

## 16 JANUARY 2018 PLANNING COMMITTEE

5e 17/0981 Reg'd: 26.10.17 Expires: 21.12.17 Ward: C  
Nei. 23.11.17 BVPI Minor Number > 8 On No  
Con. Target dwellings (13) of Weeks Target?  
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Day:

**LOCATION:** 41 Chertsey Road, Woking, GU21 5AJ

**PROPOSAL:** Conversion of upper floors into 3x self-contained flats (2x two bedroom & 1x one bedroom) and insertion of dormer window on rear roof slope.

**TYPE:** Full Application

**APPLICANT:** Mr M Mohammad

**OFFICER:** Benjamin Bailey

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

The proposal results in net new residential units through a combination of conversion and new build; a development type which falls outside the Management Arrangements and Scheme of Delegations.

### **SUMMARY OF PROPOSED DEVELOPMENT**

Conversion of upper floors into 3x self-contained flats (2x two bedroom & 1x one bedroom) and insertion of dormer window on rear roof slope.

Site Area: 0.0109 ha (109 sq.m)  
Existing units: 1 (5 bedroom HMO)  
Proposed units: 3  
Existing density: 92 dph (dwellings per hectare)  
Extant density: 184 dph (Ref: PLAN/2015/0403)  
Proposed density: 276 dph

### **PLANNING STATUS**

- Urban Area
- Woking Town Centre
- Conservation Area (Woking Town Centre)
- Locally Listed Building (Nos.35-41 Chertsey Road – Building of Townscape Merit)
- Primary Shopping Area
- Secondary Shopping Frontage
- High Accessibility Zone
- Thames Basin Heaths Special Protection Area (TBH SPA) Zone B (400m-5km)

### **RECOMMENDATION**

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

### **SITE DESCRIPTION**

No.41 Chertsey Road forms part of the wider Locally Listed Building of Nos.35-41 Chertsey Road, which are Locally Listed in terms of Townscape Merit. The site falls within the Woking Town Centre Conservation Area within the Primary Shopping Area, forms part of a Secondary Shopping Frontage and is within the High Accessibility Zone. The building is four storeys in height with a vacant retail (Class A1) unit at ground floor level and was previously utilised, until 2015, as a House of Multiple Occupancy (HMO) (5 bedroom) on the first, second and third floor levels. The upper floor levels are accessed via a doorway onto Chertsey Road separate to that serving the retail unit.

### **RELEVANT PLANNING HISTORY**

PLAN/2015/0403 - Conversion of upper floors into 2 self contained flats.  
Permitted subject to conditions and legal agreement (15.04.2016)

PLAN/2005/0337 - Erection of a motorised roller shutter to the front elevation.  
Permitted subject to conditions (16.05.2005)

### **CONSULTATIONS**

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

The proposed development has been considered by the County Highway Authority who, having considered any local representations and having assessed the application on safety, capacity and policy grounds, recommends a condition for the secure parking of bicycles within the development site be imposed in any permission granted.

#### **Heritage & Conservation Consultant:**

The only external change from earlier consents is the rear dormer, which is relatively modest in scale. I have no adverse comments.

### **REPRESENTATIONS**

None received

### **RELEVANT PLANNING POLICIES**

National Planning Policy Framework (2012) (NPPF)

Section 4 - Promoting sustainable transport

Section 6 - Delivering a wide choice of high quality homes

Section 7 - Requiring good design

Section 11 - Conserving and enhancing the natural environment

Section 12 - Conserving and enhancing the historic environment

Woking Core Strategy (2012)

CS1 - A spatial strategy for Woking Borough

CS2 - Woking Town Centre

CS8 - Thames Basin Heaths Special Protection Areas

CS10 - Housing provision and distribution

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CS11 - Housing mix  
CS12 - Affordable housing  
CS18 - Transport and accessibility  
CS20 - Heritage and conservation  
CS21 - Design  
CS25 - Presumption in favour of sustainable development

### Development Management Policies DPD (2016)

DM20 - Heritage Assets and their Settings

### Supplementary Planning Documents (SPDs)

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

### Supplementary Planning Guidance (SPGs)

Heritage of Woking (2000)

### Other Material Considerations

South East Plan (2009) (Saved policy) NRM6 - Thames Basin Heaths Special Protection Area  
Thames Basin Heaths Special Protection Area Avoidance Strategy  
National Planning Practice Guidance (NPPG)  
Technical Housing Standards - Nationally Described Space Standard (March 2015)

## **PLANNING ISSUES**

1. The main planning issues to consider in determining this application are:
  - Principle of development
  - Design and impact upon the Woking Town Centre Conservation Area and Locally Listed host building
  - Impact upon neighbouring amenity
  - Amenities of future occupiers
  - Highway safety and parking implications
  - Thames Basin Heaths Special Protection Area (TBH SPA)
  - Affordable housinghaving regard to the relevant policies of the Development Plan, other relevant material planning considerations and national planning policy and guidance.

### Principle of development

2. The application site is situated within the designated Urban Area within Woking Town Centre, outside of the 400m (Zone A buffer) of the Thames Basin Heaths Special Protection Area (TBH SPA) and outside of fluvial flood zones.
3. Policy CS10 of the Woking Core Strategy (2012) identifies that the Council will make provision for 4,964 net additional dwellings in the Borough between 2010 and 2027. 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.
4. Policy CS2 of the Woking Core Strategy (2012) states that "*the Town Centre is the preferred location for town centre uses and high density residential development*".

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Policy CS2 sets an indicative amount of 2,180 net dwellings to be achieved within Woking Town Centre during the period 2010 – 2027 and that “*proposals will be achieved through mixed-use high density redevelopment of existing sites, refurbishment of outmoded sites and intensification of existing sites*” among others.

5. Policy CS10 of the Woking Core Strategy (2012) identifies an indicative density range for residential development within Woking Town Centre of in excess of 200 dph. The existing residential density of the application site is 92 dph, falling significantly short of the indicative range set by Policy CS10. As a result of the proposal the residential density of the application site would increase to 276 dph, according with the indicative range set by Policy CS10.
6. The existing upper level accommodation takes the form of a 5 bedroom House of Multiple Occupation (HMO); the proposal would therefore not result in the loss of a family home. Furthermore the existing single unit of shared residential accommodation would be replaced by three self-contained residential units. The proposal would therefore result in a net increase of two residential units and assist the Council in meeting local housing need.
7. The proposed development will make a more efficient use of land within a highly sustainable location in Woking Town Centre than the existing situation. Furthermore extant planning permission exists (Ref: PLAN/2015/0403) for the conversion of the first, second and third floors into 2x two bedroom self contained flats; this extant grant of planning permission forms a significant material consideration in the determination of the current application. Overall therefore the principle of development is considered to be acceptable subject to other material planning considerations as set out within this report.

### Design and impact upon the Woking Town Centre Conservation Area and Locally Listed host building

8. The application property forms part of a wider terrace fronting Chertsey Road, which is Locally Listed. The site falls within the Woking Town Centre Conservation Area which comprises the Victorian core of the Town Centre. This area is historically important as it largely comprises the original commercial developments of Woking Town Centre following the development of the railway station. The High Street, Broadway and Chertsey Road were originally the principal shopping and business streets in the Town Centre. Consequently the character of the area is predominantly that of late Victorian and Edwardian purpose-built shopping parades, mostly of three storey construction, interspersed with individually designed period buildings. With more recent Town Centre development since the 1970s the focus of the shopping centre has gradually moved away from this area with alternative town centre uses (such as A2, A3 and A5) subsequently occurring at ground floor level.
9. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that, in considering applications within Conservation Areas, Local Planning Authorities shall pay “*special attention...to the desirability of preserving or enhancing the character or appearance of that area*”. This is reflected in Policy CS20 of the Woking Core Strategy (2012), Policy DM20 of the Development Management Policies DPD (2016) and Section 12 of the National Planning Policy Framework (2012). Policy CS20 advises that new development must respect and enhance the character and appearance of the area in which it is proposed.

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10. Furthermore, as a Locally Listed building the application must be weighed against paragraph 135 of the NPPF; which states that “*the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset*”.
11. In terms of character and heritage the principal significance of the host building is derived from its frontage and contribution to the wider street scene of Chertsey Road. The proposed rear dormer extension would not appear within the street scene of Chertsey Road as it would be entirely screened from views from the south-west by the adjacent built form of Nos.35-39 Chertsey Road and from views from the north-west by the adjacent built form of Nos.43-46 Chertsey Road. Although relatively large the rear dormer would nonetheless be set down approximately 0.9m from the maximum height of the building and span for approximately 3.5m of the 5.7m width of the rear roof slope (excluding the flanking parapet walls), which would ensure that the pitched nature of the rear roof slope remained readily evident. The rear dormer would also be set up from the eaves height termination and, for the above combined reasons, is considered to result in an proportionate addition in terms of scale.
12. Whilst the rear dormer would be apparent in public vantage from Locke Way to the rear (south-east) in these views it would appear in the flanking context of the rear of buildings fronting Chertsey Road which exhibit ancillary elements typical of town centre locations including extract flues, external air conditioning units and external staircases and generally functions as a service area to the commercial uses located at ground floor level within buildings fronting this section of Chertsey Road. In this locational context the proposed rear dormer is considered to preserve the character and appearance of the Woking Town Centre Conservation Area and not to harm the principal significance and contribution of the Locally Listed host building to the Woking Town Centre Conservation Area. The existing front elevation of the host building would remain entirely unaltered by the current proposal.
13. Overall the proposal is considered to preserve the character and appearance of the Woking Town Centre Conservation Area. It is not considered that any harm or loss would occur to the Locally Listed host building and that the significance of the Locally Listed host building would therefore be preserved. The application is considered to accord with Policy CS20 of the Woking Core Strategy (2012), policy DM20 of the Development Management Policies DPD (2016) and Section 12 of the National Planning Policy Framework (2012) (NPPF).

### Impact upon neighbouring amenity

14. Policy CS21 (Design) of the Woking Core Strategy (2012) advises that proposals for new development should achieve a satisfactory relationship to adjoining properties avoiding significant harmful impact in terms of loss of privacy, light, or an overbearing effect due to bulk, proximity or loss of outlook. Further guidance is provided within Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight (2008)'.
15. The proposed rear dormer would remain entirely screened from the street scene of Chertsey Road by the retained frontage of the host building; no impact would therefore occur to uses within buildings on the opposing north-western side of Chertsey Road.
16. To proposed rear dormer would face across the public realm of Locke Way to the rear

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(south-east). The additional outlook in this direction would not give rise to neighbouring amenity impacts. Furthermore, due to the combined considerations of the location of the proposed rear dormer within the roof slope, its scale and inset from the dividing parapets with adjacent No.39 and No.43, it is not considered that any significantly harmful impact, by reason of potential loss of light or effect would occur to neighbouring properties. Overall therefore the impact upon neighbouring amenity is considered to be acceptable.

### Amenities of future occupiers

17. The two proposed 2x bedroom flats would be located at first and second floor levels and would measure 58 sq.m and 62 sq.m in Gross Internal Area (GIA) respectively. The single proposed 1x bedroom flat would be located at third floor level and measure 37 sq.m in GIA. Although not locally adopted these floor areas generally comply with the relevant Technical housing standards - nationally described space standard (March 2015) and are therefore considered to provide a good standard of residential amenity. However it is noted that the first floor level 2x bedroom flat would measure 58 sq.m in GIA whereas the relevant Technical housing standards - nationally described space standard (March 2015) is 61 sq.m. Whilst this is the case this minimal shortfall of 3 sq.m is not considered to result in material harm to the residential amenity of future occupiers, particularly taking into account the central Woking Town Centre location.
18. In terms of the proposed flats it is considered, having regard to the locational characteristics of the application site within Woking Town Centre, that a good standard of outlook, daylight and sunlight would be achieved to habitable rooms.
19. SPD 'Outlook, Amenity, Privacy and Daylight (2008)' identifies that "*dwelling specifically designed not to be used for family accommodation do not require any specific area to be set aside for each as private amenity space. This would apply to one and two bedroom flats and other forms of dwelling less than 65sq.m. floorspace*". The proposed 3x flats are all one and two bedrooms in accommodation and would provide less than 65 sq.m floorspace, and therefore the SPD does not require any specific area of amenity space. Overall the proposal is considered to provide a good standard of residential amenity to future occupiers.

### Highway safety and parking implications

20. SPD 'Parking Standards (2006)' sets maximum parking standards, with the objective of promoting sustainable non-car travel. It advises that where car parking provision falls below the stated maximum standard the scheme needs to be examined to ensure it does not have an adverse impact upon highway safety, the free flow of traffic or parking provision in the locality. More recently, Policy CS18 of the Woking Core Strategy (2012) highlights the Council's commitment to sustainable transport modes. With this in mind new development is steered to urban locations, such as Woking Town Centre, that are served by a range of sustainable transport options.
21. The NPPF (2012) states that in setting local parking standards local planning authorities should take into account the accessibility of the development; the type and mix of the development; the availability and opportunities for public transport; local car ownership levels; and the need to reduce the use of high emission vehicles.
22. The proposal would provide 2x two bedroom flats and 1x one bedroom flat. SPD 'Parking Standards (2006)' identifies a car parking standard, within the High

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Accessibility Zone, of 1 car parking space per 1 and 2 bedroom unit although does state that *“for car parking the standards define the maximum acceptable provision for the most common forms of development. Provision above this level will not normally be permitted. A minimum requirement will not normally be imposed unless under provision would result in road safety implications”*. The NPPF (2012) advises that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe (Paragraph 32).

23. The proposal would provide no on site car parking to serve the 3x flats. Whilst the maximum car parking provision, in line with the SPD, would be 3x spaces in this instance it is a significant material consideration that the application site is located within a highly accessible and sustainable location within Woking Town Centre within only 185 metres of Woking railway station and within immediate proximity to the wide range of retail, business, leisure, arts, culture and community facilities and other public transport connections, such as bus, cycle and pedestrian facilities, available within Woking Town Centre. Furthermore Woking Town Centre and its wider area are covered by a number of Controlled Parking Zones (CPZs) which cover all kerbsides within Woking Town Centre, making them subject to waiting restriction and parking charges.
24. For these reasons the proposed flats would likely be attractive to non-car owners and are thus consistent with the planning objective to reduce greenhouse gas emissions. The absence of on site car parking would likely be unattractive to persons who own or rely upon private vehicles for transport. The availability of on street parking and car parks in the locality would readily meet the needs of visitors to the flats. Residents of the flats could equally apply for permits enabling them to park vehicles within the Woking Town Centre public car parks.
25. In light of the above, and taking into account the locational characteristics of the site within Woking Town Centre, including its proximity to key services and public transport accessibility, it is not considered that the absence of on-site car parking to serve the proposed 3x flats would result in undue pressure upon the availability of off-site parking in the locality or have a materially adverse impact upon the free flow of traffic and highway safety.
26. It is noted that the County Highway Authority (SCC) have recommended a condition be imposed relating to the provision of facilities for the secure parking of bicycles. Whilst this is the case it is a significant material consideration that extant planning permission exists (Ref: PLAN/2015/0403) for the conversion of the first, second and third floors into 2x two bedroom self contained flats, which imposed no condition relating to the provision of facilities for the secure parking of bicycles. The current proposal would result in only x1 one bedroom flat over and above extant PLAN/2015/0403 and it is therefore not considered necessary and reasonable in all other respects, in line with the six tests for planning conditions set out within Paragraph 206 of the NPPF (2012), to recommend a condition relating to the provision of facilities for the secure, covered parking of bicycles. Furthermore there is not sufficient space external to the building to provide secure, covered bicycle parking and the provision of such within the building at ground floor level would encroach into the existing retail (Class A1) floorspace. In addition the existing upper floor levels are accessed via a doorway onto Chertsey Road separate to that serving the retail unit; this arrangement is proposed to be retained and the potential provision of bicycle parking within the building at ground floor level would appear to require the creation of a separate access to enable such bicycle parking to be accessed outside of the opening hours of the retail unit. The creation of such separate access would be

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undesirable in terms of the appearance of the Woking Town Centre Conservation Area and Locally Listed host building.

27. Overall the proposal is therefore considered to comply with the National Planning Policy Framework (2012), Policy CS18 of the Woking Core Strategy (2012) and SPD 'Parking Standards (2006)'.

### Thames Basin Heaths Special Protection Area (TBH SPA)

28. The site falls within the 400m - 5km (Zone B) buffer of the Thames Basin Heaths Special Protection Area (TBH SPA). The TBH SPA is a European designated site afforded protection under the Conservation of Habitats and Species Regulations 2010 (as amended).
29. Policy CS8 of the Woking Core Strategy (2012) requires new residential development beyond a 400m threshold, but within 5 kilometres, of the TBH SPA boundary to make an appropriate contribution towards the provision of Suitable Alternative Natural Greenspace (SANG) and Strategic Access Management and Monitoring (SAMM).
30. The Suitable Alternative Natural Greenspace (SANG) element of the TBH SPA avoidance tariff is encompassed within the Community Infrastructure Levy (CIL) however the Strategic Access Management and Monitoring (SAMM) element of the TBH SPA avoidance tariff is required to be addressed outside of CIL. The applicant has agreed to make a SAMM contribution of **£1147** in line with the Thames Basin Heaths Special Protection Area Avoidance Strategy as a result of the uplift of 1x two bedroom and 1x one bedroom flats which would arise from the proposal. The applicant is preparing a Legal Agreement to secure this financial contribution.
31. In view of the above, the Local Planning Authority is able to determine that the development would have no significant effect upon the TBH SPA and therefore accords with Policy CS8 of the Woking Core Strategy (2012) and the 'Thames Basin Heaths Special Protection Area Avoidance Strategy'.

### Affordable housing

32. Policy CS12 of the Woking Core Strategy (2012) states that all new residential development will be expected to contribute towards the provision of affordable housing. However, following a Court of Appeal judgment in May 2016, the Planning Practice Guidance (Paragraph 031 - Revision date: 19.05.2016) sets out that there are specific circumstances where contributions for affordable housing planning obligations should not be sought from small scale and self-build development. These circumstances include that contributions should not be sought from developments of 10-units or less, and which have a maximum combined gross floorspace of no more than 1000 sq.m.
33. 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<sup>th</sup> November 2014 and the Planning Practice Guidance (Paragraph 031 - Revision date: 19.05.2016). As the proposal represents a development of 10-units or less, and has a maximum combined gross floorspace of no more than 1000 sq.m, no affordable housing financial contribution is therefore sought from the application scheme.

### **LOCAL FINANCE CONSIDERATIONS**



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34. The proposal would be Community Infrastructure Levy (CIL) liable to the sum of **£748** (including the April 2017 Indexation).

### **CONCLUSION**

35. Overall the principle of development is considered to be acceptable. It is considered that the proposal would preserve the character and appearance of the Woking Town Centre Conservation Area. It is not considered that any harm or loss would occur to the Locally Listed host building and that the significance of the Locally Listed host building would therefore be preserved. Subject to recommended conditions the proposal is considered to result in an acceptable impact upon neighbouring amenity, to provide a good standard of amenity to future occupiers and to result in acceptable highway safety and parking implications. Thames Basin Heaths impacts can be mitigated by way of the adopted Avoidance Strategy.
36. Having regard to the relevant policies of the Development Plan, other relevant material planning considerations and national planning policy and guidance the proposal is therefore considered to be an acceptable form of development that complies with Policies CS1, CS2, CS8, CS10, CS11, CS12, CS18, CS20, CS21 and CS25 of the Woking Core Strategy (2012), Policy DM20 of the Development Management Policies DPD (2016), Sections 4, 6, 7, 11 and 12 of the National Planning Policy Framework (2012) (NPPF), Supplementary Planning Documents 'Outlook, Amenity, Privacy and Daylight (2008)', 'Design (2015)', 'Parking Standards (2006)', 'Affordable Housing Delivery (2014)', Supplementary Planning Guidance 'Heritage of Woking (2000)', saved policy NRM6 of the South East Plan (2009), the Thames Basin Heaths Special Protection Area Avoidance Strategy and the National Planning Practice Guidance (NPPG). It is therefore recommended that planning permission is granted subject to conditions and planning obligations as set out below.

### **BACKGROUND PAPERS**

1. Site visit photographs
2. Site notice (Development affecting a Conservation Area - dated 02.11.17)
3. Consultation response from County Highway Authority (SCC)
4. Consultation response from Heritage and Conservation Consultant

### **PLANNING OBLIGATIONS**

	<b>Obligation</b>	<b>Reason for Agreeing Obligation</b>
1.	<b>£1147</b> SMM (TBH SPA) contribution.	To accord with the Habitat Regulations, Policy CS8 of the Woking Core Strategy (2012) and The Thames Basin Heaths Special Protection Area (SPA) Avoidance Strategy.

### **RECOMMENDATION**

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

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 plans numbered/titled:

1:1250 scale Site Location Plan, titled '41 Chertsey Road', dated August 16 2017 and received by the Local Planning Authority on 21.08.2017.

01 (Measured Survey of Existing Building), dated 29.11.14 and received by the Local Planning Authority on 21.08.2017.

WOK/001 (Proposed Plans), dated July 2017 and received by the Local Planning Authority on 25.10.2017.

WOK/002 (Proposed & Existing Elevations), dated Aug 2017 and received by the Local Planning Authority on 25.10.2017.

WOK/003 (Proposed Section & Block Plan), dated July 2017 and received by the Local Planning Authority on 25.10.2017.

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

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

Reason: To preserve the character and appearance of the Locally Listed host building and the visual amenities of the Woking Town Centre Conservation Area in accordance with Policies CS20 and CS21 of the Woking Core Strategy (2012), Policy DM20 of the Development Management Policies DPD (2016) and Sections 7 and 12 of the National Planning Policy Framework (NPPF) (2012).

### **Informatives**

1. The Council confirms that in assessing this planning application it has worked with the applicant in a positive and proactive way, in line with the requirements of paragraph 186-187 of the National Planning Policy Framework (NPPF) (2012). The application was considered to be acceptable upon receipt.
2. The applicant is advised that, under the Control of Pollution Act 1974, site works which will be audible at the site boundaries are restricted to the following hours:-  
0800 - 1800 Monday to Friday  
0800 - 1300 Saturday  
and not at all on Sundays and Bank/Public Holidays.
3. This decision notice should be read alongside the related legal agreement.

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4. The development hereby permitted is subject to the Community Infrastructure Levy (CIL). The charge becomes due when development commences. A Commencement Notice, which is available from the Planning Portal website (Form 6: Commencement Notice:  
[https://ecab.planningportal.co.uk/uploads/1app/forms/form\\_6\\_commencement\\_notice.pdf](https://ecab.planningportal.co.uk/uploads/1app/forms/form_6_commencement_notice.pdf)) must be issued to the Local Planning Authority and all owners of the relevant land to notify them of the intended commencement date of the development.