

6A PLAN/2019/0549

WARD: Canalside

**LOCATION:** 183 Boundary Road, Woking, GU21 5BU

**PROPOSAL:** Change of use of ground floor from Use Class A2 (financial and professional services) to Use Class B1 (Business) and formation of an additional one bedroom self-contained flat at first floor level and external alterations including insertion of first floor window openings, alterations to fenestration, installation of external rendered insulation and alterations to roof and shop front

**APPLICANT:** Mr Tom Willis

**OFFICER:** David Raper

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**REASON FOR REFERRAL TO COMMITTEE:**

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

**SUMMARY OF PROPOSED DEVELOPMENT**

The proposal is for the change of use of the ground floor of the building from Use Class A2 (financial and professional services) to Use Class B1 (Business) and the formation of an additional one bedroom self-contained flat at first floor level. The proposal also include and external alterations including insertion of first floor window openings, alterations to fenestration, installation of an external rendered insulation and alterations to roof and shop front. No extensions are proposed and the proposal would retain existing hardstanding to the rear forming off-street parking.

**PLANNING STATUS**

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

**RECOMMENDATION**

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

**SITE DESCRIPTION**

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

**RELEVANT PLANNING HISTORY**

- PLAN/2017/1001 - Erection of a two storey rear extension and change of use and subdivision of building, including existing shop unit (A2 Use Class), to form 3x self-contained flats (1x two bedroom & 2x one bedroom), removal of shop front and erection of front canopy plus associated external alterations and provision of parking and bin storage following demolition of existing garages – Resolved to be granted at 27/02/2018 Planning Committee but no further action taken as the Legal Agreement was not completed
- 81/0907 – Continued use of first floor as offices for electrical business – Refused 06.10.1981 but allowed at appeal
- 78/0672 – Two storey extension – Refused 01.12.1978
- 76/0759 - Erection of new shop front – Permitted 27.07.1976

**CONSULTATIONS**

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

**Drainage and Flood Risk Engineer:** No objection.

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

**REPRESENTATIONS**

None received.

**RELEVANT PLANNING POLICIES**

National Planning Policy Framework (NPPF) (2019):

Section 2 - Achieving sustainable development

Section 5 - Delivering a sufficient supply of homes

Section 9 - Promoting sustainable transport

Section 11 - Making effective use of land

Section 12 - Achieving well-designed places

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

Woking Development Management Policies DPD (2016):

DM2 - Trees and Landscaping

DM8 - Land Contamination and Hazards

DM15 - Shops Outside Designated Centres

DM20 - Heritage Assets and their Settings

Woking Core Strategy (2012):

CS1 - A Spatial strategy for Woking Borough

CS5 - Priority Places

CS8 - Thames Basin Heaths Special Protection Areas

CS9 - Flooding and Water Management

CS10 - Housing provision and distribution

CS11 - Housing Mix

CS18 - Transport and accessibility

CS20 - Heritage and Conservation

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

### Supplementary Planning Documents (SPDs):

Parking Standards (2018)  
Woking Design (2015)  
Climate Change (2013)  
Outlook, Amenity, Privacy and Daylight (2008)

### **BACKGROUND**

Amended plans were received on 18/02/2020 and 16/03/2020 which identified the following amendments following concerns raised by the Case Officer:

- The first floor internal layout was amended to avoid side-facing windows
- Additional detailing shown on external render
- Eaves extension to the front omitted and barge boards added to flank elevation
- Alterations to window proportions and shopfront design
- Bin and cycle storage identified

The proposal has been assessed based on these plans.

### **PLANNING ISSUES**

#### Principle of Development:

1. The proposal relates to a building which includes a vacant commercial unit which is understood to have previously been in A2 use (financial and professional services). The loss of the existing use is therefore a material consideration however the proposal site is not within a designated shopping frontage. Woking DPD (2016) policy DM15 establishes a presumption against the loss of 'isolated' shop units except in certain circumstances; the proposal site is however located within 321m of the Walton Road Local Centre to the south (approximately a 5 minute walk) which contains a variety of A1 and A2 uses. The loss of the existing A2 use is not therefore considered to limit access to shops serving the day-to-day needs of local residents as there is alternative provision within the local area. The proposal would result in the change of use of the ground floor to office use (Use Class B1a); there is no policy presumption against new office floor space in this location and the proposal can therefore be considered acceptable in land use terms.
2. The proposal also includes the creation of an additional first floor flat. The NPPF (2019) and Core Strategy policy CS25 (2012) promote a presumption in favour of sustainable development. The site lies within the designated Urban Area, within close proximity of Woking Town Centre and within the 400m-5km (Zone B) Thames Basin Heaths Special Protection Area (SPA) buffer zone. Core Strategy (2012) policy CS10 seeks to ensure that sufficient homes are built in sustainable locations where existing infrastructure is in place and the proposal is considered to constitute the efficient use of previously developed land within the urban area.
3. The principle of residential development is therefore considered acceptable subject to further material planning considerations, specific development plan policies and national planning policy and guidance as discussed below.

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### Impact on Character:

4. The proposal relates to a two storey end-of-terrace property dating from the Victorian/Edwardian era which is typical of surrounding development and includes a two storey rear projection on the boundary with Delta Road. The proposal includes external alterations in the form of an external insulated render system, insertion of new window openings and alterations to the roof and shopfront.
5. The external insulated render would project 10cm from the existing external walls. The existing building is finished in render and the proposed material finish would be similar to the existing. Whilst the insulation would project beyond the existing exterior walls, the only place this would be readily apparent is where the property adjoins the attached neighbour at No.185 Boundary Road however the presence of a rainwater downpipe at this property serves to limit the prominence of the projection. Examples of similar external insulation can be found on properties along Walton Road nearby. The proposed plans identify the extension of the eaves of the property, the installation of barge boards and the adoption of decorative horizontal bands in order to help integrate the render system into the host building. Overall the external render system is considered to result in an acceptable impact on the character and appearance of the host building and surrounding area.
6. The proposal also includes alterations to existing windows and the insertion of new window and door openings. The proposed windows adopt traditional proportions which are considered to reflect the character and proportions of the host building and serve to break-up an otherwise largely blank and prominent flank elevation facing Delta Road. The proposal would incorporate a new shopfront which adopts traditional design features which is considered visually acceptable.
7. The proposal site is not within a Conservation Area but is positioned opposite the Basingstoke Canal Conservation Area. The extent of the works and their acceptable visual impact described above is considered to result in a development which preserves the special character and setting of the Conservation Area.
8. Overall the proposed development is considered to result in an acceptable impact on the character of the host building and surrounding area.

### Impact on Neighbours:

9. The closest neighbour to the proposal site is the adjoining neighbour at No.185 Boundary Road to the north-east which is a two storey mid-terrace property and features habitable room windows on the rear elevation and on the side elevation facing the proposal site. The existing building features first floor side-facing windows facing this neighbour; these windows would remain, two would be removed and one new window would be inserted. All the windows would serve either bathrooms or as secondary windows and so can be required to be obscurely glazed with restricted opening by condition in order to avoid undue overlooking or loss of privacy. A first floor rear-facing window would be inserted on the south-east facing rear elevation facing towards No.7 Delta Road. The window would be positioned approximately 8.5m from the boundary with this neighbour however the window would look towards the frontage of this neighbour and is not considered to result in an undue overlooking or loss of privacy impact. The flank windows facing towards No.181 Boundary Road on the opposite side of Delta Road would be positioned a minimum of 10m from this neighbour which is considered appropriate for this relationship. No extensions are proposed and the external render system is not considered to impact on the amenities of neighbours.

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10. The proposed office use would be limited in extent (83m<sup>2</sup>) and is considered a relatively innocuous use. The proposed use is not considered to give rise to an undue neighbour amenity impact and would be similar to the existing lawful A2 use (Financial and Professional Services).
11. Overall the proposal is therefore considered to have an acceptable impact on the amenities of neighbours in terms of loss of light, overlooking and overbearing impacts and in terms of potential disturbance compared to the existing situation.

### Transportation Impact:

12. The Council's Parking Standards SPD (2018) sets minimum standards of 0.5x spaces per one bedroom flat. The total parking requirement for the two flats would therefore be one space. The SPD sets maximum standards for B1 uses of one space per 30m<sup>2</sup>. There is an existing area of hardstanding to the rear of the proposal site serving as off-street parking for two cars although the length of the spaces does not comply with the minimum dimensions set out in the SPD. These spaces are identified as serving the proposed office use rather than the proposed residential units. The proposal site is however in a sustainable location close to the amenities of Woking Town Centre and the Walton Road Neighbourhood Centre. Surrounding roads are also covered by a Controlled Parking Zone (CPZ). The absence of dedicated parking for the additional flat is not considered to impact unacceptably on parking provision in the surrounding area. In terms of bin and cycle storage, the plans identify the utilisation of an existing store for secure cycle storage and bin storage to the rear.
13. The County Highway Authority raises no objection subject to conditions. Overall the proposal is therefore considered to result in an acceptable transportation impact.

### Standard of Accommodation.

14. The resulting first floor flats would have floor areas of 40m<sup>2</sup> and 36m<sup>2</sup>. The smaller of the two flats would fall 1m<sup>2</sup> below the recommended minimum standard set out in the National Technical Housing Standards (2015) however this alone is not considered a sufficient reason to warrant refusal. The flats would have relatively open outlooks and are considered to achieve an acceptable standard of internal accommodation. There is no scope for private external amenity space to be provided on site however this is considered acceptable given the constraints of the site and considering the presence of the Boundary Road Recreation Ground immediately opposite the proposal site.
15. Overall the proposal is considered to achieve an acceptable standard of accommodation for future residents.

### Impact on Flood Risk:

16. The proposal site is not within a designated Flood Zone however the surrounding area is at high risk from surface water flooding. The additional flat would however be located at first floor level and the Council's Drainage and Flood Risk Engineer has been consulted and raises no objection. The proposal is therefore considered acceptable in terms of flood risk.

### Contamination:

17. The proposal site is located opposite the site of a former timber treatment works and there is potential for contamination on the site. The Council's Scientific Officer raises

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no objection to the proposal subject to a condition securing a Remediation Strategy should any contamination be discovered during construction. The proposal is therefore considered acceptable in this regard.

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

18. 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 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.
19. 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 **£515** based on a net gain of 1x one bedroom dwelling 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.
20. 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.

### CONCLUSION

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

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### **BACKGROUND PAPERS**

1. Site visit photographs
2. Consultation responses

### **PLANNING OBLIGATIONS**

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

	<b>Obligation</b>	<b>Reason for Agreeing Obligation</b>
1.	SAMM (SPA) contribution of <b>£515</b>	To accord with the Habitat Regulations, policy CS8 of the Woking Core Strategy 2012 and The Thames Basin Heaths SPA Avoidance Strategy 2010-2015.

### **RECOMMENDATION**

PERMIT subject to the following conditions:

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:

19141[S]00 (Site Location Plan) received by the LPA on 27/06/2019  
19141[S]001 (Existing Site Plan) received by the LPA on 27/06/2019  
19141[S]01 (Existing Ground Floor Plan) received by the LPA on 27/06/2019  
19141[S]02 (Existing First Floor Plan) received by the LPA on 27/06/2019  
19141[S]03 (Existing Roof Plan) received by the LPA on 27/06/2019

19141[PL]001 Rev.A (Proposed Site Plan) received by the LPA on 16/03/2020  
19141[PL]01 Rev.B (Proposed Ground Floor Plan) received by the LPA on 16/03/2020  
19141[PL]02 Rev.B (Proposed First Floor Plan) received by the LPA on 18/02/2020  
19141[PL]03 Rev.A (Proposed Roof Plan) received by the LPA on 18/02/2020  
19141[PL]04 Rev.D (Proposed South-West and North-East Elevations and Section AA) received by the LPA on 16/03/2020  
19141[PL]05 Rev.C (Proposed North-West and South-East Elevations and Sections BB and CC) received by the LPA on 18/02/2020

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

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

Reason: In the interests of the character and appearance of the building and the visual amenities of the area.

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

Reason: To safeguard the amenities of the adjoining properties

5. 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.

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

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

### **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 works on the highway. The applicant is advised that a licence must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway.
3. The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders. (Highways Act 1980 Sections 131, 148, 149).
4. 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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5. The applicant is advised that this permission does not convey the right to enter or to building on land not within their ownership.