

25 FEBRUARY 2020 PLANNING COMMITTEE

7A PLAN/2019/0904

WARD: Canalside

LOCATION: 12-16, 25-31 Portugal Road and 'Lok N Store' Marlborough Road, Woking, GU21 5JE

PROPOSAL: Erection of 3x 3-4 storey blocks comprising a total of 72x self-contained flats including; 2x 3-4 storey buildings comprising a total of 51x self-contained flats (25x one bed, 24x two bed and 2x three bed) following demolition of existing buildings including Nos 25-31 Portugal Road and Lok N Store building on Marlborough Road and erection of a 3-4 storey building comprising 21x self-contained flats (6x one bed, 14x two bed and 1x three bed) following demolition of existing buildings including Nos 12-16 Portugal Road and provision of associated car parking, landscaping, bin and cycle storage.

APPLICANT: Mr Fergus Cruikshank, The Swaythling Housing Society Ltd.

OFFICER: David Raper

REASON FOR REFERRAL TO COMMITTEE:

The proposal is for 'major' development 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 site comprises two sites including various addresses on Portugal Road and Marlborough Road and features a mixture of dwellings and commercial buildings. The proposal is for the demolition of all existing buildings and redevelopment of the proposal site to provide a total of 72x one, two and three bedroom flats across three blocks (Blocks A, B and C). Block A would front onto Portugal Road and would be three to four storeys. Block B would front onto Marlborough Road and would also be three to four storeys. Block C would front onto Portugal Road and would be two to four storeys. A total of 61x off-street parking spaces would be provided in a basement level shared between Blocks A and B and a surface car park at Block C. The proposed development also includes bin and cycle storage and landscaping works. A breakdown of the proposed accommodation and parking is set out in Figure 1 below.

Figure 1 – Schedule of accommodation and parking provision

	One Bedroom Units	Two Bedroom Units	Three Bedroom Units	Total No. of Units	Parking Standards SPD (2018) Requirement	No. of Parking Spaces Provided
Block A	10	24	0	34	29	32 (in shared basement level)
Block B	15	0	2	17	9.5	10 (in shared basement level)
Block C	6	14	1	21	18	19
Total	31 (43%)	38 (53%)	3 (4%)	72	56.5	61

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Site Area:	0.34ha (3,400m ²)
Existing units:	5
Proposed units:	72
Existing density:	14.7 dph
Proposed density:	211.8 dph

PLANNING STATUS

- Urban Area
- Priority Place
- High Density Residential Area
- Walton Road Neighbourhood Centre
- Surface Water Flood Risk Area
- Thames Basin Heaths SPA ZoneB (400m-5km)

RECOMMENDATION

GRANT planning permission subject to conditions and Section 106 Agreement.

SITE DESCRIPTION

The proposal relates to No. 12-16 and 25-31 Portugal Road and the 'Lok N Store' building on Portugal Road and Marlborough Road.

No.12, 14 and 16 Portugal Road are two storey detached dwellings dating from the Edwardian era, and Parrington Autos to the rear of these is an existing vehicle repair/servicing and sales business operating from the rear of the site and accessed via a vehicular crossover onto Portugal Road adjacent to No.12. The business is contained within a two storey building to the rear of the site and includes a corrugated metal structure to the side. Hardstanding extends to the rear of No.12-16 and is used for vehicle storage and parking in relation to the business.

No.25 Portugal Road is a single storey industrial building and No.27-29 Portugal Road are a pair of semi-detached dwellings dating from the Edwardian era. No.31 Portugal Road and the 'Lok N Store' building is a large former industrial building up to three storeys in height which extends from Portugal Road to Marlborough Road to the east. The building originally dates from the 1930s but has been heavily extended and altered.

Portugal Road, Marlborough Road and the surrounding area are mixed in character and feature detached and semi-detached two storey dwellings, modern blocks of flats of up to four storeys in height and commercial buildings. The surrounding area is similarly mixed in character. The proposal site sits approximately 155m from the boundary of Woking Town Centre to the west and forms part of a designated High Density Residential Area. Parts of the proposal site are also within the boundary of the Walton Road Neighbourhood Centre.

RELEVANT PLANNING HISTORY

The following is the most relevant planning history on the proposal site:

No.12-16 Portugal Road:

- PLAN/2016/0412 - Proposed erection of a 3-4 storey building containing 18x self-contained flats (2x 1x bed and 16x 2xbed) following demolition of existing buildings

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including Nos 12-16 Portugal Road with associated car parking, landscaping, bin and cycle storage – Permitted 01/03/2019

- PLAN/2019/0650 - Application made under Section 106A of The Town and Country Planning Act 1990 (as amended) and The Town and Country Planning (Modification and Discharge of Planning Obligations) Regulations 1992 (as amended) to modify the wording of Schedule 2 of the Section 106 Agreement dated 26/02/2019 (planning permission reference PLAN/2016/0412 for the erection of a 3-4 storey building containing 18x self-contained flats (2x one bed and 16x two bed)) in order to allow the provision of on-site affordable housing units in lieu of a commuted sum – Permitted 13/09/2019
- PLAN/1995/0126 - Permanent change of use to a vehicle repair workshop – Permitted 23/05/1995
- PLAN/1992/0983 - Renewal of planning permission 90/1025 for permanent change of use to a vehicle repair workshop – Permitted 05/01/1993
- PLAN/1990/1025 - Renewal of period consent 88/0764 for retention of vehicle repair shop – Permitted 29/11/1990
- PLAN/1988/0764 - Renewal of period consent 87/0035 for continued use of builders yard for minor vehicle repair workshop and store – Permitted 01/11/1988
- 87/0035 - Use of builders yard for minor vehicle repair workshop and store – Permitted 01/07/1987
- 10590 - Erection of workshop building – Permitted 01/02/1958

No.25-31 Portugal Road and 'Lok N Store' Marlborough Road:

- PLAN/1996/0726 - Change of use of existing premises from general industrial use (Class B2) to a self-storage facility (Class B8) and change of the former ancillary offices to small office suites,(Class B1) – Permitted 24/10/1996
- 16991 - Change of use to warehouse – Permitted 01/08/1963
- 3657 - Extension to factory – Permitted 05/08/1949
- 984 - Erection of a factory – Permitted 01/10/1938

CONSULTATIONS

- **County Highway Authority:** No objection subject to conditions.
- **Drainage and Flood Risk Engineer:** Planning Committee will be updated with comments and recommended conditions.
- **Scientific Officer (Contaminated Land):** No objection subject to conditions.
- **Arboricultural Officer:** No objection subject to conditions.
- **Waste Services:** No comments received.

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- **Surrey Wildlife Trust:** No objection subject to conditions.
- **Thames Water** No objection subject to conditions.
- **Affinity Water:** No comments received.
- **Network Rail:** No objection.

REPRESENTATIONS

A total of 5x objections have been received raising the following summarised concerns:

- Proposal would cause loss of light
- Proposal would cause overlooking and loss of privacy
- Parking is a problem in the area and the proposal does not deliver enough parking
- Proposal would impact on highway safety
- Demolition and construction works would result in noise and dust nuisance
- Proposal could restrict vehicular access during construction
- Concerns that if existing dropped kerbs are raised, this would restrict vehicular access to my property
- A three storey building would be preferable to reduce loss of light

RELEVANT PLANNING POLICIES

National Planning Policy Framework (NPPF) (2019):

Section 4 - Decision-making

Section 5 - Delivering a sufficient supply of homes

Section 6 - Building a strong, competitive economy

Section 8 - Promoting healthy and safe communities

Section 9 - Promoting sustainable transport

Section 10 - Supporting high quality communications

Section 11 - Making effective use of land

Section 12 - Achieving well-designed places

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

Section 15 - Conserving and enhancing the natural environment

Woking Core Strategy (2012):

Spatial Vision

CS1 - Spatial strategy for Woking Borough

CS4 - Local and Neighbourhood Centres and Shopping Parades

CS5 - Priority Places

CS7 - Biodiversity and nature conservation

CS8 - Thames Basin Heaths Special Protection Areas

CS9 - Flooding and Water Management

CS10 - Housing provision and distribution

CS11 - Housing mix

CS12 - Affordable housing

CS15 - Sustainable economic development

CS18 - Transport and accessibility

CS21 - Design

CS22 - Sustainable construction

CS23 - Renewable and low carbon energy generation

CS24 - Woking's landscape and townscape

CS25 - Presumption in favour of sustainable development

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Woking Development Management Policies DPD (2016):

DM1 - Green Infrastructure Opportunities

DM2 - Trees and Landscaping

DM6 - Air and Water Quality

DM7 - Noise and Light Pollution

DM8 - Land Contamination and Hazards

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

DM16 - Servicing Development

Supplementary Planning Documents:

Parking Standards (2018)

Woking Design (2015)

Affordable Housing Delivery (2014)

Climate Change (2013)

Outlook, Amenity, Privacy and Daylight (2008)

Other Material Considerations:

Saved South East Plan Policy (2009) NRM6 - Thames Basin Heaths SPA

Thames Basin Heaths Special Protection Area Avoidance Strategy 2010-2015

Community Infrastructure Levy (CIL) Charging Schedule (2015)

Waste and recycling provisions for new residential developments

Woking Character Study (2010)

Site Planning for Daylight and Sunlight (2011) BRE

BACKGROUND:

There is an extant planning permission for the redevelopment of No.12-16 Portugal Road to provide 18x flats in a two to four storey building (PLAN/2016/0412). The current proposal for Block C is similar in form to the extant permission, albeit larger in places and with four more flats. In any case the proposal has been assessed on its own merits as set out below.

Amended plans were received on 11/12/2019 and 21/01/2020 which made several design changes including alterations to material finishes and window proportions. The level of soft landscaping in the communal areas was also increased. Additional surface water drainage information was received on 19/12/2019. The proposal has been assessed based on these revised plans and additional information.

PLANNING ISSUES

Principle of Development:

1. The proposal is for the demolition of all the existing buildings on the proposal site and their replacement with residential development. The loss of the existing uses is therefore a consideration. The existing buildings are in the following uses:
 - 'Lok N Store' – Self storage facility (Use Class B8) (2,169m²)
 - Parrington Autos – Vehicle repair, servicing and sales ('sui generis' use) (154m²)
 - No.12-16 Portugal Road – Residential (Use Class C3), formerly with the display of vehicles for sale to the frontage

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- No.25 Portugal Road – Formerly a workshop (Use Class B2) but is now is temporarily in use by Parrington Autos ('sui generis' use) (119m²)
 - No.27 and 29 Portugal Road – Residential (Use Class C3)
2. Parts of the site fall within the boundary of the Walton Road Neighbourhood Centre. Core Strategy (2012) policy CS4 'Local and Neighbourhood Centres and Shopping Parades' seeks to protect retail and other town centre uses within such areas in order to meet the day-to-day needs of the local community. The existing B2, B8 and 'sui-generis' uses are not regarded as a 'town centre use' by the Core Strategy (2012) and are not considered to contribute positively to the vitality or viability of the Neighbourhood Centre or serve the day-to-day needs of the community. The loss of the existing uses and replacement with residential development is not therefore considered to conflict with the aims of policy CS4 and is not considered to harm the vitality or viability of the Neighbourhood Centre.
 3. The proposal site is also within an area identified as a 'Priority Place' by Core Strategy (2012) policy CS5 which requires planning decisions to seek to redress identified local issues, including housing and employment. This policy seeks to redress the tenure imbalance in the area by providing more family accommodation and affordable housing and seeks to safeguard employment uses in Employment Areas. The proposal site does not form part of an Employment Area and the proposal would result in the provision of new dwellings, including family accommodation and affordable housing, which is considered consistent with the aims of policy CS5.
 4. The proposal would involve the demolition of five existing dwellings of two, three and four bedrooms. Woking DMP DPD (2016) policy DM9 and Core Strategy (2012) policy CS11 seek to resist the net loss of housing, in particular family housing. The proposal would not result in a net loss of housing and the proposal includes 38x two bedroom flats and 3x three bedroom flats, all of which would be over 65m². Two bedroom flats are considered to constitute family dwellings by Core Strategy (2012) policy CS11 and the Council's 'Outlook, Amenity, Privacy and Daylight' SPD (2008); the proposal would therefore result in a significant net gain in family dwellings and is considered consistent with the aims of policies DM9 and CS11.
 5. The proposal site is not within a designated Employment Area however Core Strategy (2012) policy CS15 'Sustainable Economic Development' states that the Council will permit the redevelopment of 'B' use sites outside Employment Areas where *"(i) the existing use of the site causes harm to amenity and/or (ii) it can be demonstrated that the location is unsuitable for the needs of modern business"*.
 6. The application is supported by a Market Assessment Report which assesses the quality of the existing buildings and their commercial viability. The report concludes that the existing commercial buildings are in a poor condition and inappropriate for the needs of modern business which leads to limited long-term commercial demand. The report cites the limited parking, limited servicing space for HGVs, the close proximity of residential neighbours and the condition and layout of the building as reasons for this. The application also indicates that the existing 'Lok N Store' building has only three employees and so is not considered a significant employment generating use. Whilst it has not been demonstrated through marketing evidence that there is no demand for the existing uses, it is considered that there are clear shortcomings in the quality of the existing buildings and are not considered to meet the needs of modern business. The loss of the existing vehicle repair, servicing and sales use was previously considered acceptable by the Council under the extant permission (PLAN/2016/0412).

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7. The surrounding area is classified as a High Density Residential Area which is predominately residential in nature and has an emerging character for larger scale, higher density residential development. The replacement of the existing commercial uses, which are of limited quality with a limited number of employees, with 72x dwellings is considered consistent with the overall aims of the Development Plan to increase the provision of dwellings within established urban areas close to existing amenities and to make efficient use of land. The principle of residential development in this location can therefore be considered acceptable in principle subject to the detailed considerations set out below.

Character and Design:

8. The existing buildings are of varying ages and forms. The 'Lok N Store' building presents large and relatively blank façades to Marlborough Road and Portugal Road and are considered to have a dominating presence in the street scene. No.12-16 and No.27-29 are two storey detached and semi-detached dwellings dating from the Edwardian era. Whilst these have some architectural merit, their demolition can be considered acceptable in design terms subject to the design, bulk and massing of the development and its relationship its surroundings.
9. The proposed development comprises three buildings, referred to as Blocks A, B and C, which all adopt a similar design approach and would each be up to four storeys. Portugal Road is varied in character and features two storey dwellings along with a church building and a block of flats at Hannah Court at the corner with Walton Road. Marlborough Road is also varied in character and features two storey dwellings along with Olympic Court and Stadium House which are blocks of flats up to three storeys and Colborne Place which is a block of flats up to four storeys in height. There is an emerging character in the wider area for larger, more high density development in the form of blocks of flats of between two and four storeys, for example Colborne Place, Jarman Court, Grove Court and Beaufort Lodge on Maybury Road and Hannah Court and Tudor Court on Walton Road.

Block A:

10. This is the largest of the proposed buildings and would be four storeys in height with the top floor set-back from the front and side elevations. The building adopts a roughly 'T-shaped' footprint with a projecting element extending into the site to the rear. The building would replace a semi-detached pair of two storey dwellings and a large commercial building of three storeys and would be positioned on the eastern side of Portugal Road.
11. Block A adopts a simple, flat-roofed contemporary design approach and would be finished in a mixture of brickwork and render and the top floor would be finished in a contrasting grey cladding material. There is a mixed materials palette in the surrounding area with a predominance of brickwork and render; the proposed materials are therefore considered acceptable in this location. Further specific details of external materials can be secured by condition.
12. The building adopts a varied front building line with projecting and recessed elements. This, along with the varied material treatment of the front elevation is considered to result in visual interest and rhythm to this elevation which serves to break up the bulk and massing of the building in the street scene. The window openings on the front elevation adopt a strong vertical emphasis and the proposed front elevation is considered balanced and well-articulated. The top floor of Block A would be set-back from the front of the building by between 1.6m and 4m and also set-in from the flank

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elevations of the building. This is considered to limit the overall bulk and massing of the building when viewed in the street scene. The front elevation of Block A would be set-back a minimum of 2.8m front boundary of the site and is considered to respect the building line along Portugal Road which creates an opportunity for soft landscaping to the frontage.

13. Block A would be four storeys with a maximum height of 12.8m. Building heights are varied in the surrounding area; Hannah Court and Tudor Court to the north and Jarman Court to the south are blocks of flats up to three storeys in height, albeit with parts of third floors contained within the roof space. Colborne Place to the south-east is a modern block of flats of up to four storeys in height which was permitted under application ref: PLAN/2016/1192. The proposed building would have a similar maximum height to the Colborne Place and would adopt a similar design approach. Block A would be approximately 1.4m taller than the adjacent block at Hannah Court to the north but would be separated from this neighbour by 12.6m. To the south are single storey commercial buildings. Whilst the proposed building would be greater in height than its immediate neighbours, this is considered reflective of the varied building heights and relationships found in the surrounding area which has an emerging character for larger scale buildings.
14. Block A would be served by a basement parking level accessed via a ramped entrance. The first floor level of Block A would oversail the vehicular entrance and would be similar in appearance to the ramped entrance to the basement of Colborne Place. The ramped access is considered a visually acceptable feature in the street scene.
15. Overall Block A is considered to represent good quality design and is considered to have an acceptable impact on the character of the surrounding area.

Block B:

16. Block B is the smallest of the three blocks and would front Marlborough Road. This would also be four storeys with the top floor recessed from the front and side elevations with a maximum height of 12.4m. The building would be approximately 3.5m taller than the adjacent building at Olympic Court to the north and approximately 3.8m taller than the maximum height of Hindover and Ramsey to the south, which are two storey dwellings. Colborne Place is positioned further south which is up to four storeys in height and is approximately 1.2m taller than the proposed building. The variation in roof heights between the proposed building and its neighbours is considered consistent with the character of the surrounding area which features varied building heights. The overall bulk, scale and massing of the building is considered consistent with the varied street scene along Marlborough Road. It should also be borne in mind that Block B would replace a relatively large existing commercial building; the three storey element of the proposed building would be 1.2m taller than the existing building and the tallest element would be 2m taller than that of the existing building.
17. Block B also adopts a contemporary design approach with a mixture of brickwork and render and is considered to present a balanced and well-considered elevation to Marlborough Road. Block B would respect the building line along Marlborough Road and identifies indicative soft landscaping to the frontage. Overall Block B is considered to represent good quality design and is considered to have an acceptable impact on the character of the surrounding area.

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Block C

18. Block C would be positioned on the western side of Portugal Road and would replace three detached two storey dwellings and a detached structure and hardstanding formerly accommodating Parrington Autos. Block C would adopt a similar design approach and overall form and massing to the previously consented scheme (PLAN/2016/0412) and would have a maximum height of 12.4m. The design approach would be similar to Blocks A and B with a contemporary flat roof design and a mixture of brickwork and render. The building also adopts a varied front building line and the use of contrasting materials serves to break up the bulk and massing of the building. The top floor would be finished in a contrasting cladding material and would be set-back between 1m and 2m from the principal front elevation. Block C steps up in height and scale from two storeys on the northern flank elevation to three and four storeys; this also serves to limit the sense of bulk and massing of the building. Block C is considered to respect the building line along Portugal Road and is considered consistent with the overall scale, bulk and massing of development in the area.
19. Considering the points discussed above, overall the proposed development is considered to represent good quality design and the height, scale and massing of the proposed buildings are considered consistent with the emerging character of the surrounding area and the varied street scenes along Portugal Road and Marlborough Road.

Impact on Surrounding Properties:

20. There are residential neighbours surrounding the site and the proposed building would introduce extra height, bulk and massing on the proposal site. Core Strategy (2012) policy CS21 'Design' requires development proposals to '*Achieve a satisfactory relationship to adjoining properties avoiding significant harmful impact in terms of loss of privacy, daylight or sunlight, or an overbearing effect due to bulk, proximity or outlook*'. In terms of potential overlooking and loss of privacy, the Council's 'Outlook, Amenity, Privacy and Daylight' SPD (2008) sets out recommended separation distances for different relationships and different building heights. For three storey development and above the SPD recommends the following minimum separation distances to avoid undue overlooking:
 - Front-to-front elevation – 15m
 - Rear-to-rear elevation – 30m
 - Front or rear to boundary/flank – 15m
21. These standards are however advisory and the SPD makes clear that the context of development proposals will be of overriding importance.
22. In terms of potential impact on daylight and sunlight, the Building Research Establishment (BRE) have set out guidelines for assessing such impacts ('Site Layout Planning for Daylight & Sunlight. A Guide to Good Practice' 2011). The BRE guidance states that "*If, for any part of the new development, the angle from the centre of the lowest affected window to the head of the new development is more than 25°, then a more detailed check is needed to find the loss of skylight to the existing buildings*". The BRE Guide is, however, a guide and compliance is not mandatory, since the actual effect can be influenced by other factors. The BRE Guide is referred to within the Council's 'Outlook, Amenity, Privacy and Daylight' (2008).
23. Where the BRE guidelines are exceeded then daylighting and/or sunlighting may be adversely affected. The BRE Guide provides numerical guidelines although

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emphasizes that advice given is not mandatory and the BRE Guide should not be seen as an instrument of planning policy; the guidelines are to be interpreted flexibly since natural lighting is only one of many factors in site layout and design. The BRE Guide also sets out that in special circumstances the developer or Local Planning Authority may wish to use different target values. For example, in a historic city centre, or in an area with modern high rise buildings, a higher degree of obstruction may be unavoidable if new developments are to match the height and proportions of existing buildings.

24. It is also a material consideration that Paragraph 123(c) of the NPPF (2019) states that *“local planning authorities should refuse applications which they consider fail to make efficient use of land, taking into account the policies in this Framework. In this context, when considering applications for housing, authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living standards)”*.

Daylight:

25. The BRE guidelines set out several methods for calculating loss of daylight. The two methods predominantly used are those involving the measurement of the total amount of skylight available (the Vertical Sky Component (VSC)) and its distribution within the building (Daylight Distribution). VSC is the ratio, expressed as a percentage, of the direct sky illuminance falling on a reference point (usually the centre of the window) to the simultaneous horizontal illuminance under an unobstructed sky (overcast sky conditions). According to the BRE guidance, if the VSC measured at the centre of a window, is at least 27% then enough daylight should still reach the window of the existing building. If the VSC, with the new development in place, is both less than 27% and less than 0.8x its former value, occupants of the existing building will notice the reduction in the amount of light.
26. The Daylight Distribution method takes account of the internal room layouts of the rooms in question and indicates how well daylight is distributed within the room. The BRE guidance states that daylight may be adversely affected if the daylight distribution figure is reduced to less than 0.8x its former value (i.e. no more than a 20% loss).

Sunlight:

27. With regards to potential loss of sunlight; analysis is undertaken by measuring annual probable sunlight hours (APSH) for the main windows of rooms which face within 90° of due south. The BRE guidelines propose that the appropriate date for undertaking a sunlight assessment is on 21st March. Calculations of both summer and winter availability are made with the winter analysis covering the period from the 21st September to 21st March. Sunlight availability may be adversely affected if the centre of the window:
 - receives less than 25% of annual probable sunlight hours, or less than 5% of annual probable sunlight hours between 21st September and 21st March and;
 - receives less than 0.8x its former sunlight hours during either period and;
 - has a reduction in sunlight received over the whole year greater than 4% of annual probable sunlight hours.
28. The application is supported by a detailed Daylight and Sunlight Report which assesses the loss of light impact on surrounding neighbours in detail.

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29. The impact on neighbouring occupiers resulting from Blocks A, B and C in terms of loss of light, overbearing and overlooking is assessed below.

Block A:

30. Hannah Court is a three storey block of flats positioned to the north of Block A. The proposed building at Block A would be positioned 12.6m from the rear elevation of Hannah Court at its nearest point. The submitted Daylight and Sunlight Report identifies two windows in Hannah Court which fall below the recommended BRE Target criteria of 27% VSC. One of these however would remain very close to the 27% target (26.75%) and in any case serves a dual-aspect room. The second window would experience a reduction in VSC of 27.1% and would have a retained VSC value of 24.1% which is classified as constituting a 'minor adverse' impact. In terms of the Daylight Distribution test, the report identifies two bedrooms in Hannah Court where the BRE target criteria would not be met which are classified as a 'minor adverse' impact. All the neighbouring windows in Hannah Court meet the relevant BRE target for sunlight. It is borne in mind that the separation distance to Hannah Court exceeds the height of the proposed building nearest this neighbour. The separation distance is considered sufficient to avoid an undue overbearing impact.
31. The section of building directly opposite Hannah Court does not feature any window openings and the side-facing windows in the rear projecting element of Block A would have only oblique views towards Hannah Court and the proposal is not considered to result in undue overlooking or loss of privacy to neighbours in Hannah Court.
32. Tudor Court is a three storey block of flats to the north. The submitted Daylight and Sunlight Report identifies four windows in Tudor Court which fall below the recommended BRE target criteria of 27% VSC, two of which serve bedrooms and two of which serve living rooms. The shortfalls are considered only marginally short of the recommended target of no more than a 20% reduction (21.5%, 24.3%, 22.5% and 21.8%) and all would retain a VSC value close to the BRE target. The report concludes that this would constitute a 'minor adverse' impact on light to these rooms.
33. In terms of the Daylight Distribution test, nine of the windows in Tudor Court fall short of the BRE target criteria however five of these serve bedrooms which are regarded by the BRE guidance as less important. The remaining four serve living rooms however the report notes that these rooms are relatively deep (typically 7m). In such situations the BRE guidance states that "*If an existing building contains rooms lit from one side only and the greater than 5m deep then a greater movement of the no skyline may be unavoidable*". The report also identifies some rooms which would achieve actual gains in daylighting. All the neighbouring windows in Tudor Court meet the relevant BRE target for sunlight.
34. The north-facing flank elevation of Block A features windows and these would be positioned a minimum of 19m from the rear elevation of Tudor Court. As this is effectively a flank-to-rear relationship, 15m is considered an appropriate minimum distance to apply from the Council's 'Outlook, Amenity, Privacy and Daylight' SPD (2008), particularly as the area to the rear of Tudor Court nearest Block A is used as a car parking area. The separation distance of 19m is therefore considered appropriate for this relationship and the proposal is not considered to result in an undue overbearing, overlooking or loss of privacy impact on Tudor Court.
35. Tudor Court features a shared amenity space to the rear; the windows of Block A would not directly overlook this space and would have oblique views towards this space. It is also borne in mind that the existing two storey building directly borders this amenity space; the demolition of the existing structure would alleviate the existing

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overbearing effect of this building. The proposal is therefore considered to form an acceptable relationship with this amenity space.

36. Stadium House and Olympic Court are three storey blocks of flats to the north-east. Block A would be located a minimum of 15m from Olympic Court at its nearest point. Most of Block A would not be positioned directly opposite windows in these properties and the proposal is not considered to result in an undue loss of light or overbearing impact on these neighbours. Most of the windows in Block A would face 90° relative to these neighbours or would have oblique views towards these neighbours and the proposal is not considered to result in undue overlooking or loss of privacy to these neighbours.
37. Hindover and Ramsey on Marlborough Road are two storey dwellings which border the proposal site and Block A would have a rear-to-rear relationship with these neighbours. The existing building on the site presents a two storey elevation within 1.5m of the entire flank and rear boundary of Hindover's rear amenity space. The elevations feature numerous windows at ground and first floor level and an external staircase and are considered to represent a significantly overbearing relationship with both Hindover and Ramsey. The proposal would result in the demolition of these existing buildings.
38. The principal rear elevation of Block A would have a separation distance of 13.6m to the rear boundary of both Ramsey and Hindover and 24m from the rear elevations of these neighbours. The rear projecting element of Block A would be positioned within 4m of the boundary of Hindover at its nearest point however the rear projecting element would not be positioned directly opposite the rear elevation of Hindover or Ramsey. The submitted Daylight and Sunlight Report concludes that there would be an acceptable loss of light impact on both Hindover and Ramsey with the exception of a first floor bedroom window at Hindover which would experience a 27% reduction in VSC and would not meet the BRE Daylight Distribution test. There would therefore be a noticeable reduction in daylight to this room which is categorised as a 'minor adverse' impact by the submitted Daylight and Sunlight Report. However it should be borne in mind that the window at present already receives less than 27% VSC due to the close proximity and height of the existing buildings. The relationship above, when balanced with the existing situation, is considered to result in an acceptable overbearing impact on these neighbours compared to the existing situation.
39. In terms of overlooking, the separation distances of 13.6m and 24m to the rear boundaries and rear elevations of these neighbours respectively fall short of the recommended distances of 15m and 30m set out in the Council's 'Outlook, Amenity, Privacy and Daylight' (2008). The SPD however makes clear that the distances are for advice only and evidence of design quality and compatibility with context are of overriding importance. The surrounding area is a High Density Residential Area where relatively close relationships are common and the separation distances are considered appropriate for the urban context of the proposal site. The proposal is not therefore considered to result in an unacceptable overlooking or loss of privacy impact on these neighbours. It should also be borne in mind that the proposal would secure the removal of the existing two storey structure which encloses and overlooks these neighbours and their rear amenity spaces. The rear elevation of the rear-projecting element nearest Hindover features windows however these are typically relatively small secondary windows with oblique views towards these neighbours and the side-facing windows on the rear-projecting element would face 90° relative to these neighbours.

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40. Colborne Place is a new flatted development to the south-east. Block A would be positioned 28m from Colborne Place at its nearest point. The submitted Daylight and Sunlight Report concludes that there would be an acceptable loss of light impact on the nearest windows in this block and the proposal is not considered to result in an undue overbearing impact on these neighbours. Windows in Block A would not be positioned directly opposite windows in Colborne Place; in any case the separation distance is considered sufficient to avoid undue overlooking or loss of privacy.
41. Jarman Court is a block of flats to the south and Block A would be positioned 22m from Jarman Court at its nearest point. The submitted Daylight and Sunlight Report concludes that there would be an acceptable loss of light impact on the neighbours in Jarman Court. In terms of potential overlooking, Block A features side-facing windows in its southern flank elevations however these would be positioned a minimum of 31.5m from windows in Jarman Court which is considered sufficient to avoid an undue overbearing, overlooking or loss of privacy impact.
42. Block A adjoins No.33 and No.35 Portugal Road to the south however these are in commercial use. No.64 Maybury Road is a two storey building positioned further to the south and is in use as two flats; the proposed building would be positioned 23m from the rear boundary of these neighbours and 28.6m from the rear elevation of these neighbours at its nearest point. The proposal would pass the '25° test' with these neighbours and is not considered to result in an undue loss of light or overbearing impact on these neighbours. The flank elevation facing this neighbour does feature window openings and these would be positioned 28.6m from the rear elevation of this building at its nearest point. This falls only marginally short of the recommended minimum of 30m set out in the Council's 'Outlook, Amenity, Privacy and Daylight SPD (2008) and is considered sufficient to avoid an undue overlooking or loss of privacy impact on these neighbours when considering the high density nature of the area.
43. No.63 Maybury Road is a two storey dwelling which is positioned further to the south-west. Block A would be positioned at least 29m from the boundary of this neighbour and 35m from this neighbour itself; this is considered sufficient to avoid an undue loss of light or overbearing impact on this neighbour. Block A would have only oblique views towards this neighbour and is not considered to result in undue overlooking or loss of privacy. Other neighbours on Maybury Road to the south-west are positioned further away and are not considered to be unduly impacted upon by the proposed development.
44. To the south-west on the opposite side of Portugal Road is No.22-24 Portugal Road which is understood to be in residential use; Block A would be positioned 18m from these neighbours at its nearest point. The submitted Daylight and Sunlight Report concludes that there would be an acceptable loss of light impact on these neighbours. Block A would have only oblique views towards this neighbour and is not considered to result in undue overlooking, overbearing or loss of privacy. Opposite the proposal site is the Emmanuel Chapel which is not in residential use.
45. No.51 and No.49 Walton Road are positioned to the north-west. Block A would be positioned 14m from the boundary with No.51 and 25m from this neighbour itself at its nearest point. The front elevation of Block A would be orientated at a 90° angle relative to these neighbours and would have only oblique views towards these neighbours and their rear amenity spaces. The proposal is not considered to result in an undue overbearing, loss of light or overlooking impact to these neighbours.

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Block B:

46. Olympic Court is a three storey block of flats to the north of Block B on Marlborough Road. The first floor level and above of Block B would not project beyond the front or rear elevation of Olympic Court and so is not considered to unduly impact on front or rear-facing windows in Olympic Court. The existing building adjoins this neighbour and presents a two storey flank elevation which projects approximately 13m beyond the rear elevation of this neighbour; this would be demolished as part of the proposal and so is considered to result in a less overbearing relationship than the existing situation. The second and third floor level of Block B would project approximately 1.6m beyond the second floor rear elevation of Olympic Court and the third floor would be set in 1.6m further from the boundary and would pass the '45° test' in plan and elevation form with Olympic Court. The proposal is considered to form an acceptable relationship with windows at second floor level of Olympic Court.
47. This neighbour features three first floor side-facing windows which would face the flank elevation of Block B. One of these serves as a secondary window to a living room, one serves a bathroom (and so a non-habitable room) and one serves a single aspect kitchen. The proposed building would be positioned within 2m of these windows however this reflects the existing situation whereby the existing building is positioned the same distance from these windows. The proposed building would be 1.2m taller than the existing at three storey level and the top floor would be set-in 1.4m from the flank elevation. The impact on daylight on these windows is within the BRE target criteria with the exception of the kitchen window. However it should be borne in mind that this window serves a relatively small kitchen and the existing window does not achieve 27% VSC at present. The proposal is not therefore considered to result in a significantly harmful loss of light impact on this neighbour compared to the existing situation.
48. Opposite Block B are two storey dwellings on Marlborough Road. Block B would have a front-to-front relationship with these neighbours and would be positioned a minimum of 17m from these neighbours which is considered sufficient to avoid an undue overlooking or loss of privacy impact. The submitted Daylight and Sunlight Report concludes that the impact on neighbours on Marlborough Road would be within the BRE target criteria.
49. Hindover and Ramsey adjoin the proposal site to the south of Block B which would be up to four storeys in height and positioned approximately 1.2m from the boundary with Hindover. As discussed above, existing buildings are considered to form an overbearing relationship with these neighbours and these would be removed as part of the proposal. Hindover has achieved a single storey rear extension which is not shown on the submitted plans and the proposed building would not project beyond the ground floor rear elevation of these neighbours and so Block B is not considered to result in an undue overbearing or loss of light impact to the ground floor windows of these neighbours. As discussed above there would be some loss of light to a first floor rear-facing bedroom window in Hindover.
50. Side-facing flank windows are proposed in Block B facing the flank elevation of Hindover however as these serve hallways, these can be required to be obscurely glazed with restricted opening by condition to avoid undue overlooking. There is potential for side-facing views towards Olympic Court and Hindover to be achieved from the proposed roof terraces at third floor level however details of screening to the roof terraces can be secured by condition to avoid undue overlooking.

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51. Colborne Place is positioned 20m from Block B to the south and the main habitable room windows in Colborne Place do not face towards Block B. Jarman Court and No.65 Maybury Road are positioned further to the south-west in excess of 35m from Block B. The proposal is not therefore considered to unduly impact on the amenities of these neighbours.
52. Tudor Court is a three storey block of flats to the north-west and Block B would be positioned 18m from this neighbour at its nearest point although most of Block B would not be positioned directly opposite the rear elevation of Tudor Court. Views of Block B from these neighbours would largely be restricted by the presence of Olympic Court adjacent to the site. This relationship is considered to result in an acceptable loss of light and overbearing impact on these neighbours. Block B would be orientated at 90° relative to Tudor Court and any views from windows towards Tudor Court would be oblique in nature. Hannah Court would have a similar relationship to Block B but is positioned further away to the north-west; the proposal is therefore considered to form an acceptable relationship with neighbours in Hannah Court.

Block C:

53. Block C adopts a similar overall form to the consented scheme (PLAN/2016/0412) and would be two to four storeys, stepping up from two storeys on the northern flank elevation. The building would have a roughly 'T' shaped footprint with a rear projecting element. Block C would be wider and deeper to the rear and would be up to 1m taller in maximum height than the consented scheme.
54. No.49 and No.51 Walton Road are two storey semi-detached dwellings to the north of the site with rear gardens which back onto the site; these neighbours therefore have a rear-to-side relationship with Block C. Block C would be sited a minimum of 1m from the rear boundaries of these neighbours and both neighbours feature detached garages/outbuildings on their rear boundaries with the site. The two storey element would be positioned 1m from the boundary with these neighbours, the three storey element would be set-in a further 3m and the top floor would be set-in a further 6.6m. The building would be positioned 14m from the ground floor rear elevation of these neighbours at its nearest point and around 19.6m from the principal two storey rear elevation of these neighbours.
55. The stepped treatment of the northern elevation facing these neighbours is considered to limit the sense of bulk and massing when viewed from these neighbours and the proposal is not considered to result in an unacceptable overbearing impact on these neighbours or their rear amenity spaces. The submitted Daylight and Sunlight Report concludes that the loss of light impact on these neighbours would be within BRE target criteria with the exception of one room at No.49 Walton Road which falls short of the BRE Daylight Distribution test.
56. No windows are proposed in the northern flank elevation facing these neighbours. The rear projecting element features north-facing windows however parts of Block C itself would serve to limit views towards the rear gardens of neighbours at No.49 and No.51 Walton Road. The proposal is not considered to result in an undue overlooking or loss of privacy impact to these neighbours.
57. Gloster Court to the north-west is a development of ten flats arranged in two storey terraces with small rear gardens and a parking forecourt to the rear which abuts the site. Block C features side-facing windows facing towards neighbours in Gloster Court however these would be positioned a minimum of 20m from the garden boundary of No.47/47A and 24m from the rear elevations of these neighbours at their nearest

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point; separation distances to other neighbours in Gloster Court would be greater and any views would be more oblique in nature. The separation distance of 20m to the boundary would exceed the recommended minimum of 15m for rear-to-boundary distances set out in the Council's 'Outlook, Amenity, Privacy and Daylight' SPD (2008). The 24m distance would fall short of the recommended minimum of 30m for rear-to-rear relationships however considered the urban context of the proposals site, the separation distance is considered sufficient to avoid an undue overbearing, loss of privacy or overlooking impact on these neighbours. The proposal would pass the '25° test' with these neighbours and the proposal is not therefore considered to result in an undue loss of light impact on these neighbours.

58. Neighbours at Pembroke, Horsington House, Claverley, Chinthurst and Beit House are positioned to the south-west on Grove Road and have a rear-to-rear relationship with Block C. Block C features a rear projecting element which steps up from two storeys up to four storeys; the two storey element would be positioned a minimum of 3m from the rear boundary of the site with neighbours on Grove Road and a minimum of 20.6m from the rear elevation of the nearest neighbour. The three storey element would be positioned a minimum of 7.2m from the boundary and 25m from the nearest neighbour and the four storey element would be positioned 12.8m from the boundary and 30.5m from the nearest neighbour. The separation distances are such that the proposal would pass the '25° test' with these neighbours and the stepped form of the building is considered to limit the sense of bulk and massing of the building and the proposal is not considered to result in an undue overbearing impact on these neighbours. The submitted Daylight and Sunlight Report concludes that the impact in terms of loss of light on these neighbours would be within the BRE target criteria.
59. The rear-projecting element would feature no windows in the rear elevation facing towards these neighbours. The main section of the building would feature windows in the rear elevation however these would be positioned a minimum of 22m from the boundary with these neighbours and in excess of 40m from the rear elevations of neighbours on Grove Road at their nearest point. The proposal is not therefore considered to result in an undue overlooking or loss of privacy impact on these neighbours.
60. Block C would not be located 17m from Hannah Court at its nearest point which is positioned at the opposite side of Portugal Road to the north-east. This relationship means that the proposal is not considered to result in an undue overbearing, loss of light or overlooking impact to these neighbours.
61. Other neighbours in the surrounding area are considered a sufficient distance from the proposed development in order to not be unacceptably impacted upon.

Summary:

62. Overall, whilst there would be some adverse impact in terms of loss of light on neighbours in Tudor Court, Hannah Court, at No.49 Walton Road at Hindover on Marlborough Road, these are classified as 'minor adverse' impacts and represent a relatively small number of breaches of BRE guidance when considering the overall scale of the development and number of neighbours involved. The impact on these neighbours is not considered to constitute a 'significantly harmful' as set out by Core Strategy (2012) policy CS21. It is also borne in mind that the proposal site is within a High Density Residential Area where there is an emerging character for higher density development where some impacts on neighbours is inevitable. It is also borne in mind that the proposal would result in improvements in the neighbour relationships in some places due to the demolition of the existing structures which have an existing

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unneighbourly relationship with its surroundings. Balancing these points, along with the benefits of providing 72x new dwellings within a sustainable location, the provision of affordable housing and considering the requirement to make effective use of land set out in Paragraph 123 of the NPPF (2019), overall the proposed development is considered to form an acceptable relationship with surrounding neighbours in terms of loss of light, overbearing and overlooking impacts.

Affordable Housing:

63. As the proposal is for more than 15x dwellings, Core Strategy (2012) policy CS12 'Affordable Housing' states that 40% of dwellings should be affordable and this policy establishes a preference for on-site provision. The Council's 'Affordable Housing Delivery' SPD (2014) sets out more detailed guidance on the Council's approach to affordable housing provision and seeks 70% of new affordable units to be provided at Social/Affordable Rent levels, and 30% as intermediate housing (affordable market, including shared ownership). The extant scheme for No.12-16 Portugal Road (PLAN/2016/0412) made provision for a total of three on-site affordable units based on viability.
64. The proposal includes the provision of 29x affordable units which equates to 40.3% of the total number of units. 21x of these units are proposed to be affordable rent units in Block C (representing all the flats in Block C) and 8x shared ownership units in Blocks A and B. This level of affordable housing and the proportion of affordable housing tenures meets the requirements of policy CS12 and the SPD.
65. The applicant represents a Housing Association and has indicated in their submission that their intention is to provide a 100% affordable housing scheme with the remaining 43x units being shared ownership. The applicant is not formally proposing this as part of the application and Section 106 Agreement due to their need to protect the long-term asset value of the site in order to secure grant funding. As the additional 43x units would not form part of a Section 106 Agreement, Officers attach only limited weight to this.
66. In any case, the proposed development would provide 40% affordable housing through on-site provision which is in full accordance with Core Strategy (2012) policy CS12 'Affordable Housing' and the Council's 'Affordable Housing Delivery' SPD (2014). This is considered a substantial benefit resulting from the proposed development. The Council's Housing Services has been consulted and is supportive of the application.

Transportation Impact:

67. The Marlborough Road frontage of the proposal site is currently a continuous vehicular crossover marked out with a single yellow line. The Portugal Road frontages of the proposal site currently comprise vehicular crossovers, single and double yellow lines and on-street parking bays for two vehicles. The proposed development would utilise two existing crossovers on Portugal Road to provide access to the proposed parking areas and the remaining existing crossovers would become redundant.
68. The proposal would deliver a total of 61x parking spaces serving a total of 72x flats. Blocks A and B would feature a total of 42x off-street parking bays in a shared basement level accessed via Portugal Road and Block C would have a total of 19x parking off-street parking spaces in a surface car park also accessed via Portugal Road.

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69. The total minimum number of spaces for the proposed development required by the Council's Parking Standards SPD (2018) is 56.5x spaces (as set out in Figure 1 above). The proposed provision of 61x spaces would therefore exceed the Council's minimum parking requirements and is considered to deliver sufficient off-street parking to serve the proposed development. It is also borne in mind that the proposal site is within an established High Density Residential Area within approximately 155m from the boundary of Woking Town Centre and parts of the proposed development are within the Walton Road Neighbourhood Centre. The proposal site is therefore within a relatively sustainable location close to local amenities.
70. In terms of on-street parking bays, the two existing on-street parking bays in front of No.27 and No.29 Portugal Road are proposed to be re-located to further south along Portugal Road. There would therefore be no loss of existing on-street parking bays. In addition, two on-street loading bays are identified on Portugal Road and Marlborough Road as requested by the County Highway Authority.
71. The proposed plans identify a total of 154x secure cycle storage spaces serving the proposed 72x flats which exceeds the standards set out in the Council's Parking Standards SPD (2018). The proposal also makes provision for motorcycle parking.
72. In terms of bin storage, each block features an integral bin store at ground floor level located within easy reach of the highway and each bin store meets the minimum capacity standards set out in the Council's 'Waste and recycling provisions for new residential developments' guidance document.
73. The Council's Climate Change SPD (2013) requires 5% of parking spaces in car parks of over 20x spaces to feature 'active' Electric Vehicle charging bays and 15% 'passive' bays. This equates to a total of 2x 'active' and 6x 'passive' bays in the basement level car park which are identified on the proposed plans.
74. The application is accompanied by a Transport Statement which concludes that there would be an overall reduction in vehicle movements to and from the site in the morning peak and a slight increase in vehicle movements in the afternoon peak however these are not considered to materially impact on the operation of the local highway network.
75. The County Highway Authority has reviewed the proposal and raises no objection subject to conditions. Overall the proposal is considered to result in an acceptable transportation impact.

Standard of Accommodation:

76. The proposed flats would have internal floor areas ranging from 50m² to 86m² which would comply with the recommended minimum standards set out in the National Technical Housing Standards (2015). Some of the ground floor flats would feature private amenity areas and Block B would feature two private roof terraces. The remaining flats would not have dedicated private amenity areas however there would be a shared amenity space in the form of two landscaped courtyard areas between Blocks A and B. These are identified as featuring a mixture of hard and soft landscaping including trees and benches and these spaces are considered to offer a good quality shared amenity area for future residents.
77. Given the constrained nature of the proposal site, the inclusion of balconies has the potential to result in undue overlooking and loss of privacy to neighbours. Whilst most of the flats would not feature areas of private amenity space, this can be considered

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acceptable in this instance given the constraints of the proposal site and the provision of shared amenity space is considered to offer good amenity value to future residents.

78. In terms of the relationship between the proposed Blocks, Blocks A and C would have a front-to-front separation distance of between 13m and 15.4m which is considered an appropriate separation distance for a front-to-front relationship in this location. The rear elevations of Blocks A and B would be positioned 14.8m from each other and Block A features predominately secondary windows in the rear elevation. The submitted Daylight and Sunlight Report also assesses the quality of lighting to dwellings within the development itself and confirms that they would meet the BRE target criteria.
79. Overall the proposed dwellings are considered to achieve a good standard of accommodation for future residents.

Housing Mix:

80. 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. The most recent published SHMA (September 2015) is broadly similar to the mix identified in policy CS11. The proposed development would deliver a total of 43% one bedroom units, 53% two bedroom units and 4% three bedroom units. This is considered an appropriate mix with a good proportion of two bedroom units. The proposal is therefore considered to deliver an acceptable housing mix for this location.

Impact on Drainage and Flood Risk:

81. The proposal site is not within a designated Flood Zone however parts of the proposal site and the surrounding area are classified as being at risk of surface water flooding. The NPPF (2019) and Core Strategy (2012) policy CS9 state that Local Planning Authorities should seek opportunities to reduce flood risk through the appropriate application of sustainable drainage systems (SUDS). As per the guidance issued by the Department of Communities and Local Government (DCLG) all 'major' planning applications must consider sustainable drainage systems (House of Commons: Written Statement HCWS161 - Sustainable drainage systems).
82. The application is accompanied by details of a proposed sustainable drainage scheme. Amended drainage details were received during the course of the application following comments raised by the Council's Drainage and Flood Risk Engineer. The additional information is considered acceptable by the Council's Drainage and Flood Risk Engineer subject to conditions. The proposal is therefore considered to have an acceptable impact on drainage and flood risk.

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

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

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stage, for the purposes of the Habitats Directive (as interpreted into English law by the Conservation of Habitats and Species Regulations 2017 (the "Habitat Regulations 2017")). An Appropriate Assessment has therefore been undertaken for the site as it falls within 5 kilometres of the TBH SPA boundary.

84. Policy CS8 of Woking Core Strategy (2012) requires new residential development beyond a 400m threshold, but within 5 kilometres of the TBH SPA boundary to make an appropriate contribution towards the provision of Suitable Alternative Natural Greenspace (SANG) and Strategic Access Management and Monitoring (SAMM), to avoid impacts of such development on the SPA. The SANG and Landowner Payment elements of the SPA tariff are encompassed within the Community Infrastructure Levy (CIL), however the SAMM element of the SPA tariff is required to be addressed outside of CIL. The proposed development would require a SAMM financial contribution of **£41,093** based on a net gain of 31x one bedroom dwellings and 36x two bedroom dwellings which would arise from the proposal. The Appropriate Assessment concludes that there would be no adverse impact on the integrity of the TBH SPA providing the SAMM financial contribution is secured through a S106 Legal Agreement. CIL would be payable in the event of planning permission being granted. For the avoidance of doubt, sufficient SANG at Horsell Common has been identified to mitigate the impacts of the development proposal.
85. Subject to securing the provision of the SAMM tariff and an appropriate CIL contribution, and in line with the conclusions of the Appropriate Assessment (as supported by Natural England), the Local Planning Authority is able to determine that the development will not affect the integrity of the TBH SPA either alone or in combination with other plans and projects in relation to urbanisation and recreational pressure effects. The development therefore accords with Policy CS8 of Woking Core Strategy (2012), the measures set out in the Thames Basin Heaths SPA Avoidance Strategy, and the requirements of the Habitat Regulations 2017.

Ecology:

86. The application is accompanied by Ecological Reports which assess the potential for the presence of protected species on the site and the ecological value of the site. The reports conclude that the existing buildings are likely absent of roosting bats and other species. The reports set out recommendations and precautions with regards to the clearance of the site. Compliance with the recommended precautions can be secured by condition. The reports also make recommendations with regards to potential measures to enhance the biodiversity of the site (e.g. bird and bat boxes and use of native plant/tree species). Specific details of biodiversity enhancement measures can be secured by condition. Surrey Wildlife Trust has been consulted and raises no objection subject to conditions. Overall the proposal is therefore considered to result in an acceptable impact on biodiversity.

Trees and Landscaping:

87. There are no mature trees on the proposal site worthy of retention however the proposed plans identify indicative soft landscaping. This is in the form of tree and shrub planting on the road frontage of each block on Portugal Road and Marlborough Road as well as soft landscaping within the development itself. The proposal represents an opportunity for tree planting and urban greening to the area and a detailed landscaping scheme can be secured by condition. The Council's Tree Officer has been consulted and raises no objection subject to such a landscaping scheme.

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Sustainability:

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

Contamination:

90. Given the current and historic uses of the proposal site, there is potential for contamination on the site. The application is accompanied by a contamination report and the Council's Scientific Officer has been consulted and raises no objection subject to conditions. The proposal is therefore considered acceptable in this regard.

Community Infrastructure Levy (CIL):

91. The proposal would be liable to make a CIL contribution.

CONCLUSION

92. The proposal would deliver 72x new dwellings in a sustainable location close to the amenities of Woking Town Centre and the Walton Road Neighbourhood Centre and would make efficient use of land whilst also providing an acceptable standard of accommodation for future residents and sufficient off-street parking. Whilst the proposal would result in the loss of existing 'B' class floor space, this is of limited quality and its loss is considered to be outweighed by the provision new dwellings along with a minimum of 29x affordable housing units which is considered a significant public benefit.
93. The proposal is considered to result in acceptable impact on the amenities of neighbours, on the character of the area and in transportation terms and is considered acceptable in all other areas subject to conditions.
94. The proposal is therefore considered to accord with the Development Plan and is recommended for approval subject to conditions and a Section 106 Agreement.

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PLANNING OBLIGATIONS

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

	Obligation	Reason for Agreeing Obligation
1.	SAMM (SPA) contribution of £41,093	To accord with the Habitat Regulations, policy CS8 of the Woking Core Strategy 2012 and The Thames Basin Heaths SPA Avoidance Strategy 2010-2015.
2.	Provision of 40% on-site affordable housing comprising 70% affordable/social rent and 30% shared ownership	To accord with policy CS12 of the Woking Core Strategy 2012

BACKGROUND PAPERS

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

RECOMMENDATION

It is recommended that planning permission be granted subject to the following conditions and S106 Agreement and subject to confirmation from the Drainage and Flood Risk Engineer that they have no objection with respect to sustainable drainage and the subsequent issuing of the permission and any additional drainage-related conditions being delegated to the Development Manager (and in his absence the Development Team Leader).

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:

Existing Plans:

2714-A-3100-B (Existing Plans and Elevations – 12 Portugal Road) received by the LPA on 16/09/2019

2714-A-3100.1-C (Existing Plans and Elevations – 12 Portugal Road) received by the LPA on 16/09/2019

2714-A-3101-C (Existing Plans and Elevations – 14 Portugal Road) received by the LPA on 16/09/2019

2714-A-3102-B (Existing Plans and Elevations – 16 Portugal Road) received by the LPA on 16/09/2019

2714-A-3103-C (Existing Plans and Elevations – 25 Portugal Road) received by the LPA on 16/09/2019

2714-A-3104-C (Existing Plans and Elevations – 27-29 Portugal Road) received by the LPA on 16/09/2019

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2714-A-3105-C (Existing Plans – 31 Portugal Road) received by the LPA on 16/09/2019

2714-A-3105.1-B (Existing Elevations – 31 Portugal Road) received by the LPA on 16/09/2019

Site Plans

2714-A-1001-D (Site Location Plan) received by the LPA on 16/09/2019

2714-A-1005-P (Site Layout) received by the LPA on 11/12/2019

2714-C-1005-P (Site Layout) received by the LPA on 11/12/2019

2714-A-1005-N (Site Layout Showing Parking and Loading Bays) received by the LPA on 08/01/2020

2714-A-1006-K (Site Layout - Basement Plan) received by the LPA on 21/01/2020

2714-A-1007-J (Site Layout - Ground Floor Plan) received by the LPA on 21/01/2020

2714-C-1007-J (Site Layout - Ground Floor Plan) received by the LPA on 21/01/2020

2714-A-1008-D (Site Layout - First Floor Plan) received by the LPA on 21/01/2020

2714-A-1009-E (Site Layout - Second Floor Plan) received by the LPA on 21/01/2020

2714-A-1010-F (Site Layout - Third Floor Plan) received by the LPA on 21/01/2020

Elevations and Sections:

2714-C-1020-K (Street Elevations A-A & B-B) received by the LPA on 11/12/2019

2714-C-1021-H (Site Sections C-C & D-D) received by the LPA on 11/12/2019

2714-C-1022-H (Street Elevation E-E) received by the LPA on 11/12/2019

2714-C-3004-L (Block A Elevations) received by the LPA on 11/12/2019

2714-C-3006-M (Block B Elevations) received by the LPA on 11/12/2019

2714-C-3012-P (Block C Elevations) received by the LPA on 11/12/2019

2714-A-3020-A (Cycle Store and Pergola Details) received by the LPA on 16/09/2019

Floor Plans:

2714-A-3000-N (Block A Basement Plan) received by the LPA on 21/01/2020

2714-A-3001-M (Block A Ground and First Floor Plans) received by the LPA on 11/12/2019

2714-A-3002-K (Block A Second and Third Floor Plans) received by the LPA on 11/12/2019

2714-A-3003-J (Block A Roof Plan) received by the LPA on 16/09/2019

2714-A-3005-M (Block B Floor Plans) received by the LPA on 11/12/2019

2714-A-3010-L (Block C Ground and First Floor Plans) received by the LPA on 11/12/2019

2714-A-3011-L (Block C Second and Third Floor Plans) received by the LPA on 11/12/2019

2714-A-3013-E (Block C Roof Plan) received by the LPA on 11/12/2019

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

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

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

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

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

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

Reason: To ensure that the development does not prejudice highway safety nor cause inconvenience to other highway users and in the interests of public safety and amenity

6. Prior to the first occupation of the development hereby permitted, the proposed modified vehicular accesses onto Portugal Road, shall be constructed and provided in accordance with the approved plans listed in this notice and thereafter shall be permanently maintained.

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.

7. Prior to the first occupation of the development hereby permitted, 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 permanently retained and maintained for their designated purposes.

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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.

8. Prior to the first occupation of the development hereby permitted, details of revised on-street parking bays and new loading bays on Portugal Road and Marlborough Road shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall then be implemented prior to the first occupation of the development hereby permitted and thereafter permanently maintained in accordance with the agreed details.

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

9. Prior to the first occupation of the development hereby permitted, the cycle storage and bin storage facilities shall be provided in accordance with the approved plans listed in this notice and thereafter the cycle and bin storage areas shall be permanently retained and maintained for their designated purposes.

Reason: To ensure adequate bin and cycle storage facilities.

10. The development hereby permitted shall not be occupied until the following types of parking space have been provided in the basement level car park of the development hereby permitted in accordance with the approved plans listed in this notice:
 - 2x 'Active' Electric Vehicle charging points
 - 6x 'Passive' Electric Vehicle parking bays

Thereafter the spaces shall be permanently retained in accordance with the approved plans unless otherwise agreed in writing or replaced with more advanced Electric Vehicle charging technology serving the same objective.

Reason: In the interests of achieving a high standard of sustainability and achieving an appropriate number of accessible parking spaces.

11. The windows in the south-east facing flank elevation of the development hereby permitted identified on the approved plans listed in this notice as serving Block B at first floor level and above and the windows in the north-east facing elevation of Block A identified as serving kitchen/living areas at first floor level and above shall be glazed entirely with obscure glass and non-opening unless the parts of the windows which can be opened are more than 1.7 metres above the floor levels of the rooms in which the windows are installed. Once installed the windows shall be permanently retained in that condition unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the amenity and privacy of the occupiers of adjoining properties.

12. ++Prior to the commencement of any above ground works in connection with the development hereby permitted (excluding demolition), details of privacy screening and balustrades to the roof terraces serving Block B identified on the approved plans listed on this notice shall be submitted to and approved in writing by the Local Planning Authority. Development shall thereafter take place in accordance with the agreed details and shall be permanently retained in the agreed condition unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the amenity and privacy of the occupiers of adjoining properties.

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13. The development hereby permitted shall take place in accordance with the precautions and recommendations set out in the within the Ecological Reports ref: 193103/JDT and 19/3038/JDT prepared by AA Environmental Ltd unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to protect and enhance biodiversity on the site.

14. ++Prior to any above ground works (excluding demolition) in connection with the development hereby permitted, details of the measures for the enhancement of biodiversity on the site, and a timetable for their provision on the site, shall be submitted to and approved in writing by the Local Planning Authority. The measures shall be implemented in full accordance with the agreed details prior to the first occupation of the development hereby permitted and thereafter shall be permanently retained and maintained in accordance with the agreed details, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to protect and enhance biodiversity on the site.

15. No external lighting including floodlighting shall be installed until details (demonstrating compliance with the recommendations of the Institute of Lighting Engineers "Guidance Notes for Reduction of Light Pollution" and the provisions of BS 5489 Part 9) have been submitted to and approved in writing by the Local Planning Authority. The approved lighting scheme shall thereafter be installed and maintained in accordance with the approved details.

Reason: In the interests of residential amenity.

16. ++ Prior to the commencement of any above ground works in connection with the development hereby permitted (excluding demolition), 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.

17. 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

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Document L1A: Conservation of Fuel and Power in New Dwellings (2013 edition). Such evidence shall be in the form of an As Built Standard Assessment Procedure (SAP) Assessment, produced by an accredited energy assessor; and

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

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

Reason: To ensure that the development achieves a high standard of sustainability and makes efficient use of resources.

18. ++Prior to the commencement of the development hereby permitted (excluding demolition) and any contaminated land site investigations on site and in follow-up to the environmental desktop study report, a contaminated land site investigation proposal shall be submitted to and approved in writing by the Local Planning Authority (including any additional requirements that it may specify). This proposal shall provide details of the extent and methodologies of sampling, analyses and proposed assessment criteria required to enable the characterisation of the plausible pollutant linkages identified in the preliminary conceptual model. Following approval, the Local Planning Authority shall be given a minimum of two weeks written prior notice of the commencement of site investigation works on site. The site investigation works shall then be undertaken in accordance with the approved details.

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. This condition is required to be addressed prior to commencement in order that the ability to discharge its requirement is not prejudiced by the carrying out of building works or other operations on the site.

19. ++Prior to the commencement of the development hereby permitted (excluding demolition) a contaminated land site investigation and risk assessment, undertaken in accordance with the approved site investigation proposal, that determines the extent and nature of contamination on site and reported in accordance with the standards of DEFRA's and the Environment Agency's Model Procedures for the Management of Contaminated Land (CLR 11) and British Standard BS 10175, shall be submitted to and approved in writing by the Local Planning Authority (including any additional requirements that it may specify). If applicable, ground gas risk assessments should be completed in line with CIRIA C665 guidance. The site investigation works shall then be undertaken in accordance with the approved details.

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. This condition is required to be addressed prior to commencement in order that the ability to discharge its requirement is not prejudiced by the carrying out of building works or other operations on the site

20. ++Prior to the commencement of the development hereby permitted (excluding demolition) a detailed remediation method statement shall be submitted to and approved in writing by the Local Planning Authority (including any additional requirements that it may specify). The remediation method statement shall detail the

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extent and method(s) by which the site is to be remediated, to ensure that unacceptable risks are not posed to identified receptors at the site and shall detail the information to be included in a validation report. The remediation method statement shall also provide information on a suitable discovery strategy to be utilised on site should contamination manifest itself during site works that was not anticipated. The Local Planning Authority shall be given a minimum of two weeks written prior notice of the commencement of the remediation works on site. The development shall then be undertaken in accordance with the approved details.

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. This condition is required to be addressed prior to commencement in order that the ability to discharge its requirement is not prejudiced by the carrying out of building works or other operations on the site.

21. ++Prior to the first occupation of the development hereby permitted, a Remediation Validation report for the site shall be submitted to and approved in writing by the Local Planning Authority. The report shall detail evidence of the remediation, the effectiveness of the remediation carried out and the results of post remediation works, in accordance with the approved remediation method statement and any addenda thereto, so as to enable future interested parties, including regulators, to have a single record of the remediation undertaken at the site. Should specific ground gas mitigation measures be required to be incorporated into a development the testing and verification of such systems shall have regard to CIRIA C735 guidance document entitled 'Good practice on the testing and verification of protection systems for buildings against hazardous ground gases' and British Standard BS 8285 Code of practice for the design of protective measures for methane and carbon dioxide ground gases for new buildings.

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.

22. Contamination not previously identified by the site investigation, but subsequently found to be present at the site shall be reported to the Local Planning Authority as soon as is practicable. If deemed necessary development shall cease on site until an addendum to the remediation method statement, detailing how the unsuspected contamination is to be dealt with, has been submitted to and approved in writing to the Local Planning Authority (including any additional requirements that it may specify). The development shall then be undertaken in accordance with the approved details. Should no further contamination be identified then a brief comment to this effect shall be required to be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the development hereby approved.

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.

23. ++No piling associated with the development hereby permitted shall take place until a Piling Method Statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure

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and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved Piling Method Statement unless otherwise agreed in writing by the Local Planning Authority.

Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure.

24. ++Prior to the commencement of the development hereby permitted (excluding demolition), construction drawings of the surface water drainage network, associated sustainable drainage components, flow control mechanisms and a detailed Construction Method Statement shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall then be constructed and retained in accordance with the approved drawings, Method Statement and Micro drainage calculations prior to the first occupation of the development hereby permitted. No alteration to the approved drainage scheme shall occur without prior written approval of the Local Planning Authority.

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

25. Prior to the first occupation of the development hereby permitted, details of the maintenance and management of the sustainable drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The drainage scheme shall be implemented and thereafter managed and maintained in accordance with the approved details in perpetuity. The Local Planning Authority shall be granted access to inspect the sustainable drainage scheme for the lifetime of the development. The details of the scheme to be submitted for approval shall include:

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

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

26. Prior to the first occupation of the development hereby permitted, a Verification Report, appended with substantiating evidence demonstrating the approved construction details and specifications have been implemented in accordance with the surface water drainage scheme, shall be submitted to and approved in writing by the Local Planning Authority. The Verification Report shall include photographs of excavations and soil profiles/horizons, any installation of any surface water structure and Control mechanism.

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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.

Informatives

1. The Council confirms that in assessing this planning application it has worked with the applicant in a positive and proactive way, in line with the requirements of the National Planning Policy Framework (2019).
2. The permission hereby granted shall not be construed as authority to carry out any works on the highway. The applicant is advised that prior approval must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, or verge to form a vehicle crossover to install dropped kerbs:
www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/vehicle-crossovers-or-dropped-kerbs
3. 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

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. 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).
6. It is the responsibility of the developer to ensure that the electricity supply to Electric Vehicle charging points is sufficient to meet future demands and that any power balancing technology is in place if required. Please refer to:
<http://www.beama.org.uk/resourceLibrary/beama-guide-to-electric-vehicle-infrastructure.html> for guidance and further information on charging modes and connector types.

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7. 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.

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

The applicant is advised that, if he/she is intending to seek relief or exemptions from the levy such as for social/affordable housing, charitable development or self-build developments it is necessary that the relevant claim form is completed and submitted to the Council to claim the relief or exemption. In all cases (except exemptions relating to residential exemptions), **it is essential that a Commencement Notice be submitted at least one day prior to the starting of the development.** The exemption will be lost if a commencement notice is not served on the Council prior to commencement of the development and there is no discretion for the Council to waive payment. For the avoidance of doubt, commencement of the demolition of any existing structure(s) covering any part of the footprint of the proposed structure(s) would be considered as commencement for the purpose of CIL regulations. A blank commencement notice can be downloaded from: http://www.planningportal.gov.uk/uploads/1app/forms/form_6_commencement_notice.pdf

Claims for relief must be made on the appropriate forms which are available on the Council's website at:

<https://www.woking.gov.uk/planning/service/contributions>

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

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

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

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

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

9. 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.

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10. Bats are protected under the Wildlife & Countryside Act 1981 and subsequent legislation and it is an offence to deliberately or recklessly disturb them or damage their roosts. Trees should be inspected before any works commence and if the presence of bats is suspected advice will need to be sought from the English Nature Bat Line on 08708 339213. Further advice on bats is available from The Bat Conservation Trust (020 7627 2629).
11. A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Thames Water would expect the developer to demonstrate what measures they will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing wwriskmanagement@thameswater.co.uk. Application forms should be completed online via www.thameswater.co.uk. Please refer to the Wholesale; Business customers; Groundwater discharges section. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Further information can be found at: <https://developers.thameswater.co.uk/Developing-a-large-site>
12. With regards to Condition 23 (Piling Method Statement), the applicant is advised that piling has the potential to significantly impact on local underground sewerage utility infrastructure. Please refer to Thames Water's guide 'working near our assets' to ensure your workings will be in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures: <https://developers.thameswater.co.uk/Developing-a-large-site> Should you require further information please contact Thames Water. Email: developer.services@thameswater.co.uk Phone: 0800 009 3921 (Monday to Friday, 8am to 5pm) Write to: Thames Water Developer Services, Clearwater Court, Vastern Road, Reading, Berkshire RG1 8DB