



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, 20 March 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 27 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

There are no items for public speaking.

Section B - Application reports to be introduced by Officers

5a. 2018/0049 Land South of Orchard End, Orchard Drive, Horsell (Pages 13 - 38)

5b. 2017/1317 Byfleet Cricket Pavilion at Sports Ground, Parvis Road, Byfleet (Pages 39 - 50)

5c. 2017/1383 Land rear of 19-21 Woodham Way, Woodham (Pages 51 - 68)

5d. 2017/1050 11-17 Chertsey Road, Woking (Pages 69 - 84)

5e. 2017/0866 30 Lambourne Crescent, Sheerwater, Woking (Pages 85 - 98)

5f. 2018/0103 Wheelers Barn, Warren Lane, Pyrford (Pages 99 - 114)

5g. 2018/0104 Wheelers Barn, Warren Lane, Pyrford (Pages 115 - 126)

5h. 2018/0137 St John Ambulance Car Park, Board School Road, Woking (Pages 127 - 140)

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

5i. 2018/0050 29 Silver Birch Close, Woodham, Woking (Pages 143 - 156)

5j. 0009/2017 Land at St Johns Primary School, Victoria Road, Knaphill (Pages 157 - 186)

5k. 0012/2017 Land at Brushfield Way, Knaphill (Pages 187 - 208)

AGENDA ENDS

Date Published - 12 March 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 – 20 MARCH 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:

12 March 2018

APPEALS LODGED

2017/0770

Application for the erection of a new detached garage following demolition of existing garage at Red Gables, Cleardown, Woking, GU22 7HH.

Refused by Delegated Powers
7 November 2017.
Appeal Lodged
5 February 2018.

2017/0663

Retrospective application for the erection of a single storey outbuilding at the rear of the property at 48 Cavell Way Knaphill Woking Surrey GU21 2TJ.

Refused by Delegated Powers
27 September 2017.
Appeal Lodged
22 February 2018.

ENF/17/00051

Appeal against Enforcement Notice against a retrospective application for the erection of a single storey outbuilding at the rear of the property at 48 Cavell Way Knaphill Woking Surrey GU21 2TJ.

Enforcement Notice authorised by
Planning Committee
26 September 2017.
Appeal Lodged
22 February 2018.

APPEAL DECISIONS

2017/0756

Application for Erection of first floor extensions and two storey rear extension. Alterations to external finishes and insertion of front, side and rear rooflights at Pomander Cottage, 12 Church Close, Horsell, Woking.

Refused by Delegated Powers
24 August 2017
Appeal Lodged
2 January 2018.
Appeal Dismissed
22 February 2018.

Planning and Enforcement Appeals

2017/0564

Application for Erection of front porch and construction of 2m high brick wall at 36 Wexfenne Gardens, Pyford, Woking.

Refused by Delegated Powers
24 August 2017.
Appeal Lodged
2 January 2018.
Appeal Dismissed/ Partially
allowed
22 February 2018.

2017/0860

Application for a proposed single storey side extension at 5 Oakfield Woking Surrey GU21 3QS.

Refused by Delegated Powers
4 October 2017.
Appeal Lodged
22 January 2018.
Appeal Allowed
8 March 2018.

2017/0701

Application for the construction of a second floor extension above the retained existing garage to provide 2 bedrooms at 10 Meadow Rise Knaphill Woking Surrey GU21 2LJ.

Refused by Delegated Powers
31 October 2017.
Appeal Lodged
22 January 2018.
Appeal Dismissed
7 March 2018.

PLANNING COMMITTEE AGENDA **PLANNING APPLICATIONS AS AT 20TH MARCH 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

20 March 2018

<u>ITEM</u>	<u>LOCATION</u>	<u>APP. NO.</u>	<u>REC</u>	<u>WARD</u>
0005A	Land South Of Orchard End, Orchard Drive, Horsell, Woking, Surrey, GU21 4BN	PLAN/2018/0049	LEGAL	HO
0005B	Byfleet Cricket Pavilion At Sports Ground, Parvis Road, Byfleet, West Byfleet, Surrey, KT14 7AB	PLAN/2017/1317	PER	BWB
0005C	Land Rear Of No.19 And No.21 Woodham Waye, Woodham, Woking, Surrey, GU21 5SW	PLAN/2017/1383	PER	C
0005D	McDonalds, 11 - 17 Chertsey Road, Woking, Surrey, GU21 5AB	PLAN/2017/1050	LEGAL	C
0005E	30 Lambourne Crescent, Sheerwater, Woking, Surrey, GU21 5RQ	PLAN/2017/0866	LEGAL	C
0005F	Wheelers Barn, Warren Lane, Pyrford, Woking, Surrey, GU22 8XQ	PLAN/2018/0103	PER	PY
0005G	Wheelers Barn, Warren Lane, Pyrford, Woking, Surrey, GU22 8XQ	PLAN/2018/0104	PER	PY
0005H	St John Ambulance Car Park, (Land Between No.64 Board School Road And Kingsoak House), Board School	PLAN/2018/0137	PER	C
0005I	29 Silver Birch Close, Woodham, Woking, Surrey, KT15 3QW	PLAN/2018/0050	ENFREF	C
0005J	Land at St Johns Primary School Victoria Way, Knaphill, GU21 2AS	TPO/0009/2017	CONF	KNA
0005K	Land at Brushfield Way, Knaphill	TPO/0012/2017	CONF	KNA

SECTION A - None

SECTION B - 5A-5H

SECTION C - 5I-5K

PER - Grant Planning Permission

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

ENREF - Refuse with enforcement

CONF - Confirmed

SECTION A

APPLICATIONS ON WHICH PUBLIC ARE ELIGIBLE TO SPEAK

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

SECTION B

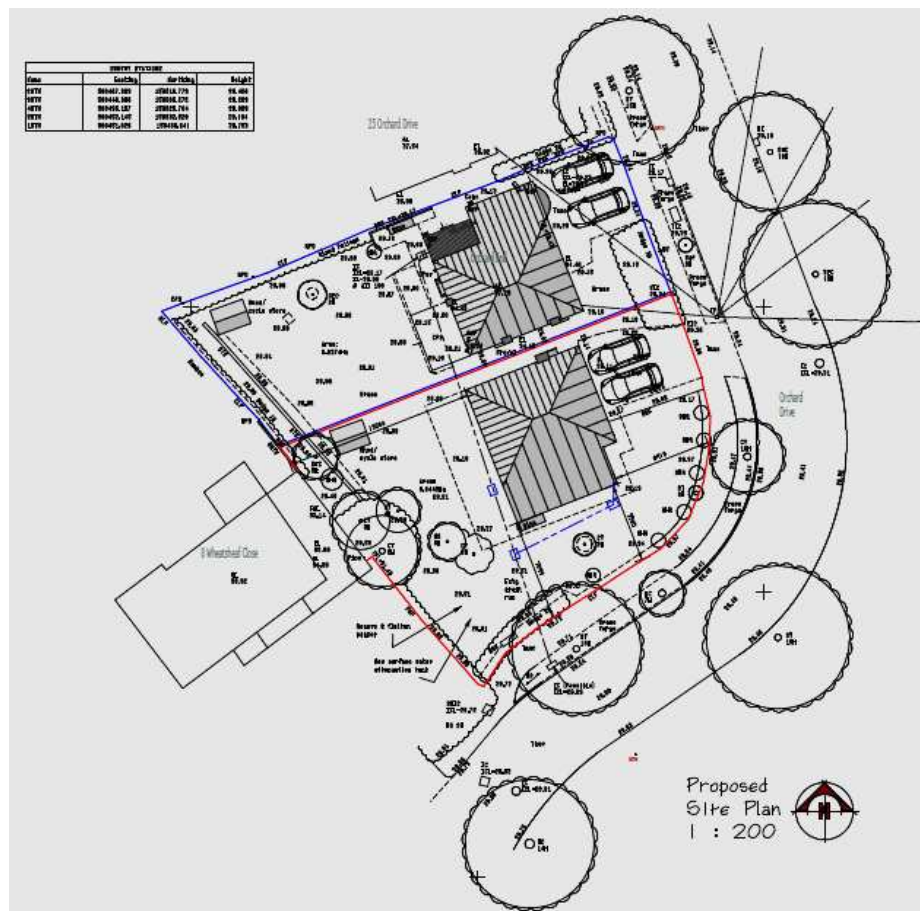
**APPLICATIONS WHICH WILL BE
THE SUBJECT OF A PRESENTATION
BY OFFICERS**

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

Land South of Orchard End, Orchard Drive, Horsell, Woking

PLAN/2018/0049

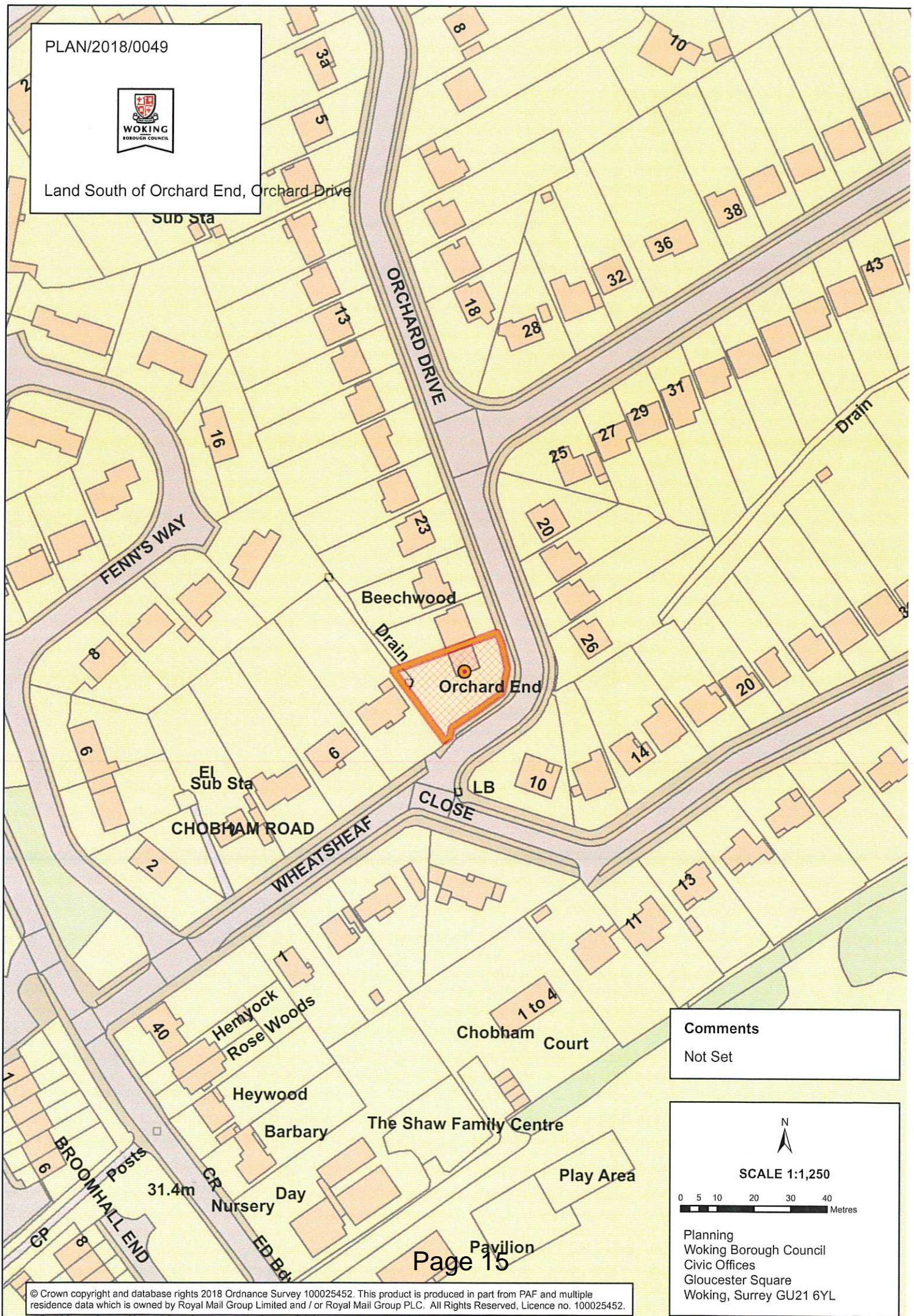
Erection of x1 two storey detached house (three bedroom) following demolition of existing garage, including retention of x1 existing two storey detached house (three bedroom) with reduced curtilage.



PLAN/2018/0049



Land South of Orchard End, Orchard Drive



Comments

Not Set



SCALE 1:1,250

0 5 10 20 30 40 Metres

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

20 MARCH 2018 PLANNING COMMITTEE

5a 18/0049 Reg'd: 19.01.18 Expires: 16.03.18 Ward: HO
Nei. 26.02.18 BVPI 13 (Dwellings) Number 9/8 On
Con. Target of Weeks Target? No
Exp: on Cttee'
Day:

LOCATION: Land South of Orchard End, Orchard Drive, Horsell, Woking, GU21 4BN

PROPOSAL: Erection of x1 two storey detached house (three bedroom) following demolition of existing garage, including retention of x1 existing two storey detached house (three bedroom) with reduced curtilage.

TYPE: Full Application

APPLICANT: Mr & Mrs S Caruso **OFFICER:** Benjamin Bailey

REASON FOR REFERRAL TO COMMITTEE

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

SUMMARY OF PROPOSED DEVELOPMENT

This is a full planning application for the erection of x1 two storey detached house (three bedroom) following demolition of existing garage, including retention of x1 existing two storey detached house (three bedroom) with reduced curtilage.

Red lined application site only

Site Area: 0.0451 ha (451 sq.m)
Existing units: 0
Proposed units: 1
Existing density: 0 dph (dwellings per hectare)
Proposed density: 22 dph

Red lined application site and adjacent blue lined area

Site Area: 0.0837 ha (837 sq.m)
Existing units: 1
Proposed units: 2
Existing density: 12 dph (dwellings per hectare)
Proposed density: 24 dph

PLANNING STATUS

- Urban Area
- Thames Basin Heaths Special Protection Area (TBH SPA) Zone B (400m-5km)
- High Accessibility Zone
- Surface Water Flood Risk (1 in 30 year)

RECOMMENDATION

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

SITE DESCRIPTION

The application site forms part of the residential curtilage of Orchard End and contains a large detached garage, which benefits from an existing vehicular crossover onto Orchard Drive and an area of tarmac to the frontage. The site is largely level although there is an area of raised ground to the south-west corner of the application site, which is proposed to be levelled. Some ornamental planting is apparent within, and on the edges of, the site as is typical of residential gardens. The site boundary with Orchard Drive is largely formed of a chain link fence with an area of hedge planting to the south-western section.

RELEVANT PLANNING HISTORY

24230 - The execution of site works and the erection of a double garage and conversion of the existing garage into study at Orchard End, Orchard Drive.
Permitted subject to conditions (28.04.1969)

23765 - The execution of site works, the conversion of the existing garage into living accommodation and the erection of a car port and garage at Orchard End, Orchard Drive.
Permitted subject to conditions (20.12.1968)

7514 - The execution of site works and the erection of a detached house and garage on land off Orchard Drive, Horsell shown on a plan attached to the application and numbered 374/54 and its use as a private single family dwelling and garage ancillary thereto.
Permitted subject to conditions (24.09.1954)

7005 - The erection of two detached houses on land at the junction of Orchard Drive and Wheatsheaf Close, Horsell as shown in principle on a plan attached to the application and numbered WOK/7005 and the use of each house as a private single family dwelling.
Permitted subject to conditions (01.04.1954)

CONSULTATIONS

County Highway Authority (CHA) (SCC):

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

Arboricultural Officer (Initial):

There are implications for trees associated with the proposed therefore full arboricultural information in line with BS5837 will be required at application stage, this should be provided by a

suitably qualified and experienced arboricultural consultant.

Arboricultural Officer (Second):

The arboricultural Information provided by RMT Tree Consultancy Ltd is considered acceptable and should be complied with in full this includes the pre-commencement meeting as indicated. Details of service and drainage runs will be required and approved prior to commencement. (Conditions 12 and 13 refer)

Drainage & Flood Risk Team (Initial):

The site is located in an area of surface water flood risk. Raised objection - there is insufficient information in regards to flood risk and drainage.

Drainage & Flood Risk Team (Second):

Following a review of the submitted information, recommend approval on drainage and flood risk grounds providing conditions are included. (Conditions 07 and 08 refer)

REPRESENTATIONS

x9 Letters of objection (including x1 letter stating no originator address) have been received raising the following main points:

- The existing house is already a back garden in-fill 1950's house in a mature road of 1930's houses, this proposed development of a detached house would be further infill increasing the density unacceptably and create a precedent for any remaining green spaces in this road, and would change the character of the road.
(Officer Note: Each planning application must be considered on its individual merits. The application site forms part of the residential curtilage of Orchard End)
- Loss of privacy as the side and front of No.8 Wheatsheaf Close, previously private, would be overlooked as the proposed house projects in front of the building line.
- Loss of privacy and light to No.24 Orchard Drive
- Over-development of the site, involving loss of gardens and garaging in a sensitive location on a corner between Orchard Drive and Wheatsheaf Close.
- Additional noise disturbance and increased density of housing in a mature residential setting.
- Contrary to Policy DM10 of the Development Management Policies DPD (2016)
- Adverse visual impact at this location on the character of the neighbourhood
- The proposed detached building is out of scale compared with current modifications approved to houses in this road.
- Loss of existing views from neighbours, pedestrians and car traffic due to this being a corner plot which is currently a green space.
(Officer Note: There is no 'right to a view' across third party land. The application site forms part of the residential curtilage of Orchard End)
- Would adversely affect the traffic flow, as it is on a corner and a driveway for 2 additional cars would be created, whereas currently the house has 2 drives which limits the density of cars in each driveway and using this narrow road.

(Officer Note: The proposed dwelling would utilise the existing vehicular crossover serving the detached garage proposed to be demolished)

- Impact during construction phase of contractor's vehicles and materials storage.
(Officer Note: Potential temporary disruption during the course of site works is not a reason to refuse planning permission. Condition 15, requiring submission of a Construction Transport Management Plan (CTMP), is recommended)
- Would surely have a negative impact on the marketing potential of neighbouring properties.
(Officer Note: This does not constitute a material planning consideration)
- Single driveway of the existing house is to be widened to a double; this will impact upon parking bay on the road.
(Officer Note: Please refer to paragraph 36. The existing area of hardstanding to the frontage of Orchard End would be slightly widened to accommodate the parking of x2 cars although the existing vehicular crossover would remain unaltered; therefore no impact would occur to the parking bay on the road)

COMMENTARY

Amended plans, and additional information, were requested, and accepted, during consideration of the application. This consisted of:

- Proposed dwelling shown on Proposed Location Plan (1:1250 scale) for wider context of grain and pattern of development
- Outline of adjacent No.8 Wheatsheaf Close shown for context on both Existing and Proposed Site Plans (1:200 scale)
- Proposed Street Scene (1:100 scale) showing proposed dwelling in context with existing dwelling and southern site boundary with Wheatsheaf Close
- Proposed Roof Plan at 1:100 scale (in addition to 1:200 scale initially submitted)
- Arboricultural Survey, Implications Assessment & Arboricultural Method Statement (including Tree Constraints Plan and Tree Protection Plan)
- Flood risk measures

This information was uploaded to the Council's Public Access for Planning webpages as it was submitted however, due to the nature of this information in enhancing (rather than amending) the initial submission, it was not considered necessary to undertake further public consultation.

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

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

20 MARCH 2018 PLANNING COMMITTEE

CS25 - Presumption in favour of sustainable development

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

DM2 - Trees and Landscaping

DM10 - Development on Garden Land

Supplementary Planning Documents (SPD's)

Outlook, Amenity, Privacy and Daylight (2008)

Design (2015)

Parking Standards (2006)

Climate Change (2013)

Affordable Housing Delivery (2014)

Supplementary Planning Guidance (SPG)

Plot subdivision: Infilling and backland development (2000)

Other Material Considerations

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

Thames Basin Heaths Special Protection Area Avoidance Strategy

Planning Practice Guidance (PPG)

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

Written statement to Parliament - Planning update - 25th March 2015

Written Ministerial Statement - 28th November 2014

Community Infrastructure Levy (CIL) Charging Schedule (2015)

PLANNING ISSUES

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

- Principle of development
- Design and impact upon the character of the area, including arboricultural implications
- Impact upon neighbouring amenity
- Amenities of future occupiers
- Highways and parking implications
- Surface water flood risk
- Thames Basin Heaths Special Protection Area (TBH SPA)
- Affordable housing
- Energy and water consumption

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

Principle of development

02. Policy CS10 of the Woking Core Strategy (2012) identifies that the Council will make provision for an additional 4,964 net additional dwellings in the Borough between 2010 and 2027. The reasoned justification text to 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.

03. The proposed dwelling would measure approximately 127 sq.m in gross floorspace, providing 3 bedrooms, and would therefore constitute 'family accommodation'. Both Policy CS11 of the Woking Core Strategy (2012), and the Strategic Housing Market

Assessment (SHMA) (2015), identify a need for 3 bedroom dwellings. The proposal would therefore assist in meeting this local need and demand.

04. Policy CS10 of the Woking Core Strategy (2012) sets out an indicative density range of between 30 - 40 dph (dwellings per hectare) for infill development within the rest of the Urban Area (ie. those areas outside of Woking Town Centre, West Byfleet District Centre and Local Centres), as in this instance, stating that density will not be justified at less than 30 dph unless higher densities cannot be integrated into the existing urban form. Taking only the red lined application site the existing density is 0 dph. Taking both the red lined application site together with the adjacent blue lined area the existing density is 12 dph. Taking only the red lined application site the proposed density would be 22 dph. Taking both the red lined application site together with the adjacent blue lined area (including the retained dwelling of Orchard End) the proposed density would be 24 dph. Whilst the resulting density would therefore fall short of 30 dph it is considered that the resulting density is the most which could be integrated into the existing urban form of the surrounding area. The existing density of the surrounding area varies between 11 dph and 24 dph, although the prevailing density is between 20 dph and 24 dph. Overall, the resulting density is considered to integrate into the existing density of the area.
05. The application site is situated within the designated Urban Area within the Horsell area of the Borough, outside of the 400m exclusion zone of the Thames Basin Heaths Special Protection Area (TBH SPA), where the principle of residential development is considered to be acceptable. Paragraph 53 of the National Planning Policy Framework (NPPF) (2012) states that, "*Local Planning Authorities should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area*". Policy DM10 of the Development Management Policies DPD (2016), and guidance contained within Supplementary Planning Guidance 'Plot Subdivision, Infilling' and Backland Development', notes that such development may not be considered favourably if it has a significant adverse impact upon the character or the amenities of existing housing areas. This is assessed in further detail within the paragraphs below.

Design and impact upon the character of the area, including arboricultural implications

06. One of the core principles of the National Planning Policy Framework (NPPF) (2012) is to seek to secure high quality design. Furthermore Policy CS21 of the Woking Core Strategy (2012) states that buildings should respect and make a positive contribution to the street scene and the character of the area paying due regard to the scale, height, proportions, building lines, layout, materials and other characteristics of adjoining buildings and land.
07. Policy DM10 (Development on Garden Land) of the Development Management Policies DPD (2016) states that housing development on garden land and/or that to the rear or side of an existing property will be supported provided that it meets the other relevant Development Plan policies and that:
- *it does not involve the inappropriate sub-division of existing curtilages to a size substantially below that prevailing in the area, taking account of the need to retain and enhance mature landscapes;*
 - *it presents a frontage in keeping with the existing street scene or the prevailing layout of streets in the area, including frontage width, building orientation, visual separation between buildings and distance from the road;*

- *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.*
08. The application site is located on the corner of Orchard Drive and Wheatsheaf Close within a large Arcadian residential area to the north of Woking Town Centre. The majority of dwellings are relatively large detached properties. The grain and layout of the housing within this part of Horsell is sinuous, with long distributor roads and smaller cul-de-sacs and crescents feeding off. The majority of the properties are detached within relatively good sized plots and generally constructed of buff and red brick, with sections of the facade covered in hung tiles. Roofs are predominantly steeply pitched and constructed of dark tiles. The area has a relatively sylvan character, derived largely from intermittent tree planted verges, which positively contribute to the character and appearance of the area.
09. The existing residential curtilage of Orchard End is relatively unique within the area in terms of its width, which varies between approximately 21.0 metres (towards the front) and 34.0 metres (towards the rear) due to its location on the corner of Orchard Drive and Wheatsheaf Close. Plot widths fronting Wheatsheaf Close measure between approximately 14.0 metres and 18.0 metres. Due to the orientation and siting of the proposed dwelling it would read predominantly as part of the Orchard Drive street scene as opposed to the Wheatsheaf Close street scene. Plot widths within this part of Orchard Drive measure between approximately 11.0 metres and 15.0 metres. The resulting plot width of retained Orchard End would measure approximately 11.6 metres with the plot width of the proposed dwelling measuring approximately 16.8 metres (taken across the front building line) and approximately 21.7 metres (taken across the rear of the site). The depths of the resulting plots would remain as per the existing. Overall, in terms of the resulting plot widths, depths and shapes, the proposal is considered to integrate into the prevailing pattern and grain of development within the area.
10. Whilst it is noted that the proposed dwelling would result in a greater level of development on this corner site than currently exists the proposed dwelling would nonetheless maintain separation distances varying between approximately 5.5m (at the front) and 7.0m (at the rear) to the application site boundary with Wheatsheaf Close, which would retain a sense of spaciousness to this side of the site, and avoid development within close proximity to the southern site boundary. It is also a significant consideration that the elevation presented to Wheatsheaf Close would take the form of a catslide style roof, terminating in a relatively modest approximate 2.8m eaves height, and which would pitch entirely away from the southern site boundary with the maximum height of the dwelling occurring a further 6.3m from the southern site boundary with Wheatsheaf Close. Furthermore the front building line of the proposed dwelling would step back from its predominant front building line by 1.0m towards the south, further reducing the bulk and mass apparent from Wheatsheaf Close. These cumulative factors are considered to retain a sense of spaciousness which would not harm the street scene of Wheatsheaf Close nor result in a cramped or contrived arrangement.
11. The depth of frontage to the proposed new dwelling would remain commensurate with that at existing Orchard End with an area capable of accommodating soft planting alongside the provision of on-site car parking. The existing dropped kerb (serving the

detached garage) would be retained to serve the proposed new dwelling and therefore no harm or disturbance to the street scene would arise in this respect.

12. Several street trees exist adjacent to the site on the grass verge. Policy CS21 requires proposals for new development to include the retention of any trees of amenity value and Policy DM2 of the Development Management Policies DPD (2016) states that the Council will require any trees which are to be retained to be adequately protected to avoid damage during construction.
13. The application is supported by arboricultural information, dated February 2018, prepared by RMT Tree Consultancy Ltd, which identifies that x1 small unremarkable tree of limited significance (Category C) towards the centre rear of the site would be removed (tree T5 - Monterrey Cypress). Whilst some low level ornamental planting would also be removed, this planting is contained within the application site and could be removed without the consent of the Local Planning Authority regardless. Tree and soft planting implications would be capable of being mitigated, and enhanced, through a soft landscaping scheme secured via recommended condition 04. The submitted arboricultural information makes provision for works within the Root Protection Areas (RPAs) of retained trees to be carried out in an arboriculturally sensitive manner and for the provision of adequate physical protection to the adjacent street trees during the course of site works. The Council's Arboricultural Officer has reviewed the submitted arboricultural information and considers the arboricultural implications to be acceptable subject to a recommended condition to secure compliance (condition 12 refers) and details of drainage/service runs (condition 13 refers).
14. Taking account of these combined factors the proposal is not considered to involve the inappropriate sub-division of an existing curtilage to a size substantially below that prevailing in the area, taking account of the need to retain and enhance mature landscapes.
15. A separation gap measuring 2.0 metres would be retained between the proposed new dwelling and retained Orchard End, with approximately 1.0 metre retained either side of the resulting common boundary. It is considered that this level of visual separation would maintain the character and rhythm of the Orchard Drive street scene and would be sufficient to avoid a 'cramped' appearance. Due to these distances the proposed dwelling is considered to respect and integrate acceptably into the character of the street scene in terms of visual separation between buildings.
16. The predominant front building line of the proposed dwelling would be set back approximately 1.2m from that of retained Orchard End, a subsidiary element stepping back by a further 1.0m to the south. This would not amount to a significant building line difference and, taking into account the curved nature of the southern boundary of the application site, is considered to form an appropriate response to the location of the site on a corner plot. Furthermore there are similar levels of difference between existing front building lines evident in Orchard Drive.
17. In terms of appearance and scale the proposed new dwelling would appear very much as a 'mirrored' or 'handed' version of retained adjacent Orchard End, below a hipped roof with a catslide style element to the southern side, and is considered to integrate into the street scene and character of the area with a building width, depth and height reflective of adjacent Orchard End. A chimney stack would be utilised to the northern side, and the dwelling set on a brick plinth. External materials are proposed to consist of facing brick, plain roof tiles and white upvc window frames; whilst condition 03 is recommended to secure further details these external materials are considered to be acceptable and to reflect the character of the area.

18. Whilst it is noted that the southern elevation of the proposed dwelling would protrude beyond the front elevation of No.8 Wheatsheaf Close when viewed from the street scene of Wheatsheaf Close to the south-west the element which would protrude would take the form of a catslide style roof which would entirely pitch down towards a relatively modest 2.8m eaves height. The two storey element of the proposed dwelling would therefore not protrude significantly beyond the two storey front building line of No.8 Wheatsheaf Close. Taken together with the retained level of separation between the rear of the proposed dwelling and the side (east) of No.8, and the differing orientation of these two dwellings, it is not considered that harm would arise to the street scene of Wheatsheaf Close.
19. Overall the proposed dwelling is considered to represent a high quality design, which would respect and make a positive contribution to the street scenes of Orchard Drive and Wheatsheaf 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 Sections 6 and 7 of the National Planning Policy Framework 2012 (NPPF), Policy CS21 of the Woking Core Strategy (2012), Policy DM10 of the Development Management Policies DPD (2016) and Supplementary Planning Document 'Design (2015)'.

Impact upon neighbouring amenity

20. Policy CS21 (Design) of the Woking Core Strategy (2012) advises that proposals for new development should achieve a satisfactory relationship to adjoining properties, avoiding significant harmful impact in terms of loss of privacy, daylight or sunlight, or an overbearing effect due to bulk, proximity or loss of outlook. More detailed guidance, in terms of assessing neighbouring amenity impacts, is provided by SPD 'Outlook, Amenity, Privacy and Daylight (2008)'.

No.8 Wheatsheaf Close:

21. No.8 Wheatsheaf Close is a detached two storey dwelling situated to the west, which demonstrates an approximate 2.7m wide single storey side projection (east), adjoining the application site. Beyond this single storey side projection a roof slope pitches away from the application site, punctured by a first floor level obscure-glazed dormer window which appears to serve an en-suite or bathroom. The front element of the single storey side projection to the side of No.8 appears to accommodate a garage and there are no openings apparent within the side (east) elevation or roof slope of No.8 with the exception of the first floor level obscure-glazed dormer window.
22. The proposed dwelling would demonstrate an approximate 5.4m predominant eaves height and an approximate 8.6m maximum height, with a hipped roof form. Separation distances measuring between approximately 13.2m and 10.0m would be retained to the common boundary with No.8. It should be noted that the lesser 10.0m retained separation would occur between the catslide style element and a part of the common boundary beyond which is a parking area to the frontage of No.8, views of which are readily appreciable from the public realm of Wheatsheaf Close. Taking into account the retained levels of separation, the form and scale of the proposed dwelling, and the resulting relationship with No.8, it is not considered that significantly harmful impact, by reason of potential loss of daylight or sunlight, or overbearing effect due to bulk, proximity or loss of outlook, would occur to No.8 Wheatsheaf Close.
23. In terms of privacy SPD 'Outlook, Amenity, Privacy and Daylight (2008)' sets out recommended minimum separation distances for achieving privacy for two storey

back-to-boundary relationships, as in this case, of 10.0m. The two first floor level rear-facing windows would retain separation distances of approximately 12.0m and 13.2m respectively to the common boundary with No.8, therefore according with the guidance within the SPD. No significantly harmful loss of privacy is therefore considered to arise to No.8. Overall the proposed dwelling is considered to achieve a satisfactory relationship to No.8 Wheatsheaf Close.

Orchard End, Orchard Drive:

24. Orchard End is the existing two storey detached dwelling to the north to be retained, which demonstrates no openings within its south (side) elevation. The proposed dwelling would be set back by approximately 1.2m from the existing front building line of Orchard End and would therefore not give rise to impacts upon openings within the front elevation of this dwelling. Whilst the proposed dwelling would project beyond the existing rear building line of Orchard End by approximately 1.4m a separation distance measuring approximately 2.0m would be retained to the side (south) elevation and of 1.0m to the resulting common boundary. This limited extent of projection, taken together with the resulting separation, is not considered to give rise to significantly harmful impact upon either the rear elevation, or rear amenity space, of retained Orchard End by reason of potential loss of sunlight or overbearing effect due to bulk, proximity or loss of outlook.
25. In terms of daylight to the openings within the rear elevation of retained Orchard End SPD 'Outlook, Amenity, Privacy and Daylight (2008)' states that "*significant loss of daylight will occur if the centre of the affected window...lies within a zone measured at 45° in both plan and elevation*". The proposed dwelling complies with this 45° angle test and therefore no significant loss of daylight would occur to openings within the rear elevation of retained Orchard End. No openings are proposed within the side elevation (north) of the proposed dwelling, with openings within the rear elevation demonstrating a typical relationship with retained Orchard End within the Urban Area. No harmful loss of privacy is therefore considered to occur to Orchard End.
26. SPD 'Outlook, Amenity, Privacy and Daylight (2008)' sets out recommended minimum garden amenity areas for family dwellinghouses with two bedrooms or more and over 65 sq.m. gross floorspace (but below 150 sq.m. gross floorspace), as in this instance, as a suitable area of garden amenity in scale with the building but always greater than the building footprint. The gross floorspace of Orchard End measures approximately 124 sq.m and the building footprint approximately 83 sq.m. The retained area of rear garden to serve Orchard End would measure approximately 166 sq.m, exceeding both the gross floorspace and building footprint and would therefore provide a suitable sunlit area of predominately soft landscaped private amenity space, appropriate in size and shape for the outdoor domestic and recreational needs of occupiers, notwithstanding the reduction in existing residential curtilage.
27. Overall, taking account of the above factors it is considered that the proposed dwelling would achieve a satisfactory relationship with retained Orchard End, avoiding significant harmful impact by reason of potential loss of privacy, daylight or sunlight, or overbearing effect due to bulk, proximity or loss of outlook, and retaining an appropriate area of private garden amenity.
No.10 Wheatsheaf Close:
28. No.10 Wheatsheaf Close is a two storey detached dwelling situated to the south, on the opposite side of the vehicular carriageway, and is orientated somewhat obliquely in relation to the proposed dwelling. The proposed dwelling would maintain approximately 17.5m separation to the closest point of the boundary of the residential

curtilage of No.10, and furthermore would take the form of a catslide style roof, terminating in a relatively modest approximate 2.8m eaves height, and demonstrating no openings within the southern elevation which would occur opposite No.10. Taking account of these combined factors the proposed dwelling is considered to achieve a satisfactory relationship to No.10 Wheatsheaf Close, avoiding significantly harmful impact by reason of potential loss of privacy, daylight or sunlight, or overbearing effect due to bulk, proximity or loss of outlook.

No.24 and No.26 Orchard Drive:

29. No.24 and No.26 Orchard Drive are two storey detached dwellings situated to the east, on the opposite side of the vehicular carriageway. The proposed dwelling would be sited predominately opposite No.26 and located approximately 20.0m from the front boundary of the residential curtilage of No.24 and No.26 at its closest point, and approximately 27.0m from the front elevations of No.24 and No.26 at its closest point.
30. SPD 'Outlook, Amenity, Privacy and Daylight (2008)' identifies a recommended minimum separation distance for achieving privacy of 10.0m for two storey front-to-front elevation relationships, as in this instance. As set out above the proposed dwelling would substantially exceed the relevant recommended separation distance, and would remain commensurate with existing 'across the street' relationships between facing dwellings on the east and west sides on this part of Orchard Drive. Overall no harmful loss of privacy is considered to occur either No.24 or No.26 Orchard Drive.
31. The proposed dwelling would demonstrate an approximate 5.4m predominant eaves height, an approximate 8.6m maximum height and utilise a hipped roof form, pitching away from the front elevation. Taking account of the separation distances outlined above, together with the scale and form of the proposed dwelling, it is not considered that significantly harmful impact, by reason of potential loss of daylight or sunlight, or overbearing effect due to bulk, proximity or loss of outlook, would occur to either No.24 or No.26 Orchard Drive.
32. Overall the proposed dwelling is considered to achieve satisfactory relationships to neighbouring properties, avoiding significant harmful impact, by reason of potential loss of privacy, daylight or sunlight, or overbearing effect due to bulk, proximity or loss of outlook and therefore to accord with Policy CS21 of the Woking Core Strategy (2012), SPD 'Outlook, Amenity, Privacy and Daylight (2008)' and the core principles of the National Planning Policy Framework 2012 (NPPF).

Amenities of future occupiers

33. SPD 'Outlook, Amenity, Privacy and Daylight (2008)' sets out that for new dwellings, *"suitable daylight to a dwelling is achieved where an unobstructed vertical angle of 25° can be drawn from a point taken 2 metres above floor level of the fenestrated elevation"*. No.8 Wheatsheaf Close causes no breach of a vertical angle of 25° taken from the rear openings within the proposed dwelling and therefore suitable daylight would be achieved to these openings. It is considered that a good standard of outlook, daylight and sunlight would be achieved to habitable rooms and the private garden area to the rear. The proposed dwelling would measure approximately 127 sq.m. in gross floorspace; for two storey 3 bedroom dwellings this gross floorspace is considered to provide a good standard of amenity.
34. SPD 'Outlook, Amenity, Privacy and Daylight (2008)' sets out recommended minimum garden amenity areas for family dwellinghouses with two bedrooms or more and over

65 sq.m. gross floorspace (but below 150 sq.m. gross floorspace), as in this instance, as a suitable area of garden amenity in scale with the building but always greater than the building footprint. The gross floorspace of the proposed dwelling measures approximately 127 sq.m and the building footprint approximately 83 sq.m. The area of private rear garden (discounting the area to the side) to serve the proposed dwelling would measure approximately 148 sq.m, exceeding both the gross floorspace and building footprint and therefore providing a suitable sunlit area of predominately soft landscaped private amenity space, appropriate in size and shape for the outdoor domestic and recreational needs of future occupiers, reflecting the prevailing grain and pattern of development within the surrounding area.

Highways and parking implications

35. SPD 'Parking Standards (2006)' sets maximum parking standards, with the objective of promoting sustainable non-car travel. Whilst Policy CS18 of the Woking Core Strategy (2012) states that the Council will move towards minimum parking standards for residential development, SPD 'Parking Standards (2006)' remains in place and sets a maximum residential car parking standard of 1.5 spaces, per 3 or more bedroom dwelling within the High Accessibility Zone, as in this instance, stating that *"for car parking the standards define the maximum acceptable provision for the most common forms of development. Provision above this level will not normally be permitted"*.
36. The proposal would remove the existing detached garage, retaining the more northerly existing vehicular crossover onto Orchard Drive to serve the adjacent retained dwelling of Orchard End. The existing area of hardstanding to the frontage of Orchard End would be slightly widened to accommodate the parking of x2 cars although the existing vehicular crossover would remain unaltered. Whilst the widening of this existing hardstanding is not within the application site red-line it is within the blue-lined control of the applicant and has been shown on the submitted proposed site plan. The widening of this existing hardstanding would also constitute 'permitted development' under the provisions of Article 3, Schedule 2, Part 1, Class F (hard surfaces) of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) and would not therefore require planning permission in its own right.
37. The proposed dwelling would utilise the existing southern vehicular crossover onto Orchard Drive (currently serving the detached garage to be demolished) and would provide on site parking for x2 cars to the frontage. Whilst the proposal would make provision for in excess of 1.5 car parking spaces per dwelling, this factor is not considered to cause planning harm in this context and would remain commensurate with the level of car parking apparent at properties within the immediate area, which are generally relatively large and detached.
38. Furthermore the County Highway Authority (SCC) has undertaken an assessment in terms of the likely net additional traffic generation, access arrangements and parking provision and is satisfied that the application would not have a material impact on the safety and operation of the adjoining public highway. The County Highway Authority therefore has no highway requirements.
39. Whilst some local representations relating to the more southerly vehicular crossover onto Orchard Drive are noted the proposal would utilise only existing vehicular crossovers and proposes x1 net dwelling, which is unlikely to give rise to significant vehicular movement. The applicant could demolish the existing detached garage without a requirement for planning permission. Furthermore, paragraph 32 of the

NPPF (2012) states that *“development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe”*. No severe transport impacts are considered to arise.

40. A construction transport management plan (CTMP) condition is recommended (condition 15 refers) to minimise disruption to local residents during the construction period should planning permission be granted. It should also be noted that the proposal is for x1 net dwelling which is unlikely to result in long-term disruption during the construction period and there would appear to be adequate potential space on the site for temporary storage of construction materials.
41. Overall therefore the proposal is considered to result in an acceptable impact upon highway safety and car parking provision and accords with policy CS18 of the Woking Core Strategy (2012), SPD ‘Parking Standards’ (2008) and the National Planning Policy Framework (NPPF) (2012).

Surface water flood risk

42. The application site forms part of a wider area identified within the WBC Strategic Flood Risk Assessment (November 2015) as an area at risk of surface water flooding. The applicant has submitted a flood risk measures statement which sets out that it is proposed to install an attenuation tank to discharge to the existing surface water drainage system, that the ground floor level of the new dwelling will be set at a level at least 300mm above the adjacent ground level, there will be no airbricks in the external walls, all electrical sockets will be run from first floor level and dropped down and sited a minimum 450mm above finished floor level internally and all new drainage from the building will be installed with flap valves to prevent potential back flow of sewage. The Council’s Drainage and Flood Risk Team has been consulted upon the application and raise no objection, on surface water flood risk grounds, subject to recommended conditions 07 and 08.

Thames Basin Heaths Special Protection Area (TBH SPA)

43. The Special Protection Areas (SPAs) in this area are internationally-important and designated for their interest as habitats for ground-nesting and other birds. 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).
44. The Suitable Alternative Natural Greenspace (SANG) and Landowner Payment elements of the SPA tariff are encompassed within the Community Infrastructure Levy (CIL) however the Strategic Access Management and Monitoring (SAMM) element of the SPA tariff is required to be addressed outside of CIL. The applicant has agreed to make a SAMM contribution of **£868** in line with the Thames Basin Heaths Special Protection Area Avoidance Strategy (April 2017 update) as a result of the uplift of x1 3 bedroom dwelling which would arise from the proposal. The applicant is preparing a Legal Agreement to secure this financial contribution. However, it should be noted that, in the event planning permission is resolved to be granted and the legal agreement is not completed before 1st April 2018, that the SAMM contribution will be index linked (based on RPI annual inflation) on 1st April 2018 and is likely to increase.
45. In view of the above, the Local Planning Authority is able to determine that the development would have no significant effect upon the TBH SPA and therefore

accords with Policy CS8 of the Woking Core Strategy (2012) and the 'Thames Basin Heaths Special Protection Area Avoidance Strategy'.

Affordable Housing

46. 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.
47. However, following the Court of Appeal's judgment of 11 May 2016 (*Secretary of State for Communities and Local Government v West Berkshire District Council and Reading Borough Council [2016] EWCA Civ 441*), it is acknowledged that the policies within the Written Ministerial Statement of 28 November 2014, as to the specific circumstances where contributions for affordable housing and tariff-style planning obligations should not be sought from small scale and self build development, must be treated as a material consideration in development management decisions.
48. Additionally the Planning Practice Guidance (Paragraph 031 - Revision date: 19.05.2016) sets out that affordable housing contributions should not be sought from developments of 10-units or less, and which have a maximum combined gross floorspace of no more than 1000sqm. Whilst it is considered that weight should still be afforded to Policy CS12 of the Woking Core Strategy (2012) it is considered that greater weight should be afforded to the policies within the Written Ministerial Statement of 28 November 2014 and the Planning Practice Guidance (Paragraph 031 - Revision date: 19.05.2016). The proposal represents a development of 10-units or less, and has a maximum combined gross floorspace of no more than 1000sqm, and therefore no affordable housing contribution is sought.

Energy and water consumption:

49. Planning policies relating to sustainable construction have been updated following the Government's withdrawal of the Code for Sustainable Homes (CfSH). Therefore in applying Policy CS22 of the Woking Core Strategy (2012), the approach has been amended and at present all new residential development shall be constructed to achieve a water consumption standard of no more than 105 litres per person per day indoor water consumption and not less than a 19% CO2 improvement over the 2013 Building Regulations TER Baseline (Domestic). Planning conditions are recommended to secure this (recommended conditions 09 and 10 refer).

LOCAL FINANCE CONSIDERATIONS

50. The proposed development would be Community Infrastructure Levy (CIL) liable to the sum of **£17,585** (including the April 2017 Indexation). However the applicant has submitted 'CIL Self Build Exemption Claim Form: Part 1' and would therefore be exempt from CIL providing a 'disqualifying event' does not occur. However, it should be noted that, in the event planning permission is resolved to be granted and the legal agreement is not completed before 1st April 2018, that CIL liability will be further index linked against the BCIS All-in Tender Price Index on 1st April 2018 and is likely to increase.

CONCLUSION

20 MARCH 2018 PLANNING COMMITTEE

51. Overall the proposed dwelling is considered to be acceptable in principle, to represent a high quality design, which would respect and make a positive contribution to the street scenes of Orchard Drive and Wheatsheaf 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. The proposal is also considered to result in an acceptable impact upon neighbouring amenity, to provide a good standard of amenity to future occupiers and to result in acceptable arboricultural implications and highways and car parking implications having regard to the relevant policies of the Development Plan, other relevant material planning considerations and national planning policy and guidance. Thames Basin Heaths Special Protection Area (TBH SPA) mitigation will be addressed by way of Legal Agreement.
52. The proposal is therefore considered to be an acceptable form of development that complies with Policies CS1, CS8, CS10, CS11, CS12, CS18, CS21, CS22 and CS25 of the Woking Core Strategy (2012), Sections 4, 6, 7, 10 and 11 of the National Planning Policy Framework 2012 (NPPF), Policies DM2 and DM10 of the Development Management Policies DPD (2016), Supplementary Planning Documents 'Outlook, Amenity, Privacy and Daylight (2008)', 'Design (2015)', 'Parking Standards (2006)', 'Climate Change (2013)' and 'Affordable Housing Delivery (2014)', Supplementary Planning Guidance 'Plot subdivision: Infilling and backland development (2000)', South East Plan (2009) (Saved policy) NRM6, the Thames Basin Heaths Special Protection Area Avoidance Strategy and the Planning Practice Guidance (PPG). It is therefore recommended that planning permission is granted subject to conditions and legal agreement as set out below.

BACKGROUND PAPERS

Site visit photographs

x9 Letters of representation

Consultation responses from Arboricultural Officer

Consultation responses from Drainage & Flood Risk Team

Consultation response from County Highway Authority (CHA) (SCC)

PLANNING OBLIGATIONS

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

RECOMMENDATION

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

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

20 MARCH 2018 PLANNING COMMITTEE

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

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

SD17748-01 (Topographical Survey), dated Oct 2017 and received by the Local Planning Authority on 18.01.2018.

17/18/068/1 Rev C (Site Plans), undated and received by the Local Planning Authority on 16.02.2018.

17/18/068/3 Rev A (Proposed New House Plans), undated and received by the Local Planning Authority on 18.01.2018.

17/18/068/4 Rev B (Street Scene and Roof Plans), undated and received by the Local Planning Authority on 09.02.2018.

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

03. ++ Notwithstanding the external material details stated within the submitted application form, prior to the commencement of any above ground works to construct the development hereby permitted details and/or samples and a written specification of the materials to be used in the external surfaces shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and thereafter permanently retained in accordance with the approved details unless otherwise first agreed in writing by the Local Planning Authority.

Reason: To protect the character and appearance of Orchard Drive and Wheatsheaf Close and the visual amenities of the area in accordance with Policy CS21 of the Woking Core Strategy (2012), Supplementary Planning Document 'Design (2015)' and the provisions of the National planning Policy Framework (NPPF) (2012).

04. ++ Notwithstanding any details shown on the approved plans listed within condition 02, prior to the commencement of any above ground works to construct the development hereby permitted a detailed soft 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 and any existing soft planting to be retained. All new soft landscaping shall be carried out in accordance with the approved scheme within the first planting season (November-March) following the first occupation of the dwellings or the completion of the development, whichever is the sooner and maintained thereafter. Any retained or newly planted trees, shrubs or hedges which die, become seriously damaged or diseased or are removed or destroyed within a period of 5 years from the date of planting shall be replaced during the next planting season with specimens of the same size and species unless otherwise first agreed in writing by the Local Planning Authority.

Reason: To protect the character and appearance of Orchard Drive and Wheatsheaf Close and the visual amenities of the area in accordance with Policy CS21 of the Woking Core Strategy (2012), Policy DM2 of the Development Management Policies DPD (2016), Supplementary Planning Document 'Design (2015)' and the provisions of the National Planning Policy Framework (NPPF) (2012).

20 MARCH 2018 PLANNING COMMITTEE

05. ++ Notwithstanding any details shown on the approved plans listed within condition 02, 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 'hard' landscape works shall be carried out in accordance with the approved details and completed before the first occupation of the dwellings hereby permitted and permanently retained thereafter.

Reason: To protect the character and appearance of Orchard Drive and Wheatsheaf Close and the visual amenities of the area in accordance with Policy CS21 of the Woking Core Strategy (2012), Policy DM2 of the Development Management Policies DPD (2016), Supplementary Planning Document 'Design (2015)' and the provisions of the National Planning Policy Framework (NPPF) (2012).

06. ++ Notwithstanding any details shown on the approved plans listed within condition 02, prior to the commencement of any above ground works to construct the development hereby permitted details of any modifications to boundary treatments (including the subdivision of the application site between the existing and proposed dwelling) shall be submitted to and approved in writing by the Local Planning Authority. The approved boundary modifications and treatments shall be implemented in full prior to the first occupation of the dwellings hereby permitted and permanently maintained thereafter unless otherwise first agreed in writing by the Local Planning Authority.

Reason: To ensure adequate security and a satisfactory appearance of the completed development in accordance with Policy CS21 of the Woking Core Strategy (2012), Policy DM2 of the Development Management Policies DPD (2016), Supplementary Planning Document 'Design (2015)' and the provisions of the National Planning Policy Framework (NPPF) (2012).

07. ++ Notwithstanding any details shown on the approved plans listed within condition 02, prior to the commencement of development details of a scheme for disposing of surface water by means of a sustainable drainage system shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in full in accordance with the approved details prior to the first occupation of the development and permanently retained thereafter unless otherwise first agreed in writing by the Local Planning Authority.

Reason: To prevent any increased risk of surface water 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 the provisions of the National Planning Policy Framework (NPPF) (2012).

08. The development shall be constructed with the mitigation measures included within the Flood Risk Measures statement submitted to the Local Planning Authority. These include the Finished Floor Level (FFL) of the ground floor to be set at a level at least 300mm above the adjacent ground level, all electrical sockets will be run from first floor level and dropped down and sited a minimum of 450mm above finished floor level internally and all new drainage from the building will be installed with flap valves to prevent back flow of sewage unless otherwise first agreed in writing by the Local Planning Authority. The development shall be implemented in full in accordance with the Flood Risk Measures statement prior to the first occupation of the development and permanently retained thereafter unless otherwise first agreed in writing by the Local Planning Authority.

Reason: To ensure surface water flood risk is adequately addressed and not increased in accordance with Policies CS9 and CS16 of the Woking Core Strategy (2012) and the provisions of the National Planning Policy Framework (NPPF) (2012).

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

Such details shall be permanently maintained unless otherwise first agreed in writing by the Local Planning Authority.

Reason: To ensure that the development achieves a high standard of sustainability and makes efficient use of resources in accordance within Policy CS22 of the Woking Core Strategy (2012).

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

Such details shall be permanently maintained unless otherwise first agreed in writing by the Local Planning Authority.

Reason: To ensure that the development achieves a high standard of sustainability and makes efficient use of resources in accordance within Policy CS22 of the Woking Core Strategy (2012).

11. If during development, contamination not previously identified is found present at the site then no further development (unless otherwise first agreed in writing by the Local Planning Authority) shall be carried out until the 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 thereafter be implemented in accordance with the approved details.

Reason: In accordance with the National Planning Policy Framework (2012) and Policy DM8 of the Development Management Policies DPD (2016) which require development to contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to, or being put at

20 MARCH 2018 PLANNING COMMITTEE

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).

12. Tree protective measures shall be carried out in strict accordance with the BS5837:2012 Arboricultural Survey, Implications Assessment & Arboricultural Method Statement (Ref: RMT244, dated 14th February 2018) and the Tree Protection Plan (Drawing No: RMT244 - TPP, dated February 2018) provided by RMT Tree Consultancy Ltd. A pre-commencement site meeting shall be held between the Council's Arboricultural Officer, the project Arboricultural consultant and Project Manager whereupon any arboricultural supervision can be agreed and any changes to tree protection details can be amended and agreed. No works or demolition shall take place until the tree protective measures have been implemented. Any deviation from the works prescribed or methods agreed in the report will require prior written approval from the Local Planning Authority. The works shall be carried out as approved and the tree protection shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition nor shall any fires be started, no tipping, refuelling, disposal of solvents or cement mixing carried out and ground levels within those areas shall not be altered, nor shall any excavation or vehicular access be made, without the prior written consent of the Local Planning Authority.

Reason: To ensure the retention and protection of trees adjacent to the site in the interests of the visual amenities of the locality and the appearance of the development in accordance with Policy CS21 of the Woking Core Strategy (2012), Policy DM2 of the Development Management Policies DPD (2016) and the core principles of the National Planning Policy Framework (NPPF) (2012).

13. ++ Notwithstanding any indication otherwise shown on the approved plans listed within condition 02, prior to the commencement of the development hereby permitted, full details of the method of construction and position of drainage and service runs shall be submitted to and approved in writing by the Local Planning Authority. The method shall adhere to the principles embodied in BS 5837:2012 and the involvement of an arboricultural consultant may be necessary. The development shall thereafter be carried out strictly in accordance with the agreed details.

Reason: To ensure the retention and protection of trees adjacent to the site in the interests of the visual amenities of the locality and the appearance of the development in accordance with Policy CS21 of the Woking Core Strategy (2012), Policy DM2 of the Development Management Policies DPD (2016) and the provisions of the National Planning Policy Framework (NPPF) (2012).

14. The development hereby permitted shall not be first occupied unless and until space has been laid out within the site in accordance with the approved plans for vehicles to be parked. Thereafter the parking area shall be retained and maintained for its 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) and the provisions of the National Planning Policy Framework (NPPF) (2012).

15. ++ No development shall commence until 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
- (d) provision of boundary hoarding behind any visibility zones
- (e) measures to prevent the deposit of materials on the highway

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

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

16. Notwithstanding the provisions of Article 3, Schedule 2, Part 1 and Classes A, B and E of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any orders amending or re-enacting that Order with or without modification) no extension(s) or enlargement(s) of the dwelling hereby permitted, or the provision of any outbuilding(s), shall be constructed without planning permission being first obtained from the Local Planning Authority.

Reason: The Local Planning Authority considers that further development could cause detriment to the residential amenities of the adjacent properties of No.8 Wheatsheaf Close and Orchard End, to the character of the area and provision of an appropriate level of private garden amenity space to serve the dwelling hereby permitted and for this reason would wish to control any future development in accordance with Policy CS21 of the Woking Core Strategy (2012), Supplementary Planning Documents 'Outlook, Amenity, Privacy and Daylight (2008)' and 'Design (2015)' and the provisions of the National Planning Policy Framework (NPPF) (2012).

17. Notwithstanding the provisions of Article 3, Schedule 2, Part 1 and Class C of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any orders amending or re-enacting that Order with or without modification) no rooflight(s) or other additional openings shall be formed above first floor level within the rear (western) elevation (including the roof slope) of the dwelling hereby permitted without planning permission being first obtained from the Local Planning Authority.

Reason: To preserve the privacy of No.8 Wheatsheaf Close in accordance with Policy CS21 of the Woking Core Strategy (2012), Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight (2008)' and the provisions of the National Planning Policy Framework (NPPF) (2012).

Informatives

01. The Council confirms that in assessing this planning application it has worked with the applicant in a positive and proactive way, in line with the requirements of paragraph 186-187 of the National Planning Policy Framework (NPPF) (2012).
02. The applicants attention is specifically drawn to the conditions above marked ++. These condition(s) require the submission of details, information, drawings, etc. to the Local Planning Authority PRIOR TO THE RELEVANT TRIGGER POINT. Failure to observe these requirements will result in a contravention of the terms of the permission and the Local Planning Authority may serve Breach of Condition Notices to secure compliance. You are advised that sufficient time needs to be given when submitting details in response to conditions, to allow the Authority to consider the

20 MARCH 2018 PLANNING COMMITTEE

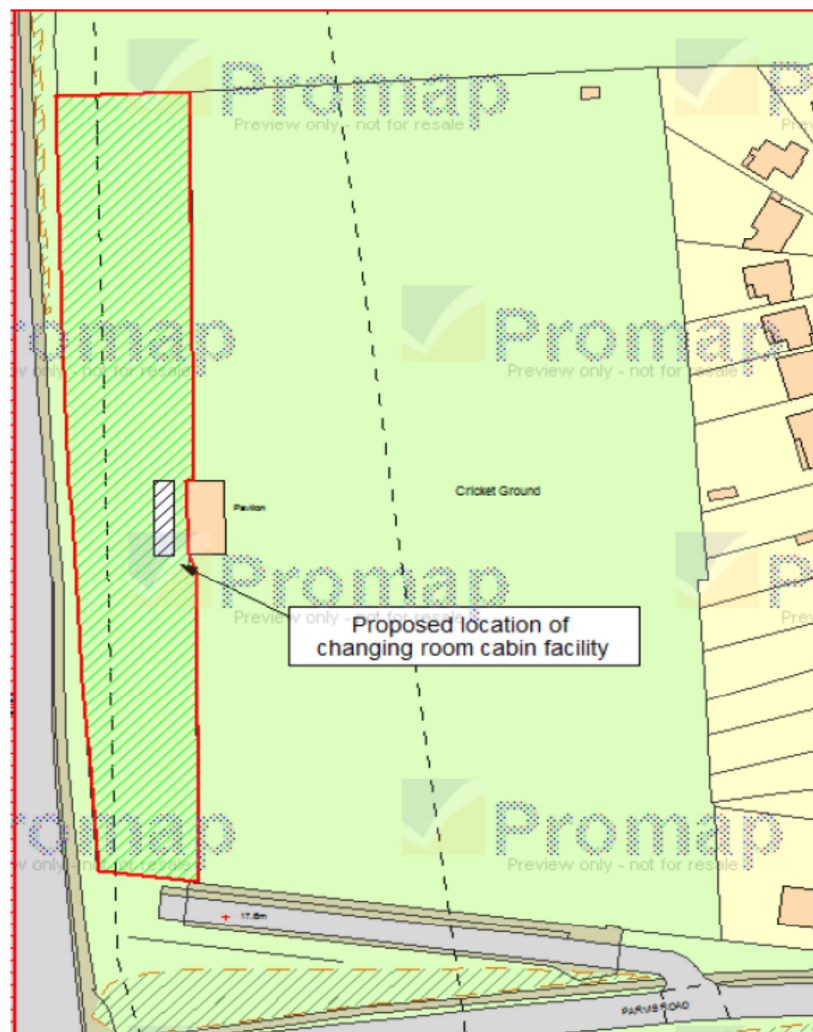
details and discharge the condition. A period of between five and eight weeks should be allowed for.

03. The development hereby permitted is subject to the Community Infrastructure Levy (CIL). The charge becomes due when development commences.
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.
04. The applicant is advised that Council officers may undertake inspections without prior warning to check compliance with approved plans and to establish that all planning conditions are being complied with in full. Inspections may be undertaken both during and after construction.
05. The applicant is advised that, under the Control of Pollution Act 1974, site works which will be audible at the site boundaries are restricted to the following hours:-
08.00 – 18.00 Monday to Friday
08.00 – 13.00 Saturday
and not at all on Sundays and Bank/Public Holidays.
06. The permission hereby granted shall not be construed as authority to carry out any works on the highway. The applicant is advised that prior approval must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, or verge to form a vehicle crossover or to install dropped kerbs. Please see:
www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/vehicle-crossovers-or-dropped-kerbs
07. This decision notice should be read in conjunction with the related Legal Agreement.

Byfleet Cricket Pavilion at Sports Ground, Parvis Road, Byfleet.

PLAN/2017/1317

Installation of Standalone Changing Room Cabin facility to provide two changing rooms plus showering & toilet facilities.



PLAN/2017/1317



Byfleet Cricket Pavilion at Sports Ground, Parvis Road

Playing Field

Towing Path
Water
Drain

Boat House
Byfleet

River Wey Navigation
Parvis bridge
17.6m

M 25

Pavilion

Cricket Ground

Comments

Not Set

17.6m



SCALE 1:1,250

0 5 10 20 30 40 Metres

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

20th March 2018 PLANNING COMMITTEE

5b 17/1317 Reg'd: 22.12.17 Expires: 22.03.18 Ward: BWB

Nei. 05.02.18 BVPI Minor (other) Number 14/14 On Yes
Con. Target of Weeks Target?
Exp: on Cttee'
Day:

LOCATION: Byfleet Cricket Pavilion at Sports Ground, Parvis Road, Byfleet, West Byfleet, Surrey, KT14 7AB

PROPOSAL: Construction of a standalone changing room cabin to provide two changing rooms plus shower facilities.

TYPE: Full

APPLICANT: Mr Andrew Savage

OFFICER: Barry Curran

REASON FOR REFERRAL TO COMMITTEE

The application seeks planning permission for the erection of a new detached non-residential building which falls outside of the scope of delegated powers as set out by the Management Arrangements and Scheme of Delegation.

SUMMARY OF PROPOSED DEVELOPMENT

This is an application for the erection of a single storey detached building to provide sports facilities for the Byfleet Cricket Club

PLANNING STATUS

- Green Belt
- SPA Zone B

RECOMMENDATION

GRANT planning permission subject to conditions.

SITE DESCRIPTION

The application site relates to the Byfleet Cricket Club located on the northern side of Parvis Road and bound to the West by the M25 motorway. The site includes a sports facility with pavilion and clubhouse abutting the playing field with a large area of hardstanding to the South for car parking associated with the facility and a child care facility located within close proximity to the West.

PLANNING HISTORY

PLAN/2015/0583 - Erection of scoreboard and umpires room/store to the side of existing clubhouse – Permitted 19.08.2015

20th March 2018 PLANNING COMMITTEE

PLAN/2014/0454 - Proposed erection of a single storey extension and refurbishment of existing clubhouse facility - Permitted 12.08.2014

PLAN/2010/1023 - Application for extension of time to PLAN/2007/0946 for the erection of a single storey side extension to existing Cricket Pavilion dated 01.11.2010 - Permitted 25.11.2010

(Officer Note: PLAN/2010/1023 has not been implemented and is time expired)

PLAN/2007/0946 - Extension to existing Cricket Pavillion - Permitted 01.11.2007

PLAN/2007/0815 - Partial change of use for existing Byfleet Cricket Club to accommodate Linden Nursery School as a partial subsidiary user - Permitted 04.10.2007

PROPOSED DEVELOPMENT

The application seeks permission for the erection of a stand alone changing room cabin to provide sports facilities for the Byfleet Cricket Club. The building will measure 3.7 metres in width, 15.2 metres in length, stand at a maximum height of 2.7 metres and include plastisol steel fascia.

Set to provide sports changing rooms and wash facilities, the building will be sited to the West of the existing pavilion and to the East of the existing Nursery porta-cabin.

CONSULTATIONS

Arboricultural Officer: Arb information submitted by APArboriculture ref: APA/AP/2017 considered acceptable and should be complied with in full including a pre-commencement meeting (23.01.18)

REPRESENTATIONS

None received

RELEVANT PLANNING POLICIES

National Planning Policy Framework 2012

Section 1 - Building a strong, competitive economy

Section 7 - Requiring good design

Section 9 - Protecting Green Belt land

Core Strategy Publication Document 2012

CS1 - A spatial strategy for Woking Borough

CS6 - Green Belt

CS17 - Open space, green infrastructure, sport and recreation

CS21 - Design

CS25 - Presumption in favour of sustainable development

Development Management Policies DPD 2016

DM2 – Trees and Landscaping

DM3 - Outdoor Recreation and Sport

DM13 – Buildings in and Adjacent to the Green Belt

Supplementary Planning Guidance
Supplementary Planning Document 'Design' 2015

PLANNING ISSUES

1. The main issues to consider in determining this application are; the principle of development in the Green Belt, design considerations and the impact of the proposal on the character of the area, impact on residential amenities, impact on trees and local finance considerations.

Principle of Development

2. The site is within the designated Green Belt. Policy CS6 of the Woking Core Strategy 2012 seeks to prevent inappropriate development within the Green Belt. Section 9 of the National Planning Policy Framework (NPPF) 2012 states, in paragraph 89, that Local Planning Authorities *"should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are: the provision of appropriate facilities for outdoor sport, outdoor recreation...as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it"*. The NPPF also makes clear, in paragraph 81, that Local Planning Authorities *"should plan positively to enhance the beneficial use of the Green Belt, such as looking for opportunities to...provide opportunities for outdoor sport and recreation"*.
3. Additionally Policy DM3 (Outdoor Recreation and Sport Facilities) of the Development Management Policies DPD 2016 states that *"proposals for the provision of outdoor sport and recreational facilities or extensions to, or intensification of use of, existing facilities will be permitted subject to other Development Plan policies and provided that they meet the following criteria:*
 - *the development is of an appropriate design, scale and layout relative to its intended use and surrounding area;*
 - *the development will not have an adverse visual impact;*
 - *the development, if involving agricultural land, is located on the lowest practicable grade and seeks to avoid the loss of the best and most versatile agricultural land (Grades 1, 2 and 3a) unless there are overriding planning benefits for the development;*
 - *the development will not cause harm to a site of nature conservation, landscape or historic value that cannot be satisfactorily mitigated;*
 - *the re-use of any existing buildings is prioritised and, in the case of a new facility, is satisfactorily integrated with existing buildings where present;*
 - *the development will not generate unacceptable activity or give rise to loss of amenity by virtue of noise, smell, light pollution, overlooking, traffic or other general disturbance; and*
 - *opportunities are taken to connect to the surrounding Green Infrastructure Network"*.
4. It is proposed to erect the detached stand alone 'porta-cabin' style building to serve as changing rooms and associated facilities in connection with the Byfleet Cricket Club. The building would be in line with facilities necessary for the participating in outdoor sport and recreation.

5. Paragraph 89 of the NPPF indicates that while the construction of new buildings in the Green Belt is inappropriate, exceptions to this are provision of appropriate facilities for outdoor sport or outdoor recreation as long as it preserves the openness of the Green Belt. Changing room facilities are central to maintaining an established recreation use in the Green Belt which requires specialist equipment and clothing and in this sense is regarded as an appropriate facility for outdoor sport and recreation.
6. The proposed building would be set amongst the cluster of buildings including the existing pavilion which appears to date from the 1980s and the more recent 'porta-cabin' structure of the Nursery School, both of which are sited close to the centre of the site and screened to the West by the noise barrier embankments of the M25 and to the East by a band of mature trees. One of the main purposes behind protecting the Green Belt land as outlined by Paragraph 79 of the NPPF, *"is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence"*. Proposed to form part of an established group of buildings within an established sports facility, the cabin would preserve the openness of the area with little views obtainable of it from outside the application site. Further to this, the building is not considered to appear dominating in the landscape and would be viewed in the context of the existing function of the site as a recreational facility.
7. Overall, therefore, the erection of a new changing room cabin for use by the cricket club is considered to be appropriate development in the Green Belt. The development is considered to preserve the openness of the Green Belt and is not seen to conflict with the purposes of including land within it as set out by paragraph 80 of the NPPF and therefore accords with Section 9 of the NPPF, Policy CS6 of the Woking Core Strategy 2012 and Policies DM3 and DM13 of the Development Management Documents DPD 2016.

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

8. Policy CS21 requires new development to pay due regard to the scale, height, proportions, building lines, layout, materials and other characteristics of adjoining buildings and land; to achieve a satisfactory relationship to adjoining properties. One of the core principles of the National Planning Policy Framework is to seek to secure high quality design. Para 131 echoes the provisions of the Core Strategy Policy CS21 in that Local Planning Authorities should take account of the *"the desirability of new development making a positive contribution to local character"*. In this instance, there is no underlying local character as the building will serve as ancillary accommodation to the sports facilities on site and would be set amongst a group of porta-cabin style buildings and other single storey buildings in connection with the Cricket Club.
9. The existing buildings on the application site includes a cricket pavilion and a stand alone 'porta-cabin' style nursery building sited close to the centre of the site, each of which adopt a rectangular, single storey form. The proposal would carry this form forward measuring 15.2 metres in length, 3.7 metres in width and would stand at 2.7 metres in height including a very shallow dual pitched roof similar to the nursery cabin. At single storey in nature and adopting a cabin style coloured grey (Basalt Grey RAL 7012), the outbuildings

would not appear out-of-character with the existing buildings on site. Fleeting views of the building from outside of the site would be obtainable from Queens Avenue but would have little impact given the considerable distance in excess of 110 metres with dense boundary vegetation and the low scale of the building.

10. The scale and character of the proposal is considered to be visually acceptable and to appear as an appropriate structure to the surrounding recreational ground. The proposal is therefore not considered to impact detrimentally upon the character of the area.

Impact on Residential Amenity

11. The proposal is situated approximately 110 metres from the residential boundary of properties fronting Queens Avenue to the East and in excess of 130m from the closest residential boundary of properties fronting Parvis Road. No other residential properties are situated within proximity of the site. Given these separation distances it is not considered that any detrimental impact would occur upon residential amenity. The proposal would remain within a use ancillary to the existing cricket club use and is not considered to lead to an intensification of this use; given this no adverse impact in terms of noise could be demonstrated.

Impact on Trees

12. There are mature, protected Oak trees within close proximity to the existing pavilion and proposed changing room facility.
13. Arboricultural information has been submitted in support of the application provided by APArboriculture ref: APA/AP/2017 which has been assessed by the Council's Arboricultural Officer who finds it acceptable and recommends a condition ensuring it is complied with in full (Condition 5).

Local Finance Consideration

14. 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 additional floorspace would be within class D2 use as per the existing sports use. Class D2 use is Nil rated within the Council's Community Infrastructure Levy (CIL) Charging Schedule and therefore the proposal is not CIL liable.

Conclusion

15. To conclude, it has been demonstrated that the proposed outbuilding would provide space which would constitute the provision of appropriate facilities for outdoor sport or recreation in the Green Belt. Further assessments have been considered with regard to impact of the building on the character of the area, impact on neighbouring residential properties as well as impact on surrounding trees, where it was found that it would have negligible impacts on all the above.

16. The proposal is considered to be an acceptable form of development that complies with policies CS6 and CS21 of the Woking Core Strategy 2012, Supplementary Planning Documents 'Design' 2015, Sections 1, 7 and 9 of the National Planning Policy Framework as well as DM2, DM3 and DM13 of the Development Management Policies DPD 2016. Approval is accordingly recommended subject to conditions

BACKGROUND PAPERS

1. Site visit photographs.
2. Response from Arboricultural Officer (23.01.17)
3. Site Notice (25.01.18)

RECOMMENDATION

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

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

Reason:

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

2. The materials to be used in the construction of the external surfaces of the building hereby approved shall match those shown in the submitted application and approved drawings.

Reason:

In the interests of the visual amenities of the area.

3. The development hereby permitted shall be carried out in accordance with approved plans;

Site Plan (Received 23.11.17)

Drawing No. WTM/BCC/S01(Amended Plan)(Received 02.02.18)

Drawing No. 17-40-000 (Amended Plan)(Received 12.01.18)

Reason:

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

4. Notwithstanding any indication otherwise shown on the approved plans listed within this notice, nor within the supporting documents submitted with the application, the building, hereby permitted, shall be externally finished Basalt Grey (RAL 7012) unless otherwise first agreed in writing by the Local Planning Authority.

Reason:

In the interests of visual amenity and to comply with the National Planning Policy Framework and Policy CS21 of the Woking Core Strategy 2012.

5. Protective measures shall be carried out in strict accordance with the arboricultural Information provided by APArboriculture ref: APA/AP/2017 received on 21.12.17 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 to comply with Policy CS21 of the Woking Core Strategy 2012.

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order (England) 2015 (as amended) (or any Orders amending or re-enacting that Order) and the Town and Country Planning (Use Classes) Order 1987 (or any Orders amending or re-enacting that Order), the building hereby approved shall only be used for the purposes incidental to the sports use on site (Class D2) and for no other purpose whatsoever, including any other purpose within Class D2 (Assembly and Leisure) of the Town and Country Planning (Use Classes) Order 1987 (or any Orders amending or re-enacting that Order).

Reason:

The development is only justified on the basis of the needs of the building for the provision of sports facilities on this site and to accord with the National Planning Policy Framework, Policies CS16 and CS19 of the Woking Core Strategy and Policy DM3 of the Development Management Plan DPD 2016.

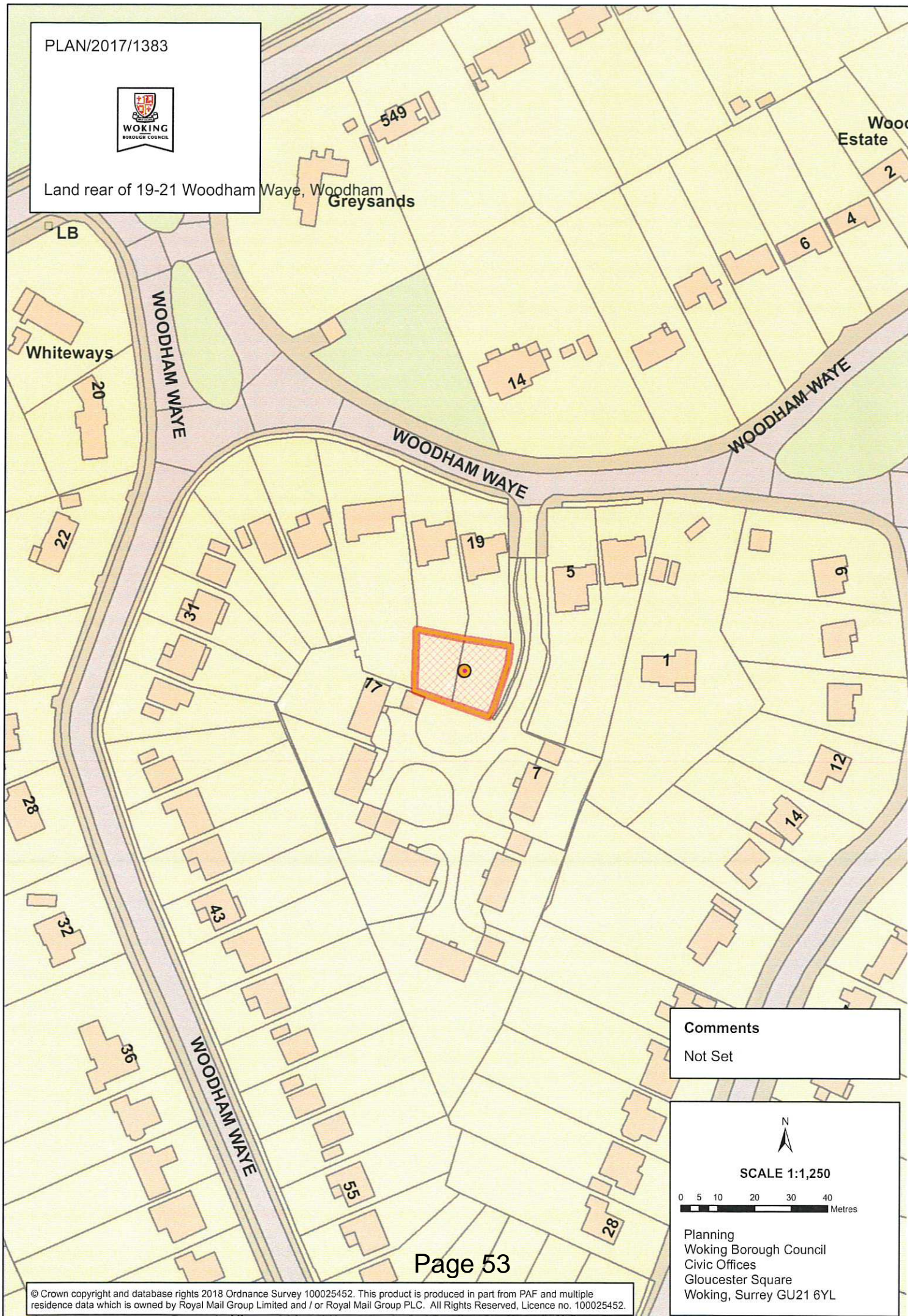
Informatives:

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.

PLAN/2017/1383



Land rear of 19-21 Woodham Way, Woodham Greysands



Comments

Not Set



SCALE 1:1,250



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

30 MARCH 2018 PLANNING COMMITTEE

5c	17/1383	Reg'd:	23.06.2017	Expires:	06.02.18	Ward:	C
Nei.	08.01.18	BVPI		Number	14/8	On	No
Con.		Target		of Weeks		Target?	
Exp:				on Cttee'			
				Day:			

LOCATION: Land rear of 19-21 Woodham Waye, Woodham, Woking, Surrey, GU21 5SW

PROPOSAL: Erection of a four-bedroom detached dwelling.

TYPE: Full

APPLICANT: Mr & Mrs Moser

OFFICER: Tanveer
Rahman

REASON FOR REFERRAL TO COMMITTEE

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

RECOMMENDATION

GRANT planning permission subject to conditions.

PLANNING STATUS

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

SITE DESCRIPTION

The application site relates to an area of land within the cul-de-sac in Woodham Waye. According to details in the submitted application form, an e-mail from the agent and previous planning history the eastern section of this land is owned by the applicant but was previously garden land belonging to 19 Woodham Waye and the western section of the garden land is still within the curtilage of 21 Woodham Waye.

19 - 21 Woodham Waye bound the application site to the north. 23 Woodham Waye bounds the site to the west. Part of 17 Woodham Waye's detached garage and an area of open amenity land bounds it to the south. Pavement bounds the site to the east. There is a TPO-covered tree in the south east corner of the application site and another TPO-covered tree on the grass verge next to the pavement adjacent to the site. There are also other TPO-covered trees on this verge to the north east of the application site. At the time of the Case Officer's site visit the application site was completely boarded off by close board timber fencing.

RELEVANT PLANNING HISTORY

30 MARCH 2018 PLANNING COMMITTEE

Land rear of 19-21 Woodham Waye

PLAN/2017/0437: Outline application (considering matters of access and layout) for erection of two storey detached dwelling (matters of appearance, landscaping and scale reserved) – permitted 12.02.2018.

19 Woodham Waye

PLAN/2017/1129: Rendering finish to all external walls of the existing property and the approved extension - permitted 06.12.2017.

PLAN/2017/0480: Erection of an additional storey to an existing bungalow - permitted 26.07.2017.

PLAN/2003/0845: Conversion of chalet bungalow to two storey house - permitted 14.08.2003.

TREE/1996/8047: Fell one Silver Birch tree subject to Tree Preservation Order No. 626/18 – permitted 11.04.1996.

21 Woodham Waye

TREE/1997/8097: Prune one yew tree, prune one thuja tree in rear garden subject to Tree Preservation Order No 626/18 - permitted 29.05.1997.

PLAN/1990/0673: Alterations and additions to existing roof to form additional rooms - permitted 23.08.1990.

TREE/1992/0899: Fell one Silver Birch and one Pine tree in front garden subject to Tree Preservation Order No 626/18 - permitted 12.11.1992.

0019885: 2 ROOMS IN ROOF - permitted 01.11.1965.

PROPOSED DEVELOPMENT

The application is for the erection of a two-storey detached house. Notwithstanding a chimney on its side (north) elevation the new house is proposed to have an overall width of 16.2 m, a depth of 10.1m and a height of 8.35m. It is proposed to have four bedrooms and an integral garage. The house is proposed to have a contemporary appearance which would result from a combination of its form and external materials palette. Its form would consist of three main elements. The largest of these three elements is a two-storey pitched roof element with two irregularly profiled parapet walls; a gable (with an angled wall) is proposed on its front elevation. To the side (south) of the main two-storey element would be a two-storey mono-pitched roof element. To the rear of both two-storey elements would be a single-storey flat roof element which would include a covered outdoor area. A door with a two-storey window to the side of it, a ground floor window with timber slats in front of it serving a bathroom, a garage door, a ground floor window, two first floor windows and a first floor window with timber slats in front of its lower section are proposed in the front elevation. Two ground floor windows are proposed in its side (north) elevation. A ground floor window and a two-storey window (serving the front gable) is proposed in its side (south) elevation. Two sets of sliding doors, a door, a ground floor window, four first floor windows and two projecting angled windows are proposed in its rear elevation. According to information in the submitted drawings and application form the house is proposed to have an exterior materials palette of white render, timber cladding, zinc roofing and aluminium window frames. Photovoltaic panels are also proposed on the south-facing mono-pitched roof.

The house is proposed to be set back from the street by a front garden and gravel driveway. A proposed dropped kerb at the south east corner of the site is proposed to provide access to this driveway. The property is also proposed to have an irregular-shaped rear garden. The front garden is proposed to be bounded from the street by semi-open timber fencing. The side and rear boundaries are proposed to be bounded by vegetative boundaries.

SUMMARY INFORMATION

Site area (excluding dropped kerb area)	0.0426ha
Existing units	0 unit
Proposed units	1 units
Bedrooms/unit	4 bedrooms
Existing site density	0 dwellings/hectare
Proposed site density	23 dwellings/hectare

CONSULTATIONS

County Highway Authority (SCC):

No objection.

LPA Senior Arboricultural Officer:

No objection subject to condition.

NEIGHBOUR REPRESENTATIONS

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

- The plot is too small.
- The house would be out of keeping with others in the close.
- The objector raised concerns about damage to the road and drains (*Case officer's note: any damage to land outside of the applicant's ownership is a civil matter and drainage is covered under Building Regulations legislation*).

Two letters of support were also 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

CS9 - Flooding and water management

CS10 - Housing provision and distribution

CS11 - Housing mix

CS12 - Affordable housing
CS16 - Infrastructure Delivery
CS18 - Transport and accessibility
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):

DM2 - Trees and landscaping
DM8 - Land Contamination and Hazards
DM10 - Development on Garden Land

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 character, 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.

Principle of Development

1. The *National Planning Policy Framework* (2012) and policy CS25 of the *Woking Core Strategy* (2012) promote a presumption in favour of sustainable development. The application site is located within an established residential area. It also has good road and bus links. For these reasons the site location is considered to be suitably sustainable in the defined urban area of Woking. It is also noted that PLAN/2017/0437 granted outline permission for the erection of a new dwelling at this site. For these reasons the principle of erecting one residential dwelling on the site is considered acceptable subject to further material considerations as set out in this report.

Impact on character

2. The proposed development will result in one additional dwelling on garden land that was previously garden land within the curtilage of 19 Woodham Waye and garden land belonging to 21 Woodham Waye. Policy DM10 of the *Development Management Policies Development Plan Document* (2016) states that the principle of housing development on garden land is not unacceptable but only subject to four criteria. Two of these criteria relate to character and state that the development is acceptable providing:

“(i) it does not involve the inappropriate sub-division of existing curtilages to a size substantially below that prevailing in the area, taking account of the need to retain and enhance mature landscapes;

(ii) it presents a frontage in keeping with the existing street scene or the prevailing layout of streets in the area, including frontage width, building orientation, visual separation between buildings and distance from the road;

(iii) the means of access is appropriate in size and design to accommodate vehicles and pedestrians safely and prevent harm to the amenities of adjoining residents and is in keeping with the character of the area; and

(iv) suitable soft landscape is provided for the amenity of each dwelling appropriate in size to both the type of accommodation and the characteristic of the locality.”

3. Criteria (i) and (ii) are applicable in assessing the impact on character and a material planning consideration in assessing criteria (i) and (ii) is the footprint of approved as part of PLAN/2017/0437. The proposed footprint of this current application is similar to that of PLAN/2017/0437. The Case Officer's report for that application stated that *“Whilst it is acknowledged the size of the proposed plot would be below that prevailing within the wider Woodham Hall Estate the proposed plot and dwelling would effectively form part of the existing cul-de-sac immediately to the south and therefore it is considered appropriate to assess the application on the basis of this immediate context...site areas within the cul-de-sac vary between approximately 480 sq.m and 635 sq.m. In measuring approximately 426 sq.m, and having regard to the resulting plot dimensions, shape and orientation, the resulting plot size is not considered to be substantially below that prevailing in the area...although the plot sizes of retained No.19 and No.21 Woodham Way would be reduced these dwellings would retain adequate areas of private amenity space to the rear and the proposal would not impact upon the principal street scene of Woodham Way to the north as the presence of the proposed dwelling and sub-divided plot would only become apparent when travelling along the access road towards the cul de-sac whereby the proposal would read effectively as part of the existing cul-de-sac in terms of the grain and pattern of development...proposed dwelling would be set at a slight angle, both to respond to the curvature of the carriageway to the east, and to reflect the angle of orientation of No.17 Woodham Way to the west. The proposed dwelling would be set-back between approximately 5.4m and 8.6m from the existing fencing/walling along the east of the application site and would retain a minimum of 1.0m separation to the southern site boundary and a minimum of 1.7m to the northern site boundary with the oblique angle increasing the level of separation to the northern site boundary towards the front (east). The proposed depth of frontage and separation to the side boundaries is considered appropriate having regard to the character of the cul-de-sac to the south”*. The proposed front gable would be 0.3m closer to the front (east) boundary than the footprint of the outline dwelling approved as part of PLAN/2017/0437. The proposed two-storey mono-pitched roof element would be 2m closer to the front (east) boundary and 0.95m further away from the side (south) boundary than the footprint of PLAN/2017/0437. The northern part of the proposed single-storey flat roof element which would be 1.65m closer to the side (west) boundary and the southern part would be 0.35m further away from the side (west) boundary than the footprint of PLAN/2017/0437. Given the comments made by the previous Case Officer in the committee report for PLAN/2017/0437 and the similarity of the footprints between the applications it is considered that this current proposal respects the overall grain and character of development in the area. It is therefore

considered that the proposed dwelling would be in keeping with the urban grain of the area.

4. Paragraph 59 of the *National Planning Policy Framework* (2012) points out that the overall scale, density, layout and materials of a proposed development should be guided by neighbouring buildings and the local area and *Woking Design SPD* (2015) echoes this guidance. However paragraph 59 of the NPPF states that “*policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles*”. The houses in the cul-de-sac to the south of the site are two-storey, wide-fronted hipped roof, detached dwellings of a traditional style. These properties have a range of external wall finishes including brick, timber, clay tile, render and half-timbering. They all also have clay roof tiles. It is noted that the form and character of the proposed dwelling would be in contrast to these neighbouring properties. However it is considered that its design is in itself sufficiently innovative and that its scale is of a proportion that would have an acceptable impact on the character of the cul-de-sac in which it is located as well as the character of the wider street scene of Woodham Way.
5. It is noted that the properties in the cul-de-sac have open frontages giving the cul-de-sac an open and vegetative character. However it is considered that the proposed 1.95m high front boundary fencing would effectively be a continuation of the existing side (east) wall of 19 Woodham Way. It is also noted that it would be opposite the side (west) boundary wall of 5 Woodham Way. For these reasons it is considered that this fencing would not have an unacceptable impact on the open character of the cul-de-sac in which it would be located.
6. The proposal is therefore considered to have an acceptable impact on the character of Woodham Way.

Impact on trees

7. The submitted arboricultural Information provided by Merwood (Rev. A received by the LPA on 18.12.2017) states that no trees are proposed to be felled. However, the arboricultural advice by Keen Consultants (Rev.0 received by the LPA on 18.12.2017) states that the TPO-covered tree in the south east corner of the application may be replaced with a better quality tree during the construction period but only following consultation with and agreement by the LPA Senior's Arboricultural Officer.
8. The LPA Senior's Arboricultural Officer has raised no objection to the proposals in both reports subject to condition.
9. The proposal is therefore considered to have an acceptable impact on trees subject to condition.

Impact on neighbours

10. The neighbours potentially most affected by the proposal are 19 Woodham Way to the side (north), the existing property at 21 Woodham Way to the side (north), 23 Woodham Way to the rear and 17 Woodham Way to the side (south).
11. In order to maintain privacy *Outlook, Amenity, Privacy and Daylight* (2008) recommends that first floor rear windows should be at least 10m from a rear or side boundary. The four northernmost first floor rear windows would be more than 10m

from the boundary with 23 Woodham Waye to the rear. It is therefore considered that they would not create unacceptable overlooking issues towards no.23. The two southernmost first floor rear windows would be less than 10m from the boundary with 23 Woodham Waye to the rear. It is noted that these two windows are intended to serve an en-suite and a dressing room which are non-habitable rooms. Therefore it is considered that they would not create unacceptable overlooking issues towards no.23 subject to a condition requiring them to obscurely glazed and be non-opening below a height of 1.7m from the floor level of the rooms they are intended to serve. The two northernmost first floor rear windows would be close to the boundary with 21 Woodham Waye however it is considered they would not provide views towards no.21 due to them being angled in a south westerly direction. It is therefore considered that they would not create unacceptable overlooking issues towards no.21.

12. The proposed dwelling would pass the '25° test' as set out in *Outlook, Amenity, Privacy and Daylight* (2008) towards existing windows in the rear elevation of 19 Woodham Waye. PLAN/2017/1129 proposed adding an extra storey to no.19. According to Building Control records and the Case Officer's site visit it appears as though the approved works have commenced. The proposed dwelling would also pass the '25° test' towards all windows in the rear elevation proposed as part of PLAN/2017/1129. For these reasons it is considered that the proposal would have an acceptable impact on the sunlight/daylight levels received by neighbouring properties.
13. Given the scale of the proposed dwelling and its separation distances towards neighbouring properties it is considered that it would not create unacceptable overbearing issues towards neighbouring properties.
14. The proposal 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 subject to condition.

Quality of accommodation and private amenity space

15. The proposed dwelling is considered to achieve an acceptable size and standard of accommodation with acceptable quality of outlook to habitable rooms.
16. *Outlook, Amenity, Privacy and Daylight* (2008) recommends that houses should have private amenity space that is at least equal in area to the footprint of the house and also in scale with the house. According to the submitted drawings the proposed dwelling would have a 143sqm footprint and a 148sqm rear garden area which is considered to be in line with these guidelines.
17. The proposal is therefore considered to be acceptable in terms of quality of accommodation and private amenity space.

Impact on car parking provision & highway safety

18. *Parking Standards* (2006) recommends that a dwelling with three or more bedrooms should have a maximum parking provision for two cars. The proposed dwelling would have space to park a car in its garage and another on its driveway which is in line with these recommendations.
19. As previously mentioned the County Highway Authority (SCC) has raised no objection and has not recommended any conditions.

20. It is therefore considered that the proposal would have an acceptable impact on car parking provision and highway safety.

Sustainability

21. Planning policies relating to sustainable construction have been updated following the Government's withdrawal of the Code for Sustainable Homes. Therefore in applying policy CS22 of the *Woking Core Strategy* (2012), the approach has been amended and at present all new residential development shall be constructed to achieve a water consumption standard of no more than 105 litres per person per day indoor water consumption and not less than a 19% CO2 improvement over the 2013 Building Regulations TER Baseline (Domestic).
22. The agent has submitted information stating that water consumption would be no more 110 litres per person per day indoor. This is higher than the maximum usage stated in policy CS22. It is therefore considered that the proposed water consumption would only be acceptable subject to a condition requiring information to demonstrate that the new residential development shall be constructed to achieve a standard of no more than 105 litres per person per day indoor water consumption.
23. The agent submitted information stating the development would achieve not less than a 19% CO2 improvement over the 2013 Building Regulations TER Baseline (Domestic). This is in line with policy CS22 of the *Woking Core Strategy* (2012).

Affordable Housing

24. The application site is garden land. Woking Council's *Affordable Housing Delivery SPD* (2014) states that "*the Council must treat garden land to the front, side and rear of an existing dwelling as Greenfield land and seek a 50% affordable housing provision from any development scheme*". This is reflected in policy CS12 of the *Woking Core Strategy* (2012).
25. 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.
26. 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.

27. Whilst it is considered that weight should still be afforded to policy CS12 of the *Woking Core Strategy* (2012) it is considered that greater weight should be afforded to the policies within the Written Ministerial Statement of 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 consideration

28. The proposal would lead to a gross internal area of 210.5sqm outside of the designated town centre. It will therefore be liable to a contribution to the Community Infrastructure Levy (CIL) of **£29,146.15** 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.

Impact on the Thames Basin Heaths Special Protection Area

29. The SPAs in this area are internationally-important and designated for their interest as habitats for ground-nesting and other birds. Policy CS8 of the *Woking Core Strategy* (2012) requires new residential development beyond a 400m threshold but within 5 kilometers 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).
30. Suitable Alternative Natural Greenspace (SANG) and Landowner Payment elements of the SPA tariff are encompassed within the Community Infrastructure Levy (CIL) however the Strategic Access Management and Monitoring (SAMM) element of the SPA tariff is required to be addressed outside of CIL. A SAMM contribution of **£1,008** in line with the *Thames Basin Heaths Special Protection Area Avoidance Strategy 2010-2015* (April 2017 update) as a result of the uplift of one four-bedroom dwelling that would arise from the proposal would be required.
31. It is noted that a Unilateral Undertaking for this application has been signed by all owners of the application site. It is also noted that a SAMM payment for one new dwelling on the site has been made which could be used towards the implementation of this scheme or PLAN/2017/0437. It is therefore considered that the proposal would have an acceptable impact on the Thames Basin Heaths Special Protection Area.

CONCLUSION

Overall the principle of development is considered to be acceptable and it is considered that it would have an acceptable impact on character, trees, neighbours, quality of accommodation, amenity space, car parking provision and highway safety, sustainability and 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, CS16, CS18, CS21, CS22, CS24 and CS25 of the *Woking Core Strategy* (2012), policies DM2 and DM10 of the *Development Management Policies DPD* (2016), *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) and *Affordable Housing Delivery* (2014).

BACKGROUND PAPERS

Site visit photographs (15.01.2018)

RECOMMENDATION

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

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

Reason:

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

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

- 1:1250 location plan Drwg no.S101 (received by the LPA on 08.12.2017)
- 1:100 proposed site plan Drwg no.P201 E (received by the LPA on 06.02.2018)
- 1:100 proposed coloured site plan Drwg no.16142/C202A (received by the LPA on 06.02.2018)
- 1:100 proposed plan and elevations Drwg no.P202 G (received by the LPA on 06.02.2018)
- 1:100 proposed coloured elevations Drwg no.16142/C203A (received by the LPA on 07.02.2018)
- 1:100 proposed coloured street scene Drwg no.16142/C201A (received by the LPA on 06.02.2018)

Reason:

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

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

Reason:

To protect the visual amenities of the area in accordance with the principles set out in paragraph 17 of the *National Planning Policy Framework* (2012) and policy CS21 of the *Woking Core Strategy* (2012).

4. The two southernmost first floor windows in the rear (west) elevation 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 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.

5. The integral garage hereby permitted shall only be used for the parking of vehicles (and storage) ancillary and incidental to the residential use of the dwelling house and shall be retained thereafter solely for that purpose and made available to the occupiers of the property at all times for parking purposes unless otherwise first agreed in writing by the Local Planning Authority.

Reason:

To preserve the amenities of the neighbourhood and ensure the provision of off-street parking facilities in accordance with policies CS18 and CS21 of the *Woking Core Strategy* (2012).

6. Notwithstanding the submitted Regulations Compliance Report (received by the LPA on 08.12.2017) and Energy Statement (received by the LPA on 08.12.2017) the development hereby permitted shall not commence until details have been submitted to and approved by the Local Planning Authority demonstrating that the development will be constructed to achieve a water consumption standard of not more than 105 litres per person per day maximum indoor water consumption and thereafter maintained in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To ensure that the development achieves a high standard of sustainability and makes efficient use of resources and to comply with policies CS21 and CS22 of the *Woking Core Strategy* (2012).

7. The CO2 emission rate of the development hereby permitted shall comply with the submitted Regulations Compliance Report (received by the LPA on 08.12.2017) and Energy Statement (received by the LPA on 08.12.2017) to achieve not less than a 19% CO2 improvement over the 2013 Building Regulations TER Baseline (Domestic) and thereafter maintained in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To ensure that the development achieves a high standard of sustainability and makes efficient use of resources and to comply with policies CS21 and CS22 of the *Woking Core Strategy* (2012).

8. Notwithstanding the provisions of Article 3 and Schedule 2, Part 1 and Classes A and C 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) the flat roof area of the single-storey rear element of the proposed dwelling hereby approved shall not be used as balcony, roof terrace, sitting out area or similar amenity area nor shall any railings or other means of enclosure be erected

on top of or attached to the side of the extension without the grant of further specific planning permission by the Local Planning Authority.

Reason:

In order to protect adjoining properties from overlooking and noise and to comply with policy CS21 of the *Woking Core Strategy* (2012).

9. 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 building, structure, extension or other alteration permitted by Class A, B, C, D and F of Part 1 of Schedule 2 of that Order shall be erected on the application site without the prior written approval of the Local Planning Authority of an application made for that purpose.

Reason:

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

10. Protective measures shall be carried out in strict accordance with arboricultural advice by Keen Consultants (Rev.0 received by the LPA on 18.12.2017) and the arboricultural Information provided by Merwood (Rev. A received by the LPA on 18.12.2017) 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 to comply with policy CS21 of the *Woking Core Strategy* (2012).

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

Reason:

In the interests of amenity and biodiversity and to preserve and enhance the character and appearance of the locality in accordance with policies CS7, CS17, CS21 and CS24 of the *Woking Core Strategy* (2012).

12. The development hereby permitted shall not commence until details of any modifications to boundary treatments have been submitted to and approved in writing

30 MARCH 2018 PLANNING COMMITTEE

by the Local Planning Authority. The approved modifications shall be implemented prior to the occupation of the dwelling hereby approved 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).

13. The development hereby permitted shall not commence until details of the proposed waste and recycling management arrangements have 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 maintained thereafter for use at all times.

Reason:

In the interests of amenity and to ensure the appropriate provision of infrastructure in accordance with policies CS16 and CS21 of the *Woking Core Strategy* (2012).

14. If during development, contamination not previously identified is found present at the site then no further development (unless otherwise first 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 thereafter be implemented in accordance with the approved details.

Reason:

In accordance with the *National Planning Policy Framework* (2012) and policy DM8 of the *Development Management Policies DPD* (2016) which require development to contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to, or being put at unacceptable risk from, or being adversely affected by, unacceptable levels of water pollution (Paragraph 109) and to ensure that adequate site investigation information, prepared by a competent person, is presented (Paragraph 12).

15. Prior to the commencement of any above ground works to construct the development hereby permitted details of a scheme for disposing of surface water by means of a sustainable drainage system shall be 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 maintained 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 to comply with policies CS9 and CS16 of the *Woking Core Strategy* (2012) and the provisions of the *National Planning Policy Framework* (2012).

Informatives

01. Site Inspections:

30 MARCH 2018 PLANNING COMMITTEE

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

03. The applicant is advised that they would need permission from Surrey County Council to create a new dropped kerb.

04. The applicant is advised, notwithstanding the submission of CIL Form 9: Self Build Residential Extension Exemption Claim, in order to benefit from the CIL Self Build Residential Extension Exemption, the applicant must also submit a fully completed CIL Form 6: Commencement Notice at least one working day prior to starting work on site. The applicant is advised that CIL will become payable in the event of work starting on site either before the Council's decision on the Self Build Residential Extension Exemption claim has been issued or in the event of failure to submit a fully completed CIL Form 6: Commencement Notice at least one working day prior to work starting on site.

CIL Form 6: Commencement Notice is available to download at the address below:

https://ecab.planningportal.co.uk/uploads/1app/forms/form_6_commencement_notice.pdf

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

0800 - 1800 Monday to Friday

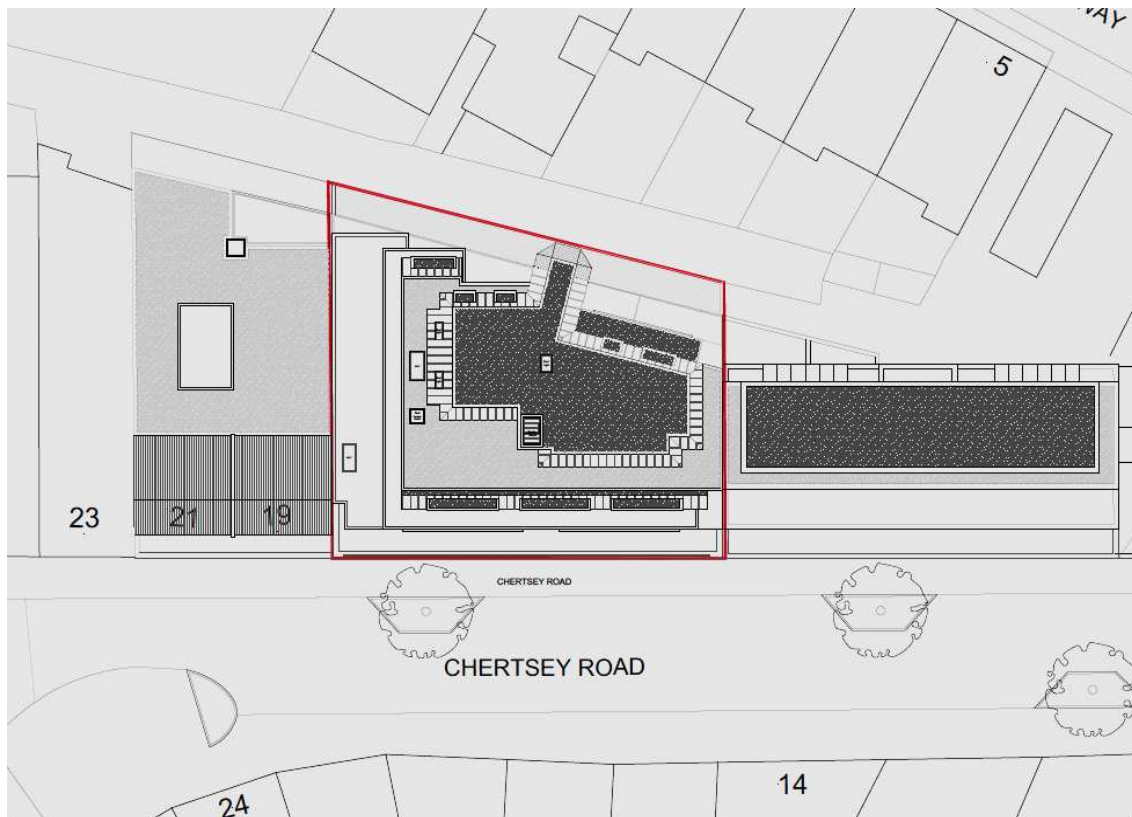
0800 - 1300 Saturday

and not at all on Sundays and Bank/Public Holidays.

11-17 Chertsey Road, **Woking**

PLAN/2017/1050

Erection of a third, fourth and fifth floor extension to create two additional floors comprising 6x additional one bedroom flats, erection of first and second floor rear extensions and alterations to external finishes and fenestration and plant enclosure on rear elevation
(Amended Plans)



PLAN/2017/1050



11-17 Chertsey Road

Hollywood House

The Crown
Martian House

The Big Apple

The Pod 1

Duke House

Shelter

Viscount House

The Cornerston

S Gantry

Signal Box

El Sub Sta

Comments

Not Set

SCALE 1:1,250

0 5 10 20 30 40 Metres

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

20 MARCH 2018 PLANNING COMMITTEE

5d 17/1050 Reg'd: 15.09.17 Expires: 10.11.17 Ward: C
Nei. 07.03.18 BVPI Minor Number >8 On No
Con. Target dwellings -13 of Weeks Target?
Exp: on Cttee'
Day:

LOCATION: No.11-17 Chertsey Road, Woking, GU21 5AB

PROPOSAL: Erection of a third, fourth and fifth floor extension to create two additional floors comprising 6x additional flats (5x one bed & 1x two bed), erection of first and second floor rear extensions and alterations to external finishes and fenestration and plant enclosure on rear elevation (Amended Plans)

TYPE: Full Planning Application

APPLICANT: Mr Patterson

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 erection of a third, fourth and fifth floor extension to create two additional floors comprising 6x flats (5x one bed & 1x two bed). The proposal also includes rear extensions at first and second floor level and alterations to the external finishes of the existing building. Existing plant on the rear elevation would be contained within an enclosure.

Site Area: 0.0397 ha (397 sq.m)
Existing units: 19 (as per Prior Approval ref: PLAN/2017/0820)
Proposed units: 25
Existing density: 478.5 dph (dwellings per hectare)
Proposed density: 655 dph

PLANNING STATUS

- Urban Area
- Woking Town Centre
- Conservation Area
- Primary Shopping Area
- Secondary Shopping Frontage
- 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 the upper floors of a four storey building dating from the 1960s. The building features a ground floor restaurant with separate offices above. The proposal site is located on Chertsey Road which is a busy thoroughfare in Woking Town Centre with a commercial character and forms part of the town centre Conservation Area. Servicing and bin storage is to the rear of the building which is a service road which serves both properties on Chertsey Road and The Broadway to the south.

PLANNING HISTORY

- PLAN/2017/0872 - Insertion of window openings on rear elevation and alterations to existing windows at first, second and third floor level – Permitted 19/09/2017
- PLAN/2017/0820 - Prior notification for a proposed change of use of offices (B1) to dwellings (C3) - conversion of existing office building into residential to provide 19No apartments – Prior Approval Required and Approved 25/08/2017
- PLAN/2017/0133 - Prior notification for a proposed change of use of offices (B1) to dwellings (C3) - conversion of existing office building into residential to provide 14No apartments – Prior Approval Required and Approved 29/03/2017
- 85/0311 – Change of use from shop to restaurant with offices, storage and rest room facilities (ground floor and basement) – Permitted 11/07/1985
- 76/0384 - Change of use of upper floors from retail to offices – Refused 21/07/1976 but allowed at appeal
- 26254 – Change of use of upper floors from retail to offices – Refused 19/11/1970 but allowed at appeal
- 17025 – Erection of a four storey building to be used as shops and offices – Permitted 24/09/1963

CONSULTATIONS

County Highway Authority: No objection.

Conservation Consultant: No objection.

Environmental Health: No objection.

Waste Services: No objection subject to conditions.

REPRESENTATIONS

Two objections have been received raising the following points:

- The proposal would lead to increase traffic and congestion
- The access to the rear is narrow
- The parking and waste management arrangement is inadequate
- The mesh enclosing the plant would be visually intrusive
- Any new plant should include sound attenuation
- The proposed balconies could overlook roof terraces of the adjoining neighbour

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
Section 12 - Conserving and enhancing the historic environment

Woking Core Strategy (2012):

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

Development Management Policies DPD (2016):

DM7 – Noise and Light Pollution
DM20 – Heritage Assets and their Settings

Supplementary Planning Documents (SPDs):

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

In addition to the above, Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) places a statutory duty on decision makers to have 'special regard' to preserving or enhancing the character of conservation areas and states that: *'with respect to any buildings or other land in a conservation area, of any functions under or by virtue of any of the provisions mentioned in sub section (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area'*.

BACKGROUND

Amended plans were received on 09/02/2018 following concerns raised by the Case Officer. The amended plans reduced the height, bulk and massing of the proposed extensions and removed a residential unit. A BRE Daylight and Sunlight Assessment was also received on 27/02/2018. The proposal has been assessed based on these plans and additional information.

The proposal relates to the upper floors of the existing building which are in office (B1a) use. Prior Approval has previously been granted for the change of use of the upper floors to 19x flats. The current proposal is for the extension of the building to provide 6x additional

flats. A similar proposal to extend a building where Prior Approval had previously been granted has been permitted at the adjoining neighbour at No.7-9 Chertsey Road

PLANNING ISSUES

Principle of Development:

1. The NPPF (2012) and Core Strategy policy CS25 (2012) promote a presumption in favour of sustainable development. The site constitutes previously developed land within the designated Urban Area, within Woking Town centre and within the 400m-5km (Zone B) Thames Basin Heaths Special Protection Area (SPA) buffer zone. Core Strategy policy CS10 seeks to ensure that sufficient homes are built in sustainable locations where existing infrastructure is in place and new residential development should seek to maximise the efficient use of land. Core Strategy (2012) policies CS1 and CS2 establish Woking Town Centre as the primary focus of sustainable growth including high density redevelopment of existing sites in the town centre. Overall the provision of additional residential units in this location is considered acceptable subject to the detailed considerations set out below.

Impact on Character:

2. The proposal site is within The Woking Town Centre Conservation Area and as such special attention should be paid to preserving or enhancing the special character of the Conservation Area in accordance with Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. The NPPF (2012) attaches great weight to the conservation of Heritage Assets and states that the significance of Heritage Assets can be harmed or lost through alteration or destruction of the Heritage Asset itself or development within its setting. Woking Core Strategy (2012) policy CS20 'Heritage and Conservation' requires new development to make a positive contribution to the character, distinctiveness and significance of the historic environment. Any extensions or alterations to the building would therefore need to respect the character of the host dwelling and preserve the special character of the Conservation Area.
3. The special character of the Woking Town Centre Conservation Area is derived from the Edwardian and Victorian commercial development focussed around Chertsey Road. The host building is a more modern building dating from the 1960s which does not reflect the prevailing pattern and character of development in the area however the building is an established feature in the street scene along with the neighbouring building at No.7-9 Chertsey Road which is also a modern infill development.
4. The adjoining neighbour to the north-east at No.19-21 is a three storey Victorian building and surrounding development is predominately three storey Victorian and Edwardian development. The adjoining neighbour at No.7-9 Chertsey Road is a six storey modern building and the top floor was permitted as an extension under application ref: PLAN/2014/1201 and is now in residential use.
5. Views of the upper floors of the host building are limited from street level due to the narrowness of Chertsey Road and the recessed top floor which means the third floor of the building is not prominent or clearly visible in the street scene. Views are however possible from parts of Chertsey Road and views of part of the northern flank elevation of the building are possible from Chobham Road to the north. The proposed extensions would add additional height, bulk and scale to the building however the resulting impact on the character of the area must be evaluated.

6. The existing building is four storeys with the top floor recessed from the front of the building and a smaller plant room located at fifth floor level. The proposed extension would be 1.5m in depth to the front of the building at third floor level and would partially infill the existing set-back area at third floor level however the third floor would be set-back 1.6m from the principal front elevation of the building. The fourth floor extension would be set-back 2.9m from the front elevation and 3.9m from the northern side boundary of the building. The fifth floor would be recessed further and would be positioned 5.1m from the front of the building and 5.3m from the northern flank elevation. The proposed extensions therefore diminish in bulk and scale with height. The proposal also includes extensions at first and second floor level however these are relatively modest in scale and are sited to the rear.
7. The additional floors would result in the building having the same number of storeys as the adjoining neighbour at No.7-9 Chertsey Road, where an additional fifth floor was considered acceptable by the LPA, and would have a similar height to this neighbour, albeit 0.7m taller in maximum height. The resulting proposed building is considered to make a logical step-down in height and scale relative to the adjoining three storey neighbour at No.19-21 Chertsey Road and the resulting visual relationship with neighbours in the street scene is considered acceptable.
8. The set-backs of the proposed additional floors are considered to limit the prominence of the extensions and the resulting building would be consistent with the height and scale of the adjoining neighbour at No.7-9 Chertsey Road and is considered to achieve an acceptable visual relationship with neighbours in the street scene along Chertsey Road.
9. In terms of design and materials, the existing building has a modern design and is finished in metal cladding materials with a horizontal emphasis. The proposed extensions would continue this design approach and the proposed extensions are identified as being finished in cladding and window openings would be in a horizontal arrangement to reflect the existing building. The rear of the building is currently finished in brickwork and this would be clad in cladding materials to reflect the rest of the building. The existing plant on the rear elevation would be reorganised and enclosed in a metal mesh enclosure which is considered visually acceptable and preferable to the existing situation. Further details of proposed materials can be secured by condition. Overall the proposed design approach is considered acceptable and is considered to respect the character of the host building.
10. Overall the proposed extensions and alterations are considered to result in a visually acceptable form of development which would respect the character of the host building and would preserve the special character of the Woking Town Centre Conservation Area.

Impact on Neighbours:

11. The proposal site has a relatively close relationship with neighbours adjacent and opposite the site on Chertsey Road and neighbours to the rear on The Broadway. Some of these properties feature residential accommodation in the upper floors which face towards the proposal site. Given the close relationship with these neighbours, the applicant has provided a BRE Daylight and Sunlight Assessment as requested by Officers.
12. In determining the potential impacts on neighbours in terms of loss of light, a key test is the analysis of the Vertical Sky Component (VSC) which quantifies the amount of skylight falling on a vertical wall or window, measured on the outer pane of the

window. This is the ratio, expressed as a percentage, of the direct sky illuminance falling on a reference point (usually the centre of the window) to the simultaneous horizontal illuminance under an unobstructed sky (overcast sky conditions). According to the BRE Guide, if the VSC measured at the centre of a window, is at least 27% then enough daylight should still reach the window of the existing building. If the VSC, with the new development in place, is both less than 27% and less than 0.8 times its former value (i.e. a reduction of 20% or more), occupants of the existing building will notice the reduction in the amount of light. The BRE Guide makes allowances for different target values in cases where a higher degree of obstruction may be unavoidable such as historic city centres or modern high rise buildings. The guide states that the 27% value is *“purely advisory and different targets may be used on the special requirements of the proposed development or its location”*. The impact on neighbours is assessed below:

Chertsey Road:

13. This neighbour at No.7-9 Chertsey Road adjoins the site to the south-west and features 14x flats. The proposed extensions would project beyond the front and rear elevation of this neighbour in places. The neighbours at No.18-22 to the north-west are positioned on the opposite side of Chertsey Road facing the proposal site. The submitted BRE assessment however concludes that all the windows would pass the relevant BRE criteria in achieving a loss of VSC which is less than 20% and therefore not noticeable compared to the existing situation. Neighbours opposite the site at No.14-16 are in commercial use and the adjoining neighbour at No.19-21 is also understood to be in commercial use and so these have not been assessed as part of the BRE assessment.
14. In terms of potential overlooking and overbearing impacts, the extensions would have a minimum separation distance of 13m with neighbours opposite on Chertsey Road. Whilst these distances fall short of the recommended minimum of 15m for front-to-front relationships set out in the Council's 'Outlook, Amenity, Privacy and Daylight' SPD (2008), it should be borne in mind that the proposal site is within Woking Town Centre where close relationships between neighbours are typical and the SPD allows flexibility for such locations. It is also borne in mind that the adjoining neighbour at No.7-9 has a similar relationship with adjoining neighbours. Overall the proposal is therefore considered to result in an acceptable overlooking and overbearing impact on neighbours compared to the existing situation and when considering the context of the proposal site.

The Broadway:

15. The rear extensions would be positioned approximately 12-14m from residential neighbours at No.11, 8, 7 and 5 The Broadway to the south and south-east which have a rear-to-rear relationship with the proposal site. The submitted BRE assessment has assessed 52x windows on the rear elevations of these neighbours and all but one of the windows passes the BRE guidance in achieving a loss of VSC which is less than 20% and therefore not noticeable compared to the existing situation. The one window which fails the test is a bedroom window which would experience a 20.59% loss in VSC. It should however be borne in mind that this is a very marginal breach of the BRE guidance (0.59%) and the window faces north and the existing VSC is already limited and is below the recommended 27% VSC (16.03%). Bearing this in mind, along with the urban location of the proposal site in Woking Town Centre, and balanced with the wider benefits of the scheme, overall the proposal is considered to form an acceptable relationship with neighbours on The Broadway in terms of loss of light and overbearing impacts.

16. The rear extensions would be positioned approximately 12m from No.11 The Broadway at its nearest point to neighbours to the rear; this falls short of the recommended minimum of 30m for back-to-back relationships however as discussed above, it should be borne in mind that the proposal site is within Woking Town Centre where close relationships between neighbours are typical and the SPD allows flexibility for such locations. It is also borne in mind that the adjoining neighbour at No.7-9 has a closer relationship with neighbours on The Broadway to the rear. The host building also already benefits from Prior Approval for residential use across three floors which would also not comply with the recommended distances outlined above.
17. Overall the proposal demonstrates a high degree of compliance with the BRE guidance in terms of daylight impact and the proposed development is considered to form an acceptable relationship with neighbours in terms of overbearing and overlooking impacts. The proposal is therefore considered to have an acceptable impact on the amenities of neighbours and accords with Core Strategy (2012) policy CS21, Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight' (2008) and the National Planning Policy Framework (2012).

Standard of Accommodation:

18. The six proposed residential units would range in size from 37m² to 59m² which is considered an acceptable size of internal accommodation and accords with the recommended minimum standard of 37m² set out in the National Technical Housing Standards (2015). Habitable room windows would face to the front and rear. Most of the proposed units would include an area of outside amenity space in the form of balconies which is considered acceptable given the town centre location of the proposal site. The balconies would be positioned at third, fourth and fifth floor level to the front of the building looking facing towards Chertsey Road and to the rear facing the access road to the rear facing the access road to the rear.
19. The ground floor level of the existing building features a fast food restaurant with the associated plant on the rear elevation and roof. The plant would be reorganised as part of the proposal and contained within an enclosure on the rear elevation. The LPA previously considered the Prior Approval applications for flats above the restaurant to be acceptable and the proposed additional dwellings currently proposed would have a greater degree of separation from the ground floor use. The Council's Environmental Health Officer has been consulted and raises no objection. It is however considered appropriate to require details and specifications of any new plant before it is installed and details of the acoustic specification of ceilings/floors and windows.
20. Overall the proposal is considered to achieve an acceptable standard of accommodation for future residents.

Transportation Impact:

21. The maximum parking standard for the development would be 6x spaces in accordance with the Council's Parking Standards (2006). The proposed flats do not benefit from off-street parking given the constrained urban location of the proposal site. The proposal site is however in a particularly sustainable location in Woking Town Centre and is close to the services and amenities of the town centre and Woking Train Station. On-street parking in the area is also controlled by the operation of a CPZ. Overall the absence of dedicated parking is therefore considered acceptable given the sustainable location of the proposal site. Sufficient space is identified within the building for at least six cycles as well as cycle storage for the 19x flats already approved under Prior Approval. There is space to the rear of the building

at ground floor level to accommodate sufficient bin storage for both the existing restaurant at ground floor level and the proposed flats and the Prior Approval flats however further details of how this would be managed and enclosed can be secured by condition. The County Highway Authority has been consulted and raises no objection. Overall the proposal is considered to have an acceptable transportation impact.

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

22. 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).
23. 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 £3,095 in line with the Thames Basin Heaths Special Protection Area Avoidance Strategy 2010-2015 as a result of the net gain of 5x one bedroom dwellings and 1x two bedroom dwelling which would arise from the proposal.
24. In view of the above, the Local Planning Authority is able to determine that the development would have no significant effect upon the SPA and therefore accords with Core Strategy (2012) policy CS8 and the 'Thames Basin Heaths Special Protection Area Avoidance Strategy 2010-2015'.

Affordable Housing:

25. 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.
26. 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.
27. 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

20 MARCH 2018 PLANNING COMMITTEE

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

Community Infrastructure Levy (CIL):

28. The proposal would be liable to make a CIL contribution of £31,901.54 based on a net increase in floor area of 384m².

CONCLUSION

29. Considering the points discussed above, the proposal is considered an acceptable form of development which would have an acceptable impact on the amenities of neighbours, on the character of the area and in transportation terms and would preserve the special character of the Woking Town Centre Conservation Area. Subject to a Legal Agreement, the proposal is considered to have an acceptable impact on the Thames Basin Heath SPA. The proposal therefore accords with the Development Plan and is therefore recommended for approval subject to conditions and a Legal Agreement as outlined below.

BACKGROUND PAPERS

1. Site visit photographs
2. Consultation responses
3. Representations
4. Conservation Area Site Notice

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).

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

1430-FA1100 (Site Location and Block Plan) received by the LPA on 12/09/2017
1430-FA1110 Rev.A (Proposed Site Plan) received by the LPA on 09/02/2018

20 MARCH 2018 PLANNING COMMITTEE

1430-FA1210 Rev.A (Proposed Ground Floor Plan) received by the LPA on 09/02/2018
1430-FA1211 Rev.A (Proposed First Floor Plan) received by the LPA on 09/02/2018
1430-FA1212 Rev.A (Proposed Second Floor Plan) received by the LPA on 09/02/2018
1430-FA1213 Rev.A (Proposed Third Floor Plan) received by the LPA on 09/02/2018
1430-FA1214 Rev.A (Proposed Fourth Floor Plan) received by the LPA on 09/02/2018
1430-FA1215 Rev.A (Proposed Fifth Floor Plan) received by the LPA on 09/02/2018
1430-FA1216 Rev.A (Proposed Roof Floor Plan) received by the LPA on 09/02/2018
1430-FA1310 Rev.A (Proposed East Elevation) received by the LPA on 09/02/2018
1430-FA1311 Rev.A (Proposed West Elevation) received by the LPA on 09/02/2018
1430-FA1311 Rev.A (Proposed West Elevation) received by the LPA on 09/02/2018
1430-FA1312 Rev.A (Proposed North Elevation) received by the LPA on 09/02/2018
1430-FA1313 Rev.A (Proposed South Elevation) received by the LPA on 09/02/2018
1430-FA1321 Rev.A (Proposed Streetscenes) received by the LPA on 09/02/2018
1430-FA1410 Rev.A (Proposed Site Sections) received by the LPA on 09/02/2018

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, details of the proposed waste and recycling storage and management arrangements for the development, including a secure enclosure, 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.

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

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

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

20 MARCH 2018 PLANNING COMMITTEE

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

7. ++Prior to the commencement of the development hereby approved, details of privacy screening and balustrades to the balconies hereby approved shall be submitted to and approved in writing by the Local Planning Authority. Development shall thereafter take place in accordance with the agreed details and shall be permanently retained in the agreed 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. Prior to the first occupation of the development hereby approved, secure cycle storage for a minimum of six bicycles shall be provided in accordance with the approved plans and made available for use prior to the first occupation of the development hereby permitted and shall thereafter be retained and made available 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 paragraph 17 of 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

20 MARCH 2018 PLANNING COMMITTEE

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

6. The provisions of The Party Wall Act 1996 may be applicable and relates to work on an existing wall shared with another property; building on the boundary with a neighbouring property; or excavating near a neighbouring building. An explanatory booklet setting out your obligations can be obtained from the Communities and Local Government website www.communities.gov.uk
7. The applicant is advised that this application is liable to make a CIL contribution of £31,901.54. 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.

30 Lambourne Crescent, **Sheerwater, Woking**

PLAN/2017/0866

Erection of a two storey side extension and subdivision into two self-contained flats (3x bed)
and associated parking and vehicular crossover



PLAN/2017/0866



30 Lambourne Crescent, Sheerwater



Comments

Not Set



SCALE 1:1,250

0 5 10 20 30 40 Metres

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

20 MARCH 2018 PLANNING COMMITTEE

5e 17/0866 Reg'd: 12.05.16 Expires: 07.07.16 Ward: C
Nei. 08.09.17 BVPI Minor Number >8 On No
Con. Target dwellings -13 of Weeks Target?
Exp: on Cttee'
Day:

LOCATION: 30 Lambourne Crescent, Sheerwater, Woking, GU21 5RQ

PROPOSAL: Erection of a two storey side extension and subdivision into two self-contained flats (3x bed) and associated parking

TYPE: Full Planning Application

APPLICANT: Mr Mohammed Rafiq

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 erection of a two storey side extension to the existing property and the sub-division of the property into two self-contained two bedroom flats. A new vehicular crossover onto Lambourne Crescent and the provision of four parking spaces to the frontage is also proposed.

Site Area: 0.0412 ha (412sq.m)
Existing units: 1
Proposed units: 2
Existing density: 24.3 dph (dwellings per hectare)
Proposed density: 48.5 dph

PLANNING STATUS

- Urban Area
- Priority Places
- 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 site is characterised by a two storey semi-detached dwelling dating from the 1950s. The proposal site forms part of the Sheerwater Estate which is characterised by semi-detached and terraced properties of similar ages and styles. To the north of the site is an area of open amenity land and a footpath leading to Lockwood Path to the east.

PLANNING HISTORY

- PLAN/2013/0924 - Erection of single storey front extension – Permitted 20/11/2013
- PLAN/2002/1457 – Erection of two storey side extension – Permitted 30/01/2003

CONSULTATIONS

County Highway Authority: No objection subject to conditions.

Drainage and Flood Risk Engineer: No objection.

Environment Agency: No comments received.

REPRESENTATIONS

None received.

RELEVANT PLANNING POLICIES

National Planning Policy Framework (NPPF) (2012):

Section 4 - Promoting sustainable transport

Section 6 - Delivering a wide choice of high quality homes

Section 7 - Requiring good design

Section 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

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

Development Management Policies DPD (2016):

DM2 – Trees and Landscaping

DM10 – Development on Garden Land

Supplementary Planning Documents (SPDs):

Woking Design (2015)

Affordable Housing Delivery (2014)

Climate Change (2013)

Outlook, Amenity, Privacy and Daylight (2008)

Parking Standards (2006)

BACKGROUND

Following concerns raised by the Council's Tree Officer and Drainage and Flood Risk Engineer, a Tree Survey and Flood Risk Assessment were received on 30/01/2018. The proposal has been assessed based on this information.

PLANNING ISSUES

Principle of Development:

1. The NPPF (2012) and Core Strategy (2012) policy CS25 promote a presumption in favour of sustainable development. The site lies within the designated Urban Area and within the 400m-5km (Zone B) Thames Basin Heaths Special Protection Area (SPA) buffer zone. The development of 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 principle of infill residential development in this instance 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:

2. The proposal is for the erection of a two storey side extension and sub-division of the resulting property into two self-contained flats. The proposal is not therefore a sub-division of the plot itself but rather a sub-division of the property to flats with the rear garden area remaining undivided. Plot widths in the surrounding area are typically 8-10m in width. The width of the proposal site at the site frontage is wider than most surrounding plots at 18m in width with a garden area to the side. The proposal site however narrows to 8m to the rear which means a conventional plot-subdivision and the erection of an attached dwelling for example would not be achievable as the resulting dwelling would not have an adequate garden size or plot depth to reflect the surrounding area. The proposal responds to this by erecting a two storey side extension on the garden area on the wider part of the plot and by the horizontal sub-division of the property into two large flats at ground and first floor level.
3. Although the surrounding area is generally characterised by two storey dwellings rather than flats, the design of the proposed extension is such that it appears as a two storey dwelling and a continuation of the existing dwelling and the formation of a terrace of three dwellings. The surrounding area is characterised by a mixture of terraced and semi-detached dwellings and the proposal is therefore considered to respect the character of development in the area. The proposal would retain a separation distance of 4.4m to the side boundary and 1.3m to the rear boundary and is not considered to appear unduly cramped within the plot and is considered to achieve adequate spacing to boundaries. Furthermore the proposal would create two large family dwellings which is considered reflective of the surrounding area which is characterised by family dwellings. The use of appropriate matching materials can be secured by condition. Parking for four vehicles would be provided to the site frontage along with soft landscaping which is considered acceptable.
4. Overall the proposal is considered to make efficient use of a relatively large plot and is considered to result in a visually acceptable form of development which respects the character of the surrounding area.

Impact on Neighbours:

5. The proposal site has a rear-to-side relationship with No.2 Lockwood Path to the north-east. This neighbour features an L-shaped garden area which wraps around the side and rear boundaries of the proposal site. The proposed extension would be within 1.3m of the boundary and side garden of this neighbour however the extension would be sited 15.9m from this neighbour itself which is considered sufficient to avoid an undue loss of light impact. The main useable garden area of this neighbour is located to the rear of the dwelling rather than the side garden area and the proposal is considered to form an acceptable relationship with this neighbour in terms of overbearing impacts.
6. The proposed extension includes a first floor rear-facing window facing towards No.2 Lockwood Path however as this serves a bathroom, this can be required to be obscurely glazed with restricted opening by condition to avoid an undue overlooking impact. First floor side-facing windows would face across an area of public amenity land and the relationship with neighbours opposite to the south would be the same as the existing dwelling.
7. The proposed two storey side extension would not be appreciable from the attached neighbour at No.28 Lambourne Crescent and is not considered to result in an undue loss of light, overlooking or overbearing impact on this neighbour.
8. 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:

9. The proposed ground and first floor flats would have floor areas of 93m² and 94.5m² respectively. This is considered a generous size of internal accommodation for three bedroom flats and habitable room windows are considered to achieve acceptable quality outlooks. The rear garden area is identified as being a communal space shared between the flats. Both flats would have access to this space and appropriate landscaping can be secured by condition to protect the privacy of ground floor habitable rooms.
10. Overall the proposal is considered to achieve an acceptable standard of accommodation for future residents.

Housing Mix:

11. Core Strategy (2012) policy CS11 states that residential proposals are expected to provide a mix of dwelling types and sizes to address the nature of local needs as evidenced in the Strategic Housing Market Assessment (SHMA). The 2015 SHMA identifies most need for three bed units (35%) and two bed units (30%). There is therefore an identified need for family accommodation; in particular three bed units. Furthermore the proposal site is within a 'Priority Place' as identified by Core Strategy (2012) policy CS5, in which planning decisions are expected to seek to redress identified issues, including housing, in the Maybury and Sheerwater areas. This policy seeks to redress the tenure imbalance in the area by providing more family accommodation (two bed and above).

12. The proposed development would result in two large three bedroom flats which are considered suitable for family accommodation. Overall the proposal is therefore considered to result in an acceptable housing mix in accordance with policies CS5 and CS11.

Transportation Impact:

13. The proposal includes the formation of a vehicular crossover onto Lambourne Crescent and the creation of four off-street parking spaces to the site frontage. This would accord with the maximum parking standard set out in the Council's Parking Standards (2006) SPD (two per 3x bed dwelling) and is considered an acceptable level of parking provision. There is space to the side and rear of the site for adequate bin and cycle storage. The County Highway Authority has reviewed the proposal and raises no objection subject to conditions.
14. Overall the proposal is considered to result in an acceptable transportation impact.

Impact on Flood Risk:

15. Part of the proposal site falls within Flood Zone 2 as defined by the Environment Agency's Flood Map data. Core Strategy (2012) policy CS9 and Section 10 of the NPPF (2012) seek to direct development away from Flood Zones 2 (medium risk) and 3 (high risk) to Flood Zone 1 (low risk) and these policies require development proposals for vulnerable development in Flood Zones 2 and 3 to pass the Sequential Test. The exact boundaries of flood zones can vary and the applicant has therefore supplied a detailed Flood Risk Assessment (FRA). The FRA takes account of detailed information such as topographical data in order to establish the actual boundary of Flood Zone 2. The conclusion of the FRA is that the proposal site falls principally outside Flood Zone 2 and is consequently at low risk from flooding. The Council's Drainage and Flood Risk Engineer has reviewed the information and raises no objection. Overall the proposal is therefore considered to have an acceptable impact in terms of flood risk.

Impact on Trees:

16. There are mature off-site trees to the north-east and although these are not protected, they are considered to have public amenity value. The Council's Tree Officer has reviewed the proposal and has requested details of how the trees would be retained and protected during construction. This can be secured by condition. Subject to this condition, overall the proposal is considered to have an acceptable impact on trees.

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

17. 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).
18. 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 **£868** in line with the Thames Basin Heaths Special

20 MARCH 2018 PLANNING COMMITTEE

Protection Area Avoidance Strategy 2010-2015 as a result of the net gain of a three bedroom dwelling which would arise from the proposal.

19. In view of the above, the Local Planning Authority is able to determine that the development would have no significant effect upon the SPA and therefore accords with Core Strategy (2012) policy CS8 and the 'Thames Basin Heaths Special Protection Area Avoidance Strategy 2010-2015'.

Affordable Housing:

20. 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.
21. 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.
22. 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.

Community Infrastructure Levy:

23. The proposal would be liable to make a CIL contribution of £7,809.23 based on a net increase in floor area of 94m².

CONCLUSION

24. 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

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 £868	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:

P.01 C received by the LPA on 08/08/2017
P.02 received by the LPA on 27/07/2017
P.03 B received by the LPA on 27/07/2017
L.01 received by the LPA on 27/07/2017
B.01 received by the LPA on 27/07/2017

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

3. The external finishes of the development hereby permitted shall match those used in the existing dwelling 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. 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

20 MARCH 2018 PLANNING COMMITTEE

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

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

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

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

6. The first floor window in the north-east facing rear elevation of the extension 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.

7. 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 to 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.

8. 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.

9. Prior to the first occupation of the development hereby approved, the proposed vehicular access onto Lambourne Crescent shall be constructed in accordance with the approved plans and thereafter the visibility zones shall be kept permanently clear of any obstruction over 1.05m high.

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

Informatives

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

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

4. 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:-

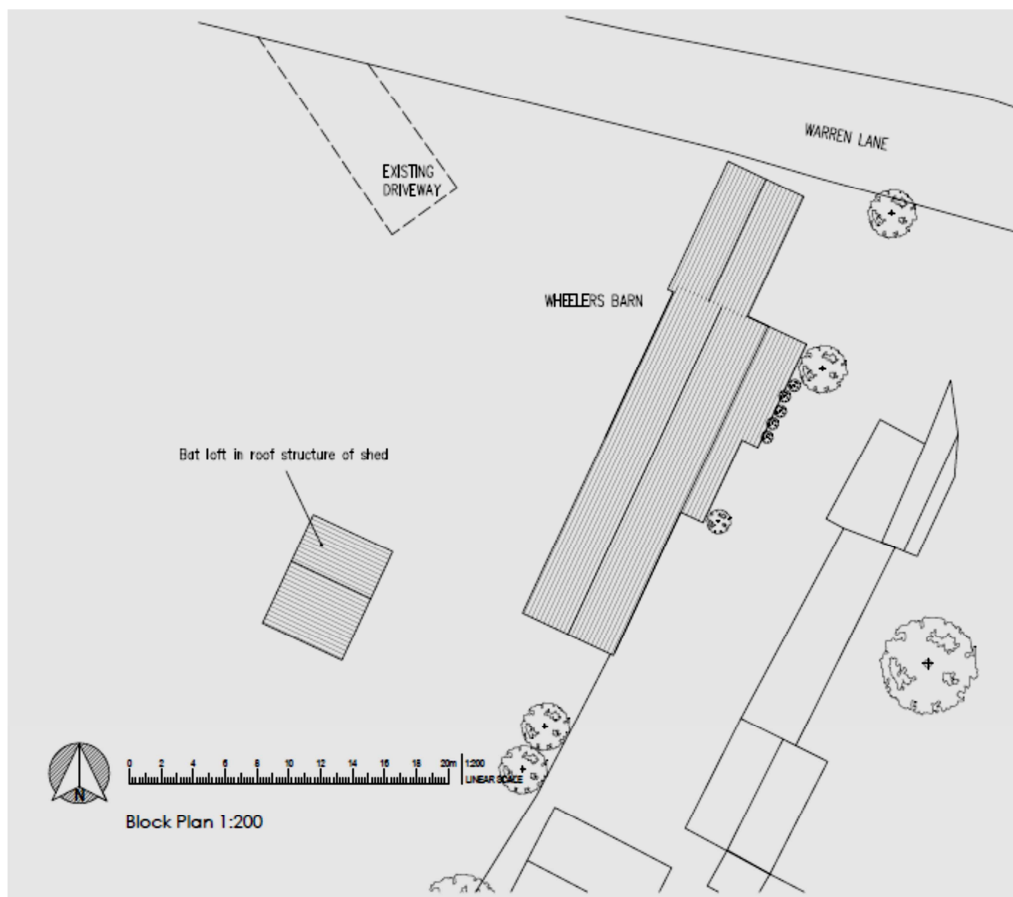
8.00 a.m. - 6.00 p.m. Monday to Friday
8.00 a.m. - 1.00 p.m. Saturday
and not at all on Sundays and Bank Holidays.

5. The applicant is advised that this application is liable to make a CIL contribution of £7,809.23. 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.

Whealers Barn, Warren Lane, Pyrford, Woking

PLAN/2018/0103

Erection of detached building to provide alternative roosting for bats (to allow for restoration of the roof of the adjacent listed barn), storage of agricultural materials and tools and temporary parking of vehicles (please see associated PLAN/2018/0104).



PLAN/2018/0103



Wheelers Barn, Warren Lane, Pyrford

25.4m

22.4m

22.9m

21.9m

Track

WARREN LANE

Wheelers Farm

The Bourne

Def

Comments

Not Set



SCALE 1:1,250

0 5 10 20 30 40 Metres

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

20 MARCH 2018 PLANNING COMMITTEE

5f	18/0103	Reg'd:	06.02.18	Expires:	03.04.18	Ward: PY
Nei.	15.03.18	BVPI	18 (Minor)	Number	6/8	On
Con.		Target		of Weeks		Target?
Exp:				on Cttee'		Yes
				Day:		

LOCATION: Wheelers Barn, Warren Lane, Pyrford, Woking, GU22 8XQ

PROPOSAL: Erection of detached building to provide alternative roosting for bats (to allow for restoration of the roof of the adjacent listed barn), storage of agricultural materials and tools and temporary parking of vehicles (please see associated PLAN/2018/0104).

TYPE: Full Application

APPLICANT: Mrs L Asseily

OFFICER: Benjamin Bailey

REASON FOR REFERRAL TO COMMITTEE

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

SUMMARY OF PROPOSED DEVELOPMENT

This is a full planning application for the erection of a detached building to provide alternative roosting for bats (to allow for restoration of the roof of the adjacent listed barn), storage of agricultural materials and tools and temporary parking of vehicles.

PLANNING STATUS

- Green Belt
- Adjacent to Statutory Listed Building (Grade II - Wheelers Barn)
- Adjacent to Statutory Listed Building (Grade II - Wheelers Farm House)
- Area of High Archaeological Potential
- Pyrford Neighbourhood Area
- River Corridor to rear of site
- SNCI to rear of site
- Adjacent to Pyrford Escarpment
- Thames Basin Heaths Special Protection Area (TBH SPA) Zone B (400m-5km)
- Surrey Minerals Plan - Concreting Aggregate Safeguarded Site

RECOMMENDATION

Grant planning permission subject to recommended conditions.

SITE DESCRIPTION

The application site relates to Wheelers Barn which is located off the southern side of Warren Lane. The barn is situated in a rural location within the Green Belt and is a Statutory Grade II Listed 18th Century building and forms part of a complex of buildings that originally formed Wheelers Farm. Wheelers Farm House, located to the east of the barn and

separated by a 5m gap is also a Grade II Listed building dating back to the early 16th Century. The barn comprises of six original timber-framed bays, on a brick plinth and weatherboard cladding, with a plain tiled half hipped roof. Fields surround the barn.

RELEVANT PLANNING HISTORY

PLAN/2018/0104 - Listed Building Consent for restoration of barn, including repairs to roof, replacement weatherboarding and restoration of brick plinth and barn doors (please see associated PLAN/2018/0103).

Elsewhere on this agenda

PLAN/2014/0818 - Full planning permission for the conversion of the existing barn to provide a four bedroom residential dwelling with additional carport facilities, revised site entrance and soft landscaping.

Not determined by LPA - Appeal Allowed (17.09.2015) (Ref: APP/A3655/W/15/3029736)

PLAN/2014/0819 - Listed building consent for conversion of the existing barn to provide a four bedroom residential dwelling with additional carport facilities, revised site entrance and soft landscaping.

Not determined by LPA - Appeal Allowed (17.09.2015) (Ref: APP/A3655/Y/15/3029746)

PLAN/2010/0780 - Full planning application for the conversion of the existing barn to provide a four bedroom dwelling with additional garage facilities and revised site entrance. Refused. Appeal Allowed (06.06.2011) with the decision quashed by order of the High Court. Further appeal (Ref: APP/A3655/A/11/2148037) dismissed 5 March 2014 for the following reasons:

'Despite the lack of harm to the Green Belt, the living conditions of neighbours and to biodiversity, appeal A fails on the lack of appropriate contribution towards the SPA and towards the provision of affordable housing. Appeal A is, therefore, dismissed'

PLAN/2010/0781 Listed Building Consent for the conversion of the existing barn to provide a four bedroom dwelling with additional garage facilities and revised site entrance. Refused. Allowed on appeal 6 June 2011 with the decision quashed by order of the High Court. Further appeal (Ref: APP/A3655/E/11/2148036) dismissed 5 March 2014 for the following reasons:

'The works to the listed building are entirely dependent on the conversion to residential under appeal A. Without this they would have no purpose. Therefore, in light of the decision for appeal A, appeal B is also dismissed'

PLAN/2010/0223 was withdrawn for the conversion of the existing barn to provide a four bedroom dwelling with additional garage facilities and revised site entrance.

PLAN/2010/0224 was withdrawn for Listed Building Consent for the conversion of the existing barn to provide a four bedroom dwelling with additional garage facilities and revised site entrance.

PLAN/1990/1135 was refused for the conversion of the barn to a two storey four bedroom dwelling with integral garage in 1991. The application was dismissed at appeal on grounds of *redundancy of the barn, inappropriate development in the Green Belt and would detract from the appearance of the area and unsympathetic to the setting of the Listed Barn.*

20 MARCH 2018 PLANNING COMMITTEE

PLAN/1990/1134 was refused for Listed Building Consent for the conversion of the barn to a two storey four bedroom dwelling with integral garage in 1991. The application was dismissed at appeal for the above reasons.

CONSULTATIONS

Heritage & Conservation Consultant:	No objection.
Historic England:	On the basis of the information available to date, in our view you do not need to notify or consult us on these applications under the relevant statutory provisions.
County Archaeological Officer:	No objection subject to recommended condition 03.
Surrey Wildlife Trust:	No objection subject to recommended conditions 05 and 06.
Pyrford Neighbourhood Forum:	No comments received. Any comments received will be updated at Planning Committee.

REPRESENTATIONS

None received

RELEVANT PLANNING POLICIES

National Planning Policy Framework (NPPF) (2012)

Section 7 - Requiring good design
Section 9 - Protecting Green Belt land
Section 11 - Conserving and enhancing the natural environment
Section 12 - Conserving and enhancing the historic environment

Woking Core Strategy (2012)

CS6 - Green Belt
CS7 - Biodiversity and nature conservation
CS20 - Heritage and conservation
CS21 - Design

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

DM13 - Buildings in and adjacent to the Green Belt
DM20 - Heritage assets and their settings

Pyrford Neighbourhood Plan (2016 - 2027)

BE1 - Maintaining the character of the Village
BE3 - Spatial character

Supplementary Planning Documents (SPD's)

Outlook, Amenity, Privacy and Daylight (2008)
Design (2015)

Supplementary Planning Guidance (SPG)

Heritage of Woking (2000)

Surrey Minerals Plan Core Strategy Development Plan Document (2011)

Other Material Considerations

Planning Practice Guidance (PPG)

COMMENTARY

During consideration of the application an amended site location plan has been submitted and accepted. This amended site location plan makes no changes to the proposal as initially submitted other than reducing the red lined application site area and encompassing some of the initially red lined application site area within a blue line (land within the ownership of the applicant). Due to the nature of this amendment it was not considered necessary to undertake further public consultation.

BACKGROUND

Planning and listed building consent appeals (Refs: APP/A3655/W/15/3029736 and APP/A3655/Y/15/3029746) were lodged on grounds of non-determination. The Council was therefore unable to determine those applications, which were both subsequently allowed at appeal in linked decisions dated 17.09.2015, and subject to the standard three year commencement time periods. The planning permission and listed building consent allowed at appeal therefore remain extant until 17.09.2018 and consequently form significant material considerations in determination of the current planning and listed building consent applications.

Whilst the extant planning permission and listed building consent relate to the conversion of the existing barn to provide a four bedroom residential dwelling with additional carport facilities, revised site entrance and soft landscaping the current planning application proposes only the erection of a detached building to provide alternative roosting for bats (to allow for restoration of the roof of the adjacent listed barn), storage of agricultural materials and tools and temporary parking of vehicles and the current listed building consent proposes only the restoration of the barn, including repairs to roof, replacement weatherboarding and restoration of brick plinth and barn doors.

PLANNING ISSUES

01. The main planning issues to consider in determining this planning application are:
 - Green Belt considerations
 - Design and impact upon the character of the area, including the setting of the adjacent Grade II Listed Barn and adjacent Grade II Listed Wheelers Farm House
 - Impact upon archaeology
 - Impact upon neighbouring amenity
 - Impact upon Ecology/Protected Species
 - Impact upon Pyrford Escarpment, Wheelers Fields SNCI, Minerals and Flood Risk having regard to the relevant policies of the Development Plan, other relevant material planning considerations and national planning policy and guidance.

Green Belt considerations

02. The proposed building to provide alternative roosting for bats (to allow for restoration of the roof of the adjacent listed barn), storage of agricultural materials and tools and temporary parking of vehicles is approximately 9.0m distant from the existing barn and

its size and location would render it a new building. Paragraph 89 of the NPPF (2012) states that a local planning authority should regard the construction of new buildings as inappropriate development in the Green Belt. The proposed building therefore comprises inappropriate development in the Green Belt which is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances, which would not exist unless the harm by reason of inappropriateness, and other harm, is clearly outweighed by other considerations.

03. Therefore the main issue is whether any harm caused by the inappropriate development arising out of the construction of the detached building, and any other harm, is clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify the development.
04. It is a significant material consideration that the proposed building is within approximately the same position, and of a reduced scale (the predominant eaves height remains the same, with the maximum height reduced from approximately 5.7m to approximately 4.5m), and of almost identical design, to the carport considered under application reference PLAN/2014/0818, subsequently allowed at appeal under reference APP/A3655/W/15/3029736. Within paragraph 20 of the appeal decision the Planning Inspector stated that *"taking account of all the submitted evidence, and that derived from the site visit, the main harm arising out of the development, in addition to that caused by inappropriate development, would be the loss of openness in the Green Belt. Openness is the essential characteristic of the Green Belt, and any loss is entitled to significant weight. Nonetheless, it is also the case that the degree of loss would be limited by the scale of the works, and by restrictions which could be imposed by planning conditions...Overall, there would not be a substantial loss of openness"*. Taking account of the reduced maximum height in comparison to the extant carport previously allowed at appeal, and the previous conclusions of the Planning Inspector regarding a larger building in approximately the same position, it is considered that only a limited loss of openness would occur to the Green Belt.
05. It is not considered that any other harm would result from the detached building in addition to the harm resulting from the inappropriateness of the development and the limited loss of openness. It is therefore necessary to examine whether any very special circumstances exist to outweigh this harm to the Green Belt, to which substantial weight must be afforded.
06. The repairs to the adjacent Listed barn would require the removal of bat roosts. As a protected species, it is necessary to provide mitigation, as well as to obtain a licence from Natural England under the provisions of The Conservation of Habitats and Species Regulations 2017. To this end the applicant has supplied evidence of a European Protected Species Mitigation Licence Ref: 2017-32663-EPS-MIT, valid between 22nd January 2018 and 10th January 2023, issued by Natural England under the statutory requirements of The Conservation of Habitats and Species Regulations 2017 to demonstrate that the proposed mitigation would enable the relocation of bats from the adjacent Listed Barn. The roof space of the proposed building adjacent to the barn is intended as an alternative habitat, with measures taken to provide an unheated roosting area within the roof. In allowing the previous appeal the Planning Inspector stated, within paragraph 14, that *"the appellants indicate that the carport proposal results from a long standing consultation with the Council, and holds advantages over other possible solutions. In this respect, it is accepted that compartmentation of the barn roof would be detrimental to the openness and exposure of structure which is important to preserving its special characteristics, and an extension of the building, whilst avoiding designation as inappropriate development in the Green Belt, would be much more likely to undermine the significance of the*

heritage asset than would a freestanding structure, and would still result in some loss of openness. Neither solution would allow re-housing of the bats before they are disturbed by the construction. The carport represents a proportionate means of providing the necessary roosting and flying space”.

07. Within paragraph 15 of the appeal decision the Planning Inspector stated that *“it is the Council’s view that the construction of the carport is merely a means of mitigating the harm arising out of the conversion, rather than a positive feature of the scheme, and cannot therefore be eligible for consideration as a very special circumstance. This point is noted, but the conversion is intended to secure the long term future of the listed building, and the carport is part of that proposal. By overcoming an obstacle to conversion, the benefits of the change of use would be realised. There is no reason to discount this aspect in establishing whether very special circumstances exist to justify the carport”.*
08. Whilst it is noted that the current proposal does not seek the conversion of the barn to residential use, as was the case under the previous proposal, the current proposal is nonetheless inherently linked to the proposed repair and restoration of the adjacent Listed barn, including repair of the roof, sought under associated listed building consent application reference PLAN/2018/0104. The repair and restoration of the adjacent Listed barn is intended to secure the long term future of the building, and the proposed detached building is part of the overall proposal, being required to overcome an obstacle to repair of the listed barn, through allowing for re-housing of the bats before they are disturbed by the repair and restoration works, without which repairs to the barn roof would be unable to take place and the long term future of the Listed barn would be unable to be safeguarded.
09. Within paragraph 21 of the appeal decision the Planning Inspector stated that *“set against this (the Green Belt inappropriateness of the development and loss of openness) is the potential benefit of securing the future of the listed barn. In addition to the requirement to protect the Borough’s historic buildings in Core Strategy Policy CS20, the NPPF gives great weight to the conservation of a designated heritage asset, and recognises the need to take account of the desirability of putting it to a viable use consistent with its conservation. In this case, the conversion would retain the significance of the asset, and residential use would provide the investment and impetus to maintain and repair the building for the foreseeable future. The carport is an integral part of realising that benefit”.* Whilst no residential conversion of the adjacent Listed barn is proposed under the current application the detached building would enable, through the mitigation of impacts upon bat roosts, the repair and restoration of the Listed barn and is an integral part of realising that benefit and conserving the designated heritage asset.
10. The Planning Inspector concluded, in Green Belt terms, that *“having regard to the limited impact on openness, and the restricted level of any other harm associated with the scheme, the conclusion is reached that any harm caused by the inappropriate development arising out of the construction of the carport, and any other harm, is clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify the development. In this respect the scheme would meet the criterion set out in NPPF Paragraph 87, and hence would comply with the control exercised by Core Strategy Policy CS6”.*
11. Whilst it is noted that the Council’s Development Management Policies DPD (DMP DPD) (2016) has been adopted since the appeal decision. Policy DM13 of the DMP DPD (2016) relates to buildings in the Green Belt however enables inappropriate

development to be permitted within the Green Belt where very special circumstances can be clearly demonstrated, as in this instance.

12. In this particular case it is therefore considered that enabling the repair and restoration of the adjacent Listed barn, and the need to mitigate the harm arising to bats (a protected species) and their roosts and comply with the licensing requirements of Natural England under the provisions of The Conservation of Habitats and Species Regulations 2017, amounts to very special circumstances which would outweigh the significant weight to be afforded to the harm to the Green Belt, by reason of the inappropriateness of the development, and the limited impact upon openness.

Design and impact upon the character of the area, including the setting of the adjacent Grade II Listed Barn and adjacent Grade II Listed Wheelers Farm House

13. The Local Planning Authority is required by the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving a Listed Building or its setting or any features of special architectural or historic interest which it possesses. It is a significant material consideration that the proposed building is within approximately the same position, and of a reduced scale (the predominant eaves height remains the same, with the maximum height reduced from approximately 5.7m to approximately 4.5m), and of almost identical design, to the carport considered under application reference PLAN/2014/0818, subsequently allowed at appeal under reference APP/A3655/W/15/3029736
14. Wheelers Barn and adjacent Wheelers Farm House are a picturesque historic group where each is considered important to the setting of the other. For both buildings the setting is one of historic farm buildings surrounded by open land reflecting its former use as a working farm. While there would be a detached building, the site would still be appreciated and experienced as a rural building within an open plot.
15. Wheelers Barn is Grade II listed and described in the listing as being timber framed with weatherboard cladding, dating from the eighteenth century with a nineteenth century addition. Despite replacement of some of the timber, it remains in relatively original condition and has retained its character as part of a group with the adjoining Wheelers Farm House, also Grade II listed. Within the appeal decision the Planning Inspector stated that *"the previous decisions identified the heritage significance of the barn as its method of construction and agricultural appearance, and the value as part of a historic group of farm buildings...the carport would be of traditional construction, complementary to the appearance of the barn, and clearly subordinate to it. There is no indication in the previous decisions that it would harm the setting of either of the listed buildings, and there is not cause to consider so now"*.
16. In having special regard to the desirability of preserving the special architectural and historic interest of the listed building, including the setting, the detached building would secure the future of the adjacent Listed barn, allowing for repairs to take place to the listed building through mitigating the impact upon bats, a protected species. Overall, having regard to the previous appeal decision, the proposal is considered to preserve the special architectural and historic interest of the listed barn and the setting of both Wheelers Barn and Wheelers Farm House and the rural character of the area. Whilst it is noted that the Pyrford Neighbourhood Plan (2016 - 2027) has been adopted since the appeal decision, and policies BE1 and BE3 are relevant to the proposal, these policies are not considered to alter the above conclusion. Similarly, whilst the Council's Development Management Policies Development Plan Document (DMP DPD) (2016) has also been adopted since the appeal decision, and Policy DM20 is relevant to heritage assets and their settings, this policy is also not considered to alter

the above conclusion. Furthermore, the Council's Heritage & Conservation Consultant raises no objection to the proposal.

Impact upon archaeology

17. The application site is located within an Area of High Archaeological Potential related to St Nicholas 12th century church and Pyrford Historic Core. Section 12 of the National Planning Policy Framework (NPPF) (2012) emphasises that the conservation of archaeological interest is a material consideration in the planning process. Paragraph 128 of the NPPF (2012) states that applicants should submit desk-based assessments, and where appropriate undertake field evaluation, to describe the significance of heritage assets and how they would be affected by the proposed development. These requirements are reflected within Policy CS20 of the Woking Core Strategy (2012).
18. The current application has omitted to include an archaeological desk-based assessment as supporting documentation, although this was also the case with the previous planning application reference PLAN/2014/0818, subsequently allowed at appeal and which remains extant until 17.09.2018. The County Archaeological Officer has been consulted on the current application and, taking into account that planning permission was granted at appeal in 2015, in addition to the downscaling of below ground impacts within the current application in comparison to the previous proposal, considers that the archaeological interest can be secured via condition (recommended condition 03 refers). Subject to this recommended condition the impact upon archaeology is considered to be acceptable and to accord with Policy CS20 of the Woking Core Strategy (2012) and Section 12 of the National Planning Policy Framework (NPPF) (2012).

Impact upon neighbouring amenity

19. Policy CS21 (Design) of the Woking Core Strategy (2012) advises that proposals for new development should achieve a satisfactory relationship to adjoining properties, avoiding significant harmful impact in terms of loss of privacy, daylight or sunlight, or an overbearing effect due to bulk, proximity or loss of outlook.
20. It is a significant material consideration that the proposed building is within approximately the same position, and of a reduced scale (the predominant eaves height remains the same, with the maximum height reduced from approximately 5.7m to approximately 4.5m), and of almost identical design, to the carport considered under application reference PLAN/2014/0818, subsequently allowed at appeal under reference APP/A3655/W/15/3029736
21. The application site adjoins Wheelers Farm House, which includes a farmhouse and a residential annex located to the south of Wheelers Barn. The residential annex demonstrates a kitchen window at the front and a door and small windows at the side. The proposed building would be located approximately 15.0m from the common boundary with Wheelers Farm House and the residential annex. Taking into account this level of separation, together with the form, scale and appearance of the proposed building, it is not considered that any significantly harmful impact, by reason of potential loss of daylight or sunlight, or overbearing effect due to bulk, proximity or loss of outlook, would occur to either Wheelers Farm House or the residential annex. The proposed building is too distant from any other dwelling to affect the living conditions or any other amenities of neighbouring occupiers. In this regard the application is therefore considered to comply with Policy CS21 of the Woking Core

Strategy (2012) and Supplementary Planning Documents 'Outlook, Amenity, Privacy and Daylight (2008)' and 'Design (2015)'.

Impact upon Ecology/Protected Species

22. Revised bat emergence and activity surveys have been submitted with this application. The repair of the barn would affect a number of bat roosts within the barn which would have to be removed, and a small number of bats fly and feed at the site. As a protected species, it is necessary to provide mitigation, as well as to obtain a licence from Natural England. To this end the applicant has supplied evidence of a European Protected Species Mitigation Licence Ref: 2017-32663-EPS-MIT, valid between 22nd January 2018 and 10th January 2023, issued by Natural England under the statutory requirements of The Conservation of Habitats and Species Regulations 2017 to demonstrate that the proposed mitigation would enable the relocation of bats from the adjacent Listed Barn. The proposed building adjacent to the barn is intended as an alternative habitat, with measures taken to provide an unheated roosting area in the roof. This is as per the previous appeal decision which remains extant. Surrey Wildlife Trust has been consulted on the current application and raise no objections subject to recommended conditions 05 and 06.
23. The Planning Inspector concluded within the appeal decision that "*with respect to the effect on biodiversity, the ability to mitigate the harm to bats is considered above, and the nature conservation area and River Wey are at a sufficient distance to be unaffected*". The impact upon ecology/protected species is therefore considered to accord with Policy CS7 of the Woking Core Strategy (2012) and Section 11 of the National Planning Policy Framework (NPPF) (2012).

Impact upon Pyrford Escarpment, Wheelers Fields SNCI, Minerals and Flood Risk

24. The Pyrford Escarpment is located adjacent to the application site falling on the opposite side of Warren Lane. The proposed building would not harm this designation due to its sensitive design and in any case the application site does not sit on the escarpment.
25. To the rear boundary of the application site lie the Wheelers Fields Site of Nature Conservation Importance (SNCI). It is not considered that the proposed development will adversely affect this site due to the separation distance. The River Wey corridor lies to the rear of the site although separated by a distance of some 90 metres. The development is not considered to harm its designation. It is also noted that in dealing with the previous appeal, the Planning Inspector did not raise any objection to the proposed development in relation to the designations as listed above. In these regards the proposed development is considered to comply with Paragraph 118 of the NPPF (2012) and Policy CS7 of the Woking Core Strategy (2012).
26. The application site also falls within a Concreting Aggregate Safeguarded Site identified in the Surrey Minerals Plan (2011). The proposed building would not undermine any of the policies contained within this plan due to the nature of the proposal. The proposed development is therefore considered to comply with the Surrey Minerals Plan (2011) and again it is also noted that in dealing with the previous appeal, the Planning Inspector did not raise any objection to the proposed development in relation to this designation. The position of the proposed building falls within Flood Zone 1 (low risk), as indicated by the Flood map for Planning. It is therefore considered that there would be no increase in flood risk to the application site or the surrounding land in compliance with Paragraph 103 of the NPPF (2012) and Policy CS9 of the Woking Core Strategy (2012).

LOCAL FINANCE CONSIDERATIONS

27. The proposed development is Nil rated within the Council's Community Infrastructure Levy (CIL) Charging Schedule.

CONCLUSION

28. The proposed development is, by definition, inappropriate development in the Green Belt, which would result in a limited loss of openness of the Green Belt. The proposal is not considered to result in any further harm to the Green Belt or to any other planning consideration. In this case it is considered that very special circumstances exist which outweigh the significant weight to be afforded to the Green Belt harm, by reason of inappropriateness and the limited loss of openness of the Green Belt, and justify the granting of planning permission. Notwithstanding the conflict with Policy CS6 and Policy DM13, which are outweighed by the very special circumstances, in all other respects the proposed development is considered to comply with Policies CS7, CS20 and CS21 of the Woking Core Strategy (2012), Policy DM20 of the Development Management Policies Development Plan Document (DMP DPD) (2016), Policies BE1 and BE3 of the Pyrford Neighbourhood Plan (2016 - 2027), Supplementary Planning Documents (SPD's) 'Outlook, Amenity, Privacy and Daylight (2008)' and 'Design (2015)', Supplementary Planning Guidance (SPG) 'Heritage of Woking (2000)' and the provisions of the National Planning Policy Framework (NPPF) (2012) and is recommended for approval subject to conditions.

BACKGROUND PAPERS

Site visit photographs
Site Notice (Development Affecting a Listed Building or its setting)
Site Notice (Departure from Development Plan)
Consultation response from Heritage & Conservation Consultant
Consultation response from Historic England
Consultation response from County Archaeological Officer
Consultation response from Surrey Wildlife Trust
Planning application file PLAN/2014/0818
Appeal Decision Ref: APP/A3655/W/15/3029736

RECOMMENDATION

Grant planning permission subject to the following conditions:

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

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

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

1:1250 scale Site Location Plan, titled 'Wheelers Barn, Warren Lane', dated 23 February 2018 and received by the Local Planning Authority on 23.02.2018.

20 MARCH 2018 PLANNING COMMITTEE

U.2/02b Rev 00 (Proposed Block Plan), dated January 2018 and received by the Local Planning Authority on 05.02.2018.

U.2/08 Rev 00 (Bat Shed Proposed Plans and Sections), dated January 2018 and received by the Local Planning Authority on 05.02.2018.

U.2/09 Rev 00 (Bat Shed Proposed Elevations and Details), dated January 2018 and received by the Local Planning Authority on 05.02.2018.

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

03. ++ No development shall take place until a programme of archaeological work has been implemented in accordance with a Written Scheme of Investigation which has been submitted to and approved in writing by the Local Planning Authority.

Reason: To enable the site to be investigated for archaeological purposes in accordance with Policy CS20 of the Woking Core Strategy (2012) and the provisions of the National Planning Policy Framework (NPPF) (2012).

04. ++ Prior to the commencement of any above ground works written details and/or a sample of the timber, brickwork and tiles to be used for the construction of the detached building hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. Only the approved materials shall be used in the construction of the detached building and the timber shall not be chemically treated prior to or post construction.

Reason: To ensure an appropriate appearance within the rural setting and to preserve the setting of the adjacent Listed barn in accordance with Policies CS20 and CS21 of the Woking Core Strategy (2012), Policy DM20 of the Development Management Policies DPD (DMP DPD) (2016), Section 12 of the National Planning Policy Framework (NPPF) (2012), Policy BE1 of the Pyrford Neighbourhood Plan (2016 - 2027) and SPG 'Heritage of Woking (2000)'.

05. The detached building hereby permitted shall be constructed in full and completed with the bat mitigation measures in place as detailed on the approved plans numbered/titled 'U.2/08 Rev 00 (Bat Shed Proposed Plans and Sections)' and 'U.2/09 Rev 00 (Bat Shed Proposed Elevations and Details)' and the Environmental & Ecological Impact Assessment, all received by the Local Planning Authority on 05.02.2018, prior to the commencement of any works to the Listed Barn. It shall thereafter be permanently retained as such and thereafter all openings shall remain clear of any obstruction and shall remain unaltered from the approved details unless otherwise first agreed in writing by the Local Planning Authority.

Reason: To ensure the provision of suitable biodiversity mitigation in accordance with Policy CS7 of the Woking Core Strategy (2012), Circular 06/05 Biodiversity and Geological Conservation and the provisions of the National Planning Policy Framework (NPPF) (2012).

06. The development hereby permitted shall be implemented fully in accordance with the recommendations and mitigation within the Environmental & Ecological Impact Assessment, received by the Local Planning Authority on 05.02.2018, and the timescales specified therein and in accordance with the requirements of Condition 05 of this planning permission.

Reason: To ensure the provision of suitable biodiversity mitigation in accordance with Policy CS7 of the Woking Core Strategy(2012), Circular 06/05 Biodiversity and Geological Conservation and the provisions of the National Planning Policy Framework (NPPF) (2012).

Informatives

01. The Council confirms that in assessing this planning application it has worked with the applicant in a positive and proactive way, in line with the requirements of paragraph 186-187 of the National Planning Policy Framework (NPPF) (2012). The application was considered to be acceptable as submitted.
02. The applicants attention is specifically drawn to the conditions above marked ++. These condition(s) require the submission of details, information, drawings, etc. to the Local Planning Authority PRIOR TO THE RELEVANT TRIGGER POINT. Failure to observe these requirements will result in a contravention of the terms of the permission and the Local Planning Authority may serve Breach of Condition Notices to secure compliance. You are advised that sufficient time needs to be given when submitting details in response to conditions, to allow the Authority to consider the details and discharge the condition. A period of between five and eight weeks should be allowed for.

Please see:

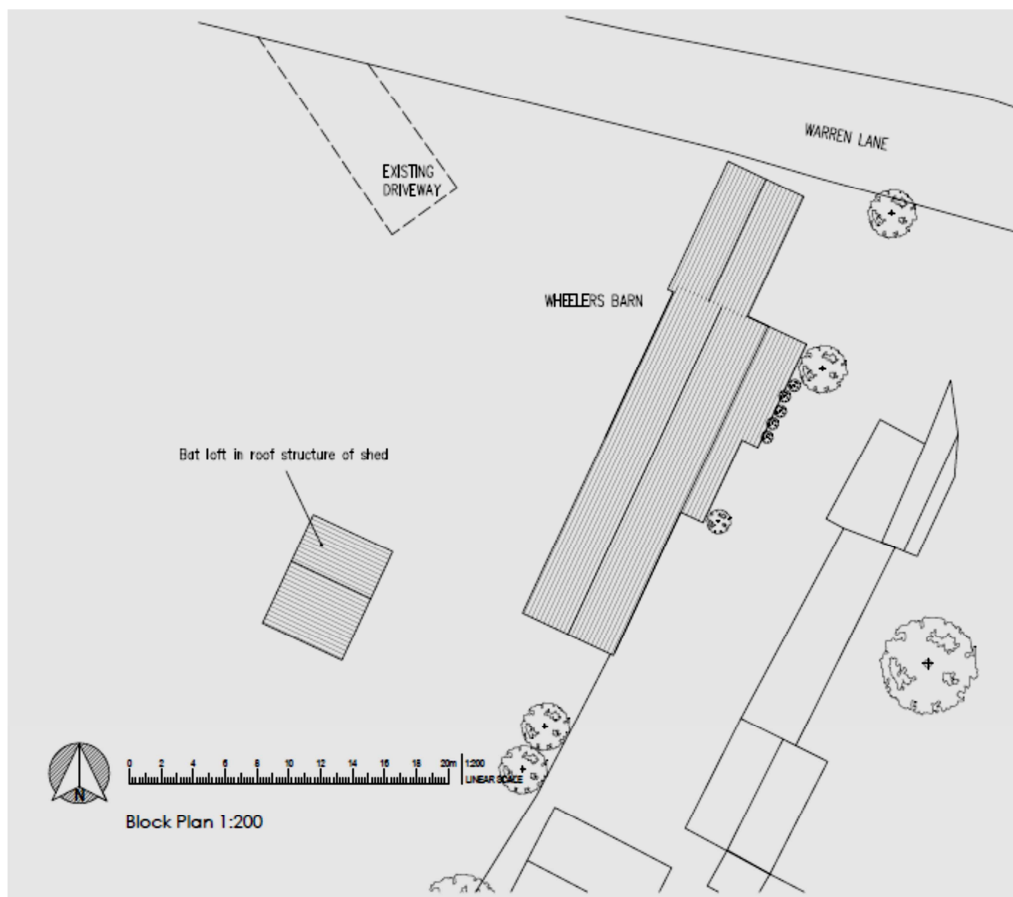
<https://www.woking.gov.uk/planning/makeplanningapplication/conditionsapproval>

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

Whealers Barn, Warren Lane, Pyrford, Woking

PLAN/2018/0104

Listed Building Consent for restoration of barn, including repairs to roof, replacement weatherboarding and restoration of brick plinth and barn doors (please see associated PLAN/2018/0103).



PLAN/2018/0104



Wheelers Barn, Warren Lane, Pyrford

25.4m

22.4m

22.9m

21.9m

Track

WARREN LANE

Wheelers Farm

Def

The Bourne

Comments

Not Set



SCALE 1:1,250

0 5 10 20 30 40 Metres

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

20 MARCH 2018 PLANNING COMMITTEE

5g	18/0104	Reg'd:	06.02.18	Expires:	03.04.18	Ward: PY
Nei.	15.03.18	BVPI	23 (LBC)	Number	6/8	On
Con.		Target		of Weeks		Target?
Exp:				on Cttee'		Yes
				Day:		

LOCATION: Wheelers Barn, Warren Lane, Pyrford, Woking, GU22 8XQ

PROPOSAL: Listed Building Consent for restoration of barn, including repairs to roof, replacement weatherboarding and restoration of brick plinth and barn doors (please see associated PLAN/2018/0103).

TYPE: Listed Building Consent

APPLICANT: Mrs L Asseily

OFFICER: Benjamin Bailey

REASON FOR REFERRAL TO COMMITTEE

The application has been referred to the Planning Committee by the Development Manager to be considered alongside associated planning application reference PLAN/2018/0103 (elsewhere on this agenda).

SUMMARY OF PROPOSED DEVELOPMENT

This is a Listed Building Consent application for the restoration of barn, including repairs to roof, replacement weatherboarding and restoration of brick plinth and barn doors.

PLANNING STATUS

- Green Belt
- Statutory Listed Building (Grade II - Wheelers Barn)
- Adjacent to Statutory Listed Building (Grade II - Wheelers Farm House)
- Area of High Archaeological Potential
- Pyrford Neighbourhood Area
- River Corridor to rear of site
- SNCI to rear of site
- Adjacent to Pyrford Escarpment
- Thames Basin Heaths Special Protection Area (TBH SPA) Zone B (400m-5km)
- Surrey Minerals Plan - Concreting Aggregate Safeguarded Site

RECOMMENDATION

Grant listed building consent subject to recommended conditions.

SITE DESCRIPTION

The application site relates to Wheelers Barn which is located off the southern side of Warren Lane. The barn is situated in a rural location within the Green Belt and is a Statutory Grade II Listed 18th Century building and forms part of a complex of buildings that originally formed Wheelers Farm. Wheelers Farm House, located to the east of the barn and separated by a 5m gap is also a Grade II Listed building dating back to the early 16th

Century. The barn comprises of six original timber-framed bays, on a brick plinth and weatherboard cladding, with a plain tiled half hipped roof. Fields surround the barn.

RELEVANT PLANNING HISTORY

PLAN/2018/0103 - Erection of detached building to provide alternative roosting for bats (to allow for restoration of the roof of the adjacent listed barn), storage of agricultural materials and tools and temporary parking of vehicles (please see associated PLAN/2018/0104). Elsewhere on this agenda

PLAN/2014/0818 - Full planning permission for the conversion of the existing barn to provide a four bedroom residential dwelling with additional carport facilities, revised site entrance and soft landscaping.

Not determined by LPA - Appeal Allowed (17.09.2015) (Ref: APP/A3655/W/15/3029736)

PLAN/2014/0819 - Listed building consent for conversion of the existing barn to provide a four bedroom residential dwelling with additional carport facilities, revised site entrance and soft landscaping.

Not determined by LPA - Appeal Allowed (17.09.2015) (Ref: APP/A3655/Y/15/3029746)

PLAN/2010/0780 - Full planning application for the conversion of the existing barn to provide a four bedroom dwelling with additional garage facilities and revised site entrance. Refused. Appeal Allowed (06.06.2011) with the decision quashed by order of the High Court. Further appeal (Ref: APP/A3655/A/11/2148037) dismissed 5 March 2014 for the following reasons:

'Despite the lack of harm to the Green Belt, the living conditions of neighbours and to biodiversity, appeal A fails on the lack of appropriate contribution towards the SPA and towards the provision of affordable housing. Appeal A is, therefore, dismissed'

PLAN/2010/0781 Listed Building Consent for the conversion of the existing barn to provide a four bedroom dwelling with additional garage facilities and revised site entrance. Refused. Allowed on appeal 6 June 2011 with the decision quashed by order of the High Court. Further appeal (Ref: APP/A3655/E/11/2148036) dismissed 5 March 2014 for the following reasons:

'The works to the listed building are entirely dependent on the conversion to residential under appeal A. Without this they would have no purpose. Therefore, in light of the decision for appeal A, appeal B is also dismissed'

PLAN/2010/0223 was withdrawn for the conversion of the existing barn to provide a four bedroom dwelling with additional garage facilities and revised site entrance.

PLAN/2010/0224 was withdrawn for Listed Building Consent for the conversion of the existing barn to provide a four bedroom dwelling with additional garage facilities and revised site entrance.

PLAN/1990/1135 was refused for the conversion of the barn to a two storey four bedroom dwelling with integral garage in 1991. The application was dismissed at appeal on grounds of *redundancy of the barn, inappropriate development in the Green Belt and would detract from the appearance of the area and unsympathetic to the setting of the Listed Barn.*

PLAN/1990/1134 was refused for Listed Building Consent for the conversion of the barn to a two storey four bedroom dwelling with integral garage in 1991. The application was dismissed at appeal for the above reasons.

CONSULTATIONS

Heritage & Conservation Consultant:	No objection.
Historic England:	On the basis of the information available to date, in our view you do not need to notify or consult us on these applications under the relevant statutory provisions.
Surrey Wildlife Trust:	No objection.
Pyrford Neighbourhood Forum:	No comments received. Any comments received will be updated at Planning Committee.

REPRESENTATIONS

None received

RELEVANT PLANNING POLICIES

National Planning Policy Framework (NPPF) (2012)
Section 12 - Conserving and enhancing the historic environment

Woking Core Strategy (2012)
CS20 - Heritage and conservation

Development Management Policies Development Plan Document (DMP DPD) (2016)
DM20 - Heritage assets and their settings

Pyrford Neighbourhood Plan (2016 - 2027)
BE1 - Maintaining the character of the Village

Supplementary Planning Guidance (SPG)
Heritage of Woking (2000)

Other Material Considerations
Planning Practice Guidance (PPG)

COMMENTARY

During consideration of the application an amended site location plan has been submitted and accepted. This amended site location plan makes no changes to the proposal as initially submitted other than reducing the red lined application site area and encompassing some of the initially red lined application site area within a blue line (land within the ownership of the applicant). Due to the nature of this amendment it was not considered necessary to undertake further public consultation.

BACKGROUND

Planning and listed building consent appeals (Refs: APP/A3655/W/15/3029736 and APP/A3655/Y/15/3029746) were lodged on grounds of non-determination. The Council was

therefore unable to determine those applications, which were both subsequently allowed at appeal in linked decisions dated 17.09.2015, and subject to the standard three year commencement time periods. The planning permission and listed building consent allowed at appeal therefore remain extant until 17.09.2018 and consequently form significant material considerations in determination of the current planning and listed building consent applications.

Whilst the extant planning permission and listed building consent relate to the conversion of the existing barn to provide a four bedroom residential dwelling with additional carport facilities, revised site entrance and soft landscaping the current planning application proposes only the erection of a detached building to provide alternative roosting for bats (to allow for restoration of the roof of the adjacent listed barn), storage of agricultural materials and tools and temporary parking of vehicles and the current listed building consent proposes only the restoration of the barn, including repairs to roof, replacement weatherboarding and restoration of brick plinth and barn doors.

LISTED BUILDING ISSUES

01. The main issue to consider in determining this listed building consent application is the impact upon the special architectural and historic interest of the Listed building. The impact upon the value of the subject building as part of a historic complex of buildings should also be considered. It is also necessary to consider the connection of this application with PLAN/2018/0103.

Impact upon the special architectural and historic interest of the listed building

02. The Local Planning Authority is required by the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving a Listed Building or its setting or any features of special architectural or historic interest which it possesses.
03. Wheelers barn is a Grade II Listed building, constructed circa 1700s, which originally formed part of Wheelers Farm and part of a complex of buildings including Wheelers Farm House and associated outbuildings. The barn is constructed with a six bay timber frame on a brick plinth with weather boarding above. The roof is tiled and half hipped at each end and of queen strut construction throughout. The barn has previously been extended during the 1800s with a smaller barn annexe to the northern elevation that occupies the space between the original barn and Warren Lane. Despite replacement of some of the timber, it remains in relatively original condition and has retained its character as part of a group with the adjoining Wheelers Farm House. Within the appeal decision the Planning Inspector stated that *“the previous decisions identified the heritage significance of the barn as its method of construction and agricultural appearance, and the value as part of a historic group of farm buildings”*.
04. The proposal is to restore the barn, which is within a state of some disrepair. The proposed works include repairs to the roof, replacement weatherboarding and the restoration of the brick plinth and barn doors. A threshing door is also proposed to be re-instated within the eastern elevation, on the existing original hinges, adjacent to Wheelers Farm House, which will better reveal the historic relationship between these two buildings. Weatherboards, wood-slat barn doors and roof tiles are proposed to match the materials, style and colour of the existing (recommended condition 03 refers). No changes are proposed to the internal structure other than necessary for its restoration. The existing queen strut construction and roof rafters will remain fully visible internally. Repair and treatment of the existing timber frame will be undertaken

in such a way as to ensure that where possible traditional joint/splicing methods are undertaken and where necessary steel reinforcements will be undertaken so as not to impair the existing timber work design.

05. Many of the barn's existing roof tiles have been damaged by the effects of rusting pins, and replacement tiles will be selected to match the existing in style, colour and materials. Quilted multi-foil insulation and a thin layer of flexible water-resistant MDF will be fixed over the existing rafters to provide structural strength while ensuring that the current irregular 'wavy' aspect of the roof will be maintained. Short rafter extensions will be added to improve weathering and existing guttering will be replaced on a like-for-like basis. Any replacement weatherboards required will be matched to existing. The brick plinth will also be restored and any new bricks will be matched to the existing. Existing wood-slat barn doors will be restored.
06. The character of the barn would not be harmed by the proposed restoration works. The external appearance of the original barn would remain intact with the exception of the re-instatement of the threshing door on the eastern elevation, with any works matching the appearance of the original structure. The entire footprint, volume and shape of the existing barn would be retained with no physical extensions proposed. It is considered that the proposed restoration works would preserve the special architectural and historic interest of the listed building.

Impact upon the value of the subject building as part of a historic complex of buildings

07. Wheelers Barn forms part of a historic complex with adjacent Wheelers Farm House, which is also a Grade II listed building with both buildings existing side by side for over three hundred years. The eastern flank of the barn forms the site boundary between Wheelers Farm House and Wheelers Barn. Views of the Listed Farm House would not be compromised by the proposed works due to the barn retaining the existing proportions and appearance. The re-instatement of the threshing door on the eastern elevation is considered a positive aspect of the proposal which would result in the historic association between Wheelers Barn and Wheelers Farm House being more readily apparent.
08. Overall the proposal is considered to preserve the special architectural and historic interest of the Listed barn and the value of the subject building as part of a historic complex of buildings.

LOCAL FINANCE CONSIDERATIONS

09. The proposed development is Nil rated within the Council's Community Infrastructure Levy (CIL) Charging Schedule.

CONCLUSION

10. Overall the proposal is considered to preserve the special architectural and historic interest of the Listed barn and the value of the subject building as part of a historic complex of buildings in accordance with Policy CS20 of the Woking Core Strategy (2012), Policy DM20 of the Development Management Policies Development Plan Document (DMP DPD) (2016), Policy BE1 of the Pyrford Neighbourhood Plan (2016 - 2027), Section 12 of the National Planning Policy Framework (NPPF) (2012), Supplementary Planning Guidance (SPG) 'Heritage of Woking (2000)' and the Planning Practice Guidance (PPG). It is therefore recommended that listed building consent is granted subject to recommended conditions.

BACKGROUND PAPERS

Site visit photographs

Site Notice (Development Affecting a Listed Building or its setting)

Consultation response from Historic England

Consultation response from Heritage & Conservation Consultant

Consultation response from Surrey Wildlife Trust

RECOMMENDATION

Grant listed building consent subject to the following conditions:

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

Reason: To accord with the provisions of Section 18(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

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

1:1250 scale Site Location Plan, titled 'Wheelers Barn, Warren Lane', dated 23 February 2018 and received by the Local Planning Authority on 23.02.2018.

U.2/03 (Existing Barn Floor Plan), dated January 2018 and received by the Local Planning Authority on 05.02.2018.

U.2/04 Rev 00 (Existing Barn Elevations), dated January 2018 and received by the Local Planning Authority on 05.02.2018.

U.2/05 Rev 00 (Existing Barn Elevations), dated January 2018 and received by the Local Planning Authority on 05.02.2018.

U.2/06 (Proposed Barn Floor Plan), dated January 2018 and received by the Local Planning Authority on 05.02.2018.

U.2/04 Rev 00 (Proposed Barn Elevations), dated January 2018 and received by the Local Planning Authority on 05.02.2018.

U.2/07 Rev 00 (Proposed Barn Elevations), dated January 2018 and received by the Local Planning Authority on 05.02.2018.

Heritage Statement & Historic Impact Assessment, undated and received by the Local Planning Authority on 05.02.2018.

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

03. ++ Prior to the commencement of the works hereby permitted details and/or samples of all the materials to be used in the repair and restoration of the barn including weatherboarding, roof tiles, stains, paints and rainwater goods shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details unless otherwise first agreed in writing by the Local Planning Authority.

20 MARCH 2018 PLANNING COMMITTEE

Reason: To preserve the special architectural and heritage interest of the listed building in accordance with Policy CS20 of the Woking Core Strategy (2012), Policy DM20 of the Development Management Policies DPD (2016), Supplementary Planning Guidance 'Heritage of Woking (2000)' and Section 12 of the National Planning Policy Framework (NPPF) (2012).

04. The existing weatherboarding and roof tiles shall be removed from the barn by hand or by tools held in the hand and not power-driven tools and these materials shall be stored for re-use in the repair and restoration hereby permitted. Any additional matching materials required shall be those approved pursuant to condition 03 of this listed building consent unless otherwise first agreed in writing by the Local Planning Authority.

Reason: To preserve the special architectural and heritage interest of the listed building in accordance with Policy CS20 of the Woking Core Strategy (2012), Policy DM20 of the Development Management Policies DPD (2016), Supplementary Planning Guidance 'Heritage of Woking (2000)' and Section 12 of the National Planning Policy Framework (NPPF) (2012).

Informatives

01. The Council confirms that in assessing this listed building consent application it has worked with the applicant in a positive and proactive way, in line with the requirements of paragraph 186-187 of the National Planning Policy Framework (NPPF) (2012). The application was considered to be acceptable as submitted.
02. The applicants attention is specifically drawn to the conditions above marked ++. These condition(s) require the submission of details, information, drawings, etc. to the Local Planning Authority PRIOR TO THE RELEVANT TRIGGER POINT. Failure to observe these requirements will result in a contravention of the terms of the listed building consent 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.

Please see:

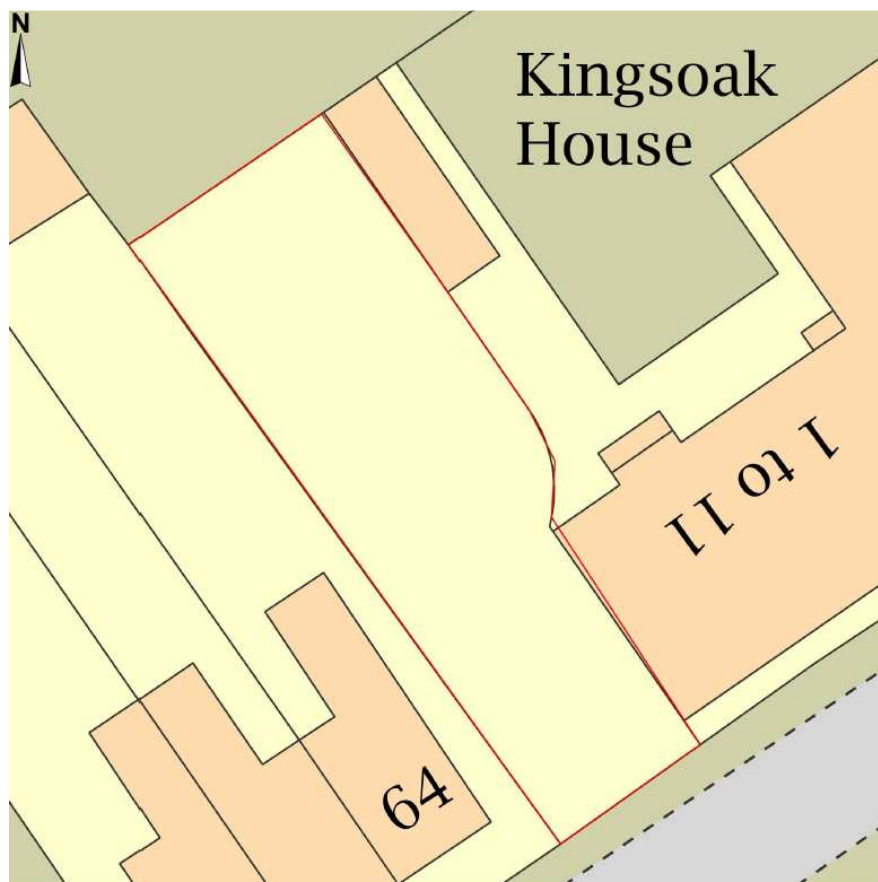
<https://www.woking.gov.uk/planning/makeplanningapplication/conditionsapproval>

03. The applicant is advised that Council officers may undertake inspections without prior warning to check compliance with approved plans and to establish that all listed building consent conditions are being complied with in full. Inspections may be undertaken both during and after construction.
04. The applicant is advised that, under the Control of Pollution Act 1974, site works which will be audible at the site boundaries are restricted to the following hours:-
08.00 – 18.00 Monday to Friday
08.00 – 13.00 Saturday
and not at all on Sundays and Bank/Public Holidays.

St John Ambulance Car Park, Board School Road, Woking

PLAN/2018/0137

Erection of single storey electrical substation to the north-west corner of existing car park, including associated ground works to provide the incoming and outgoing electric feeds across the site.

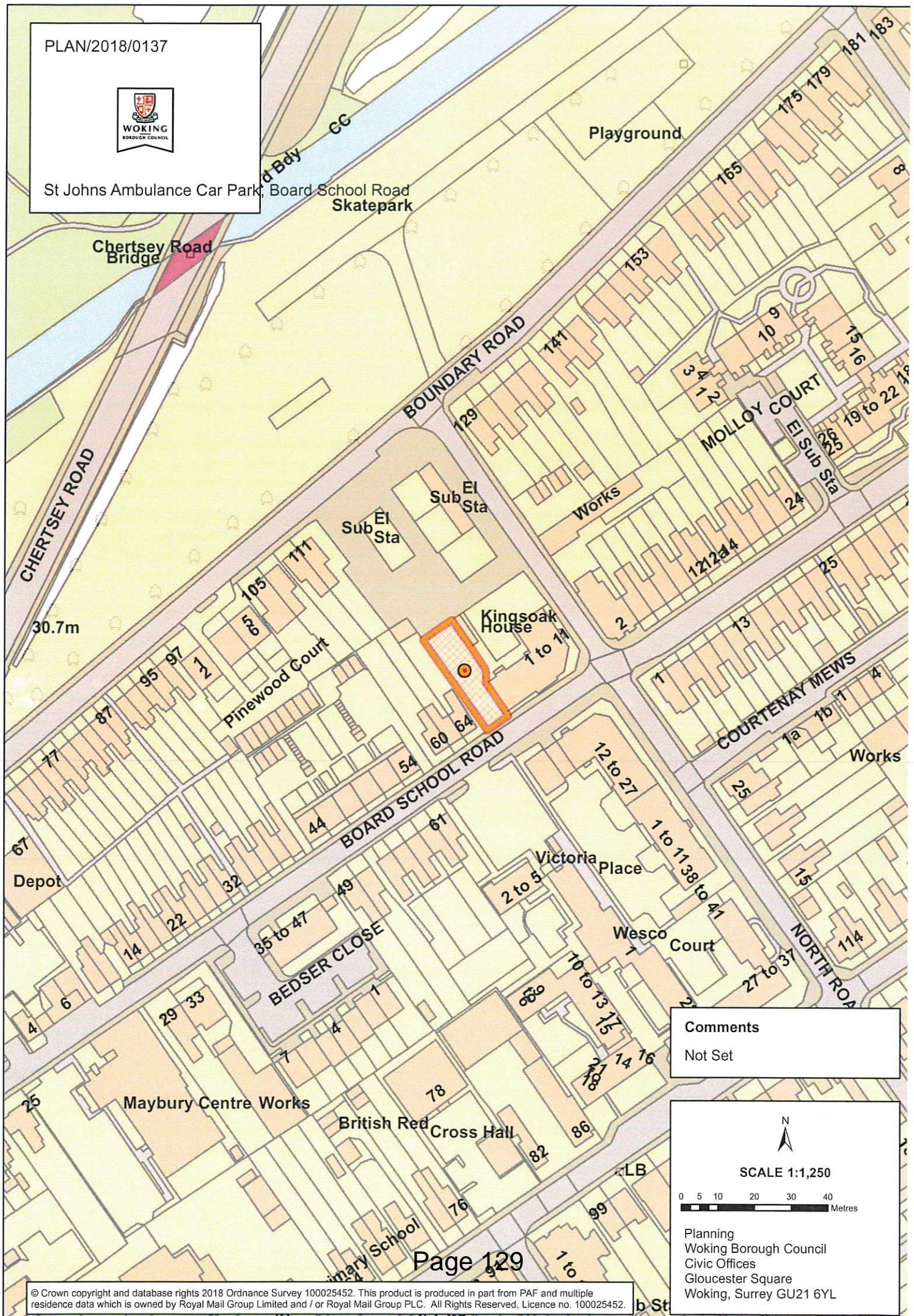


PLAN/2018/0137



St Johns Ambulance Car Park, Board School Road
Skatepark

Chertsey Road
Bridge

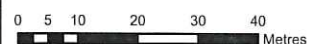


Comments

Not Set



SCALE 1:1,250



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

20 MARCH 2018 PLANNING COMMITTEE

5h	18/0137	Reg'd:	09.02.18	Expires:	06.04.18	Ward:	C
Nei.	15.03.18	BVPI	18	(Minor)	Number	6/8	On
Con.		Target			of Weeks		Target?
Exp:					on Cttee'		Yes
					Day:		
LOCATION:		St John Ambulance Car Park (Land Between No.64 Board School Road and Kingsoak House), Board School Road, Woking, GU21 5HD					
PROPOSAL:		Erection of single storey electrical substation to the north-west corner of existing car park, including associated ground works to provide the incoming and outgoing electric feeds across the site.					
TYPE:		Full Application					
APPLICANT:		Thamesway Developments Ltd				OFFICER:	Benjamin Bailey

REASON FOR REFERRAL TO COMMITTEE

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

SUMMARY OF PROPOSED DEVELOPMENT

This is a full planning application for the erection of a single storey electrical substation to the north-west corner of existing car park, including associated ground works to provide the incoming and outgoing electric feeds across the site.

PLANNING STATUS

- Urban Area
- High Density Residential Area
- High Accessibility Zone
- Priority Place
- Surface Water Flood Risk (1 in 1000 year)
- Ground Contamination suspected
- Thames Basin Heaths Special Protection Area (TBH SPA) Zone B (400m-5km)

RECOMMENDATION

Grant planning permission subject to recommended conditions.

SITE DESCRIPTION

The existing application site is laid entirely to tarmac and bounded to the front by a combination of low level timber post fencing and a galvanised steel swing traffic barrier set back from the adjacent footway. x8 parking spaces are laid out and a dropped kerb exists onto Board School Road. The site is bounded by close-boarded timber fencing to the common (south-west) boundary with the adjacent end-of-terrace dwelling of No.64 Board School Road and with timber fencing to the rear boundary, beyond which is a large existing

sub-station site. The flatted building of Kingsoak House adjoins the site to the eastern side with a 2.0m high fair-faced brick wall, extending from Kingsoak House itself, and the rear elevation of the Kingsoak House bin store further to the rear, forming the eastern application site boundary.

RELEVANT PLANNING HISTORY

PLAN/2004/1154 - Proposed car park on Board School Road for St John Ambulance.
Permitted subject to conditions (02.12.2004)

CONSULTATIONS

Environmental Health Service:	Appears that significant brick/block building to house equipment. However, from the accompanying statement from Thamesway it is noted, <i>"the equipment will be silent in operation. Also, 'no mechanical ventilation, alarms or other noise emitting equipment is to be installed'".</i> On this basis, unless you are party to additional information, no comments/conditions to forward.
Contaminated Land Officer:	No objection subject to recommended condition 04 (and informative 04).
Drainage & Flood Risk Team:	Following a review of the submitted information, the application complies with NPPF (2012) and Woking Core Strategy (2012) Policy CS9. Therefore we have no comments on drainage and flood risk grounds as the proposed development will not increase flood risk.

REPRESENTATIONS

None received

RELEVANT PLANNING POLICIES

National Planning Policy Framework (NPPF) (2012)

Achieving sustainable development

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

CS2 - Woking Town Centre

CS9 - Flooding and water management

CS16 - Infrastructure delivery

CS21 - Design

CS23 - Renewable and low carbon energy generation

CS25 - Presumption in favour of sustainable development

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

DM7 - Noise and light pollution

DM8 - Land contamination and hazards

Supplementary Planning Documents (SPD's)
Outlook, Amenity, Privacy and Daylight (2008)
Design (2015)
Climate Change (2013)

Other Material Considerations
Planning Practice Guidance (PPG)

PLANNING ISSUES

01. The main planning issues to consider in determining this application are:
- Principle of development
 - Design and impact upon the character of the area
 - Impact upon neighbouring amenity (including noise and light pollution)
 - Surface water flood risk
 - Ground contamination
- having regard to the relevant policies of the Development Plan, other relevant material planning considerations and national planning policy and guidance.

Principle of development

02. Woking Borough Council owns the freehold of the site and the existing leaseholder is St John Ambulance. Application reference PLAN/2004/1154 granted planning permission for the use of the site as car parking for St John Ambulance, showing x8 car parking spaces on the approved site plan. The proposed substation would result in the removal of x3 existing car parking spaces. It is understood that terms for surrender of the existing lease have been agreed with St John Ambulance to enable the applicant (Thameswey Developments Ltd) to construct the proposed substation (subject to planning permission) and that new leases will then be granted to both Thameswey and St John Ambulance for their respective space (ie. the substation and parking spaces). There are no local planning policies which seek to protect existing car parks in private use, as in this instance. The loss of x3 parking spaces is not therefore objectionable in policy terms.
03. Policy CS1 sets out the Spatial Strategy for Woking Borough and although it states that most new development will be directed towards previously developed land in the Town, District and Local Centres, the policy does not preclude development on other sites within the Urban Area subject to an assessment of impacts. Policy CS2 sets out that the Council will support the development of Woking Town Centre as the primary source of economic development in the Borough and as a primary economic centre in the South East, being the preferred location for town centre uses and high density residential development. Policy CS16 sets out that the Council will work in partnership with infrastructure service providers and developers to ensure that the infrastructure needed to support development is provided in a timely manner to meet the needs of the community and that the Council will support in principle the development of infrastructure projects if they can be justified to support the delivery of the Core Strategy and meet all other requirements of the Development Plan for the area. Policy CS23 provides in principle support for forms of renewable and low carbon energy generation.
04. The applicants supporting statement sets out that *"the new metering substation is required to provide a main grid connection point between the local electricity network operated by the District Network Operator (DNO) UK Power Networks (UKPN) and*

new High Voltage (HV) electricity supply cables to a number of major developments in Woking Town Centre, including the Victoria Square scheme”.

05. The applicants supporting statement further states that *“planned growth through major redevelopment in Woking Town Centre requires new essential infrastructure to meet the increase in demand for energy. Thamesway is building new heat and power generating and distribution infrastructure to meet this demand through low carbon, secure and sustainable energy sources, and has been granted planning consent for a new energy centre in the west of the Town Centre at Poole Road (Ref: PLAN/2016/1444). The Poole Road energy centre will serve major new developments in the Town Centre including sites with planning consent in the Goldsworth Road area and the proposed ‘Gateway’ schemes, as well as the Victoria Square scheme. Poole Road energy centre will operate in tandem with the existing energy centre at Victoria Way car park, whilst also providing additional resilience in supplies of energy to the buildings that are connected to the Victoria Way network. New HV electricity cables will connect the Poole Road energy station to the buildings to be supplied with energy, and enable inter-connection between the existing HV electricity network operated by Thamesway in Woking and the new network, reducing the risk of loss of supply to buildings in the Town Centre”.*
06. It is further stated that *“whilst Poole Road will generate most of the energy it supplies, a permanent connection to the national grid is essential to enable off-peak and top-up power to be provided without interruption in supply to customers. The grid connection also enables Thamesway to export electricity to the national grid at times of ‘surplus’ power generation. The metering substation at Board School Road will provide this point of connection and enable switching and metering of electricity flows between the national grid and the power generated at Poole Road”.*
07. Taking the above into account the development of the electrical substation proposed clearly qualifies as a form of infrastructure intended to support the delivery of the Core Strategy, and in particular the development targets for Woking Town Centre set out by Policy CS2, and forms an integral part of the provision of renewable and low carbon energy generation. Subject to an assessment of impacts, the principle of development is therefore afforded support by Policies CS1, CS2, CS16, CS23 and CS25 of the Woking Core Strategy (2012), Supplementary Planning Document ‘Climate Change (2013)’ and the provisions of the National Planning Policy Framework (NPPF) (2012).

Design and impact upon the character of the area

08. Policy CS21 of the Woking Core Strategy (2012) requires development proposals to *“respect and make a positive contribution to the street scene and the character of the area in which they are situated, paying due regard to the scale, height, proportions, building lines, layout, materials and other characteristics of adjoining buildings and land”.*
09. The proposed substation building would be located at the rear of the application site, in excess of 21.0m from the footway along Board School Road. The building would form an ‘L’ shaped footprint and be of a relatively utilitarian appearance, typical of electrical substation housing, and as required by other regulatory standards. The building would be of a relatively modest scale, measuring approximately 2.9m to maximum (flat roofed) height and externally faced in brick with front and side access doors, hazard signage and a rear ventilation grille. Having regard to the relatively modest scale, and simple design, of the proposed building, combined with its set back location from Board School Road, it is not considered that it would harm the character and appearance of the street scene. Adjacent Kingsoak House and No.64 Board

School Road demonstrate fair and red facing brick respectively; accordingly the proposed use of facing brick is considered to be appropriate and would also remain commensurate with materials apparent at the existing substation site to the rear located on the corner Boundary Road and North Road. Furthermore the proposed building would be screened by adjacent Kingsoak House and No.64 Board School Road in oblique views from Board School Road and therefore the 'arc' of visibility would be limited.

10. In views from North Road the proposed building would be screened by the existing bin store building serving adjacent Kingsoak House and the existing substation housing to the rear. In views from Boundary Road the proposed building would appear at distance (circa 45.0m) and in the intervening context of the existing large electrical substation site on the corner of Boundary Road and North Road, which is enclosed by palisade fencing.
11. Overall it is not considered that the proposal would harm the character and appearance of the area, particularly having regard to the existing large electrical substation site on the corner of Boundary Road and North Road. The proposal is therefore considered to accord with Policy CS21 of the Woking Core Strategy (2012), Supplementary Planning Document 'Design (2015)' and the provisions of the National Planning Policy Framework (NPPF) (2012).

Impact upon neighbouring amenity (including noise and light pollution)

12. 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, loss of daylight or sunlight, or an overbearing effect due to bulk, proximity or loss of outlook and be designed to avoid significant harm to the environment and general amenity, resulting from noise and light. Further guidance on assessing neighbouring amenity impacts is provided within SPD 'Outlook, Amenity, Privacy and Daylight (2008)'. Policy DM7 of the Development Management Policies DPD (2016) provides a framework to help mitigate the impact of new noise and light-generating development.

No.64 Board School Road

13. No.64 Board School Road is a two storey end-of-terrace dwelling situated to the west. The proposed building would be located between 406mm and 464mm from the common boundary with No.64, which is formed of close-boarded timber fencing which varies between approximately 1.7m and 2.3m in height. There is a relatively large flat roofed outbuilding within the rear garden of No.64 within close proximity to the common boundary.
14. The proposed building would be of a relatively modest scale, measuring approximately 2.9m to maximum (flat roofed) height, and would therefore project above the existing common boundary treatment by between approximately 0.6m and 1.2m. Whilst sited within close proximity to the common boundary with No.64, taking account of the limited level of projection above the existing common boundary treatment, and the siting of the proposed building away from the rear elevation of No.64, it is not considered that a significantly harmful impact, by reason of potential loss of daylight or sunlight, or overbearing effect due to bulk, proximity or loss of outlook, would occur to the dwelling or rear garden area of No.64 contrary to Policy CS21. The proposed building would not contain any openings facing directly towards the common boundary with No.64, and would only be entered by personnel for occasional safety inspection and maintenance purposes, and therefore no harmful

loss of privacy would occur to No.64.

Kingsoak House

15. The flatted building of Kingsoak House adjoins the application site to the eastern side with a 2.0m high fair-faced brick wall, extending from Kingsoak House itself, and the rear elevation of the Kingsoak House bin store further to the rear, forming the eastern site boundary. The proposed building would be sited approximately 11.5m from the rear elevation of Kingsoak House at its closest point although would be partially screened by the intervening 2.0m high fair-faced brick wall and the adjacent Kingsoak House bin store. Taking into account these factors no significantly harmful impact, by reason of potential loss of daylight or sunlight, or overbearing effect due to bulk, proximity or loss of outlook, is considered to occur to Kingsoak House contrary to Policy CS21. Whilst a personnel door would directly face towards the common boundary this doorway would be entirely screened by the blank rear elevation of the Kingsoak House bin store, and would only be entered by personnel for occasional safety inspection and maintenance purposes, and therefore no harmful loss of privacy would occur to Kingsoak House.

Noise and light pollution

16. The applicants supporting statement sets out that *"the principal function of the substation is to contain circuit protection equipment and switchgear, along with metering. All the equipment is capable of operating automatically, and in normal operation will not require any personnel to enter the building other than for occasional safety inspection and maintenance purposes. As this will be a metering substation and will not contain transformers, the equipment will be silent in operation. No mechanical ventilation, alarms or other noise emitting equipment is to be installed"*.
17. The applicant has also submitted a letter from the District Network Operator (DNO) UK Power Networks (UKPN) which states that *"we would like to confirm that you plan to construct a brick build substation which will house switchgear which be adopted by UK Power Networks...the DNO Substation will house two 11kV Ring Main Units and associated control equipment. This is the same type of equipment (switchgear) that we install within GRP substations, which are often sited within residential areas under permitted development rights. Such substations operate with no adverse noise impact"*.
18. The Environmental Health Service has been consulted on the application and raise no objection on the basis that a brick/block building is proposed to house equipment and that the accompanying statement sets out that the equipment will be silent in operation and that no mechanical ventilation, alarms or other noise emitting equipment is to be installed. Conditions 05 and 06 are recommended to prevent any potential future installation of transformers or other noise emitting equipment within the building, or lighting external to the building, without the prior written approval of the Local Planning Authority. Subject to these recommended conditions the proposal is not considered to result in significant harm to the environment and general amenity, by reason of from noise and light pollution and therefore accords with Policy CS21 of the Woking Core Strategy (2012) and Policy DM7 of the Development Management Policies DPD (2016).

Surface water flood risk

19. Part of the application site is identified as being at a 1 in 1000 year risk of surface water flooding. The Council's Drainage and Flood Risk Team has been consulted on

the application and comment that, following a review of the submitted information, the application complies with the National Planning Policy Framework (NPPF) (2012) and Policy CS9 of the Woking Core Strategy (2012). Therefore the Drainage and Flood Risk Team have no comments on drainage and flood risk grounds as the proposed development will not increase flood risk.

Ground contamination

20. The site is adjacent to a former contaminative use although previous residential redevelopment (now Kingsoak House) has resulted in ground contamination at this adjacent site being remediated through the planning process. Whilst this is the case there remains the potential for contamination to have migrated towards the site. Paragraph 121 of the National Planning Policy Framework (NPPF) (2012) and Policy DM8 of the Development Management Policies DPD (2016) require that proposals for new development should ensure that the site is suitable for the proposed use, which in this instance is an electrical substation, a non-sensitive use.
21. The Council's Contaminated Land Officer has been consulted on the application and raises no objection subject to recommended condition 04 (and informative 04). On this basis the proposal is considered to accord with Paragraph 121 of the National Planning Policy Framework (NPPF) (2012) and Policy DM8 of the Development Management Policies DPD (2016).

LOCAL FINANCE CONSIDERATIONS

22. The proposed development is Nil rated within the Council's Community Infrastructure Levy (CIL) Charging Schedule.

CONCLUSION

23. Overall, the principle of development is considered to be acceptable, it is not considered that the proposal would harm the character and appearance of the area, particularly having regard to the existing large electrical substation site on the corner of Boundary Road and North Road. Furthermore, subject to recommended conditions, the proposal is not considered to give rise to significant harm to the environment and general amenity, including to the residential amenity of adjacent occupiers, and is not considered to increase flood risk. Ground contamination implications can be addressed via recommended planning condition.
24. The proposal is therefore considered to be an acceptable form of development that complies with Policies CS1, CS2, CS9, CS16, CS21, CS23 and CS25 of the Woking Core Strategy (2012), Policies DM7 and DM8 of the Development Management Policies Development Plan Document (DMP DPD) (2016), Supplementary Planning Documents 'Outlook, Amenity, Privacy and Daylight (2008)', 'Design (2015)' and 'Climate Change (2013)', Sections 7, 10 and 11 of the National Planning Policy Framework (NPPF) (2012) and the Planning Practice Guidance (PPG). It is therefore recommended that planning permission is granted subject to conditions as set out below.

BACKGROUND PAPERS

Site visit photographs

Site Notice (General)

Consultation response from Environmental Health Service

Consultation response from Contaminated Land Officer

Consultation response from Drainage & Flood Risk Team

RECOMMENDATION

Grant planning permission subject to the following conditions:

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

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

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

1:1250 scale Site Location Plan, titled 'Board School Road', dated 31 January 2018 and received by the Local Planning Authority on 08.02.2018.

1:200 scale Block Plan, titled 'Board School Road', dated 31 January 2018 and received by the Local Planning Authority on 08.02.2018.

23008/005 Rev D (Proposed Substation Layout), dated 07.02.18 and received by the Local Planning Authority on 08.02.2018.

23008/010 Rev C (Proposed Substation Floor Plan), dated 07.02.18 and received by the Local Planning Authority on 08.02.2018.

23008/015 Rev B (Proposed Substation Roof Plan & Elevations), dated 07.02.18 and received by the Local Planning Authority on 08.02.2018.

Supporting Statement by Thameswey Energy Ltd (2pp), unnumbered and received by the Local Planning Authority on 08.02.2018.

Letter from UK Power Networks (Ref: 8600009425), dated 12 February 2018 and received by the Local Planning Authority on 22.02.2018.

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

03. The development hereby permitted shall be constructed in the external materials and boundary treatments as set out within Section 9 (Materials) of the submitted application form unless otherwise first agreed in writing by the Local Planning Authority.

Reason: To protect the character and appearance of the area in accordance with Policy CS21 of the Woking Core Strategy (2012), Supplementary Planning Document 'Design (2015)' and the provisions of the National Planning Policy Framework (NPPF) (2012).

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

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

Should no ground contamination be readily identified during the development, confirmation of this should be provided in writing to the Local Planning Authority.

Reason: In accordance with Paragraph 121 of the National Planning Policy Framework (NPPF) (2012) and Policy DM8 of the Development Management Policies Development Plan Document (DMP DPD) (2016) which require that proposals for new development should ensure that the site is suitable for the proposed use.

05. Other than as set out within Section 22 (Industrial or Commercial Processes and Machinery) of the submitted application form no plant, transformers or similar noise emitting equipment shall be installed within the building hereby permitted until details (including acoustic specifications and any noise mitigation) have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details and permanently maintained as such unless otherwise first agreed in writing by the Local Planning Authority.

Reason: To protect the environment and general amenity, and the residential amenities of the occupants of neighbouring properties, from potential noise and disturbance in accordance with Policy CS21 of the Woking Core Strategy (2012), Policy DM7 of the Development Management Policies Development Plan Document (DMP DPD) (2016) and the provisions of the National Planning Policy Framework (NPPF) (2012).

06. No lighting external to the building hereby permitted shall be installed on the site until details of any such external lighting have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details and permanently maintained as such unless otherwise first agreed in writing by the Local Planning Authority.

Reason: To protect the environment and general amenity, and the residential amenities of the occupants of neighbouring properties, from potential light pollution in accordance with Policy CS21 of the Woking Core Strategy (2012), Policy DM7 of the Development Management Policies Development Plan Document (DMP DPD) (2016) and the provisions of the National Planning Policy Framework (NPPF) (2012).

Informatives

01. The Council confirms that in assessing this planning application it has worked with the applicant in a positive and proactive way, in line with the requirements of paragraph 186-187 of the National Planning Policy Framework (NPPF) (2012). The application was considered to be acceptable as initially submitted.
02. The applicant is advised that Council officers may undertake inspections without prior warning to check compliance with approved plans and to establish that all planning conditions are being complied with in full. Inspections may be undertaken both during and after construction.
03. The applicant is advised that, 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

20 MARCH 2018 PLANNING COMMITTEE

08.00 – 13.00 Saturday
and not at all on Sundays and Bank/Public Holidays.

04. In seeking to address and discharge the “contamination remediation” (condition 04) above, the applicant’s attention is drawn to the fact that the application site is situated on or in close proximity to land that could be potentially contaminated by virtue of previous historical uses of the land. Visual and olfactory evidence of contamination can take many forms including hydrocarbon or solvent odours, ash and clinker, buried wastes, burnt wastes/objects, metallic objects, staining and discolouration of soils, oily sheen on ground water and fragments of asbestos containing materials (ACMs) (Note: this list is intended to be used as a guide to some common types of contamination and is not exhaustive).

In seeking to address condition 04 a photographic record of works should be incorporated within the validation report. Should no ground contamination be identified then a brief comment to this effect shall be required to be provided in writing to the Local Planning Authority. The Local Planning Authority cannot confirm that the condition has been fully discharged until any validation report has been agreed.

SECTION C

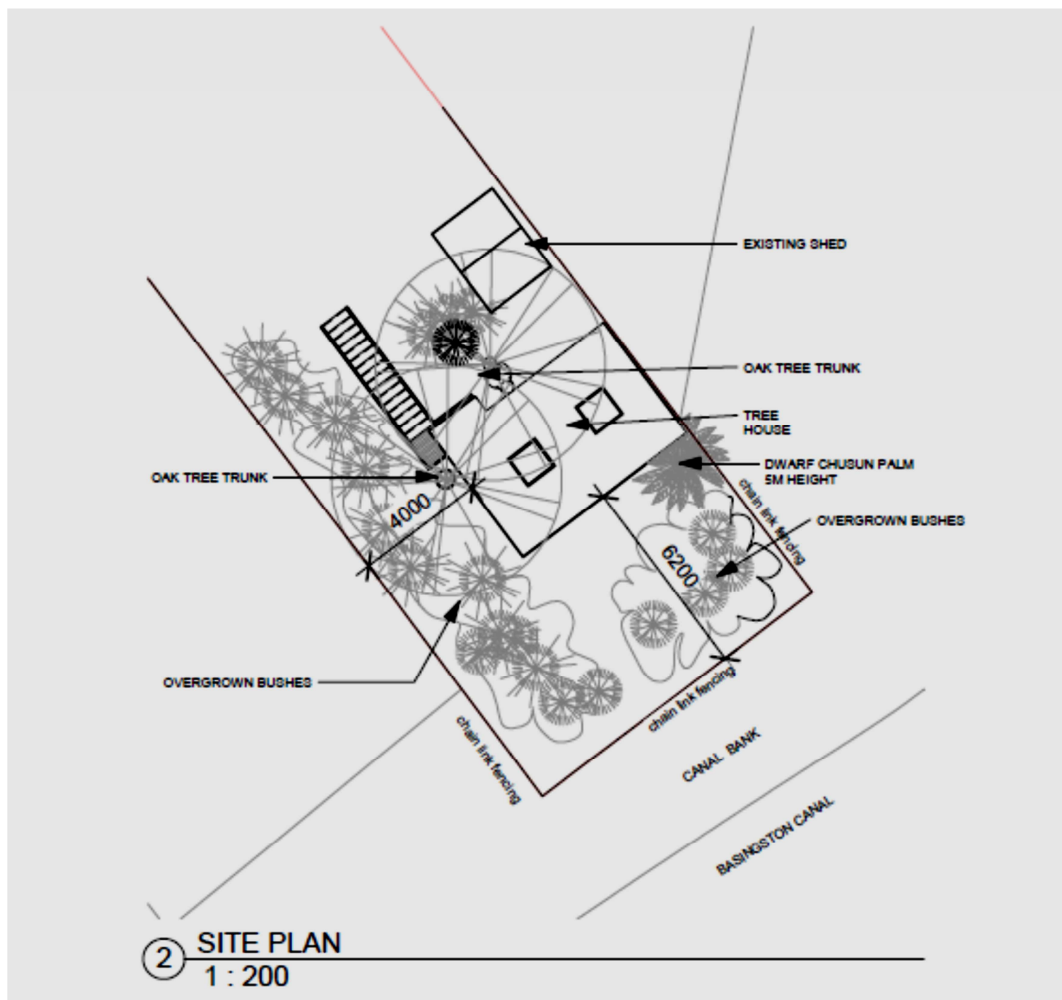
**APPLICATION REPORTS NOT TO BE
PRESENTED BY OFFICERS UNLESS REQUESTED
BY A MEMBER OF THE COMMITTEE**

(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)

29 Silver Birch Close, Woodham, Woking

PLAN/2018/0050

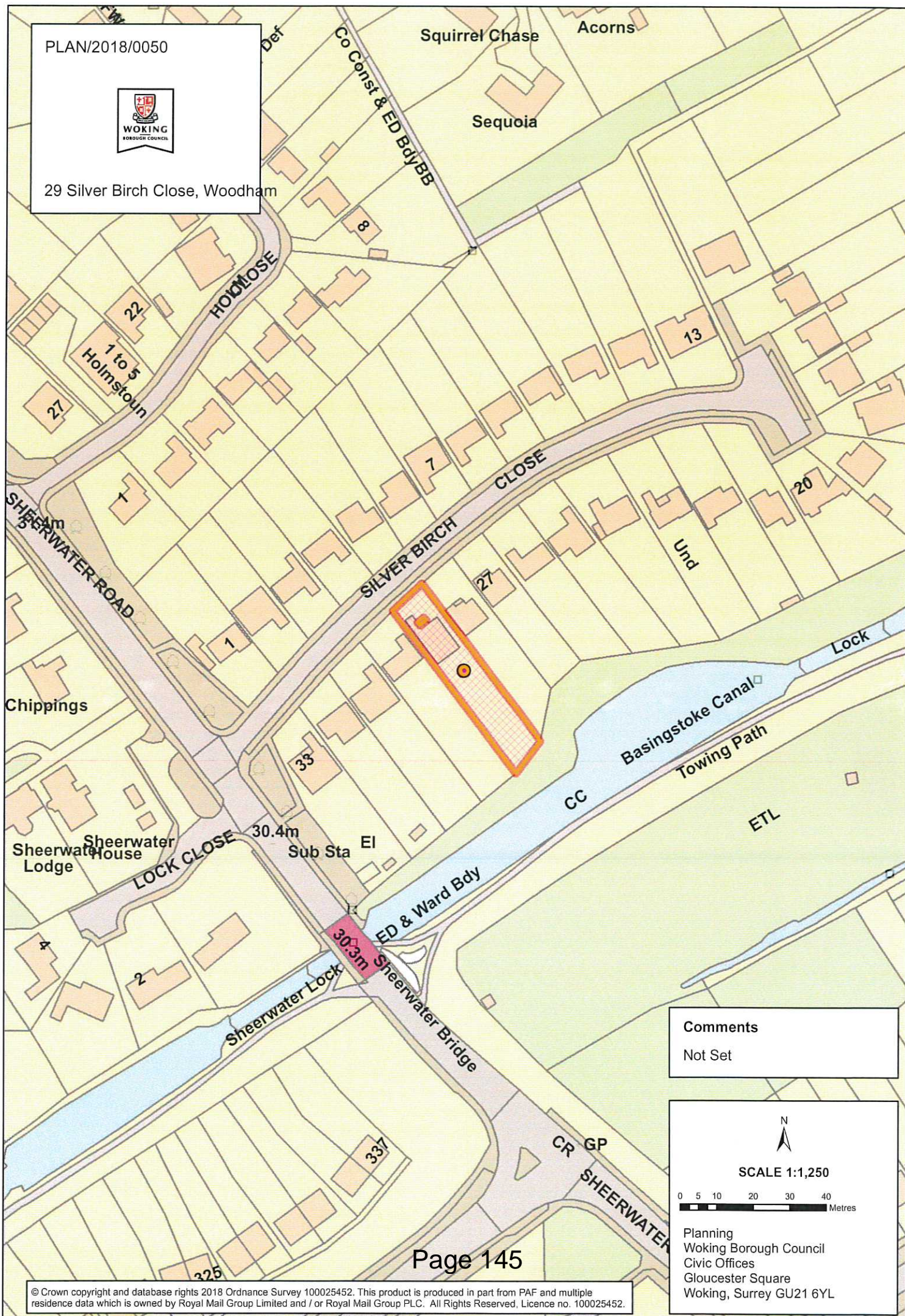
Retrospective application for retention of treehouse to rear of rear garden.



PLAN/2018/0050



29 Silver Birch Close, Woodham



Comments

Not Set



SCALE 1:1,250

0 5 10 20 30 40 Metres

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

20 MARCH 2018 PLANNING COMMITTEE

5i 18/0050 Reg'd: 05.02.18 Expires: 02.04.18 Ward: C
Nei. 08.03.18 BVPI 21 Number 6/8 On
Con. Target (Household) of Weeks Target?
Exp: on Cttee' Yes
Day:

LOCATION: 29 Silver Birch Close, Woodham, Woking, KT15 3QW

PROPOSAL: Retrospective application for retention of treehouse to rear of rear garden.

TYPE: Householder Application

APPLICANT: Ms J Clayton

OFFICER: Benjamin Bailey

REASON FOR REFERRAL TO COMMITTEE

The decision on whether to issue an Enforcement Notice falls outside the Management Arrangements and Scheme of Delegations.

SUMMARY OF PROPOSED DEVELOPMENT

This is a householder planning application which seeks retrospective planning permission for the retention of treehouse to rear of rear garden.

PLANNING STATUS

- Urban Area
- Adjacent to Basingstoke Canal Conservation Area
- Adjacent to Basingstoke Canal Corridor
- Adjacent to Urban Open Space
- Adjacent to Site of Special Scientific Interest (SSSI)
- Thames Basin Heaths Special Protection Area (TBH SPA) Zone B (400m-5km)

RECOMMENDATION

Refuse planning permission and authorise formal enforcement proceedings.

SITE DESCRIPTION

The application site forms the residential curtilage of the two storey detached dwelling of No.29 Silver Birch Close, situated within the Urban Area although adjacent to the Basingstoke Canal to the south, which is designated both as a Conservation Area and Urban Open Space in this location.

RELEVANT PLANNING HISTORY

None relevant

CONSULTATIONS

Heritage & Conservation Consultant:	Raises objection due to impact upon Basingstoke Canal Conservation Area.
Arboricultural Officer:	No comments received. Any comments received will be updated at Planning Committee.
Basingstoke Canal Authority:	No comments received. Any comments received will be updated at Planning Committee.

REPRESENTATIONS

None received

RELEVANT PLANNING POLICIES

National Planning Policy Framework (NPPF) (2012)

Section 7 - Requiring good design

Section 11 - Conserving and enhancing the natural environment

Section 12 - Conserving and enhancing the historic environment

Woking Core Strategy (2012)

CS7 - Biodiversity and nature conservation

CS17 - Open space, green infrastructure, sport and recreation

CS20 - Heritage and conservation

CS21 - Design

CS24 - Woking's landscape and townscape

CS25 - Presumption in favour of sustainable development

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

DM2 - Trees and landscaping

DM4 - Development in the vicinity of Basingstoke Canal

DM20 - Heritage assets and their settings

Supplementary Planning Documents (SPD's)

Outlook, Amenity, Privacy and Daylight (2008)

Design (2015)

Supplementary Planning Guidance (SPG):

Heritage of Woking (2000)

Other Material Considerations

Planning Practice Guidance (PPG)

PLANNING ISSUES

01. The main planning issues to consider in determining this application are:
- Principle of development
 - Design and impact upon the character of the area, including the setting of the adjacent Basingstoke Canal Conservation Area and Corridor and adjacent Urban Open Space

- Impact upon neighbouring amenity
- Biodiversity and trees

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

Principle of development

02. The application site is within the Urban Area where the principle of ancillary residential outbuildings and structures, within a residential curtilage associated with a dwellinghouse, is acceptable subject to the planning considerations of the impact upon the character and appearance of the surrounding area and impact upon neighbouring amenity, and any other relevant planning considerations.

Design and impact upon the character of the area, including the setting of the adjacent Basingstoke Canal Conservation Area and Corridor and adjacent Urban Open Space

03. Policy CS21 of the Woking Core Strategy (2012) requires development proposals to *“respect and make a positive contribution to the street scene and the character of the area in which they are situated, paying due regard to the scale, height, proportions, building lines, layout, materials and other characteristics of adjoining buildings and land”*. Furthermore Section 7 of the NPPF (2012) states that *“permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions”* and requires proposals to *“respond to local character and history, and reflect the identity of local surroundings and materials...”*
04. Although described by the applicant within the submitted application form as a “treehouse” the structure has been constructed partly above, and partly overflying (via supporting timber piers), a seemingly pre-existing single storey timber-clad garden outbuilding. The “treehouse” structure is timber-clad and entirely enclosed (with the exception of several openings) to all four elevations, with a maximum height above ground level measuring approximately 5.4m and a very shallow monopitched roof demonstrating an approximate 4.8m eaves height. The submitted plans show a stair to lead up to the structure, the first floor level of which measures approximately 2.7m above ground level, although (as of 27.02.18) the stair has yet to be installed. The structure appears otherwise substantially externally complete. Due to the above factors, including the position of the structure elevated above a seemingly pre-existing single storey timber clad garden outbuilding, the structure has the outward appearance of a two storey timber-clad garden outbuilding as opposed to the external appearance typically associated with a “treehouse” whereby a clear visual separation would occur between ground level and the lower part of the structure.
05. The structure has an incongruous form and scale which is readily at odds with the sylvan nature of the rear gardens of dwellings in Silver Birch Close, although it is not apparent in public views achievable from either Silver Birch Close or Sheerwater Road due to intervening features and distance. Notwithstanding this the structure is however readily apparent in views from neighbouring gardens, including adjacent No.28 and No.30, where the incongruous and uncharacteristic appearance is prominent in its own right and atypical of the sylvan nature of the rear gardens. Furthermore, in this instance the application site is adjacent to the Basingstoke Canal, this section of which forms part of the wider Basingstoke Canal Conservation Area and Canal Corridor and which is also designated as Urban Open Space. The “treehouse” structure is located within close proximity to the Basingstoke Canal towards the terminus of the rear garden of the dwelling of No.29.

06. Therefore the impact of the proposed development upon the setting of the Basingstoke Canal Conservation Area and Corridor also needs to be taken into account. In addition to the Conservation Area designation new development in the vicinity of Basingstoke Canal is also subject to the criteria of Policy DM4 of the Development Management Policies DPD (2016), which states that *“development proposals which would 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 in the vicinity of the Canal will be permitted, if all other relevant Development Plan policies are met”*.
07. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 sets out that, in considering applications within, or affecting the setting of, Conservation Areas, Local Planning Authorities shall pay *“special attention...to the desirability of preserving or enhancing the character or appearance of that area”*. This is reflected within Policy CS20 of the Woking Core Strategy (2012), Policy DM20 of the Development Management Policies DPD (2016) and Section 12 of the National Planning Policy Framework (2012) (NPPF). Policy CS20 advises that new development must respect and enhance the character and appearance of the area in which it is proposed and should also make a positive contribution to the character, distinctiveness and significance of the historic environment.
08. Policy CS17 is also relevant in this instance, due to the Urban Open Space designation of this section of the Basingstoke Canal, and states that *“development will not normally be permitted which would have a detrimental impact upon the landscape quality, ecological value or water quality of the following corridors...these include the...Basingstoke Canal”*. The reasoned justification text to Policy CS17 states that *“the Council recognises that water resources, such as river and canal corridors are of great importance for...recreation and landscape value. Rivers and canals are also an important source of open space”*. Policy CS24 states that *“all development proposals will provide a positive benefit in terms of landscape and townscape character, and local distinctiveness and will have regard to landscape character areas. To protect local landscape and townscape character, development will be expected to: conserve, and where possible enhance existing character, especially key landscapes such as...the canal/river network”*.
09. The Basingstoke Canal was completed in 1794, originally intended to boost agricultural trade in Central Hampshire, providing an economical form of transport for bulk cargoes as well as providing an important system of transport for the construction of the London and South-west railway. By the mid 1960's the Canal was semi-derelict, most of the tow paths overgrown, the locks in a state of decay and the water channel choked in places by silt, weeds and refuse. Surrey and Hampshire County Councils began a co-ordinated programme of restoration in the early 1970's, aided by voluntary bodies, and culminated in the re-opening of the Canal in 1991. Whilst it is acknowledged that the Basingstoke Canal is an industrial feature, although now forming a 'green corridor' through Woking, and neighbouring Boroughs, this section of the Canal, to the east of Sheerwater Bridge and up to the Woking Borough boundary with Runnymede, is sylvan and semi-rural in character, hence the designation of this section of the Canal as Urban Open Space, in contrast to sections of the Canal which transect more developed, urban areas of the Borough.
10. The “treehouse” structure is readily apparent in public views from the towpath on the opposite, southern side of the Basingstoke Canal. Whilst it is acknowledged that timber close-board fencing appears to form the rear boundary of the curtilage of No.33 Silver Birch Close, and some close-board timber fencing is apparent in association with the electrical sub-station, to the south-west (near to Sheerwater Bridge), and that

some ancillary garden outbuildings are visible within the rear gardens of properties within Silver Birch Close from the Canal towpath, all of these structures are relatively limited in height and are not considered comparable to the approximate 5.4m maximum height of the “treehouse” structure the subject of the current application. It is also acknowledged that a seemingly pre-existing garden outbuilding was present in the location of the “treehouse”, which has been built partly above this structure. Whilst this is the case this seemingly pre-existing structure was relatively limited in height, appearing to constitute ‘permitted development’ under the provisions of Part 1, Class E of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), and again is not considered comparable to the approximate 5.4m maximum height of the “treehouse” structure the subject of the current application.

11. Overall, by reason of its scale, form and prominent location within close proximity to the Basingstoke Canal, and its appearance as a substantially elevated garden shed, the “treehouse” structure appears incongruous and out of context with its surroundings and therefore fails to respect and make a positive contribution to the character of the area in which it is situated, fails to conserve or enhance the landscape and heritage character, setting and enjoyment of the adjacent Basingstoke Canal Corridor and Urban Open Space, and fails to preserve the setting of the adjacent Basingstoke Canal Conservation Area. It is therefore contrary to Policies CS20, CS21 and CS24 of the Woking Core Strategy (2012), Policies DM4 and DM20 of the Development Management Policies Development Plan Document (DMP DPD) (2016), Sections 7 and 12 of the National Planning Policy Framework (NPPF) (2012), Supplementary Planning Document 'Design (2015)' and Supplementary Planning Guidance 'Heritage of Woking (2000)'.

Impact upon neighbouring amenity

12. 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, loss of daylight or sunlight, or an overbearing effect due to bulk, proximity or loss of outlook. Further guidance on assessing neighbouring amenity impacts is provided within SPD 'Outlook, Amenity, Privacy and Daylight (2008)'. The key neighbouring amenity considerations in this instance are those of adjacent No.28 and No.30 Silver Birch Close.

No.28 Silver Birch Close

13. No.28 Silver Birch Close is a two storey detached dwelling situated to the east. The “treehouse” structure is located adjacent to the very terminus of the rear garden of No.28, which measures approximately 33.0m in depth, although is located immediately adjacent to the common boundary, on the No.28 side of which are located x2 timber garden sheds. Given these cumulative factors it is not considered that the “treehouse” structure gives rise to a significantly harmful impact, by reason of loss of daylight or sunlight, or overbearing effect due to bulk, proximity or loss of outlook, to either the dwelling or rear garden of No.28 such that a breach of Policy CS21 occurs. Whilst it is acknowledged that the “treehouse” structure appears incongruous and discordant when viewed from the rear elevation, and rear garden, of adjacent No.28 it is nonetheless not considered that its presence causes a significantly harmful loss of outlook or overbearing effect to this dwelling or its rear garden. Furthermore there is no ‘right to a view’ across third party land. The absence of significant harm in this respect does not alter the conclusion of harm with regard to design and character.

14. The “treehouse” structure demonstrates a door opening within its front elevation although also proposes a front stair which is not yet (as of 27.02.18) in-situ. A side-facing window faces the common boundary with No.28 and is currently clear-glazed although the submitted plans annotate this side-facing window as consisting of “*obscured glass*”. There is some vegetative screening in front of the “treehouse” structure within the rear garden of the application property, which largely obscures the position of the doorway and intended stair when viewed from No.28 although the side-facing window is readily apparent when viewed from No.28. However this existing vegetative screening could be removed by existing or future occupiers of the application property, further planting may not form a viable or permanent solution even if effective and none is proposed within the current application. It is not considered therefore that vegetative screening can be relied upon to mitigate potential harm by reason of overlooking.
15. The submitted plans show a stair to lead up to the structure, the first floor level of which measures approximately 2.7m above ground level. The door opening within the front elevation, together with the stair if installed, is indirectly orientated back towards the rear elevation of No.28, and also faces indirectly towards the most sensitive area of private rear amenity space serving No.28, that closely related to the dwelling (eg. patio area). Dwellings on this southern side of Silver Birch Close have a well defined character in that rear amenity spaces terminate close to the Basingstoke Canal; in this relatively unique circumstance there is therefore something of an expectation of occupiers that privacy would not be compromised as this is a situation whereby future development would not be expected given the constraints and designations of the Basingstoke Canal to the rear.
16. Overall, by reason of its elevated first floor height, orientation and location of openings and provision of an external stair, it is considered that the “treehouse” structure gives rise to a significantly harmful impact to the rear elevation, and private rear garden area, of adjacent No.28 Silver Birch Close by reason of both overlooking, and a perception of overlooking, and subsequent loss of privacy. This is contrary to Policy CS21 of the Woking Core Strategy (2012), Supplementary Planning Documents ‘Outlook, Amenity, Privacy and Daylight (2008)’ and ‘Design (2015)’ and the provisions of the National Planning Policy Framework (NPPF) (2012).

No.30 Silver Birch Close

17. No.30 Silver Birch Close is a two storey detached dwelling situated to the west. The “treehouse” structure is located towards the terminus of the rear garden of No.30, which measures approximately 36.0m in depth, and approximately 4.0m from the common boundary. Given these cumulative factors it is not considered that the “treehouse” structure gives rise to a significantly harmful impact, by reason of loss of daylight or sunlight, or overbearing effect due to bulk, proximity or loss of outlook, to either the dwelling or rear garden of No.30 such that a breach of Policy CS21 occurs. Whilst it is acknowledged that the “treehouse” structure appears incongruous and discordant when viewed from the rear elevation and rear garden of adjacent No.30 it is nonetheless not considered that its presence causes a significantly harmful loss of outlook or overbearing effect to this dwelling or its rear garden. Furthermore there is no ‘right to a view’ across third party land. The absence of significant harm in this respect does not alter the conclusion of harm with regard to design and character.
18. The “treehouse” structure demonstrates a door opening within its front elevation although also proposes a front stair which is not yet in-situ. No other openings would face towards No.30 or its rear amenity space. There is some intervening vegetative screening between No.30 and the structure although this vegetative screening

appears to be located within the residential curtilages of both No.30 and of the application property and could be removed by existing or future occupiers of No.30 and/or the application property. Further planting may not form a viable or permanent solution even if effective and none is proposed within the current application. It is not considered therefore that vegetative screening can be relied upon to mitigate potential harm by reason of overlooking.

19. The submitted plans show a stair to lead up to the structure, the first floor level of which measures approximately 2.7m above ground level. The door opening within the front elevation, together with the staircase if installed, is indirectly orientated back towards the rear elevation of No.30, and also faces indirectly towards the most sensitive area of private rear amenity space serving No.30, that closely related to the dwelling (eg. patio area). Dwellings on this southern side of Silver Birch Close have a well defined character in that rear amenity spaces terminate close to the Basingstoke Canal; in this relatively unique circumstance there is therefore something of an expectation of occupiers that privacy would not be compromised as this is a situation whereby future development would not be expected given the constraints and designations of the Basingstoke Canal to the rear.
20. Overall, by reason of its elevated first floor height, orientation and location of openings and provision of an external stair, it is considered that the “treehouse” structure gives rise to a significantly harmful impact to the rear elevation, and private rear garden area, of adjacent No.30 Silver Birch Close by reason of both overlooking, and a perception of overlooking, and subsequent loss of privacy. This is contrary to Policy CS21 of the Woking Core Strategy (2012), Supplementary Planning Documents ‘Outlook, Amenity, Privacy and Daylight (2008)’ and ‘Design (2015)’ and the provisions of the National Planning Policy Framework (NPPF) (2012).

Biodiversity and trees

21. Whilst it is noted that the site is adjacent to a Site of Special Scientific Interest (SSSI) (this section of the Basingstoke Canal) having regard to nature of the “treehouse” structure, having been constructed partly above, and partly overflying (via supporting timber piers), a seemingly pre-existing single storey timber-clad garden outbuilding, it is not considered that harmful impacts to biodiversity have arisen in this instance as any disturbance to ground and vegetation appears minimal. Whilst the “treehouse” structure has been constructed within close proximity to trees the trees in question are not protected by virtue of Tree Preservation Order (TPO) and do not appear to be situated within the Basingstoke Canal Conservation Area.

LOCAL FINANCE CONSIDERATIONS

22. The uplift in as built ancillary residential floorspace does not exceed 100 sq.m and the development is therefore not Community Infrastructure Levy (CIL) liable.

CONCLUSION

23. Overall, by reason of its scale, form and prominent location within close proximity to the Basingstoke Canal, and its appearance as a substantially elevated garden shed, the “treehouse” structure appears incongruous and out of context with its surroundings and therefore fails to respect and make a positive contribution to the character of the area in which it is situated, fails to conserve or enhance the landscape and heritage character, setting and enjoyment of the adjacent Basingstoke Canal Corridor and Urban Open Space, and fails to preserve the setting of the adjacent Basingstoke Canal Conservation Area. It is therefore contrary to Policies CS20, CS21 and CS24 of

the Woking Core Strategy (2012), Policies DM4 and DM20 of the Development Management Policies Development Plan Document (DMP DPD) (2016), Sections 7 and 12 of the National Planning Policy Framework (NPPF) (2012), Supplementary Planning Document 'Design (2015)' and Supplementary Planning Guidance 'Heritage of Woking (2000)'.

24. Furthermore, by reason of its elevated first floor height, orientation and location of openings and provision of an external stair, it is considered that the “treehouse” structure gives rise to a significantly harmful impact to the rear elevation, and private rear garden area, of both adjacent No.30 Silver Birch Close and No.28 Silver Birch Close by reason of both overlooking, and a perception of overlooking, and subsequent loss of privacy. This is contrary to Policy CS21 of the Woking Core Strategy (2012), Supplementary Planning Documents ‘Outlook, Amenity, Privacy and Daylight (2008)’ and ‘Design (2015)’ and the provisions of the National Planning Policy Framework (NPPF) (2012). It is therefore recommended that planning permission is refused.

BACKGROUND PAPERS

Site visit photographs

Site Notice (Development Affecting a Conservation Area)

Consultation response from Heritage and Conservation Consultant

RECOMMENDATION

Refuse planning permission for the following reasons:

01. By reason of its scale, form and prominent location within close proximity to the Basingstoke Canal, and its appearance as a substantially elevated garden shed, the “treehouse” structure appears incongruous and out of context with its surroundings and therefore fails to respect and make a positive contribution to the character of the area in which it is situated, fails to conserve or enhance the landscape and heritage character, setting and enjoyment of the adjacent Basingstoke Canal Corridor and Urban Open Space, and fails to preserve the setting of the adjacent Basingstoke Canal Conservation Area. It is therefore contrary to Policies CS20, CS21 and CS24 of the Woking Core Strategy (2012), Policies DM4 and DM20 of the Development Management Policies Development Plan Document (DMP DPD) (2016), Sections 7 and 12 of the National Planning Policy Framework (NPPF) (2012), Supplementary Planning Document 'Design (2015)' and Supplementary Planning Guidance 'Heritage of Woking (2000)'.
02. By reason of its elevated first floor height, orientation and location of openings and provision of an external stair, it is considered that the “treehouse” structure gives rise to a significantly harmful impact to the rear elevation, and private rear garden area, of both adjacent No.30 Silver Birch Close and No.28 Silver Birch Close by reason of both overlooking, and a perception of overlooking, and subsequent loss of privacy. This is contrary to Policy CS21 of the Woking Core Strategy (2012), Supplementary Planning Documents ‘Outlook, Amenity, Privacy and Daylight (2008)’ and ‘Design (2015)’ and the provisions of the National Planning Policy Framework (NPPF) (2012).

It is further recommended:

- a) That the Head of Legal Services be instructed to issue an Enforcement Notice under Section 172 of The Town & Country Planning Act 1990 (as amended) in respect of the above land requiring the remedy of the breach of planning control to be achieved through the removal of the “treehouse” structure and all resulting materials and spoil

from the site arising from such within three (3) months of the Enforcement Notice taking effect.

Informatives

01. The plans relating to the retrospective planning application hereby refused are numbered/titled:

A101 (Sections and Plan Views), dated 29.01.18 and received by the Local Planning Authority on 02.02.2018

A102 (Elevations and Sections), dated 29.01.18 and received by the Local Planning Authority on 02.02.2018

A103 (Location and Site Plan), dated 29.01.18 and received by the Local Planning Authority on 02.02.2018

02. The Council confirms that in assessing this planning application it has worked with the applicant in a positive and proactive way, in line with the requirements of paragraph 186-187 of the National Planning Policy Framework (NPPF) (2012). The application is retrospective in nature, seeking to remedy a breach of planning control which is considered to constitute unacceptable development. It is not considered that the development, which is externally substantially complete, can be amended to result in an acceptable form of development.

PLANNING COMMITTEE –

CONFIRMATION OF TREE PRESERVATION ORDER REF. TPO/0009/2017 – LAND AT ST JOHNS PRIMARY SCHOOL, VICTORIA ROAD, KNAPHILL, SURREY, GU21 2AS

Executive Summary

The purpose of this report is to recommend to the Committee that a Tree Preservation Order be confirmed following the receipt of one letter of objection to the making of the Order. The Tree Preservation Order protects a mature Sweet Chestnut tree of approximately 18m in height at St Johns Primary School, Victoria Road, Knaphill, Surrey, GU21 2AS

Recommendations

The Committee is requested to:

RESOLVE that Tree Preservation Order ref. TPO/0009/2017 be confirmed without modification

This Committee has authority to determine the above recommendations.

Background Papers:

Plan from Tree Preservation Order showing location of tree

Letters of objection from the Head Teacher, Ms Sarah May

Reporting Officer:

Chris Dale
Ext. (74) 3435, E Mail chris.dale@woking.gov.uk

Contact Officer:

Dave Frye, Arboricultural Officer
Ext. (74) 3749, E Mail dave.frye@woking.gov.uk

Introduction

- 1.1 A Tree Preservation Order was made on 19th October 2017 to protect a single Sweet Chestnut tree of approximately 18m in height at St Johns Primary School, Victoria Road, Knaphill, Surrey, GU21 2AS (ref. TPO/0009/2017) (Appendix 3).
- 1.2 The plan from the Tree Preservation Order showing the location of the tree is attached at Appendix 1.
- 1.3 One objection was received to the making of the Tree Preservation Order. This objection is attached at Appendix 2.
- 1.4 Notwithstanding the objections received to the making of the Tree Preservation Order, the recommendation is that it be confirmed without modification.

2.0 Background Information

- 2.1 Further to the Council becoming aware that the school wished to remove the tree, a Tree Preservation Order (the subject of this report) was made to protect the tree on 19th October 2017. The tree was protected because it is a substantial mature specimen of high landscape significance.
- 2.2 The tree has been in place since the school was created and is regularly inspected by a tree inspector at Babcock 4S who look after the vast majority of trees in schools in Surrey.
- 2.3 The arboricultural manager at Babcock 4S, Julian Abraham, has expressed his support in favour of the TPO (Appendix 4)

3.0 Letter of objection

- 3.1 One letter of objection was received by the Council from the School Head Teacher of the tree, Ms Sarah May dated 3rd November 2017, objecting to the making of the Order on the following grounds.
 - The tree affects the quality of the provision that the school can offer its children given the tree's location within the outdoor nursery area
 - The tree limits the range of activities that the school can offer the children given the tree's location within the outdoor nursery area, for example the use of bikes and trikes
 - The cleaning of the chestnuts which fall from the tree which in turn results in the closure of the area around the tree to ensure the health and safety of the children
 - Similarly with the leaves that fall on the ground, these cause a slip hazard if left on the ground
 - Bird droppings cause an impact on the provision for the children within the play area.
 - The tree is not visually significant within the landscape and it is not a local landmark.
 - The tree negatively impacts on the effectiveness of the nursery – which is itself a public amenity.
 - Any positive impact the tree has to the locality is outweighed by the negative impact it has on the learning experiences of the children.

- 3.2 The Tree Officer's response to the objections received is as follows:
- 3.3 The concerns surrounding the falling chestnuts and falling leaves is a seasonal issue that can be resolved by establishing an appropriate cleaning regime. Although the removal of the tree in question would reduce the amount of leaf fall in the area, the proximity of adjacent trees would mean that the problem would not be eradicated as such this is not justification for the removal of this tree.
- 3.4 Although bird droppings are a year round problem the concerns from this can be abated through an appropriate cleaning regime. However, if this is not possible then there are devices which can be used to dissuade birds from nesting or sitting in trees. Similarly, although the removal of the tree in question would reduce the amount of bird droppings in the area, the proximity of adjacent trees would mean that the problem would not be eradicated as such this is not justification form the removal of this tree.
- 3.5 For generations before and for generations after, this tree has and will provide a valuable educational resource. This tree is approximately 100 years old and based on similar trees of the same species could last for another 200 years plus. Within the local area, there are only a few other trees of similar significance. The opportunities that a tree of this age has, with regards to education, especially given the current climate surrounding sustainability and environmental protection, are exceptionally high and therefore enhances the educational value of the school thus improving the effectiveness of the school as a public amenity.
- 3.6 Throughout the objection there was reference questioning the public amenity of the tree. Given its location within the school and its proximity to the local highway, the tree's public amenity value is high and it significantly adds to the sylvan character of the area.
- 3.7 Consideration should also be taken for the tree's veteran status. A veteran is a tree that is of high amenity value, is of ecological importance and is of relative great age. The Forestry Commission identify that "Britain has more veteran trees than most countries in Europe, and their conservation is of international interest"

4.0 Implications

Financial

- 4.1 None

Human Resource/Training and Development

- 4.2 None

Environmental/Sustainability

- 4.3 The mature Sweet Chestnut tree that has been protected is likely to continue making a significant contribution to the character and amenities of the locality for many years to come. Removal would have a detrimental impact on public amenity.

5.0 Conclusions

- 5.1 Given the rarity of a tree of this age, its high public amenity value and its educational values, protection of the tree is considered appropriate and it is recommended that the Tree Preservation Order be confirmed without modification.

REPORT ENDS

TPO/0009/2017

XY centrepoint
497,240 , 158,279



AI

05/03/2018



KEY

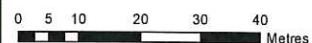
- Tree Preservation Order Points

Tree Preservation Order Polygons

- T
- A (Area)
- G (Group)
- W (Woodland)
- Conservation Areas (July 2008)



SCALE 1:1,250



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

A2



St John's Primary School
Victoria Road
Knaphill
Woking
Surrey
GU21 2AS

email:

Executive Headteacher: Mrs Pauline Alexander
Head of School: Miss Sarah May

www.st-johns-knaphill.surrey.sch.uk

3rd November 2017

Dear Sir/Madam,

I am writing to object to the proposed Tree Preservation Order reference: TPO/0009/2017. This proposed TPO relates to a sweet chestnut which is located within the grounds of St John's Primary School.

I understand that the following criteria have been adopted by the Council for the selection of trees to be protected by a Preservation Order:

1. the health and condition of the tree; and subject to meeting the first criterion,
2. the amenity value of the tree to the public.

Therefore I am objecting to the order on a number of grounds listed below.

Health and Structural Condition

Under the Council's criteria, it states that the type and position of the tree should be appropriate to its location, and also questions whether the tree compromises adjacent buildings, structures or services.



ST JOHN'S PRIMARY SCHOOL, KNAPHILL



The sweet chestnut is inappropriate to its location. It is in the middle of the Bears Nursery Outdoor Area which measures 15 metres by 12 metres. The tree is approximately 18 metres tall with a crown spread ratio of 5 metres and due to its size, it dominates the area and seriously affects the quality of the provision we can offer the children in our care and examples of this are given below.

Access throughout the year to an appropriately resourced outdoor learning environment is vital to delivering a quality Early Years Curriculum. There is strong evidence that that time spent learning and playing outdoors in the early years has a positive impact upon learning, can help to prevent obesity and can help with mental health. Currently 30% of the children at St John's are eligible for Pupil Premium funding, this means that the provision of excellent nursery education is even more vital for these children. Many of the children who attend our Nursery do not have gardens and therefore providing quality outdoor space is essential.

The tree takes up a significant amount of space and therefore limits the range of activities we can offer our children. Over the last five years, three different Nursery teachers have expressed serious concerns over the impact the tree has on the provision we can offer for the children. For example, there is currently insufficient space for the children to use bikes and trikes in the area.



There are also significant health and safety concerns. These concerns result in a significant amount of time in the school year where outside play is diminished/impeded as a result of the sweet chestnut tree.

1. In the first half of the autumn term, large quantities of sweet chestnuts fall to the ground and it is almost impossible to keep the area clear. It takes over an hour a day to sweep up and remove the sweet chestnuts, and even if cleared in the morning significant quantities will fall during the day. This

means frequent closures of the area to ensure the health and safety of the children.

2. There is then a similar concern with the leaves, which again take a large amount of time to clear. They are a health and safety issue, because if left on the ground the leaves are very slippery. A member of staff has injured themselves after slipping over on wet leaves.



3. Bird droppings are another health and safety issue for the Nursery team. Bird droppings on equipment have to be cleaned before the children can safely use the equipment. It is accepted that in any outdoor area there will be some bird droppings, however, because of the size and position of the tree, the amount of bird droppings is impacting on the provision for the children. We have received a number of complaints from parents concerning this issue.

Amenity

Under the Council's criteria, it states that the tree should be visually significant within the landscape and should have a public amenity value.

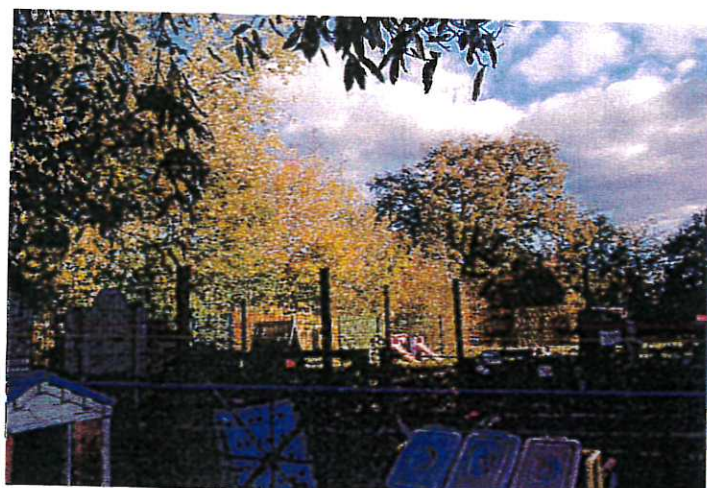
The Sweet Chestnut is not visually significant within the landscape and is not a local landmark. The tree is not on the boundary of the school grounds; it is approximately eleven metres from the boundary. There is a line of trees on the boundary which largely obscure the tree from view. As these trees grow the tree will be increasingly obscured.



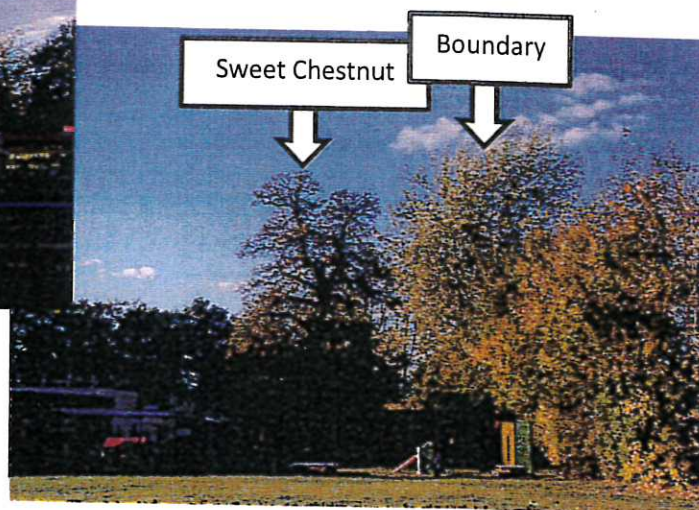
View from Victoria Road, standing on opposite side of the road.



View from the base of the tree, looking towards Victoria Road.



View from the base of the tree, looking towards the corner of Victoria Road and Raglan Road.

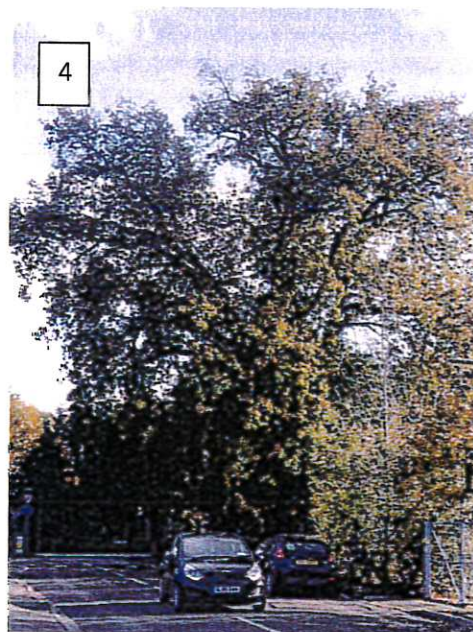
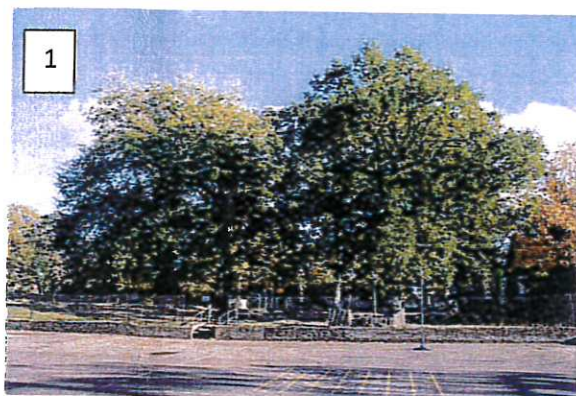


View from the school field showing position of Sweet Chestnut in relation to the school boundary.

Although the tree is clearly visible by the parents and children as they walk down the Nursery path into school, it does not have a public amenity value, as there are a large number of trees in this area. In fact it negatively impacts on the effectiveness of the Nursery – which is itself a public amenity. Neither does the tree have a role in screening or obscuring an unsightly feature in the landscape.

In summary, any positive impact the sweet chestnut has to the locality is outweighed by the negative impact it has on the learning experiences of the children who attend St John's Nursery.

As a school, we are fortunate to have a large number of trees on our site. We value the trees and what they can contribute to the children's education. For example, Forest schools is part of the curriculum at St John's and we also have apple trees on the site. The children in EYFS (Early Years Foundation Stage) pick the apples and make apple pies from them.



1. Trees within our playground
2. Trees in our Environmental Area – used for Forest schools
3. Trees on our boundary.
4. A local landmark - the oak tree on the corner of Victoria Road and Raglan Road

Therefore the only reason we are opposing the Tree Preservation order on this particular tree is because of the negative impact it has on the children's education.

I understand that you are having your meeting this month to discuss this tree. I would welcome the opportunity to attend this meeting to discuss these issues in further detail.

Yours faithfully

Sarah May
Head of School
St John's Primary



Woking Borough Council

Civic Offices, Gloucester Square, Woking, Surrey, GU21 6YL

TOWN AND COUNTRY PLANNING (Tree Preservation) (England) Regulations 2012

TREE PRESERVATION ORDER

Town and Country Planning Act 1990

The Land at St Johns Primary School, Victoria Road, Knaphill, Surrey, GU21 2AS (TPO/0009/2017)

The Woking Borough Council, in exercise of the powers conferred on them by section of the Town and Country Planning Act 1990 hereby make the following Order—

Citation

1. This Order may be cited as the Land at St Johns Primary School, Victoria Road, Knaphill, Surrey, GU21 2AS (TPO/0009/2017).

Interpretation

2.

1. In this Order "the authority" means the Woking Borough Council.
2. In this Order any reference to a numbered section is a reference to the section so numbered in the Town and Country Planning Act 1990 and any reference to a numbered regulation is a reference to the regulation so numbered in the Town and Country Planning (Tree Preservation)(England) Regulations 2012.

Effect

3.

1. Subject to article 4, this Order takes effect provisionally on the date on which it is made.
2. Without prejudice to subsection (7) of section 198 (power to make tree preservation orders) or subsection (1) of section 200 (tree preservation orders: Forestry Commissioners) and, subject to the exceptions in regulation 14, no person shall—
 - a. cut down, top, lop, uproot, wilfully damage, or wilfully destroy; or
 - b. cause or permit the cutting down, topping, lopping, wilful damage or wilful destruction of,

any tree specified in the Schedule to this Order except with the written consent of the authority in accordance with regulations 16 and 17, or of the Secretary of State in accordance with regulation 23, and, where such consent is given subject to conditions, in accordance with those conditions.

Application to trees to be planted pursuant to a condition

4. In relation to any tree identified in the first column of the Schedule by the letter "C", being a tree to be planted pursuant to a condition imposed under paragraph (a) of section 197 (planning

permission to include appropriate provision for preservation and planting of trees), this Order takes effect as from the time when the tree is planted.

Dated this . 19th October 2017
Signed on behalf of the Woking Borough Council

.....
Authorised by the Council to sign in that behalf



CERTIFICATE OF SERVICE

TPO Ref No:

TPO/0009/2017 (Land at St Johns Primary School, Victoria Road, Knaphill; Woking, Surrey, GU21 2AS, , TREE PRESERVATION ORDER)

**Description
Location**

Land at St Johns Primary School, Victoria Road, Knaphill, Surrey, GU21 2AS
St Johns Primary School
Victoria Road
Knaphill
Woking
Surrey
GU21 2AS

I certify that at approximately ^{19th October} 14.40 on , I delivered to the following persons, a copy of the above Tree Preservation Order and "Regulation 4" letter dated 19 October 2017.

Name	Address
------	---------

Owner/ occupier	Caretakers Bungalow St Johns County First School 1 Victoria Road Knaphill Woking Surrey GU21 2AS
--------------------	---

Owner/ occupier	St Johns Knaphill Childrens Centre Victoria Road Knaphill Woking Surrey GU21 2AS
--------------------	--

Owner/ occupier	29 Raglan Road St Johns Woking Surrey GU21 2AX
--------------------	--

Owner/ occupier	3A Inkerman Parade Victoria Road Knaphill Woking Surrey GU21 2AW
--------------------	--

Owner/ occupier	St Johns Primary School Victoria Road Knaphill Woking Surrey GU21 2AS
--------------------	---

Signed: 

Name: DAVID FRYE

Position: ARBORICULTURE OFFICER

Date: 19 October 2017

TPOCERT1 - Certificate of Service

SCHEDULE

SPECIFICATION OF TREES

Trees specified individually

(encircled in black on the map)

Reference on map	Description	Situation
------------------	-------------	-----------

T1	Sweet Chestnut tree	Mature Sweet Chestnut at the front St Johns Primary School. The tree is approx 18m in height with a natural open canopy that has a crown spread ratio of 4m
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Trees specified by reference to an area

(within a dotted black line on the map)

Reference on map	Description	Situation
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Groups of trees

(within a broken black line on the map)

Reference on map	Description	Situation
------------------	-------------	-----------

Woodlands

(within a continuous black line on the map)

Reference on map	Description	Situation
------------------	-------------	-----------



TO OWNER/OCCUPIER
St Johns Primary School
Victoria Road
Knaphill
Woking
Surrey
GU21 2AS

Civic Offices
Gloucester Square
Woking
Surrey GU21 6YL
Telephone (01483) 755855
Facsimile (01483) 768746
DX 2931 WOKING
Email wokbc@woking.gov.uk
Website www.woking.gov.uk

IMPORTANT - THIS COMMUNICATION MAY AFFECT YOUR PROPERTY

19 October 2017

Dear Sir/Madam,

Town and Country Planning Act 1990, Town and Country Planning (Trees) Regulations 2012

Tree Preservation Order Reference: TPO/0009/2017 (Land at St Johns Primary School, Victoria Road, Knaphill, Woking, Surrey, GU21 2AS, TREE PRESERVATION ORDER)

Description	Land at St Johns Primary School, Victoria Road, Knaphill, Surrey, GU21 2AS
Location	St Johns Primary School Victoria Road Knaphill Woking Surrey GU21 2AS

Tree Number(s)	T1	Tree Type(s)	Sweet Chestnut
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Reason:

The Sweet Chestnut has high public amenity value and contributes to the character of the area. Its value to the street scene and the threat of removal makes it worthy of a TPO

THIS IS A FORMAL NOTICE to let you know that on 19 October 2017 the Council made the above Tree Preservation Order (TPO). The Council is required by the Regulations to send a copy of the Order to all properties on or adjoining the land where the tree(s) are located. A copy of the Order is enclosed. In simple terms, no one is allowed to cut down, top or lop without the Council's permission any of the trees described in the First Schedule of the Order and shown on the map.

The Order is effective immediately for a provisional period of six months. If you are affected by the TPO you may object or make comments in writing and these will be carefully considered before the Council decides whether to make the TPO permanent. Your comments must meet the requirements set out in the attached note entitled Regulation 6 of the Town and Country Planning (Trees) Regulations 2012. If you would like to make any objections or comments please write to the Borough Planning Officer at the above address. **Please ensure we receive your comments in writing by 16 November 2017.**

I will write to you again when the Council has made its decision whether to confirm the TPO. In the meantime, if you would like any more information or have any questions about this letter, please do not hesitate to contact David Frye, Arboricultural Officer, at Woking Borough Council, Civic Offices, Gloucester Square, Woking, Surrey, GU21 6YL on the following telephone number: 01483 74 3749 or email Dave.Frye@woking.gov.uk.

Yours faithfully
David Frye
Arboricultural Officer

For further information concerning trees, visit the Council's website at www.woking.gov.uk/planning/trees



COPY OF REGULATION 6 OF THE TOWN AND COUNTRY PLANNING (TREES) REGULATIONS 2012

Objections and representations

- 6.
- (1) Subject to paragraph (2), objections and representations
 - (a) shall be made in writing and—
 - (i) delivered to the authority not later than the date specified by them under regulation 5(2)(c); or
 - (ii) sent to the authority in a properly addressed and pre-paid letter posted at such time that, in the ordinary course of post, it would be delivered to them not later than that date;
 - (b) shall specify the particular trees, groups of trees or woodlands (as the case may be) in respect of which such objections and representations are made; and
 - (c) in the case of an objection, shall state the reasons for the objection.
 - (2) The authority may treat as duly made objections and representations which do not comply with the requirements of paragraph (1) if, in the particular case, they are satisfied that compliance with those requirements could not reasonably have been expected.

Dave Frye

From: Abraham, Julian <Julian.Abraham@babcockinternational.com>
Sent: 05 March 2018 11:38
To: James Veats
Subject: RE: Sweet Chestnut (UNCLASSIFIED)

Classification: Unclassified / Not Protectively Marked

Good Morning James,

Thank you for your answerphone message asking for my thoughts on the tree as Arboricultural manager for Babcock and previously SCC Schools Manager.

I inspected the tree recently and confirm that the tree is a Mature Sweet Chestnut, located in the nursery play area of St Johns Primary School, Victoria Road, Knaphill, Woking. GU21 2AS. It is in good health for a tree of its age and location. Shoot extension is good, as is the overall physiology of the tree. A good example and in better health and form than the others found in the local area.

The tree is large and visually prominent in the street scene. I would think that this tree is important within the context of the horticultural heritage of Woking, as is the lime at the end of the field. The loss of this tree from the landscape would have a significant impact to the wider landscape.

Kind regards
 Julian

Julian Abraham | Arboricultural Manager
 Babcock 4S
 4S Head Office | Opus One | Bay Tree Avenue | Kingston Road | Leatherhead | Surrey | KT22 7UE
 Tel: +441372 834444 | Mob: +447968893337 | Julian.Abraham@babcockinternational.com
www.babcock-education.co.uk/4s



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PLANNING COMMITTEE –

CONFIRMATION OF TREE PRESERVATION ORDER REF. TPO/0012/2017 – LAND AT BRUSHFIELD WAY, KNAPHILL, WOKING, SURREY (TPO/0012/2017)

Executive Summary

The purpose of this report is to recommend to the Committee that a Tree Preservation Order be confirmed following the receipt of two letters of objection to the making of the Order. The Tree Preservation Order protects 11 trees including 1 Cedar, 1 Plane and 9 Limes which vary in both age and height on Land at Brushfield way, Knaphill, Woking, Surrey.

Recommendations

The Committee is requested to:

RESOLVE that Tree Preservation Order ref. TPO/0012/2017 be confirmed without modification

This Committee has authority to determine the above recommendations.

Background Papers:

Plan from Tree Preservation Order showing location of tree

Letters of objection from Ms Sarah Beadnell and Ms Christine Small

Reporting Officer:

Chris Dale
Ext. (74)3435, E Mail chris.dale@woking.gov.uk

Contact Officer:

Dave Frye, Arboricultural Officer
Ext. (74)3749, E Mail dave.frye@woking.gov.uk

Introduction

- 1.1 A Tree Preservation Order was made on 1st December 2017 to protect 11 trees including 1 Cedar, 1 Plane and 9 Limes which vary in both age and height on Land at Brushfield way, Knaphill, Woking, Surrey (TPO/0012/2017) (Appendix 3)
- 1.2 The plan from the Tree Preservation Order showing the location of the trees is attached at Appendix 1.
- 1.3 Two objections were received to the making of the Tree Preservation Order. These objections are attached at Appendix 2.
- 1.4 Notwithstanding the objections received to the making of the Tree Preservation Order, the recommendation is that it be confirmed without modification.

2.0 Background Information

- 2.1 The trees were originally protected by a Tree Preservation Order made in 1993 (ref. TPO 626/0426/1993).
- 2.2 This Tree Preservation Order was identified as being unconfirmed.
- 2.3 Further to the Council becoming aware that the trees were subject to a tree works application, a new Tree Preservation Order (the subject of this report) was made to protect the trees on 1st December 2017. The trees were protected because they add to the sylvan character of the area.

3.0 Letters of objection

- 3.1 One letter of objection was received by the Council from Christine Small dated 26th December 2017, objecting to the making of the Order on the following grounds.
 - Roots going into the main drains
 - Too close to the property
 - Cracked and lifted pavement
- 3.2 One letter of objection was received by the Council from Sarah Beadnell dated 28th December 2017, objecting to the making of the Order on the following grounds.
 - The trees are not the correct species of tree to planted so close to property.
 - Obliterates the street light
 - Roots brining up the pavement and possible damage to drains
 - Sticky sap, dropping onto cars nearby
 - Plane tree looks diseased and the branches could fall off at anytime
 - Pruning Costs

- 3.3 The Tree Officer's response to the objections received is as follows:
- 3.4 The concerns around the rooting environment of the tree as discussed in both letters having an effect in drains and pavements can be easily addressed. Should roots occur in drains it would normally suggest that prior to root invasion there was a previous crack in the drain. Roots will take advantage of areas which have a high moisture content as such if they are found in drains it is likely that the drain is already damaged. Drains can be cleared of roots and sheathed in order to prevent future root damage. With regard to damage to pavements, these can be fixed accordingly using arboriculturally sensitive measures which encourage root development and limit future damage.
- 3.5 The location of all the trees (as seen in appendix 1) are in reasonable locations and have been planted in a responsible manner by the developers in specific planting beds. The species of tree (predominately Lime) are commonly used as street trees as they are tolerant to stress and easy to maintain.
- 3.6 The Plane tree is not dead and is an exceptional specimen. The tree has a remarkable stem which is very wide, gnarled and indicates that the tree is of considerable age. These characterises increase the public amenity of the tree, therefore its retention is of high priority.
- 3.7 Throughout the objection there was reference questioning the public amenity of the trees. Given the location within Brushfield Way development, the trees public amenity values are high and they significantly add to the sylvan character of the area. The rest of the area has a large amount of mature Lime trees and therefore the trees which are the subject of this objection are in keeping with the wider community.
- 3.8 The cost of pruning a tree varies widely between arborist companies and Woking Borough Council always recommends getting at least three quotes from different suitably qualified and experienced Arboriculturists.
- 3.9 If a council owned tree impacts on local infrastructure (such as street lights) we will abate the nuisance through a suitable management program.

4.0 Implications

Financial

- 4.1 None

Human Resource/Training and Development

- 4.2 None

Environmental/Sustainability

- 4.3 The trees which are subject to this TPO have been protected as they are likely to continue making a significant contribution to the character and amenities of the locality for many years to come. Removal would have a detrimental impact on public amenity.

5.0 Conclusions

- 5.1 Given the community and amenity value that similar trees in the area give it is appropriate that this TPO is confirmed

REPORT ENDS

TPO/0012/2017

XY centrepont
496,518 , 158,039



A1

05/03/2018

BRUSHFIELD

BRUSHFIELD WAY

STRATHCONA GARDENS

Play Area

KEY

- Tree Preservation Order Points
- Conservation Areas (July 2008)



SCALE 1:500

0 2.5 5 10 15 20 Metres

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

Knaphill

Surrey.

GU21 2TG

28th December 2017.

Dear Mr Frye,

I am writing to formally object to the council's proposal to put Tree Preservation Orders on the trees in Brushfield Way. Specifically numbers 1, 2,3,4,5 and 7 as they are too close to the houses.

My strongest objection is to the one planted closest to my property, being specifically no 2 on your plan. No 2 and 1 were planted by the developer in 2000 when the houses were built. No doubt at the behest of the council. As forest trees they are too large to be planted so close to houses. They will continue to require regular pruning to keep within reasonable size limits. Tree no 2 obliterates any benefit to me from the street light in the summer, and will grow into it shortly. It is already bringing up the pavement outside my neighbours house, so I dread to think what damage it will cause the main drains, utilities and other surfaces.

My parking space is next to the tree, and the drain there is already being blocked by roots. In the summer the aphids it attracts drop sticky sap all over the car which is horrible. If the tree is not kept in check it will render the parking space almost unusable in summer, due to the mess it makes of the paintwork. The tree belongs to my neighbour, who rents out their property. So getting permission to do work will be doubly difficult.

You describe this tree, and the others on the list as an amenity, but I disagree. It and they are a liability to those who live close to them. As is evidenced by the established Limes, they grow fast and are enormous. My neighbours have had to pay £100s of pounds to keep them in check to prevent them damaging their property. I don't think you realise the stress this causes. It is easy to slap a TPO on something and seemingly have no responsibility for it, or the effects it has on those that do have to live with, and pay for it. Even with consent, pruning costs hundreds of pounds. The tree next to my property is already damaging the path, and has potential to damage the drains, streetlight, the paintwork on the cars, and other surfaces and utilities.

The Plane tree (no3) looks diseased, and the branches look dead and likely to drop off at any time. Even the most ardent tree lover could not describe it as a pretty tree.

Other neighbours feel strongly about the trees. I don't know if they have objected, but don't assume agreement. When I spoke with one, she felt it was a waste of time writing to object, as you have already made up your minds, and she was extremely busy with Christmas. She has had to ask for permission to cut her tree back as it is growing into the house. It was interesting that you sent the letter out at this time of year, when you know everyone is busy. I hope that if you receive any objections after the deadline on 29th December you will accept them, in view of the time of year.

I have spoken with Mrs Duncan at no 33 and she has given me permission to include her name in this objection letter, as she may not be able to write to you herself. She finds the trees very stressful. Lime tree no 4 is in her front garden and has required expensive pruning, as it grows into her house, and also obliterates the streetlight. No 5 is beside her house, but belongs to the flats. They are responsible for this tree, but do not do the work required to keep it away from her house; another tree that is too close to her property. Maybe if the council had responsibility for the upkeep of the trees, and any damage they cause, they would view them differently.

I am a gardener and RHS member. I like trees and plants, but feel strongly that the lime (No 2) outside my property is way too big for the location already, and will only get bigger. If left unchecked it will be enormous. It should be removed and replaced with a more suitable, smaller tree. Preferably one which has spring blossom, with autumn fruit/berries for the birds. Woking council seem to plant Limes everywhere. I know they are supposed to be good at mopping up pollution, but there must be other smaller trees that would work as well, while not causing the damage, and stress that these do. Ones that are more suitably sized for this location, and thus won't require constant expensive pruning to keep them in check.

I live in hope that you will exempt the lime tree (no 2) outside my property from the TPO and allow us to change it for something more suitable, before it gets bigger and causes more damage.

I look forward to hearing from you.

Yours sincerely,

Ms Sarah Beadnell.

22 Brushfield Way
Knaphill
Woking
Surrey
GU21 2TG

Tree preservation order TPO12/2017

Dear Sir/Madam

I am Concerned about the order being put on the Tree T2 Witch is very close to my home 22 Brushfield way, as this is a very Young tree planted by my neighbour in 21 Brushfield about 16 years old ago, Yet its roots has already lifted and cracked the pavement.

This root is going to my main Drains, Water and Sewer.
This makes me very concerned as a Lime tree roots can be Three times the length to it's tree high

I did ask the neighbour about this last year as each year I see the Roots getting closer and closer to my house.

Could you please consider my concern or advise what can be done about this.

Yours Sincerely

Christine Small



Woking Borough Council

Civic Offices, Gloucester Square, Woking, Surrey, GU21 6YL

TOWN AND COUNTRY PLANNING (Tree Preservation) (England) Regulations 2012

TREE PRESERVATION ORDER

Town and Country Planning Act 1990

The Land at Brushfield Way, Knaphill, Woking, Surrey (TPO/0012/2017)

The Woking Borough Council, in exercise of the powers conferred on them by section of the Town and Country Planning Act 1990 hereby make the following Order—

Citation

1. This Order may be cited as the Land at Brushfield Way, Knaphill, Woking, Surrey (TPO/0012/2017).

Interpretation

2.

1. In this Order “the authority” means the Woking Borough Council.
2. In this Order any reference to a numbered section is a reference to the section so numbered in the Town and Country Planning Act 1990 and any reference to a numbered regulation is a reference to the regulation so numbered in the Town and Country Planning (Tree Preservation)(England) Regulations 2012.

Effect

3.

1. Subject to article 4, this Order takes effect provisionally on the date on which it is made.
2. Without prejudice to subsection (7) of section 198 (power to make tree preservation orders) or subsection (1) of section 200 (tree preservation orders: Forestry Commissioners) and, subject to the exceptions in regulation 14, no person shall—
 - a. cut down, top, lop, uproot, wilfully damage, or wilfully destroy; or
 - b. cause or permit the cutting down, topping, lopping, wilful damage or wilful destruction of,


any tree specified in the Schedule to this Order except with the written consent of the authority in accordance with regulations 16 and 17, or of the Secretary of State in accordance with regulation 23, and, where such consent is given subject to conditions, in accordance with those conditions.

Application to trees to be planted pursuant to a condition

4. In relation to any tree identified in the first column of the Schedule by the letter “C”, being a tree to be planted pursuant to a condition imposed under paragraph (a) of section 197 (planting

permission to include appropriate provision for preservation and planting of trees), this Order takes effect as from the time when the tree is planted.

Dated this 1st DECEMBER 2017
Signed on behalf of the Woking Borough Council

 PETER BRYANT

Authorised by the Council to sign in that behalf

CERTIFICATE OF SERVICE

TPO Ref No:

TPO/0012/2017 (Land at Street Record, Brushfield Way, Knaphill, Woking, Surrey, TREE PRESERVATION ORDER)

Description

Land at Brushfield Way, Knaphill, Woking, Surrey

Location

Street Record
Brushfield Way
Knaphill
Woking
Surrey

1st December 2017

I certify that at approximately 14.00 on 1st December 2017, I delivered to the following persons, a copy of the above Tree Preservation Order and "Regulation 8" letter dated 1 December 2017.

Name	Address
-------------	----------------

Owner/
occupier

15 Brushfield Way Knaphill Woking Surrey GU21 2TG

Owner/
occupier

16 Brushfield Way Knaphill Woking Surrey GU21 2TG

Owner/
occupier

25 Brushfield Way Knaphill Woking Surrey GU21 2TG

Owner/
occupier

24 Brushfield Way Knaphill Woking Surrey GU21 2TG

Owner/
occupier

20 Brushfield Way Knaphill Woking Surrey GU21 2TG

Owner/
occupier

19 Brushfield Way Knaphill Woking Surrey GU21 2TG

Owner/
occupier

14 Brushfield Way Knaphill Woking Surrey GU21 2TG

Owner/
occupier

33 Brushfield Way Knaphill Woking Surrey GU21 2TG

Owner/
occupier

32 Brushfield Way Knaphill Woking Surrey GU21 2TG

Owner/
occupier

31 Brushfield Way Knaphill Woking Surrey GU21 2TG

Owner/

30 Brushfield Way Knaphill Woking Surrey GU21 2TG

occupier

Owner/ 29 Brushfield Way Knaphill Woking Surrey GU21 2TG
occupier

Owner/ 28 Brushfield Way Knaphill Woking Surrey GU21 2TG
occupier

Owner/ 27 Brushfield Way Knaphill Woking Surrey GU21 2TG
occupier

Owner/ 26 Brushfield Way Knaphill Woking Surrey GU21 2TG
occupier

Owner/ 23 Brushfield Way Knaphill Woking Surrey GU21 2TG
occupier

Owner/ 22 Brushfield Way Knaphill Woking Surrey GU21 2TG
occupier

Owner/ 21 Brushfield Way Knaphill Woking Surrey GU21 2TG
occupier

Owner/ 18 Brushfield Way Knaphill Woking Surrey GU21 2TG
occupier

Owner/ 17 Brushfield Way Knaphill Woking Surrey GU21 2TG
occupier

Owner/ 13 Brushfield Way Knaphill Woking Surrey GU21 2TG
occupier

Owner/ 12 Brushfield Way Knaphill Woking Surrey GU21 2TG
occupier

Owner/ 11 Brushfield Way Knaphill Woking Surrey GU21 2TG
occupier

Signed: 

Name: DAVID FAYE

Position: TREE OFFICER

Date: 1 December 2017

TPOCERT1 - Certificate of Service

SCHEDULE
SPECIFICATION OF TREES
Trees specified individually
(encircled in black on the map)

Reference on map	Description	Situation
T1	Lime tree	Semi Mature Lime
T2	Lime tree	Semi Mature Lime
T3	Plane tree	Mature Plane
T4	Lime tree	Mature Lime
T5	Lime tree	Mature Lime
T6	Lime tree	Mature Lime
T7	Lime tree	Mature Lime
T8	Lime tree	Mature Lime
T9	Lime tree	Mature Lime
T10	Lime tree	Mature Lime
T11	Cedar tree	Mature Cedar

Trees specified by reference to an area

(within a dotted black line on the map)

Reference on map	Description	Situation
------------------	-------------	-----------

Groups of trees

(within a broken black line on the map)

Reference on map	Description	Situation
------------------	-------------	-----------

Woodlands

(within a continuous black line on the map)

Reference on map	Description	Situation
------------------	-------------	-----------



TO OWNER/OCCUPIER
Brushfield Way
Knaphill
Woking
Surrey
GU21 2TG

Civic Offices
Gloucester Square
Woking
Surrey GU21 6YL
Telephone (01483) 755855
Facsimile (01483) 768746
DX 2931 WOKING
Email wokbc@woking.gov.uk
Website www.woking.gov.uk

IMPORTANT - THIS COMMUNICATION MAY AFFECT YOUR PROPERTY

28 December 2017

Dear Sir/Madam,

Town and Country Planning Act 1990, Town and Country Planning (Trees) Regulations 2012

Tree Preservation Order Reference: TPO/0012/2017 (Land at Street Record, Brushfield Way, Knaphill, Woking, Surrey TREE PRESERVATION ORDER)

Description Land at Brushfield Way, Knaphill, Woking, Surrey
Location Street Record Brushfield Way Knaphill Woking Surrey

Tree Number(s)	Tree Type(s)
T1	Lime
T2	Lime
T3	Plane
T4	Lime
T5	Lime
T11	Cedar
T7	Lime
T8	Lime
T9	Lime
T10	Lime
T6	Lime

Reason:

In accordance with government guidance the TPO Ref: 626/0426/1993 is being reviewed. As a result of this review, the trees identified in this TPO are of high public amenity value and they contribute to the character of the area therefore they are being placed under protection.

THIS IS A FORMAL NOTICE to let you know that on 1 December 2017 the Council made the above Tree Preservation Order (TPO). The Council is required by the Regulations to send a copy of the Order to all properties on or adjoining the land where the tree(s) are located. A copy of the Order is enclosed. In simple terms, no one is allowed to cut down, top or lop without the Council's permission any of the trees described in the First Schedule of the Order and shown on the map.

The Order is effective immediately for a provisional period of six months. If you are affected by the TPO you may object or make comments in writing and these will be carefully considered before the Council decides whether to make the TPO permanent. Your comments must meet the requirements set out in the attached note entitled Regulation 6 of the Town and Country Planning (Trees) Regulations 2012. If you would like to make any objections



or comments please write to the Borough Planning Officer at the above address. **Please ensure we receive your comments in writing by 29 December 2017.**

I will write to you again when the Council has made its decision whether to confirm the TPO. In the meantime, if you would like any more information or have any questions about this letter, please do not hesitate to contact David Frye, Arboricultural Officer, at Woking Borough Council, Civic Offices, Gloucester Square, Woking, Surrey, GU21 6YL on the following telephone number: 01483 74 3749 or email Dave.Frye@woking.gov.uk.

Yours faithfully
David Frye
Arboricultural Officer

For further information concerning trees, visit the Council's website at www.woking.gov.uk/planning/trees



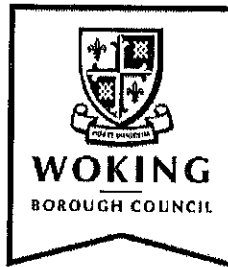
COPY OF REGULATION 6 OF THE TOWN AND COUNTRY PLANNING (TREES) REGULATIONS 2012

Objections and representations

6.

- (1) Subject to paragraph (2), objections and representations
 - (a) shall be made in writing and—
 - (i) delivered to the authority not later than the date specified by them under regulation 5(2)(c); or
 - (ii) sent to the authority in a properly addressed and pre-paid letter posted at such time that, in the ordinary course of post, it would be delivered to them not later than that date;
 - (b) shall specify the particular trees, groups of trees or woodlands (as the case may be) in respect of which such objections and representations are made; and
 - (c) in the case of an objection, shall state the reasons for the objection.
- (2) The authority may treat as duly made objections and representations which do not comply with the requirements of paragraph (1) if, in the particular case, they are satisfied that compliance with those requirements could not reasonably have been expected.





MEMORANDUM SEEKING AUTHORISATION TO MAKE A TPO

To: Borough Secretary and Solicitor **Date:** 1 December 2017
From: Borough Planning Officer (01483 74 3749) **Your ref:**
CC: **Our ref:** TPO/0012/2017

TREE PRESERVATION ORDER

LAND AT Street Record, Brushfield Way, Knaphill, Woking, Surrey

A copy of the plan relating to the above land is available to view. The trees have been assessed against a set of prescribed criteria and are considered to be healthy and stable.

The six figure OS grid reference is: East 496369, North 157930.

The reasons for making the Order are:

In accordance with delegated powers under the Council's Standing Orders (Woking Borough Council Minute 5/TP/3.4.90/977), I authorise in consultation with the Chairman/Vice-Chairman of the Planning Committee, the making of a Tree Preservation Order in respect of trees on the above land set out in the attached Survey Report and cartographically defined on the Map.

Signed:


Christopher Dale, Development Manager

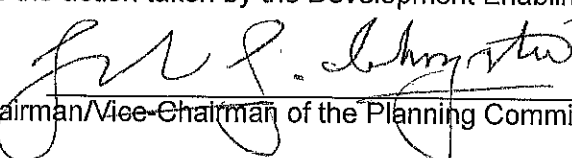
Dated

1/12/17

Chairman's Endorsement:

I endorse the action taken by the Development Enabling Manager.

Signed:


Chairman/Vice-Chairman of the Planning Committee

Ray Morgan OBE Chief Executive
Douglas J. Spinks Deputy Chief Executive
Mark Rolt Strategic Director
Steve Bonsor Strategic Director
Sue Barham Strategic Director



2005-2008
Sustainable Energy
2007-2008
Promoting Sustainable
Communities Through
the Planning Process
2008-2009
Tackling Climate Change



INVESTOR IN PEOPLE

AUTH07

