12. The dwellings referred to on the approved plans listed in this notice as Houses 4-6 hereby permitted shall not be occupied until written documentary evidence has been submitted to and approved in writing by the Local Planning Authority demonstrating that the development has:
 - a. Achieved a minimum of a 19% improvement in the dwelling emission rate over the target emission rate, as defined in the Building Regulations for England Approved Document L1A: Conservation of Fuel and Power in New Dwellings (2013 edition). Such evidence shall be in the form of an As Built Standard Assessment Procedure (SAP) Assessment, produced by an accredited energy assessor; and
 - b. Achieved a maximum water use of 110 litres per person per day as defined in paragraph 36(2b) of the Building Regulations 2010 (as amended). Such evidence shall be in the form of the notice given under Regulation 37 of the Building Regulations.

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

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

13. ++ Prior to the commencement of the development hereby approved, details of the measures to be undertaken to upgrade the acoustic performance of the party

27 FEBRUARY 2018 PLANNING COMMITTEE

ceilings/floors and walls and windows shall be submitted to and approved in writing by the Local Planning Authority. The works shall be completed in accordance with the approved details prior to the first occupation of the development.

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

14. ++ Prior to the commencement of the development hereby approved, details of secure cycle storage for each dwelling shall be submitted to and approved in writing by the Local Planning Authority. These facilities shall be fully implemented and made available for use prior to the first occupation of the development hereby permitted and shall thereafter be retained for use at all times.

Reason: To ensure that satisfactory facilities for the parking of cycles are provided and to encourage travel by means other than the private car in accordance with the principles set out in the National Planning Policy Framework 2012 and Policy CS18 of the Woking Core Strategy 2012.

Informatives

1. The Council confirms that in assessing this planning application it has worked with the applicant in a positive and proactive way, in line with the requirements of paragraph 186-187 of the National Planning Policy Framework 2012.
2. The permission hereby granted shall not be construed as authority to carry out works on the highway. The applicant is advised that a licence must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway.
3. The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders. (Highways Act 1980 Sections 131, 148, 149).
4. Your attention is specifically drawn to the conditions above marked ++. These condition(s) require the submission of details, information, drawings, etc. to the Local Planning Authority PRIOR TO THE COMMENCEMENT OF ANY DEVELOPMENT ON THE SITE or, require works to be carried out PRIOR TO THE COMMENCEMENT OF THE USE. Failure to observe these requirements will result in a contravention of the terms of the permission and the Local Planning Authority may serve Breach of Condition Notices to secure compliance.

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

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

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

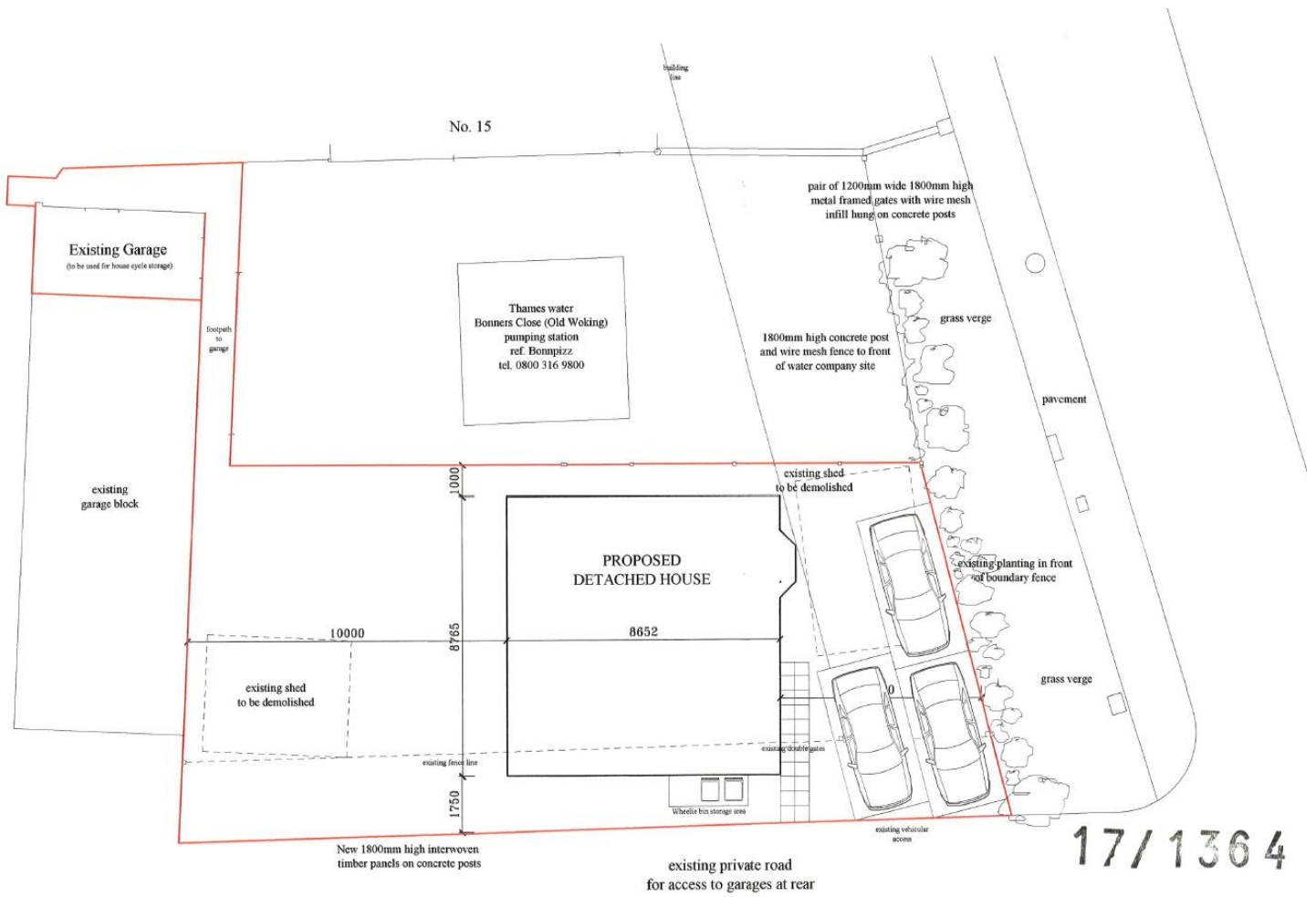
27 FEBRUARY 2018 PLANNING COMMITTEE

6. The applicant is advised that this application is liable to make a CIL contribution of £24,576.92. The applicant must complete and submit a Commencement (of development) Notice to the Local Planning Authority, which the Local Planning Authority must receive prior to commencement of the development.

Land At Pumping Station, Bonners Close, Westfield

PLAN/2017/1364

Proposed construction of a 4No bedroom detached house.

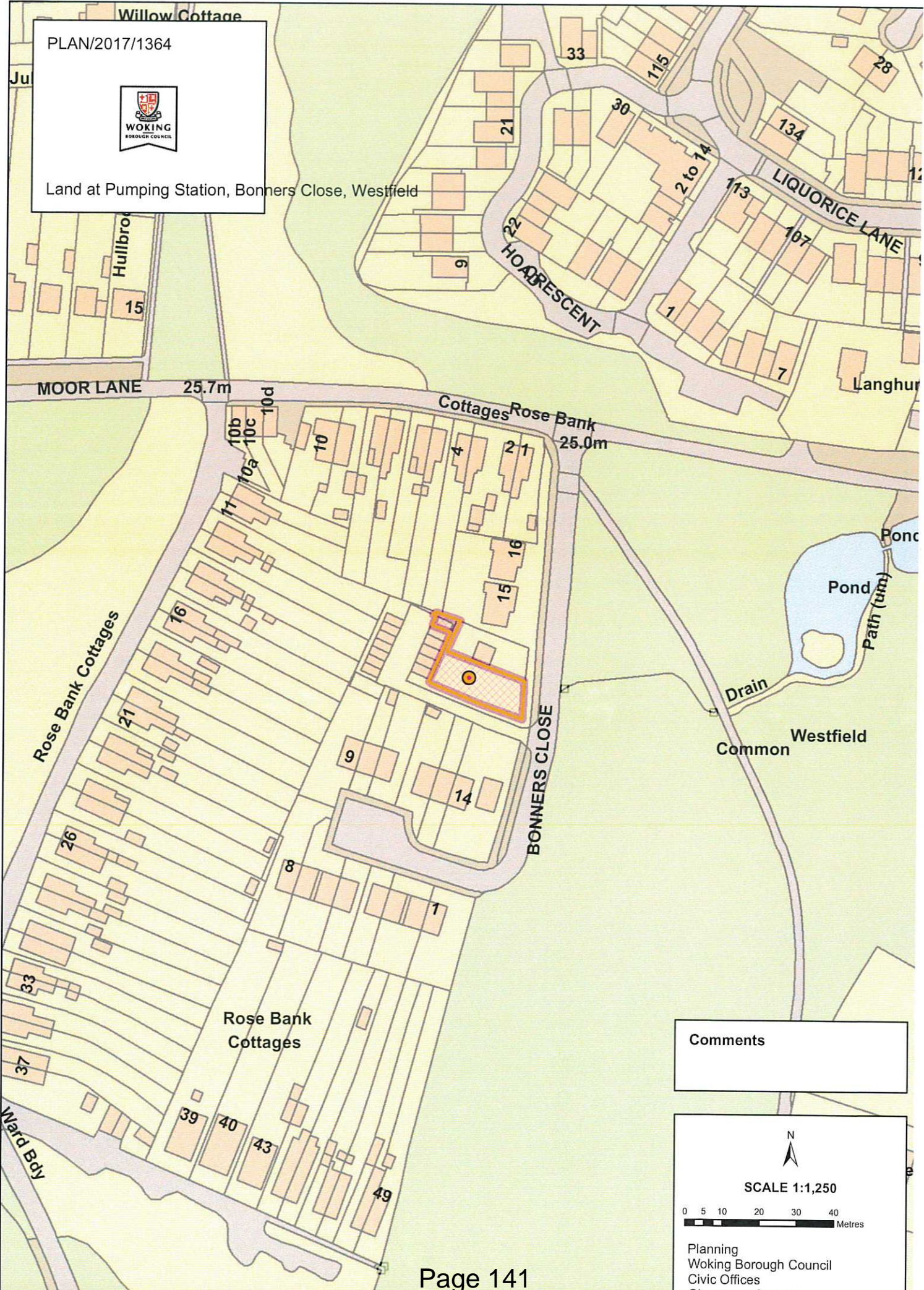


Willow Cottage

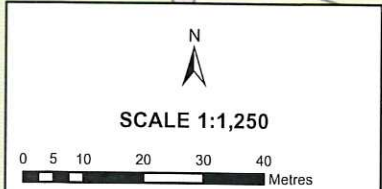
PLAN/2017/1364



Land at Pumping Station, Bonners Close, Westfield



Comments



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

27th February 2018 PLANNING COMMITTEE

5g 17/1364 Reg'd: 06.12.17 Expires: 31.01.18 Ward: HV

Nei. 28.12.17 BVPI Minor Number 12/8 On No
Con. Target of Weeks Target?
Exp: on Cttee'
Day:

LOCATION: Land at Pumping Station, Bonners Close, Westfield, Woking, Surrey

PROPOSAL: Erection of a 4no bedroom detached two storey dwelling

TYPE: Minor

APPLICANT: Mr M Jobling

OFFICER: Barry Curran

REASON FOR REFERRAL TO COMMITTEE

The proposal is for the erection of a single dwelling which falls outside of the scheme of delegated powers.

SUMMARY OF PROPOSED DEVELOPMENT

Erection of a 4no bedroom detached 2 storey dwelling following removal of 2no sheds on land adjacent to a pumping station at Bonners Close.

PLANNING STATUS

- Urban Area
- Area Adjoining Green Belt
- Thames Basin Heaths SPA Zone (400m – 5km)

RECOMMENDATION

GRANT planning permission subject to conditions and S.106 Agreement to secure a SAMM contribution.

SITE DESCRIPTION

The application site serves as a vacant site on the western side of Bonners Close to the South of a Thames Water pumping station. The site is positioned at the entrance to an area served by existing garage blocks and along a relatively linear grain of development formed by 2 dwellings located to the North of the site. To the East of the site, on the adjacent side of Bonners Close, is Westfield Common with a tree lined western boundary forming the boundary between the defined Green Belt and Bonners Close.

The area is characterised by two storey detached and terraced dwellings of a 1960s design constructed of red-brick under clay tiled roofs. Bonners Close contains no

predominant building form or layout with the majority of properties set within a cul-de-sac to the South of the site.

PLANNING HISTORY

No planning history

PROPOSED DEVELOPMENT

The application seeks permission for the erection of a detached two storey 4no bedroom dwelling with allocation of a separate existing garage within the garage block to the north-west of the site. The proposed dwelling will be located close to the centre of the site and utilise the existing vehicular access point off the access road to the block of garages. The proposed dwelling will include habitable accommodation across the ground and first floors with hardstanding to the front of the dwelling and amenity space to the rear. The proposal is set to measure 8.7 metres in width, 8.6 metres in depth and stand at a height of 8 metres.

SUMMARY INFORMATION

Site Area:	0.031ha
Existing units:	0
Proposed units:	1
Existing density:	0 dph (dwellings per hectare)
Proposed density (Area):	32 dph

CONSULTATIONS

County Highway Authority: No objection raised (19.12.17)

Arboricultural Officer: No objection raised (24.01.2018)

Thames Water: No comments raised

REPRESENTATIONS

None received

RELEVANT PLANNING POLICIES

National Planning Policy Framework 2012
Section 4 – Promoting sustainable transport
Section 6 - Delivering a wide choice of high quality homes
Section 7 - Requiring good design

Core Strategy Publication Document 2012
CS1 - A Spatial Strategy for Woking
CS7 – Biodiversity and nature conservation
CS8 - Thames Basin Heaths Special Protection Area
CS10 – Housing provision and distribution
CS12 – Affordable housing
CS16 – Infrastructure Delivery
CS17 – Open space, green infrastructure, sport and recreation
CS18 - Transport and accessibility
CS21 - Design

CS22 - Sustainable Design and Construction
CS24 - Woking's Landscape and Townscape
CS25 - Presumption in Favour of Sustainable Development

Supplementary Planning Guidance

Supplementary Planning Document 'Parking Standards' 2006
Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight' 2008
Supplementary Planning Document 'Design' 2015
Thames Basin Heaths Special Protection Area Avoidance Strategy 2010-2015

Development Management Policies DPD 2016

DM2 – Trees and Landscaping
DM10 - Development on Garden Land
DM13 – Buildings in and Adjacent to the Green Belt
DM12 - Self Build and Custom Build Houses

PLANNING ISSUES

1. The main issues to consider in determining this application are the principle of development and impact on Green Belt, design considerations and the impact of the proposal on the character and appearance of the surrounding area, standard of accommodation, impact on residential amenity, highways and parking implications, impact on landscaping, sustainability, affordable housing, local finance considerations, the impact on the Thames Basin Heaths Special Protection Area and other matters having regard to the relevant policies of the Development Plan.

Principle of Development/Impact on Green Belt

2. The National Planning Policy Framework and Policy CS25 of the Woking Core Strategy 2012 promote a presumption in favour of sustainable development. The application site is located within the urban area with a number of services in close proximity and an arterial route-way (Guildford Road) located in relatively close proximity to the site. Given this, the site's location is considered suitably sustainable in the defined urban area of Woking.
3. The proposed development will result in 1 additional dwelling on vacant land with detached timber sheds. Given this, the site constitutes previously undeveloped land or greenfield land as it previously served as green space. The development of greenfield land for additional dwellings can be acceptable provided that the proposal respects the overall grain and character of development in the area.
4. Woking DPD 2016 Policy DM10 'Development on Garden Land' permits the subdivision of existing plots and the erection of new dwellings providing the proposed development "...does not involve the inappropriate sub-division of existing curtilages to a size significantly below that prevailing in the area", "the means of access is appropriate in size and design to accommodate vehicles and pedestrians safely and prevent harm to the amenities of adjoining residents and is in keeping with the character of the area" and "suitable soft landscape is provided for the amenity of each dwelling appropriate in size to both the type of accommodation and the characteristic of the locality".

5. The application site is positioned along Bonner Close with 2no two storey detached dwellings located to the North of the site with a pumping station between these and the application site. Both properties along this stretch of Bonners Close form sizeable dwellings with suitably sized amenity space. The site's position on the junction of the highway creates a generous plot width at the front of 11 metres which is broadly in line with the prevailing frontages of approximately 14-15 metres. The increase in one new unit is not considered to dramatically affect the grain of development with the proposal respecting the prevailing building line and utilising a vacant plot along this highway, respecting its character.
6. The application site is located to the West of the defined Green Belt. Policy DM13 of the Development Management Document DPD 2016 states that *"Development proposals adjoining the Green Belt, or outside the Green Belt but conspicuous when viewed from it, will only be granted permission where they can demonstrate that the development, including boundary treatments, does not have a detrimental impact on visual amenity and respects the transition between the built up area and the open countryside by taking account of the character and openness of the adjacent countryside and landscape."*
7. The proposed development involves the erection of a two storey detached dwelling in a location characterised by two storey detached and terraced dwellings. It is acknowledged that the dwelling will be visible from the defined Green Belt but it should also be noted that the application site is an anomaly in itself, appearing as a void where domestic scale dwellings are to be expected in line with the character of the area. The proposal maintains the building line formed by the prevailing dwellings respecting the transition between the open Green Belt on the eastern side of Bonners Close and the developed urban area on the western side.
8. In accordance with the Development Plan, new residential development should seek to maximise the efficient use of land by concentrating most new developments in existing urban areas. Housing provision is also integral to the creation of sustainable communities and Policy CS10 of the Woking Core Strategy 2012 seeks to ensure that sufficient homes are built in sustainable locations where existing infrastructure is in place. The proposal makes best use of urban land, achieving a marginally greater density in the area while maintaining the grain of development.
9. The principle of erecting one residential dwelling on the site and its impact on the adjacent Green Belt is considered acceptable subject to the further material considerations as set out in this report.

Design Considerations and the Impact of the Proposal on the Character and Appearance of the Surrounding Area

10. Policy CS24 of the Woking Core Strategy 2012 states that *'development will be expected to...respect the setting of, and relationship between, settlements and individual buildings within the landscape'* and to *'conserve, and where possible, enhance townscape character'*. Policy CS21 states that new developments 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'. This advice is echoed in Paragraph 59 of the National Planning Policy Framework where it points out that the overall scale, density, layout, materials etc. of development should be guided by neighbouring buildings and the local area. The application site is within the defined Urban Area and currently previously served as green space along Bonners Close.

11. The application site fronts onto Bonners Close, this section of which is characterised by 2 storey detached dwellings with the quaint building of the pumping station acting as an intermediate between these dwellings and the application site. A cul-de-sac of terraced two storey dwellings lies to the South of the site and contains rectangular shaped plots. Front gardens are generally small, with low brick wall enclosures or hedging abutting the pavement. Properties are generally well aligned to the highway. The application site currently forms an uncharacteristic void in the street-scene enclosed currently by 2 metre high close timber board fencing.
12. As previously noted, the width of the site towards the front measures approximately 11.5 metres and maintains this width towards the centre and rear, with a strip of land which runs along the rear of the pumping station site providing access to the terraced garage. Its depth is over 26 metres with proposed off-street parking for up to 3no cars to the front with the natural screen of the existing planting retained in front of the proposed boundary fence. This width is considered to comfortably accommodate the proposed dwelling without resulting in any form of cramped development in the street-scene and while smaller than the neighbouring sites, it is not considered atypical nor would it look out-of-character.
13. Policy CS21 of the Woking Core Strategy 2012 calls for new developments that *'respect and make a positive contribution to the street scene and the character of the area in which they are situated, paying due regard to the scale, height, proportions, building lines, layout, materials and other characteristics of adjoining buildings and land*'. Dwellings throughout Bonners Close include a conventional 1960s design with front tile hanging and a cul-de-sac containing similar designed terraced dwellings located to the South of the site. These properties back onto the access road to the garage block. The proposed dwelling seeks to carry forward the conventional design with a modern adaptation and materials to compliment the area and in this sense pays due regard to characteristics of adjoining buildings (Condition 2). A front pitched roof gable element with projecting bay creates a pleasing frontage to the dwelling with a subordinate pitched roof over one of the first floor windows contributing to this balanced frontage. A twin gabled rear elevation with central valley is adopted allowing the dwelling to emulate the form of the existing dwellings in the area whilst ensuring an adequate amount of internal space is achievable. The new dwelling will create a front façade which contains a main built element with a ridge height of 8 metres and the subordinate rear gables stemming off this elevation at a ridge height of 7.2 metres. This is considered to compose a balanced and aesthetically pleasing front façade paying due regard to the existing dwellings throughout Bonners Close and making a positive contribution to the street-scene with regards to building lines, built form and layout.

14. The frontage of the site would largely be utilised for the provision of off-street car parking remain commensurate with the prevailing character of this section of Bonner Close. Recommended Conditions 5 and 6 can ensure that both hard surfacing materials and soft landscaping are appropriate.
15. Overall the proposed dwelling is considered to respect and make a positive contribution to the street scene of Bonners Close and the character of the area more generally, paying due regard to the scale, height, proportions, building lines, layout, materials and other characteristics of adjoining buildings in accordance with the National Planning Policy Framework Policies CS21 and CS24 of the Woking Core Strategy 2012, Policy DM10 of the Development Management Policies DPD 2016, Supplementary Planning Document 'Design 2015.

Standard of Accommodation

16. The proposed dwelling would have 4no bedrooms and an internal floor area of 133.3 m². Habitable rooms would have adequate outlook provided by front and rear facing windows and overall the proposed dwelling is considered to offer an acceptable standard of accommodation for future residents. The depth of the rear garden varies from 9.5 to 10 metres with a regular width of approximately 11.5 metres providing an adequate amenity space for future occupiers of approximately 115 m². The SPD on 'Outlook, Amenity, Privacy and Daylight' 2008 recommends a garden size in scale with the dwelling and broadly greater than the footprint is advised. While the amenity space provisions falls just short of this, in established residential areas, the SPD also advises that the size of the amenity space will need to reflect the existing context and be in proportion to the size of the proposed dwelling. At approximately 15 m² less than the footprint of the dwelling, the amenity space is broadly in line with the size of the dwelling and moreover respects the existing context of the area. Overall the rear amenity space is considered to offer an acceptable level of amenity for a family dwelling.

Impact on Residential Amenity

17. Policy CS21 of the Woking Core Strategy 2012 advises that proposals for new development should achieve a satisfactory relationship to adjoining properties avoiding significant harmful impact in terms of loss of privacy, daylight or sunlight, or an overbearing effect due to bulk, proximity or outlook.
18. The application site is located on the entrance to a block of detached garages on a sizeable site that currently lies vacant with 2no detached sheds on it and adjacent to a Thames Water pumping station. An access point to the site is located on the southern boundary off the access road to the garage block with the nearest dwellings on this side all South facing and backing onto this access road. The proposed dwelling will be located centrally on the plot set off the southern boundary by 1.7 metres with a separation of 5 metres between the side elevation and rear boundaries of Nos 11-14 Bonner Close. Further to this, the distance between the proposed dwelling and the rear elevation of these dwellings would be in excess of 20 metres conforming to the guidance of at least a 10 metres separation outlined in the Council's Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight' 2008. Moreover, the dwelling would be set off the boundary by 1.7 metres

adhering to the guidance of 1 metre outlined in the SPD. The internal layout shows a bathroom served by a first floor southern side elevation window. This window could be conditioned to include obscure glazing and be non-opening below 1.7 metres of floor level to mitigate overlooking on the private amenity space of these properties (Condition 4).

19. To the North of the site, a detached single storey building acts as a physical intermediate between the neighbouring two storey dwelling at No.15 Bonners Close and the application site. The proposed dwelling is to be generally set along a similar building line to No.15 and No.16 Bonners Close and therefore opposite the flank elevation of No.15. While the proposed dwelling will introduce a new built element to the South of this property, a distance of at least 10 metres will separate the sites. Considering this separation along with the building lines of both dwellings, the amenities of No.15 are not considered to be detrimentally infringed upon. Similar to the southern elevation, the proposed northern elevation will contain a first floor en-suite window. This window could be conditioned to include obscure glazing and be non-opening below 1.7 metres of floor level to mitigate overlooking on the private amenity space of this neighbouring property (Condition 4).
20. The development is considered to be acceptable in terms of its relationship with neighbouring properties and will safeguard the outlook, amenity, privacy and daylight of existing and future occupiers of existing dwellings, in accordance with Policy CS21 of the Woking Core Strategy 2012, Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight' 2008 and the National Planning Policy Framework.

Highways and Parking Implications

21. The proposal seeks to utilise the existing vehicular access and driveway off the access road to the garage blocks to the rear of the site. The parking accommodate will include a capacity for 3 cars at the front of the property where an area of hardstanding is proposed. Whilst it is not clear from the parking layout whether the vehicles entering/existing the site can do so in a forward gear, the access point is off a private roadway serving the garage block which given their size are considered to serve as storage facilities. Considering this, it is not thought that a high level of traffic would occur on this route and therefore limited safety concerns would arise. The Supplementary Planning Document 'Parking Standards' 2006 recommends a parking provision of at least 2 parking spaces and considering that 3 car parking spaces are proposed the development meets and indeed exceeds this provision.
22. The County Highway Authority has undertaken an assessment in terms of the parking provision and highway safety and is satisfied that the application would not have a material impact on the safety and operation of the adjoining public highway and see no grounds for opposing permission. Although no issues are raised from the CHA, it is considered prudent, given the constriction along Bonners Close, to attach a condition requesting the proposed space to be laid out in accordance with approved plans prior to the dwelling's first occupation (Condition 10). It is also considered necessary to attach a condition requesting a Construction Transport Management Plan to include details of vehicle parking, loading and unloading of materials and storage of plant and materials to ensure the highway safety or convenience of

the highway users are not compromised as a result of the development (Condition 11).

Impact on Landscaping

23. The application site is a vacant plot containing 2no detached sheds. There are no significant trees or hedging proposed to be removed as part of the application with the existing planting along the front eastern boundary proposed to be retained maintaining the soft landscaped buffer with Bonners Close. The Arboricultural Officer has been consulted on this application and raises no objection to the development. Although no objection is raised, it is deemed prudent to attach conditions ensuring appropriate soft landscaping is adopted to protect the semi-rural feel of the area (Condition 5) with details of the materials to be used in the hard landscaping also protected via condition (Condition 7).

Sustainability

24. Following a Ministerial Written Statement to Parliament on 25 March, the Code for Sustainable Homes (aside from the management of legacy cases) has now been withdrawn. For the specific issue of energy performance, Local Planning Authorities will continue to be able to set and apply policies in their Local Plans that require compliance with energy performance standards that exceed the energy requirements of Building Regulations until commencement of amendments to the Planning and Energy Act 2008 in the Deregulation Bill 2015. This is expected to happen alongside the introduction of Zero Carbon Homes policy in late 2016. The Government has stated that the energy performance requirements in Building Regulations will be set at a level equivalent to the outgoing Code for Sustainable Homes Level 4.

25. Until the amendment is commenced, Local Planning Authorities are expected to take this statement of the Government's intention into account in applying existing policies and setting planning conditions. The Council has therefore amended its approach and an alternative condition will now be applied to all new residential permission which seeks the equivalent water and energy improvements of the former Code Level 4. (Conditions. 8 and 9)

Affordable Housing

26. Policy CS12 of the Woking Core Strategy 2012 states that all new residential development will be expected to contribute towards the provision of affordable housing and that, on sites providing fewer than five new dwellings, the Council will require a financial contribution equivalent to the cost to the developer of providing 10% of the number of dwellings to be affordable on site.

27. However, following the Court of Appeal's judgment of 11th May 2016 (Secretary of State for Communities and Local Government v West Berkshire District Council and Reading Borough Council [2016] EWCA Civ 441), wherein the Secretary of State for Communities and Local Government successfully appealed against the judgment of the High Court of 31st July 2015 (West Berkshire district Council and Reading Borough Council v

Department for Communities and Local Government [2015] EWHC 2222 (Admin)), it is acknowledged that the policies within the Written Ministerial Statement of 28th November 2014, as to the specific circumstances where contributions for affordable housing and tariff-style planning obligations should not be sought from small scale and self build development, must once again be treated as a material consideration in development management decisions.

28. Additionally the Planning Practice Guidance (Paragraph 031 - Revision date: 19.05.2016) sets out that there are specific circumstances where contributions for affordable housing planning obligations should not be sought from small scale and self-build development. This follows the order of the Court of Appeal judgment dated 13th May 2016, which again gives legal effect to the policy set out in the Written Ministerial Statement of 28th November 2014 and should be taken into account. These circumstances include that contributions should not be sought from developments of 10-units or less, and which have a maximum combined gross floorspace of no more than 1000sqm.
29. Whilst it is considered that weight should still be afforded to Policy CS12 (Affordable housing) of the Woking Core Strategy 2012 it is considered that greater weight should be afforded to the policies within the Written Ministerial Statement of 28th November 2014 and the Planning Practice Guidance (Paragraph 031 - Revision date: 19.05.2016). As the proposal represents a development of 10-units or less, and has a maximum combined gross floorspace of no more than 1000sqm, no affordable housing financial contribution is therefore sought from the application scheme.

Local Finance Considerations

30. CIL is a mechanism adopted by the Woking Borough Council which came into force on 1st April 2015, as a primary means of securing developer contributions towards infrastructure provisions in the Borough. In this case, the proposed residential development will incur a cost of £125 per sq. m which equates to a contribution of £16,662.50 (133.3 sq. m total GIA). It is noted, however, that the application is a self-build dwelling and would therefore be exempt provided they meet the criteria laid down by Regulations 54A, 54b and 54C of The Community Infrastructure Levy (Amendment) Regulations 2014. A Self Build Exemption Claim form and CIL Assumption of Liability form have been submitted to the Local Planning Authority. Additionally the applicant must complete and submit a Commencement (of development) Notice to the Local Planning Authority, which the Local Planning Authority must receive prior to commencement of the development, in order to benefit from relief from the levy.

Impact on the Thames Basin Heaths Special Protection Area

31. The Thames Basin Heaths Special Protection Area (SPA) is classified for its internationally important bird breeding populations. The designation is made under the Habitats Regulations 2010. It is necessary to ensure that planning applications for new residential developments include sufficient measures to ensure avoidance of any potential impacts on the SPA.

32. The applicant has agreed to make a SMM contribution of £1,008 in line with the Thames Basin Heaths Special Protection Area Avoidance Strategy 2010-2015 as a result of the uplift of a 4no bedroom dwelling that would arise from the proposal. The applicant is prepared to enter into a S106 Legal Agreement to secure this financial contribution.
33. In view of the above, the Local Planning Authority is able to determine that the development would have no significant effect upon the SPA and therefore accords with Policy CS8 of the Woking Core Strategy 2012 and the Thames Basin Heaths Special Protection Area Avoidance Strategy 2010-2015.

Conclusion

34. The principle of development is considered to be acceptable and the proposal will incorporate a satisfactory design and will preserve the character and appearance of the surrounding area. The proposal will not detrimentally affect the setting of the adjacent dwellings on Bonners Close and will have an acceptable impact on neighbouring amenity, highway safety and the surrounding landscape. The development would incorporate appropriate sustainability measures in order to achieve energy performance requirements equivalent to Level 4 for Code for Sustainable Homes. It is also noted that the applicant has also provisionally agreed to enter into a legal agreement to secure a payment in accordance with the Thames Basin Heaths Special Protection Area.
35. The proposal is considered to be an acceptable form of development that complies with Sections 4, 6 and 7 of the National Planning Policy Framework. Approval, policies CS1, CS7, CS8, CS10, CS16, CS17, CS18, CS21, CS22, CS24 and CS25 of the Woking Core Strategy 2012, Supplementary Planning Documents 'Outlook, Amenity, Privacy and Daylight' 2008, 'Design' 2015 and 'Parking Standards' 2006, Policies DM2, DM10, DM12 and DM13 of the Development Management Policies DPD 2016 and Thames Basin Heaths Special Protection Area Avoidance Strategy 2010-2015. Approval is accordingly recommended subject to the recommended conditions and the applicant entering into a legal agreement.

BACKGROUND PAPERS

1. Site visit photographs.
2. Response from County Highway Authority (19.12.17)
3. Response from Arboricultural Officer (24.01.18)

PLANNING OBLIGATIONS

	Obligation	Reason for Agreeing Obligation
1.	Provision of £1,008 SMM contribution to monitoring and management of avoidance measures against the impact of the site on the SPA in accordance with the formula in the Avoidance Strategy.	To accord with the Habitat Regulations and associated Development Plan policies and the Council's Adopted Avoidance Strategy.

RECOMMENDATION

It is recommended that planning permission be Granted subject a S.106 agreement to secure SAMM contribution and subject to the following Conditions:

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

Reason:

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

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

Reason:

In the interests of the visual amenities of the area.

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

Drawing No. 2017/8/2
Drawing No. 2017/8/3
Drawing No. 2017/8/6
Drawing No. 2017/8/5

Reason:

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

4. The first floor flank windows in both the northern and southern elevations shown to serve a bedroom and en-suite bathroom hereby permitted shall be glazed entirely with obscure glass and non-opening unless the parts of the window/s which can be opened are more than 1.7 metres above the floor of the room in which the window is installed. Once installed the window shall be permanently retained in that condition unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To safeguard the amenities of the adjoining properties.

5. ++ Prior to the commencement of any above ground works to construct the development hereby permitted a detailed landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority which specifies species, planting sizes, spaces and numbers of trees/shrubs and hedges to be planted. All landscaping shall be carried out in accordance with the approved scheme within the first planting season (November-March)

following the first occupation of the dwelling or the completion of the development, whichever is the sooner and maintained thereafter. Any retained or newly planted trees, shrubs or hedges which die, become seriously damaged or diseased or are removed or destroyed within a period of 5 years from the date of planting shall be replaced during the next planting season with specimens of the same size and species unless otherwise first agreed in writing by the Local Planning Authority.

Reason:

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

6. ++ Prior to the commencement of any above ground works to construct the development hereby permitted full details and/or samples of the materials to be used for the 'hard' landscape works shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details and completed before the first occupation of the dwellings hereby permitted and permanently retained thereafter.

Reason:

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

7. ++ (Notwithstanding the details outlined on the approved plans listed within this notice), prior to the commencement of any above ground works to construct the development hereby permitted details of any modifications to boundary treatments shall be submitted to and approved in writing by the Local Planning Authority. The approved modifications shall be implemented prior to the first occupation of the dwelling hereby permitted and permanently maintained thereafter.

Reason:

To ensure adequate security and a satisfactory appearance of the completed development in accordance with Policy CS21 of the Woking Core Strategy 2012.

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

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

Reason:

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

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

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

Reason:

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

10. Notwithstanding the provisions of Article 3 and Schedule 2, Part 1 and Classes A, E and F of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), (or any orders amending or re-enacting that Order with or without modification) no extension, enlargement or other alteration of the dwelling or the provision of any other building or hardstanding within the curtilage other than as expressly authorised by this permission shall be carried out without planning permission being first obtained from the Local Planning Authority.

Reason:

The Local Planning Authority considers that further development of the site or dwelling could cause detriment to the provision of an appropriate amount, and quality, of private amenity space to serve the host dwelling or character of the surrounding area and for this reason would wish to control any future development in accordance with Policy CS21 of the Woking Core Strategy 2012.

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

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(Drawing No. 2017/8/3) for vehicles to be parked. Thereafter the parking areas shall be permanently retained and maintained for their designated purpose.

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.

12. ++ Prior to the commencement of any above ground works to construct the development hereby permitted a Construction Transport Management Plan (CTMP), to include details of:
- (a) parking for vehicles of site personnel, operatives and visitors
 - (b) loading and unloading of plant and materials
 - (c) storage of plant and materials
- shall be submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented during the construction of the development.

Reason:

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

Informatives:

1. The Council confirms that in assessing this planning application it has worked with the applicant in a positive and proactive way, in line with the requirements of paragraph 186-187 of the National Planning Policy Framework 2012.
2. Your attention is specifically drawn to the conditions above marked ++. These condition(s) require the submission of details, information, drawings, etc. to the Local Planning Authority PRIOR TO THE COMMENCEMENT OF ANY DEVELOPMENT ON THE SITE or, require works to be carried out PRIOR TO THE COMMENCEMENT OF THE USE. Failure to observe these requirements will result in a contravention of the terms of the permission and the Local Planning Authority may serve Breach of Condition Notices to secure compliance.

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

3. The applicant is advised that Council officers may undertake inspections without prior warning to check compliance with approved plans and to establish that all planning conditions are being complied with in full. Inspections may be undertaken both during and after construction.
4. The application will not be formally approved until the applicant has entered into a legal agreement with the council to secure a provision of £1,008 SAMM

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contribution to provide avoidance measures against the impact of the site on the SPA in accordance with the formula in the Avoidance Strategy.

5. Where windows are required by planning condition to be fitted with obscure glazing the glass should have a sufficient degree of obscuration so that a person looking through the glass cannot clearly see the objects on the other side. 'Patterned' glass or obscured plastic adhesive are not acceptable. If in doubt, further advice should be sought from the Local Planning Authority before work is commenced.
6. The development hereby permitted is subject to the Community Infrastructure Levy (CIL). The charge becomes due when development commences. Notwithstanding the Self Build Exemption Claim Form submitted a Commencement Notice, which is available from the Planning Portal website (Form 6: Commencement Notice: https://ecab.planningportal.co.uk/uploads/1app/forms/form_6_commencement_notice.pdf) must be issued to the Local Planning Authority and all owners of the relevant land to notify them of the intended commencement date of the development.
7. The applicant is advised that, under the Control of Pollution Act 1974, site works which will be audible at the site boundaries are restricted to the following hours:-
08.00 – 18.00 Monday to Friday
08.00 – 13.00 Saturday
and not at all on Sundays and Bank/Public Holidays.
8. The applicant is advised that this planning permission does not convey the right to enter onto or build on land not within his ownership.

SECTION C

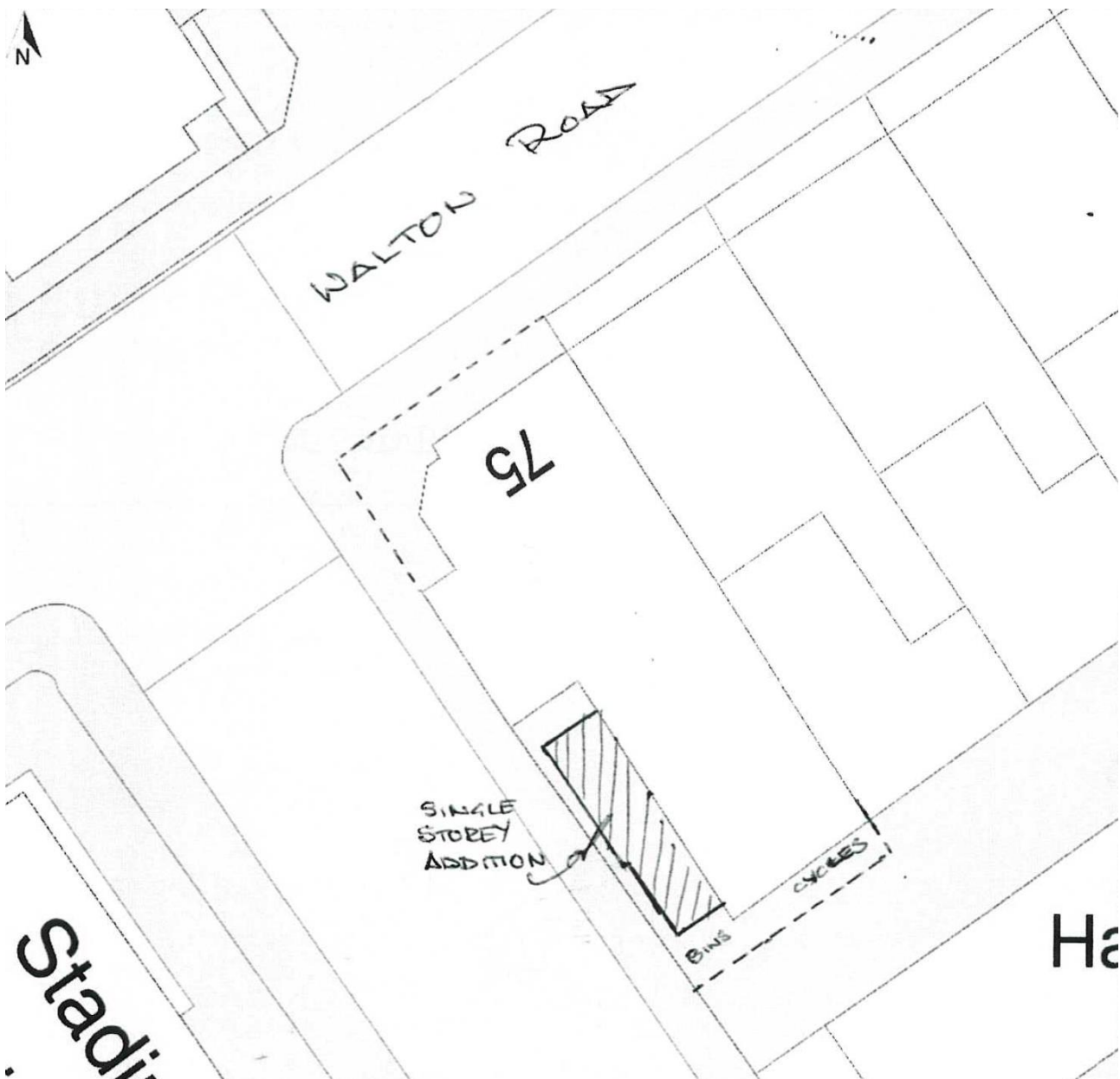
**APPLICATION REPORTS NOT TO BE
PRESENTED BY OFFICERS UNLESS REQUESTED
BY A MEMBER OF THE COMMITTEE**

(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)

75 Walton Road, Woking

PLAN/2017/1009

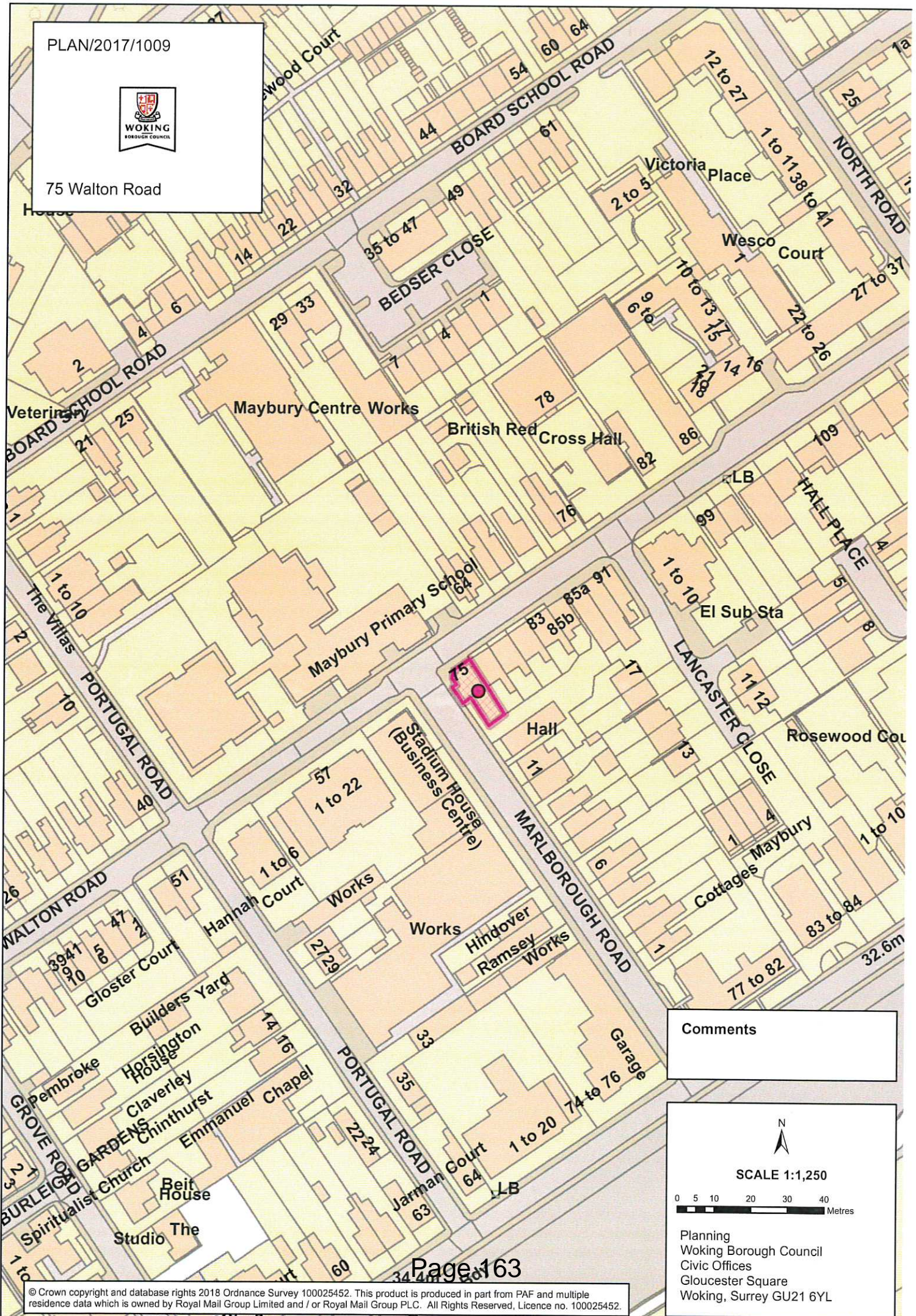
Change of use from Retail (A1) to 1 x 1bed self contained flat (C3) and erection of single storey side extension.



PLAN/2017/1009



75 Walton Road



Comments

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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5h 17/1009 Reg'd: 30.08.2017 Expires: 21.11.17 Ward: C
Nei. 24.10.17 BVPI Minor Number 13/8 On No
Con. Target dwellings - 13 of Weeks Target?
Exp: on Cttee'
Day:

LOCATION: 75 Walton Road, Woking, Surrey, GU21 5DW

PROPOSAL: Change of use from Retail (A1) to 1 x 1bed self contained flat (C3) and erection of single storey side extension.

TYPE: Full Planning Application

APPLICANT: Mr Abdul Rehman

OFFICER: Brooke Bournague

REASON FOR REFERRAL TO COMMITTEE

The application has been called to planning committee at the request of Councillor Hussain. Councillor Hussain believes this application would be best dealt by the planning committee as there are similar conversions in the area.

PROPOSED DEVELOPMENT

Planning application PLAN/2016/1087 granted planning permission on 22.11.2017 for a first floor rear extension and rear dormer to create 1x2 bed and 1x1 bed self contained flat (net gain of 1 flat) within the first floor and loft space at No.75A Walton Road. No.75 Walton Road is sited on the ground floor of the site. The proposal is for the change of use of part of a ground floor retail (A1) unit to 1x1 bed self contained flat (C3) and erection of single storey side extension at No.75 Walton Road. In addition bin and cycle storage is proposed to serve all three units.

Site Area: 0.0145 ha (145.5 sq.m)
Existing units: 1
Proposed units: 2
Existing density: 68 dph (dwellings per hectare)
Proposed density: 137 dph

With implementation of PLAN/2016/1087 the following would be relevant:

Site Area: 0.0145 ha (145.5 sq.m)
Existing units: 2
Proposed units: 3
Existing density: 137 dph (dwellings per hectare)
Proposed density: 206 dph

PLANNING STATUS

- Urban Area
- Walton Road Neighbourhood Centre
- High Density Residential Area
- Priority places
- Thames Basin Heaths SPA Zone (400M – 5KM)

RECOMMENDATION

REFUSE planning permission

SITE DESCRIPTION

The application site is located within Walton Road Neighbourhood Centre and is in close proximity to Woking Town Centre. No.75 Walton Road occupies the ground floor of the building and is currently occupied by a retail unit (A1). No.75A Walton Road occupies the upper floors and is in residential use (C3). The property is a two storey end of terrace building finished in brick and render on a corner plot bounded by Walton Road and Marlborough Road.

PLANNING HISTORY

75 Walton Road

PLAN/2012/0247 - Erection of a single storey side/rear extension and installation of a retractable canopy to the shop-front elevation following the demolition and removal of existing structures. Permitted 13.06.2012

PLAN/2011/1099 - Retrospective application for a side store and a canopy to the front. Refused 29.02.2012

75A Walton Road

PLAN/2016/1087 - Addition at first floor and construct rear facing dormer windows to create an additional self contained flat with cycle parking and bin store details. Permitted 22.11.2017

PLAN/2012/0372 – Erection of a first floor rear extension and rear dormer to create 1 x 2 bedroom flat. Permitted 11.01.2013

CONSULTATIONS

County Highway Authority: no objection

Environmental Health: no objection subject to informative

REPRESENTATIONS

None received

RELEVANT PLANNING POLICIES

National Planning Policy Framework (NPPF) (2012):

Section 4 - Promoting sustainable transport

Section 6 - Delivering a wide choice of high quality homes

Section 7 - Requiring good design

Woking Core Strategy (2012):

CS1 - A Spatial strategy for Woking Borough

CS4 - Local and Neighbourhood Centres and shopping parades

CS5 - Priority Places

CS7 - Biodiversity and nature conservation

CS8 - Thames Basin Heaths Special Protection Areas

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

Supplementary Planning Documents (SPDs):

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

PLANNING ISSUES

Principle of Development:

1. The application site is located within Walton Road Neighbourhood Centre and the Maybury and Sheerwater Priority Place. The proposal includes the change of use of part of an existing retail (A1) unit to a 1 bed flat (C3).
2. Policy CS4 of Woking Core Strategy (2012) states *'in neighbourhood centres and shopping parades the Council will seek to protect and retain local shops and other small scale economic uses such as post offices, petrol stations and public houses, because of the importance of these uses for meeting the everyday needs of those living locally'*.
3. With regards to Priority Places Policy CS5 of Woking Core Strategy (2012) advises planning decisions are expected to seek to redress identified local issues, including retail provision and employment. Policy CS5 establishes a presumption against the loss of retail units in Maybury and Sheerwater due to the limited retail choice in these areas.
4. The proposal would retain an element of retail (A1) and would therefore comply with Policy CS4 and CS5 of the Woking Core Strategy (2012).
5. The NPPF (2012) and Core Strategy (2012) policy CS25 promote a presumption in favour of sustainable development. The site lies within the designated Urban Area and within the 400m-5km (Zone B) Thames Basin Heaths Special Protection Area (SPA) buffer zone. Core Strategy (2012) policy CS10 seeks to ensure that sufficient homes are built in sustainable locations where existing infrastructure is in place. The principle of residential development in this location is considered acceptable subject to further material planning considerations, specific development plan policies and national planning policy and guidance as discussed below.

Impact on Character:

6. One of the core principles of the National Planning Policy Framework is to seek to secure high quality design.
7. Policy CS21 'Design' of the Woking Core Strategy 2012 states that *'proposals for new development 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,*

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height, proportions, building lines, layout, materials and other characteristics of adjoining buildings’.

8. Supplementary Planning Document ‘Woking Design’ (2015) states that *‘the roof of an extension is a prominent component of the building form and should normally be of a similar format to that of the existing dwelling’.*
9. The existing two storey building has a gable roof with a single storey hipped roof addition on the south west side elevation providing access to the first floor accommodation and single storey flat roof element to the rear.
10. The proposed single storey side extension would be approximately 6.2m deep with a maximum width of approximately 2m. The footprint of the extension would not project beyond the side or rear elevation of the host building. The roof of the proposed extension would incorporate a mono pitched with a maximum ridge height of approximately 3.2m and flat roof measuring 2.6m. The proposed extension would be attached to an existing single storey flat roof element. The flat roof element of the proposed extension would be the same height as the existing flat roof element and the mono pitched roof would project approximately 0.6m above the flat roof element. Extant planning application PLAN/2016/1087 granted planning permission for a first floor rear extension with hipped crown roof sited on part of the footprint of the existing single storey flat roof element. If planning application PLAN/2016/1087 was implemented the mono pitched element of the proposed extension would be attached to the first floor rear extension. The eaves height of the proposed extension would be consistent with the flat roof rear element, but would have a lower eaves and ridge height than the existing single storey side hipped roof extension.
11. It is considered the proposed extension incorporating two different roof forms, introducing a different roof form and eaves and ridge height does not relate to or respect the roof form of the host dwelling. Due to the corner plot position the proposed extension would be visible from both Walton Road and Marlborough Road. It is considered the design of the proposed extension would detract from the character of the streetscene.
12. Policy CS21 of Woking Core Strategy (2012) states proposal for new development *should ‘incorporate provision for the storage of waste and recyclable materials’.*
13. Planning application PLAN/2016/1087 granted on 22.11.2017 included two cycle stands in the same position as currently proposed and four wheelie bins for residential use and one wheelie bin for commercial use to the rear of the site.
14. This planning application includes bin and cycle storage to serve the proposed residential unit, existing residential unit at No.75A Walton Road and additional residential unit permitted under planning application PLAN/2016/1087 and the A1 retail unit to be retained. The proposed floor plans include the provision of two cycle stands to the rear of the site adjacent to the existing flat roof rear element and a bin store to the south west side of the building for residential waste and bin area for commercial waste sited between the cycle stands and proposed bin store for residential waste. The proposed ground floor plans indicate the bin store for residential waste would be approximately 2.3m wide and 2.35m deep and be constructed from 1.35m high close boarded fence panels. No details have been included on the proposed elevations. It is considered the proposed bin store is not secure or of a sufficient size to accommodate the required bins (3 x 240 ltr general waste bins, 3x 240 ltr recycling bins and 3 x 23ltr food waste bins). The proposed bin store would introduce an additional structure and materials that would further detract from the character of the building and streetscene.

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15. It is considered the proposed single storey side extension and bin store by reason of its design would result in an extension that does not pay due regard to the design of the host building which would be detrimental to the appearance of the building and streetscene. The proposal is therefore contrary to Policy CS21 of the Woking Core Strategy, Supplementary Planning Document 'Woking Design' (2015) and the policies of the National Planning Policy Framework.

Impact on Neighbours:

16. The proposed extension would be sited within the side elevation of the host building. The mono pitched roof would project approximately 0.6m above the existing flat roof single storey rear element. It is considered there would not be an impact on the amenities of No.77 or No.77A Walton Road sited to the east of the site.

17. Similarly, there would be no adverse impact to the Pentecostal Christian Church, 12 Marlborough Road sited to the rear (south) of the site.

18. Maybury Road Primary School is sited to the north of the site. Due to the approximate 19m separation distance to the proposed extension it is considered there would not be a detrimental impact on the amenities of the school.

19. Stadium House, Marlborough Road containing flats is sited to the west of the site. Due to the approximate 13m separation distance and single storey nature it is considered there would not be a detrimental impact on the amenities of Stadium House, Marlborough Road.

20. Overall the proposed development is considered to have an acceptable impact on neighbours in terms of loss of light, overlooking and overbearing impacts.

Standard of Accommodation:

21. One of the core planning principles of the NPPF (2012) is to ensure a good standard of amenity for all future occupants of land and buildings. Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight (2008) seeks to ensure satisfactory levels of outlook for all residential development.

22. The proposed one bed flat would be 44sqm and therefore provide an acceptable size of accommodation. The internal accommodation would consist of a bedroom, living room and shower room. The living room would have one window orientated towards Marlborough Road and be set back approximately 0.4m from the pavement while the bedroom window would front directly onto the communal cycle area. The proposal would provide a poor outlook from the bedroom and minimal defensible space to protect the occupiers of the proposed flat.

23. Supplementary Planning Documents 'Outlook, Amenity, Privacy and Daylight (2008)' states '*dwelling specifically designed not to be used for family accommodation do not require any specific area to be set aside for each as private amenity space. This would apply to one and two bedroom flats and any other forms of dwelling less than 65sq.m floorspace*'. The proposed dwelling would be one bedroom and less than 65sq.m floorspace and therefore no objection is raised to the lack of private amenity space to serve the proposed dwelling however this factor does not outweigh other concerns with the proposal.

24. The proposed development is not considered to offer a satisfactory standard of residential accommodation for future occupiers by virtue of the poor quality outlook to

habitable rooms contrary to Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight (2008).

Flood Risk:

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

Transportation Impacts:

26. Policy CS18 states 'the Council is committed to developing a well integrated community connected by a sustainable transport system' this can be achieved by *'implementing maximum car parking standards for all types of non-residential development, including consideration of zero parking in Woking Town Centre, providing it does not create new or exacerbate existing on-street car parking problems. Minimum standards will be set for residential development. However in applying these standards, the Council will seek to ensure that this will not undermine the overall sustainability objectives of the Core Strategy...'*. In addition Supplementary Planning Document Parking Standards (2006) sets maximum standards, with the objective of promoting sustainable non-car travel.
27. Supplementary Planning Document 'Parking Standards' (2006) states a maximum parking standard of one off street parking space to be provided for a one bedroom unit within the High Accessibility Zone. To comply with maximum parking standards the proposal would be required to provide one off street parking space.
28. No off street parking is proposed. Four cycle spaces are proposed to serve the proposed residential unit, existing residential unit at No.75A Walton Road and additional residential unit permitted under planning application PLAN/2016/1087 and the A1 retail unit to be retained.
29. The NPPF advises that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe (Para. 32). Supplementary Planning Document 'Parking Standards' (2006) states *'where developers propose parking standards below the maximum standards these will be critically examined to ensure that there would be no adverse effect on highway safety, the free flow of traffic or parking provision in the immediate area generally'*.
30. The application site is located approximately 0.2miles from the Woking Town Centre boundary. The proposed flat would be within walking distance of a range of amenities and public transport connections, including bus routes and mainline railway station, providing a high frequency service to a range of destinations, including London Waterloo which would reduce reliance on the use of the private car. Walton Road and surrounding roads are within the Controlled Parking Zone. In light of the above and the level of shortfall it is considered that the risk of overspill parking onto surrounding roads would be minimised.
31. It is therefore considered that the proposed development would not have an adverse impact on parking provision in the immediate area. The County Highway Authority has been consulted who have advised that they have no objection from a highway safety and operation perspective.
32. The proposal is therefore considered acceptable and would comply with Policy CS18 of the Woking Core Strategy and the Supplementary Planning Document 'Parking Standards' and the core objective of the NPPF to influence a shift in behaviour towards alternative transport modes.

Affordable Housing:

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

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

34. The SPAs in this area are internationally-important and designated for their interest as habitats for ground-nesting and other birds. Core Strategy (2012) policy CS8 requires new residential development beyond a 400m threshold, but within 5km of the SPA boundary, to make an appropriate contribution towards the provisions of Suitable Alternative Natural Greenspace (SANG) and the Strategic Access Management and Monitoring (SAMM).
35. The SANG and Landowner Payment elements of the SPA tariff are encompassed within the Community Infrastructure Levy (CIL) however the SAMM element of the SPA tariff is required to be addressed outside of CIL. The required SAMM contribution in this case would be £487 in line with the Thames Basin Heaths Special Protection Area Avoidance Strategy 2010-2015 as a result of the net gain of a one bedroom dwelling which would arise from the proposal.
36. In the absence of a Legal Agreement or other appropriate mechanism to secure contributions towards mitigation measures, it cannot be determined that the additional dwelling would not have a significant impact on the Thames Basin Heaths Special Protection Area, contrary to Core Strategy (2012) policy CS8, 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 2010 (SI No. 490 - the "Habitats Regulations").

Community Infrastructure Levy (CIL):

37. The proposal would be liable for Community Infrastructure Levy (CIL) to the sum of £830.76.

CONCLUSION

38. It is considered the proposed single storey side extension and bin store would by reason of its design result in an extension that does not pay due regard to the design of the host building which would be detrimental to the appearance of the building and streetscene. The proposal is therefore contrary to Policy CS21 of the Woking Core Strategy, Supplementary Planning Document 'Woking Design' (2015) and the policies of the National Planning Policy Framework.
39. The proposed development, by reason of the placement of habitable room windows and the waste storage arrangements, is considered to create an unacceptably cramped and contrived overdevelopment of the site, to the detriment of the amenities of future occupants of the development, the amenities of neighbours and the character of the surrounding area. The proposal is therefore contrary to Core Strategy (2012) policy

27 February 2018 PLANNING COMMITTEE

CS21 'Design', Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight' SPD (2008) and the NPPF (2012).

40. In the absence of a Legal Agreement or other appropriate mechanism to secure contributions towards mitigation measures, it cannot be determined that the additional dwelling would not have a significant impact on the Thames Basin Heaths Special Protection Area, contrary to Core Strategy (2012) policy CS8 'Thames Basin Heaths Special Protection Areas', the Thames Basin Heaths Avoidance Strategy (2010 - 2015) and saved policy NRM6 of the South East Plan (2009) and the Conservation of Habitats and Species Regulations 2010 (SI No. 490 - the "Habitats Regulations").

The application is therefore recommended for refusal.

BACKGROUND PAPERS

1. Site visit photographs
2. Consultation responses

RECOMMENDATION

Refuse for the following reason(s):

01. The proposed single storey side extension and bin store would by reason of its design result in an extension that does not pay due regard to the design of the host building which would be detrimental to the appearance of the building and streetscene. The proposal is therefore contrary to Policy CS21 of the Woking Core Strategy, Supplementary Planning Document 'Woking Design' (2015) and the policies of the National Planning Policy Framework.
02. The proposed development, by reason of the placement of habitable room windows and the waste storage arrangements, would create an unacceptably cramped and contrived overdevelopment of the site, to the detriment of the amenities of future occupants of the development, the amenities of neighbours and the character of the surrounding area. The proposal is therefore contrary to Core Strategy (2012) policy CS21 'Design', Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight' SPD (2008) and the NPPF (2012).
03. In the absence of a Legal Agreement or other appropriate mechanism to secure contributions towards mitigation measures, it cannot be determined that the additional dwelling would not have a significant impact on the Thames Basin Heaths Special Protection Area, contrary to Core Strategy (2012) policy CS8 'Thames Basin Heaths Special Protection Areas', the Thames Basin Heaths Avoidance Strategy (2010 - 2015) and saved policy NRM6 of the South East Plan (2009) and the Conservation of Habitats and Species Regulations 2010 (SI No. 490 - the "Habitats Regulations").

Informatives

01. The plans relating to the development hereby refused are numbered:

Unnumbered plans showing a Location Plan received by the Local Planning Authority on 30.08.2018

Unnumbered plans showing a Block Plan received by the Local Planning Authority on 30.08.2018

27 February 2018 PLANNING COMMITTEE

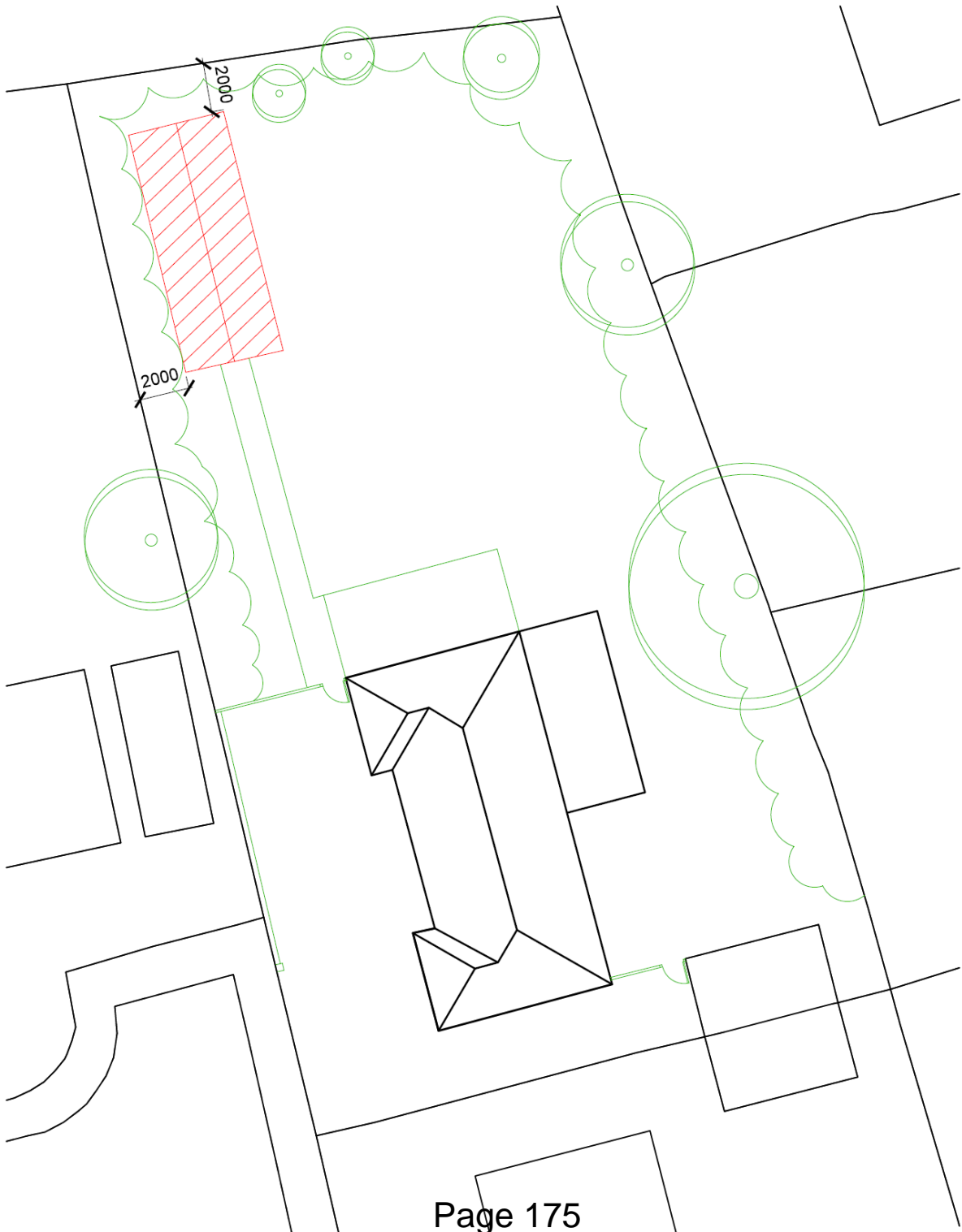
56/17/5 Rev A dated Nov 2017 and received by the Local Planning Authority on 29.11.2017

56/17 dated Nov 2017 and received by the Local Planning Authority on 29.11.2017

4 Summerhayes Close, Horsell

PLAN/2017/1376

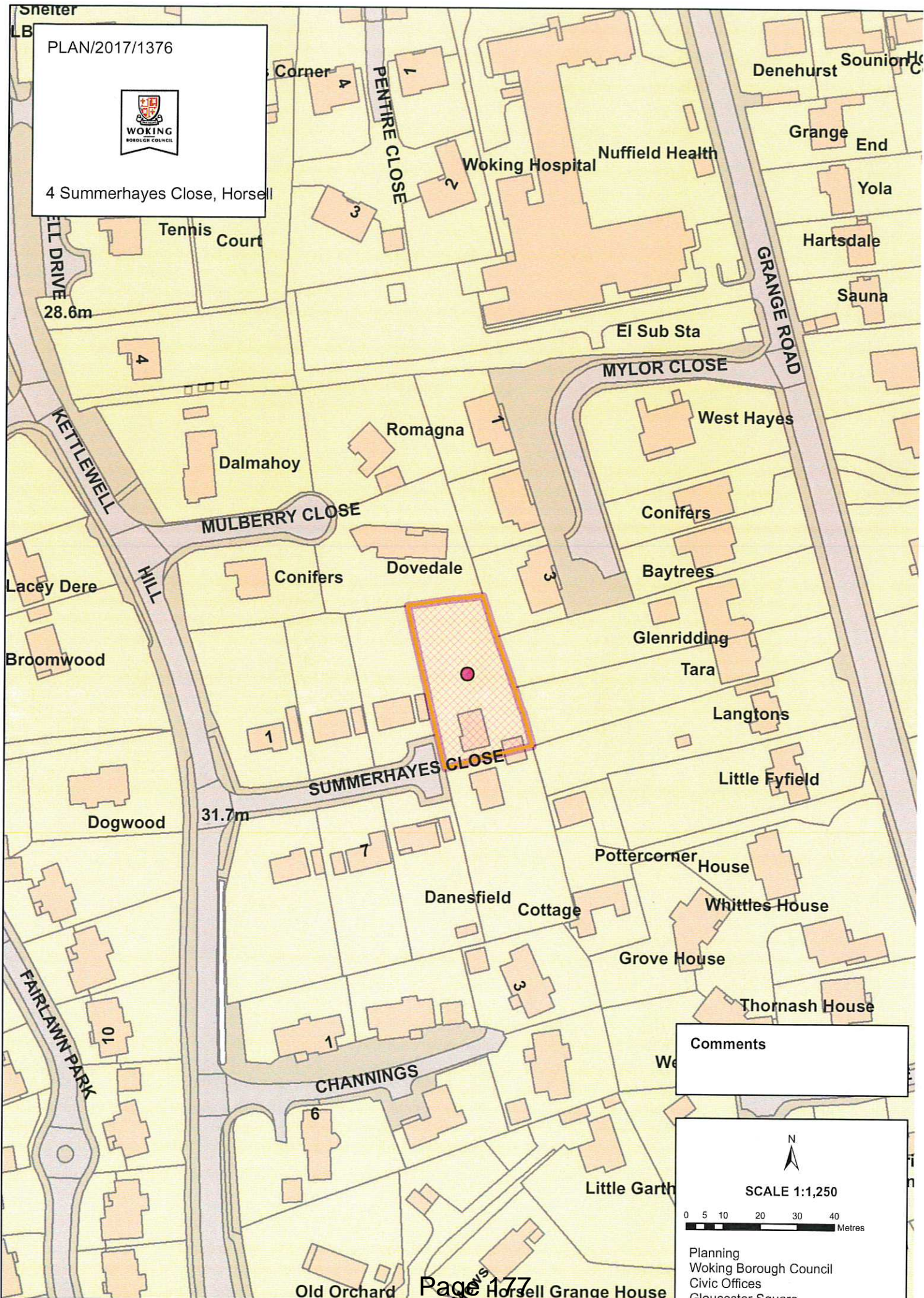
Proposed outbuilding.



PLAN/2017/1376



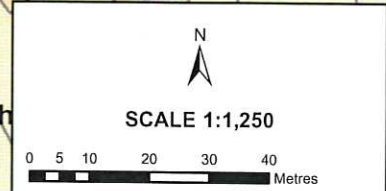
4 Summerhayes Close, Horsell



28.6m

31.7m

Comments



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

27th February 2018 PLANNING COMMITTEE

5i 17/1376 Reg'd: 22.12.17 Expires: 16.01.2018 Ward: HO
8
Nei. 12.01.20 BVPI Household Number of 8/13 On No
18
Con. Target Weeks on Target?
Exp: Cttee' Day:

LOCATION: 4 Summerhayes Close, Horsell, Woking, Surrey, GU21 4JD

PROPOSAL Proposed outbuilding

TYPE: Household

APPLICANT: Mr and Mrs Lyndon **OFFICER:** Katie Prior

REASON FOR REFERRAL TO COMMITTEE

The proposed outbuilding is recommended for approval and could ordinarily be dealt with under delegated powers, However, it has been called in to Planning Committee by Cllr Murray due to the following concerns:

- Noise impact on the neighbors
- Building may be used for commercial use rather than ancillary
- Location of the outbuilding on the application site

SUMMARY OF PROPOSED DEVELOPMENT

The application is for the erection of a detached outbuilding. The outbuilding would be used as a music room, with a dual pitched roof with one gable end and one hipped end.

PLANNING STATUS

- Tree Preservation Area Order
- Thames Basin Heaths SPA Zone B (400M - 5KM)

RECOMMENDATION

Grant planning permission subject to conditions.

SITE DESCRIPTION

The application site is occupied by a detached house with two storeys and accommodation in the roof space. The site is located on the east side of Summerhayes Close. The property shares its southern site boundary with Danesfield Cottage, shares its western boundary with no,3 and its northern site boundary with Dovedale, Mulberry Close. The eastern boundary is shared with the rear site boundaries of Tara and Glenridding of Grange Road and no.3 Mylar Close.

PLANNING HISTORY

27th February 2018 PLANNING COMMITTEE

PLAN/2004/0932- Erection of a two storey side extension and a single storey front extension. Erection of rear conservatory. Conversion of loft space to habitable accommodation facilitated by rooflights to the side and rear (permitted 27.09.2004)

PLAN/2004/1450- Erection of a detached garage and games room building (permitted 22.04.2005)

PLAN/1996/1060- Erection of rear conservatory (permitted 23.01.1997)

PROPOSED DEVELOPMENT

(Case officer's note: The application was first submitted as a Certificate of Proposed Lawful Development. The proposal did not fall under Permitted Development due to its location forward of the principal elevation. The application was converted to a full householder application).

The proposal is for the erection of a single storey outbuilding for use as a music room. The outbuilding would be located in the north-west corner of the application site. The proposal would be constructed with brick and a tiled dual pitched roof. The proposed would be served by two doors, a single door in the southern elevation and patio style doors in the eastern elevation leading to the garden. Two windows are proposed in the southern elevation and one window in the eastern elevation. The floor plan of the proposal shows a practice room, office room, a toilet and kitchenette area.

CONSULTATIONS

Senior Arboricultural Officer- No objections.
Environmental Health- no objections

REPRESENTATIONS

4x representations received objecting to the proposal raising the following points:

- Concerns at how close the proposal is to Dovedale and no.3 Summerhayes Close.
- Concerns over the potential noise level and lack of confirmation of sound proofing materials
- Concerns that the outbuilding would be used as an additional bedroom and become an infill property e.g '4b Summerhayes Close'
- Concerns that the outbuilding would be used as a commercial music studio, increasing the traffic and parking of Summerhayes Close (requests of conditions to reduce this risk)
- Concerns over the bulk and scale of the outbuilding
- Concerns over the protection of trees in the Dovedale, no.3 and no.4 Summerhayes Close sites
- Concerns over how the drainage of the toilet and kitchen area will be sought.
- Expression that the outbuilding is a form of overdevelopment.

RELEVANT PLANNING POLICIES

National Planning Policy Framework 2012

Section 7 - Requiring good design

Core Strategy Publication Document 2012

CS21 - Design

Supplementary Planning Guidance

Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight' 2008
Supplementary Planning Document 'Design' 2015

Development Management Policies DPD (2016):

DM2 - Trees and landscaping

PLANNING ISSUES

The main planning issues that need to be addressed in the determination of this application are; whether the proposal would have an adverse effect on the character of the host dwelling or character of the surrounding area, whether the proposed extension will cause material harm to the amenities enjoyed by surrounding neighbours, whether the amount of garden amenity space resulting would be satisfactory and the impact on trees.

Impact on Existing Dwelling/Character of Area

1. The proposed outbuilding would have a width of 4.5m and depth of 10m. The proposal would have a maximum height of 4m with an eaves height of 2.7m.would project past the existing ground floor elevation modestly by 3m.
2. The single storey outbuilding would not be clearly visible from the street scene due to its location on the application site and screening from existing fencing. The proposal's location, scale and character creates a secondary relationship to the host dwelling.
3. It is not considered that the proposal would have an adverse effect on the character of the existing dwelling or the area and would comply with policy CS21 of the Woking Core Strategy (2012).

Impact on neighbours

4. The proposal would be located in the north-west corner of the application site, with a minimum distance of 2m from the shared boundaries with No.3 Summerhayes and Dovedale. The far location of the proposal would create a separation distance of 12.8m from the rear elevation of no.3 and 7m to the rear elevation to Dovedale. The proposal would be over 25m distance away from the rear elevations of no.3 Mylor Close and approximately 70m away from the rear elevations of Tara and Glenridding.
5. The proposal is of a modest single storey height, and would be partially screened by existing fences on the shared boundary line and trees. The proposed windows would also be screened by these fences. It is therefore considered that the proposal would not have an overbearing impact towards neighbours, result in an unacceptable impact on sunlight/daylight levels or result in an unacceptable loss of privacy due to its scale, location, massing and design.
6. The detached outbuilding is stated as ancillary use, with the toilet and kitchenette to serve the family whilst in use. The Environmental Health Officer has no objections or recommendations in relation to the proposal. The

27th February 2018 PLANNING COMMITTEE

proposal is considered to comply with policy CS21 of the Woking Core Strategy (2012).

Impact on garden amenity space

7. The dwelling and proposed detached outbuilding combined would have a gross floor area of approximately 272sqm and the area of garden space which would wrap around its rear and side elevation would be approximately 604sqm. This would far exceed guidelines for acceptable levels of private amenity contained in *Outlook, Amenity, Privacy and Daylight* (2008) and for this reason it is considered that the property would be left with acceptable levels of private amenity space.

Impact on trees

8. The site is located in a Tree Preservation Order Area. The Senior Arboricultural Officer has stated that there are no direct implications for the trees on adjacent land from the proposal, however the services proposed could have implications. The Senior Officer has no objections subject to condition. The proposal is considered to have an acceptable impact on trees and complies with policy DM2 of the DM Policies DPD (2016).

Local Finance Considerations

9. CIL is a mechanism adopted by Woking Borough Council which came into force on 1st April 2015, as a primary means of securing developer contributions towards infrastructure provisions in the Borough. Given that the proposal is less than 100m², it is not CIL liable.

CONCLUSION

10. In conclusion, the points raised above consider the proposal to have an acceptable impact on the character of the area and dwelling, neighbouring amenities, garden space and trees. The proposal therefore accords with section 7 of the *National Planning Policy Framework (2012)*, policy CS21 of the *Woking Core Strategy (2012)*, the Supplementary Planning Documents '*Outlook, Amenity, Privacy and Daylight*' (2008), '*Woking Design*' (2015) and policy DM2 of the *OM Policies DPD (2016)*.

BACKGROUND PAPERS

Site visit photographs (11.01.2018)

RECOMMENDATION

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

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

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

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

Drawing No.01 Rev A (Location and Block Plan)- Received 4.12.2017

Drawing No.02 (Plans)- Received 4.12.2017

Drawing No.03 (Elevations)- Received 4.12.2017

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

3. The external finishes of the development hereby permitted shall match those used in the existing building in material, colour, style, bonding and texture.

Reason:

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

4. The development hereby permitted shall be occupied only as residential accommodation ancillary to the use of the dwelling currently known as No.4 Summerhayes Close and shall not be used as an independent residential unit.

Reason: To ensure the dwelling remains in single family occupation and the use of the premises is compatible with the surrounding area.

5. No development related works shall be undertaken on site (including clearance and demolition) until tree protection details, to include the protection of hedged and shrubs, have been submitted to and approved in writing by the Local Planning Authority. These details shall adhere to the principles embodied in BS 5837 2012 and shall include a Tree Survey, Arboricultural Impact Assessment and Arboricultural Method Statement. The details shall make provision for the convening of a pre-commencement meeting and Arboricultural supervision by a suitably qualified and experienced Arboricultural Consultant for works within the RPAs of retained trees. Full details shall be provided to indicate exactly how and when the retained trees will be protected during the site works. The development shall be carried out strictly in accordance with the agreed details.

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

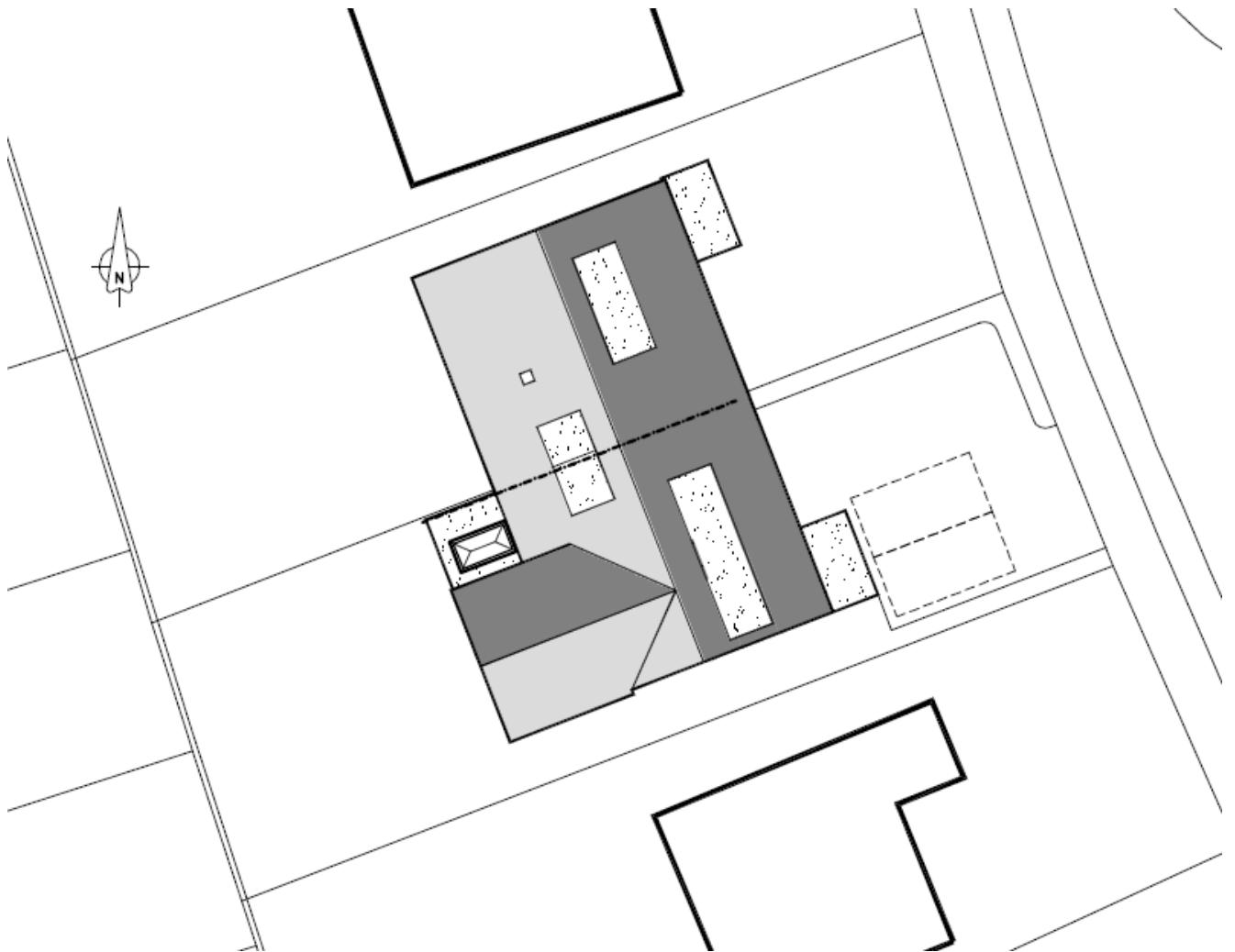
Informatives

1. The Council confirms that in assessing this planning application it has worked with the applicant in a positive and proactive way, in line with the requirements of paragraph 186-187 of the National Planning Policy Framework 2012
2. You are advised that Council officers may undertake inspections without prior warning to check compliance with approved plans and to establish that all planning conditions are being complied with in full. Inspections may be undertaken both during and after construction.

7 Tanglewood Close, Pyrford

PLAN/2017/1291

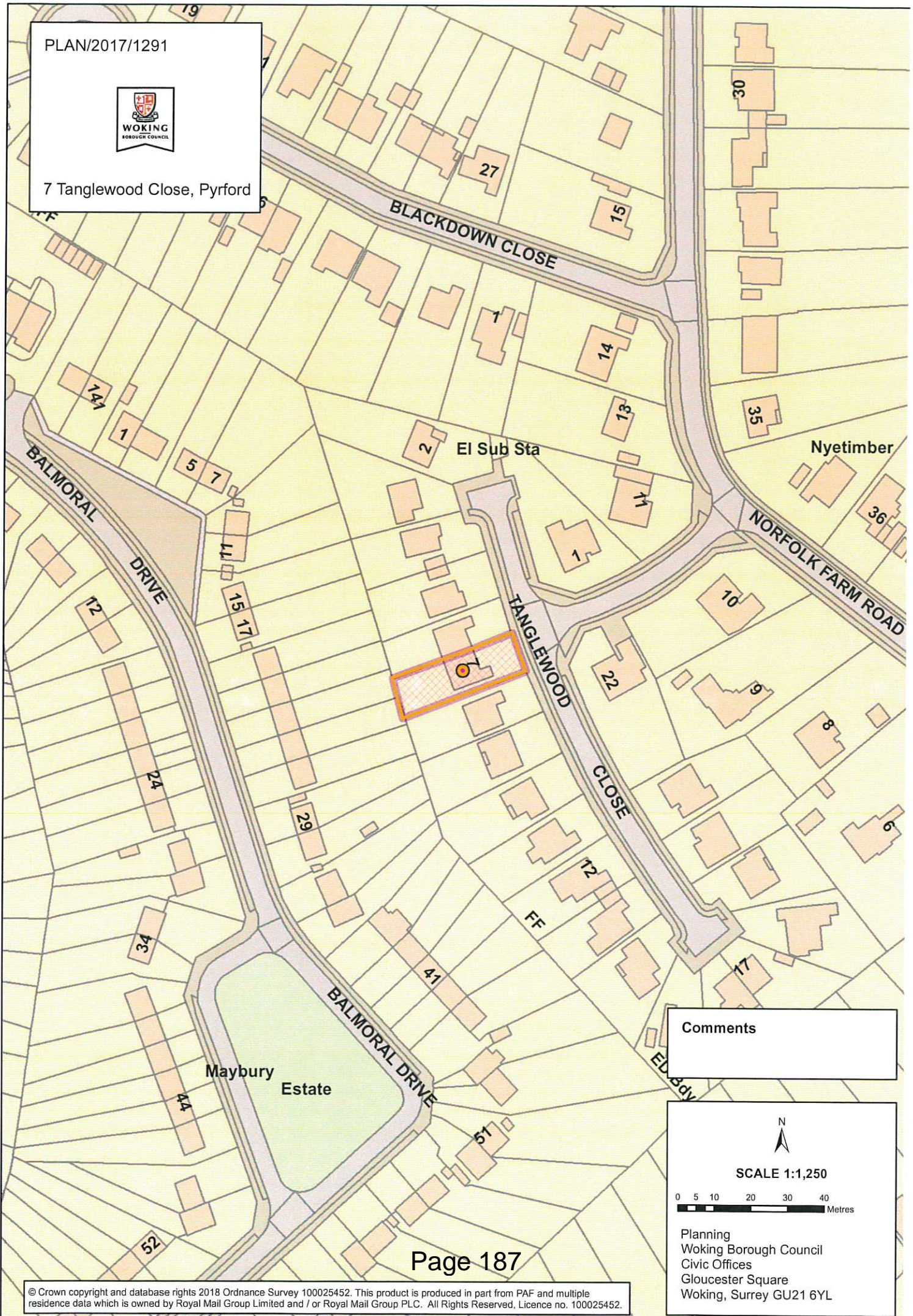
Proposed part single part two storey rear extension.



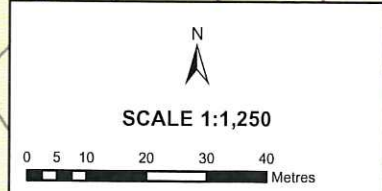
PLAN/2017/1291



7 Tanglewood Close, Pyrford



Comments



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

27th February 2018 PLANNING COMMITTEE

5j 17/1291 Reg'd: 20.11.17 Expires: 29.01.2018 Ward: PY
Nei. 08.12.201 BVPI Household Number of 8/13 On No
Con. 7 Target Weeks on Target?
Exp: Cttee' Day:

LOCATION: 7 Tanglewood Close, Pyrford, Woking, Surrey, GU22 8LG

PROPOSAL Proposed part single part two storey extension.

TYPE: Household

APPLICANT: Mr and Mrs Mickiewicz **OFFICER:** Katie Prior

REASON FOR REFERRAL TO COMMITTEE

The proposed rear extension to the dwelling is recommended for approval and could ordinarily be dealt with under delegated powers. However, it has been called in to planning committee by Cllr Chrystie due to the following concerns:

- Possible breach of CS21 of the Core Strategy: An imbalance between the semi-detached houses.
- Possible breach of policy BE1 of the Pyrford Neighborhood Plan 2016-2027.

SUMMARY OF PROPOSED DEVELOPMENT

The application is for the erection of a part single storey, part two storey rear extension. The two storey addition would have a pitched roof with sliding patio doors on the ground floor.

PLANNING STATUS

- Tree Preservation Area Order
- Thames Basin Heaths SPA Zone B (400M- 5KM)
- Pyrford Neighbourhood Area

RECOMMENDATION

Grant planning permission subject to conditions.

SITE DESCRIPTION

The proposal relates to a two storey, semi-detached dwelling situated on the western side of Tanglewood Close. The property adjoins on its north-western elevation to No.6. The property shares its southern site boundary with No.8.

PLANNING HISTORY

PLAN/2017/1271- Proposed first floor front extension and partial garage conversion (Withdrawn 28.12.2017)

PROPOSED DEVELOPMENT

(Case officer's note: following discussions with the agent the original scheme was amended.

These changes were to:

- *Reduce the maximum height of the two storey extension*
- *Alter the flat roof of the two storey extension*
- *Remove the proposed rendering*

It is this amended scheme which will be described below and assessed in this report.)

The proposal is for the erection of a part single storey, part two storey rear extension. The two storey element is proposed to have a pitched roof element and the single storey element is proposed to have a flat roof with sliding patio doors. The proposal includes the removal on an existing window in the south-west elevation. Two windows are proposed on the rear elevation, one on the first floor to serve a bedroom and one on the ground floor to serve a kitchen.

CONSULTATIONS

Pyrford Neighbourhood Forum- No response

Senior Arboricultural Officer- No objections subject to condition

REPRESENTATIONS

5x representations received objecting to the proposal raising the following points:

- Proposal would cause loss of light, shadowing and be overbearing
- Proposal would unbalance the semi-detached properties
- Design, size, bulk, height would fail to integrate with character of host dwelling, the character of the semi-detached properties and character of area.
- Appear visually intrusive in the street scene
- Overlooking
- Unacceptable level of private amenity space
- Rendering would be contrary to style of properties in Tanglewood Close
- Concerns with an increase of on-street parking
- Concerns of length and noise of construction phase

RELEVANT PLANNING POLICIES

National Planning Policy Framework 2012
Section 7 - Requiring good design

Core Strategy Publication Document 2012
CS21 - Design

Development Management Policies DPD
2016

DM2-Trees and Landscaping

27th February 2018 PLANNING COMMITTEE

Supplementary Planning Guidance

Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight' 2008

Supplementary Planning Document 'Design' 2015

Supplementary Planning Document 'Parking Standards' 2006

Pyrford Neighbourhood Plan 2016-2027

BE-1

BE-2

BE-3

PLANNING ISSUES

The main planning issues that need to be addressed in the determination of this application are; whether the proposal would have an adverse effect on the character of the host dwelling or character of the surrounding area, whether the proposed extension will cause material harm to the amenities enjoyed by surrounding neighbours, whether the amount of garden amenity space resulting would be satisfactory, the impact on parking and the impact on trees.

Impact on Existing Dwelling/Character of Area

1. The proposed extension would project past the existing ground floor rear elevation modestly by 3m. The single storey element of the rear extension would have a flat roof at a height of 2.7m, with a centrally located roof lantern with a height of 0.5m.
(Officers note: A single storey extension with a depth of 3m could potentially be possible under Permitted Development).
2. The first floor extension would have a pitched roof with a maximum height to match the existing dwelling. It would have a maximum height of 5.8m and an eaves height of 4m. The proposal is not considered to have an adverse effect on the symmetry of the semi-detached dwellings given its location to the rear of the property where it would not be readily visible from the public realm.
3. The proposal includes materials to match the materials and style of the existing dwelling.
4. The proposal would respect the existing side building line and not extend any further past this. The proposal includes sliding patio doors and two windows to the rear elevation. Alterations to the south-east side elevation include the removal of existing windows and an addition of a door to serve a utility room.
5. It is noted that there are a number of properties in Tanglewood Close that have benefitted from extensions. The proposal would only be slightly visible from the street scene, through the gap between the host property and neighbour No.8. The proposal is not considered to appear incongruous within the street scene.
6. Overall, It is considered that the proposal's scale, form and character would be subservient and in keeping with the host dwelling. It is considered the proposal would result in an extension that would have an acceptable impact on the character of the surrounding area and accords with section 7 of the *National Planning Policy Framework* (2012), policy CS21 of the *Woking Core Strategy* (2012), policy DM12 of the *Development Management Policies Development Management Document* (2016), *Woking Design SPD* (2015) and policy BE1 and BE3 of the *Pyrford Neighbourhood Plan 2016 -2027* (2016)

27th February 2018 PLANNING COMMITTEE

Impact on neighbours

7. The neighbours whose daylight levels are potentially most affected by the proposal are No.6 and No.8.
8. In regards to neighbour No.6, when applying the '45° test' as set out in *Outlook, Amenity, Privacy and Daylight* (2008), the proposal would not conflict the 45° line when assessed in elevation form against the nearest rear elevation windows on the ground and first floor of No.6.
9. Similarly to neighbour No.8, the proposal would not conflict the 45° on the nearest window on the rear elevation. In addition to this, the proposal does not fall in line with the first floor window on the north-west side elevation of No.8. It is therefore considered that the proposal would have an acceptable impact on the daylight/sunlight levels of neighbours No.6 and No.8.
10. The proposal would project 3m past the rear elevation of No.6 and 4m past No.8. This is considered to be a modest increase. It is also noted that there are existing fences on both the shared boundary lines to provide partial screening of the proposal. In addition to this, the closest part of the proposal to No.6 would have a flat roof with a modest single storey height. Furthermore, there is a separation distance of 4.5m between the host dwelling and No.8. For these reasons, the proposal is not considered to create an overbearing impact towards No.6 or No.8.
11. No windows are proposed in the north-west elevation towards No.6. The views offered in the proposed rear elevation windows are similar to those already offered in the existing windows. The proposal includes the removal of an existing window on the south-east elevation, with no additional windows. The proposal is considered to have an acceptable impact on the privacy levels of No.6 and No.8.
12. Overall the proposal is considered to have an acceptable impact on neighbours in terms of loss of light, overlooking and overbearing impact. It is therefore considered to accord with section 7 of the *National Planning Policy Framework* (2012), policy CS21 of the *Woking Core Strategy* (2012), *Woking Design SPD* (2015) and policy BE3 of the *Pyrford Neighbourhood Plan 2016 - 2027* (2016).

Impact on garden amenity space

13. The extended dwelling would have a gross floor area of approximately 165sqm. The area of garden space available would be approximately 140sqm. This would therefore not satisfy the guidelines contained in *Outlook, Amenity, Privacy and Daylight* (2008). However, it is noted that these are guidelines, and the resulting garden space is considered to be of good quality and an acceptable size for the dwelling. The impact on garden amenity space is not considered a valid reason for refusal in this case.

Impact on car parking

14. The dwelling benefits from an area of hardstanding at the frontage of the dwelling and a single garage. The area of hardstanding can accommodate two cars.

15. The proposal therefore satisfies the guidelines recommended in Woking Borough Council's SPD *Parking Standards* (2006). It would not result in any additional on-street parking, satisfying policies BE1 and BE2 of the *Pyrford Neighbourhood Plan 2016 -2027* (2016).

Impact on trees

16. The Arboricultural information provided by Transform Landscapes ref: Nov 2017 was considered acceptable by the LPA's Senior Arboricultural Officer. The concerned trees are adjacent to the rear of the application site. All trees are proposed to be retained. The impact on trees is considered acceptable subject to condition.

Local Finance Considerations

17. CIL is a mechanism adopted by Woking Borough Council which came into force on 1st April 2015, as a primary means of securing developer contributions towards infrastructure provisions in the Borough. Given that the proposal is less than 100m², it is not GIL liable.

CONCLUSION

18. In conclusion, the points raised above consider the proposal to have an acceptable impact on the character of the area and dwelling, neighbouring amenities, garden space and car parking. The proposal therefore accords with section 7 of the *National Planning Policy Framework (2012)*, policy CS21 of the *Woking Core Strategy (2012)*, the Supplementary Planning Documents '*Outlook, Amenity, Privacy and Daylight*' (2008), '*Woking Design*' (2015) and '*Parking Standards*' (2006) and policies BE1, BE2 and BE3 of the *Pyrford Neighbourhood Plan 2016-2027* (2016).

BACKGROUND PAPERS

Site visit photographs (5.12.2017)
Arboricultural report Ref: Nov2017

RECOMMENDATION

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

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

Reason:

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

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

Drawing N.3018-P01c (Proposed rear extension- Received 23.01.2018)

27th February 2018 PLANNING COMMITTEE

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

3. The external finishes of the development hereby permitted shall match those used in the existing building in material, colour, style, bonding and texture.

Reason:

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

4. Protective measures shall be carried out in strict accordance with the arboricultural information provided by Transform Landscapes ref Nov2017 received on 15.11.2017 including the convening of a pre-commencement meeting and arboricultural supervision as indicated. No works or demolition shall take place until the tree protective measures have been implemented. Any deviation from the works prescribed or methods agreed in the report will require prior written approval from the Local Planning Authority.

Reason:

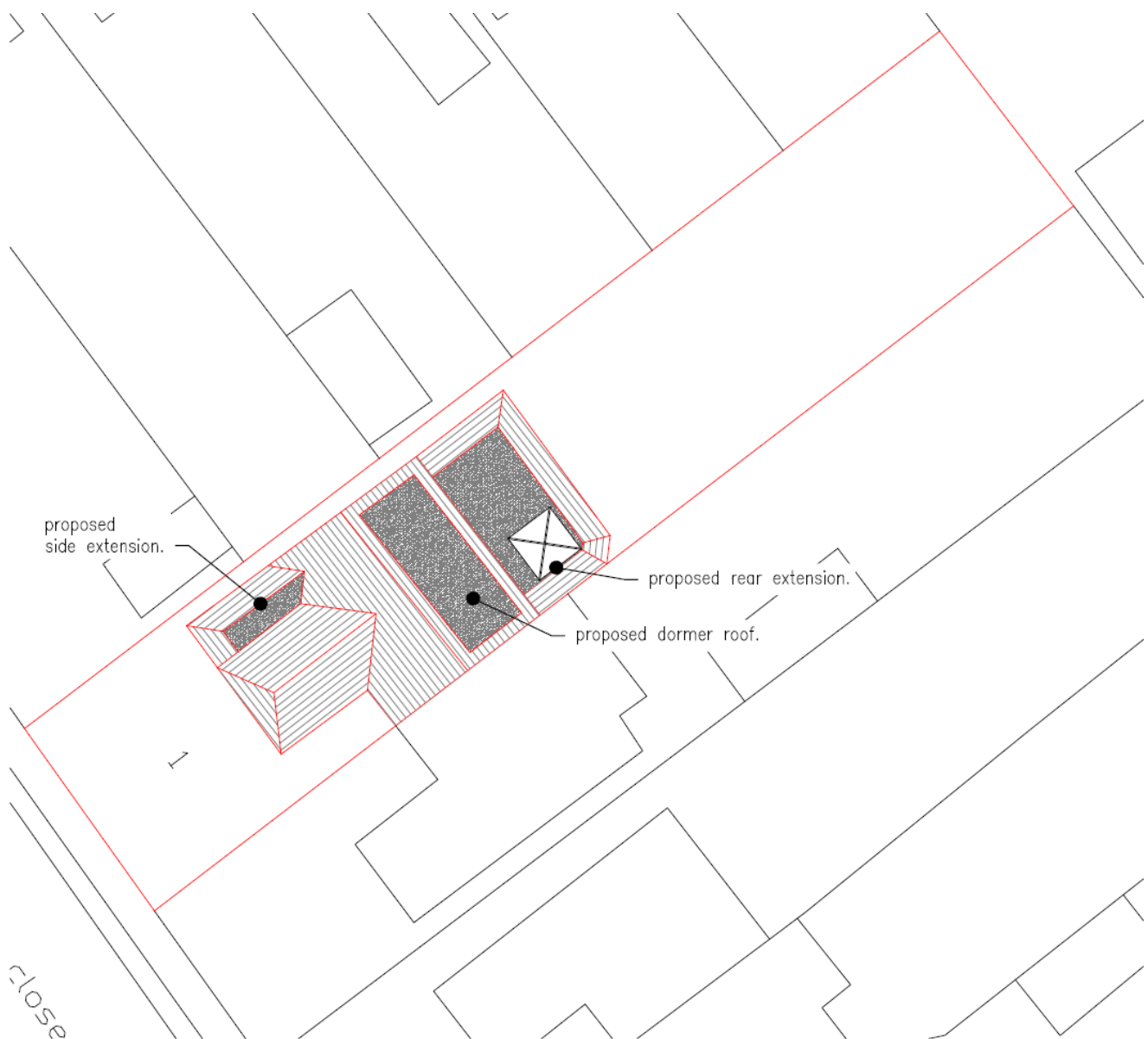
To ensure reasonable measures are taken to safeguard trees in the interest of local amenity and the enhancement of the development itself.

Informatives

1. The Council confirms that in assessing this planning application it has worked with the applicant in a positive and proactive way, in line with the requirements of paragraph 186-187 of the National Planning Policy Framework 2012.
2. You are advised that Council officers may undertake inspections without prior warning to check compliance with approved plans and to establish that all planning conditions are being complied with in full. Inspections may be undertaken both during and after construction.

1 Elm Close, Horsell

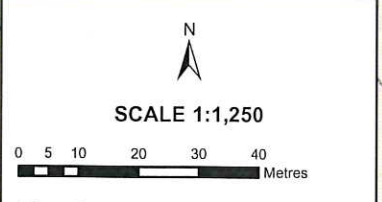
Unauthorised Operational Development – Erection Of A Ground Floor Rear And Side Extension Including Additional Front Door And Side And Rear Roof Extension



1 Elm Close, Horsell



Comments



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

Committee: PLANNING COMMITTEE

Date of meeting: 27 FEBRUARY 2018

Subject: UNAUTHORISED OPERATIONAL DEVELOPMENT – ERECTION OF A GROUND FLOOR REAR AND SIDE EXTENSION INCLUDING ADDITIONAL FRONT DOOR AND SIDE AND REAR ROOF EXTENSION AT 1 ELM CLOSE, HORSELL, WOKING, SURREY, GU21 4TG

Author: PLANNING ENFORCEMENT OFFICER DPC

1. **PURPOSE**

To authorise all necessary action including proceedings in the Magistrates’ Court in respect of breaches of planning control.

2. **RECOMMENDATION**

- (i) Issue an Enforcement Notice in respect of the above land requiring the property to be modified so as to comply with the plans approved under planning permission reference PLAN/2016/0527 and removal of all associated paraphernalia and debris within six months of the date the notice is served.

3. **SITE DESCRIPTION**

The site relates to a two storey terrace residential dwelling as shown on the attached Plan.

4. **PLANNING HISTORY**

PLAN/2016/0527 - Proposed ground floor rear and side extension and loft conversion. Received:- 06 May 2016. Application Permitted 9 September 2016.

PLAN/2017/0616 - Proposed single storey side and rear extension and rear dormer. Received:- 24 May 2017. Application Refused 20 July 2017.

Reasons for refusal: -

- 1. *The intended use of the proposal is unacceptable as the two front doors would allow the property to be made into two independent dwellings which the site could not accommodate as the impact on the character, urban grain, garden size and parking provision would not be unacceptable. The proposal is therefore contrary to policy DM9 of the Development Management Policies Development Plan Document (2016).*
- 2. *The proposal would have an unacceptable impact on the character of the host dwelling and the wider street scene. This would be by way of the mass and bulk of large flat roofed dormer having an unacceptable impact on the character of roof scape; as well as by way of the proposed side extension*

and hip to gable conversion making the property appear cramped, contrived and overdeveloped within the street scene. The proposal is therefore contrary to Section 7 of the National Planning Policy Framework (2012), policy CS21 of the Woking Core Strategy (2012) and Woking Design SPD (2015) and is recommended for refusal.

The difference between the permitted scheme and the refused scheme is that, whilst the former included only a modest single storey extension of height 2.8m and a depth of 2.5m, the latter included a much large dimensions (5.6m high, 7.4m depth) side extension, which includes extending the roof of the property a further 2.5m to the side and including a front door.

5. REPORT

On 30 October 2017 the Planning Officer received a complainant that the works being carried out at No.1 Elm Close was not in accordance to the approved plan bearing reference PLAN/2016/0527.

The Planning Enforcement Officer made a site visit on 31 October 2017 to the adjoining property No.2 Elm Close.

It was evident that No.1 Elm Close was in the process of being extended as per the scheme which was refused planning on 20 July 2017 (reference PLAN/2017/0616), except that the width was 39 centimetres over the building line into the curtilage of No.2 Elm Close. The Planning Officer took several photographs of the rear elevation of the property and from the position that the photographs were taken it was visible that the rear extension at No.1 Elm Close was clearly over the building line when compared with the position of the shared chimney stack.

The Planning Enforcement Officer wrote to the owner on 4 November 2017 setting out the breaches of planning control and advising the only way to remedy the breach was to revert back to the approved plans and complete the works in accordance to the approve planning consent (PLAN/2016/0527).

The Planning Enforcement Officer advised the owner in the letter that any further development work, was done at the owners own risk and if the work were not completed in accordance to planning consent reference PLAN/2016/0527 that the Planning Enforcement Officer would have no choice but to seek authorisation from the Planning Committee to issue an Enforcement Notice.

The owner telephoned the Planning Enforcement Officer on 9 November 2017 to say that he had received the Planning Enforcement Officer email and that the Planning Enforcement Officer was in doubt about the works being done and that there was no problem with the development work at No.1 Elm Close.

It was the Planning Officer opinion that the breach of planning control could not be remedied by the submission of a retrospective planning application given that planning permission had already been refused for an almost identical scheme (PLAN/2014/0616) for the reasons stated earlier in this report.

Furthermore, the single storey ground floor extension has not been built in accordance with what was approved under planning application

PLAN/2016/0527, because it has been partly built within the curtilage of the adjoining property at No.2 Elm Close.

This results in an unneighbourly and overbearing form of development detrimental to the amenity of No.2 Elm Close, contrary to Policy CS21 of the Core Strategy.

In view of the above, it is considered expedient to serve an Enforcement Notice and therefore authority is sought to serve an Enforcement Notice

6. EXPEDIENCY OF TAKING ACTION

Planning Policy Guidance Note 18 – 'Enforcing Planning Control' requires that where the LPA's initial attempt to persuade the owner or occupier of the site voluntarily to remedy the harmful effects of unauthorised development fails, negotiations should not be allowed to hamper or delay whatever formal Enforcement Action may be required to make the development acceptable on planning grounds, or to compel it to stop. However, Enforcement Action should always be commensurate with the breach of planning control to which it relates, for example, it is usually inappropriate to take formal enforcement action against a trivial or technical breach of control which causes no harm. The Local Planning Authority must, therefore, determine whether it is expedient to pursue action. It is considered to be expedient to take enforcement action in this case because:-

1. The two front doors allow the property to be made into two independent dwellings which the site could not accommodate as the impact on the character, urban grain, garden size and parking provision would be unacceptable. The proposal is therefore contrary to policy DM9 of the Development Management Policies Development Plan Document (2016).

2. The development has an unacceptable impact on the character of the host dwelling and the wider street scene. This is by way of the mass and bulk of large flat roofed dormer having an unacceptable impact on the character of roof scape; as well as by way of the proposed side extension making the property appear cramped, contrived and overdeveloped within the street scene. The proposal is therefore contrary to Section 7 of the National Planning Policy Framework (2012), policy CS21 of the Woking Core Strategy (2012) and Woking Design SPD (2015).

3. The single storey ground floor has been built partly within the curtilage of the adjacent property, No.2 Elm Close, resulting on an unneighbourly and overbearing form of development detrimental to the amenity of No.2 Elm Close, contrary to Policy CS21 of the Core Strategy.

7. RECOMMENDATION

- (i) Issue an Enforcement Notice in respect of the above land requiring the property to be modified so as to comply with the plans approved under planning permission reference PLAN/2016/0527 and removal of all associated paraphernalia and debris within six months of the date the notice is served.

