

16 JANUARY 2018 PLANNING COMMITTEE

5d	17/1118	Reg'd:	19.10.17	Expires:	16.01.17	Ward:	C
Nei. Con. Exp:	21.11.17	BVPI Target	13 (minor)	Number of Weeks on Cttee' Day:	13/13	On Target?	Y

LOCATION: Central Buildings, Chobham Road, Woking, Surrey, GU21 6JH

PROPOSAL: Conversion of existing 5no. maisonettes (2no. 2 bedroom and 3no. 3 & 4 bedroom) into 9no. flats (7no. 2 bedroom and 2no. Studio), erection of rear external staircases from first to second floor level with associated installation of second floor level external walkway, provision of 2no. external cycle stores and associated alterations to rear elevation fenestration.

TYPE: Full

APPLICANT: Mr K. Mangat

OFFICER: Joanne
Hollingdale

REASON FOR REFERRAL TO COMMITTEE

The application would result in the creation of new dwellings and is therefore outside the Scheme of Delegation.

SUMMARY OF PROPOSED DEVELOPMENT

This application seeks full planning permission for the conversion of the existing 5no. maisonettes (2no. 2 bedroom and 3no. 3 & 4 bedroom) into 9no. flats (7no. 2 bedroom and 2no. Studio), erection of rear external staircases from first to second floor level with associated installation of second floor level external walkway, provision of 2no. external cycle stores and associated alterations to rear elevation fenestration.

Site area:	0.07 ha
Existing number of units:	5
Proposed number of units:	9
Existing density on site:	71dph (dwellings per hectare)
Proposed density on site:	128dph

PLANNING STATUS

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

RECOMMENDATION

GRANT planning permission subject to the prior completion of a S106 legal agreement to secure the SAMM financial contribution and the recommended conditions.

SITE DESCRIPTION

Central Building is a three storey building comprising of retail units on the ground floor and 5no. maisonettes on the first and second floors above. The first and second floors of the building are accessed via an external staircase to the rear of the building. To the rear of the building is a small yard area which provides access to the rear staircase for the flats and the yard which is used for bin storage. The ground floor of the building is occupied by retail units with a barbers, bathroom and kitchen showroom, a vape store and a computer shop being the current occupiers.

RELEVANT PLANNING HISTORY

PLAN/2006/0029 – Alterations to existing shop front to provide folding doors. Granted 13.03.06 [*Officer note: This related to the shop at No. 4 Central Buildings*]

DC0029683 – Display of an illuminated advertisement sign. Granted 01.07.72 [*Officer note: This related to the shop at No. 3 Central Buildings*]

DC0007340 – Use as shops. Granted 01.06.54 [*Officer note: This related to the shops at Nos. 2-3 Central Buildings*]

DC0000478 – Erection of 6 shops and flats. Granted 14.10.36

PROPOSED DEVELOPMENT

The application seeks full planning permission for the conversion of the existing 5no. maisonettes (2no. 2 bedroom and 3no. 4 bedroom) into 9no. flats (7no. 2 bedroom and 2no. Studio), erection of rear external staircases from first to second floor level with associated installation of second floor level external walkway, provision of 2no. external cycle stores and associated alterations to rear elevation fenestration.

The existing residential units comprise 5no. two storey maisonettes.

The proposed external alterations comprise a new external staircase to access the second floor of the building, changes to the fenestration on the rear of the building to facilitate the provision of the new flats on the second floor and provision of external cycle stores.

No changes are proposed to the ground floor shops. There is also no change to the front elevation of the building.

A Design and Access Statement has been submitted with the application.

CONSULTATIONS

County Highway Authority: having assessed the application on safety, capacity and policy grounds, recommends a condition relating to the provision of secure cycle parking (condition 4).

WBC Environmental Health: No objection subject to conditions relating to acoustic insulation of ceilings/floors and walls and plant and equipment (conditions 5 and 6).

WBC Waste Services Manager: Advice has been given regarding the number and size of bins required for this development. However further advice is being sought from the Council's refuse provider as to whether operatives would prefer in this case more bins, but

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smaller bins or the larger shared bins. [Officer note: there is sufficient space to accommodate either requirements within the site without adverse visual impact and it is hoped by the time of the meeting clarification would have been received nonetheless condition 7 is included requiring details of the bin store provision to be approved]

REPRESENTATIONS

0 letters of representation have been received in respect of the application.

RELEVANT PLANNING POLICIES

National Planning Policy Framework 2012

South East Plan 2009

Saved Policy NRM6 - Thames Basin Heaths Special Protection Area

Woking Core Strategy 2012

CS1 - A Spatial Strategy for Woking

CS2 – Woking Town Centre

CS8 - Thames Basin Heaths Special Protection Area

CS9 – Flooding and water management

CS10 - Housing provision and distribution

CS11 - Housing mix

CS12 – Affordable Housing

CS18 - Transport and accessibility

CS21 - Design

CS24 - Woking's landscape and townscape

CS25 - Presumption in favour of sustainable development

Development Management (DM) Policies DPD 2016

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

Supplementary Planning Documents

Parking Standards 2006

Outlook, Amenity, Privacy and Daylight 2008

Thames Basin Heaths Special Protection Area Avoidance Strategy 2010-2015

Design 2015

Other Material Considerations

National Planning Practice Guidance (NPPG)

PLANNING ISSUES

1. The main issues to be considered in the determination of this application are the principle of the conversion to create additional residential flats, the visual impact of the proposed external alterations, impact on residential amenities, impact on highway safety, Thames Basin Heaths SPA, affordable housing and local finance considerations.

Principle of development

2. Policy CS1 of the Core Strategy identifies that the Council will make provision for 4,964 net additional dwellings in the Borough between 2010 and 2027. Policy CS2 also recognises the town centre as the primary centre for economic development and

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makes provision for new development within the Woking Town Centre including, high density residential development. There would be no change at ground floor level with the retail units being retained. The proposal is therefore considered to comply with Policies CS1 and CS2 of the Core Strategy.

3. The requirement for new residential development is re-iterated in Policy CS10. The justification text for Policy CS10 states that new residential development within the urban area will be provided through redevelopment, change of use, conversion and refurbishment of existing properties or through infilling. Policy CS10 also sets out indicative density ranges for areas of the Borough. The proposal would result in a net increase of 4no. flats in this town centre location which would result in a density of 128 dwellings per hectare (instead of the current 71 dwellings per hectare). The density of the proposed development would be below the Policy CS10 indicative density for Woking Town Centre of 200 dwellings per hectare but as the density range is indicative and as the proposal is for the conversion of the existing building, which would result in an increase the number of units without harm to other planning matters (as detailed below), the proposed density is considered to be acceptable and would comply with Policy CS10 of the Core Strategy.
4. Policy CS11 seeks to secure a mix of dwelling types and sizes across the Borough. In addition Policy CS11 also seeks to prevent the loss of family homes on sites capable of accommodating a mix of residential units unless there are overriding policy considerations justifying the loss. Family housing is defined as units with 2+bedrooms (either houses or flats). In this case the existing 5no. units fall within the definition of family housing as they are all 2+ bedrooms. However the proposed development would also result in the provision of 7no. 2 bedroom units, which also fall within the definition of family housing. Furthermore 2no. additional 1 bed units would also be provided. In total there would be a net increase of 2no. 2 bed units and 2no. 1 bed units as a result of this application. This would maintain the existing provision of family units (albeit all units would now be 2 bedroom), whilst also providing 2no. additional family units (2 bed units) and 2no. 1 bed units. The proposed mix of units is considered appropriate to this building and location and the proposal is considered to comply with Policy CS11 of the Core Strategy.
5. Policy DM11 of the Development Management Policies DPD (2016) deals with subdivisions and conversions to create additional residential units. It states that *“proposals for...the sub-division of existing dwellings of an appropriate size to two or more dwellings, including flats... will be permitted provided the following criteria are met:*
 - (i) the proposal does not harm the residential amenity or character of the area;*
 - (ii) a good quality of accommodation is provided by meeting any relevant housing standards;*
 - (iii) there would be no detrimental impact on the visual appearance of the area or that of the building itself;*
 - (iv) any proposed alterations, extensions or additional areas of hard surfacing required to enable the conversion of the dwelling are appropriate in scale, form and extent to the site and its surroundings;*
 - (v) maximum tree cover, mature planting, and screening is retained;*
 - (vi) boundary treatment to the street frontage of the property is retained and a sufficient area of amenity space is retained or provided;*
 - (vii) there is adequate enclosed storage space for recycling/refuse;*
 - (viii) access is acceptable and parking (including for cycles) is provided on site in accordance with the Council's standards;*
 - (ix) the traffic impacts of the proposal are considered acceptable;*

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- (x) the internal layout of the rooms within the proposed conversion will not cause undue disturbance to adjoining residential properties in the building;*
- (xi) an appropriate contribution is made to avoid harm to the Thames Basin Heaths Special Protection Areas, as set out in Core Strategy Policy CS8, where relevant;*
- (xii) there is a safe access and egress route during flood events.*

6. The majority of the criteria will inform the assessment of the application in further detail within the paragraphs below. With regard to Policy DM11(ii) each flat would meet or exceed the minimum requirements for the size of units as stated in the Housing Technical Standards, except for three of the 2-bed 4person flats where the minimum flat size is 70sqm and the proposed flat size in these three cases is 69sqm. As this is only 1sqm difference, this is not considered to be material, whereby the proposed size would be considered unacceptable. In addition Policy DM(v) and (xii) are not relevant as there would be no change to the site frontage and the site is not located in an area at risk from flooding. There would also be no alteration to the extent of existing hard surfacing within the site and therefore Policy DM(iv) is not relevant to the proposal.

Visual impact on the area

7. One of the core principles of planning as identified in the NPPF is securing high quality design. Policy CS21 of the Core Strategy states that “proposals for new development should...respect and make a positive contribution to the street scene and character of the area in which they are situated...”
8. The main external alteration comprises the provision of a further rear external staircase and landing to access the second floor of the building. However given the position of the building in relation to its neighbouring buildings, this change would only be visible from within the site and the car park and office of the neighbouring building to the rear of the site. No other views of the proposed external staircase and landing would be possible. In addition the new external staircase would reflect the appearance of the existing staircase and in order to match the rainwater goods/foul pipes of the existing building would be required to be finished in a black colour which will ensure an appropriate appearance (condition 3).
9. Some of the rear window openings on the second floor would be altered to accommodate the second floor flats by changing some openings to doors etc. to facilitate the conversion to additional units. The new openings would reflect those on the existing building and would not result in any adverse impact.
10. No changes are proposed to the front elevation of the building.
11. Given the unique position of this building in relation to its neighbouring buildings, the proposed external alterations are considered to be acceptable and would not result in any harm to the character or appearance of the street scene or the locality. The proposal is therefore considered to comply with Policies CS21 and CS24 of the Core Strategy, Policy DM11 (i), (iii) and (vi) of the DM Policies DPD, Woking Design SPD and the NPPF.

Impact upon neighbouring amenity

12. Policy CS21 of the Core Strategy advises that proposals for new development should achieve a satisfactory relationship to adjoining properties avoiding significant harmful

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impacts.

13. Apart from the proposed residential units within the application site, the application site is not adjoined by any other residential property. No changes are proposed to the front of the building and to the rear the car park and office of the neighbouring building adjoin the application site. Although there would be more residential units in the building than currently, their relationship with the building at the rear of the site would not alter from the existing situation, except for the additional staircase and walkway which would be directly above the existing staircase and walkway.
14. Whilst the use of the external staircase would result in some occupants having to walk past someone else's flat to access their own flat, this situation currently occurs. In addition the existing walkway is generous in its depth this would be reflected in the proposed walkway. It should also be noted that all of the kitchen/living areas would be on this side of the building with all bedrooms being at the front enabling privacy to bedrooms to be retained. It is also not unusual for flats on the upper floors of older style buildings such as these to be arranged in this manner with regard to access. It is therefore considered that the proposed arrangement would ensure that an acceptable level of privacy for the occupiers of each flat would be provided.
15. The provision of the second floor walkway and external stairs may result in some impact on daylight to the first floor windows at the rear of the building, but the first floor rooms on this side of the building would each be served by 3no. windows and a door on this side of the building, with the exception of flat 5 which would have 2no. windows and a door. Any impact which may result is not therefore considered to be significant.
16. Apart from the walkway and the yard at ground level, no amenity space would be provided for the flats, but this is no different from the current situation and the building is located in the town centre which provides access to all town centre facilities including nearby open space.
17. In terms of noise, the Council's Environmental Health Officer has raised no objection to the development subject to conditions relating to ensuring acoustic insulation between party walls/floors and ceilings and plant and equipment. This will ensure an acceptable standard of amenity between the flats. In addition all bedrooms are located above or below other bedrooms.
18. The creation of additional flats is compatible with the existing residential development of the first and second floors and the surrounding area and the proposal would not result in any adverse impacts in terms of overbearing, loss of light or loss of privacy to any neighbouring flat. The proposal is therefore considered to comply with Policy CS21 of the Core Strategy, Policy DM11(i) and (x) of the DM Policies DPD and the policies in the NPPF.

Impact upon highway safety

19. The site is located within a highly sustainable location in terms of access to various modes of transport. The railway station, bus stops and cycle parking facilities are all within close proximity to the site.
20. There is no off street parking provision for this site. The application would result in the provision of 4no. additional flats and public car parking is available in the town centre. All parking in the local area is controlled. Two cycle shelters are shown on the proposed site plan to be provided which would provide 1 cycle parking space per flat.

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The County Highway Authority has raised no objection to the application subject to the provision of secure cycle parking (condition 4). The proposal therefore complies with Policy CS18 of the Woking Core Strategy, Policy DM11(viii) of the DM Policies DPD and the policies in the NPPF.

Thames Basin Heaths Special Protection Area (TBHSPA)

21. The Thames Basin Heaths Special Protection Area is internationally important and designated for its interest as a habitat for ground nesting birds. Policy CS8 of the Core Strategy requires all new residential development within the 400m-5km zone to make a financial contribution towards the provision of Suitable Alternative Natural Greenspace (SANG) and the Strategic Access Management and Monitoring (SAMM) to avoid adverse effects. The SANG contribution is now encompassed within the Community Infrastructure Levy (CIL) but the SAMM element of the contribution is required to be secured outside of CIL.
22. The applicant has agreed to make a SAMM contribution of £2,294 in line with the Thames Basin Heaths Special Protection Area Avoidance Strategy as a result of the provision of an additional 2no. 2 bedroom units and 2no. 1 bedroom units dwelling which would result from the proposal. This financial contribution would be secured by a legal agreement.
23. In view of the above, the Local Planning Authority is able to determine that the development would have no significant effect upon the TBHSPA and therefore accords with Policy NRM6 of the South East Plan, Policy CS8 of the Core Strategy 2012 and the Thames Basin Heaths Special Protection Area Avoidance Strategy.

Affordable Housing

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

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Other matters

27. Policy CS22 relating to sustainable construction does not explicitly state that it relates to conversions of existing buildings. Therefore it is not considered reasonable or necessary to impose any conditions relating to sustainable construction.
28. The site is located within Flood Zone 1 (low risk) and no issues relating to fluvial flood risk are raised. As the site is not within a surface water flood risk area, there are no surface water drainage requirements. The proposal is considered to comply with Policy CS9 of the Core Strategy and the policies in the NPPF.
29. In terms of refuse/recycling provision there is a yard at the rear of the site which is of sufficient size to accommodate the refuse/recycling requirements for the proposed flats and the existing retail units at ground floor level. Clarification is being sought from the Council's refuse operatives as to whether larger shared refuse bins are required or individual bins for each unit. Nonetheless there is space available to accommodate either requirement. It is therefore considered necessary to include a condition (condition 7) to require details of the refuse provision to be approved by the Local Planning Authority to ensure that in either case, sufficient provision is made for the number of flats proposed.

LOCAL FINANCE CONSIDERATIONS

30. The Council implemented the Community Infrastructure Levy (CIL) on 1st April 2015. As the proposal relates to a change of use application for which no additional floorspace is proposed, the proposal is not CIL chargeable development.

CONCLUSION

31. Overall the proposal is considered an acceptable form of development which would have an acceptable impact on the character of the host building and surrounding area, on the amenities of neighbours and in transportation terms and would not result in any other adverse consequences. Having regard to the relevant policies of the Development Plan, other relevant material planning considerations and national planning policy and guidance the proposal is considered to comply with Policies CS1, CS2, CS8, CS9, CS10, CS11, CS12, CS18, CS21, CS24, and CS25 of the Woking Core Strategy 2012, Policy DM11 of the DM Policies DPD and saved Policy NRM6 of the South East Plan, the guidance in the relevant SPDs and the policies within the NPPF, it is therefore recommended that planning permission is granted subject to the planning obligation and conditions as set out below.

BACKGROUND PAPERS

Planning file PLAN/2017/1118

PLANNING OBLIGATIONS

	Obligation	Reason for Agreeing Obligation
1.	£2,294 SAMM (SPA) contribution.	To accord with the Habitat Regulations, policy CS8 of the Woking Core Strategy 2012 and The Thames Basin Heaths Special Protection Area (SPA) Avoidance

	Strategy.
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RECOMMENDATION

It is recommended that planning permission be **GRANTED** subject to the prior completion of a S106 Legal Agreement to secure the SAMM financial contribution and the following conditions:

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

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

2. The development hereby permitted shall be carried out in accordance with the following approved drawings all received with the application:

- Site and Location plan (01)
- Existing floor plan (02) (existing site plan and ground floor plan)
- Existing first floor plan (03)
- Existing second floor plan (04)
- Existing Elevations (05)
- Existing Elevations and Sections (06)
- Proposed site plan (23) (and ground floor plan)
- Proposed first floor plan (07)
- Proposed second floor plan (08)
- Proposed Elevations (09)
- Proposed Elevations (10) (and sections)

Reason: To ensure that the development is completed in accordance with the approved plans and in the interests of visual amenity and to accord with Policy CS21 of the Woking Core Strategy 2012.

3. The external finishes of the development hereby permitted shall match those used in the existing building in material, colour, style, bonding and texture and the vertical and horizontal railings for the external staircase shall be finished in black unless otherwise agreed in writing.

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

4. The development hereby approved shall not be first occupied unless and until facilities for the secure parking of bicycles (with at least 1 cycle parking space per flat) within the development site have been provided in accordance with details which shall have first been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved facilities shall be retained and maintained in accordance with the approved details.

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

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

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

6. No fixed plant and equipment associated with air moving equipment, compressors, generators or plant or similar equipment shall be installed until details, including acoustic specifications have been submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details and shall be maintained as such for the duration of the development unless otherwise first approved in writing by the Local Planning Authority.

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

7. Prior to the commencement of development details of the proposed refuse/recycling/food waste bin provision, including their position(s) on the site shall be submitted to and approved in writing by the Local Planning Authority. The development hereby approved shall not be first occupied unless and until the refuse/recycling/food waste bin provision has been provided on the site in accordance with the approved details and is available for use. Thereafter the refuse/recycling/food waste bin provision shall be retained and maintained in accordance with the approved details.

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

Informatives

1. The Council confirms that in assessing this planning application it has worked with the applicant in a positive and proactive way, in line with the requirements of paragraph 186-187 of the National Planning Policy Framework 2012.
2. The applicant is advised that Council officers may undertake inspections without prior warning to check compliance with approved plans and to establish that all planning conditions are being complied with in full. Inspections may be undertaken both during and after construction.
3. This permission is subject to a legal agreement.
4. When submitting details pursuant to conditions, the applicant is advised that sufficient time needs to be given when submitting details in response to conditions, to allow the Authority to consider the details submitted. A period of between five and eight weeks should be allowed for.