

# Public Document Pack



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

You are hereby summoned to attend a meeting of the Planning Committee to be held on Tuesday, 10 April 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](http://www.woking.gov.uk)). The images and sound recording will also be used for training purposes within the Council. Generally the public seating areas are not filmed. However by entering the meeting room and using the public seating area, you are consenting to being filmed.

## **AGENDA**

### **PART I - PRESS AND PUBLIC PRESENT**

1. Minutes

To approve the minutes of the meeting of the Planning Committee held on 20 March 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 Thameswey Group company will declare a non-pecuniary interest in any item involving that Thameswey 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 Thameswey Group company will declare an interest in any item involving that Thameswey Group company. The interest will not prevent the Officer from advising the Committee on that item.

3. Urgent Business

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

**Matters for Determination**

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

5. Planning Applications (Pages 5 - 8)

**Section A - Applications for Public Speaking**

5a. 2017/1048 The Premier Inn, Bridge Barn Lane, Woking (Pages 11 - 34)

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

5b. 2017/1226 Chobham Road Bridge, Chobham Road, Woking (Pages 37 - 56)

5c. 2017/1167 The Anchor Public House, High Street, Knaphill, Woking (Pages 57 - 76)

5d. 2018/0207 Land Between Railway and Egley Road, Woking (Pages 77 - 88)

5e. 2017/0561 52 Howards Road, Kingfield, Woking (Pages 89 - 106)

5f. 2017/1449 280 Albert Drive, Sheerwater, Woking (Pages 107 - 126)

5g. 2018/0040 Penlan, Kingfield Green, Woking (Pages 127 - 142)

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

5h. 2018/0055 1 Elm Close, Horsell, Woking (Pages 145 - 154)

5i. 2017/0403 Land rear of No.291-No.301 Connaught Road, Brookwood, Woking (Pages 155 - 170)

AGENDA ENDS

Date Published – 2 April 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](mailto:becky.capon@woking.gov.uk)



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PLANNING COMMITTEE – 10 APRIL 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:

29 March 2018

## APPEALS LODGED

### 2017/0721

Application for the erection of a two storey detached dwelling (4x bed) on land to the rear of Invermark House and formation of associated vehicular access onto Oakcroft Road (re-submission) at Invermark, Oakcroft Road, West Byfleet

Refused by Delegated Powers  
22 August 2017.  
Appeal Lodged  
27 March 2018.

### 2017/0808

Application for retrospective consent for the lowering of the cill height of a first floor side window at Flat 2 The Chesnuts, St Johns, Woking.

Refused by Delegated Powers  
16 November 2017.  
Appeal Lodged  
27 March 2018.

### 2016/1350

Application for Erection of a two storey detached dwelling (3x bed) on land to the rear of No.7 Friars Rise and associated vehicular access, parking and landscaping (Amended Plans) at Foxcroft, 7 Friars Rise, Woking.

Refused by Delegated Powers  
20 November 2017.  
Appeal Lodged  
27 March 2018.

**APPEAL DECISIONS**

17/0449

Application for a proposed two storey side and rear extension and a single storey front and rear extension following the demolition of existing single garage at Orchard Mains, Woking, Surrey.

Non Determination.  
Appeal Lodged  
28 December 2017.  
Appeal dismissed  
15 March 2018.

17/0248

Application for change of use of open amenity land to parking with associated hardstanding and dropped kerb at 7 Triggs Close, Woking.

Refused by Delegated Powers  
4 August 2017.  
Appeal Lodged  
28 December 2017.  
Appeal Dismissed  
19 March 2018.

## **PLANNING COMMITTEE AGENDA** **PLANNING APPLICATIONS AS AT 10<sup>TH</sup> APRIL 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

10 April 2018

<u>ITEM</u>	<u>LOCATION</u>	<u>APP. NO.</u>	<u>REC</u>	<u>WARD</u>
0005A	The Premier Inn, Bridge Barn Lane, Woking, Surrey, GU21 6NL	PLAN/2017/1048	PER	SJS
0005B	Chobham Road Bridge, Chobham Road, Woking, Surrey	PLAN/2017/1226	PER	C
0005C	The Anchor Public House, High Street, Knaphill, Woking, Surrey, GU21 2PE	PLAN/2017/1167	PER	KNA
0005D	Land between Railway and Egley Road, Woking, Surrey	PLAN/2018/0207	PER	HE
0005E	52 Howards Road, Kingfield, Woking, Surrey, GU22 9AS	PLAN/2017/0561	PER	HV
0005F	280 Albert Drive, Sheerwater, Woking, Surrey, GU21 5TX	PLAN/2017/1449	PER	C
0005G	Penlan, Kingfield Green, Woking, Surrey, GU22 9BD	PLAN/2018/0040	PER	HV
0005H	1 Elm Close, Horsell, Woking, Surrey, GU21 4TG	PLAN/2018/0055	ENFREF	HO
0005I	Land rear of No.291-No.301 Connaught Road, Brookwood, Woking, Surrey, GU24 0AD	PLAN/2017/0403	ENFREF	HE

**SECTION A - Item a**

**SECTION B - Items b - g**

**SECTION C - Items h & i**

**PER - Grant Planning Permission**

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

**REF - Refuse**

**ENFREF - Refuse and Enforce**





**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)**



# Premier Inn, Bridge Barn Lane

PLAN/2017/1048

Erection of a part two storey, part single storey extension to north elevation of existing hotel annexe (use class C1) to provide 18 additional bedrooms following demolition of existing staff house and erection of single storey extension to north elevation to create a lobby. Relocation of the existing access from Bridge Barn Lane to the North East of the site and reconfiguration of the car.

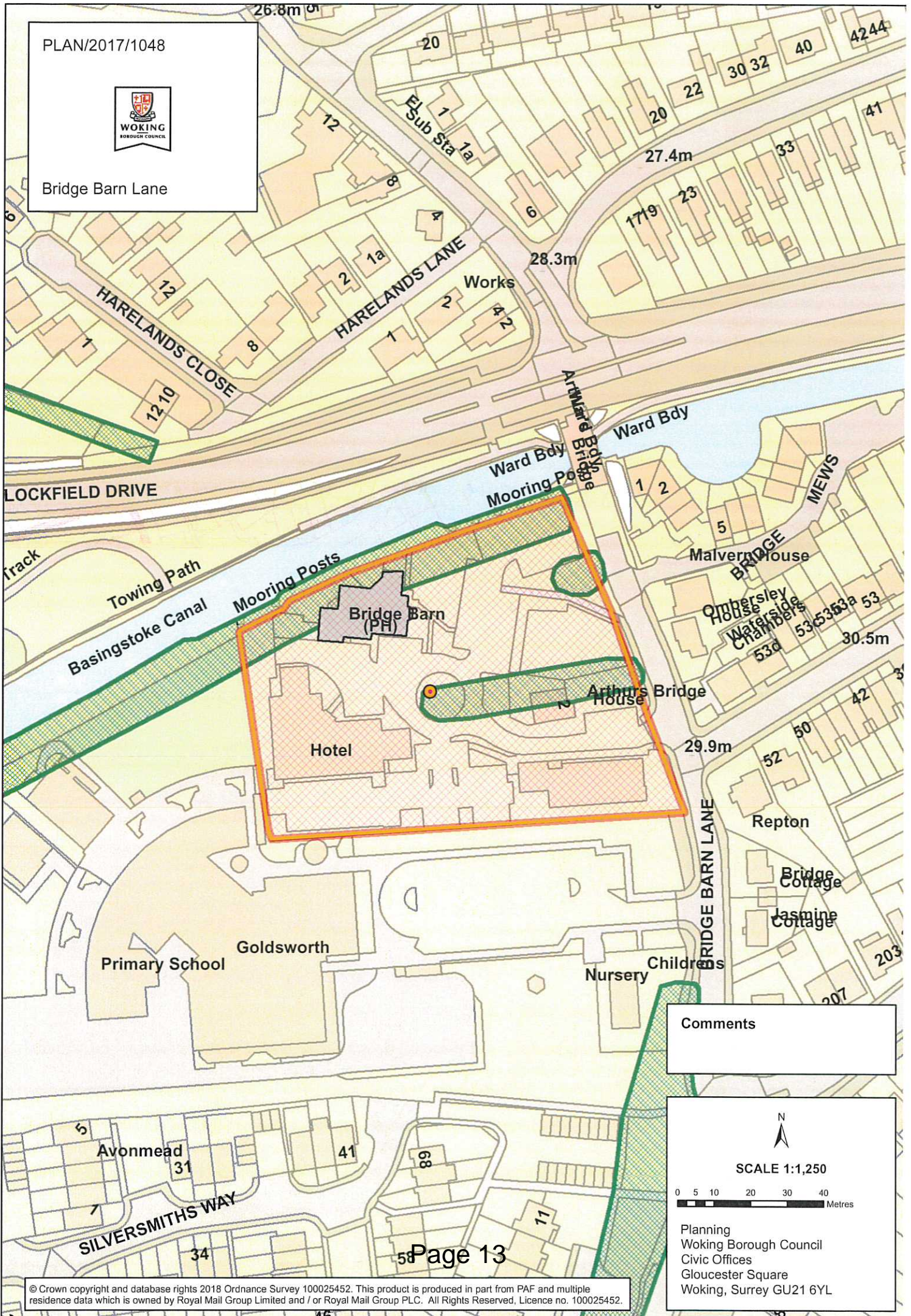




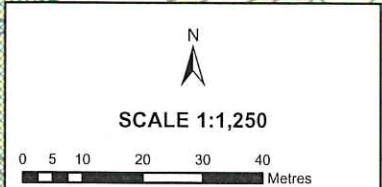
PLAN/2017/1048



Bridge Barn Lane



Comments



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



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5a 17/1048 Reg'd: 12.09.2017 Expires: 14.11.17 Ward: SJS  
Nei. 23.10.17 BVPI Minor Number 30/8 On No  
Con. Target dwellings - 18 of Weeks Target?  
Exp: on Cttee'  
Day:

**LOCATION:** The Premier Inn, Bridge Barn Lane, Woking, Surrey, GU21 6NL

**PROPOSAL:** Erection of a part two storey, part single storey extension to north elevation of existing hotel annex (use class C1) to provide 18 additional bedrooms following demolition of existing staff house and erection of single storey extension to north elevation to create a lobby. Relocation of the existing access from Bridge Barn Lane to the North East of the site and reconfiguration of the car park

**TYPE:** Full Planning Application

**APPLICANT:** WHITBREAD GROUP PLC

**OFFICER:** Brooke Bournague

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

The application has been called to planning committee at the request of Councillor Addison due to the following concerns:

The proposal will increase traffic movements which together with adjacent school traffic will result in increasingly unacceptable traffic congestion, including antisocial parking, which would be detrimental to the amenity of local residents.

The proposal will be over-dominant and have an overbearing impact upon the surrounding conservation area and of a scale detrimental to the character and setting of the listed building.

### **PROPOSED DEVELOPMENT**

The planning application proposes the construction of a part two storey, part single extension to the north side of the existing hotel annex (C1) to provide a net gain of 18 bedrooms, following demolition of Arthurs Bridge House which is currently used as staff accommodation. A further single storey extension is proposed to the north elevation of the existing annex to create a lobby.

The existing vehicular access from Bridge Barn Lane currently located to the south east of the site will be relocated to the north east of the site. The proposed reconfiguration of the car park would result in a net increase of 10 standard spaces and 3 disabled spaces.

### **PLANNING STATUS**

- Urban Area
- Archaeological Interest
- Basingstoke Canal Conservation Area
- Basingstoke Canal Corridor

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- Tree Preservation Order
- Public House Bridge Barn – Grade II Listed Building
- Surface Water Flooding
- Thames Basin Heaths SPA ZoneB (400m-5km)

### **RECOMMENDATION**

Grant planning permission subject to conditions

### **SITE DESCRIPTION**

The application site relates to the Bridge Barn Beefeater and Premier Inn site off Bridge Barn Lane. The application site is located within the Basingstoke Canal Conservation Area. The Basingstoke Canal is sited to the north of the site and Goldworth Primary School to the south and west. Bridge Barn Lane is sited to the east of the site with a predominately residential area beyond.

The application site is currently occupied by a number of buildings comprising Grade II Listed Building Bridge Barn (currently occupied by Beefeater Public House and Restaurant), Premier Inn, Premier Inn Annex and Arthurs Bridge House (currently used for staff accommodation). The Premier Inn and Premier Inn Annex currently provide a total of 56 bedrooms. Existing vehicular access to the site is from Bridge Barn Lane to the south east of the site. There are currently a total of 94 car parking spaces within the site.

### **PLANNING HISTORY**

Extensive history, most recent:

PLAN/2006/1272: Erection of a two storey hotel bedroom block (amended drawing - new roof profile). (Amended plan: building re-sited 2m to rear, deletion of parking area in front of staff house and use of frontages for landscaping. Reduction of building height by 1m). Permitted 12.04.2007

PLAN/1996/1080: Erection of 34 bed Travel Inn block with car parking and landscaping. Permitted subject to legal agreement 04.03.1997

PLAN/1995/0914: Erection of 41 bed travel inn block with car parking and landscaping. Refused 09.08.1996

### **CONSULTATIONS**

Consultant Conservation Officer: No objection

Arboricultural Officer: No objections subject to conditions 5 and 6

Surrey Wildlife Trust: No objection subject to conditions 10 and 11

County Archaeologist: No objection subject to condition 9

Environmental Health: No objection

County Highways Authority: No objections subject to conditions 12, 13, 14, 15 and 16



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Flood Risk and Drainage Team: No objection subject to conditions 7 and 8

Scientific Officer: No objection subject to condition 17

Planning Policy: No objection

### **BACKGROUND**

Amended plans have been received over the course of the application incorporating the following:

- Alterations to finishing materials
- Alterations to car park and footpaths
- Alterations to internal layout
- Reduction in depth of proposed extension
- Relocation of the proposed plant room from east to west elevation of proposed extension
- Insertion of a two storey element to east elevation of proposed extension
- Amended Arboricultural report

### **REPRESENTATIONS**

A total of 12x objections were received in response to the original proposal raising the following concerns:

- Does not state how many staff are being moved when the staff building is demolished
- If staff continue to live on site this will add to additional traffic movement from 18 bedrooms (Officer note: the applicant has advised staff accommodation will no longer be provided on site)
- Concern over drainage
- Loss of trees
- Increase in traffic
- Decrease value of property
- Overlooking
- Increased noise and nuisance
- Proposal is too close to the road and our property
- Appearance is oppressive and out of scale compared to neighbouring houses on Bridge Barn Lane
- Overbearing impact
- Detract from Listed Buildings and Conservation Area, further damaging its character
- Worsen existing traffic situation propelled with school pick up and drop off on Bridge Barn Lane.
- Additional traffic would also cause additional congestion and safety problems with cyclists and pedestrians.
- No provision for coach parking
- Increase congestion at Bridge Barn Lane/Mabel Street junction
- Parking at school drop off and collection would block access of emergency vehicles into the new proposed access as the road is not wide enough.
- Would support the proposal if double yellow were installed along Bridge Barn Lane from the roundabout on Goldsworth Road to the new proposed access and into the junction of Mabel Street
- There are precedent grounds of rejection (PLAN/1995/0914) which should apply to the current application - over-dominant and overbearing impact upon

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surrounding Conservation Area and of a scale detrimental to the character and setting of the Listed Building.

- Neighbours along Bridge Mews should have been notified
- Whitbread have a record of non compliance with planning conditions and informatives
- The Arboricultural Planning Statement (APS) is defective, misleading and out of date
- Dominate streetscene
- Conflict with character of Bridge Barn Lane
- Traffic congestion could be eased by hotel allowing parents to use the car park at school pick up and drop off
- There is no indication of how staff accommodation will be provided (or not), once the existing staff house is demolished.
- Highway safety concerns if on site parking will not meet demands of the hotel
- Moving the access will impact on highway safety

Neighbours were re-consulted on the amended plans on 08.03.2018 and a further 3x (two from the same address) objections were received objecting to the proposal raising points already summarised above and the additional points below:

- Contrary to CS21
- Set close to Bridge Barn Lane
- Set 2.5m behind the edge of the public footway and is 4.5m closer than the 7m building line 'redefined' in the 2006/1272 planning permission
- Goldsworth Primary School's website indicates quite clearly that there is only a small minority of pupils that travel on foot across Arthur's Bridge from the north, rendering the new walkway pointless
- Question the County Highway Authority comments

### **RELEVANT PLANNING POLICIES**

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

- Section 4 - Promoting sustainable transport
- Section 7 - Requiring good design
- Section 10 - Meeting the challenge of climate change, flooding and costal change
- 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
- CS9 - Flooding and water management
- CS15 - Sustainable economic development
- CS18 - Transport and accessibility
- CS20 - Heritage & Conservation
- CS21 - Design
- CS22 - Sustainable construction
- CS24 - Woking's landscape and townscape
- CS25 - Presumption in favour of sustainable development

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

- DM2 - Trees and Landscaping
- DM4 - Development in the Vicinity of Basingstoke Canal
- DM7 - Noise and Light Pollution

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- DM8 - Land contamination and hazards
- DM20 - Heritage Assets and Their Settings

### Supplementary Planning Documents (SPDs):

- Woking Design (2015)
- Outlook, Amenity, Privacy and Daylight (2008)
- Parking Standards (2006)

### **PLANNING ISSUES**

#### Principle of Development:

1. The NPPF (2012) and Core Strategy (2012) policy CS25 promote a presumption in favour of sustainable development. The site lies within the designated Urban Area and within the 400m-5km (Zone B) Thames Basin Heaths Special Protection Area (SPA) buffer zone. The principle of hotel use within this location has already been established. The proposed extension would result in a net increase of 18 bedrooms (32% increase). The Surrey Hotel Futures Study (2015) has shown there is healthy demand for hotels in Woking and also identifies Woking as a focal point for additional budget hotels.
2. The principle of extending the Premier Inn Annex 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, the Conservation Area and Listed Building

3. The application site is located in the Basingstoke Conservation Area and Basingstoke Canal Corridor. Bridge Barn a Grade II Listed Building is sited to the north west of the application site.
4. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that, in considering applications within Conservation Areas, Local Planning Authorities shall pay "*special attention...to the desirability of preserving or enhancing the character or appearance of that area*". This is reflected in 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). Policy CS20 advises that new development must respect and enhance the character and appearance of the area in which it is proposed.
5. The Local Planning Authority is required by Section 66 of 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. Additionally new development should make a positive contribution to the historic environment and be of high quality design.
6. The NPPF, Policy CS20 of the Woking Core Strategy and Policy DM20 of DM Policies DPD (2016) seek to ensure that development should preserve or enhance the character of Conservation Areas.
7. The proposal includes the demolition of Arthurs Bridge House sited to the north of the existing annex. Arthurs Bridge House is a two storey building with a shallow pitch roof finished in brick at ground floor and timber cladding at first floor. The

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building is currently used for staff accommodation and its loss is not objectionable. It is considered the demolition of Arthurs Bridge House would preserve the character the Conservation Area and setting of the adjacent Grade II Listed Building. The applicant has confirmed that staff accommodation will no longer be provided on site.

8. The proposed part two storey, part single storey extension would be attached to the north elevation of the existing hotel annex and accessed via a part two storey, part single storey linkway. The proposed bedrooms would be accessed via the existing annex entrance. Three bedrooms would be lost in the existing annex to facilitate the proposed extension which includes 21 bedrooms (including 1 ground floor accessible bedroom) resulting in a net gain of 18 bedrooms. No other facilities are proposed.
9. The proposed extension would be approximately 20.9m deep with a maximum width of approximately 14.5m. The proposed extension would have a ridge height of approximately 8.1m, set down approximately 0.8m from the existing hotel annex. The roof form would incorporate an area of flat roof which has been used to keep the height of the building down to support the footprint. Due to the design the area of flat roof would not be readily visible from the ground.
10. The proposed extension would be two storeys in height, similar to the other buildings within the application site and along Bridge Barn Lane to the east of the site. The proposed extension would not project beyond the east elevation of the existing annex. The elevations reflect the design of the existing annex and the finishing materials include brick and black weatherboarding to match the existing annexe and assist in breaking up the elevations. An external fire escape staircase is proposed to the north elevation of the proposed extension. Condition 3 is recommended to secure details of external materials.
11. There are several lime trees and an oak tree sited to the north elevation of the proposed extension. Arboricultural information submitted with the planning application has shown that these trees can be retained and continue to flourish. The retention of these trees would assist in screening the north elevation and external staircase and retain the setting of the Grade II Listed Building.
12. The proposed extension would be sited approximately a minimum 2m from the east boundary onto Bridge Barn Lane, approximately a minimum 3.5m to Bridge Barn Lane itself, approximately 15m from the properties sited to the east of the application site, approximately 46m from the Premier Inn and approximately 49m from Grade II Listed Bridge Barn. Overall these separation distances are considered acceptable and would retain sufficient spacing between existing buildings and would not harm the setting of the adjacent Grade II Listed Building located to the south west of the application site.
13. A single storey extension is proposed to the north elevation of the annex to enlarge an existing lobby to serve the existing annex and proposed extension. The proposed extension would be approximately 4m wide and 2.1m deep with a mono pitch roof measuring 3.3m. The proposed plans indicate the extension would be finished in facing brick to match the existing annex, condition 3 is recommended to secure details of materials. Due to the position and minor scale of the proposed extension it is not considered that any harm or loss of the setting would occur to the adjacent Grade II Listed Bridge Barn and the character of the Basingstoke Canal Conservation Area would be preserved.

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14. The Council's Conservation Consultant has been consulted and raised no objection to the proposal.
15. Overall the proposal is considered to preserve the character and appearance of the Basingstoke Canal Conservation Area. It is not considered that any harm or loss would occur to the adjacent Grade II Listed Building and that the significance of the adjacent Grade II Listed Building would therefore be preserved. The application is considered to accord with 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).

### Impact on Neighbours:

16. An approximate minimum 2m separation distance would be maintained to the east boundary and approximate minimum 15m separation distance to No's.1, 2, 3 and 4 Bridge Mews and Malvern House, Ombersley House, Waterside Chambers and Repton, Bridge Barn Lane. These separation distances comply with the recommended minimum distances set out in the Council's 'Outlook Amenity, Privacy and Daylight' SPD (2008) for two storey development (1m for side to boundary relationships). Due to the separation distance it is considered the proposed extension would not have an overbearing or loss of daylight impact to No's.1, 2, 3 and 4 Bridge Mews and Malvern House, Ombersley House, Waterside Chambers and Repton, Bridge Barn Lane. One ground and one first floor fire exit door are proposed in the north elevation and six ground floor and five first floor windows are proposed in the east elevation. Due to the minimum 15m separation distance to Ombersley House and Waterside Chambers, Bridge Barn Lane sited to the east of the proposed extension it is considered there would not be a significant loss of privacy or overlooking to Ombersley House and Waterside Chambers, Bridge Barn Lane.
17. Goldsworth Primary School is sited to the south and west of the application site. The extension would be sited to the north elevation of an existing hotel annex. Due to the position and separation distance it is considered there would not be a significant detrimental impact on the amenities of Goldsworth Primary School.
18. The planning application has been supported by a noise impact assessment which states '*an assessment in line with BS 4142: 2014 has concluded that a low impact would be observed at the nearest noise-sensitive receivers during both the quietest period of night, and the period in which all units are most likely to be operating at full duty*'. Environmental Health have been consulted and raised no objection. It is considered the proposal would not have a detrimental noise impact on the neighbouring properties.
19. Overall the proposed development is considered to have an acceptable impact on neighbours in terms of loss of light, overlooking and overbearing impacts.

### Impact on Trees:

20. Policy DM2 of DM Policies DPD (2016) states the Council will '*require any trees which are to be retained to be adequately protected to avoid damage during construction*' and Core Strategy (2012) Policy CS21 requires new development to include the retention of trees and landscape features of amenity value.

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21. The proposal would result in the loss of 8 Grade C trees. There are 3 Grade B and 4 Grade C trees to be retained that could be damaged during construction. The existing vehicular access from Bridge Barn Lane currently located to the north east of the will be relocated to the south east of the site. The proposed reconfiguration of the car park would result in a net increase of 13 car parking spaces. The proposed new access and additional parking spaces would result in the loss of 7 Grade C trees and provide an enlarged area of hardstanding.
22. The applicant has submitted an Arboricultural Report which details how trees would be protected during construction and the Council's Arboricultural Officer considers the information acceptable in principle but requires further detailed information relating to details of how service and drainage runs would connect to the development. Subject to conditions (condition 5 and 6) to ensure the submission of additional information and compliance with the submitted information, the proposal is considered to have an acceptable impact on trees within the application site.
23. Condition 4 is recommended to secure details of a hard and soft landscaping scheme.

### Flood Risk:

24. The application site is at medium, high and very high risk from surface water flooding. The Drainage and Flood Risk Team have been consulted and raised no objection subject to conditions 7 and 8. Condition 7 is recommended to ensure that details of a scheme for disposing of surface water by means of a sustainable drainage system are submitted prior to commencement to ensure the proposed extension does not increase surface water flooding in the area. Condition 8 is recommended to ensure that the finished floor levels are raised at least 150mm above the surrounding floor levels to prevent the increased risk of surface water flooding.

### Impact on archaeology:

25. 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).
26. As the site application site is over 0.4 hectares the planning application has been supported by a Historic Environment Desk-Based Assessment in accordance Policy CS20 of the Woking Core Strategy (2012). The County Archaeological Officer has been consulted and advised *'given the relatively small scale of the development proposals and the likelihood of some truncation from previous phases of construction across the site, I agree with the conclusions made in the heritage statement and recommend that an appropriate and proportionate level of archaeological work would be a programme of archaeological monitoring to be carried out as the development proceeds, with the contingent excavation, recording and analysis of any Archaeological Assets revealed (often referred to as a watching brief). The archaeological monitoring will need to be carried out by professional archaeologists and will advance the understanding of the significance of any Archaeological Assets present before they are destroyed by the development'*.

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27. Condition 9 is recommended to ensure that the required archaeological work is submitted and approved by the Local Planning Authority.

### Impact on Protected Species:

28. The NPPF states that the planning system should contribute to and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible. Circular 06/05 – Biodiversity Geological Conservation also requires the impact of a development on protected species to be established before planning permission is granted. This approach is reflected in Policy CS7 of the Woking Core Strategy.
29. Given the location and nature of the buildings on site, the planning application has been supported by an Ecological Impact Assessment Report and Bat Inspection Report.
30. The submitted Ecological Impact Assessment Report concluded *'Given the nature of any potential roost being unlikely to be picked up in a presence/absence survey it is considered more appropriate and proportionate to strip the building by hand under the supervision of a bat ecologist... Vegetation clearance has the potential to disturb nesting birds, and should be carried out outside of the nesting bird season, or be preceded by a check for active bird nests. The remainder of the proposed works area is of negligible ecological value and development is unlikely to have an impact on biodiversity. Trees to be maintained with close proximity to the proposed works must comply with BS5837:2012 Trees in Relation to Design, Demolition and Construction. It is recommended to undertake some small scale enhancement works which should include the promotion of any landscaping schemes to incorporate native species and for the installation of bat and bird boxes.'*
31. The submitted bat report concluded that *'that if bats are present in the building then it will only ever be in very low numbers (one or two bats). If the building is being used by bats then it is likely that the use is only as an occasional roosting site by one or two bats in the summer months, perhaps only as a night time or transitional roost. The ivy on the Oak tree is not likely to be suitable for bats to roost in.'*
32. Surrey Wildlife Trust have been consulted and advised all the recommended actions in the submitted Ecological Impact Assessment Report and biodiversity enhancements in the submitted Bat Inspection Report should be implemented. Therefore subject to the recommended conditions (condition 10 and 11) the proposal is considered to comply with Policy CS7 of the Core Strategy and the policies in the NPPF relating to ecology and biodiversity and the guidance in Circular 06/05.

### Urban Open Space:

33. Policy CS17 of the Woking Core Strategy (2012) seeks to protect multi-functional open space and other environmental features including dedicated Urban Open Space across the Borough and canal corridors. This is reflected in Policy DM3 of the DM Policies DPD (2016).
34. Policy DM4 (Development in the Vicinity of Basingstoke Canal) of the DM Policies DPD (2016) seeks to *'conserve the historic and ecological character of the waterway and its setting'*.

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35. The application site is a designated Urban Open Space and sited within the Basingstoke Canal Corridor. The proposed extension would be sited approximately 50m from the Basingstoke Canal and partially sited on an area existing area of hardstanding adjacent to an existing building. Due to the separation distance to the Basingstoke Canal it is considered there would not be any harm to the Basingstoke Canal Corridor and the function of the Urban Open Space will not be undermined. The proposal would increase the amount of hard surfacing to facilitate the additional parking. Condition 4 is recommended to secure landscaping, including replacement planting. Subject to this, It is considered there would not be a detrimental impact on the designated Urban Open Space.

### Transportation Impacts:

36. Policy CS18 states 'the Council is committed to developing a well integrated community connected by a sustainable transport system' this can be achieved by *'implementing maximum car parking standards for all types of non-residential development, including consideration of zero parking in Woking Town Centre, providing it does not create new or exacerbate existing on-street car parking problems. Minimum standards will be set for residential development. However in applying these standards, the Council will seek to ensure that this will not undermine the overall sustainability objectives of the Core Strategy...'*. In addition Supplementary Planning Document Parking Standards (2006) sets maximum standards, with the objective of promoting sustainable non-car travel.
37. The existing vehicular access located to the south east of the site will be relocated to the north east of the site. Vehicular access will remain from Bridge Barn Lane. It is noted that concerns have been raised over increase in traffic and increased parking pressure especially during school drop off and pick up times at the adjacent Primary School.
38. Supplementary Planning Document 'Parking Standards' (2006) requires hotels (C3) to provide 1.5 car spaces per bedroom plus 1 coach space per 100 bedrooms and restaurants/public houses to provide 1 car space per 6sqm of gross floor area.
39. The existing 56 bedroom hotel and Public House and Restaurant is currently served by 93 spaces (including 4 disabled spaces). To comply with the current maximum parking requirements in the Supplementary Planning Document 'Parking Standards' (2006) the existing 56 bedroom hotel and restaurant would be required to provide 174.6 car parking spaces. There is currently a shortage of 81.6 car parking spaces.
40. The proposed development would result in a net increase of 18 bedrooms and provide 11 additional spaces (including 3 disabled spaces). To comply with maximum parking standards a maximum of **201** car parking spaces would be required. 104 spaces would be provided resulting in a shortfall of **97** car parking spaces. A total of 74 bedrooms would be provided; therefore no coach parking would be required.
41. The NPPF advises that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe (Para. 32). Supplementary Planning Document 'Parking Standards' (2006) states *'where developers propose parking standards below the maximum standards these will be critically examined to ensure that there would be no adverse effect on highway safety, the free flow of traffic or parking provision in the immediate area generally'*.



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42. The planning application has been supported by a Transport Assessment, the Transport Assessment has used data gathered from comparable sites with similar proximity to major roads, public transport and commercial and retail units. The Transport Assessment demonstrates that the proposed extension would result in approximately an additional 5 movements in the am peak hours (08.00-09.00) and 4 movements in the pm peak (17.00-18.00). The proposed extension would generate a total of 47 additional two-way vehicle movements during a typical day.
43. The County Highway Authority have been consulted and advised the approach used to gather data and estimate trip rates is considered acceptable and that the proposed extension and additional trip rates is unlikely to create a severe impact on the local highway network.
44. The 104 parking spaces (including 7 disabled spaces) within the site would be shared between the hotel and existing public house/restaurant. It should be noted that the peak parking demand for both uses occur at different times. Hotel guests generally depart in the morning and arrive throughout the afternoon and evening whilst the public house/restaurant peaks generally occur at meal times. The on site public house/restaurant can cater for hotel guests breakfasts and evening meals encouraging guests to stay on site.
45. As part of the Transport Assessment a week long (14.09.2015 to 20.09.2015) parking survey was undertaken to establish existing parking demand. During the survey all 56 guest bedrooms were occupied on 6 of the days. The parking survey recorded a peak accumulation of 80 parked cars within the 93 capacity car park at 21.00 on Tuesday 15 September, which equates to 85% of capacity. In terms of the peak overnight parking accumulation, 59 vehicles were recorded at 00:00 on Wednesday 16 September (i.e. 63% capacity).
46. A parking demand profile for the extension has been included within the Transport Assessment based on data from comparable Premier Inn sites. The parking accumulation chart demonstrates that there would be spare capacity within the on site car park to accommodate parking during high demand.
47. The County Highway Authority have been consulted and advised *'the applicant has also demonstrated, using parking accumulation survey data that the on site provision of parking will be sufficient so as to prevent overspill on street parking within the vicinity of the site. The CHA is satisfied that this data is acceptable as it has been collected on site from the existing hotel/restaurant arrangement'*.
48. It is noted that residents have raised concerns over highway safety as Goldsworth Primary School is sited to the south of the site. As part of the planning application the applicant has agreed to provide a new footway link on the western side of Bridge Barn Lane, leading from Arthur's Bridge to the existing footway immediately adjacent to the site. Currently there is only a continuous footway on the eastern side of Bridge Barn Lane. This will enable pedestrian traffic to access the school from Arthur's Bridge without crossing Bridge Barn Lane farther down, or walking down the edge of the carriageway. This should lead to less pedestrian/traffic conflict and reduced risk for road safety. Condition 15 is recommended to secure these improvements.

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49. A construction transport management plan condition is recommended (condition 14) to minimise disruption to local residents during the build period should planning permission be granted. There is also potential storage space for materials on site during any build period.
50. Conditions 12, 13 and 16 are recommended to secure the provision of the new vehicular access, provision of new parking spaces, the capacity for vehicles to leave the site in a forward gear and submission and approval of a travel plan.
51. Overall therefore the proposal is considered to result in an acceptable impact upon highway safety and car parking provision and accords with policy CS18 of the Woking Core Strategy 2012, Supplementary Planning Document 'Parking Standards' (2008) and the National Planning Policy Framework (2012).

### Land contamination:

52. Paragraphs 120 and 121 of the NPPF relate to contamination and advise that the effects of pollution should be taken into account and that the responsibility for securing a safe development rests with the developer and/or landowner. Policy DM8 relates to land contamination and seeks to remediate or minimise the risks from contamination.
53. Given the historic uses of the site, there is potential for ground contamination. The Council's Scientific Officer has been consulted and raises no objection subject to a condition requiring investigation and remediation of potential contamination (Condition 17).

### Sustainability:

54. Policy CS22 of the Core Strategy relating to sustainable construction requires new non-residential development of 1,000sqm or more to comply with BREEAM very good standards. Condition 18 is recommended to secure the submission of a pre-assessment report and compliance with BREEAM very good standards.

### Community Infrastructure Levy (CIL):

55. The proposal is for C1 use and is therefore not liable for Community Infrastructure Levy (CIL).

## **CONCLUSION**

56. 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 and on the character of the surrounding area. The proposal therefore accords with Core Strategy (2012) policies CS7, CS9, CS15, CS18, CS20, CS21, CS22, CS24 and CS25, Supplementary Planning Documents 'Parking Standards' (2006), 'Outlook, Amenity, Privacy and Daylight' (2008) and 'Woking Design' (2015), DM Policies DPD (2016) policies DM2, DM4, DM7, DM8 and DM20 and the NPPF (2012) and is recommended for approval subject to conditions.

## **BACKGROUND PAPERS**

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

**RECOMMENDATION**

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

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:

CHQ.15.11464-PL01A dated December 2015 and received by the Local Planning Authority on 12.09.2017

CHQ.15.11464-PL05B dated December 2015 and received by the Local Planning Authority on 06.03.2018

CHQ.15.11464-PL06B dated December 2015 and received by the Local Planning Authority on 06.03.2018

CHQ.15.11464-PL07B dated December 2015 and received by the Local Planning Authority on 06.03.2018

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 (including external staircase) to be used in the construction of the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and thereafter retained in accordance with the approved details unless otherwise first agreed in writing by the Local Planning Authority.

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

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

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

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

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

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

6. The development hereby approved shall take place in strict accordance with the Arboricultural information by RSK ADAS Ltd dated February 2018, including the convening of a pre-commencement meeting and arboricultural supervision as indicated. No works or demolition shall take place until the tree protection measures have been implemented. Any deviation from the works prescribed 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

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

The drainage scheme details to be submitted for approval shall also include:

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

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

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

8. Finished Floor Levels should be raised at least 150mm above the surrounding ground level.

Reason: To prevent the increased risk of surface water flooding and to ensure the development complies with NPPF and Woking Borough Council's Core Strategy.

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

Reason: To ensure a programme of archaeological work is agreed and implemented before development commences in accordance with the National Planning Policy Framework (paragraphs 17 and 128) and Policy CS20 of the Woking Core Strategy 2012.

10. The development shall take place in accordance with the recommendations and enhancements in the Bat Inspection report dated October 2015. Any deviation from the works prescribed or methods agreed in the reports will require prior written approval from the Local Planning Authority.

Reason:

In the interests of the natural environmental and conservation of protected species in accordance with Section 11 of the National Planning Policy Framework and Policy CS7 of the Woking Core Strategy 2012.

11. The development shall take place in accordance with the recommendations in the Ecological Impact Assessment report dated September 2017. Any deviation from the works prescribed or methods agreed in the reports will require prior written approval from the Local Planning Authority.

Reason:

In the interests of the natural environmental and conservation of protected species in accordance with Section 11 of the National Planning Policy Framework and Policy CS7 of the Woking Core Strategy 2012.

12. The development hereby approved shall not be first opened for trading unless and until the proposed vehicular access to Bridge Barn Lane has been constructed and provided with visibility zones in accordance with the approved plans and thereafter the visibility zones shall be kept permanently clear of any obstruction over 1.05m high.

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

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

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

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

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

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

15. The development hereby approved shall not be first opened for trading unless and until the following facilities have been provided in accordance with the approved plans for:
- (a) A footway leading from Arthurs Bridge to the existing footway on the western side of Bridge Barn Lane, to include an informal crossing at the new access.
  - (b) The relocation of the existing western parking space at the northern end of Bridge Barn Lane adjacent to Arthurs Bridge.
  - (c) Reinstatement of all kerbs, verges and footways at the existing access that is to be closed off.

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

16. Prior to the commencement of the development a Travel Plan shall be submitted for the written approval of the Local Planning Authority in accordance with the sustainable development aims and objectives of the National Planning Policy Framework, Surrey County Council's "Travel Plans Good Practice Guide", and in general accordance with the 'Travel Plan dated September 2017' document. The approved Travel Plan shall be implemented on occupation and for each and every subsequent occupation of the development, thereafter maintain and develop the Travel Plan to the satisfaction of the Local Planning Authority.

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

## 10 APRIL 2018 PLANNING COMMITTEE

17. Development shall not begin until a scheme to deal with contamination of the site has been submitted to and approved in writing by the Local Planning Authority.
- (ii) The above scheme shall include :-
- (a) a contaminated land desk study and suggested site assessment methodology;
  - (b) a site investigation report based upon (a);
  - (c) a remediation action plan based upon (a) and (b);
  - (d) a "discovery strategy" dealing with unforeseen contamination discovered during construction;
  - and (e) a "validation strategy" identifying measures to validate the works undertaken as a result of (c) and (d)
  - (f) a verification report appended with substantiating evidence demonstrating the agreed remediation has been carried out
- (iii) Unless otherwise agreed in writing by the Local Planning Authority, the development shall be carried out and completed wholly in accordance with such details as may be agreed

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

18. Prior to the commencement of the development hereby approved, evidence that the development is registered with a BREEAM certification body and a pre-assessment report (or design stage certificate with interim rating if available) shall be submitted indicating that the development can achieve final BREEAM "Very Good" level.

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

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

### **Informatives**

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

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

3. The applicant is advised that Council officers may undertake inspections without prior warning to check compliance with approved plans and to establish that all planning conditions are being complied with in full. Inspections may be undertaken both during and after construction.
4. The applicant is advised that, under the Control of Pollution Act 1974, site works which will be audible at the site boundaries are restricted to the following hours:-  
08.00 – 18.00 Monday to Friday  
08.00 – 13.00 Saturday  
and not at all on Sundays and Bank/Public Holidays.
5. The permission hereby granted shall not be construed as authority to carry out any works on the highway. The applicant is advised that prior approval must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, or verge to form a vehicle crossover or to install dropped kerbs. Please see [www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/vehicle-crossovers-or-dropped-kerbs](http://www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/vehicle-crossovers-or-dropped-kerbs).
6. The permission hereby granted shall not be construed as authority to carry out any works on the highway or any works that may affect a drainage channel/culvert or water course. The applicant is advised that a permit and, potentially, a Section 278 agreement must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. All works on the highway will require a permit and an application will need to be submitted to the County Council's Street Works Team up to 3 months in advance of the intended start date, depending on the scale of the works proposed and the classification of the road. Please see <http://www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/the-traffic-management-permit-scheme>. The applicant is also advised that Consent may be required under Section 23 of the Land Drainage Act 1991. Please see [www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/floodingadvice](http://www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/floodingadvice).
7. The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders. (Highways Act 1980 Sections 131, 148, 149).
8. When a temporary access is approved or an access is to be closed as a condition of planning permission an agreement with, or licence issued by, the Highway Authority Local Highways Service will require that the redundant dropped kerb be raised and any verge or footway crossing be reinstated to conform with the existing adjoining surfaces at the developers expense.
9. The developer is advised that as part of the detailed design of the highway works required by the above condition(s), the County Highway Authority may require necessary accommodation works to street lights, road signs, road markings, highway drainage, surface covers, street trees, highway verges, highway surfaces, surface edge restraints and any other street furniture/equipment.



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10. The scheme to relocation the existing parking bays shall first require the alteration of the existing Traffic Regulation Order prior to first occupation of the development. The alteration of the Traffic Regulation Order is a separate statutory procedure which must be processed at the applicants expense prior to any alterations being made. In the event that the relocation of the parking spaces is not successful due to unresolved objections the applicant shall submit an alternative scheme to the Local Planning Authority for its approval prior to first occupation of the development. Any alternative scheme shall be implemented prior to the occupation of any dwellings to the satisfaction of the Local Planning Authority.
11. For the avoidance of doubt, the following definitions apply to the above condition (No: 17) relating to contaminated land:

Desk study- This will include: -

- (i) a detailed assessment of the history of the site and its uses based upon all available information including the historic Ordnance Survey and any ownership records associated with the deeds.
- (ii) a detailed methodology for assessing and investigating the site for the existence of any form of contamination which is considered likely to be present on or under the land based upon the desk study.

Site Investigation Report: This will include: -

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

Remediation plan: This plan shall include details of: -

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

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

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

Validation strategy: This shall include : -

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

All of the above documents, investigations and operations should be carried out by a qualified, accredited consultant/contractor in accordance with a quality assured sampling, analysis and recording methodology

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12. The applicant is advised that a S278 agreement will be required to secure the proposed new access, footway and pedestrian crossing.
13. The applicant is advised the proposed changes to the parking bays will require the existing Traffic Regulation Order to be amended.

**SECTION B**

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

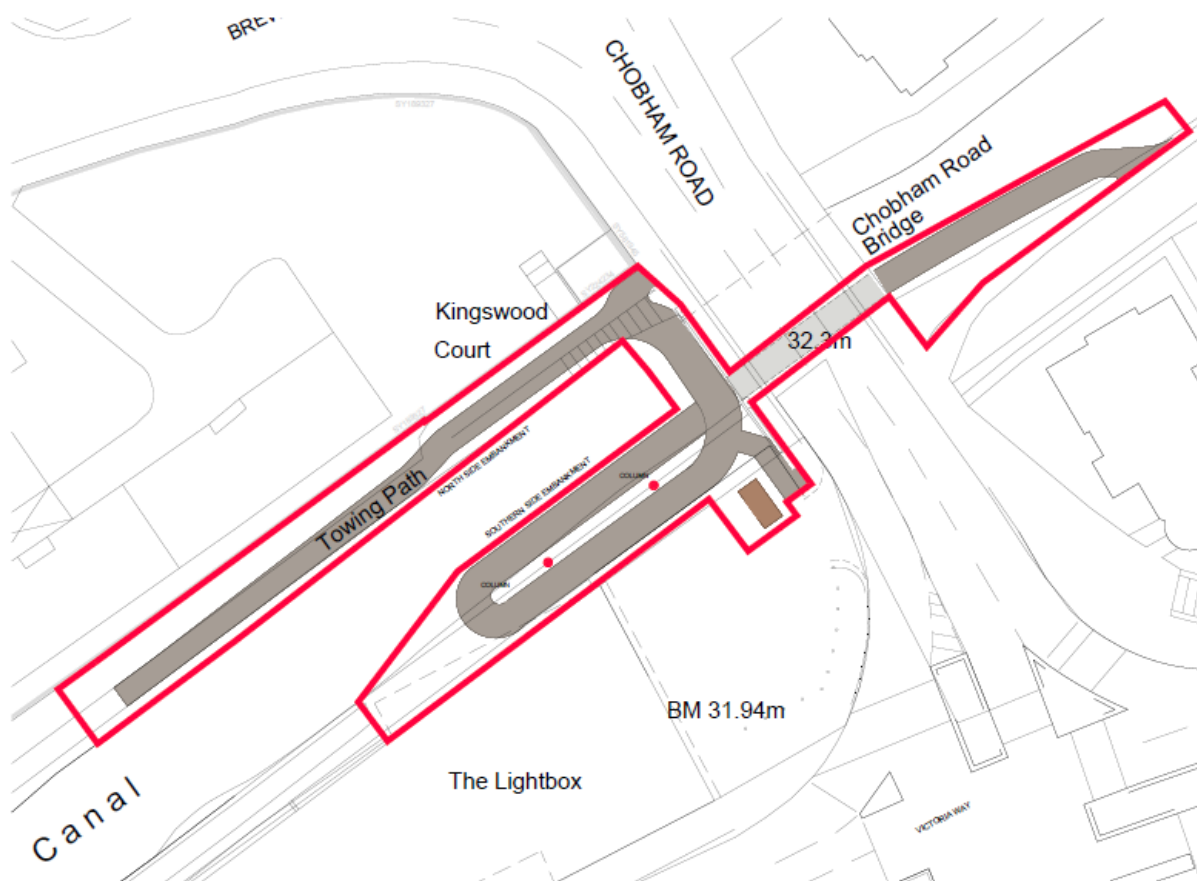
**(Note: Ordnance Survey Extracts appended to the reports are for locational purposes only and may not include all current developments either major or minor within the site or area generally)**



# Chobham Road Bridge

PLAN/2017/1226

Proposed erection of a new pedestrian/cycle bridge and walkway over Basingstoke canal next to Chobham Road Bridge, including re-alignment works linking the existing towpaths over the canal, associated landscaping and 2 x 17.5m high columns.

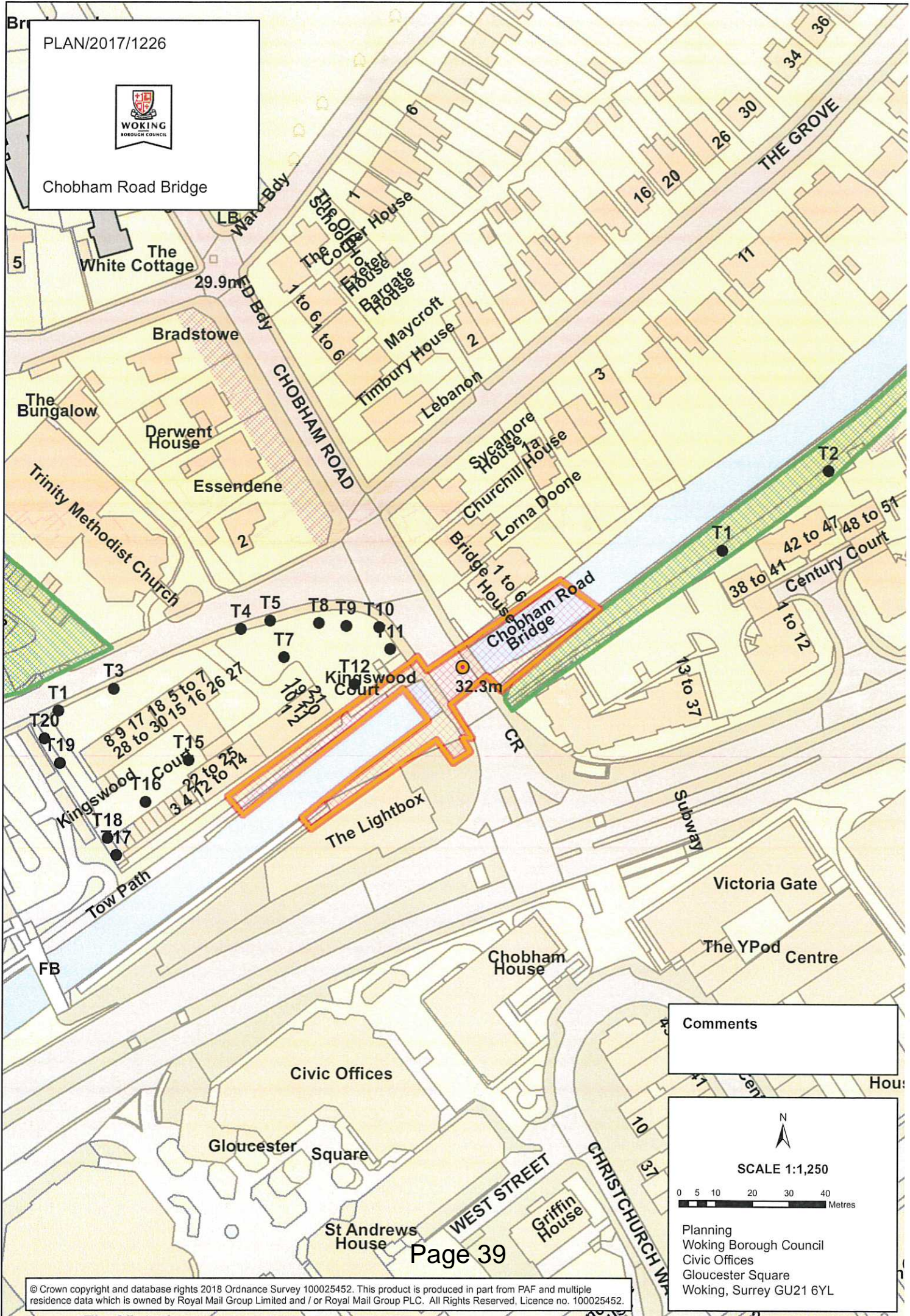




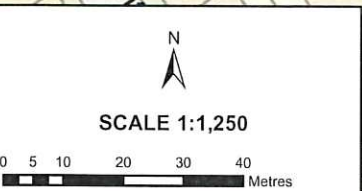
PLAN/2017/1226



Chobham Road Bridge



Comments



SCALE 1:1,250  
0 5 10 20 30 40 Metres  
Planning  
Woking Borough Council  
Civic Offices  
Gloucester Square  
Woking, Surrey GU21 6YL





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5b	17/1226	Reg'd:	26.10.2017	Expires:	21.12.17	Ward:	C
Nei. Con. Exp:	02.12.17	BVPI Target	Minor other- 18	Number of Weeks on Cttee' Day:	25/8	On Target?	No

**LOCATION:** Chobham Road Bridge, Chobham Road, Woking, Surrey

**PROPOSAL:** Proposed erection of a new pedestrian/cycle bridge and walkway over Basingstoke canal next to Chobham Road Bridge, including re-alignment works linking the existing towpaths over the canal, associated landscaping and 2 x 17.5m high columns.

**TYPE:** Full Planning Application

**APPLICANT:** Woking Borough Council

**OFFICER:** Brooke Bournague

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

The application has been referred to planning committee because Woking Borough Council is the applicant.

### **PROPOSED DEVELOPMENT**

The planning application proposes the construction of a new pedestrian/cycle bridge and walkway over Basingstoke Canal next to Chobham Road Bridge. The new bridge would connect two separated parts of the existing towpath and provide a continuous pedestrian and cycle route along Basingstoke Canal. The proposal includes upgrading the existing towpath's ramps and steps to comply with the Disability Discrimination Act. Two 17.5m columns are proposed on the south side of the Basingstoke Canal to support a suspended section of the bridge.

### **PLANNING STATUS**

- Urban Area
- Basingstoke Canal Conservation Area
- Adjacent to the Wheatsheaf Conservation Area
- Basingstoke Canal Corridor
- Site of Nature Conservation Importance
- Surface Water Flooding
- Thames Basin Heaths SPA ZoneB (400m-5km)
- Tree preservation Order

### **RECOMMENDATION**

Grant planning permission subject to conditions

### **SITE DESCRIPTION**

The application site is located adjacent to Chobham Road Bridge and on the corridor of the Basingstoke Canal. The A3046 Chobham Road runs north – south through the site. Residential properties are sited to the north, east and north east of the site and the

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Town Centre and commercial retail buildings are sited to the south. The site is predominately surrounded by multi storey development.

### **PLANNING HISTORY**

PLAN/2017/1227: Installation of 11 illuminated featured Glass Art panel privacy screening panels along Basingstoke Canal Towpath. Pending consideration

### **CONSULTATIONS**

Basingstoke Canal Authority: No response received

Surrey County Highway: No objection

Surrey County Council: No objection

Environment Agency South East: No response received

Surrey Wildlife Trust: No objection subject to condition 9, 10, 11 and 12

Inland Waterways Association: No response received

Arboricultural Officer: No objection subject to condition 4

Fairoaks Airport Limited: No response received

Conservation Consultant: No objection

Scientific Officer: No objection subject to condition 13

Flood Risk and Drainage Team: No objection subject to conditions 5 and 6

### **BACKGROUND**

Amended plans have been received over the course of the application incorporating the following:

- Block plan including position of the two proposed columns
- Removal of an obscure glazed privacy screen on the north side of the canal adjacent to Kingswood Court
- Modifications to make the scheme more wheelchair and pushchair friendly
- Amend the width of the two columns from 0.5m to 0.8m at the base decreasing to 0.4m at the top
- Re alignment of the suspended ramp

### **REPRESENTATIONS**

A total of 3x objections were received in response to the original proposal raising the following concerns:

- The suspension design will increase clutter
- Should be redesigned to remove the two columns
- Loss of tree and vegetation screening – provides light and noise screening against the noise of the traffic from the bridge and Victoria way.
- Loss of privacy
- Overlooking

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- Any proposed lighting would cause light pollution
- Not in keeping with the Horsell Conservation Area (Officer Note: the application site is located within the Basingstoke Canal Conservation Area and adjacent to the Wheatsheaf Conservation Area)
- Suspension technique results in excessive height
- Design is a complex over-engineered solution
- The design itself still requires bikers to dismount to go under the Chobham Road Bridge and it is likely that for safe use for pedestrians and bike users that bikers will need to dismount to use the bridge.
- Can the towpath not be extended to link up with the Bedser Bridge (by WWF).
- Is the scheme really needed? Would a simpler less visually impacting option be possible?
- Similar design to the Woking Station canopy and footbridge by Victoria Arch which have now been removed.
- The bridge will encourage bike users to cycle and is likely to cause accidents, particularly due to the looping round nature of the bridge to handle the height from the tow path up to the bridge road level. A more direct route, such as extending the tow path would prevent such incidents.

Neighbour notifications were not undertaken on amended plans given the minor nature of the changes.

### **RELEVANT PLANNING POLICIES**

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

- Section 4 - Promoting sustainable transport
- 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):

- CS7 - Biodiversity and nature conservation
- CS9 - Flooding and water management
- CS15 - Sustainable economic development
- CS18 - Transport and accessibility
- CS20 - Heritage & Conservation
- CS21 - Design
- CS22 - Sustainable construction
- CS24 - Woking's landscape and townscape
- CS25 - Presumption in favour of sustainable development

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

- DM2 - Trees and Landscaping
- DM4 - Development in the Vicinity of Basingstoke Canal
- DM8 - Land contamination and hazards
- DM20 - Heritage Assets and Their Settings

#### Supplementary Planning Documents (SPDs):

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

**PLANNING ISSUES**

Principle of Development:

1. The NPPF (2012) and Core Strategy Policy CS18 (2012) promote sustainable transport systems. Policy CS18 of the Woking Core Strategy (2012) supports *'proposals that deliver improvements and increased accessibility to cycle, pedestrian and public transport networks and interchange facilities'*. The application site is located within Woking Town Centre, Policy CS1 of the Woking Core Strategy (2012) states *'the Council will work with partners to continue to improve public transport and cycle facilities in the centre'*.
2. The proposal is part of the Woking Integrated Transport Plan for the Town Centre which aims to *'significantly enhance traffic flow in the area and make it safer for pedestrians and cyclists, whilst stimulating economic growth in Woking Town Centre'*.
3. The new bridge would connect two separated parts of the existing towpath and provide a continuous pedestrian and cycle route along Basingstoke Canal and enhance access for wheelchairs.
4. The principle of the erection of a new pedestrian/cycle bridge and walkway over Basingstoke Canal 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 of the Conservation Area

5. The application site is located in the Basingstoke Canal Conservation Area and Basingstoke Canal Corridor and adjacent to the Wheatsheaf Conservation Area.
6. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that, in considering applications within Conservation Areas, Local Planning Authorities shall pay *"special attention...to the desirability of preserving or enhancing the character or appearance of that area"*. This is reflected in 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). Policy CS20 advises that new development must respect and enhance the character and appearance of the area in which it is proposed.
7. The NPPF, Policy CS20 of the Woking Core Strategy and Policy DM20 of DM Policies DPD (2016) seek to ensure that development should preserve or enhance the character of Conservation Areas.
8. The planning application proposes the construction of a new pedestrian/cycle bridge and walkway over Basingstoke Canal next to Chobham Road Bridge. The new bridge would connect two separated parts of the existing towpath and provide a continuous pedestrian and cycle access along Basingstoke Canal. The proposal includes upgrading the existing towpath's ramps and steps to comply with the Disability Discrimination Act.
9. The proposed roving pedestrian/cycle bridge would span the width of the Basingstoke Canal and be sited to the west side of Chobham Road Bridge. The height of the bridge would be the same height as Chobham Bridge. The proposed plans indicate the bridge would be constructed from steel and supported by gabions. The bridge would be enclosed with an LED lit glass balustrade. Condition 3 is recommended to secure details of all proposed materials.

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10. The existing towpath on the north side of the canal that adjoins Chobham Bridge is accessed via steps and a steep ramp that does not comply with the Disability Discrimination Act. The proposed bridge would adjoin the existing towpath. To increase accessibility the steps would be removed and the gradient of the ramp altered to create a 1:14 gradient. The length of the ramp would be increased to facilitate the decreased gradient. The altered gradient would increase accessibility for wheelchair users. The proposed ramp would be constructed from gabions to reflect the design of the Bedser Bridge sited along the Basingstoke Canal. The proposed plans indicate the ramp would have a 1.4m high glass panel and 1.1m handrail. Condition 3 is recommended to secure details of the proposed materials.
11. The south side of the proposed bridge would be linked to a new 'U' shaped looped 2.3m wide walkway at a gradient of 1:13. The walkway orientated towards the west would be sited on gabions with the walkway orientated towards the east suspended over the Basingstoke Canal which would lead under Chobham Bridge linking to an existing towpath on the south side of Basingstoke Canal to the east of Chobham Road Bridge. The walkway would be finished in steel with the deck finished in bitumen-macadam surface with perforated aluminium soffits. The suspended walkway would be supported by two 17.5m high steel columns with an approximate 0.8m diameter at the base decreasing to 0.4 at the top, with four suspension cables leading from each column. The two 17.5m high columns would be sited on the south side the canal, the same side as the Town Centre which features multi storey residential and commercial properties. The columns would be sited within the vicinity of the Lightbox (13.5m). Condition 3 is recommended to secure details of the proposed columns.
12. The proposed development includes the provision of a bin store sited within the car park of The Lightbox. The proposed bin store would be approximately 2m wide and 4m deep with a height of approximately 1.8m. Proposed plans indicate that the proposal would be finished in timber boarding. Condition 3 is recommended to secure details of proposed materials. It is considered the proposed bin store would preserve the character of the Conservation Area.
13. The Council's Conservation Consultant has been consulted and raised no objection to the proposal.
14. Overall the proposal is considered to preserve the character and appearance of the Basingstoke Canal Conservation Area and setting of the Wheatsheaf Conservation Area. The application is considered to accord with 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).

### Impact on Neighbours:

15. The proposed pedestrian and cycle bridge would be sited to the west of Chobham Bridge and maintain the same height as the existing bridge. The proposed bridge would be sited closer to the flatted development at Kingswood Court than the existing bridge but still maintain a 20m separation distance. It is considered that the proposed bridge would not result in a significant loss of privacy or overbearing or overlooking impact to neighbouring properties.
16. The proposed new towpath sited to south of the canal and east of Chobham Bridge Road would be suspended over the Basingstoke Canal. An approximate 10m would be retained to the flatted development at Century Court to the south of the Canal and Bridge House, Chobham Road to the north of the Canal. The existing

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towpath is sited at a lower ground level than Century Court and approximately the same height as Bridge House, Chobham Road. Due to the open nature of Bridge House, Chobham Road there are existing views towards the windows in the south elevation of Bridge House, Chobham Road. It is considered the extended towpath to the east of Chobham Road Bridge would not result in a significant loss of privacy or overbearing or overlooking impact.

17. The proposed new towpath to the west of Chobham Bridge Road on the south side of the Basingstoke Canal would be sited adjacent to the north of The Lightbox. Due to the commercial use of The Lightbox it is considered there would be no impact on the amenities of The Lightbox.
18. The planning application proposes to upgrade the existing towpath to the north of the Basingstoke Canal that runs parallel to the flatted development at Kingswood Court. There are windows serving habitable rooms in the south elevation of Kingswood Court, including ground floor windows orientated towards Basingstoke Canal. The existing towpath is sited on lower ground level approximately 4m from the flats at Kingswood Court. There is an approximate 0.89m boundary wall and natural boundary treatment providing a buffer between Kingswood Court and the existing towpath. Due to the relationship between Kingswood Court and the existing towpath there are existing views into the flats at Kingswood Court. The proposed upgraded towpath would have an altered gradient to comply with the Disability Discrimination Act. The height of a section of the existing towpath would be increased this facilitate the proposed 1.14 gradient. The increase in height of the upgraded towpath would provide views into the flats and Kingswood Court, it is considered these views would not be any worse than the existing situation. It is considered the upgraded towpath would not result in a significant overlooking or loss of privacy over and above the existing situation.
19. Due to the position of the bin store it is considered that there would not be an impact on residential properties.
20. Overall the proposed development is considered to have an acceptable impact on neighbours in terms of loss of light, overlooking and overbearing impacts.

### Impact on Trees:

21. Policy DM2 of DM Policies DPD (2016) states the Council will *'require any trees which are to be retained to be adequately protected to avoid damage during construction'* and Core Strategy (2012) Policy CS21 requires new development to include the retention of trees and landscape features of amenity value.
22. The planning application would result in the loss of trees on the south side of the Basingstoke Canal to facilitate the proposal. The Council's Arboricultural Officer has been consulted and raised no objection to the loss of these trees due to their poor quality.
23. The site is a designated Site of Nature Conservation Importance. The designation is primarily for the unique diversity of the aquatic and marginal botany. One of the Conservation objectives of the Conservation Management Plan for Basingstoke Canal is to reduce tree shade on the water – from the existing 34% (average) to around 10% (average). It is considered removal of two trees on the south of the canal will assist the Borough in achieving this objective and not require the trees to be replaced.

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24. The Council's Arboricultural Officer has been consulted and advised a soft landscaping scheme should be submitted and agreed. Condition 4 is recommended to secure details of a soft landscaping scheme.

### Flood Risk:

25. The proposed development would be built on and adjacent to the Basingstoke Canal. The application site is at low and medium risk from surface water flooding. The Drainage and Flood Risk Team have been consulted and raised no objection subject to conditions 5 and 6. Condition 5 is recommended to ensure that details of a scheme for disposing of surface water by means of a sustainable drainage system are submitted prior to commencement to ensure the proposal does not increase surface water flooding in the area. Condition 6 is recommended to secure details of a management and maintenance plan for the lifetime of the development to prevent the increased risk of flooding and to ensure the future maintenance.

### Impact on Protected Species:

26. The NPPF states that the planning system should contribute to and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible. Circular 06/05 – Biodiversity Geological Conservation also requires the impact of a development on protected species to be established before planning permission is granted. This approach is reflected in Policy CS7 of the Woking Core Strategy.
27. Given the location of the application site within a Site of Nature Conservation Importance and adjacent to the Basingstoke Canal the planning application has been supported by a Preliminary Ecological Appraisal, and further assessment report to the Preliminary Ecological Appraisal and Preliminary Roost Assessment, Ground Level Tree Assessment and Bat Hibernation Inspection Report.
28. The submitted Preliminary Roost Assessment, Ground Level Tree Assessment and Bat Hibernation Inspection Report concluded *'as the proposals will result in a direct loss of suitable bat hibernation features, it is recommended that at least two woodcrete bat boxes be installed on undisturbed trees which will not be impacted by light along the canal in order to provide alternative roosting features for bats. Recommended bat box types include: 2F Schwegler Bat Box (General Purpose), 1FF Schwegler Bat Box With Built-in Wooden Rear Panel, 2FN Schwegler Bat Box, 2F Schwegler Bat Box with Double Front Panel or NHBS Kent Bat Box for installation on trees. These should be sited along linear features such as tree lines adjacent to the canal and in undisturbed areas to increase the likelihood of uptake. Sunny locations should be chosen between 4m and 6m from the ground which will remain unlit at night'*.
29. With regards to trees the submitted Preliminary Roost Assessment, Ground Level Tree Assessment and Bat Hibernation Inspection Report has also advised that *'wherever possible, mature and veteran trees should be retained intact and protected in line with British Standard Institution (2012)'*. Condition 7 is recommended to ensure that a Arboricultural report is submitted to ensure that mature trees to be retained are adequately protected during construction.
30. The Preliminary Roost Assessment, Ground Level Tree Assessment and Bat Hibernation Inspection Report states *'if additional lighting or the introduction of additional amenities is proposed which may affect bats, bat transect surveys will be required to inform these plans. However, if a bat-friendly lighting scheme is designed and implemented, it may negate the need for these additional surveys'*. Condition 8 is recommended to secure details of any lighting prior to installation.

31. The submitted Preliminary Ecological Appraisal concluded *'in total 13 different Phase 1 Habitat types were recorded during the site visit. These are all fairly typical of the Basingstoke Canal.....Work should be kept to a minimum on the south west bank of the canal (next to the Lightbox) as Cut-grass (a Surrey rare plant and UK Species) has been recorded there in the past...A precautionary and appropriately timed approach to the site clearance as well as good building practice is recommended to minimise impacts on other fauna including mammals, reptiles, amphibians and birds'*.
32. Surrey Wildlife Trust have been consulted and advised all the recommendations in the submitted Preliminary Ecological Appraisal, Rare Plant Survey Conclusions in the submitted Further Assessment Report and recommendations and Ecological Enhancements in the submitted Preliminary Roost Assessment, Ground Level Tree Assessment and Bat Hibernation Inspection Report should be implemented (condition 9, 10 and 11). In addition The Surrey Wildlife Trust have recommended that a Ecological Management Plan is submitted to control the development works (condition 12). Therefore, subject to the recommended conditions, the proposal is considered to comply with Policy CS7 of the Core Strategy and the policies in the NPPF relating to ecology and biodiversity and the guidance in Circular 06/05.

Urban Open Space:

33. Policy CS17 of the Woking Core Strategy (2012) seeks to protect multi-functional open space and other environmental features including dedicated Urban Open Space across the Borough and canal corridors. This is reflected in Policy DM3 of the DM Policies DPD (2016).
34. Policy DM4 (Development in the Vicinity of Basingstoke Canal) of the DM Policies DPD (2016) seeks to *'conserve the historic and ecological character of the waterway and its setting'* and states *'development on land adjoining the Canal should not be permitted where it would result in un-attenuated surface water or highway drainage into the Canal. Developments which can offer attenuated dry-season flows or wet-season water storage will be supported'*.
35. The application site is a designated Urban Open Space and sited within the Basingstoke Canal Corridor. The proposed works would be sited on and adjacent to the Basingstoke Canal.
36. The planning application has been supported by a Preliminary Ecological Appraisal, and further assessment report to the Preliminary Ecological Appraisal and Preliminary Roost Assessment, Ground Level Tree Assessment and Bat Hibernation Inspection Report. It is considered the proposal would not have a detrimental impact upon the landscape quality, ecological value or water quality of the Basingstoke Canal corridors in accordance with Policy CS17 of the Woking Core Strategy (2012) and DM4 of the DM Policies DPD (2016).
37. Condition 5 is to ensure that details of a scheme for disposing of surface water by means of a sustainable drainage system are submitted.
38. The proposed works would alter the appearance in this localised section of the Basingstoke Canal, it is considered the proposed development would preserve the character of the Conservation Area. The proposal development would link up two existing towpaths providing a continuous link for pedestrians and cyclist along the Basingstoke Canal towpath which acts a linear country park, therefore enhancing



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the enjoyment of the Basingstoke Canal. Condition 3 is recommended to ensure the proposed materials are sympathetic to the character of the area.

39. It is considered there would not be any harm to the Basingstoke Canal Corridor and the function of the Urban Open Space will be enhanced. The proposal would increase the amount of hard surfacing to facilitate the additional towpaths. Condition 3 is recommended to secure landscaping. Subject to this, it is considered there would not be a detrimental impact on the designated Urban Open Space.

### Transportation Impacts:

40. Policy CS1 of the Woking Core Strategy (2012) states *'the Council will work with partners to continue to improve public transport and cycle facilities in the centre'*.
41. Policy CS18 of the Woking Core Strategy (2012) states *'the Council is committed to developing a well integrated community connected by a sustainable transport system'* this can be achieved by *'supporting proposals that deliver improvements and increased accessibility to cycle, pedestrian and public transport networks and interchange facilities'*.
42. The proposal will increase and improve pedestrian and cycle accessibility along Basingstoke Canal and improve connections with the Town centre. It is considered the proposal would comply with Policies CS1 and CS18 of the Woking Core Strategy (2012).
43. The County Highway Authority have been consulted and raised no objection to the proposal.
44. Overall therefore the proposal is considered to result in an acceptable impact upon highway safety and accords with policy CS18 of the Woking Core Strategy 2012 and the National Planning Policy Framework (2012).

### Land contamination:

45. Paragraphs 120 and 121 of the NPPF relate to contamination and advise that the effects of pollution should be taken into account and that the responsibility for securing a safe development rests with the developer and/or landowner. Policy DM8 relates to land contamination and seeks to remediate or minimise the risks from contamination.
46. Given the historic uses of the site, there is potential for ground contamination. The Council's Scientific Officer has been consulted and raises no objection subject to a condition requiring investigation and remediation of potential contamination (Condition xx).

### Community Infrastructure Levy (CIL):

47. The proposal is not liable for Community Infrastructure Levy (CIL).

## **CONCLUSION**

48. 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 and would preserve the character and appearance of the Basingstoke Canal Conservation Area and the setting of the Wheatsheaf Conservation Area. The proposal therefore accords with Core Strategy (2012) policies CS7, CS9, CS15, CS18, CS20, CS21, CS22, CS24 and CS25, Supplementary Planning Documents 'Parking Standards' (2006), 'Outlook, Amenity, Privacy and Daylight'

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(2008) and 'Woking Design' (2015), DM Policies DPD (2016) policies DM2, DM4, DM7, DM8 and DM20 and the NPPF (2012) and is recommended for approval subject to conditions.

### **BACKGROUND PAPERS**

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

### **RECOMMENDATION**

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

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:

12840.8 [OS] 01 Rev C dated July 2017 and received by the Local Planning Authority on 27.03.2018

12840.8 [PL] 01 Rev B dated 10 June 2017 and received by the Local Planning Authority on 27.03.2018

12840.8 [PL] 02 Rev B dated 10 June 2017 and received by the Local Planning Authority on 27.03.2018

12840.8 [PL] 03 Rev B dated 10 June 2017 and received by the Local Planning Authority on 27.03.2018

12840.8 [PL] 04 Rev B dated 10 June 2017 and received by the Local Planning Authority on 27.03.2018

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. ++ Notwithstanding any details shown on the approved plans listed within condition 02, prior to the first occupation of the development hereby approved, a

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

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

5. No development shall commence until details of a scheme for disposing of surface water by means of a sustainable drainage system have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in full in accordance with the approved details prior to the first use of the bridge. A detailed drainage plan detailing where surface water will be accommodated on site and a final discharge point shall be included.

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

6. No development shall commence until details of a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

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

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

Reason:

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

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

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

9. The development shall take place in accordance with the recommendations in the Preliminary Ecological Appraisal dated July 2017. Any deviation from the works prescribed or methods agreed in the reports will require prior written approval from the Local Planning Authority.

Reason:

In the interests of the natural environmental and conservation of protected species in accordance with Section 11 of the National Planning Policy Framework and Policy CS7 of the Woking Core Strategy 2012.

10. The development shall take place in accordance with the Rare Plant Survey Conclusions in the submitted Further Assessment Report dated September 2017. Any deviation from the works prescribed or methods agreed in the reports will require prior written approval from the Local Planning Authority.

Reason:

In the interests of the natural environmental and conservation of protected species in accordance with Section 11 of the National Planning Policy Framework and Policy CS7 of the Woking Core Strategy 2012.

11. The development shall take place in accordance with the and recommendations and ecological enhancements in the submitted Preliminary Roost Assessment, Ground Level Tree Assessment and Bat Hibernation Inspection Report dated March 2018. Any deviation from the works prescribed or methods agreed in the reports will require prior written approval from the Local Planning Authority.

Reason:

In the interests of the natural environmental and conservation of protected species in accordance with Section 11 of the National Planning Policy Framework and Policy CS7 of the Woking Core Strategy 2012.

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

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The scheme shall include the following elements:

- Details of any habitat enhancements,(specify details eg; including enhancements of the watercourses to increase the habitat suitable to water voles)
- Details of any new habitats created on site, including new ponds, scrapes and other wetland habitats
- Detail extent and type of new planting. NB Planting within 5m of the bank tops of the streams and within all areas outside of the built development, to be of appropriate native species of UK and preferably of local provenance
- Details of treatment of site boundaries and/or buffers around water bodies
- Details of maintenance regimes
- Details of management responsibilities and provision of appropriate funding

Reason: To ensure the protection of wildlife and the habitat which supports it and secure opportunities for the enhancement of the nature conservation value of the site in line with the NPPF and in accordance with Policy CS7 of the Woking Core Strategy 2012.

13. Development shall not begin until a scheme to deal with contamination of the site has been submitted to and approved in writing by the Local Planning Authority.
- (ii) The above scheme shall include :-
- (a) a contaminated land desk study and suggested site assessment methodology;
  - (b) a site investigation report based upon (a);
  - (c) a remediation action plan based upon (a) and (b);
  - (d) a "discovery strategy" dealing with unforeseen contamination discovered during construction;
  - and (e) a "validation strategy" identifying measures to validate the works undertaken as a result of (c) and (d)
  - (f) a verification report appended with substantiating evidence demonstrating the agreed remediation has been carried out
- (iii) Unless otherwise agreed in writing by the Local Planning Authority, the development shall be carried out and completed wholly in accordance with such details as may be agreed

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

### **Informatives**

1. The Council confirms that in assessing this planning application it has worked with the applicant in a positive and proactive way, in line with the requirements of paragraph 186-187 of the National Planning Policy Framework 2012.
2. The applicants attention is specifically drawn to the conditions above marked ++. These condition(s) require the submission of details, information, drawings, etc. to the Local Planning Authority PRIOR TO THE RELEVANT TRIGGER POINT. Failure to observe these requirements will result in a contravention of the terms of the permission and the Local Planning Authority may serve Breach of

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

3. The applicant is advised that Council officers may undertake inspections without prior warning to check compliance with approved plans and to establish that all planning conditions are being complied with in full. Inspections may be undertaken both during and after construction.
4. The applicant is advised that, under the Control of Pollution Act 1974, site works which will be audible at the site boundaries are restricted to the following hours:-  
08.00 – 18.00 Monday to Friday  
08.00 – 13.00 Saturday  
and not at all on Sundays and Bank/Public Holidays.
5. The permission hereby granted shall not be construed as authority to carry out any works on the highway. The applicant is advised that prior approval must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, or verge to form a vehicle crossover or to install dropped kerbs. Please see [www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/vehicle-crossovers-or-dropped-kerbs](http://www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/vehicle-crossovers-or-dropped-kerbs).
6. The permission hereby granted shall not be construed as authority to carry out any works on the highway or any works that may affect a drainage channel/culvert or water course. The applicant is advised that a permit and, potentially, a Section 278 agreement must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. All works on the highway will require a permit and an application will need to be submitted to the County Council's Street Works Team up to 3 months in advance of the intended start date, depending on the scale of the works proposed and the classification of the road. Please see <http://www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/the-traffic-management-permit-scheme>. The applicant is also advised that Consent may be required under Section 23 of the Land Drainage Act 1991. Please see [www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/floodingadvice](http://www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/floodingadvice).
7. The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders. (Highways Act 1980 Sections 131, 148, 149).
8. When a temporary access is approved or an access is to be closed as a condition of planning permission an agreement with, or licence issued by, the Highway Authority Local Highways Service will require that the redundant dropped kerb be raised and any verge or footway crossing be reinstated to conform with the existing adjoining surfaces at the developers expense.
9. The developer is advised that as part of the detailed design of the highway works required by the above condition(s), the County Highway Authority may require necessary accommodation works to street lights, road signs, road markings,

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highway drainage, surface covers, street trees, highway verges, highway surfaces, surface edge restraints and any other street furniture/equipment.

10. The scheme to relocation the existing parking bays shall first require the alteration of the existing Traffic Regulation Order prior to first occupation of the development. The alteration of the Traffic Regulation Order is a separate statutory procedure which must be processed at the applicants expense prior to any alterations being made. In the event that the relocation of the parking spaces is not successful due to unresolved objections the applicant shall submit an alternative scheme to the Local Planning Authority for its approval prior to first occupation of the development. Any alternative scheme shall be implemented prior to the occupation of any dwellings to the satisfaction of the Local Planning Authority.
11. For the avoidance of doubt, the following definitions apply to the above condition (No: 13) relating to contaminated land:

Desk study- This will include: -

- (i) a detailed assessment of the history of the site and its uses based upon all available information including the historic Ordnance Survey and any ownership records associated with the deeds.
- (ii) a detailed methodology for assessing and investigating the site for the existence of any form of contamination which is considered likely to be present on or under the land based upon the desk study.

Site Investigation Report: This will include: -

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

Remediation plan: This plan shall include details of: -

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

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

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

Validation strategy: This shall include: -

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

All of the above documents, investigations and operations should be carried out by a qualified, accredited consultant/contractor in accordance with a quality assured sampling, analysis and recording methodology.

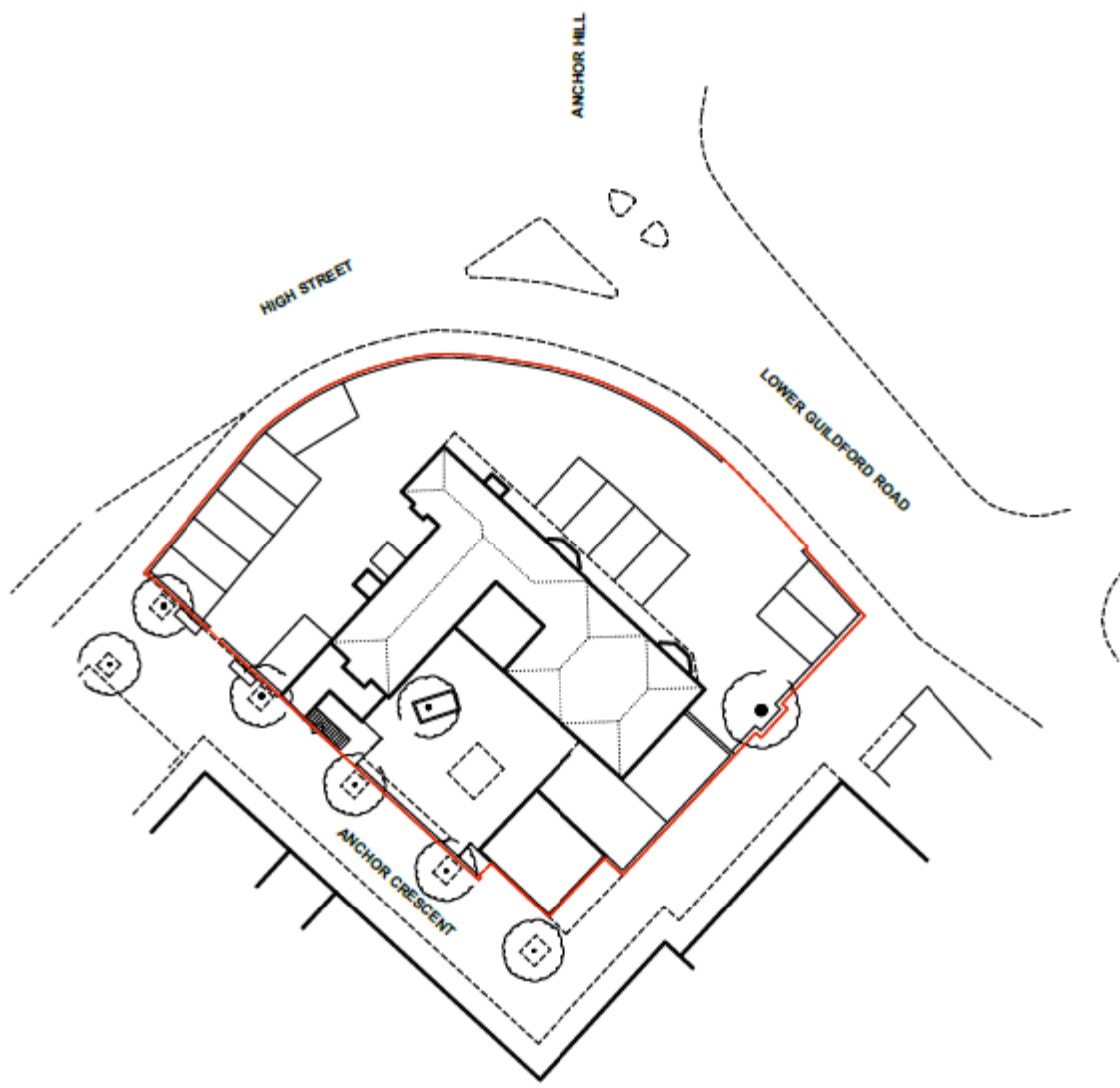




# The Anchor PH, High Street, Knaphill

PLAN/2017/1167

Erection of two storey side and rear extensions and change of use of part of existing Public House to provide 8x self-contained residential units (3x two bed & 5x one bed) and retention of A3 (restaurant/café)/A4 (drinking establishment) use at ground floor level and associated external alterations, bin storage, parking and landscaping following demolition of existing rear extensions and outbuilding.

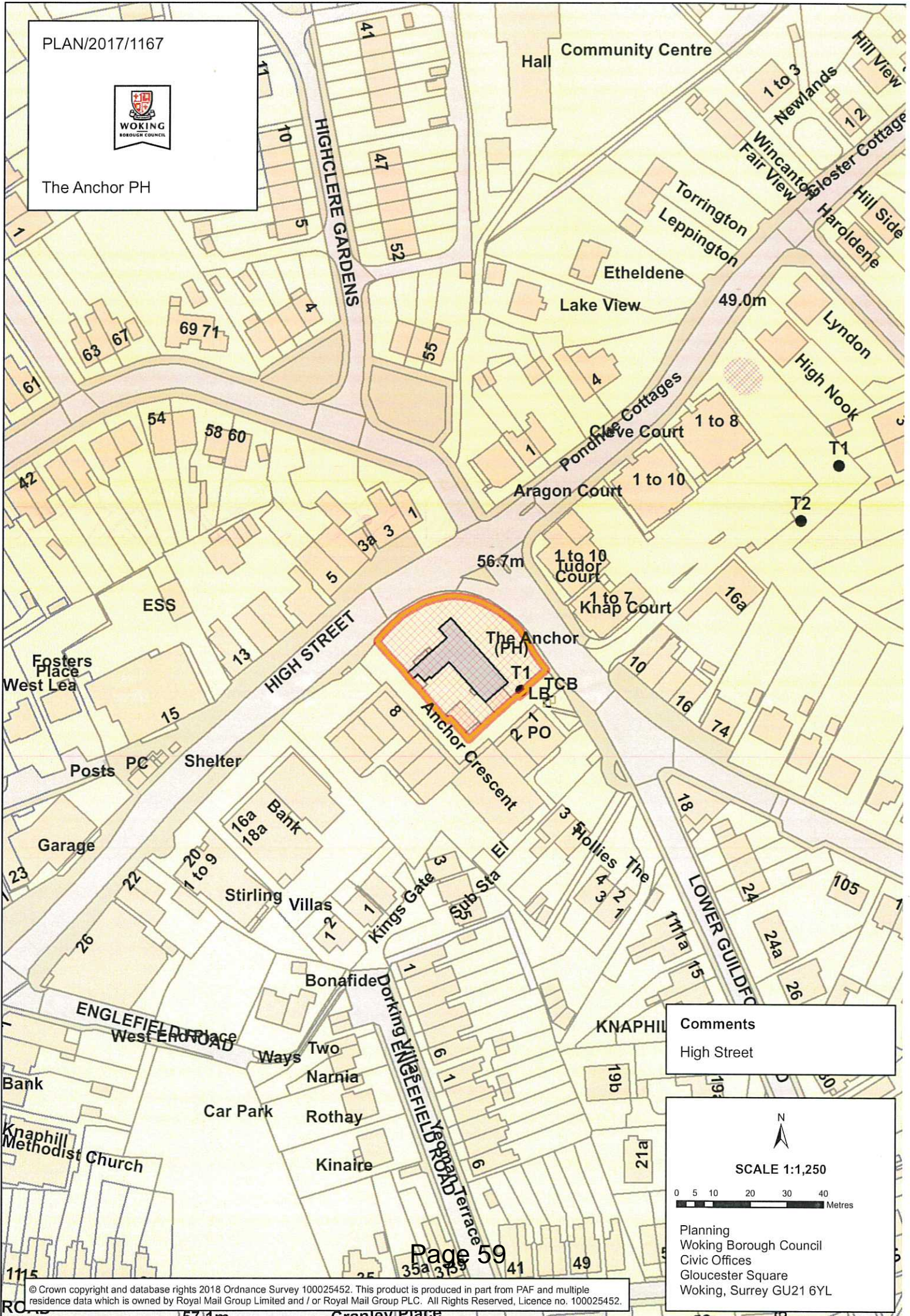




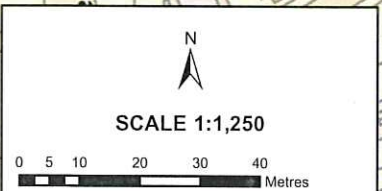
PLAN/2017/1167



The Anchor PH



Comments  
High Street



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



## 10 APRIL 2018 PLANNING COMMITTEE

5c 17/1167 Reg'd: 03.11.17 Expires: 29.12.17 Ward: KNA  
Nei. 30.11.17 BVPI Minor Number 8> On No  
Con. Target dwellings -13 of Weeks Target?  
Exp: on Cttee'  
Day:

**LOCATION:** The Anchor Public House, High Street, Knaphill, GU21 2PE

**PROPOSAL:** Erection of two storey side and rear extensions and change of use of part of existing Public House to provide 8x self-contained residential units (3x two bed & 5x one bed) and retention of A3 (restaurant/café)/A4 (drinking establishment) use at ground floor level and associated external alterations, bin storage, parking and landscaping following demolition of existing rear extensions and outbuilding

**TYPE:** Full Planning Application

**APPLICANT:** Metbase Ltd – Steven McDicken

**OFFICER:** David Raper

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### **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 two storey side and rear extensions to the existing Pub building following demolition of existing rear additions to facilitate the provision of 8x self-contained residential units (3x two bed & 5x one bed) with the retention of an A3 (restaurant/café)/A4 (drinking establishment) use at ground floor level. The proposal also includes associated bin storage and parking to the frontage and the introduction of soft landscaping on the High Street frontage and a landscaped communal courtyard to the rear and new boundary treatments surrounding the site. The existing vehicular access onto Lower Guildford Road would be retained for access and servicing.

Site Area: 0.1015ha (1,015 sq.m)  
Existing units: 2  
Proposed units: 8  
Existing density: 19.7 dph (dwellings per hectare)  
Proposed density: 78.8 dph

### **PLANNING STATUS**

- Urban Area
- Locally Listed building
- Knaphill Local Centre
- Tree Preservation Order
- 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 Anchor Public House which is a Locally Listed two storey building understood to originally date from late C18 and is finished in painted render with shallowly pitched hipped roofs finished in slate. The principal front elevation of the building fronts onto Lower Guildford Road and features later additions to the rear. The building features 2x existing first floor flats and a garage structure and beer garden at ground floor level. The proposal site forms a prominent corner position at the top of Anchor Hill on the crossroads with High Street, Lower Guildford Road, Highclere Road and Anchor Hill and is currently surrounded by hardstanding. Anchor Crescent is a parade of shops dating from the 1960s which borders the side and rear boundaries of the site which effectively creates an 'island' site where all elevations are prominent from public vantage points. The surrounding area is mixed in character and is characterised by 2.5x storey blocks of flats opposite the site to the north-east, 2-3x storey buildings on High Street to the north-west and Anchor Crescent is characterised by two storey commercial development dating from the 1960s. The proposal site is within the designated Urban Area and the Knaphill Local Centre.

**PLANNING HISTORY**

- PLAN/1991/0921 - Erection of balustrading along the side of the property at first floor level, external staircase and 2m high timber fence, together with refurbishment of the property – Permitted 14.11.1991
- 22544 – Erection of 10 shops and supermarket – Permitted 12.01.1967
- 21133 – Erection of 10 shops and supermarket (outline) – Permitted 01.01.1967
- 13301 – Car park extension – Permitted 01.09.1960
- 14875 – Alterations and extensions – Permitted 01.12.1961

**CONSULTATIONS**

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

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

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

**Conservation Consultant:** No objection.

**Archaeological Officer:** No objection, no conditions recommended.

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

**Scientific Officer (Contaminated Land):** No objection subject to conditions.

## **REPRESENTATIONS**

Two objections have been received, including one from the Knaphill Residents' Association and one letter of support has been received from the Campaign for Real Ale (CAMRA). The objections raise the following points:

- Extensions are too large for a site of this size and location
- No indication is given as to the type of venue proposed for the A3/A4 use
- Can Knaphill support 5x Pubs and a Working Men's Club?
- The LPA should explain why retaining the Pub use is a requirement
- Proposed density is too high
- Proposal would provide insufficient parking
- The crossroads is already congested and the proposal would exacerbate this
- Proposal would provide insufficient amenity space
- Proposal should be considered cumulatively with other nearby developments
- The proposal could cause the removal of trees on Anchor Crescent
- The existing Pub garden and floral displays have amenity value and would be lost
- Proposed fences and walls would be too high and out of character with the area (*Officer note: the height and location of boundary treatments has been amended during the application*)
- Lights from parked cars would cause glare to drivers on Anchor Hill (*Officer note: the proposal is not considered to be materially different to the existing situation in this regard*)
- Proposed seating area would impact on the amenity of residents (*Officer note: the seating area has been removed from the proposal*)

The letter of support raises the following points:

- Broadly support a proposal which would retain the Pub use
- Core Strategy Policy CS4 supports the retention of Pubs
- Recognise that innovation and diversification is often needed to make Pubs viable
- Proposal gives opportunity to breathe new life into a Pub in need of investment and modernisation

## **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

CS4 - Local and neighbourhood centres and shopping parades

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

CS19 - Social and community infrastructure

CS20 - Heritage and conservation

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CS21 - Design  
CS22 - Sustainable construction  
CS24 - Woking's landscape and townscape  
CS25 - Presumption in favour of sustainable development

### Development Management Policies DPD (2016):

DM2 – Trees and Landscaping  
DM7 – Noise and Light Pollution  
DM8 – Land Contamination and Hazards  
DM17 – Public Realm  
DM20 – Heritage Assets and their Settings

### Supplementary Planning Documents (SPDs):

Woking Design (2015)  
Affordable Housing Delivery (2014)  
Climate Change (2013)  
Outlook, Amenity, Privacy and Daylight (2008)  
Parking Standards (2006)  
Heritage of Woking (2000)

## **BACKGROUND**

Amended plans were received on 22/03/2018 following concerns raised by the Case Officer which:

- consolidated bin and cycle storage within the site;
- reduced the number and height of different boundary treatments on the site and;
- introduced soft landscaping and public realm on the High Street frontage

## **PLANNING ISSUES**

### Principle of Development:

1. The proposal site currently features a Public House (A4 use) within the Knaphill Local Centre. Core Strategy (2012) policy CS4 seeks to protect the vitality and viability of Local Centres and states that "*In neighbourhood centres and shopping parades the Council will seek to protect and retain local shops and other small scale economic uses such as post offices, petrol stations and public houses, because of the importance of these uses for meeting the everyday needs of those living locally*". Pubs can also be regarded as community facilities and are therefore offered protection by policy CS19 'Social and Community Infrastructure'. There is therefore a policy presumption in favour of protecting existing pub uses.
2. The proposed development includes extensions to the building and the provision of 8x residential units along with the retention of commercial floor space for an A3 (restaurant/cafe) or A4 use (Public House/drinking establishment). The proposed commercial floor space would be 140m<sup>2</sup> in area; although this is approximately 30% smaller than the existing pub floor space (203m<sup>2</sup> excluding the existing garage and first floor flat accommodation), the retained floor space is considered of an acceptable and appropriate size for its proposed use. The proposal is considered to strike an acceptable balance between retaining a commercial use and giving the existing Pub an opportunity to remain whilst delivering additional residential units as part of a mixed use development of the site.



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3. The Anchor Public House has twice been nominated and designated as an Asset of Community Value (ACV) in July 2016 and January 2017 however on both occasions the listing was overturned by Woking Borough Council. The existing Public House is not therefore current listed as an ACV.
4. The NPPF (2012) and Core Strategy policy CS25 (2012) promote a presumption in favour of sustainable development. The site lies within the designated Urban Area and within the 400m-5km (Zone B) Thames Basin Heaths Special Protection Area (SPA) buffer zone and is within an established Local Centre where mixed use development can be supported. Furthermore, Core Strategy (2012) policy CS10 seeks to ensure that sufficient homes are built in sustainable locations where existing infrastructure is in place. The principle of residential development is therefore considered acceptable subject to further material planning considerations, specific development plan policies and national planning policy and guidance as discussed below.

### Impact on Character of Locally Listed Host Building and Surrounding Area:

5. The host building is a Locally Listed building which is classified as a non-designated Heritage Asset by the NPPF (2012). The NPPF attaches great weight to the desirability of preserving and enhancing Heritage Assets and Woking Core Strategy (2012) policy CS20 'Heritage and Conservation' and Woking DMP DPD (2016) policy DM20 'Heritage Assets and their Settings' seek to preserve and enhance the character and setting of Heritage Assets. The host building is understood to date from the late C18 and is characterised by a front elevation of 7x bays with equally sized first floor windows dressed with stone surrounds and two bay window features at ground floor level. The building is finished in painted render and features shallowly pitched hipped roofs finished in slate. The building features more modern projecting elements to the rear; the rear projecting element facing High Street is relatively plain and features a flat-roofed single storey element with a first floor balcony area.
6. On the south-eastern flank elevation is a single storey flat-roofed extension housing a garage which is finished in brickwork which differs to that of the main building with a cantilevered flat roof element. This element of the building faces Anchor Crescent and is devoid of any detailing or window or door openings and is not considered to contribute positively to the character of the Locally Listed host building, nor provide an active frontage to Anchor Crescent.
7. The proposal site has an unusual relationship with its surroundings as the south-eastern side and rear boundaries border the Anchor Crescent shopping parade and the front and north-western side elevations form a corner plot fronting High Street and Lower Guildford Road. The proposal site is therefore prominent in public vantage points on all sides which creates significant design challenges in achieving 'active frontages' on prominent elevations whilst also achieving adequate outlook for future occupants. Coupled with the Locally Listed status of the existing building, the proposal site is therefore highly constrained.
8. The proposal includes the erection of two storey side and rear extensions to the host building following demolition of existing structures to the rear. The proposed extension on the north-western side of the site would obscure the existing flank elevation facing High Street however this elevation is relatively plain and does not include important features which contribute to the character of the Locally Listed Building. The extension would be set-back from the existing flank elevation by 0.5m which is considered to create a subservient relationship with the host building and preserves the stone corner

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quoin detailing on the existing flank elevation. The flank elevation facing High Street would include 7x first floor window openings which match the existing first floor openings on the front elevation. This is considered to provide visual interest to this prominent elevation and is considered to respect the overall character and proportions of the host building.

9. The existing side extension on the south-eastern side of the building would be demolished and replaced with a two storey side and rear extension. The existing extension is considered an unsympathetic addition which presents a blank façade to Anchor Crescent and its removal can therefore be considered acceptable. The extension would be set-back 1.8m from the principal front elevation and the rear portion would have a staggered flank elevation facing Anchor Crescent thereby limiting the bulk of the extension and adding visual interest. The front elevation would feature a ground floor bay window and first floor window opening which closely match others on the front elevation and the extension would feature quoin corner detailing to reflect those used on the main building. The flank elevation would feature window and door openings which provide visual interest on the Anchor Crescent elevation. Overall the replacement of the existing extension is considered to be a positive enhancement of the character of the Locally Listed host building. The roof forms of the proposed extensions are separated into shallowly pitched hipped roof elements which are considered to closely reflect that of the host building and overall the proposed extensions are considered sympathetic additions to the host building.
10. A new chimney is proposed on the rear elevation designed to match existing chimneys to disguise any plant and flues associated with the A3/A4 use. To the rear of the building would be a first floor external walkway structure to access three of the flats; this has been designed in a sensitive way with black painted metalwork with decorative detailing. This element is not positioned on a prominent part of the building and is considered a visually acceptable addition to the building.
11. The area surrounding the building current comprises hardstanding with a protected Yew tree on the south-eastern boundary of the site adjoining Anchor Crescent. The site is currently enclosed by low brick walls on all sides and by trellis fencing on the rear elevation with Anchor Crescent. Hardstanding for parking and servicing would be retained at the front of the site however the proposal includes the introduction of soft landscaping around the site; on the prominent High Street frontage soft landscaping is identified including the planting of two mature trees. Furthermore, the existing low boundary wall which separates the site from Anchor Crescent and High Street would be removed thereby creating greater pedestrian permeability of the site, part of which would be opened up into an area of public realm. This is considered a positive enhancement of the visual amenities of the site and surrounding area.
12. As discussed above, the side and rear elevations facing Anchor Crescent are relatively blank and inactive which limit the quality of the public realm on Anchor Crescent. As part of the proposed development low brick walls and railings would form the boundaries of the development which would be visually permeable and the rear and flank elevations would include windows and door openings which help animate these frontages and provide further natural surveillance to Anchor Crescent which is considered a positive aspect of the scheme in design terms compared to the existing situation.

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13. The proposed extensions and alterations are considered to result in visually acceptable, sensitive additions to the building which respect the scale and character of the Locally Listed host building and the character of the surrounding area. Overall, the proposal is considered an appropriate response to a challenging and highly constrained site and is considered to offer positive enhancements to the Locally Listed building and the space around it. The proposal therefore accords with Core Strategy (2012) policies CS20 and CS21, Woking DPD (2016) policy DM20, Supplementary Planning Document 'Woking Design' (2015) and the National Planning Policy Framework (2012).

### Impact on Neighbours:

14. First floor front and side-facing windows would be sited a minimum of 26m from the front elevations of Tudor Court and Knap Court opposite the proposal site to the north-east and from neighbours on High Street to the north-west. The separation distances to these neighbours are considered to result in an acceptable relationship in terms of loss of light, overbearing and overlooking impacts.
15. Neighbouring properties on Anchor Crescent which surround the site feature commercial uses at ground and first floor levels. It is acknowledged however that the neighbour at No.3 Anchor Crescent to the south-east benefits from Prior Approval to convert the first floor level to residential accommodation. The proposed development would include two side-facing first floor windows in the flank elevation facing this neighbour, one of which would serve a habitable room. This window would be positioned 8m from the opposing front elevation on Anchor Crescent which falls short of the recommended minimum of 10m for front-to-front relationships set out in the Council's 'Outlook, Amenity, Privacy and Daylight' SPD (2008). Whilst it is acknowledged that this is a relatively close relationship, this is considered reflective of the constrained nature of the proposal site which is within a Local Centre and the proposal site already has a relatively close relationship with its neighbours. The proposal is not therefore considered to result in undue overlooking impact on neighbours when considering the context of the proposal site. The applicant has provided a BRE Daylight and Sunlight assessment which concludes that the proposed development would have an acceptable impact on surrounding properties in terms of loss of light.
16. Overall the proposal is therefore considered to have an acceptable impact on the amenities of neighbours and accords with Core Strategy (2012) policy CS21, Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight' (2008) and the National Planning Policy Framework (2012).

### Transportation Impact:

17. The parking area to the front of the building would be retained and is sufficient to accommodate 8x parking spaces, including 2x disabled spaces. There is also space to the frontage for a large rigid vehicle for deliveries and servicing which has been identified on the plans following discussions with the County Highway Authority.
18. The maximum parking standard for the 8x proposed flats would be 9.5x spaces. Five of the proposed spaces are identified as serving the flats; whilst this falls short of the above standard, it should be borne in mind that these are maximum standards and the proposal site is well-served by the amenities of the Knaphill Local Centre. The County Highway Authority raises no objection to the level of parking proposed but do

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recommend conditions including one securing a Construction Transport Management Plan.

19. The submitted plans indicate the provision of 3x spaces for the commercial use. The recommended maximum parking standard for A3 and A4 uses as set out in the Council's Parking Standards (2006) is one space per 6m<sup>2</sup> which would equate to 23x spaces. Given the constrained nature of the proposal site, the provision of this number of spaces is unrealistic, as it would be for other commercial uses in the Local Centre with limited or no space for parking. It is also borne in mind that public parking is available in the form the car parking serving Anchor Crescent to the south-west and the Englefield Road and The Broadway car parks in Knaphill which are free of charge. Overall the proposal is considered to deliver sufficient on-site parking and the County Highway Authority raise no objection to the proposal.
20. Bin storage for both the residential and commercial uses is identified in a centralised enclosed bin store in the eastern corner of the site adjacent to Anchor Crescent so they can be accessed from Lower Guildford Road. Bins are currently stored in this location without an enclosure and therefore detracts from the visual amenities of the area. Details of the proposed bin enclosure can be secured by condition to ensure a visually acceptable form of development. Space for secure cycle storage is identified in the communal courtyard area to the rear, further details of this can be secured by condition. Overall the proposal is considered to have an acceptable transportation impact.

### Standard of Accommodation:

21. The proposed development includes 8x residential units (3x two bed & 5x one bed). Two of the units would be split-level and most would be dual-aspect. The units range in size from 52m<sup>2</sup> to 81m<sup>2</sup> which is considered an acceptable size of internal accommodation and accords with the recommended minimum standards set out in the National Technical Housing Standards (2015). Ground floor habitable room windows which face onto Anchor Crescent and High Street have areas of enclosed private space a minimum of 1.5m in depth separating windows from public areas which is considered to provide an appropriate 'buffer' and an acceptable level of privacy for future occupants. Given the constrained nature of the proposal site, it is not possible for every unit to feature areas of private amenity space; the proposal does however include a private landscaped communal courtyard area to the rear of the building which is considered to offer amenity value to residents. It is acknowledged that the amenity space provision would not meet the recommended standards in the Council's 'Outlook, Amenity, Privacy and Daylight' SPD (2008) however the level of provision is considered acceptable when considered the constrained nature of the site and it should be borne in mind that the SPD recognises that private amenity space is not always achievable in more dense urban locations.
22. It is acknowledged that there is a potential conflict between the residential and the retained commercial floor space allocated to A3/A4 uses. The originally proposed external seating area has been removed however noise generated from the commercial use has the potential to cause noise disturbance to future occupants of the proposed residential units. The applicant has provided a report from an acoustic consultant indicating that acceptable noise levels in the residential units would be achievable subject to various mitigation measures including acoustic insulation and glazing specifications. The Council's Environmental Health Team has been consulted and raises no objection subject to conditions. On this basis it is considered that an acceptable residential environment can be achieved and conditions can be attached to secure details of specific mitigation measures and details of air moving plant. It

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should also borne in mind that there are two existing first floor flats above the existing Pub use. Overall the proposal is therefore considered to achieve an acceptable standard of accommodation for future residents.

### Density and Housing Mix:

23. Core Strategy (2012) policy CS11 'Housing provision and distribution' sets an indicative density range of 30-60 dwellings per hectare (dph) for infill developments in Local Centres. The proposed development would have a density of 78.8dph; whilst this is more than the indicative density range, the provision of 8x units is not considered to result in an undue overdevelopment of the site or a development which is out of character with the area. Policy CS11 makes clear that "*The density ranges set out are indicative and will depend on the nature of the site. Density levels will be influenced by design with the aim to achieve the most efficient use of land*".
24. Core Strategy (2012) policy CS11 requires proposals to address local needs as evidenced in the Strategic Housing Market Assessment (SHMA) which identifies a need for family accommodation of two bedrooms or more. Policy CS11 does however state that lower proportions of family accommodation can be considered acceptable in locations in the Borough, such as the town centre, which are suitable for higher density development. The proposed development would feature 37.5% two bedroom units and 62.5% one bedroom units which is considered acceptable in the context of this policy. Overall the proposal is considered to result in an acceptable housing mix and density when considering the context of the proposal site in the Knaphill Local Centre.

### Impact on Trees:

25. There is an existing Yew tree to the front of the site, which has recently been protected by Tree Preservation Order, a conifer in the pub garden to the rear and there are 5x street trees planted outside the site on Anchor Crescent which are positioned close to the site boundary. With the exception of the conifer tree, these are all identified as being retained as part of the proposal. The applicant has provided arboricultural information detailing how these trees would be retained and protected during construction which is considered acceptable by the Council's Tree Officer. Overall the proposed development is therefore considered to have an acceptable impact on existing trees. As discussed above the proposal also includes new landscaping and tree planting which are considered a positive enhancement of the site.

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

26. 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).
27. 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 a 5x one

## 10 APRIL 2018 PLANNING COMMITTEE

bedroom and 1x two bedroom dwellings which would arise from the proposal (discounting the two existing flats).

28. 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:

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

### Contamination:

32. Due to historic uses associated with the land in question, there is potential for contamination on the site. However, the Council's Scientific Officer raises no objection to the proposal subject to a condition securing a Remediation Strategy should any contamination be discovered during construction.

### Community Infrastructure Levy (CIL):

33. In line with the Council's Charging Schedule the proposed development would be CIL liable. The required CIL payment for the proposed development would be **£32,953.85** on the basis of a net increase in floor area of 238sq.m.

**CONCLUSION**

34. Overall the proposed development is considered to result in extensions and alterations which respect and enhance the character of the Locally Listed host building and the character of the area. The proposal would retain the existing commercial use whilst delivering 8x new dwellings within the established Knaphill Local Centre and the proposal is considered to have an acceptable transportation impact and an acceptable impact on neighbours. Overall the proposal is therefore considered an acceptable form of development which accords with the Development Plan and is is therefore recommended for approval subject to conditions and subject to a Section 106 Agreement to secure the relevant SAMM payment.

**BACKGROUND PAPERS**

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

**PLANNING OBLIGATIONS**

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

	<b>Obligation</b>	<b>Reason for Agreeing Obligation</b>
1.	SAMM (SPA) contribution of <b>£3,095</b>	To accord with the Habitat Regulations, policy CS8 of the Woking Core Strategy 2012 and The Thames Basin Heaths SPA Avoidance Strategy 2010-2015.

**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:

- SD02 received by the LPA on 03/11/2017
- SD03 received by the LPA on 16/10/2017
- SD04 received by the LPA on 16/10/2017
- SD05 received by the LPA on 16/10/2017
- PD01 Rev.B received by the LPA on 22/03/2018
- PD02 received by the LPA on 03/11/2017
- PD03 Rev.A received by the LPA on 23/03/2018
- PD04 Rev.A received by the LPA on 23/03/2018

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

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

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

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

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

5. ++ Prior to any above ground works in connection with the development hereby permitted, details of the proposed waste and recycling storage and management arrangements and details of secure cycle storage, including 1:100 or 1:50 scale elevations of any structures and details of materials, shall be submitted to and approved in writing by the Local Planning Authority. Such details as may be agreed shall then be implemented prior to the first occupation of the development hereby approved and retained thereafter for the lifetime of the development.

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

6. ++Prior to the commencement of the development hereby approved, details of measures to be undertaken to acoustically insulate and ventilate the building for the containment of internally generated noise shall be submitted to and approved in writing by the Local Planning Authority. Such details as may be agreed shall then be implemented prior to the first occupation of the development hereby approved and retained and maintained thereafter for the lifetime of the development.

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



## 10 APRIL 2018 PLANNING COMMITTEE

7. ++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 shall be submitted to and approved in writing by the Local Planning Authority. Such details as may be agreed shall then be implemented prior to the first occupation of the development hereby approved and retained and maintained thereafter for the lifetime of the development.

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

8. Prior to first occupation of the ground floor commercial use in the development hereby permitted, a scheme for the installation of equipment to control emissions from the premises shall be submitted to, and approved in writing by, the Local Planning Authority. These measures shall be implemented fully in accordance with the approved scheme prior to the first occupation of the commercial use hereby permitted. The outlet from the ventilation / extraction flue must finish at least one metre from openings such as doors and windows and be at least one metre above eaves level, to ensure the dispersal of fumes and odours away from neighbouring properties. The flue ductwork must be supported using mountings fixed to the external structure of the building in such a way that any vibration or noise associated with mechanical ventilation/ extraction is reduced to a level which does not cause a nuisance to neighbours. All equipment installed as part of the approved scheme shall thereafter be operated, retained and maintained in accordance with the approved details and retained as such thereafter for the lifetime of the development.

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

9. Prior to the first occupation of the development hereby approved, space shall be laid out within the site in accordance with the approved plans listed in this notice for vehicles to be parked and to turn so that they may enter and leave the site in forward gear and thereafter the parking and turning areas shall be permanently retained and maintained for their designated purpose.

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

10. Notwithstanding the provisions of The Town and Country Planning (Use Classes) Order 1987 (as amended) or Article 3, Schedule 2 of The Town and Country Planning (General Permitted Development) Order 2015 (as amended) the use of the commercial unit on the ground floor of the development hereby approved annotated 'A3/A4 Use' on the approved plans listed in this notice shall be restricted solely to uses falling within Use Classes A3 and/or A4 of The Town and Country Planning (Use Classes) Order 1987 (as amended) and for no other use whatsoever without the consent in writing of the Local Planning Authority.

Reason: To restrict the use of the premises to one which is compatible with the surrounding area and to safeguard the amenities of the adjoining premises.

11. ++ Prior to the commencement of the development hereby approved a Method of Construction Statement, to include details of points (a) to (c) below shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall then be implemented during the construction of the development hereby approved.

## 10 APRIL 2018 PLANNING COMMITTEE

- (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) measures to prevent the deposit of materials on the highway

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

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

12. 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.

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

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

14. The commercial premises hereby approved shall not be open to customers outside of the following hours unless otherwise agreed in writing by the Local Planning Authority:

Monday to Friday 10:00 am to 23:00 pm  
Saturday 10:00 am to 23:30 pm  
Sunday 10:00 am to 16:00 pm

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

15. The development hereby approved shall take place in strict accordance with the Arboricultural Impact Assessment and Method Statement Chalice Consulting Ltd dated 30/09/2017 ref: CC/1842 AR3482, including the convening of a pre-commencement meeting and arboricultural supervision as indicated. No works or demolition shall take place until the tree protection measures have been implemented. Any deviation from the works prescribed 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.

## 10 APRIL 2018 PLANNING COMMITTEE

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

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

### Informatives

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

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

5. The applicant is advised that under the Control of Pollution Act 1974, works which will be audible at the site boundary will be restricted to the following hours:-  
8.00 a.m. - 6.00 p.m. Monday to Friday  
8.00 a.m. - 1.00 p.m. Saturday  
and not at all on Sundays and Bank Holidays.
6. The applicant is advised that Advertisement Consent is likely to be required for any external signage on the building.

## 10 APRIL 2018 PLANNING COMMITTEE

7. The applicant is advised that this application is liable to make a CIL contribution of **£32,953.85**. The applicant must complete and submit a Commencement (of development) Notice to the Local Planning Authority, which the Local Planning Authority must receive prior to commencement of the development.

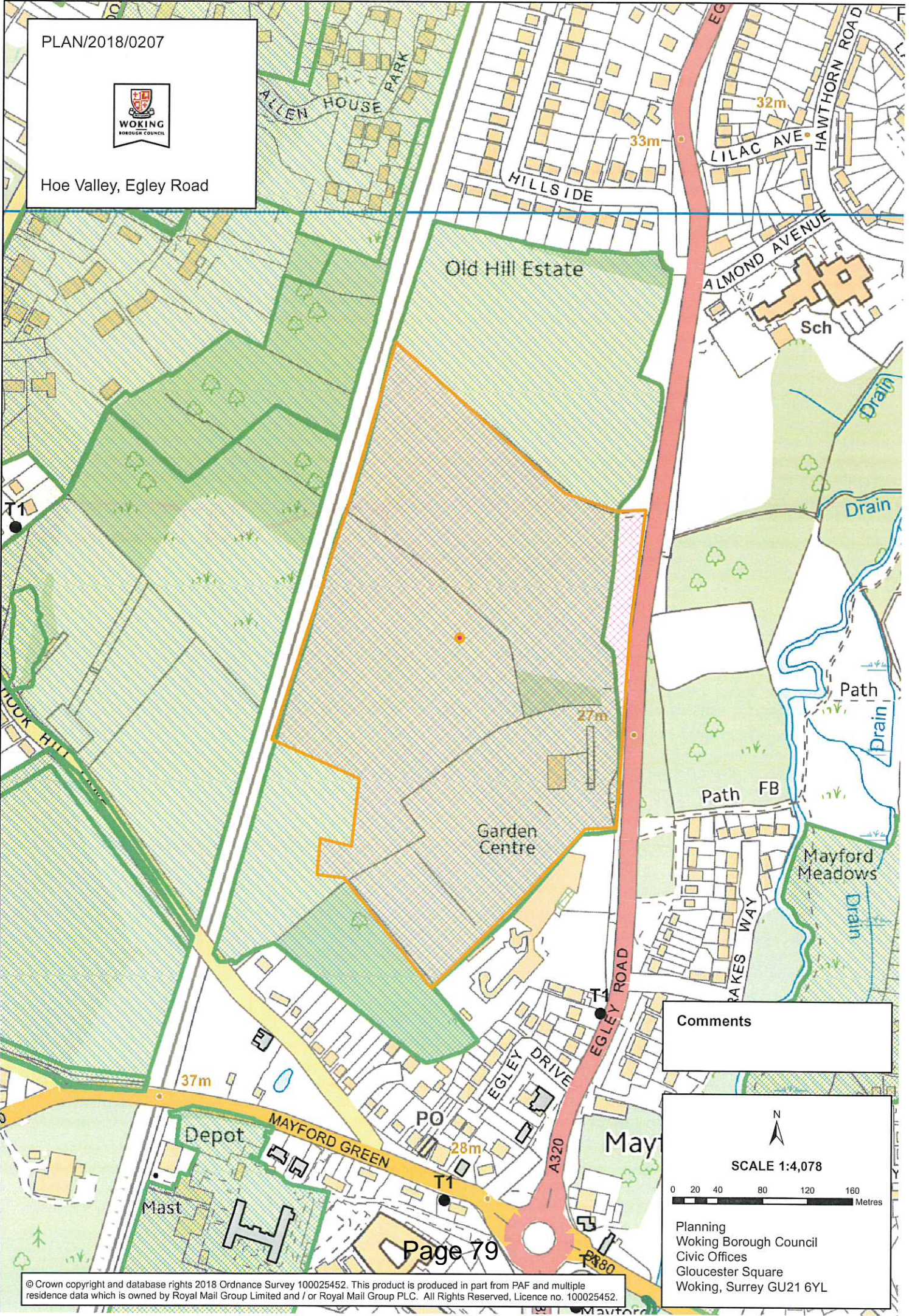




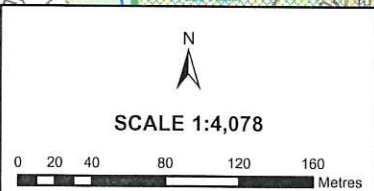
PLAN/2018/0207



Hoe Valley, Egley Road



Comments



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





## 10 APRIL 2018 PLANNING COMMITTEE

5d 18/0207 Reg'd: 27.02.18 Expires: 24.04.18 Ward: HE  
Nei. 22.03.18 BVPI 22 (advert) Number of 6/8 On Y  
Con. Target: Weeks on Target?  
Exp: Cttee' Day:

**LOCATION:** Land between Railway and Egley Road, Woking, Surrey, GU22 0NH

**PROPOSAL:** Advertisement consent for 9no. signs comprising 3no. halo illuminated fixed wall lettering signs (signs 2, 3 and 3b) and 6no. free standing double sided non-illuminated signs (signs 1 (X2), 4, 5, 6 and 7)

**TYPE:** Advertisement

**APPLICANT:** Woking Borough Council

**OFFICER:** Joanne  
Hollingdale

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

The applicant is Woking Borough Council and as such the application falls outside the Scheme of Delegation.

### **SUMMARY OF PROPOSED DEVELOPMENT**

This application seeks advertisement consent for 9no. signs comprising 3no. halo illuminated fixed wall lettering signs (signs 2, 3 and 3b) and 6no. free standing double sided non-illuminated signs (signs 1 (X2), 4, 5, 6 and 7).

### **PLANNING STATUS**

- Green Belt
- Thames Basin Heaths SPA
- Flood Zone 1
- Hook Heath Escarpment of Landscape Importance
- Tree Preservation Order

### **RECOMMENDATION**

**GRANT** advertisement consent subject to conditions.

### **SITE DESCRIPTION**

This application relates to the Hoe Valley School site where a new secondary school and leisure facilities are under construction but nearing completion. The whole site extends to some 11 hectares and comprises a secondary school and community leisure building, athletics track, grass pitches, artificial grass pitches and multi-use games areas. Access into the site is off Egley Road with a car park being provided to the front of the school and community leisure building.

**PLANNING HISTORY**

The most recent planning history for the site is as follows:

PLAN/2015/0703 - Demolition of existing barn and erection of replacement barn (including temporary provision of three storage containers); engineering works to alter site levels; formation of new access to Egley Road and improvement of existing field access to provide emergency vehicle access; erection of three storey building for use as school and leisure centre; formation of 8-lane athletics track; formation of 2 x grass football pitches, 3 x 5-aside football pitches and 2 x multi-use games areas (MUGAs); formation of car park including bus / coach drop-off area; erection of sports amenity lighting; hard and soft landscaping and ancillary works including ancillary structures and fencing/gates (additional information and additional/amended plans submitted). Granted 22.12.15

PLAN/2016/0247 - Section 73 application to vary/remove Conditions 2 (approved plans/documents), 4 (external materials), 5 (CMP/PEP), 6 (CTMP), 12 (details of cycle parking), 18 (contamination), 19 (archaeology), 22 (tree climbing survey), 23 (Ecological mitigation and management plan), 24 (stag beetle), 25 (biodiversity enhancements), 26 (scrub removal), 27 (external lighting), 28 (tree protection works), 29 (hard surfacing within root protection areas), 30 (details of service runs in root protection areas), 31 (green roof details), 33 (additional tree planting), 34 (Landscape and Ecological Mitigation Plan), 36 (acoustic insulation/ventilation), 41 (starting system for athletics track), 43 (control of emissions), 46 (BREEAM), 60 (temporary storage containers), 63 (Screen for MUGA), 64 (planting to east of screen) and 65 (sports hall court markings/storage) of planning permission PLAN/2015/0703 for the demolition of existing barn and erection of replacement barn (including temporary provision of three storage containers); engineering works to alter site levels; formation of new access to Egley Road and improvement of existing field access to provide emergency vehicle access; erection of three storey building for use as school and leisure centre; formation of 8-lane athletics track; formation of 2 x grass football pitches, 3 x 5-aside football pitches and 2 x multi-use games areas (MUGAs); formation of car park including bus / coach drop-off area; erection of sports amenity lighting; hard and soft landscaping and ancillary works including ancillary structures and fencing/gates (AMENDED DESCRIPTION - ADDITIONAL CONDITIONS ADDED AND ADDITIONAL/AMENDED PLANS/INFORMATION RECEIVED 07.07.16 AND 11.07.16). Granted 28.09.16

PLAN/2016/0546 - Display of 6no. non-illuminated hoarding signage to Egley Road frontage and display of 1no. non-illuminated free standing signboard to rear of site in relation to the proposed school and leisure development permitted under planning permission ref: PLAN/2015/0703. Granted 14.07.16

PLAN/2017/0647 – Construction of a new single storey external equipment storage facility adjacent to the approved athletics track. Granted 27.07.17

PLAN/2017/1447 - Erection of additional secure fence to school boundary, landscaping revisions and minor works within car park area. Granted 07.02.18

**PROPOSED DEVELOPMENT**

This application seeks advertisement consent for 9no. signs comprising 3no. halo illuminated fixed wall lettering signs (signs 2, 3 and 3b) and 6no. free standing double sided non-illuminated signs (signs 1 (x2), 4, 5, 6 and 7) as follows:

Halo-illuminated signs:

Sign 2 – ‘Hoe Valley School’ sign comprising individual brushed stainless steel letters illuminated by LED’s concealed within each letter producing a ‘halo’ effect. Maximum size

## 10 APRIL 2018 PLANNING COMMITTEE

of sign - 3.3 metres in width by 1.2 metres in height. Sign affixed to front building projection on the front (east) elevation at first floor level height.

Sign 3 – ‘Woking Sportsbox’ sign comprising individual brushed stainless steel letters illuminated by LED’s concealed within each letter producing a ‘halo’ effect. Maximum size of sign - 3.3 metres in width by 1.3 metres in height. Sign affixed to front (east) elevation of community leisure centre at first floor level height.

Sign 3b – ‘Woking Sportsbox’ sign comprising individual brushed stainless steel letters illuminated by LED’s concealed within each letter producing a ‘halo’ effect. Maximum size of sign - 9.7 metres in width by 4 metres in height. Sign affixed to rear (west) elevation of community leisure centre facing the athletics track.

### Non-illuminated signs:

Sign 1 – 2no. double sided fire assembly point signs mounted on posts (1.2m in height). Signs would measure 1 metre in height by 0.45 metre in width).

Signs 4, 5, 6 and 7 – Free standing double sided sign described as “V2 Monolith with aluminium sub frames and brushed stainless steel effect kick plates”. Signs would measure 3 metres in height by 1.2 metres in width. The signs would provide information relating to the location of different facilities on the site. The background colour of the signs would be slate grey (RAL 7015) with the writing being white. The Hoe Valley School and Woking Borough Council logos would also be included on these signs. These signs would be located in the front part of the site (car park and pedestrian entrance).

A number of other signs are also shown in the application for clarity but these other signs all benefit from ‘deemed’ consent under the Town and Country Planning (Control of Advertisements) Regulations 2007 meaning formal advertisement consent is not required for the display of these signs on the site.

## **CONSULTATIONS**

**County Highway Authority** – 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.

**Network Rail** – Any comments received will be verbally reported.

## **REPRESENTATIONS**

90 neighbour notification letters of the application have been sent out. 0 letters of representation have been received.

## **RELEVANT PLANNING POLICIES**

Ministerial Statement - Policy Statement – planning for schools development August 2011

### Woking Core Strategy 2012

CS6 – Green Belt

CS18 – Transport and Accessibility

CS21 – Design

CS24 – Woking’s Landscape and Townscape

### Development Management Policies DPD 2016

DM18 – Advertising and signs

National Planning Practice Guide

**PLANNING ISSUES**

1. The developments approved under PLAN/2015/0703 and PLAN/2016/0247, for a new secondary school and community leisure facilities have been implemented and the development is nearing completion. The proposal is for advertisement consent and as such, the only issues for consideration are the potential impacts on amenity and public safety in accordance with the Town and County Planning (Control of Advertisement) (England) Regulations 2007.

**Impact on visual amenity**

2. The site is located in the Green Belt. Policy CS21 of the Core Strategy states that new development should respect and make a positive contribution to the street scene and the character of the area within which it is located. Policy DM18 of the DM Policies DPD advises that an advertisement will be considered having regard to its effect on the appearance of the building and the visual appearance of the immediate neighbourhood where it is displayed.
3. In this case the proposed building signage on the front elevation of the new school and leisure building is considered to be simple in its approach and restrained in terms of its size, positioning, colouring and method of illumination. The proposed building signage on the rear elevation facing the athletics track would be larger than those on the front elevation but it would appear proportionate to its position on the new building and would still reflect the approach to the signs on the front elevation of the building. The hours of illumination for the signage would be restricted by condition to the opening hours for the premises (condition 10).
4. The application also proposes a number of signs to the front part of the site to direct vehicles and pedestrians utilising the site and also for identification purposes e.g. fire assembly points. Overall the signs are considered to be well designed utilising a simple dark grey background with white lettering and would be appropriately positioned on the building and site. Colour would be limited to the logos used on the signage, unless required for safety purposes.
5. The proposed signage scheme is considered to be appropriate to the high quality appearance of the new building and the use of the site, representing a restrained approach, which would not result in any detriment to the visual amenity of the site and wider local area or the openness of the Green Belt. The proposed development is therefore considered to comply with Policies CS6, CS21 and CS24 of the Core Strategy, Policy and the policies in the NPPF in this regard.

**Impact on neighbouring residential amenity**

6. The three proposed building signs would be halo illuminated with the lighting elements built into each letter providing a 'halo' effect. The applicant has advised that the use of the halo illumination is a subtle and discreet approach enabling the signs to be seen in the evenings. The luminance levels of the signs would be around 215 cd/m<sup>2</sup> and the applicant further states that the signage provider has advised that with the type of illumination proposed there would be no forward projection of light and no light spill. Whilst this illumination may be seen from nearby neighbouring dwellings, to the rear the nearest dwellings are in excess of 350 metres and to the front the nearest neighbouring dwelling would be 180 metres from the closest building sign. Consequently the proposed

## 10 APRIL 2018 PLANNING COMMITTEE

illuminated signs are not considered to result in any adverse neighbour amenity impacts. A condition is also recommended to restrict the illumination of the signs to when the opening hours of the community leisure centre.

7. The proposed non-illuminated signs would not result in any adverse neighbour amenity impact. The proposed development is not therefore considered to result in any adverse neighbour impact and would also comply with Policy CS21 of the Core Strategy, Policy DM18 of the DM Policies DPD and the relevant policies in the NPPF.

### **Impact on public safety**

8. The County Highway Authority has reviewed the application and has no requirements. The proposal is not therefore considered to raise any highway safety issues.
9. Network Rail has been consulted on the application and no response has been received. Any comments received will be verbally reported. In any event the proposed signage would be positioned 112 metres from the rear boundary of the site with the adjacent railway. Given the proposed method of illumination no adverse public safety impact is considered to result. Overall the proposed advertisements are therefore considered to be acceptable in terms of public safety.

### **Local finance considerations**

10. As the proposal relates to an application for advertisement consent the Council's Community Infrastructure Levy Charging Schedule is not relevant.

### **CONCLUSION**

11. The proposed signs are considered to have an acceptable impact on the visual amenities of the area and on the amenities of neighbouring occupiers. The proposed signs would also not adversely affect public safety. The proposed development is also considered to comply with Policies CS6, CS18, CS21 and CS24 of the Woking Core Strategy 2012, Policy DM18 of the DM Policies DPD 2016 and the policies in the NPPF. The application is thus recommended for approval.

### **BACKGROUND PAPERS**

Planning application file PLAN/2018/0207

### **RECOMMENDATION**

**GRANT** advertisement consent subject to the following conditions:

1. This consent shall be limited to a five year period from the date of the consent.

Reason: To accord with the requirements of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

2. The advertisements hereby permitted shall be displayed in accordance with the following information:

Proposed site plan (PL003 Rev E) rec 26.02.18  
Signage setting out – elevations (PL054 Rev A) rec 26.02.18  
Signage setting out – elevations (PL055 Rev A) rec 26.02.18  
Signage setting out – elevations (PL056 Rev A) rec 26.02.18  
External signage setting out 1 of 3 (PL050 Rev 1) rec 26.02.18

## 10 APRIL 2018 PLANNING COMMITTEE

External signage setting out 2 of 3 (PL051 Rev 1) rec 26.02.18

External signage setting out 3 of 3 (PL052 Rev 1) rec 26.02.18

External signage details (dma signs) rec 26.02.18

Reason: In the interests of public safety and amenity and to comply with Schedule 2 Regulation 2(1) of the Town and Country Planning (Control of Advertisements)(England) Regulations 2007 and Policies CS21 and CS24 of the Woking Core Strategy 2012.

3. Any advertisement displayed and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.

Reason: To comply with Schedule 2 Regulation 2(1) of the Town and Country Planning (Control of Advertisements)(England) Regulations 2007.

4. No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.

Reason: To comply with Schedule 2 Regulation 2(1) of the Town and Country Planning (Control of Advertisements)(England) Regulations 2007.

5. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.

Reason: To comply with Schedule 2 Regulation 2(1) of the Town and Country Planning (Control of Advertisements)(England) Regulations 2007.

6. Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

Reason: To comply with Schedule 2 Regulation 2(1) of the Town and Country Planning (Control of Advertisements)(England) Regulations 2007.

7. No advertisement shall be sited or displayed so as to –
  - (a) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
  - (b) obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or
  - (c) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.

Reason: To comply with Schedule 2 Regulation 2(1) of the Town and Country Planning (Control of Advertisements)(England) Regulations 2007.

8. The illumination of the advertisement(s) hereby granted consent shall be by fixed and constant lights and not by lights which are, or appear to be intermittent, moving, flashing or vibrating.

Reason: In the interests of the visual amenity and highway safety in accordance with Policies CS18 and CS21 of the Woking Core Strategy 2012.

9. The permitted level of luminance for the illuminated signs hereby permitted shall not exceed the luminance levels stated on the submitted application form.

Reason: In the interests of the visual amenity and highway safety in accordance with Policies CS18 and CS21 of the Woking Core Strategy 2012.

## 10 APRIL 2018 PLANNING COMMITTEE

10. The illuminated signs permitted by this consent shall only be illuminated during the opening hours of the premises to which they relate.

Reason: In the interests of the visual amenity and highway safety in accordance with Policies CS18 and CS21 of the Woking Core Strategy 2012.

### **Informatives**

1. The Council confirms that in assessing this planning application it has worked with the applicant in a positive and proactive way, in line with the requirements of paragraph 186-187 of the National Planning Policy Framework 2012.
2. You are advised that Council officers may undertake inspections without prior warning to check compliance with approved plans and to establish that all planning conditions are being complied with in full. Inspections may be undertaken both during and after construction.

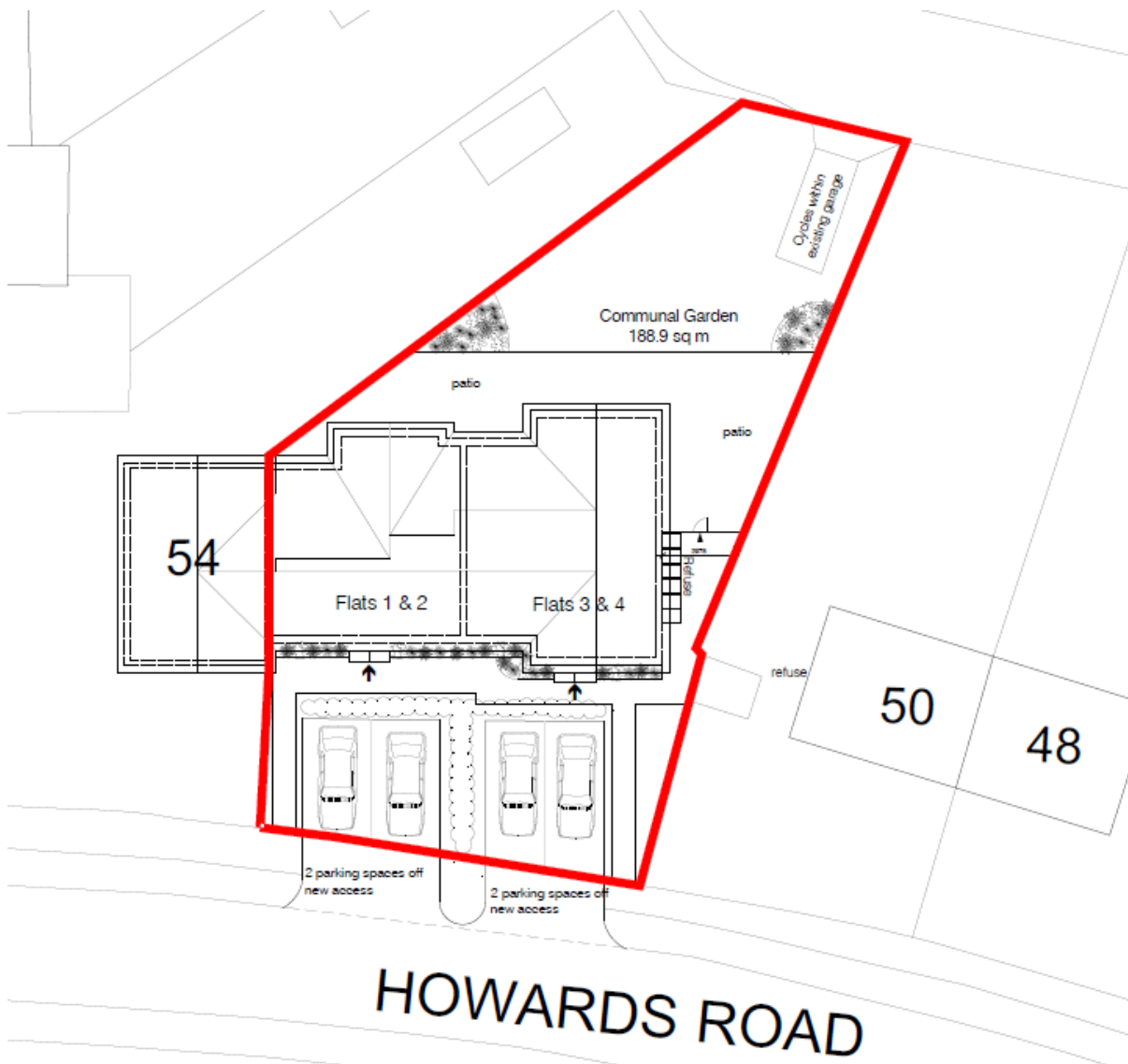




# 52 Howards Road, Kingfield

PLAN/2017/0561

Proposed two storey side and rear extension to existing dwelling and subdivision into 4 flats with 2 dropped kerbs to facilitate associated parking.

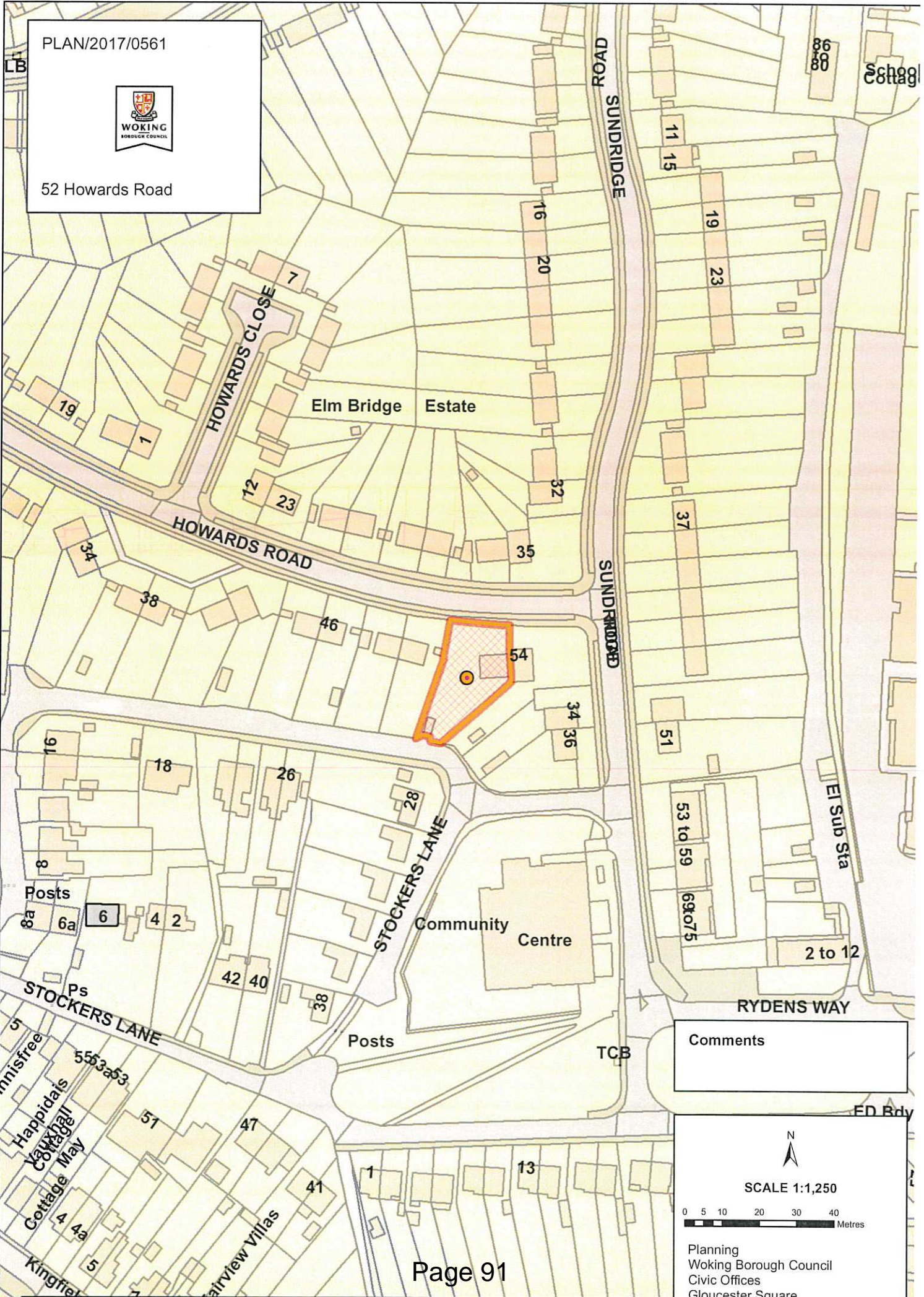




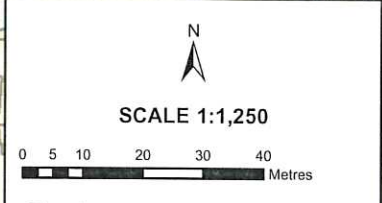
PLAN/2017/0561



52 Howards Road



Comments



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



## 10<sup>th</sup> APRIL 2018 PLANNING COMMITTEE

5e 17/0561 Reg'd: 16.05.17 Expires: 11.07.17 Ward: HV  
Nei. 28.06.17 BVPI Minor Number of 45/13 On No  
Con. Target Weeks on Target?  
Exp: Cttee' Day:

**LOCATION:** 52 Howards Road, Kingfield, Woking, Surrey, GU22 9AS

**PROPOSAL:** Proposed two storey side and rear extension to existing dwelling and subdivision into three 2-bedroom flats and one 1-bedroom flat with associated parking and cycle store.

**TYPE:** FULL

**APPLICANT:** Mr Mohammed Alam **OFFICER:** Barry Curran

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### **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**

This application seeks planning permission for the erection of a two storey side and rear extension and the subdivision of the dwelling house into three 2-bedroom flats and one 1-bedroom flat.

### **PLANNING STATUS**

- Urban Area
- Thames Basin Heaths SPA Zone B (400M – 5KM)

### **RECOMMENDATION**

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

### **SITE DESCRIPTION**

The application site is located on the southern side of Howards Road, a residential area in the Kingfield region of the Borough. The area is characterised by two storey semi-detached and terraced dwellings constructed of a dark coloured brick under a concrete tiled roofs. Forming the western side of a 'T-Shaped' semi-detached pair of dwellings, the application site occupies an above average sized plot which stretches westwards and tapers towards the rear. The front is laid to soft landscaping with examples of small hedges along the pedestrian footpath with a 2 metre high brick built wall separating the rear amenity space. Towards the rear, 2 metre high timber fencing encloses the amenity space.

### **PLANNING HISTORY**

No recent relevant planning history

### **PROPOSED DEVELOPMENT**

Planning consent is sought for the erection of a two storey side and rear extension and subdivision of existing 3-bedroom dwelling into three 2-bedroom flats and one 1-bedroom flat. Flat 1 and 2 would be located on the ground and first floors of the existing building with flats 3 and 4 located on the ground and first floor of the extension. 4 parking spaces are proposed to the front of the site with a communal rear amenity area.

### **SUMMARY INFORMATION**

Site Area: 0.049ha  
Existing units: 1  
Proposed units: 4  
Existing density (Area): 17 dph (dwellings per hectare)  
Proposed density (Area): 20 dph

### **CONSULTATIONS**

Highway Authority: No objection subject to conditions (26.02.18)

Environmental Health: No comments raised (19.03.18)

### **REPRESENTATIONS**

There have been 7 third party letter of objection received in relation to the proposed development. Two neighbours have submitted 4 of these letters. The issues raised in the letters note concern over:

- Development which is out of character with the area
- Overbearing impact on neighbours
- Overlooking of amenity space
- Loss of light
- Lack of parking and potential highway safety issues
- Drainage and infrastructure issues relating to the site as existing which could be exacerbated (*Officer Note: this is not a material planning consideration that would be addressed as part of this report*)

### **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

## 10<sup>th</sup> APRIL 2018 PLANNING COMMITTEE

CS8 - Thames Basin Heaths Special Protection Areas  
CS10 - Housing provision and distribution  
CS11 - Housing Mix  
CS12 - Affordable housing  
CS18 - Transport and accessibility  
CS21 - Design  
CS22 - Sustainable construction  
CS24 - Woking's landscape and townscape  
CS25 - Presumption in favour of sustainable development

### Development Management Policies DPD (2016)

DM11 – Sub-divisions, Specialist Housing, Conversions and Loss of Housing

### Supplementary Planning Documents (SPDs):

Supplementary Planning Document 'Parking Standards' 2006

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

Supplementary Planning Document 'Design' 2014

Thames Basin Heaths Special Protection Area Avoidance Strategy 2010-2015

Woking Borough Council - Community Infrastructure Levy Charging Schedule

## **PLANNING ISSUES**

1. The main planning issues that need to be addressed in the determination of this application are; principle of development, whether the proposal will have an unacceptable impact on the character of the existing dwelling and character of surrounding area, whether the subdivision will result in a satisfactory residential environment, whether the extensions and subdivision will materially harm the amenities enjoyed by surrounding neighbours, impact on parking, sustainability, affordable housing, impact on Thames Basin Heaths Special Protection Area and local finance considerations.

### *Principle of Development*

2. The existing dwelling covers 91 sqm in area and features 3-bedrooms with a generous rear garden compared to those prevailing in the area. It is proposed to erect a two storey side and rear extension and to subdivide the dwelling into four flats. The Woking Core Strategy 2012 Policy CS11 seeks to avoid the loss of family homes but the reasoned justification for this policy states that family homes are regarded as having 2+ bedrooms which can include flats. The Development Management Documents DPD 2015 Policy DM11 seeks to resist the loss of family homes and also regards family homes as having 2+ bedrooms. The Supplementary Planning Document on 'Outlook, Amenity, Privacy and Daylight' 2008 recognizes flatted developments with 2 or more bedrooms and over 65 sqm in floor area as family accommodation. The proposal would create four flats covering a floor area between 53sqm and 64.8sqm. While the developments results in the loss of a 2 storey family dwelling, three of the flats are 2-bedroomed with one of these flats covering 64.8 m<sup>2</sup> and therefore falls just negligibly short of the 65sqm, which is regarded as family accommodation as per the SPD 'Outlook, Amenity, Privacy and Daylight' 2008. The development is, therefore, considered to adhere to provisions outlined in Policy CS11 of the Core Strategy 2012, Policy DM11 of the Development Management Documents DPD 2015 and

the SPD 'Outlook, Amenity, Privacy and Daylight' 2008 as strictly there would be no net loss of family dwellings.

3. The National Planning Policy Framework 2012 and the Woking 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 previously developed 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 erecting a two storey side and rear extension and subdivision of the dwelling to create four additional units in this instance is therefore considered acceptable subject to further material planning considerations set out below.

Impact on the Character of Existing Dwelling/Character of the Surrounding Area

4. Howards Road is a residential area primarily comprising of two storey semi-detached and terraced dwellings orientated to address the highway in typical fashion. The application dwelling along with No.54 Howards Road, adopts a 'T' shaped layout at the end of Howards Road and close to a junction with Sundridge Road. Whilst the pair of dwellings do not hold what could be considered a typical relationship with the highway, the 'T' shaped layout is common in post-war residential areas where semi-detached dwellings are positioned on or close to a junction with other highways.
5. The National Planning Policy Framework attaches great importance to the design of the built environment throughout Paragraphs 56 and 57 with emphasis being placed on planning positively for the achievement of high quality and inclusive design for all development. To comply with Policy CS21 of the Woking Core Strategy 2012, the proposed side extension should be designed so that it reflects the scale, height, proportions, layout, materials and other characteristics of existing/adjoining buildings and land.
6. Policy CS21 of the Woking Core Strategy 2012 states that developments "*should respect and make a positive contribution to the street scene and the character of the area in which they are situated, paying due regard to the scale, height, proportions, building lines, layout, materials and other characteristics of adjoining buildings*". It is proposed to erect a two storey side and rear extension on the application dwelling to facilitate the conversion of the dwelling into four flats. The proposed extension would stand along the western side of the dwelling and would measure 8 metres in width, cover a depth of 10.5 metres including a pitched roof gable similar to that of the adjoining No.54 and stand at a height of 7.2 metres stemming off the existing ridge and eave lines. The proposed side addition would merge with the rear addition which wraps around the rear elevation of the application dwelling spanning a total width of 16.8 metres. A stepped rear elevation is proposed with gable elements symmetrically balancing the pair of buildings on both the principal and rear elevations with matching materials to allow a seamless marriage (Condition 2).



7. The rear extension would adjoin the rear (western) elevation of No.54 matching its side building line. The rear elevation would contain two gable elements which, along with the gable on the adjoining No.54, results in two central valleys which would not be considered uncommon on dwellings of this style and layout. This central valley mitigates the need for a section of flat roof between both dwellings which would otherwise appear awkward and incongruous. The additions would transform the existing rear elevation of the application dwelling from a simple down slope of a dual pitched roof to a twin gabled stepped elevation with symmetrically balanced ends and central gable giving the appearance of a 3-dwelling terrace. Therefore, it is considered that the proposals closely reflect the character of the existing building and wider area.
8. Howards Road is a residential street of two storey terraced and semi-detached properties built in a compact nature with the application dwelling one of the exceptions to this adopting an unusually large plot with extensive garden land to the western side. The proposed development is for a two storey side and rear extension and conversion of the building into four flats. Extending 8 metres westwards on site, the development encroaches on the boundary and thus separation reducing it to 1.5 metres. A minimum separation of 1 metres is recommended in the Council's Supplementary Planning Document 'Design' 2015 in a bid to mitigate terracing of buildings and to maintain a spacious relationship in residential developments such as Howards Road. It is noted that separation distances throughout Howards Close are typically generous with good spacing evident between the a number of dwellings. There are, however, examples of similar styled dwellings which have erected two storey side additions which enclose of the separation distances (PLAN/2014/1165 allowed on appeal and PLAN/2014/0999). The extension will remain 1.5 metres off the northern side boundary maintaining an adequate separation as per the Council's Supplementary Planning Document 'Design' 2015 and would not carry a level of harm by which a recommendation for refusal could be substantiated. Considering the location of the application building, close to the junction with Sundridge Road, coupled with examples of two storey side additions throughout Howards Road, which enclose on the shared boundary by 1 metre or less, this reduction in separation is not seen to materially harm the character of the area.
9. As existing, the front of the site is laid to soft landscaping with 1 metre high hedging forming the boundary. It is proposed to create 2 separate dropped kerbs and create off-street parking for 4 cars. This would involve converting this soft landscaping to hardstanding with some example of vegetation retained to soften potential harshness associated with a large amount of hardstanding. Howards Road has a mix of frontages including hard standing for off-street parking and soft landscaping with predominantly vegetated boundary treatments. While the loss of the green space towards the front of the site is not ideal, it has to be noted that there are examples of similar frontages in the area and the erection of hardstanding can generally be carried out without planning permission. Soft and hard landscaping conditions can be attached to ensure appropriate treatments are adopted in the scheme (Conditions 4 and 5). In light of these considerations outlined above, the proposal would not have an adverse impact on the appearance of the area.

Layout and Creation of Acceptable Residential Development for Proposed Occupiers

10. The proposal contains entrance halls which are considered to be large enough to provide sufficient circulation space for day-to-day needs such as manoeuvring push-chairs or baggage. The internal layout is considered good quality internal accommodation with adequate natural daylight and unobstructed views from habitable rooms. The Technical Housing Standards - Nationally Described Space Standard (March 2015) identifies minimum gross internal floor area (GIA sq.m), for 1 bedroom, 2 person, single storey units, measuring 50 sqm. Flat 1 at ground floor level contains a floor area of 53 sqm and therefore meets the requirements of this Technical Standards document. Flats 2, 3 and 4 each cover a floorspace between 61.8 and 64.8 sqm which all cover the minimum standards of 61 sqm for 2 bedroom, 3 person, single storey units. The proposed extension and subdivision, therefore, contain internal space standards which meet the minimum requirements as per the Technical Housing Standards - Nationally Described Space Standard (March 2015).
  
11. Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight' 2008 states that *"the area of private garden...should always be as large as the building footprint of the dwelling house"*. The rear garden tapers into a wedge towards its terminus but retains a good width at 7 metres where an existing garage will be retained to store bicycles. The ground floor units can gain direct access to the rear amenity space from a rear door while the first floor unit would access it via the side gate. Section 4 of the Council's Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight' 2008 states that all forms of dwelling will need to provide some form of amenity space and that *"an area of approximately 30 sq.m for dwellings up to two storeys high"*. The rear amenity space will be shared and covers an area of 145 sqm (excluding the detached garage) which would meet this provision and therefore provide an adequate amount of amenity space for the proposed units. This rear amenity space should remain as open shared space, a condition can be attached to ensure this (Condition 6) with a landscaping condition attached to ensure appropriate plants and shrubbery is used on site (Condition 4).

Impact on Neighbour Amenities

12. The application property is bordered on its eastern side elevation by No.54 Howards Road and together they form a 'T' shaped layout. To the West of the site, No.50 forms the eastern dwelling of a more typical pair of semi-detached two storey pair yet this dwelling holds a splayed relationship with the application site. The shared boundary runs at an angle in relation to No.54 which results in an irregular relationship between the rear amenity space and rear elevation. The two storey rear extension includes a stepped elevation with the two gables projecting beyond the predominant rear elevation of the application dwelling or the side elevation of No.54. It is acknowledged that this will increase the bulk and mass from the perspective of this neighbour but it also has to be noted that the first gable projection occurs 2.8 metres from the boundary with the following projection/gable occurring approximately 11 metres from this boundary. While the extension would be positioned just 0.5 metres off the shared boundary at its closest, the proximity of any rear addition is considered acceptable given the irregular site layout.

13. Moreover, the 45° test as per the Council's Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight' 2008 has been applied to the ground floor and first floor windows nearest the application site which pass in plan form indicating that no significant loss of light to habitable room windows would occur. Concern has been raised in relation to overlooking from the rear elevation of the proposed development. It is acknowledged that the rear elevation will move closer to the shared boundary with No.54 but it has to be noted that the existing layout includes first floor windows on the rear elevation serving habitable room windows which overlooks the rear amenity space of No.54. The proposed development includes a similar rear fenestration layout with ground and first floor habitable room windows. These windows, while increasing in number, would not provide additional views over the rear amenity space of No.54 above or beyond those of the existing dwelling.
14. To the West, No.50 holds a more conventional form and layout with its adjoining neighbour No.48. The proposed side extension will stretch 8 metres in width and 10.5 metres in depth but would remain between 1.5 and 5.5 metres off the shared boundary with No.50. Set along the predominant front building line of the application dwelling with a 0.8 metres forward projection to denote the gable, the addition will predominantly be set opposite the flank elevation of No.50 and therefore would not breach the 45° test as per the Outlook SPD. As such, while the extension would increase the level of bulk and mass along its western elevation, considering its splayed relationship and separation distance with No.50, it is not considered to cause a significant level of detrimental harm to neighbour amenities, in terms of loss of light, overbearing impact with no overlooking envisaged.
15. The proposed development is not considered to significantly harm the living conditions of the adjacent neighbours given the additions' positioning and existing relationship with neighbouring properties. As such, it is considered that the proposal complies with guidance outlined in the National Planning Policy Framework, Policy CS21 of the Woking Core Strategy 2012 and Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight' 2008.

Impact on Parking

16. It is proposed to utilise the front of the site to accommodate parking for up to 4 cars with the creation of 2 new access points. The Council's Supplementary Planning Document on 'Parking Standards' 2006 has a maximum recommended level of 1 car space per 1 bedroom unit and 1.5 car spaces per 2 bedroom units outside the High Accessibility Zone. Considering the proposed subdivision and level of accommodation, this would amount to a maximum requirement of 4.5 spaces. Given the proposed spaces to the front of the site, it is considered that proposal broadly satisfies these provisions with no restrictions to on-street parking along Hawthorn Road which would be capable of accommodating overspill parking. The County Highways Authority have been consulted on the proposed and raise no objection to the parking layout or highways safety issues subject to a number of conditions ensuring the proposed layout is carried out in accordance with the submitted plans and that development should not be commenced until the existing access has been permanently closed and any kerbs, verge, footway is fully reinstated

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with a Construction Transport Management Plan to ensure the development does not prejudice highway safety (Conditions 7, 8 and 9).

### Sustainability

17. Following amendments to the Planning and Energy Act 2008 in the Deregulation Bill 2015 which is expected to happen alongside the introduction of Zero Carbon Homes policy in late 2016, the Government has stated that the energy performance requirements in Building Regulations will be set at a level equivalent to the outgoing Code for Sustainable Homes Level 4. In the interim period the Local Planning Authority can attach conditions which seek the equivalent water and energy improvements of the former Code Level 4 on new residential developments. Therefore the proposal is required to meet the energy and water improvements measures of the former Code for Sustainable Homes Level 4. This can be secured via Conditions 10 and 11.

### Affordable Housing

18. Following the Court of Appeal's judgment of 11<sup>th</sup> May 2016, wherein the Secretary of State for Communities and Local Government successfully appealed against the judgment of the High Court of 31<sup>st</sup> July 2015 (West Berkshire and Reading Borough Council v Secretary of State for Communities and Local Government), officers accept that, subsequent to the Court of Appeal's judgment, the policies in the Written Ministerial Statement of 28<sup>th</sup> November 2014 by the Minister of State for Housing and Planning which sets out specific circumstances where contributions for affordable housing and tariff-style planning obligations should not be sought from small scale and self build development, must once again be treated as a material consideration in development management decisions.

19. Additionally the Planning Practice Guidance (Paragraph 031 – Revision date: 19.05.2016) sets out that there are specific circumstances where contributions for affordable housing planning obligations should not be sought from small scale and self-build development. This follows the order of the Court of Appeal judgment dated 13<sup>th</sup> May 2016, which again give legal effect to the policy set out in the Written Ministerial Statement of 28<sup>th</sup> November 2014 and should be taken into account. These circumstances include that contributions should not be sought from developments of 10-units or fewer, and which have a maximum combined gross floorspace of no more than 1000sqm.

20. Whilst weight should still be afforded to Policy CS12 'Affordable housing' of the Woking Core Strategy 2012 it is considered that greater weight should be afforded to the policies within the Written Ministerial Statement of 28<sup>th</sup> November 2014 and the Planning Practice Guidance (Paragraph 031 – Revision date: 19.05.2016). No affordable housing contribution is therefore sought for this application.

### Thames Basins Heath Special Protection Area

21. The proposed development lies beyond the 400m threshold but within 5 kilometres of the SPA boundary which provides a protected habitat for ground nesting birds with new residential developments capable of adversely affecting the SPA. The applicant has confirmed a willingness to make a

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financial contribution towards the Strategic Access Management and Monitoring Tariff (SAMM) for the implementation of an identified programme of works to mitigate the impacts of the proposed development on the Special Protection Areas. The proposed development would generate a requirement of £1,807 (£487 per 1 bedroom unit and £660 per 2 bedroom unit) which the applicant has agreed to provide and can be secured via legal agreement. The proposal therefore complies with the requirements of Policy CS8. This would be secured by a Legal Agreement.

### Local Finance Considerations

22. CIL is a mechanism adopted by the Woking Borough Council which came into force on 1st April 2015, as a primary means of securing developer contributions towards infrastructure provisions in the Borough. In this case, the proposed residential development will incur a cost of £125 per sq. m which equates to a contribution of £25,615.38 (including 2017 indexation) (185 sq. m additional GIA) which would be payable upon commencement.

### Conclusion

23. The principle of development is considered to be acceptable and the proposal will incorporate a satisfactory design and will preserve the character and appearance of the surrounding area. The proposal will not detrimentally affect the setting of the adjacent dwellings along Howards Road or dwellings along Sundridge Road. On balance, the proposal will have an acceptable impact on neighbouring amenity, highway safety and the surrounding landscape. The proposal also addresses the Thames Basin Heaths SPA and sustainable construction.
24. The proposal is 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, Policy DM11 of the Development Management Policies DPD 2016, Supplementary Planning Documents 'Outlook, Amenity, Privacy and Daylight' 2008, 'Design' 2015 and 'Parking Standards' 2006, Thames Basin Heaths Special Protection Area Avoidance Strategy 2010-2015 and Sections 4, 6, 7, 10 and 11 of the National Planning Policy Framework. Approval is accordingly recommended subject to the recommended conditions and applicant entering into a legal agreement to secure SAMM and affordable housing contributions.

### **BACKGROUND PAPERS**

1. Site visit photographs
2. Correspondence from the County Highway Authority
3. Response from Environmental Health Officer
4. x7 third party letters of representation

**PLANNING OBLIGATIONS**

	<b>Obligation</b>	<b>Reason for Agreeing Obligation</b>
1.	Provision of <b>£1,807</b> SAMM contribution	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**

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

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

Reason:

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

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

Reason:

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

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

Drawing No. B.01 Rev D (Amended Plan)(Received 22.02.18)

Drawing No. P.01 Rev B (Amended Plan)(Received 19.03.18)

Drawing No. P.03 Rev C (Amended Plan)(Received 22.02.18)

Reason:

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

4. ++ The development hereby permitted shall not commence until a detailed landscaping scheme has been submitted to and approved in writing by the Local Planning Authority which specifies species, planting sizes, spaces and numbers of trees/ shrubs and hedges to be planted. All landscaping shall be carried out in accordance with the approved scheme in the first planting season (November-March) following the occupation of the buildings or the completion of the development (in that phase) whichever is the sooner and maintained thereafter. Any retained or newly planted trees, shrubs or hedges which die, become seriously damaged or diseased or are removed or

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destroyed within a period of 5 years from the date of planting shall be replaced during the next planting season with specimens of the same size and species unless otherwise agreed in writing by the Local Planning Authority.

Reason:

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

5. ++ The development hereby permitted shall not commence until full details and samples of the materials to be used for the `hard` landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include proposed finished levels, means of enclosure, car parking layouts, hard surfacing materials, minor structures, proposed and existing functional services above and below ground and existing features to be retained. The works shall be carried out in accordance with the approved details and completed before the first occupation of the development.

Reason:

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

6. Notwithstanding the provisions of Article 3 and Schedule 2 Part 2 and Class A of The Town and Country Planning (General Permitted Development) Order 2015 (or any order amending or re-enacting that Order with or without modification), no gates, fences, walls or any means of enclosure within its curtilage, shall be constructed without the prior written permission of the Local Planning Authority.

Reason:

To ensure a satisfactory form of development takes place and to protect the amenities of occupiers of adjoining properties.

7. The development hereby approved shall not be first occupied unless and until the proposed vehicular accesses to Howards Road has been constructed in accordance with the approved plans and thereafter shall be kept permanently maintained.

Reason:

The above condition is required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users. The above conditions are required in recognition of Section 4 "Promoting Sustainable Transport" in the National Planning Policy Framework 2012.

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

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Reason:

The condition above is required in order that the development should not prejudice highway safety, nor cause inconvenience to other highway users, and to accord with Policy MV2 of the Woking Borough Local Plan 1999 and the National Planning Policy Framework March 2012.

9. No development shall commence until a Construction Transport Management Plan, to include details of:
  - (a) parking for vehicles of site personnel, operatives and visitors
  - (b) loading and unloading of plant and materials
  - (c) storage of plant and materials

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

Reason:

The condition above is required in order that the development should not prejudice highway safety, nor cause inconvenience to other highway users, and to accord with Policy MV2 of the Woking Borough Local Plan 1999 and the National Planning Policy Framework March 2012.

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

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

Reason:

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

11. The development hereby permitted shall not be occupied until written documentary evidence has been submitted to and approved in writing by the Local Planning Authority demonstrating that the development has:
  - a. Achieved a minimum of a 19% improvement in the dwelling emission rate over the target emission rate, as defined in the Building Regulations for England Approved Document L1A: Conservation of Fuel and Power in New



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Dwellings (2013 edition). Such evidence shall be in the form of an As Built Standard Assessment Procedure (SAP) Assessment, produced by an accredited energy assessor; and

b. Achieved a maximum water use of 110 litres per person per day as defined in paragraph 36(2b) of the Building Regulations 2010 (as amended). Such evidence shall be in the form of the notice given under Regulation 37 of the Building Regulations.

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

Reason:

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

### Informatives:

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

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

3. 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.
4. The application will not be formally approved until the applicant has entered into a legal agreement with the council to secure a provision of **£1,807 SAMM** contribution to provide avoidance measures against the impact of the site on the SPA in accordance with the formula in the Avoidance Strategy.
5. 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:

## 10<sup>th</sup> APRIL 2018 PLANNING COMMITTEE

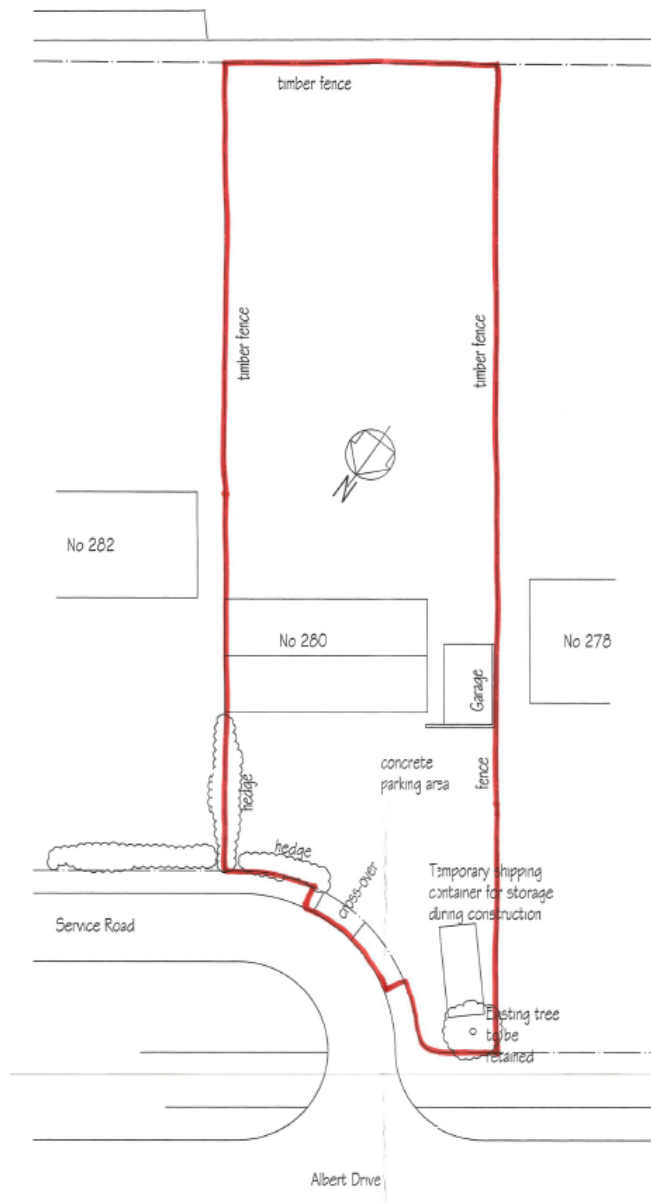
[https://ecab.planningportal.co.uk/uploads/1app/forms/form\\_6\\_commencement\\_notice.pdf](https://ecab.planningportal.co.uk/uploads/1app/forms/form_6_commencement_notice.pdf)) must be issued to the Local Planning Authority and all owners of the relevant land to notify them of the intended commencement date of the development.

6. The applicant is advised that, 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.
7. The applicant is advised that this planning permission does not convey the right to enter onto or build on land not within his ownership.
8. The applicant is advised that this planning permission implies that the property is now considered to constitute flats which do not benefit from the same Permitted Development Rights as a house.

# 280 Albert Drive, Sheerwater

PLAN/2017/1449

Demolition of the existing dwelling and erection of 2No 4-bed detached dwellings.

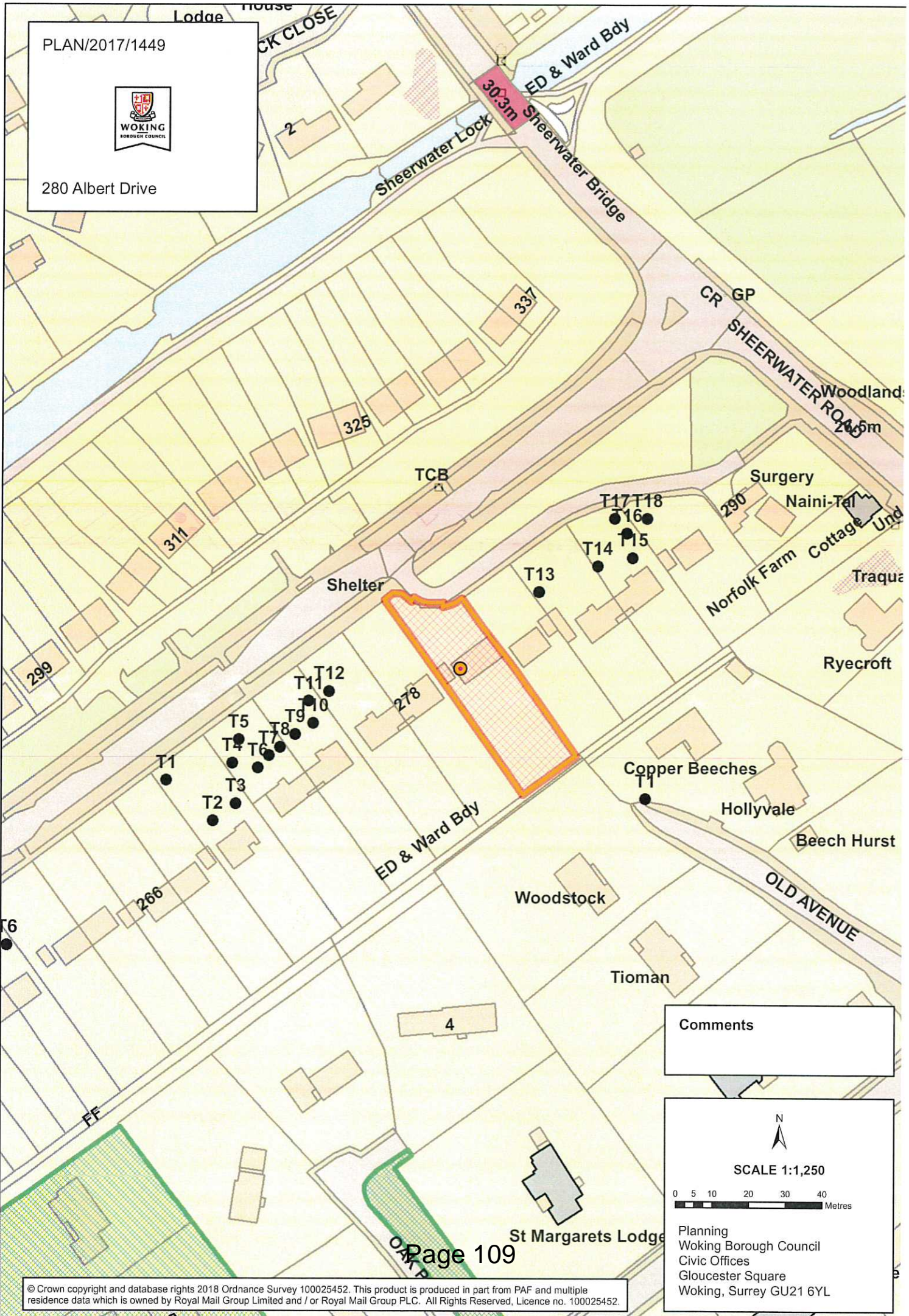




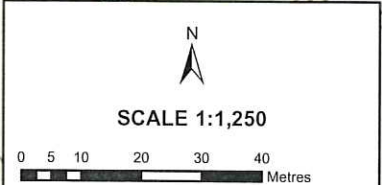
PLAN/2017/1449



280 Albert Drive



Comments



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



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5f 17/1449 Reg'd: 12.01.18 Expires: 09.03.18 Ward: C  
Nei. 02.02.18 BVPI Minor Number 13 On Yes  
Con. Target dwellings -13 of Weeks Target?  
Exp: on Cttee'  
Day:

**LOCATION:** 280 Albert Drive, Sheerwater, Woking, Surrey, GU21 5TX

**PROPOSAL:** Demolition of the existing dwelling and erection of 2No 4-bed detached dwellings.

**TYPE:** Full Planning Application

**APPLICANT:** Mr & Mrs Philip Marley

**OFFICER:** William Flaherty

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

The proposal includes the erection of 2 dwellings which falls outside the scope of delegated powers as set out by the Management Arrangements and Scheme of Delegation.

### **PLANNING STATUS**

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

### **RECOMMENDATION**

GRANT planning permission subject to conditions and a Section 106 Agreement to secure a Thames Basin Heaths Strategic Access Management and Monitoring (SAMM) contribution.

### **SITE DESCRIPTION**

The application site features a two storey dwelling and a detached single garage. Albert Drive is situated in the Sheerwater area of the Borough with housing in the area primarily of a Post-War build with some modern in-fill.

No trees subject to Tree Preservation Orders (TPOs) are situated on site and the site is not located in fluvial flood zones 2 or 3. However, parts of the site are in an area of medium and high surface water flood risk (1 in 100 years; and 1 in 30 years) respectively. The site is not situated in a conservation area and does not concern a listed building.

### **PLANNING HISTORY**

- PLAN/2015/0177 - Erection of a two storey side and rear extension, single storey rear extension and front porches to facilitate the subdivision of existing dwelling to 2 x 3 bedroom semi detached dwellings with bonus rooms in the roof – Withdrawn

## 10 APRIL 2018 PLANNING COMMITTEE

- PLAN/2012/0527 - Erection of a two storey side and rear extension, single storey rear extension and front porches to facilitate the subdivision of existing dwelling to 2 x 3 bedroom semi-detached dwellings with bonus rooms in the roof. - Permit
- PLAN/2011/0423 - Erection of a two storey rear and side extension to facilitate the subdivision of existing dwelling to 2 x 3 bedroom semi-detached dwellings with bonus rooms in the roof – Withdrawn
- PLAN/1987/0541 – Two storey domestic extension – Permit
- 0004680 – Typical House Details – Permit

### **PROPOSED DEVELOPMENT**

The proposal is for the demolition of the existing dwelling and garage and the erection of 2x 4 bedroom detached dwellings. The existing access and dropped kerb would be retained and widened.

### **SUMMARY INFORMATION**

Site area:	0.1 ha
Number of units:	2 (2x 4 bedroom)
Number of proposed parking spaces:	6 (3 per dwelling)
Existing density on site:	10 dph (dwellings per hectare)
Proposed density on site:	20 dph

### **CONSULTATIONS**

**County Highway Authority:** No objection subject to planning conditions relating to: the construction of the modified vehicular access; the provision and retention of the proposed car parking spaces; and the submission of a Construction Transport Management Plan.

**Drainage and Flood Risk Officer:** No objection subject to a pre-commencement planning condition requiring the submission and approval in writing of a sustainable drainage scheme to ensure that surface water run-off would not exceed the run-off from the existing site.

**Arboricultural Officer:** No objection subject to a pre-commencement planning condition requiring the submission of tree protection details.

### **REPRESENTATIONS**

None received.

### **RELEVANT PLANNING POLICIES**

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

Woking Borough Core Strategy (2012):  
CS9 - Flooding and water management  
CS10 - Housing provision and distribution  
CS11 - Housing mix



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CS18 – Transport and Accessibility  
CS21 – Design  
CS22 – Sustainable Construction  
CS24 – Woking's Landscape and Townscape  
CS25 – Presumption in favour of sustainable development

### Supplementary Planning Documents:

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

### Development Management Policies DPD (2015)

DM2 – Trees and Landscaping  
DM7 – Noise and Light Pollution  
DM11 – Sub-Divisions, Specialist Housing, Conversions and Loss of Housing

### Supplementary Planning Guidance (SPG):

Plot Sub-Division, 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  
WBC Strategic Flood Risk Assessment (November 2015)

## **PLANNING ISSUES**

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

### Principle of Development

2. The NPPF (2012) and Core Strategy (2012) Policy CS25 promote a presumption in favour of sustainable development. Paragraph 17 of the NPPF sets out that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. The site lies within the designated Urban Area and within the 400m-5km (Zone B) Thames Basin Heaths Special Protection Area (SPA) buffer zone.
3. The proposed development would result in the demolition of the existing 5 bedroom dwelling and the erection of 2 x 4 bedroom dwellings. The proposed dwellings would occupy previously developed land and garden space. Given this, the site constitutes garden land as part of it previously served as green space. The development of greenfield land for additional dwellings can be acceptable provided that the proposal respects the overall grain and character of development in the area.
4. Woking Development Management Policies (DMP) 2016 Policy DM10 'Development on Garden Land' permits the subdivision of existing plots and the erection of new

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dwelling providing the proposed development “...does not involve the inappropriate sub-division of existing curtilages to a size significantly below that prevailing in the area”, “the means of access is appropriate in size and design to accommodate vehicles and pedestrians safely and prevent harm to the amenities of adjoining residents and is in keeping with the character of the area” and “suitable soft landscape is provided for the amenity of each dwelling appropriate in size to both the type of accommodation and the characteristic of the locality”.

5. The application site is positioned along the south side of Albert Drive with a two-storey detached dwelling situated to the immediate east of the site and a pair of semi-detached dwellings to the west. The wider area is characterised by two-storey detached and semi-detached dwellings. Development to the east of the application site comprises of detached dwellings with varied plot widths (notably No. 284A). The proposal would be set back from the existing building line allowing a better transition in the built form between Nos. 278 and 282; would utilise and enlarge the existing access and the subsequent subdivision of the plot would generally accord with plot widths in the wider area.
6. In accordance with the Development Plan, new residential development should seek to maximise the efficient use of land by concentrating most new developments in existing urban areas. Housing provision is also integral to the creation of sustainable communities and Policy CS10 of the Woking Core Strategy 2012 seeks to ensure that sufficient homes are built in sustainable locations where existing infrastructure is in place. The proposal makes best use of urban land, achieving a marginally greater density in the area while maintaining the grain of development. Furthermore, planning permission ref: PLAN/2012/0527 has previously established the principle of plot subdivision with two plot widths of 9.5m and 8.5m considered to be acceptable.
7. The principle of the demolition of the existing dwelling and the erection 2x 4 bedroom dwellings on site is considered to be acceptable subject to the further material considerations as set out in this report.

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

8. Policy CS24 of the Woking Core Strategy 2012 states that ‘development will be expected to...respect the setting of, and relationship between, settlements and individual buildings within the landscape’ and to ‘conserve, and where possible, enhance townscape character’. Policy CS21 states that new developments should ‘respect and make a positive contribution to the street scene and the character of the area in which they are situated, paying due regard to the scale, height, proportions, building lines, layout, materials and other characteristics of adjoining buildings and land’. This advice is echoed in Paragraph 59 of the National Planning Policy Framework where it points out that the overall scale, density, layout, materials etc. of development should be guided by neighbouring buildings and the local area.
9. The application site fronts onto a cul-de-sac accessed off Albert Drive, this section of which is characterised by two-storey detached and semi-detached dwellings. Dwellings along this cul-de-sac have varying plot widths and sizes with the majority of dwellings fronting onto Albert Drive having regular plot widths and sizes. Boundary treatment along the cul-de-sac comprises primarily of vegetation with front gardens paved over for parking.

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10. The maximum width of the application site is approximately 18m with a maximum depth of 64m. The front boundary of the site curves away from Albert Drive. The proposal would demolish the existing dwelling and subdivide the site with each resultant plot having a width of approximately 9m each. Both dwellings would be set back from Albert Drive by over 27m with 3 off-street car parking spaces proposed for each dwelling to the front of the dwellings. Existing planting along the boundaries of the site and the existing tree in the front garden are proposed to be retained.
11. The width of the proposed plots is considered to be acceptable with plot widths along the north side of Albert Drive ranging from 7-11m in width. Although properties along the south side of Albert Drive tend to have wider plots than is proposed, Officers note that No. 284A displays a significantly smaller plot width and that the proposed plots when viewed within the street scene would not appear cramped, contrived or out of character with the wider area.
12. The existing two-storey dwelling at No.280 has a maximum dual pitched roof height to the ridge of 7.8m, a maximum eaves height 5.5m and a width along the front elevation of 13.3m (excluding the detached garage). The existing dwelling has a maximum depth of 7m.
13. The proposed two-storey dwellings would be similar in appearance with hipped roofs of a maximum height to the ridge of 8m, eave heights of 5.5m, maximum widths of 7.1m along the front elevation and maximum depths of 14.4m. In terms of materials, the walls would be brick to match existing, the roof would be tiled to match existing, fenestration would be white UPVC/timber doors as is currently on site and the proposed hardstanding would be brick paviours. The dwelling closest to the site boundary with No. 278 (hereafter referred to as No. 280) would be constructed in line with the building line of the existing dwelling with the exception of the front porch like structure which has a depth of 1.1m. The primary front elevation of the dwelling closest to No. 282 (hereafter referred to as No. 280a) would be set back from the building line of the existing dwelling by 1.2m.
14. Dwellings in the surrounding area feature a mixture of both pitched and hipped roof forms with red roof tiles characteristic of the Sheerwater Estate. It is considered that the proposed hipped roofs would relate well to this prevailing character with the mono-pitched roof of the proposed porch a feature of neighbouring Nos. 278, 276 and 282. The hipped roof form would help to reduce any terracing effect with neighbouring properties and enhance visual separation between the proposed dwellings. The proposed materials are considered to relate well to the character of the area, although further details, including samples, of all external finishes of the dwellings would be secured by way of planning condition (see Condition 3).
15. Limited details of the front garden landscaping, parking area and boundary treatments have been submitted. A detailed landscaping scheme and details of the proposed driveway/boundary treatments should be secured by way of planning conditions to ensure that the development enhances the character and appearance of the surrounding area and to ensure that the driveway does not increase surface water runoff off-site (see Conditions 4 and 5).
16. For the reasons set out above, it is considered that the proposed replacement dwelling would be a visually acceptable form of development which would respect the character of the surrounding area, subject to planning conditions.

Standard of Accommodation

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17. The proposed dwellings would each have 4 bedrooms with a gross internal floor area (GIA) of 155 square metres (sqm) which would exceed the minimum 124sqm for a dwelling of this type (as set out in the Technical Housing Standards – National Described Space Standard 2015 [as amended]). Habitable rooms would have outlook with a separation distance of over 27m to the rear garden boundary. Each dwelling would benefit from private amenity space to the rear of over 228sqm with a garden width of approximately 9m. The SPD on 'Outlook, Amenity, Privacy and Daylight' 2008 recommends a garden size in scale with the dwelling and broadly greater than the footprint is advised.
18. For the reasons set out above, it is considered that the proposed dwellings would provide a good standard of accommodation for future owner/occupiers.

### Impact on Residential Amenity

19. Policy CS21 of the Woking Core Strategy 2012 advises that proposals for new development should achieve a satisfactory relationship to adjoining properties avoiding significant harmful impact in terms of loss of privacy, daylight or sunlight, or an overbearing effect due to bulk, proximity or outlook. The main dwellings to consider in assessing the impact of the proposal on neighbouring residential amenity are No. 278 to the south-west, and No. 282 to the north-west.
20. With regards to No. 282 to the north-east, proposed No. 280a would project approximately 0.5m beyond the rear elevation of No. 282. As the projection to the rear is minimal, it is considered that there would be no adverse impact on the amenities of No. 282 to the rear. In terms of habitable room windows to the front of No. 282, Officers noted on their site visit that the existing dwelling on site has a maximum depth of 7m which projects approximately 7m beyond the front elevation of No. 282. The existing dwelling has a maximum height of 7.8m, an eave height of 5.5m and no set back from the site boundary.
21. In comparison to the existing situation, No. 280a would project approximately 6m beyond the front elevation of No. 282, would have a maximum roof height of 8m, an eave height of 5.5m and a set back from the site boundary of 1m. The proposed dwelling would have a hipped roof which would effectively reduce the mass of the proposal when viewed from No. 282 when compared to the pitched roof of the existing dwelling.
22. On balance, when taking into consideration the existing dwelling on site, it is considered that the proposal would not cause any unacceptable adverse impact on the residential amenities of No. 282 above that of the existing dwelling. The proposal would introduce a set back from the site boundary, would project beyond the front elevation of No. 282 1m less than the existing dwelling and the hipped roof would reduce the bulk of the built form when compared to the existing dwelling.
23. No windows are proposed on the side elevations of the proposed dwellings and a planning condition could be attached to any consent restricting the installation of new windows (see Condition 13). It is therefore considered that the proposal would not result in an unacceptable loss of privacy to neighbouring dwellings.
24. For the reasons set out above, the proposed dwellings are considered to be acceptable in terms of their relationship with neighbouring properties and would safeguard the outlook, amenity, privacy and daylight of existing and future occupiers of existing dwellings, in accordance with Policy CS21 of the Woking Core Strategy 2012,

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Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight' 2008 and the National Planning Policy Framework.

### Highways and Parking Implications

25. The proposal seeks to utilise and widen the existing vehicular access to the site with the areas to the front of the dwellings to provide 3 car parking spaces per dwelling. It is unclear what proportion of the front areas would be brick pavements, however, it is considered that sufficient space would exist to accommodate 3 car parking spaces and that details of this could be secured by way of a planning condition.
26. The County Highway Authority has been consulted on the proposal and has assessed the application on safety, capacity and policy grounds. The Highway Authority has raised no objection to the proposed development subject to the following pre-commencement/prior to occupation planning conditions requiring that:
  - the development shall not be occupied until the modified vehicular access to Albert Drive has been provided in accordance with the approved plans;
  - the dwellings shall not be occupied until space has been laid out within the site in accordance with the approved plans for vehicles to be parked; and
  - that a Construction Transport Management Plan, to include details of vehicle parking, loading and unloading of materials and storage of plant and materials to ensure the highway safety and convenience of the highway users are not compromised as a result of the development, is submitted to and approved in writing by the Local Planning Authority prior to the commencement of development.
27. The Supplementary Planning Document 'Parking Standards' 2006 recommends a parking provision of 2 car parking spaces per 3 or more bedroom unit. Within this context, the proposed 3 car parking spaces per dwelling are considered to be acceptable outside of the High Accessibility Zone. Subject to the above planning conditions, it is considered that the proposed development not result in any adverse impact in terms of highway safety or car parking provision.

### Sustainability

28. Following a Ministerial Written Statement to Parliament on 25 March, the Code for Sustainable Homes (aside from the management of legacy cases) has now been withdrawn. For the specific issue of energy performance, Local Planning Authorities will continue to be able to set and apply policies in their Local Plans that require compliance with energy performance standards that exceed the energy requirements of Building Regulations until commencement of amendments to the Planning and Energy Act 2008 in the Deregulation Bill 2015. This is expected to happen alongside the introduction of Zero Carbon Homes policy in late 2016. The Government has stated that the energy performance requirements in Building Regulations will be set at a level equivalent to the outgoing Code for Sustainable Homes Level 4.
29. Until the amendment is commenced, Local Planning Authorities are expected to take this statement of the Government's intention into account in applying existing policies and setting planning conditions. The Council has therefore amended its approach and an alternative condition will now be applied to all new residential permission which seeks the equivalent water and energy improvements of the former Code Level 4. (Conditions. 7 and 8)

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### Flood Risk and Surface Water Drainage

30. The application site is not located in Fluvial Flood zones 2 or 3. However, parts of the site are in an area of medium and high surface water flood risk (1 in 100 years; and 1 in 30 years respectively). The Council's Drainage and Flood Risk Officer has assessed the application and raises no objection to the proposed development subject to a pre-commencement planning condition requiring the submission and approval in writing of a surface water drainage scheme to demonstrate that the surface water run-off generated by the development would not exceed the run-off from the existing site (see Conditions 4 and 5).
31. Subject to the aforementioned pre-commencement planning condition, it is considered that the proposed development would comply with the NPPF and Policy CS9 of the Woking Core Strategy (2012).

### Affordable Housing

32. 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.
33. 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.
34. Additionally the Planning Practice Guidance (Paragraph 031 - Revision date: 19.05.2016) sets out that there are specific circumstances where contributions for affordable housing planning obligations should not be sought from small scale and self-build development. This follows the order of the Court of Appeal judgment dated 13th May 2016, which again gives legal effect to the policy set out in the Written Ministerial Statement of 28th November 2014 and should be taken into account. These circumstances include that contributions should not be sought from developments of 10-units or less, and which have a maximum combined gross floorspace of no more than 1000sqm.
35. Whilst it is considered that weight should still be afforded to Policy CS12 (Affordable housing) of the Woking Core Strategy 2012 it is considered that greater weight should be afforded to the policies within the Written Ministerial Statement of 28th November 2014 and the Planning Practice Guidance (Paragraph 031 - Revision date: 19.05.2016). As the proposal represents a development of 10-units or less, and has a maximum combined gross floorspace of no more than 1000sqm, no affordable housing financial contribution is therefore sought from the application scheme.

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### Local Finance Considerations

36. The Community Infrastructure Levy (CIL) is a mechanism adopted by Woking Borough Council which came into force on 1st April 2015, as a primary means of securing developer contributions towards infrastructure provisions in the Borough. In this case, the proposed residential development would incur a cost of £125 per sq. m which equates to a contribution of £16,500 (132sqm net additional GIA). The applicant has previously made a Thames Basin Heaths SPA payment of £1,432 in association with planning application ref: PLAN/2012/0527. As the SPA now forms a part of the CIL Regulation 123 list, this previous SPA payment can be off-set against the CIL payment incurred by the current application.

### Impact on the Thames Basin Heaths Special Protection Area

37. The Thames Basin Heaths Special Protection Area (SPA) is classified for its internationally important bird breeding populations. The designation is made under the Habitats Regulations 2010. It is necessary to ensure that planning applications for new residential developments include sufficient measures to ensure avoidance of any potential impacts on the SPA.
38. The proposed development would result in a net increase of 1x 4 bedroom dwelling on site which would require a Strategic Access Management and Monitoring (SAMM) payment of £1,008. This financial contribution would be secured by a Section 106 Legal Agreement prior to the issuing of any grant of planning permission. Previous SAMM and SPA payments have been made by the applicant in relation to planning permission ref: PLAN/2012/0527. Officers can confirm that this previous payment can be off-set against the SAMM contribution and CIL payment associated with the current application. An additional SAMM payment of £107 is therefore required.
39. In view of the above, the Local Planning Authority is able to determine that the development would have no significant effect upon the SPA and therefore accords with Policy CS8 of the Woking Core Strategy 2012 and the Thames Basin Heaths Special Protection Area Avoidance Strategy 2010-2015.

### Conclusion

40. The principle of development is considered to be acceptable and the proposal will incorporate a satisfactory design and will preserve the character and appearance of the surrounding area. The proposal will not detrimentally affect the setting of the adjacent dwellings on Albert Drive and will have an acceptable impact on neighbouring amenity, highway safety and the surrounding landscape. The development would incorporate appropriate sustainability measures in order to achieve energy performance requirements equivalent to Level 4 for Code for Sustainable Homes. It is also noted that the applicant has provisionally agreed to enter into a legal agreement to secure a payment in accordance with the Thames Basin Heaths Special Protection Area.
41. The proposal is considered to be an acceptable form of development that complies with Sections 4, 6 and 7 of the National Planning Policy Framework. Policies CS8, CS9, CS10, CS16, CS18, CS21, CS22, CS24 and CS25 of the Woking Core Strategy 2012, Supplementary Planning Documents 'Outlook, Amenity, Privacy and Daylight' 2008, 'Design' 2015 and 'Parking Standards' 2006, Policies DM2, DM10, DM12 and DM13 of the Development Management Policies DPD 2016 and Thames Basin Heaths Special Protection Area Avoidance Strategy 2010-2015. It is therefore recommended

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that planning permission is granted subject to the recommended conditions and the applicant entering into a legal agreement to secure the necessary Thames Basin Heaths SAMM contribution.

### **BACKGROUND PAPERS**

1. Site Visit Photographs – 08.02.2018
2. Response from County Highway Authority – 25.01.2018
3. Response from Drainage and Flood Risk Officer – 22.01.2018
4. Response from Arboricultural Officer – 26.02.2018

### **PLANNING OBLIGATIONS**

	<b>Obligation</b>	<b>Reason for Agreeing Obligation</b>
1.	Provision of £107 SAMM contribution to monitoring and management of avoidance measures against the impact of the site on the SPA in accordance with the formula in the Avoidance Strategy.	To accord with the Habitat Regulations and associated Development Plan policies and the Council's Adopted Avoidance Strategy.

### **RECOMMENDATION**

It is recommended that planning permission be GRANTED subject a S.106 agreement to secure SAMM contribution and 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 plans listed below:

Location Plan, received 20.12.2018

Block Plan – Existing, Rev A, received 14.03.2018

Block Plan – Proposed, Rev B, received 14.03.2018

Drg. No. 01, Rev A, Existing Plans & Elevations, dated January 2018, received 11.01.2018

Drg. No. 02, Rev B, Proposed Plans & Elevations TYPE 1, dated January 2018, received 11.01.2018

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



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

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

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

The drainage scheme details to be submitted for approval shall also include:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

9. ++ Prior to the first occupation of the development hereby approved, the modified vehicular access to Albert Drive, as shown on 'Block Plan – Proposed, Rev B, received 14.03.2018', shall be constructed in accordance with the approved plans and thereafter shall be kept permanently maintained.

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

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

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

11. ++ Prior to the commencement of the development hereby approved, a Construction Transport Management Plan (CTMP) to include details of:

- (a) parking for vehicles of site personnel, operatives and visitors
- (b) loading and unloading of plant and materials
- (c) storage of plant and materials

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

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

12. ++ No development related works shall be undertaken on site (including clearance and demolition) until tree protection details relating to the existing tree to the front of the site facing Albert Drive, as shown on 'Block Plan – Proposed, Rev B, received 14.03.2018' have been submitted to and approved in writing by the Local Planning Authority. These details shall adhere to the principles embodied in BS 5837 2012 and shall include a Tree Survey, Arboricultural Impact Assessment and Arboricultural Method Statement. The details shall make provision for the convening of a pre-commencement meeting and Arboricultural supervision by a suitably qualified and experienced Arboricultural Consultant for any works within the RPAs of retained trees. Full details shall be provided to indicate exactly how and when the retained tree will be protected during the site works. The development shall be carried out strictly in accordance with the approved details.

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Reason: To ensure the retention and protection of trees on the site and in the interests of the visual amenities of the locality and the appearance of the development in accordance with Policy CS21 of the Woking Core Strategy 2012 and Policy DM2 of the Woking Development Management Policies Development Plan Document 2016.

13. Notwithstanding the provisions of Article 3 and Schedule 2, Part 1, Class A of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), (or any orders amending or re-enacting that Order with or without modification) no additional windows shall be installed on the side elevations of the dwellinghouses hereby approved without planning permission being first obtained from the Local Planning Authority.

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

### **Informatives**

1. The Council confirms that in assessing this planning application it has worked with the applicant in a positive and proactive way, in line with the requirements of paragraph 186-187 of the National Planning Policy Framework 2012.
2. Your attention is specifically drawn to the conditions above marked ++. These condition(s) require the submission of details, information, drawings, etc. to the Local Planning Authority PRIOR TO THE COMMENCEMENT OF ANY DEVELOPMENT ON THE SITE or, require works to be carried out PRIOR TO THE COMMENCEMENT OF THE USE. Failure to observe these requirements will result in a contravention of the terms of the permission and the Local Planning Authority may serve Breach of Condition Notices to secure compliance.
3. The permission hereby granted shall not be construed as authority to carry out any works on the highway. The applicant is advised that prior approval must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, or verge to form a vehicle crossover to install dropped kerbs. Please see: [www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/vehicle-crossovers-or-dropped-kerbs](http://www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/vehicle-crossovers-or-dropped-kerbs)
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. The developer is advised that as part of the detailed design of the highway works required by the above conditions, the County Highway Authority may require necessary accommodation works to street lights, road signs, road markings, highway drainage, surface covers, street trees, highway verges, highway surfaces, surface edge restraints and any other street furniture/equipment.
5. 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.

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6. The applicant is advised that this application is liable to make a CIL contribution of £15,068. 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.
7. 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.
8. The provisions of The Party Wall etc. Act 1996 may be applicable and relates to work on an existing wall shared with another property; building on the boundary with a neighbouring property; or excavating near a neighbouring building. An explanatory booklet setting out your obligations can be obtained from the Communities and Local Government website [www.communities.gov.uk](http://www.communities.gov.uk)
9. The applicant is advised that this planning permission does not convey the right to enter onto or build on land not within his ownership.



# Penlan, Kingfield Green

PLAN/2018/0040

Erection of two four-bedroom detached dwellings following demolition of an existing bungalow.







PLAN/2018/0040



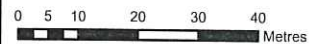
Penlan, Kingfield Green



Comments



SCALE 1:1,250



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

SportsGround



## 10 APRIL 2018 PLANNING COMMITTEE

5g 18/0040 Reg'd: 01.02.18 Expires: 29.03.18 Ward: HV  
Nei. 23.02.18 BVPI 13 Minor Number 9/8 On No  
Con. Target of Weeks Target?  
Exp: on Cttee'  
Day:

**LOCATION:** Penlan, Kingfield Green, Woking, Surrey, GU22 9BD

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

**TYPE:** Full

**APPLICANT:** Mr Rodney Gallagher

**OFFICER:** Tanveer  
Rahman

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

The proposal involves the erection of a two dwellings which falls outside of the scheme of delegated powers.

### **SUMMARY OF PROPOSED DEVELOPMENT**

Erection of two four-bedroom detached dwellings following demolition of an existing bungalow.

### **PLANNING STATUS**

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

### **RECOMMENDATION**

GRANT planning permission subject to conditions and legal agreement.

### **SITE DESCRIPTION**

The irregular-shaped application site is located in the southern corner of Kingfield Green which is a residential lane that is accessed from Kingfield Road to the north east. There is a bungalow on the site which is set back from the lane by a driveway and front garden. The property has a large rear garden and there are a number of trees within the site. The site is bounded from Nut Cottage to the north, a public footpath to the west, Loop Road sports field to the south and east, 7a Kingfield Close and Round Oak Cottage to the east by a combination of timber fencing, trees and other vegetation.

### **RELEVANT PLANNING HISTORY**

PLAN/1999/1141: DEMOLITION OF EXISTING GARAGE AND CAR PORT AND ERECTION OF SINGLE STOREY SIDE EXTENSION FOR GARAGE, UTILITY AND GAMES ROOM - permitted 25.11.1999.

78/1413: CON DORMER EXTENSION - permitted 01.11.1978.

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0028272: ERECTION CARPORT - permitted 01.11.1971.

0015627: ALTERATION ADDITION(S) - permitted 01.08.1962.

0009102: DETACHED BUNGALOW AND GARAGE - permitted 01.04.1956.

0007549: DETACHED B&G - permitted 01.09.1954.

### **PROPOSED DEVELOPMENT**

The application is for the erection of two detached houses following the demolition of the existing bungalow.

House 01 is proposed to be located at the northern end of the site. Its form would consist of three main elements. The southernmost element would be single-storey with a roof terrace. Adjoining this to the north would be the main two-storey flat roof element which would also have a cantilevered first floor element on its eastern side. To the north of this would be a single-storey flat roof element. The house would have a maximum width of 18.55m and a maximum depth of 16.9m. The southernmost element would have a height of 4.6m, the two-storey element would have a height of 6.4m and the northernmost element would have a height of 2.95m. A sliding glazed door with a window next to it covered by timber slats, a ground floor window with timber slats covering its entirety, three ground floor windows and three first floor windows are proposed in its front (north) elevation. Two ground floor windows covered by timber slats, another ground floor window and a first floor window are proposed in its side (east) elevation. Glazed doors, a window, another glazed door, two first floor windows and two first floor glazed doors leading to the first floor rear terrace are proposed in the rear (south) elevation. A door, two sliding glazed doors and two first floor windows are proposed in the side (west) elevation. The house is proposed to have a sedum roof with a roof light in it and photovoltaic panels on it. The house is proposed to have private amenity wrapping around its west elevation and part of its south and north elevations. It is also proposed to have a front driveway with space to park two cars.

House 02 is proposed to be located to the south of House 01. Its form would consist of two main elements. The westernmost element would be single-storey with a roof terrace. Adjoining this to the east would be the main two-storey flat roof element which would also have a cantilevered first floor element on its northern side. The house would have a maximum width of 14.15m and a maximum depth of 19.9m. The westernmost element would have a height of 4.6m and the two-storey element would have a height of 6.6m. A sliding glazed door with a window next to it covered by timber slats, a ground floor window with timber slats covering its entirety and a first floor window are proposed in its front (north) elevation. Four ground floor windows covered by timber slats and four first floor windows are proposed in its side (east) elevation. Glazed sliding doors and a first floor window are proposed in its rear (south) elevation. Glazed sliding doors, two ground floor windows, another set of glazed sliding doors, two first floor glazed doors leading to the first floor rear terrace and four first floor windows are proposed in its side (west) elevation. The house is proposed to have a sedum roof with a roof light in it and photovoltaic panels on it. The house is proposed to have private amenity wrapping around its west and south elevations and part of its north and east elevation. It is also proposed to have a front driveway with space to park two cars.

The driveways of both houses are proposed to be served by a shared access road which would run along part of the site's eastern boundary. This shared access is proposed to lead onto Kingfield Lane to the north and Kingfield Close to the east. House 01's rear garden is proposed to be separated from House 02's garden and driveway by an L-shaped boundary treatment.

**SUMMARY INFORMATION**

Site area	0.1665ha
Existing units	1 unit
Proposed units	2 units
Bedrooms/unit	4 bedrooms
Existing site density	6 dwellings/hectare
Proposed site density	12 dwellings/hectare

**CONSULTATIONS**

LPA Senior Aboricultural Officer:

No objection subject to condition.

LPA Drainage and Flood Risk Team

Notwithstanding comments from LPA's Drainage and Flood Risk Team the site is not in Flood Zone 2, Flood Zone 3 or an area designated at risk from surface water flooding. Furthermore, given the scale of development, under the LPA's current procedures it would not be subject to any flood mitigation conditions or other requirements.

LPA Waste & Recycling Team

No objection.

Surrey Wildlife Trust (SWT)

A Phase 1 Habitat Survey Report dated July 2017 Ref:Ver 31.07.17 (received by the LPA on 18.01.2018) was submitted with the application. SWT was consulted on this and requested further information. In response to this the agent submitted a Phase 1 Habitat Survey Report dated August 2017 Ref:Ver 29.08.17 (received by the LPA on 09.03.2018). SWT raised no objection to this amended report subject to recommended informatives.

County Highway Authority (SCC):

No objection.

Surrey Fire & Rescue Service

No response received at the time of writing this report. The Committee will be updated verbally with any subsequent response received.

**NEIGHBOUR REPRESENTATIONS**

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

- The design seems to be out of keeping with neighbouring properties.
- Construction work could damage the access track and contractors should rectify any damage they may cause to it (Case officer's note: this is a private matter which falls outside of planning control).

**RELEVANT PLANNING POLICIES**

National Planning Policy Framework (2012):

Section 6 - Delivering a wide choice of high quality homes

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Section 7 - Requiring good design

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

Section 11 - Conserving and enhancing the natural environment

### Woking Core Strategy (2012):

CS1 - A Spatial Strategy for Woking

CS7 - Biodiversity and nature conservation

CS8 - Thames Basin Heaths Special Protection Area

CS10 - Housing provision and distribution

CS11 - Housing mix

CS12 - Affordable housing

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

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, flood risk, 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. As such, the principle of erecting two residential dwellings 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 net additional dwelling on garden land belonging to the existing bungalow at Penlan. Policy DM10 of the *Development Management Policies Development Plan Document (2016)* states that the principle

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of housing development on garden land is not unacceptable but only subject to the following four criteria:

*“(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. Although the front entrances to the two proposed houses would be in their north elevations it is noted that they would have substantial depths which would face eastwards. It is considered that the east elevations of these houses would effectively be a continuation of the building lines of Nut Cottage and The Cedars to the North. It is also noted that PLAN/2016/0845 which is currently under construction permitted two new houses to the north east of the site on garden land belonging to White Cottage. This application created a new linear urban grain of four properties at the western side end of Kingfield Close consisting of 7a Kingfield Close, Round Oak Cottage and the two houses approved as part of PLAN/2016/0845. It is therefore considered that this current application would create a mirror of those four properties consisting of the two proposed houses, Nut Cottage and The Cedars which would be in keeping with this new urban gain to the east.
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 neighbouring properties on Kingfield Green are detached dwellings of a traditional style with a mix of pitched and hipped roofs. These properties have a range of external finishes including brick, render, half-timbering and clay roof tiles. It is noted that the form and character of the two proposed dwellings would be in contrast to these neighbouring properties. However it is considered that their designs in themselves sufficiently innovative and that their scale a proportion would have an acceptable impact on the character of the lane in which they would be located as well as the wider area.
5. The proposal is therefore considered to have an acceptable impact on the character of area.

### Impact on trees

6. The submitted arboricultural Information Ref: LLD1212-ARB-RE01 rev:00 (received by the LPA on 16.02.2018) states that three trees are and some other vegetation are proposed to be removed as part of the proposal.

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7. The LPA Senior's Arboricultural Officer has raised no objection subject to recommended conditions (see conditions 8 and 9).
8. The proposal is therefore considered to have an acceptable impact on trees subject to conditions.

### Impact on neighbours

9. The neighbours potentially most affected by the proposal are Nut Cottage to the north, 7a Kingfield Close to the east as well as the impact of the two proposed houses on each other.
10. In order to maintain privacy *Outlook, Amenity, Privacy and Daylight* (2008) recommends that first floor front windows should be at least 10m from a neighbouring side boundary. The first floor window in the front elevation of House 01 intended to serve 'Bathroom 01' would be 9.0-9.2m from the boundary with Nut Cottage which falls below this recommended guideline. However as the window is intended to serve a non-habitable room it is considered that it could be conditioned to be obscurely glazed an non-opening below a height of 1.7m from the floor level of the room that it would serve (see condition 4). It is therefore considered that this window would not create unacceptable overlooking issues subject to condition. The other first floor window in the front elevation of House 01 would be 14.1-15.3m from the boundary with Nut Cottage which exceeds the guideline in the SPD. It is therefore considered that this window would not create unacceptable overlooking issues. The SPD recommends that first floor side windows should be at least 1m from a neighbouring side boundary. The first floor side window in the side (east) elevation of House 01 would be 8.5m from the side boundary of 7a Kingfield Close which exceeds these guidelines. It is therefore considered that it would not create unacceptable overlooking issues. The two first floor glazed doors/windows in the rear elevation of House 01 which are intended to serve 'Bedroom 01' and 'Bedroom 2' would face towards House 2's front elevation windows and glazed door. However these glazed doors/windows would face into the proposed roof terrace which is surrounded by 1.7m high parapet walls. It is therefore considered that these glazed doors would not create unacceptable overlooking issues. The SPD recommends that first floor rear windows should be at least 15m to a neighbouring boundary. The two first floor windows in the rear elevation of House 01 which are intended to serve 'Bedroom 03' and 'Bedroom 4' would be 15.4m from the northern boundary of House 02's private amenity space which exceeds this guideline. It is therefore considered that these two windows would not create unacceptable overlooking issues. The first floor window in the side (west) elevation of House 01 which is intended to serve 'Bathroom 02' would not face any residential properties and it is therefore considered that it would not create any overlooking issues. Given the location, scale and design of House 02 it is considered that none of its windows would create unacceptable overlooking issues towards neighbouring properties. As House 02's roof terrace would be enclosed by 1.7m high parapet walls it is considered that it would not create unacceptable overlooking issues.
11. House 01 dwelling would pass the '25° test' as set out in *Outlook, Amenity, Privacy and Daylight* (2008) towards existing windows in the side (south) elevation of Nut Cottage, the existing windows in the side (west) elevation of 7a Kingfield Close and the proposed windows in the front (north) elevation of House 02. House 02 would fail the '25° test' towards the ground floor glazing in the rear elevation of House 1 which is intended to serve the 'Kitchen/Dining' area. It is noted however that this room would also be served by glazing in its side (west) elevation and it is therefore considered that House 02 would not have an unacceptable impact on the sunlight/daylight levels received by this room. Given the location, scale and design of



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House 02 it is considered it is considered that it would not have an unacceptable impact on the sunlight/daylight levels received by 7a Kingfield Close.

12. Given the location, scale and design of House 01 and 02 it is considered that they would not appear unacceptably overbearing towards existing neighbouring properties or towards each other.
13. 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. It therefore complies with policy CS21 of the *Woking Core Strategy* (2012) and *Woking Design SPD* (2015).

### Quality of accommodation and private amenity space

14. The proposed dwellings are considered to achieve an acceptable size and standard of accommodation with acceptable quality of outlook to habitable rooms.
15. *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 House 01 would have a footprint of 118sqm and 311sqm of private amenity space and House 02 would have a footprint of 118sqm and 385sqm of private amenity space which is considered to be in line with these guidelines.
16. 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

17. *Parking Standards* (2006) recommends that dwellings with three or more bedrooms should have a maximum parking provision for two cars. The proposed dwellings would each have two parking spaces which is in line with these recommendations.
18. As previously mentioned the County Highway Authority (SCC) has raised no objection and has not recommended any conditions.
19. It is therefore considered that the proposal would have an acceptable impact on car parking provision and highway safety.

### Sustainability

20. 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). A planning condition has been recommended to secure this (see condition 5).

### Affordable Housing

21. 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). **Page 137**

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22. 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.
23. 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.
24. 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

25. The proposal would have a gross internal area of 515.1sqm outside of the designated town centre however it is noted that the gross internal area of the existing bungalow to be demolished is 230.6sqm. Therefore CIL would be liable on the 284.5sqm net increase making the proposal liable for a contribution to the Community Infrastructure Levy (CIL) of **£39,392.20** according to the current financial year's price index.

### Impact on the Thames Basin Heaths Special Protection Area

26. 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).
27. 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 **£2,016** in line with the *Thames Basin Heaths Special Protection Area Avoidance Strategy 2010-2015* (April 2017 update) as a result of the uplift of two four-bedroom dwellings that would arise from the proposal would be required.

28. A signed Unilateral Undertaking will be used to secure this financial contribution.

**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, flood risk, 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, and 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 (27.02.2018)

**PLANNING OBLIGATIONS**

	<b>Obligation</b>	<b>Reason for Agreeing Obligation</b>
1.	Provision of <b>£2,016</b> contribution to provide SAMM.	To accord with the Habitat Regulations and associated Development Plan policies and the Council's Adopted Avoidance Strategy.

**RECOMMENDATION**

It is recommended that planning permission be GRANTED subject to the above legal agreement and 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 15.01.2018)
  - 1:500 proposed site plan Drwg no.9844(PP)002 (received by the LPA on 15.01.2018)
  - 1:200 proposed block plan Drwg no.9844(PP)001 (received by the LPA on 15.01.2018)
  - 1:200 proposed roof/block plan Drwg no.9844(PP)031 (received by the LPA on 22.03.2018)
  - 1:100 House 01 proposed plans Drwg no.9844(PP)004 (received by the LPA on 15.01.2018)

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- 1:100 House 01 proposed east and west elevations Drwg no.9844(PP)006 rev.B (received by the LPA on 13.03.2018)
- 1:100 House 01 proposed north and south elevations Drwg no.9844(PP)005 rev.B (received by the LPA on 13.03.2018)
- 1:100 House 01 sections Drwg no.9844(PP)007 rev.B (received by the LPA on 13.03.2018)
- 1:100 House 02 proposed plans Drwg no.9844(PP)008 (received by the LPA on 15.01.2018)
- 1:100 House 02 proposed east and west elevations Drwg no.9844(PP)010 rev.B (received by the LPA on 13.03.2018)
- 1:100 House 02 proposed north and south elevations Drwg no.9844(PP)009 rev.B (received by the LPA on 13.03.2018)
- 1:100 House 02 sections Drwg no.9844(PP)011 rev.B (received by the LPA on 13.03.2018)
- 1:200 proposed street scene drawings Drwg no.9844(PP)003 Rev.B (received by the LPA on 22.03.2018)

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 westernmost first floor window in the front elevation of House 01 hereby permitted shall be glazed entirely with obscure glass and non-opening unless the parts of the window/s which can be opened are more than 1.7 metres above the floor of the room in which the window is installed. Once installed the window shall be permanently retained in that condition unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To safeguard the amenities of the adjoining properties in accordance with policy CS21 of the *Woking Core Strategy* (2012).

5. The development hereby permitted shall not commence until details have been submitted for the written approval of 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 not less than a 19% CO2 improvement over the 2013 Building Regulations TER Baseline (Domestic). Such details as may be approved shall be installed prior to the first occupation of the development and maintained and operated in perpetuity, unless otherwise agreed in writing by the Local Planning Authority.

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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).

6. 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 or other alteration permitted by Class A 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).

7. Protective measures shall be carried out in strict accordance with arboricultural Information Ref: LLD1212-ARB-RE01 rev:00 (received by the LPA on 16.02.2018) 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).

8. The development hereby permitted shall not commence until a detailed landscaping scheme has been submitted to and approved in writing by the Local Planning Authority which specifies 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).

9. The development hereby permitted shall not commence until details of any modifications to boundary treatments have been submitted to and approved in writing by the Local Planning Authority. The approved modifications shall be implemented prior to the occupation of the dwelling hereby approved and permanently maintained thereafter.

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Reason:

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

### Informatives

01. Site Inspections:

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

02. The 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 application will not be formally approved until the applicant has entered into a legal agreement with the council to secure a provision of **£2,016** to provide avoidance measures against the impact of the site on the TBH SPA in accordance with the formula in the Avoidance Strategy and the **£39,392.20** CIL contribution.

04. The applicant is advised that In order discharge their obligations under Regulations 55 of the Conservation of Habitats and Species Regulations 2017 they should:

-Obtain a European Protected Species (EPS) licence from Natural England following the receipt of planning permission and prior to any works which may affect bats commencing and to;

-Undertake all the actions which will be detailed in the Method Statement attached to the EPS License, based on the mitigation, compensation and enhancement actions presented within the section 5.4 of the above referenced ecology report.

05. The applicant is advised that undertaking survey effort that is less than best practice recommendations potentially leaves them in the situation that they may not be granted the necessary EPS license by Natural England, where, on the basis of the further emergence surveys, it is subsequently found that proposed impact avoidance, mitigation, compensation and enhancement measures are not adequate. In this circumstance the applicant would not therefore be able to build out the planning application as granted and would need to resubmit a revised planning application. Undertaking proposed planning works would in this circumstance, be a breach of European protected species legislation.

06. 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.

**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)**

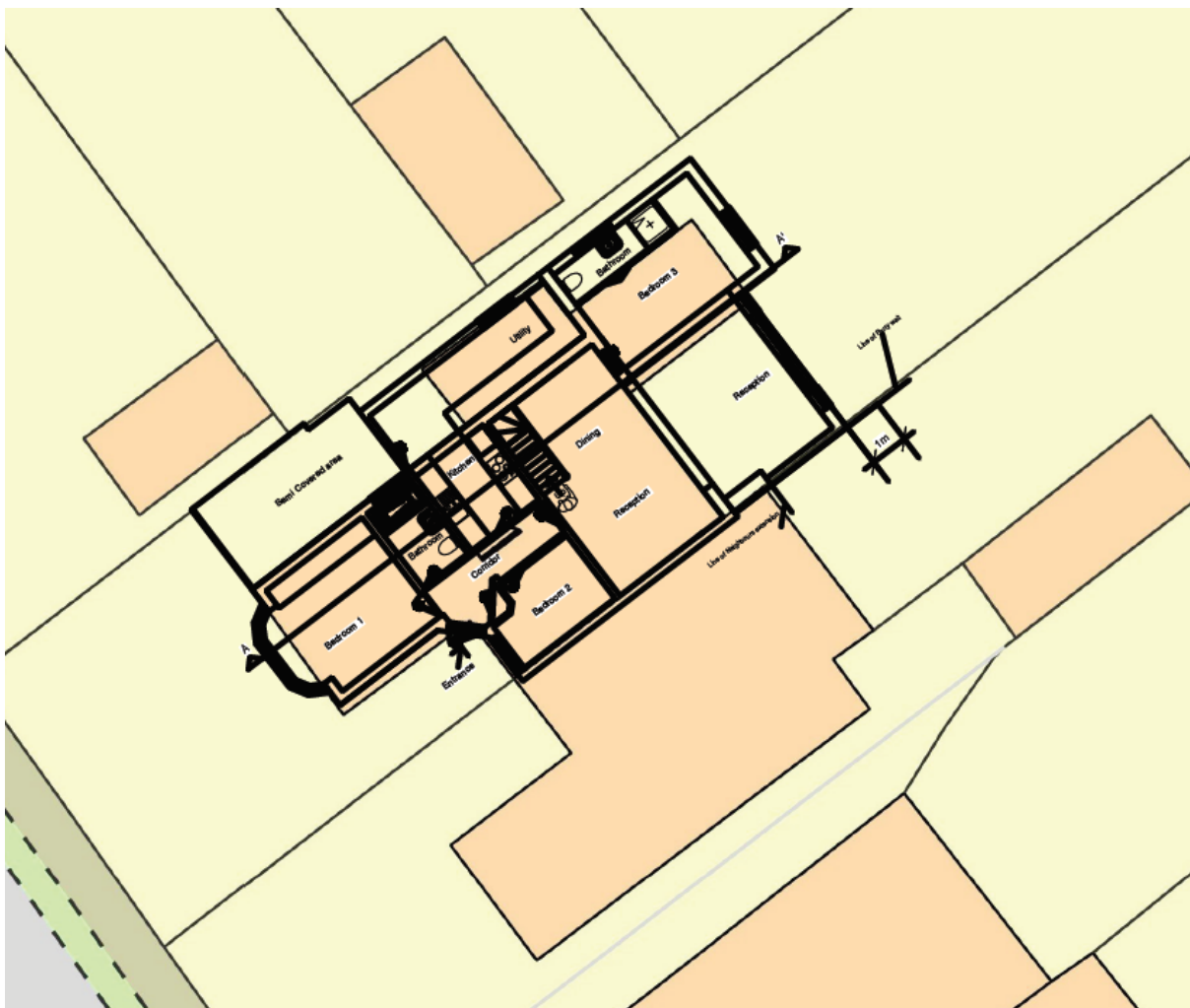




# 1 Elm Close, Horsell

PLAN/2018/0055

Retrospective application for amendments to PLAN 2016/0527 (Erection of a single-storey rear extension, a single-storey side extension, a rear dormer and insertion of front roof lights).

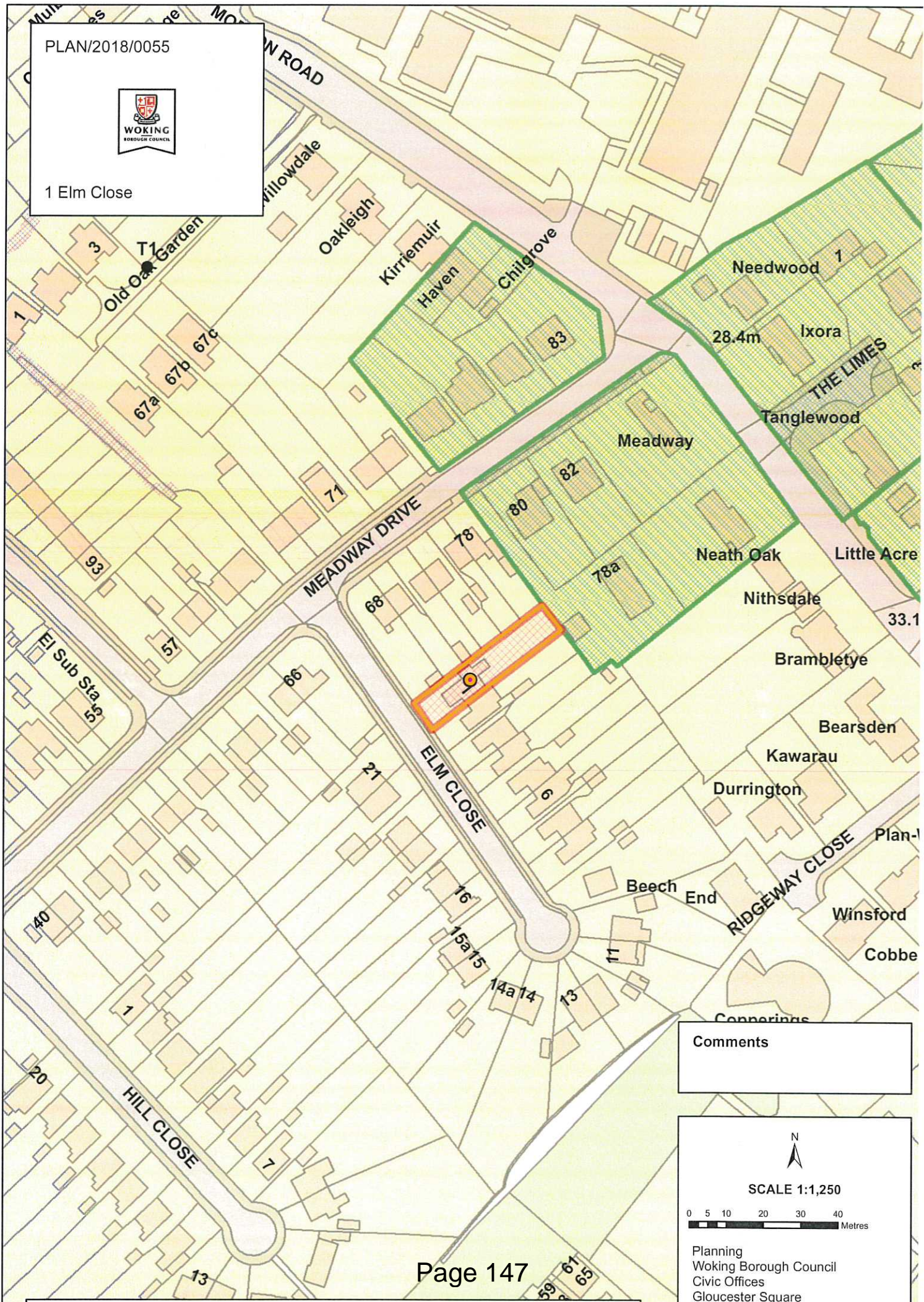




PLAN/2018/0055



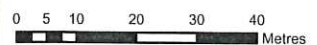
1 Elm Close



Comments



SCALE 1:1,250



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



## 10 APRIL 2018 PLANNING COMMITTEE

5h 18/0055 Reg'd: 22.01.2018 Expires: 19.03.18 Ward: HO  
Nei. 31.08.17 BVPI 13 Minor Number 11/8 On No  
Con. Target of Weeks Target?  
Exp: on Cttee'  
Day:

**LOCATION:** 1 Elm Close, Horsell, Woking, Surrey, GU21 4TG

**PROPOSAL:** Retrospective application for amendments to PLAN/2016/0527 (Proposed ground floor rear and side extension and loft conversion).

**TYPE:** Householder

**APPLICANT:** Mr Salim Aziz

**OFFICER:** Tanveer  
Rahman

---

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

The decision on whether to take enforcement action falls outside the scope of delegated powers.

### **SUMMARY OF DEVELOPMENT**

Retrospective application for amendments to PLAN/2016/0527 which relates to a hip-to-gable conversion, a rear dormer, a rear infill extension and a side infill extension.

### **PLANNING STATUS**

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

### **RECOMMENDATION**

REFUSE planning permission and authorise formal enforcement proceedings.

### **SITE DESCRIPTION**

The application site is located on Elm Close which is a residential cul-de-sac in the Horsell ward. The street consists predominantly of semi-detached bungalows and semi-detached two-storey houses.

1 Elm Close is a semi-detached bungalow. The house is set back from the street by a block paved driveway and its rear garden is bounded from neighbouring properties by timber fencing. There is an outbuilding in the rear garden.

### **PLANNING HISTORY**

PLAN/2017/0616: Erection of a single-storey rear extension, a single-storey side extension, a rear dormer and insertion of front roof lights - refused 20.07.2017.

## 10 APRIL 2018 PLANNING COMMITTEE

PLAN/2016/0527: Proposed ground floor rear and side extension and loft conversion - permitted 09.08.2016.

### **PROPOSED DEVELOPMENT**

PLAN/2016/0527 was granted permission to convert what was the main existing hipped roof to a gable. A flat roof rear dormer with two windows in its rear elevation was proposed in this extended roof and three roof lights were proposed in the front elevation of this extended roof. A single-storey, flat roof, rear extension infill extension was proposed on what was the existing rear elevation of the bungalow. Two windows and a set of double doors were proposed in its rear elevation. Two steps were proposed to lead down from the doors into the garden. What was the existing carport/utility room was granted permission to be demolished (barring the front elevation of the carport) and a side extension erected. This extension had a flat roof, a side window and a front window.

This retrospective application is for the following deviations to PLAN/2016/0527:

- An increase in the width of the dormer.
- An increase in the height of the flat roof side extension.
- Re-sizing and re-positioning of the window in the side elevation of the side extension
- Inserting two rather than three front roof lights.
- Minor alterations to the fenestration of the rear extension.
- Insertion of a roof light in the rear extension.

### **SUMMARY INFORMATION**

Site area	0.0439ha
Number of units	1 unit
Site density	22.78 dwellings/hectare

### **CONSULTATIONS**

None.

### **NEIGHBOUR REPRESENTATIONS**

Six letters of objection from five objectors were received which made the following statements:

- The applicant has damaged an objector's patio and planting area (*Case officer's note: any damage to neighbouring properties is a civil matter which falls outside of planning control*).
- The rear extension appears to have been built within the curtilage of an objector's property (*Case officer's note: boundary disputes are a civil matter which falls outside of planning control. However it was noted during the case officer's site visit that the single-storey rear extension appears to be within the curtilage of 1 Elm Close and that the boundary fencing may have been in the wrong location making it appear as though the extension was encroaching within neighbouring curtilage. This is an informal opinion and the objector may want to seek legal advice to confirm whether there has been encroachment onto their property*).
- The side extension was not built according to what was previously approved and creates overlooking and overshadowing towards neighbouring properties.
- An objector stated that the outbuilding in the rear garden does not have planning permission (*Case officer's note: this has been investigated by the LPA's Planning Enforcement Team and they have deemed it to fall within permitted development criteria*).

## 10 APRIL 2018 PLANNING COMMITTEE

- The enlarged dormer makes the bungalow appear overdeveloped and out of keeping with the character of the area.
- The enlarged dormer creates overlooking issues.
- Objectors stated that they feel the work has negatively affected the price of their homes (*Case officer's note: this is not a material planning consideration*).

### **RELEVANT PLANNING POLICIES**

National Planning Policy Framework (2012):

Section 7 - Requiring good design

Woking Core Strategy (2012):

CS21 - Design

Development Management Policies Development Plan Document (2016)

DM9: Flats Above Shops and Ancillary Accommodation

Supplementary Planning Documents:

*The Heritage of Woking* (2000)

*Woking Design SPD* (2015)

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

*Parking Standards* (2006)

### **PLANNING ISSUES**

The main issues to consider in determining this application are:

#### Impact on character

1. Policy CS21 of the *Woking Core Strategy* (2012) states that new development should create buildings “*with their own distinct identity, they should respect and make a positive contribution to the street scene and character of the area in which they are situated, paying regard to the scale, height, proportions, building lines, layout, materials and other characteristics of adjoining buildings and land*”.
2. The additional 0.7m height of the flat roof side extension over and above what was approved as part of PLAN/2016/0527 has brought the eaves above eaves of the original house. This has made it appear non-subservient and not in keeping with the character of the host dwelling which in turn has an unacceptable impact on the character of the wider street scene and is therefore contrary to section 7 of the *National Planning Policy Framework* (2012), policy CS21 of the *Woking Core Strategy* (2012) and *Woking Design SPD* (2015).
3. It is noted that there is an existing flat roofed rear extension at the property with an eaves level higher than that of the original property. However there is no record of this having planning permission and in any case its unacceptable appearance is mitigated by it being set well back from the frontage unlike the unauthorised side extension.
4. It is considered that the increase in the size of the rear dormer extension over and above what was approved as part of PLAN/2016/0527 has made the host dwelling appear more bulky. However it is noted that this increase would still fall within permitted development tolerances and therefore the increase is not considered to have an unacceptable impact on character.

## 10 APRIL 2018 PLANNING COMMITTEE

5. The changes to the fenestration of the front and rear elevations approved as part of PLAN/2016/0527 are considered to be relatively minor and not to have an unacceptable impact on character.
6. The proposal is considered to have an unacceptable impact on the character of the host dwelling and the wider street scene which is contrary to section 7 of the *National Planning Policy Framework (2012)*, policy CS21 of the *Woking Core Strategy (2012)* and *Woking Design SPD (2015)*.

### Impact on neighbours

7. The window in the side elevation of the side extension approved as part of PLAN/2016/0527 would have faced directly towards the rear wall of an outbuilding in the rear garden of 72 Meadway Drive and was therefore considered not to create unacceptable overlooking issues.
8. The window in the side extension of this retrospective application provides views over the boundary fencing with 70 Meadway Drive directly into its rear garden. It is considered that this is an unacceptable level of overlooking and is therefore contrary to section 7 of the *National Planning Policy Framework (2012)*, policy CS21 of the *Woking Core Strategy (2012)* and *Outlook, Amenity, Privacy and Daylight (2008)*.
9. It is considered that the scale and massing of the work over and above what was approved as part of PLAN/2016/0527 does not unacceptably impact sunlight/daylight levels or appear unacceptably overbearing towards neighbouring properties.
10. The proposal is considered to have an unacceptable impact on neighbouring amenity which is contrary to section 7 of the *National Planning Policy Framework (2012)*, policy CS21 of the *Woking Core Strategy (2012)* and *Outlook, Amenity, Privacy and Daylight (2008)*.

### EXPEDIENCY OF TAKING ENFORCEMENT ACTION

11. Given the level of harm to character and neighbouring amenity caused by the unauthorised development it is considered expedient and proportionate to take enforcement action to remedy this breach of planning control; in line with the 'Ensuring effective enforcement' section of the *Planning Practice Guidance (2018)*.

### CONCLUSION

12. The development has an unacceptable impact on the character of the host dwelling and the wider street scene by way of the side extension's additional height, over and above what was approved as part of PLAN/2016/0527, making it appear non-subservient and not in keeping with the host dwelling. The development has an unacceptable impact on neighbouring amenity by way of the re-sized and re-positioned window in the side elevation of the side extension, over and above what was approved as part of PLAN/2016/0527, creating unacceptable overlooking issues towards the rear garden of 70 Meadway Drive. The development is therefore contrary to section 7 of the *National Planning Policy Framework (2012)*, policy CS21 of the *Woking Core Strategy (2012)*, *Woking Design SPD (2015)* and *Outlook, Amenity, Privacy and Daylight (2008)*.

### BACKGROUND PAPERS



**RECOMMENDATION**

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

01. The development application has an unacceptable impact on the character of the host dwelling and the wider street scene by way of the side extension's additional height, over and above what was approved as part of PLAN/2016/0527, making it appear non-subservient and not in keeping with the host dwelling. This is contrary to section 7 of the *National Planning Policy Framework* (2012), policy CS21 of the *Woking Core Strategy* (2012) and *Woking Design SPD* (2015).
02. The development has an unacceptable impact on neighbouring amenity by way of the re-sized and re-positioned window in the side elevation of the side extension, over and above what was approved as part of PLAN/2016/0527, creating unacceptable overlooking issues towards the rear garden of 70 Meadway Drive. This is contrary to section 7 of the *National Planning Policy Framework* (2012), policy CS21 of the *Woking Core Strategy* (2012) and *Outlook, Amenity, Privacy and Daylight* (2008).

It is further recommended that:

- a) Enforcement action be authorised to remedy the breach of planning control within three months by reducing the height of the side extension so that it is no higher than what was approved as part of PLAN/2016/0527.
- b) Enforcement action be authorised to remedy the breach of planning control within three months by re-sizing and re-positioning the window in the side elevation of the side extension to match what was approved as part of PLAN/2016/0527.

**Informatives**

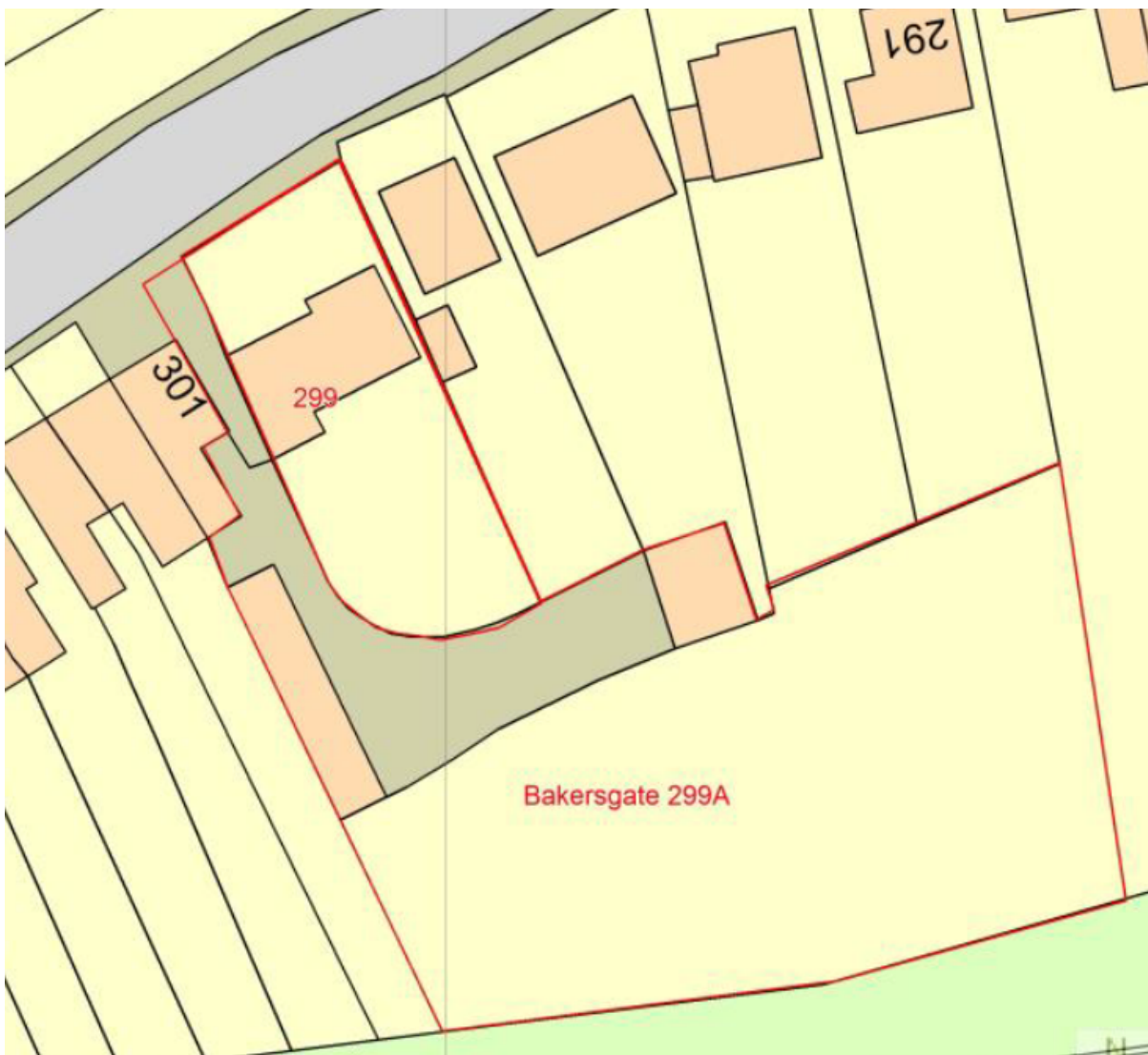
01. The drawings relating to this decision are:
  - 1:1250 location plan (received by the LPA on 19.01.2018)
  - 1:200 block plan (received by the LPA on 19.01.2018)
  - 1:100 front and rear elevations Drwg no.I-3d (received by the LPA on 19.01.2018)
  - 1:100 front and rear elevations Drwg no.I-4b (received by the LPA on 19.01.2018)
  - 1:100 section and part side elevation Drwg no.I-5d (received by the LPA on 19.01.2018)



**Land rear of**  
**291-301 Connaught Road,**  
**Brookwood**

PLAN/2017/0403

Change of use to mixed use as Office (Class B1(a)) and Builders Yard (Sui Generis) including Storage (Class B8) (retrospective).





PLAN/2017/0403



Connaught Road

rain

Brookwood

St Johns Court

9

687

5

1 2 4 3

17

178

188

LB

A 324

200

261

263

47.6m

210

291

287

279

CONNAUGHT ROAD

301

222

48.1m

374

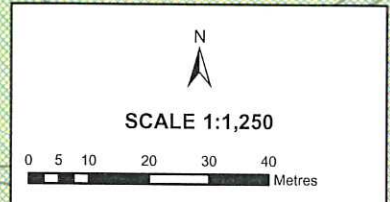
321

331

Dismantled Railway

MP 0.25

Comments



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



## 10 APRIL 2018 PLANNING COMMITTEE

**5i**      17/0403      Reg'd:      25.05.17      Expires:      20.07.17      Ward: HE  
  
Nei.      04.08.17      BVPI      20 (Change of      Number      > 8 wks      On  
Con.           Target      use)      of Weeks           Target? No  
Exp:                     on Cttee'  
Day:

**LOCATION:**      Land Rear of No.291-No.301 Connaught Road, Brookwood, Woking, GU24 0AD

**PROPOSAL:**      Change of use to mixed use as Office (Class B1(a)) and Builders Yard (Sui Generis) including Storage (Class B8) (retrospective).

**TYPE:**      Full Application

**APPLICANT:**      Mr D Bellairs

**OFFICER:**      Benjamin  
Bailey

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### 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 full planning application which seeks retrospective planning permission for a mixed use as Office (Class B1(a)) and Builders Yard (Sui Generis) including Storage (Class B8).

### PLANNING STATUS

- Urban Area
- Thames Basin Heaths Special Protection Area (TBH SPA) Zone A (Within 400m)
- Land Contamination suspected
- Adjacent to Green Belt (to south)

### RECOMMENDATION

**Refuse** planning permission and authorise formal enforcement proceedings.

### SITE DESCRIPTION

The application site comprises a cleared 1860m<sup>2</sup> L-shape backland site, sandwiched south of Connaught Road and north of a railway embankment. The site extends to the rear of the gardens of No.291-301/A Connaught Road and abuts the gardens of No.289 and No.303 to the east and west sides respectively. Buildings within the site include a recently refurbished and extended building (sited on the western edge of the site), which appeared to formerly accommodate a bakery (although had formerly become derelict), and a double garage in a state of some disrepair to the rear of No.295. The application site benefits from a single access, which passes between No.299 and No.301/A Connaught Road. The application site is located within the Urban Area and within 400m of the Sheets Heath Special Protection Area (SPA) with the area to the south designated Green Belt.

**RELEVANT PLANNING HISTORY**

PLAN/2016/0260 - Erection of first floor side and front extension, 3No. front dormer windows and re-fenestration and change of use from B8 (Storage/Distribution) to B1(a) (Office). Permitted subject to conditions (18.05.2016)

PLAN/2012/0554 - Outline application for the erection of a 36 bed care home and replacement dwelling (with all matters reserved) (amended Plans). Refused (09.07.2013) for the following reasons:

- 01. The proposed development would offer a poor standard of residential accommodation - with inadequate outlook and insufficient external amenity space for future residents/patients. As such the proposed development is contrary to policy CS21 of the Woking Core Strategy 2012; and the Outlook, Amenity, Privacy and Daylight SPD document, adopted in July 2008.*
- 02. The proposed development, by reason of its siting, scale, height, bulk and mass would be out of keeping with the character and appearance of Brookwood. In this regard, the proposal is considered to be contrary to Chapter 7 of the NPPF; policies CS21 and CS24 of the Woking Core Strategy and the Outlook, Amenity, Privacy and Daylight SPD-02 document, adopted July 2008.*
- 03. The proposed development would provide insufficient on-site car parking, which would give rise to car parking over spilling onto Connaught Road, to the detriment of highway safety and the free flow of traffic. Furthermore, the proposed widening of the main access would result in the loss of two residents parking bays on Connaught Road, to the detriment of parking supply within the Controlled Parking Zone (CPZ). As such the proposed development is contrary to policies CS18 of the Woking Core Strategy 2012; and the adopted Parking Standards SPD document, adopted in July 2006.*

PLAN/1998/1174 - Demolition of 299 Connaught Road and erection of 6 dwellings on land at the rear. Refused (30.03.1999)

PLAN/1993/0130 - Renewal of full planning permission 87/0777 for demolition of 301 Connaught Road; the industrial unit; and the double garage at the rear of 295 Connaught Road; and the erection of 12 one-bedroom starter houses in three blocks and a detached single garage. Refused (03.06.1993)

PLAN/1987/0777 - Demolition of 301 Connaught Road; the industrial unit; and the double garage at the rear of 295 Connaught Road; and the erection of 12 one-bedroom starter houses in three blocks and a detached single garage. Permitted subject to conditions (16.05.1988)

No.299 Connaught Road (dwellinghouse):

PLAN/2016/0176 - Reduction in width, erection of two storey rear extension, erection of front porch canopy and alterations to window openings and external finish (amended description). Permitted subject to conditions (23.03.2016)



**CONSULTATIONS**

**County Highway Authority (CHA) (SCC):**

The County Highway Authority has undertaken an assessment in terms of the impact of the change of use of the site. The CHA notes that this is a retrospective application and that the site has been in operation in its current form since 2012. A check on the Road Traffic Incident (RTI) records indicates no recorded incidents in the previous five years (2016 data) associated with the access. Therefore, in light of the above, the County Highway Authority has no highway requirements.

**Scientific Officer:**

We will need assurance, via a report on contamination, from the applicant that the use of the land will not give rise to contamination issues such that the site can be deemed contaminated land under the provisions of the Environmental Protection Act 1990 – Part IIA. If the report outlines mitigation measures are required details of these measures must be submitted and demonstrate that following mitigation the site cannot be deemed contaminated land under the provisions of the Environmental Protection Act 1990 – Part IIA.

**Network Rail:**

Various comments relating to protection of rail infrastructure.

**REPRESENTATIONS**

**x3** letters of objection have been received raising the following main points:

- The land has been used without planning as builders yard since 2012
- Lorry loads of builders waste are dumped on the land on a regular basis creating excessive dust and noise
- On occasions contaminated waste has been left close to my back garden
- Toxic smoke from frequent fires to get rid of the unwanted materials is a concern
- There are large skips being loaded and unloaded on the site
- Builders waste has been dug into the ground – contaminating the land
- A number of trees have been removed from the site causing a loss of privacy
- Mechanical diggers have operated from 7am in the morning and excessive noise can continue all day and at weekends as debris is transferred between lorries and skips

**RELEVANT PLANNING POLICIES**

National Planning Policy Framework (NPPF) (2012)

Achieving sustainable development

Section 1 - Building a strong, competitive economy

Section 4 - Promoting sustainable transport

Section 7 - Requiring good design

Section 11 - Conserving and enhancing the natural environment

Woking Core Strategy (2012)

CS8 - Thames Basin Heaths Special Protection Areas

CS15 - Sustainable economic development

CS18 - Transport and accessibility

CS21 - Design

CS24 - Woking's landscape and townscape

CS25 - Presumption in favour of sustainable development

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

DM5 - Environmental Pollution

DM7 - Noise and Light Pollution

DM8 - Land Contamination and Hazards

Supplementary Planning Documents (SPD's)

Outlook, Amenity, Privacy and Daylight (2008)

Design (2015)

Parking Standards (2006)

Other Material Considerations

National Planning Practice Guidance (NPPG)

Thames Basin Heaths Special Protection Areas Avoidance Strategy

**PLANNING ISSUES**

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

- Principle of development
- Impact upon design and character
- Impact upon neighbouring amenity
- Highway safety
- Land 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. The application site is situated within the Urban Area however is located within the 400m Thames Basin Heaths Special Protection Area (TBH SPA) exclusion zone, where no new residential development (Use Class C3) will be allocated or granted planning permission, because the impacts of such developments upon the TBH SPA cannot be fully mitigated. Furthermore, it is noted that outline planning permission (Ref: PLAN/2012/0554) for a care home (Use Class C2) was refused in 2013.

## 10 APRIL 2018 PLANNING COMMITTEE

03. Policy CS1 sets out the Spatial Strategy for Woking Borough and although it seeks employment uses on previously developed land in the Town, District and Local Centres, the policy does not specifically preclude employment uses on other sites within the Urban Area subject to an assessment of impacts. Policy CS15 relates to sustainable economic development and although this policy primarily relates to development proposals within existing employment areas it again does not specifically preclude employment uses on other sites within the Urban Area, subject to an assessment of impacts.
04. The existing building adjacent to the western boundary of the application site has been altered and extended by virtue of planning permission reference PLAN/2016/0260 for Office (Class B1(a)) purposes. Conditions attached to this grant of planning permission restrict the hours of use of the building and that the building can only be used for Office (Use Class B1(a)) purposes without a further grant of planning permission.

### Impact upon design and character

05. The application site comprises a cleared 1860m<sup>2</sup> L-shape backland site, sandwiched south of Connaught Road and north of a railway embankment. The site extends to the rear of the gardens of No.291-301/A Connaught Road and abuts the gardens of No.289 and No.303 to the east and west sides respectively. Buildings within the site include a recently refurbished and extended building (sited on the western edge of the site), which appeared to formerly accommodate a bakery (although had become derelict), and a double garage in a state of some disrepair to the rear of No.295. The application site benefits from a single access, which passes between No.299 and No.301/A Connaught Road.
06. 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”*.
07. The settlement of Brookwood is largely enclosed by the railway to the south and Basingstoke Canal to the north. The linear nature of the settlement directs views along the main street (Connaught Road), with infill development behind this frontage generally not intruding into views. Along Connaught Road, the buildings relate strongly to the road alignment and typically front on to the main road. There are three main cul-de-sacs of Post War development to the north of the Connaught Road frontage; Lockswood, Heath Drive and Connaught Crescent. To the south of the Connaught Road frontage only Elphinstone Close and Church Close extend to the rear of properties fronting Connaught Road to the west of the railway station.
08. Views into the application site are obtainable only through the existing single access, which passes beside No.299 and No.301/A Connaught Road. The built development along Connaught Road screens the application site from wider, more oblique, views notwithstanding that the land rises from Connaught Road towards the railway line. The railway line is set on an embankment at a higher level and obscures, together with intervening vegetative screening, the application site from views from the south.

## 10 APRIL 2018 PLANNING COMMITTEE

09. Very limited details have been submitted in support of the application although a proposed site plan indicates the siting of x4 storage containers in the south-western corner of the site and car parking (x11 spaces) extending along the southern site boundary (adjacent to the railway embankment) towards the east, with a further x4 parking spaces adjacent to the existing garage and opposite the existing office building.
10. The storage containers are shown on the proposed site plan in excess of 45 metres from the Connaught Road frontage and would therefore not appear prominent or incongruent from Connaught Road, with obtainable views restricted to those through the vehicular access. The rear garden of adjacent No.303 Connaught Road (to the west) extends to a depth measuring approximately 40 metres. Whilst x2 storage containers are shown adjacent to the common boundary with No.303 these would be sited towards the very terminus of the rear garden of No.303, such that they are not considered to appear visually incongruous or discordant when viewed from No.303. Similarly the storage containers are shown located in excess of approximately 20 metres from the rear garden boundaries of No.299 and No.297 Connaught Road (to the north), the rear gardens of which measure in excess of 20 metres in depth. For these reasons the storage containers are not considered to appear visually incongruous or discordant when viewed from No.299 and No.297 Connaught Road.
11. Whilst car parking is shown on the proposed site plan this is primarily located along the southern site boundary (adjacent to the railway embankment) whereby it would not be readily apparent, in visual terms, from Connaught Road, nor appear unduly visually incongruous when viewed from dwellings fronting Connaught Road.
12. If the application was otherwise considered to be acceptable a planning condition could be attached to restrict the external storage of items outside of the storage containers and existing garage; however such planning conditions can be difficult and onerous upon the Local Planning Authority to enforce on a day-to-day basis and the applicant has not responded as to whether such a potential restriction would be practical and capable of being complied with.
13. Overall it is not considered, subject to appropriate and effective site management, that the use of the application site as a builders yard would appear unduly harmful or incongruous, in visual terms, in the site specific circumstances of this case.

### Impact upon neighbouring amenity

14. The application site is bordered on three sides (east, west and north) by residential properties and associated private rear garden areas. The dwellinghouse of No.299 Connaught Road abuts the existing vehicular access to the eastern side. No.301/A Connaught Road, abuts the western side of the existing vehicular access and is within Office (Class B1(a)) use (No.301) with the residential use of No.301A occurring largely at first floor level and to the rear of the ground floor.
15. Policy CS21 of the Woking Core Strategy (2012) advises that proposals for new development should achieve a satisfactory relationship to adjoining properties, avoiding significant harmful impact in terms of loss of privacy, 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)'. Taking account of the siting of the storage containers and car parking in relation to adjacent residential curtilages it is not considered that these elements give rise to significantly harmful impact, by reason of

## 10 APRIL 2018 PLANNING COMMITTEE

potential loss of privacy, loss of daylight or sunlight, or overbearing effect due to bulk, proximity or loss of outlook.

16. A key objective of the Woking Core Strategy (2012) is to maintain and improve air and water quality and manage effectively the impacts of noise and light pollution. Policy CS21 requires development to be designed to avoid significant harm to the environment and general amenity resulting from noise, dust, vibrations, light or other releases. Excessive levels of air, land and water pollution have the potential to impact adversely on environmental amenity, biodiversity and, both directly and indirectly, on health and wellbeing. It is not the role of the planning system to duplicate the controls of other bodies, but to play a complimentary role, regulating the location of development and the control of the operations to minimise any adverse impacts. An unacceptable impact in pollution terms is defined as an adverse impact on the environmental amenity or biodiversity of the surrounding area by reason of fumes, dust, noise, vibration, smell, light or other forms of air, land or water pollution or creating exposure to contaminated land.
17. It is acknowledged that development will often result in some additional degree of light or sound which is not necessarily harmful. However, when the degree of light or sound becomes such that it is respectively considered light or noise pollution, it can have significant impacts on the environment and the quality of life enjoyed by communities and individuals. Policy CS21 of the Woking Core Strategy (2012) requires new development to be designed to avoid significant harm resulting from noise and light.
18. Policy DM5 of the Development Management Policies DPD (2016) states that *“development proposals should ensure that there will be no unacceptable impacts on: (i) Air quality; (ii) Surface and ground water quality; (iii) Land quality and condition; (iv) Health and safety of the public”*.
19. With regard to noise Policy DM7 of the Development Management Policies DPD (2016) states that *“the Council will require noise generating forms of development or proposals that would affect noise-sensitive uses to be accompanied by a statement detailing potential noise generation levels and any mitigation measures proposed to ensure that all noise is reduced to an acceptable level...Development will only be permitted where mitigation can be provided to an appropriate standard with an acceptable design, particularly in proximity to sensitive existing uses or sites”*. Noise-sensitive development includes housing and a builders yard is considered to constitute noise-generating development. It is important that new development involving noisy activity, such as a builders yard, should, if possible, be sited away from noise-sensitive uses, such as housing.
20. Submitted letters of representation indicate that waste materials have previously been burnt, and have previously been buried, on the application site. It also appears that relatively significant vehicle movement occurs accessing and egressing the application site, which appears to include HGVs delivering and removing skips and materials, alongside smaller commercial vehicles and private cars. The existing site access between No.299 and No.301/A is narrow and the movement of HGVs along this access is likely to cause disturbance, by reason of noise and vibration, to residential occupiers of adjacent No.299 and No.301/A Connaught Road.

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21. During consideration of the application the applicant has been requested to provide details regarding the nature of the operation from the application site. Whilst such details have not been provided it appears that the operation generally deals with insurance related building works (ie. repairing water damage following burst pipes etc) and therefore building materials are required at short notice and often remain from completed jobs in quantities that require storage until they can be used on further jobs. Builders appear to work across the south-east of England (and further afield) and generally to utilise the application site for the storage of materials and disposal of waste, often during unsociable hours when local waste disposal sites are closed. It appears that deposited waste is stored in skips and collected from the site as required on a commercial basis, although that waste has also been burnt and buried on the application site.
22. It is noted that extant planning permission exists at the dwelling of No.299 Connaught Road to the front of the site (eastern side) (Ref: PLAN/2016/0176), which, if implemented, would reduce the width of this dwelling by approximately 2.0m. However it is not evident whether the dwelling at No.299 Connaught Road is within the same ownership as the application site, nor whether this extant planning permission is intended to be implemented. Furthermore the potential decrease in width of this existing dwellinghouse would not, in itself, necessarily avoid harmful impacts to neighbouring dwellings by reason of noise and vibration resulting from vehicular movements, particularly if occurring during unsociable hours.
23. During consideration of the application the applicant has also been requested to provide further details regarding:
  - The likely number of vehicles accessing and egressing the application site during a typical week (Monday-Sunday).
  - Whether it would be feasible for storage to be facilitated only within storage containers (Officer Note: Some external storage of building materials was noted during the site visit).
  - Whether vehicles would access/egress the application site during evenings/weekends and, if so, what are the earliest/latest times at which this would be likely to occur.
  - How often HGV movements occur accessing/egressing the site.
  - How often waste skip delivery/collections occur to/from the site.
  - What type of waste is generally stored in skips at the site.
24. Despite being allowed sufficient time the applicant has failed to provide a response to this request for additional information from the Local Planning Authority. It should be noted that it is not for the Local Planning Authority to demonstrate that the use of the application site may be incompatible with adjoining residential uses but rather for the applicant to demonstrate that no harm, by reason of noise, dust, vibrations, light or other releases would occur to adjoining residential occupiers. The applicant has not provided existing levels of background noise, measures to reduce or contain generated noise, fumes, dust, vibration and smell, nor hours of operation and servicing.

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25. Overall the applicant has failed to demonstrate that the use as a builders yard does not give rise to adverse impact upon the environmental amenity of the surrounding area, including the quality of residential amenity enjoyed by adjacent and nearby dwellings, by reason of noise, fumes, dust, vibration and smell, including that resulting from associated vehicular movements, contrary to Policy CS21 of the Woking Core Strategy (2012), Policies DM5 and DM7 of the Development Management Policies Development Plan Document (2016) and the provisions of the National Planning Policy Framework (NPPF) (2012).

### Highway safety

26. Connaught Road is a 30mph traffic calmed single carriageway road that provides access to Knaphill and Woking to the east and Pirbright to the south-west. In the vicinity of the application site access there are traffic calming speed humps and road width restrictions caused by vehicles parked in the on-street parking bays along Connaught Road
27. The application site benefits from a single access, which passes between No.299 and No.301/A Connaught Road and grades uphill from Connaught Road. The narrowest point of this existing access (between the built form of No.299 and No.301/A) measures approximately 2.9m in width.
28. It is acknowledged that extant planning permission (Ref: PLAN/2016/0176) exists at the dwellinghouse of No.299 Connaught Road, and that the implementation of this planning permission, would result in the existing building width of No.299 decreasing by approximately 2.0m. However it is not evident whether the dwellinghouse of No.299 is within the same ownership as the application site, nor whether this extant planning permission is intended to be implemented. Furthermore the potential decrease in width of this existing dwellinghouse would not, in itself, necessarily avoid harmful impacts to neighbouring dwellings by reason of noise and vibration resulting from vehicular movements.
29. The existing building adjacent to the western boundary of the application site has been altered and extended by virtue of planning permission reference PLAN/2016/0260 for Office (Class B1(a)) purposes. In granting this planning permission it was considered that the car parking requirement of x6 spaces to serve this extended building would not give rise to material noise and disturbance to neighbouring properties, taking into account the condition attached which restricts the hours of use of this building and that vehicles serving an Office building are likely to be smaller private cars, as opposed to HGVs likely to serve a builders yard.
30. The County Highway Authority (CHA) (SCC) has undertaken an assessment in terms of the impact of the change of use of the site. The CHA notes that this is a retrospective application and that the site appears to have been in operation in its current form since 2012. The CHA comment that a check on the Road Traffic Incident (RTI) records indicates no recorded incidents in the previous five years (2016 data) associated with the access. Therefore, in light of the above, the County Highway Authority has no highway requirements.
31. Whilst the existing vehicular access is relatively narrow, and it appears that HGVs are accessing and egressing the application site on a regular basis to deliver and collect skips for example, alongside smaller private and commercial vehicles, it appears that vehicles are able to access, turn within the application site, and egress the application site in a forward gear such that highway safety is not being unacceptably

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compromised. However the seeming absence of harm in this respect does not outweigh the harm to the quality of residential amenity enjoyed by adjacent and nearby dwellings, by reason of noise, fumes, dust, vibration and smell, including that resulting from associated vehicular movements, previously identified.

### Land contamination

32. Paragraph 120 of the NPPF (2012) advises that in order to prevent unacceptable risks from pollution and land instability, planning policies and decisions should ensure that new development is appropriate to its location. Policy DM8 of the Development Management Policies DPD (2016) accords with the NPPF (2012) and seeks to ensure, amongst other things, that proposals for new development should ensure that the site is suitable for the proposed use taking into account ground conditions, pollution arising from previous uses and any proposals for land remediation.

33. Policy DM8 of the Development Management Policies DPD (2016) states that:

*Sites that are known or suspected of being impacted by contamination should be identified at an early stage, and development proposals assessed to determine the suitability of the proposed use.*

*Proposals for new development, including change of use, should demonstrate that:*

*(i) any existing contamination of the land or groundwater will be addressed by appropriate mitigation measures, including the remediation of existing contamination, to ensure that the site is suitable for the proposed use and that there is no unacceptable risk of pollution within the site or in the surrounding area; and*

*(ii) the proposed development will not cause the land or groundwater to become contaminated, to the detriment of future use or restoration of the site or so that it would cause unacceptable risk of pollution in the surrounding area.*

*Adequate site investigation information should be provided with development proposals, including the site's history, potential contamination sources, pathways and receptors, and where appropriate, physical investigation, chemical testing, and a risk assessment to cover ground gas and groundwater.*

34. The Scientific Officer has been consulted on the application because the application site appears as potentially contaminated land on the Council's records and comments that the "site has been used for infilling land, potentially with degradable waste. Whilst no further buildings are identified on the infilled area there is a concern for storage on this land. Land stability is a key issue in this location due to the proximity of the railway line. Infilled land can also give rise to land gasses".

35. The Scientific Officer comments that "Gas can accumulate in void spaces, caused by degradation. Such void spaces can lead to collapse when heavy machinery and equipment is placed upon infilled land. Surface pressures on infilled land can also give rise to migration of land gas, and there are residential homes close by. If the infilled land has no cover layer then there can be contaminants on the surface that could give rise to wind blown deposition, dermal contact, inhalation and ingestion of contamination. Given the above we will need assurance, via a report on contamination, from the applicant that the use of the land will not give rise to



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*contamination issues such that the site can be deemed contaminated land under the provisions of the Environmental Protection Act 1990 – Part IIA. If the report outlines mitigation measures are required details of these measures must be submitted and demonstrate that following mitigation the site cannot be deemed contaminated land under the provisions of the Environmental Protection Act 1990 – Part IIA”.*

36. Overall, taking into account ground conditions, the applicant has not demonstrated that the site is suitable for use as a builders yard and that the use would not result in unacceptable risks from pollution and land instability contrary to Policies DM5 and DM8 of the Development Management Policies Development Plan Document (2016) and the provisions of the National Planning Policy Framework (NPPF) (2012).

### Expediency of Enforcement Action

37. It appears to the Local Planning Authority that the use as a builder’s yard constitutes a breach of planning control. It is considered expedient to issue an Enforcement Notice, having regard to the provisions of the Development Plan, and to any other material considerations, because the applicant has failed to demonstrate that the use as a builders yard does not give rise to adverse impact upon the environmental amenity of the surrounding area, including the quality of residential amenity enjoyed by adjacent and nearby dwellings, by reason of noise, fumes, dust, vibration and smell, including that resulting from associated vehicular movements, and, taking into account ground conditions, the applicant has not demonstrated that the site is suitable for use as a builders yard and that the use would not result in unacceptable risks from pollution and land instability.

### LOCAL FINANCE CONSIDERATIONS

38. The proposal is not Community Infrastructure Levy (CIL) liable.

### CONCLUSION

39. Overall, the applicant has failed to demonstrate that the use as a builders yard does not give rise to adverse impact upon the environmental amenity of the surrounding area, including the quality of residential amenity enjoyed by adjacent and nearby dwellings, by reason of noise, fumes, dust, vibration and smell, including that resulting from associated vehicular movements, contrary to Policy CS21 of the Woking Core Strategy (2012), Policies DM5 and DM7 of the Development Management Policies Development Plan Document (2016) and the provisions of the National Planning Policy Framework (NPPF) (2012).
40. Furthermore, taking into account ground conditions, the applicant has not demonstrated that the site is suitable for use as a builders yard and that the use would not result in unacceptable risks from pollution and land instability contrary to Policies DM5 and DM8 of the Development Management Policies Development Plan Document (2016) and the provisions of the National Planning Policy Framework (NPPF) (2012).

### BACKGROUND PAPERS

Site visit photographs

x3 Letters of objection

Consultation response County Highway Authority (CHA) (SCC)

Consultation response Scientific Officer

Consultation response Network Rail

**RECOMMENDATION**

**Refuse** planning permission for the following reasons:

01. The applicant has failed to demonstrate that the use as a builders yard does not give rise to adverse impact upon the environmental amenity of the surrounding area, including the quality of residential amenity enjoyed by adjacent and nearby dwellings, by reason of noise, fumes, dust, vibration and smell, including that resulting from associated vehicular movements, contrary to Policy CS21 of the Woking Core Strategy (2012), Policies DM5 and DM7 of the Development Management Policies Development Plan Document (2016) and the provisions of the National Planning Policy Framework (NPPF) (2012).
02. Taking into account ground conditions, the applicant has not demonstrated that the site is suitable for use as a builders yard and that the use would not result in unacceptable risks from pollution and land instability contrary to Policies DM5 and DM8 of the Development Management Policies Development Plan Document (2016) 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 cessation of the use of the application site for builders yard purposes within four (4) months of the Enforcement Notice taking effect. For the avoidance of doubt the use of the existing building adjacent to the western site boundary for Office (Class B1(a)) purposes is lawful under the terms of planning permission reference PLAN/2016/0260 and the use of this building for this purpose shall not be required to cease by the Enforcement Notice.

**Informatives**

01. The plans relating to the retrospective planning application hereby refused are numbered/titled:
  - Untitled, unnumbered 1:1250 scale Site Location Plan, dated 24.05.2017 and received by the Local Planning Authority on 24.05.2017.
  - Untitled, unnumbered 1:500 scale Block/Site Plan, dated 24.05.2017 and received by the Local Planning Authority on 24.05.2017.
  - Untitled, unnumbered plan showing site layout, undated and received by the Local Planning Authority on 06.04.2017.
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. Additional information was requested by the Local Planning Authority during consideration of the application however this information was not forthcoming from the applicant.