

## 27 FEBRUARY 2018 PLANNING COMMITTEE

5f 17/0761 Reg'd: 12.05.16 Expires: 07.07.16 Ward: BWB  
Nei. 17.11.17 BVPI Minor Number 29/8 On No  
Con. Target dwellings -13 of Weeks Target?  
Exp: on Cttee'  
Day:

**LOCATION:** 3 Claremont Road, West Byfleet, Surrey, KT14 6DY

**PROPOSAL:** Change of use and sub-division of existing office (B1a use) building into 3x one bedroom dwellings, erection of single storey bay window extensions, insertion of side-facing windows and associated external alterations plus erection of 3x two storey terraced dwellings (one bed) to the rear plus associated parking and landscaping following demolition of existing garage

**TYPE:** Full Planning Application

**APPLICANT:** Mr Scott Livingston

**OFFICER:** David Raper

---

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

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

### **SUMMARY OF PROPOSED DEVELOPMENT**

The proposal is for the change of use and sub-division of the existing two storey Victorian building in office use (B1a) into 3x one bedroom dwellings. This would be facilitated by the erection of single storey bay window extensions, alterations to fenestration and insertion of new window openings. The proposal also includes the erection of a terrace of 3x one bedroom dwellings in a two storey building to the rear of the site following the demolition of an existing garage. Parking for six cars would be provided within the site and the existing vehicular crossover onto Claremont Road would be retained.

Site Area: 0.0572 ha (572 sq.m)  
Existing units: 0  
Proposed units: 6  
Existing density: 0 dph (dwellings per hectare)  
Proposed density: 105 dph

### **PLANNING STATUS**

- Urban 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 semi-detached property dating from the Victorian era. The building is currently in office use but has previously been in use as a shop. The site has a vehicular access onto Claremont Road leading to a large area of hardstanding to the side and rear of the property and a detached garage. The proposal site is close to the West Byfleet District Centre and Train Station and the immediate area is mixed in character and features predominately two storey development with other commercial uses in the immediate area. The Claremont Public House is located to the west and a three storey block of flats at Mill Cleave is located to the east with two storey residential development beyond. The proposal site is within the Urban Area but falls just outside the boundary of the West Byfleet District Centre

### **PLANNING HISTORY**

- PLAN/2000/0845 – Change of use of one room from office to music teaching studio – Permitted 21.09.2000
- 86/1051 – New shop front – Permitted 01.10.1986
- 86/0033 – Change of use from residential to office – Permitted 03.01.1986
- 84/1258 – Certificate of existing use as offices – Permitted 01.10.1985
- 81/1289 - Certificate of existing use as residential – Refused 01.04.1982
- 1620 – Conversion to two shops – Permitted 27.06.1946

### **CONSULTATIONS**

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

**Arboricultural Officer:** No objection

**Scientific Officer:** No objection.

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

**West Byfleet Neighbourhood Forum:** No comments received.

### **REPRESENTATIONS**

6x representations were received in response to the original proposal including 5x objections and 1x letter of support. The representations raise the following concerns:

- Proposal would cause loss of light and overlooking
- Proposal would be tandem development which is out of character with the area
- Proposal would provide insufficient parking in an area where parking is already under pressure
- Proposal would restrict access to a third party garage
- Proposal would be a cramped overdevelopment of the site
- The construction phase would cause severe disruption
- Proposal would block access to garage
- Proposal would result in the loss of trees

## 27 FEBRUARY 2018 PLANNING COMMITTEE

Neighbours were re-consulted on amended plans and 4x additional representations were received reiterating concerns summarised above.

### **RELEVANT PLANNING POLICIES**

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

Section 4 - Promoting sustainable transport

Section 6 - Delivering a wide choice of high quality homes

Section 7 - Requiring good design

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

Section 11 - Conserving and enhancing the natural environment

#### Woking Core Strategy (2012):

CS1 - A Spatial strategy for Woking Borough

CS7 - Biodiversity and nature conservation

CS8 - Thames Basin Heaths Special Protection Areas

CS10 - Housing provision and distribution

CS11 - Housing Mix

CS12 - Affordable housing

CS15 - Sustainable economic development

CS18 - Transport and accessibility

CS21 - Design

CS22 - Sustainable construction

CS24 - Woking's landscape and townscape

CS25 - Presumption in favour of sustainable development

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

DM2 – Trees and Landscaping

#### The West Byfleet Neighbourhood Development Plan (WBNDP) (2017–2027):

BE1 - Development character

BE2 - New housing quality

BE6 - Residential parking provision

OS4 - Trees and hedges

#### Supplementary Planning Documents (SPDs):

Woking Design (2015)

Affordable Housing Delivery (2014)

Climate Change (2013)

Outlook, Amenity, Privacy and Daylight (2008)

Parking Standards (2006)

### **BACKGROUND**

Amended plans were received during the course of the application which have made the following amendments:

- The height, scale and footprint of 'Block B' to the rear has been reduced
- The previously proposed roof extensions and rear extension to the host building have been removed
- The parking layout has been amended to maintain access to a third party garage
- The extent of soft landscaping has been increased and adequate bin storage space identified within the site

The proposal has been assessed based on these plans.

**PLANNING ISSUES**

Principle of Development:

1. The existing building on the site is a two storey semi-detached property dating from the Victorian era which is in B1a office use and occupied. The proposal would result in the loss of the existing 164m<sup>2</sup> of office space and the change of use to residential. The proposal site is not within a designated Employment Area and falls outside the boundary of the West Byfleet District Centre. Considering the limited size and quality of the office space in question and the wider benefits of redeveloping the site to provide housing in a sustainable urban location, overall the principle of residential development is considered acceptable.
2. The NPPF (2012) and Core Strategy policy CS25 (2012) promote a presumption in favour of sustainable development. The site lies within the designated Urban Area and within the 400m-5km (Zone B) Thames Basin Heaths Special Protection Area (SPA) buffer zone. The development of previous garden land for additional dwellings can be acceptable provided that the proposal respects the overall grain and character of development in the area. Core Strategy (2012) policy CS10 seeks to ensure that sufficient homes are built in sustainable locations where existing infrastructure is in place. The proposal site is in a sustainable location close to the amenities of West Byfleet Local Centre and West Byfleet Station. The principle of infill residential development is considered acceptable subject to further material planning considerations, specific development plan policies and national planning policy and guidance as discussed below.

Impact on Character:

3. The proposal is for the conversion of the existing semi-detached property into 3x self contained dwellings including alterations to fenestration and removal of the shopfront. The proposal also includes the erection of a two storey building to the rear comprising 3x one bedroom dwellings. Parking and landscaping would also be provided within the site.
4. The existing semi-detached dwelling would effectively become a terrace of three dwellings with front elevations facing into the site onto front garden areas enclosed with railings. The existing shop front would be replaced with masonry and window openings and fenestration on the existing flank elevation would be altered and new openings inserted which are reflective of the Victorian style. Ground floor extensions would feature to the front of each dwelling creating bay window features. Overall the alterations are considered to create the appearance of a terrace of three dwellings and the proposal is considered to respect the character of the host building.
5. The building to the rear would be two storeys with a hipped roof and window openings which are typical of Victorian architecture and reflective of the character of the existing building on the site. The building is considered visually acceptable and reflective of the prevailing scale and character of development in the area.
6. The proposed dwellings would face inwards into the site around the access and parking area in a courtyard arrangement and the proposed development is considered to have the character of a 'mews' style form of development. This style of development is not considered out of character with the locality given the mixed character of the area and considering the presence of the development at 'The Courtyard' to the east. This is a development of flats fronting onto Claremont Road with four 1.5x storey dwellings positioned to the rear in a tandem arrangement. It is

## 27 FEBRUARY 2018 PLANNING COMMITTEE

also borne in mind that there is already a vehicular access leading to the rear of the site and hardstanding and built development is already present to the rear of the site. The proposal site is positioned close to West Byfleet Station and the District Centre and the immediate area is consequently mixed in character with commercial units and a Public House located to the east and south and a three storey block of flats is present to the east. Overall the proposal is considered to constitute the efficient use of previously developed land in a particularly sustainable location close to an established District Centre where higher density infill developments can be supported.

7. The development would incorporate soft landscaping to the boundaries and to the frontages of Houses 1-3. Details of the landscaping and boundary treatments can be secured by condition and overall the proposed development is considered to achieve an acceptable balance of hard and soft landscaping. The rear of the proposal site is already primarily used for car parking and the provision of parking to the rear of the site is not therefore considered to unduly harm the character of the area.
8. The proposal site is positioned close to the Birchwood Road Conservation Area to the west however the scale and siting of the proposed development is not considered to materially impact on the special character or setting of the Conservation Area.
9. Overall the proposal is considered to result in a visually acceptable form of development which has an acceptable impact on the host building and the character of the surrounding area. The proposal therefore accords with Core Strategy (2012) policies CS21, CS24 and CS25, Woking DPD (2016) policy DM2, Supplementary Planning Document 'Woking Design' (2015) and the National Planning Policy Framework (2012).

### Impact on Neighbours:

#### *No.5 Claremont Road:*

10. The neighbouring property to the east at No.5 Claremont Road is split into two flats and the ground and first floor flats feature windows on the side and rear elevations. The proposed building housing Houses 4-6 to the rear would be positioned 0.5m from the rear boundary of this neighbour and 5.7m from the rear elevation of this neighbour with an eaves height of 5.1m and a hipped roof form with a maximum ridge height of 7.2m. The ground floor windows in the rear elevation of the rear projecting element of this neighbour however are understood to serve a bathroom and so a non-habitable room. The rear elevation of the main section of this building serves a habitable room however this would be positioned approximately 11m from the proposed building. The proposed building would pass the '25° test' as set out in the Council's 'Outlook, Amenity, Privacy and Daylight' SPD (2008) and is not considered to result in an unacceptable loss of light impact on the ground floor flat. The proposed development would pass the '25° test' with first floor windows serving the first floor flat and the proposal is not considered to unduly impact on this neighbour in terms of loss of light and overbearing impacts. It is also borne in mind that the proposal would replace an existing detached garage with a ridge height of 4.8m in a similar position and the proposed building would be off-set from the rear elevation of the neighbours at No.5. Furthermore, the proposed building would be positioned to the north of these neighbours. The proposed building to the rear would not feature any windows in the flank elevation facing No.5 Claremont Road. Overall the proposal is not considered to result in an undue overbearing or loss of light impact on these neighbours or their amenity space.
11. The proposal includes the conversion of the existing building on the site into 3x dwellings orientated towards No.5 Claremont Road. The ground floor windows would

## 27 FEBRUARY 2018 PLANNING COMMITTEE

be positioned 6.1m from the boundary; considering the ground floor position of these windows, the separation distance and the 1.8m high boundary treatment, the ground floor windows are not considered to cause undue overlooking to No.5.

12. The proposal would include 4x first floor windows facing No.5 sited 7.1m from the boundary. However 3x of these would serve landings and so can be required to be obscurely glazed with restricted opening by condition to avoid undue overlooking. Two second floor rooflights are also proposed however these are identified as high-level windows serving studies and so can similarly be restricted by condition to avoid overlooking. This leaves one first floor bedroom window which would face No.5. It is acknowledged that the separation distance to the boundary of 7.1m would fall short of the recommended minimum of 10m set out in the Council's 'Outlook, Amenity, Privacy and Daylight' SPD (2008) for front-to-boundary/flank relationships, however the existing relationship between the two sites should be taken into consideration. The existing building includes 4x first floor side facing windows including two opening, clearly glazed windows serving the office accommodation. There are therefore already windows facing No.5 and the proposal would effectively result in one clearly glazed window facing this neighbour. It is acknowledged that the nature of overlooking arising from residential accommodation is different to commercial uses however overall compared to the existing situation, the proposal is not considered to result in an unacceptable overlooking or loss of privacy impact on the flats at No.5. It is also borne in mind that the separation distance between the building itself at No.5 Claremont Road would be 9.4m to the principal flank elevation of this neighbour which falls only marginally short of the recommended minimum of 10m and 10.7m from the two storey rear projecting element of this neighbour. The Council's 'Outlook, Amenity, Privacy and Daylight' SPD (2008) also makes clear that the recommended separation distances are advisory and that compatibility with context is of overriding importance. Given the existing relatively close relationship and the more high density nature of the immediate area in close proximity to the Station and District Centre, overall the proposal is considered to result in an acceptable relationship with the neighbours at No.5 Claremont Road.

### *No.1 Claremont Road:*

13. No.1 Claremont Road is the adjoining semi-detached neighbour and is understood to include residential accommodation at ground and first floor level. The external dimensions of the existing building would not increase at any point where the building adjoins this neighbour and is not therefore considered to result in an undue overbearing or loss of light impact on this neighbour. The proposed two storey building to the rear would have a separation distance of 11m to the side boundary with this neighbour which is considered sufficient to avoid an undue overbearing or loss of light impact. This building does feature windows facing towards No.1 however the 11m separation distance is considered sufficient to avoid an undue overlooking impact. The first floor rear-facing windows in the main building would have rear-facing views typical of a residential area and are not considered to result in undue overlooking.

### *No. 1-10 Mill Cleave:*

14. The proposed block housing Houses 4-6 would be located 2.5m from the side boundary with No.1-10 Mill Cleave which is a block of flats and the proposal would be located a minimum of 8m from this neighbour itself. The proposed building would not be located directly opposite any habitable room windows of this building and so is not considered to result in an undue overbearing or loss of light impact. The proposed development includes rear-facing windows facing towards these neighbours however these serve non-habitable rooms and can be required to be obscurely glazed with restricted opening by condition.

## 27 FEBRUARY 2018 PLANNING COMMITTEE

### *Station Road:*

15. The proposal site borders the rear garden boundaries of neighbours on Station Road to the north. The proposed Houses 4-6 would be positioned 0.5m from the boundary of these neighbours with an eaves height of 5.1m and a hipped roof form with a maximum ridge height of 7.2m. The neighbour at No.8 Station Road is sited approximately 28m from the boundary of the site and No.6 Station Road is located approximately 22m from the boundary. These separation distances are considered sufficient to avoid an undue loss of light or overbearing impact on neighbours in Station Road.
16. The proposal includes window openings in the rear elevation of House 3 at first floor level however these would be positioned 16m from the rear boundary of the site with No.6 Station Road and would be approximately 38m from the rear elevation of this neighbour. This exceeds the recommended minimum standards set out in the Council's 'Outlook, Amenity, Privacy and Daylight' SPD (2008) and is considered to result in an acceptable relationship with neighbours to the north in terms of overlooking and overbearing impacts.
17. Overall the proposal is therefore considered to have an acceptable impact on the amenities of neighbours and accords with Core Strategy (2012) policy CS21, Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight' (2008) and the National Planning Policy Framework (2012).

### Standard of Accommodation:

18. The proposed units would range from 48m<sup>2</sup> to 80m<sup>2</sup> in area which is considered an acceptable size of accommodation for one bedroom units. Five of the six units would be dual aspect and the habitable rooms are considered to achieve a generally good quality outlook.
19. The proposed development would not achieve areas of enclosed private amenity space for Houses 1-3 and Houses 4-6 would have relatively small courtyard areas to the rear of each dwelling. Whilst it is acknowledged that some of the proposed dwellings would not achieve areas of private amenity space, the Council's 'Outlook, Amenity, Privacy and Daylight' SPD (2008) makes clear that no specific amenity space standards apply to non-family accommodation. The proposed units are one bedroom units and so unlikely to be used as family accommodation. The SPD also makes allowances for more densely populated parts of the borough where private amenity space may not be achievable. In this case the proposal site is constrained and as discussed above, is in a relatively built-up area close to West Byfleet District Centre and has been designed as 'mews' style development where areas of amenity space are often limited.
20. In any case Houses 1-3 would have areas of soft landscaping to the frontage providing an area of defensible space to each property and Houses 4-6 would achieve a private courtyard area to the rear of each property which would have some amenity value for residents.
21. Considering the constraints of the site, the housing mix and the nature of the proposed development and its surroundings, overall the proposal is considered to achieve an acceptable standard of accommodation for future residents. It is also considered that the amenity space arrangements are consistent with the 'mews' style form of development which the proposal is seeking to emulate.

## 27 FEBRUARY 2018 PLANNING COMMITTEE

22. Overall the proposal is considered to achieve an acceptable standard of accommodation for future residents.

### Housing Mix:

23. Core Strategy (2012) policy CS11 requires proposals to address local needs as evidenced in the Strategic Housing Market Assessment (SHMA) which identifies a need for family accommodation of two bedrooms or more. Policy CS11 does however state that lower proportions of family accommodation can be considered acceptable in more high density locations in the Borough. The original proposal included a mixture of two bedroom and one bedroom units however amendments to avoid an undue overlooking and overbearing impact has resulted in a development of one bedroom units. It is also recognized that the proposal site is close to the District Centre and the immediate area is relatively high density in nature. On balance it is considered that the proposed housing mix is considered acceptable for the context of the proposal site.

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

24. The SPAs in this area are internationally-important and designated for their interest as habitats for ground-nesting and other birds. Core Strategy (2012) policy CS8 requires new residential development beyond a 400m threshold, but within 5km of the SPA boundary, to make an appropriate contribution towards the provisions of Suitable Alternative Natural Greenspace (SANG) and the Strategic Access Management and Monitoring (SAMM).
25. The SANG and Landowner Payment elements of the SPA tariff are encompassed within the Community Infrastructure Levy (CIL) however the SAMM element of the SPA tariff is required to be addressed outside of CIL. The applicant has agreed to make a SAMM contribution of **£2,922** in line with the Thames Basin Heaths Special Protection Area Avoidance Strategy 2010-2015 as a result of the net gain 6x one bedroom dwellings which would arise from the proposal.
26. In view of the above, the Local Planning Authority is able to determine that the development would have no significant effect upon the SPA and therefore accords with Core Strategy (2012) policy CS8 and the 'Thames Basin Heaths Special Protection Area Avoidance Strategy 2010-2015'.

### Sustainability:

27. 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.
28. 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.



## 27 FEBRUARY 2018 PLANNING COMMITTEE

### Transportation Impact:

29. The maximum parking requirement for the proposed development under the Council's Parking Standards (2006) would be six spaces. Policy BE6 of the West Byfleet Neighbourhood Development Plan (2017) states that developments should seek to meet a minimum standard of one space per one bedroom dwelling. Core Strategy (2012) policy CS18 seeks to direct new development to the main urban areas of the borough which are served by a range of sustainable transport modes in order to minimise the need to travel.
30. The proposed development would utilise the existing vehicular crossover onto Claremont Road and a total of six off-street parking spaces would be provided within the site to the rear in accordance the parking standards outlined above. The proposal site is in very close proximity to the services and amenities of West Byfleet which is a District Centre and the second centre of the Borough. The proposal site is also in very close proximity to West Byfleet Station which is well-served by train services. The proposal site is therefore in a particularly sustainable location within the urban area and the proposed level of parking provision is considered acceptable. The County Highway Authority has reviewed the proposal and raises no objection.
31. There is space within the site for adequate bin and cycle storage and further details of this can be secured by condition. Details of a Construction Transport Management Plan can be secured by condition. The neighbouring property at No.1 Claremont Road has access rights through the site to a detached garage located to the rear of the site; access through the site to this garage would be maintained.
32. Overall the proposal is considered to have an acceptable transportation impact.

### Affordable Housing:

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

## 27 FEBRUARY 2018 PLANNING COMMITTEE

Planning Practice Guidance (Paragraph 031 – Revision date: 19.05.2016). No affordable housing contribution is therefore sought for this application.

### Tees and Landscaping:

36. There is a tree to the rear of the site which would be removed as part of the proposal however this is not protected and is not considered to hold significant public amenity value and the Council's Tree Officer raises no objection to its removal. Soft landscaping is identified on the plans within the site and further details of this and areas of new hard landscaping can be secured by condition.

### Community Infrastructure Levy:

37. The proposal would be liable to make a CIL contribution of £24,576.92 based on a net increase in floor area of 177.5m<sup>2</sup>.

### **CONCLUSION**

38. 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.

### **BACKGROUND PAPERS**

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

### **PLANNING OBLIGATIONS**

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

	<b>Obligation</b>	<b>Reason for Agreeing Obligation</b>
1.	SAMM (SPA) contribution of <b>£2,922</b>	To accord with the Habitat Regulations, policy CS8 of the Woking Core Strategy 2012 and The Thames Basin Heaths SPA Avoidance Strategy 2010-2015.

### **RECOMMENDATION**

PERMIT subject to the following conditions and S106 Agreement:

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

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

## 27 FEBRUARY 2018 PLANNING COMMITTEE

2. The development hereby permitted shall be carried out in accordance with the approved plans listed below:

5820/01 received by the LPA on 30/06/2017  
5820/10 Rev.P received by the LPA on 09/08/2017  
5820/200 Rev.P3 received by the LPA on 06/02/2018  
5820/201 Rev.P3 received by the LPA on 06/02/2018  
5820/202 Rev.P3 received by the LPA on 06/02/2018  
5820/204 Rev.P3 received by the LPA on 06/02/2018  
5820/205 Rev.P2 received by the LPA on 02/01/2018  
5820/11 Rev.P1 received by the LPA on 02/01/2018  
5820/100 Rev.P3 received by the LPA 06/02/2018

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

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

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

4. Prior to the first occupation of the development hereby approved, a hard and soft landscaping scheme showing details of shrubs, trees and hedges to be planted, 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. Development shall be carried out and retained in accordance with the agreed details.

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

5. Prior to the first occupation of the development hereby approved, details of the proposed waste and recycling management arrangements for the development and details of secure cycle storage shall be submitted to and approved in writing by the Local Planning Authority. Such details as may be agreed shall then be implemented and retained thereafter for the lifetime of the development hereby approved.

Reason: In the interests of amenity and to ensure the appropriate provision of infrastructure in accordance with Policy CS16 of the Woking Core Strategy 2012.

## 27 FEBRUARY 2018 PLANNING COMMITTEE

6. Prior to the first occupation of the development hereby approved, space shall be laid out within the site in accordance with the approved plans for vehicles and bicycles to be parked and turn so that they can leave the site in forward gear. Thereafter the parking and turning areas shall be retained and maintained for their designated purposes.

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

7. Notwithstanding the provisions of Article 3 and Schedule 2, Part 1, Classes A, B, C D and F of The Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any orders amending or re-enacting that Order with or without modification) no extension, enlargement, alteration or addition to the dwellings hereby approved, nor any areas of hardstanding forward of any principal front elevation, shall be carried out without planning permission being first obtained from the Local Planning Authority.

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

8. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modification) no window, rooflight, door or other additional openings other than those expressly authorised by this permission shall be formed in any elevation of the development hereby approved without planning permission being first obtained from the Local Planning Authority.

Reason: To protect the amenity and privacy of the occupiers of adjoining properties in accordance with Policy CS21 of the Woking Core Strategy 2012.

9. The windows and rooflights in the east-facing elevations of the development hereby approved at first floor level and above identifying as serving Houses 1, 3, 4 5 and 6 and the window and rooflight identified as serving a landing and study in House 2 on the approved plans shall be glazed entirely with obscured glass and shall be 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 window shall be permanently retained in that condition unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard the amenities of the adjoining properties in accordance with Policy CS21 of the Woking Core Strategy 2012.

10. ++ Prior to the commencement of the development hereby approved a Method of Construction Statement, to include details of points (a) to (h) 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) measures to prevent the deposit of materials on the highway
  - (f) on-site turning for construction vehicles
  - (g) measures to protect the amenities of neighbouring occupiers during construction

## 27 FEBRUARY 2018 PLANNING COMMITTEE

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 in accordance with Policies CS18 and CS21 of the Woking Core Strategy 2012.

11. ++Prior to the commencement of the development of the dwellings referred to on the approved plans listed in this notice as Houses 4-6, written evidence shall be submitted to and approved in writing by the Local Planning Authority (LPA) demonstrating that Houses 4-6 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.

The 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.

12. The dwellings referred to on the approved plans listed in this notice as Houses 4-6 hereby permitted shall not be occupied until written documentary evidence has been submitted to and approved in writing by the Local Planning Authority demonstrating that the development has:
  - a. Achieved a minimum of a 19% improvement in the dwelling emission rate over the target emission rate, as defined in the Building Regulations for England Approved Document L1A: Conservation of Fuel and Power in New Dwellings (2013 edition). Such evidence shall be in the form of an As Built Standard Assessment Procedure (SAP) Assessment, produced by an accredited energy assessor; and
  - b. Achieved a maximum water use of 110 litres per person per day as defined in paragraph 36(2b) of the Building Regulations 2010 (as amended). Such evidence shall be in the form of the notice given under Regulation 37 of the Building Regulations.

The 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.

13. ++ Prior to the commencement of the development hereby approved, details of the measures to be undertaken to upgrade the acoustic performance of the party

## 27 FEBRUARY 2018 PLANNING COMMITTEE

ceilings/floors and walls and windows shall be 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.

14. ++ Prior to the commencement of the development hereby approved, details of secure cycle storage for each dwelling shall be submitted to and approved in writing by the Local Planning Authority. These facilities shall be fully implemented and made available for use prior to the first occupation of the development hereby permitted and shall thereafter be retained for use at all times.

Reason: To ensure that satisfactory facilities for the parking of cycles are provided and to encourage travel by means other than the private car in accordance with the principles set out in the National Planning Policy Framework 2012 and Policy CS18 of the Woking Core Strategy 2012.

### **Informatives**

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

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

5. The applicant is advised that under the Control of Pollution Act 1974, works which will be audible at the site boundary will be restricted to the following hours:-

8.00 a.m. - 6.00 p.m. Monday to Friday  
8.00 a.m. - 1.00 p.m. Saturday  
and not at all on Sundays and Bank Holidays.

## 27 FEBRUARY 2018 PLANNING COMMITTEE

6. The applicant is advised that this application is liable to make a CIL contribution of £24,576.92. The applicant must complete and submit a Commencement (of development) Notice to the Local Planning Authority, which the Local Planning Authority must receive prior to commencement of the development.