

23 FEBRUARY 2021 PLANNING COMMITTEE

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PLAN/2017/1307

WARD: HE

LOCATION: Part Of Five Acres And Land To South Of Brookwood Lye Road, Woking, Surrey, GU24 0HD

PROPOSAL: Demolition of an existing one-storey dwelling and ancillary structures associated with the existing caravan park (SG) which provides 13 permanent and 2 temporary pitches at Five Acres, to construct a replacement two-storey dwelling and a replacement caravan park comprised of 19 permanent pitches with hard and soft landscaping and relocated access

APPLICANT: Thamesway Development Ltd

OFFICER: Joanne Hollingdale

REASON FOR REFERRAL TO COMMITTEE

The applicant is Thamesway Developments Ltd and under the Scheme of Delegation, such applications are required to be determined by the Planning Committee.

SUMMARY OF PROPOSED DEVELOPMENT

The application proposes the demolition of an existing one-storey dwelling and ancillary structures associated with the existing caravan park (SG) which provides 13 permanent and 2 temporary pitches at Five Acres, to construct a replacement two-storey dwelling and a replacement caravan park comprised of 19no. permanent pitches with hard and soft landscaping and relocated access.

**SG is a sui generis planning use.*

PLANNING STATUS

- Green Belt
- Thames Basin Heaths SPA Zone B (400m-5km)
- Flood Zones 2 and 3 (front part of site)
- Surface Water Flood Risk area (medium risk)
- Tree Preservation Order (626/0251/1979)

RECOMMENDATION

GRANT planning permission subject to the prior completion of a Section 106 Legal Agreement and conditions.

SITE DESCRIPTION

The application site is located on the southern side of Brookwood Lye Road (A324). The application site extends to some 0.68ha. Access into the site is directly off Brookwood Lye Road. To the east of the site is dense woodland, whilst the southern and western boundaries of the site form the boundaries with a much larger site, part of which was formerly a plant nursery site. To the south of the wider site is the South Western main railway line (Waterloo to Basingstoke).

The site comprises a single storey bungalow, hard surfacing and various small buildings and is currently occupied by a number of caravans with no formal layout or delineation of plots.

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The site has a moderate fall of 5 metres across the site from south to north, towards Brookwood Lye Road.

The current usage and layout of the site does not benefit from any planning permission and the majority of the planning history for this site relates to both this site and part of the neighbouring site - which has been hoarded for a number of years and is currently vacant land.

PLANNING HISTORY

The most relevant planning history for this area since 2000 (which includes the application site and part of the neighbouring site) is given below. In relation to the provision of gypsy/traveller pitches only the planning history granting planning permission (either by the LPA or at Appeal) for pitches is provided as this is considered to be most relevant to establishing the previously existing authorised position in relation to the number of authorised pitches across the site(s):

The Bungalow

PLAN/2016/0153 – Certificate of Proposed Lawful Development for the erection of front porch, single storey side extensions, single storey rear extension and garage building. Permitted 25.04.16

Gypsy/Traveller plot history

PLAN/2013/0878 – Erection of new building for office, storage and utility following demolition of existing building. Permitted 23.12.2013

PLAN/2013/0062 – Proposed reconfiguration of existing site layout to provide two additional residential gypsy pitches including the addition of one ancillary dayroom, the division of the existing dayroom into two semi-detached dayrooms and hardstanding. Permitted 22.05.13 (Temporary 2 year permission - expired)

PLAN/2012/0653 – The use of land for the stationing of a mobile home type caravan for the applicants adult son in addition to those granted planning permission in decision 2005/0883/COU and retaining the existing use of land as a residential gypsy caravan site. Permitted 22.11.12 (1no. pitch)

PLAN/2010/0466 – Reconfiguration of existing site layout on land with existing permission for stationing of caravans on the south-western side of site for residential gypsy use to provide 3 No additional residential gypsy pitches with ancillary utility/dayrooms and hardstanding. Permitted 09.09.10 (3no. pitches)

PLAN/2010/0327 – Change of use for the stationing of caravans with ancillary hard standing for 7No gypsy pitches with ancillary utility/dayrooms (Amendment to PLAN/2008/0935 dated 13 May 2009). Permitted 29.06.10 (7no. pitches)

PLAN/2010/0278 – Installation of 2 No mobile homes for family occupation. Permitted 08.07.10 (2no. pitches)

AMEND/2009/0136 – Minor Amendment for the repositioning of the post and rail fence 0.5m closer to the front of the application site. Permitted 06.11.09

PLAN/2009/0590 – Reconfiguration of existing site layout on land with existing permission for stationing of caravans for residential gypsy use and change of use of adjacent land to provide 7No. additional residential gypsy pitches with ancillary utility/dayrooms and hardstanding. Refused 27.08.09

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PLAN/2008/0935 – Change of use for the stationing of caravans with ancillary hard-standing for 7no. gypsy pitches with ancillary utility/dayrooms. Permitted subject to a Legal Agreement 13.05.09

PLAN/2005/0883 – Change of use to a gypsy caravan site for three families with associated development. Refuse and Enforce 21.10.05. Appeal Allowed 08.12.06

Adjacent site

PLAN/2017/1306 – Demolition of 4no. existing residential units and ancillary structures associated with the existing caravan park (Use Class SG) at Five Acres and development of 126no. residential units two-storey and three-storeys in height (37 no. 1-bed units, 71 no. 2-bed units, 15 no. 3-bed units, 3 no. 4-bed units) with hard and soft landscaping and open space, with a new emergency road and pedestrian access point. Under Consideration

PLAN/2017/0443 – Erection of temporary Hoarding to enclose potential development for a period of 48 months. Under Consideration

PROPOSED DEVELOPMENT

The application proposes the demolition of an existing one-storey dwelling and ancillary structures associated with the existing caravan park (SG) which provides 13 permanent and 2 temporary pitches at Five Acres, to construct a replacement two-storey dwelling and a replacement caravan park comprised of 19 permanent pitches with hard and soft landscaping and relocated access.

The development proposes to replace the existing single storey dwelling in a similar position with a two storey dwelling. The dwelling would measure 11.5 metres by 8.6 metres and would provide a 5 bedrooms with an eaves height of 5.2 metres and a ridge height of 9 metres. The dwelling would have its own garden with 2no. parking spaces. It is stated that the dwelling is for the manager of the site.

The road layout within the site would form a broadly rectangular shape around the site with each pitch being formally laid out on the outside or inside of the access road.

Each pitch would have space for a mobile home, a touring caravan, a utility building, 2no. car parking spaces, a small amenity area, an external store, bin storage and LPG bottle storage. Some space will be available to provide landscaping/planting, and an area of open space would be provided adjacent to the northern boundary of the site along with a visitor parking space.

In support of the application a Design and Access Statement, Planning Statement, Planning Clarifications Statement, Very Special Circumstances Statement, Flood Risk Assessment/Drainage Information, Transport Statement, Arboricultural Information and Preliminary Ecological Appraisal and Bat Survey reports have all been submitted.

CONSULTATIONS (most recent responses summarised below)

County Highway Authority: Having assessed the application on safety, capacity and policy grounds, recommends conditions are imposed on any permission granted.

County Archaeologist: A condition requiring the implementation of a programme of archaeological work in accordance with a Written Scheme of Investigation is recommended.

SCC Lead Local Flood Authority: Defer to WBC Drainage Engineer.

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Environment Agency (most recent response): The applicant has undertaken a fluvial modelling exercise to determine the flood risk of the development site which was approved by the Environment Agency in February 2019. The modelling study determined that the site is located in Flood Zone 1. The applicant has undertaken a precautionary approach to set the finished floor level of the built development above the 1% annual probability (1 in 100) flood level with an appropriate allowance for climate change. This will reduce the risk of flooding to people and property. In light of the above we are in a position to remove our objection subject to a planning condition (relating to finished floor levels) being imposed on any permission granted.

Natural England: As long as the applicant is complying with the requirements of Woking's Avoidance and Mitigation Strategy for the Thames Basin Heaths SPA (through legal agreement securing contributions to SANG and SAMM), Natural England has no objection to this application.

Network Rail: No objections

WBC Drainage and Flood Risk Engineer: Having reviewed the details they are in accordance with the NPPF and the Woking Core Strategy subject to conditions being included in any permission granted.

WBC Environmental Health Officer: Reviewed the updated documents based on the informal submission in September last year and have no adverse comments to submit. Please apply conditions relating to services and amenities, site lighting, LPG storage and details of noise mitigation works for the mobile home pitches in accordance with the recommendations in the submitted acoustic report. An informative is also recommended

WBC Arboricultural Officer: The Arboricultural information is acceptable. I am happy with the tree protection plan provided subject to a pre commencement meeting which should include the project Arboriculturalist, Project Manager and the LA tree Officer.

WBC Contaminated Land Officer: Requests conditions are imposed on any permission granted.

WBC Housing Services: Housing Services supports this planning application which seeks to provide a comprehensive solution for the future of the Brookwood Lye lands by providing a clearly defined area for the Travellers' needs on the Five Acres land.

It is considered that the proposal will help regularise the existing situation regarding the use of the Brookwood Lye Five Acres site by the Travellers community, which has seen a fluctuating number of unauthorised caravans on the land in the recent past. The proposal will therefore provide certainty regarding the number of allowable pitches (19) on the application site, and will provide clearly defined boundaries with the adjacent proposed housing site and the adjoining woodland.

The proposal will help to meet the housing needs of the Travellers community in Woking which was identified in the Gypsy & Travellers Accommodation Survey as 19 additional pitches Borough-wide up to 2027 by providing a further 6 permanent pitches (the Five Acres site currently providing 13 permanent pitches). Furthermore, it is noted that the site is to be managed by the site owner who will have permanent accommodation at the front of the site, and that there will be only a single access into the site thereby assisting with the secure management of the site.

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WBC Planning Policy: In summary draft Policy GB2, unmet need for traveller's accommodation and the lack of a five year land supply for traveller's accommodation could be considered to provide the very special circumstances necessary to justify inappropriate development in the Green Belt in this instance. This justification could also extend to the principle of providing a replacement dwelling to accommodate a site manager. Whether or not any case for very special circumstances is considered to outweigh the substantial weight to be given to the harm to the Green Belt by reason of inappropriateness and any other harm is a matter for the Development Management Officer in making any recommendation. Furthermore concern is raised that a transit site has not been proposed as this is a clear requirement of draft Policy GB2, which can be given substantive weight in determining this proposal.

Joint Waste Solutions: Satisfied with the refuse and recycling arrangements on site and the swept path analysis.

Surrey Wildlife Trust: The LPA should ascertain from the Surrey Wildlife Trust (SWT) that the proposed development does not include land in the ownership of SWT, particularly to the east of the proposed development [*Officer note: The LPA does not oversee land ownership matters*]. The development would result in new dwellings within 5km of the TBHSPA and this application should consider the application against their avoidance strategy. (Comments are made about the adjacent site PLAN/2017/1306). The submitted ecology report provides much useful information and should the LPA be minded to grant planning permission the applicant should be required to undertake the recommended action in Section 6.0 and the planting and landscaping proposals. With regard to bats, the applicant's Ecologist advises that further surveys are required and therefore in accordance with Circular 06/05, the LPA does not yet have sufficient information to fully assess the impact on these legally protected species. The required bat surveys should therefore be undertaken prior to determination to help establish the status of bat species and for the LPA to consider any required mitigation/compensation proposals. [*Officer note: In response to the most recent information received from the applicant's Ecologist in respect of bat surveys and the applicant's comments with regard to access to the site, any further comments received from the SWT will be reported verbally*].

Thames Water: No objection on surface water or foul water sewerage grounds

Surrey Fire and Rescue: Comments provided in respect to fire considerations

REPRESENTATIONS

1 letters of representation (support) has been received. A summary of the main points is given below:

- The application will regularise the site and provide certainty regarding the physical size and number of pitches;
- Replacing the bungalow with a modern family sized home for the site owner will help with ongoing management of the site;
- Making provision for static homes will help with integrating the site into its immediate surroundings; and
- Some concerns with regard to flooding around the A324 which will need to be addressed.

RELEVANT PLANNING POLICIES

National Planning Policy Framework
Planning Policy for Traveller Sites

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South East Plan 2009

Saved Policy NRM6 – Thames Basin Heaths Special Protection Area

Woking Core Strategy 2012

CS6 – Green Belt
CS7 – Biodiversity and Nature Conservation
CS9 – Flooding and water management
CS14 – Gypsies, Travellers and Travelling Showpeople
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
DM5 – Environmental Pollution
DM7 – Noise and light pollution
DM8 – Land contamination and hazards
DM13 – Buildings in an adjacent to the Green Belt

Draft Site Allocations DPD (Regulation 19) July 2019

Policy SA1– Overall Policy Framework for land released from the Green Belt for development
Policy GB2 – Land at Five Acres, Brookwood Lye Road, Brookwood

SPD

Parking Standards SPD 2018
Outlook, Amenity, Privacy and Daylight SPD 2008
Design SPD 2015
Thames Basin Heaths Special Protection Area Avoidance Strategy 2010-2015
Traveller Accommodation Assessment 2013

Other Guidance

Waste and recycling provisions for new residential developments

PLANNING ISSUES

1. The main issues to be considered in this case are: planning policy framework, including the principle of the development in the Green Belt, impact on the Green Belt and the assessment of very special circumstances, impact on character and appearance, impact on residential amenity, highway safety and parking, contamination, sustainable construction, ecology, drainage and flood risk, Thames Basin Heaths SPA, human rights, Public Sector Equality Act and local finance considerations.

Background

2. As can be noted from the planning history of the site planning permission has existed for a total number of 13no. pitches across a much larger site than the current application site. There was also planning permission for 2no. temporary pitches (PLAN/2013/0062) but this was for a temporary period and has now expired. These permissions essentially occurred in an *ad hoc* manner which resulted in an irregular site layout of plots across a large site area. It should also be noted that many of the planning permissions granted

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were personal permissions to the applicant at the time (and their immediate family/dependents as specified in the relevant planning conditions).

3. Over the last few years (and concurrently with the draft Site Allocations DPD process) the position of the caravans has been consolidated to a much smaller site area and the caravans/pitches now occupy a layout which is not authorised. In addition it is also likely the case that many of the previous permissions have fallen away because the persons those permissions were personal too are either no longer present on the site or are no longer present on the site in a way which was authorised by the relevant planning permission.
4. At this point, it should also be noted that part of the application site comprises previously developed land, being occupied by a dwelling and its residential curtilage and also the western part of the site, having been previously part of some of the historic planning permissions for the gypsy/traveller pitches. However part of the site (south-eastern part) is not previously developed land as this part of the site falls outside of the residential curtilage of the existing single storey dwelling and also the site area of any previous planning permission for the gypsy/traveller pitches.

Planning policy framework

5. The application site lies within the designated Green Belt. Paragraphs 145 and 146 of the NPPF set out certain categories of development that are inappropriate within the Green Belt. Paragraph 145 states that the LPA should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are the “*replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces.*” Paragraph 146 states that “*certain other forms of development area also not inappropriate in the Green Belt provided they preserve the openness and do not conflict with the purposes of including land within it. These are:*

e) material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds);”
6. It is considered that the use of the “such as” indicates that the changes of use mentioned are examples rather than a closed list of changes of use that can benefit from this exclusion. Nonetheless all changes of use must preserve openness and not conflict with the purposes of the Green Belt to benefit from this exception.
7. In this particular case it is considered that the proposed development to construct a replacement two-storey dwelling which being two storey would be materially larger than the dwelling it replaced would be inappropriate development. A replacement caravan park comprised of 19no. permanent pitches (which is a change of use) with hard and soft landscaping and relocated access would not preserve the openness of the land, in comparison to the authorised use of the land, rather than its existing condition. On this basis the proposed development comprises inappropriate development in the Green Belt.
8. Not all of the site included within the red line of this application is previously developed land or was included within any of the previous planning permissions for development on the site. Therefore there is a small part of the application site which is not previously developed land, notwithstanding the condition of the existing site. In this regard it is considered that there would be some harm to openness, albeit very limited harm.

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9. With regard to the purposes of the Green Belt, it is not considered that the proposal would conflict with any of the purposes. The proposal would not result in the unrestricted sprawl of large built-up areas as part of the site is previously developed land and a strong edge to the eastern side of the site would result, with the woodland beyond the eastern boundary forming a strong physical boundary to the developed area. For a similar reason the proposal is not considered to result in neighbouring towns merging into one another, and the development would not result in the encroachment of the countryside. The proposal would also preserve the setting and character of historic towns. The proposal would also assist with urban regeneration as the draft Site Allocations DPD demonstrates that no new gypsy/traveller sites can be accommodated in the urban area so the proposal would not undermine or discourage the recycling of urban land.
10. It should also be noted that the applicant's supporting information also states that the proposal would be inappropriate development in the Green Belt. In addition as the development proposes that the caravans would be occupied by gypsy and travellers, the Planning Policy for Traveller Sites (PPTS) is also relevant. Policy E (Traveller sites in the Green Belt) states (Paragraph 16) that:

Inappropriate development is harmful to the Green Belt and should not be approved, except in very special circumstances. Traveller sites (temporary or permanent) in the Green Belt are inappropriate development. Subject to the best interests of the child, personal circumstances and unmet need are unlikely to clearly outweigh harm to the Green Belt and any other harm so as to establish very special circumstances.
11. It is therefore clear that the PPTS considers that development of traveller sites in the Green Belt is inappropriate development.
12. The proposed development would comprise inappropriate development within the Green Belt which results in harm by definition and with some harm to openness, albeit very limited harm to openness. As such the proposal is contrary to Policy CS6 of the Woking Core Strategy 2012, Policy DM13 of the DM Policies DPD 2016 and the NPPF.
13. Paragraph 143 of the NPPF advises that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 144 states that "*when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations*".
14. It is therefore necessary to consider whether any very special circumstances exist in this case which would clearly outweigh the harm to the Green Belt by reason of inappropriateness and any other harm. In this particular case 'other harm' to the Green Belt has been identified as very limited harm to openness, but it also includes any 'other harm' which may be considered to result from the proposed development. In this respect all of the material planning considerations are relevant and these are dealt with in the paragraphs below. The conclusion – planning balance is provided at the end of this report.

Very Special Circumstances

15. Very special circumstances (VSC) to justify the granting of planning permission will not exist unless the harm to the Green Belt by reason of inappropriateness and any other

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harm is clearly outweighed by other considerations. Very special circumstances can constitute one consideration or the combination of a number of considerations.

16. In respect of the Green Belt the PPTS states that “*subject to the best interests of the child, personal circumstances and unmet need are unlikely to clearly outweigh harm to the Green Belt and any other harm so as to establish very special circumstances.*” Policy H (Determining planning applications for traveller sites) of the PPTS (Paragraph 24) also states that:

Local planning authorities should consider the following issues amongst other relevant matters when considering planning applications for traveller sites:

- a) the existing level of local provision and need for sites*
- b) the availability (or lack) of alternative accommodation for the applicants*
- c) other personal circumstances of the applicant*
- d) that the locally specified criteria used to guide the allocation of sites in plans or which form the policy where there is no identified need for pitches/plots should be used to assess applications that may come forward on unallocated sites*
- e) that they should determine applications for sites from any travellers and not just those with local connections*

However, as paragraph 16 makes clear, subject to the best interests of the child, personal circumstances and unmet need are unlikely to clearly outweigh harm to the Green Belt and any other harm so as to establish very special circumstances.

17. The judgement in the case of R (Lee Valley Regional Park Authority) v Broxbourne Borough Council [2015] EWHC 185 (Admin) provides assistance in relation to the consideration of very special circumstances and states that:

“Once the issue is whether or not inappropriate development should be permitted in the Green Belt, all factors which tell in favour of the grant go to making up very special circumstances, which may or may not suffice. It is not necessary to go through the process of considering whether a factor is not a very special circumstance but nonetheless falls to be taken into account in favour of the development as another relevant material consideration. See Secretary of State for Communities and Local Government v Redhill Aerodrome Ltd [2014 EWCA Civ 1386.]”

18. The applicant’s case for very special circumstances can be summarised under the following headings:

- VSC1 – the development would contribute to pitch supply in the Borough;
- VSC2 – the site is previously developed land;
- VSC3 – Improving the visual appearance of the site;
- VSC4 – Enhanced buffer planting creating a self-contained site;
- VSC5 – Job construction;
- VSC6 – proposals would increase local population and contribute to the vitality of Brookwood; and
- VSC7 – Reduction in the amount of surface water runoff.

19. Whilst these reasons have been put forward by the applicant in their case for very special circumstances, it is also important to assess the status and policy requirements within the draft Site Allocations DPD which is at an advanced stage in its preparation. In addition and allied to the applicant’s VSC1 it is also necessary to consider the current situation with regard to need for gypsy and traveller pitches in the Borough along with an assessment of the current land supply position.

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20. Unlike many other planning applications for gypsy/traveller pitches no information is given with regard to the existing or proposed occupiers of the site. The LPA has previously requested information with regard to any particular personal circumstances of existing or proposed occupiers of the site so that these could be considered as part of the application but no information has been submitted. Nonetheless in general terms human rights and the Public Sector Equality Duty are considered as part of the assessment of this application. In addition if the application is considered to be acceptable as a Gypsy/Traveller site then it will be necessary to ensure that the pitches are made available to this sector of the population and thus a planning condition is considered reasonable and necessary to ensure the occupation of the pitches by persons who fall within the gypsy/traveller definition as set out in Annex 1 of the PPTS which states that:

“For the purposes of this planning policy “gypsies and travellers” means: Persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family’s or dependants’ educational or health needs or old age have ceased to travel temporarily, but excluding members of an organised group of travelling showpeople or circus people travelling together as such.”

Draft Site Allocations DPD

21. Policy CS14 of the Woking Core Strategy sets out that the Council will make provision for necessary additional pitches for Gypsy and Travellers and Travelling Show people in the Borough between 2017 and 2027 and that sites to meet the need will be identified in the Site Allocations DPD. It should also be noted that Policy CS14 also seeks to safeguard existing authorised sites for Gypsies and Travellers. Policy E of the PPTS further states (paragraph 17) that:

Green Belt boundaries should be altered only in exceptional circumstances. If a local planning authority wishes to make an exceptional, limited alteration to the defined Green Belt boundary (which might be to accommodate a site inset within the Green Belt) to meet a specific, identified need for a traveller site, it should do so only through the plan-making process and not in response to a planning application. If land is removed from the Green Belt in this way, it should be specifically allocated in the development plan for a traveller site only.

22. The Council’s emerging draft Site Allocations DPD, (which has been informed by a Green Belt boundary Review), is at an advanced stage in its preparation. Policy SA1 in the draft Site Allocations DPD provides a strategy to address the current unmet need in the Borough and to meet the need for Gypsy and Traveller pitches as evidenced by the Traveller Accommodation Assessment (TAA) over the plan period in accordance with Policy CS14 of the Core Strategy. It has been established that there are no sites within the urban area available to meet the needs of Gypsies and Travellers and therefore the policy strategy proposes to release land from the Green Belt for Gypsy and Traveller pitch provision.

23. Policy SA1 of the draft Site Allocations DPD sets out the overall policy framework for the release of land from the Green Belt for development. Under the heading ‘Traveller Sites’ it states that *“Land at Five Acres, Brookwood Lye Road, Brookwood (Proposal Site GB2) is released from the Green Belt and allocated for an additional 6 Travellers pitches and a plot for a Traveller transit site from the date of the adoption of the Site Allocations DPD.”* It is further stated that the delivery of the site will be informed by the phasing arrangement set out in the reasoned justification for the policy and the Council will seek to ensure that the development of the pitches meets the necessary standards for

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Travellers accommodation. The indicative delivery trajectory as set out in the reasoned justification in the draft Site Allocations DPD is as follows:

Year	Cumulative projected delivery	Indicative phasing of sites
2018/19	-8.3	
2019/20	-5.6	4 permanent pitches approved at land south of Murray's Lane
2020/21	0.1	6 pitches to be delivered at GB2. Planning application has been submitted to be determined. 1 pitch to be delivered at Land to the South of Gabriel Cottage
2021/2022	-0.2	1 pitch to be delivered at Stable Yard, Guildford Road
2022/2023	13.5	15 pitches to be delivered at land surrounding West Hall (GB9A)

24. The table above shows how the proposed release of site GB2 (Land at Five Acres, Brookwood Lye Road) from the Green Belt and its allocation for six net additional pitches (total of 19no. pitches) forms an integral and important part of the delivery strategy for additional Gypsy and Traveller pitches in the Borough. This site would deliver the second highest number of net additional pitches in the Borough and is also timetabled to be delivered in the year 2020/21 (although this timetable is slightly behind). This is also the only Gypsy and Traveller site to be released from the Green Belt on the adoption of the Site Allocations DPD.
25. The allocation of the application site for Gypsy and Traveller pitches is therefore fundamental to the forward planning strategy for meeting the need for Gypsy and Traveller pitches in the plan period. The draft Site Allocations DPD is at an advanced stage, having been through Examination and having recently been the subject of consultation on the main modifications to the plan. Therefore as advised by the Planning Policy Officer, substantive weight can be given to the draft Site Allocations DPD when determining this proposal.
26. In summary, the draft Site Allocations DPD, proposes the removal of this site from the Green Belt on adoption of the DPD, positively allocates the site to deliver the number of permanent Gypsy and Traveller pitches as proposed in the application and also sets out that this site should come forward immediately to provide these pitches to meet the needs as set out. In this regard the proposal is considered to comply with Policy CS14 of the Woking Core Strategy, the emerging Policy SA1 of the draft Site Allocations DPD and also Policy E (paragraph 17) of the PPTS.
27. The detailed assessment of the proposal in relation to the criteria set out in Policies SA1 and GB2 of the draft Site Allocations DPD and all other material considerations is provided in the relevant sections of this report below and this will include an assessment of the proposal with regard to the provision of a Transit plot on the site and also the consideration of the previously approved pitches across the wider adjacent land.

VSC1 – the development would contribute to pitch supply in the Borough

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28. In assessing this VSC put forward by the applicant, it is also necessary to consider the current status with regard to the five year supply of pitches and also the need for pitches in the Borough.
29. As noted in the section above Policy CS14 of the Woking Core Strategy sets out the strategy for meeting the needs for Gypsy and Travellers in the Borough. In 2013 the Council published its Traveller Accommodation Assessment (TAA) which identifies a need for 19 additional gypsy/traveller pitches in Woking between 2012-2027. As at 2019/20, there remains evidenced an unmet need for travellers' accommodation in the borough. With regard to land supply, cumulative delivery relative to the TAA target is currently -5.6 pitches, taking into account accruing annual need of 1.3 pitches over the plan period. However if no permanent pitches are/were approved in the 2020/2021 reporting period then the deficiency in the Gypsy and Traveller pitch provision in the Borough would be -6.9 pitches.
30. It is therefore clear that there is currently an unmet need for Gypsy and Traveller pitches in the Borough. This is reinforced by a recent appeal decision in respect of Gypsy and Traveller pitches in the Borough (APP/A3655/W/19/3227697 Boyds Farm, Murrays Lane) where the Inspector concluded that "*in the current context the Council accept that they are unable to demonstrate a five year supply of gypsy and traveller sites to meet the identified need.*" This is a significant material consideration when assessing planning applications for new pitch provision as identified in paragraph 27 of the PPTS. In addition this site is specifically allocated to provide a significant part of the land supply to meet the identified need.

VSC2 – the site is previously developed land; VSC3 – Improving the visual appearance of the site; and VSC4 – Enhanced buffer planting creating a self-contained site

31. Whilst some of the application site is considered to fall within the definition of previously developed land, there is a section of the site (to the rear on the eastern side) which appears to be outside any of the red line planning application sites associated with any of the previous planning permission for development and/or gypsy and traveller pitches on this site. Therefore it cannot be concluded that all of the land is previously developed land.
32. However undoubtedly a large part of the site would fall within the definition of previously developed land and except for the existing bungalow, part of the site has also been used for the provision of Gypsy and Traveller pitches (or part thereof). In respect of the current appearance of the site the applicant has advised that the site currently detracts from the visual amenity of the area as the caravan site has grown organically and does not make a positive contribution to the character or appearance of this Green Belt location. The applicant further advises that the formalised layout of the pitches combined with the landscape treatment would improve the visual amenity of the area.
33. It is true to say that the current condition and appearance of the site, much of which is visible from Brookwood Lye Road, detracts from the street scene and this approach to Brookwood from the Woking direction. However planning permission should not be granted as a 'reward' for the current condition of the site as this would only serve to encourage potential applicants to degrade the condition and appearance of sites in the hope of being granted planning permission for an alternative development. Nevertheless, the provision of Gypsy and Traveller pitches across the wider site has grown organically or in an *ad hoc* manner over the years as a result of successive

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planning permissions being granted and those permissions extended across a much wider part of the land on the southern side of Brookwood Lye Road.

34. Therefore even if the authorised pitches were all still in place, they would extend across a much wider area, resulting in a more inefficient use of land, would still not form a properly planned and logical site arrangement and would still have a particular character and appearance with the *ad hoc* placement of caravans, buildings, structures and parking. In addition even if formal enforcement action were to be taken against any existing unauthorised development on the current site, it is still likely that the site would maintain its appearance with a bungalow and a number of pitches and their associated paraphernalia resulting from the historic relatively 'unplanned' nature of the authorised pitches.
35. In contrast the proposal seeks to consolidate the pitches on the site proposed in line with the draft Site Allocations DPD and provide a properly planned arrangement around a rectangular shaped access road. The proposed site arrangement would also enable an increase in the number of pitches and as will be shown below, each pitch would be provided with the necessary requirements for Gypsy and Traveller pitches whilst allowing some limited areas for planting across the site. Wider opportunities for planting along the frontage of the site would also result. The proposed site layout also shows that there would be a landscaped buffer zone along the western boundary of the site and the woodland area which abuts the site on its eastern site would also be maintained. Small landscaped areas of various sizes would also be provided along parts of the access road within the site which would provide some small, but nonetheless important areas for 'greening' within the site.
36. Therefore whilst weight in the decision making process is not being given to the current condition of the site (as this may only encourage landowners to degrade their sites in the hope of achieving development which would not otherwise be granted) its recognised in this case that there are benefits of the current proposal which include, making the efficient use of land, providing a properly planned, logical and landscaped site arrangement and also providing a site layout which is of an enhanced appearance in comparison to what has previously lawfully occurred on the site. The dense woodland which abuts the application site on its eastern site would form a strong physical boundary to the site and on the adoption of the Site Allocations DPD would also provide a similarly strong physical boundary to the urban area for this part of Brookwood.

VSC5 – Job construction and VSC6 – proposals would increase local population and contribute to the vitality of Brookwood

37. Although job construction (as in the generation of jobs during the development) is listed in the applicant's VSC case, they recognise that this is not an exceptional circumstance as the redevelopment of any site would result in the requirement for labour and would contribute expenditure to the local/wider economy, albeit as this site is relatively small and all construction periods are temporary, in this case this is considered to be a limited benefit of the development.
38. The applicant's VSC case also includes reference to the proposal increasing local population which would increase the vitality of Brookwood, e.g. increased number of residents are likely to shop locally, may work locally and make use of local facilities e.g. schools. As for VSC5, the applicant also recognises that this is not an exceptional circumstance and any redevelopment resulting in additional residential units would result

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in similar increase in population. This is considered to be a limited benefit of the development.

39. However the application site is located on the edge of Brookwood where a range of local facilities are available for residents. The Basingstoke Canal (with its associated cycle route) and Brookwood Country Park are located opposite the site which provide access to recreation open space. Brookwood Primary School is located on Connaught Road along with some local shops and Sainsbury's at Knaphill is located within a 10 minute walk from the site. Local bus routes are also available along Connaught Road and Bagshot Road. As it has been established above that all new Gypsy and Traveller pitches would need to be located within the Green Belt, it is considered that this site would be sustainable in terms of its location on the edge of Brookwood where future residents would be able to have easy access to a range of facilities in their local area without sole reliance on a vehicle to access some of those facilities. The sustainability benefits of the location of the site would also assist in fostering inclusion of new occupiers of the site into the local community. In addition although this site is currently located on the edge of Brookwood, it is also acknowledged that the adjacent site also subject to its own proposed allocation for redevelopment for residential development in Policy GB1 of the draft Site Allocations DPD. If this adjacent site does come forward for development then this site would further assist with the visual and physical integration of this site as part of Brookwood. The locational sustainability benefits of the site and its integration with the existing settlement are considered to be significant benefits of the proposal.

VSC7 – Reduction in the amount of surface water runoff

40. The applicant has advised that the proposed development would reduce the surface water run off leaving the site and that this is an exceptional circumstance. As the site has grown over the years as a result of many planning permissions, it is unlikely that surface water run-off is being adequately accommodated on the site. As this is a sloping site, any surface water run-off would flow towards the frontage of the site and onto Brookwood Lye Road. The frontage of the site is shown as being within the medium risk surface water drainage area. Whilst some of the development/positioning of the caravans on site is unauthorised, the surface water run-off would also result from the authorised development on the site.
41. As part of the application drainage information has been submitted which will provide a new surface water drainage system for the whole site and will also control the discharge rate of water from the site. The drainage system will include a permeable road construction, permeable surfaces for pitches, underground storage crates and also a small swale/pond along part of the frontage of the site (outside the garden for the new dwelling). The proposed new drainage system would therefore result in a betterment to the existing authorised situation and be a positive benefit of the proposal.
42. Whether or not these VSC are considered to outweigh the harm to the Green Belt by reason of the inappropriateness of the development, harm to openness (albeit very limited harm) and any other harms will be considered in the conclusion-planning balance at the end of this report, once all other planning considerations have been assessed below.

Suitability of the site in planning terms

43. Policy CS14 sets out a number of criteria which are required to be taken into account in determining applications for Gypsy and Traveller proposals. Similarly Policies SA1 and

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GB2 of the draft Site Allocations DPD include a number of criteria setting out the considerations for development on this site.

44. In addition paragraphs 25 and 26 of the PPTS set out further matters to be taken into consideration when determining applications and advise that Local Planning Authorities *“should ensure that sites in rural areas respect the scale of, and do not dominate, the nearest settled community, and avoid placing undue pressure on the local infrastructure”* (paragraph 25).
45. In broad terms and allied to the draft policy allocation for the use of the site for the provision of Gypsy and Traveller pitches the site is considered to be suitable for the proposed development.
46. With regard to the number of pitches the site is expected to accommodate, Policy GB2 of the draft Site Allocations DPD specifies that the site should yield 19no. permanent pitches and transit pitch. The proposed site layout plan identifies that 19no. pitches would be provided on the site in addition to a new dwelling (in replacement for the existing dwelling). The design guidance for the provision of Gypsy and Traveller sites/pitches was withdrawn by Government (CLG guidance - Designing Gypsy and Traveller Sites (May 2008)) and thus there is no national guidance as to the number of pitches one site should accommodate. In any event the same number of permanent pitches is proposed as stated in Policy GB2.
47. The now withdrawn CLG guidance on Designing Gypsy and Traveller Sites (May 2008) advised that there was no one ideal size of site or number of pitches, although it was stated that managers and residents alike suggest that a maximum of 15no. pitches was conducive to providing a comfortable environment which was easy to manage. However as noted, this design guidance has been withdrawn and had not been replaced, thereby enabling greater flexibility in the size of gypsy and traveller sites. In this particular case Policy GB2 proposes that the site is allocated for a total of 19no. pitches and the current application is in accordance with this requirement. As noted previously, this number of pitches takes the 13no. authorised pitches from across the wider land (including the adjacent site) and consolidates these with 6no. additional pitches on the application site to provide the 19no. pitches. However it is considered necessary to ensure that any of the pitches on the adjacent site cannot be ‘resurrected’ from any of the historic planning permissions which exist as this would result in a larger number gypsy and traveller pitches in this area and undermine the policy allocation in the draft Site Allocations DPD, the policy allocation for the adjacent site and result in a number of planning harms e.g. visual amenity (spread of pitches across a much wider area) and also the attempts by the applicant to create a new planning chapter for the provision of a properly planned permanent gypsy and traveller site in this location.
48. It is understood that the applicant also owns the adjacent land and thus it is considered reasonable and necessary for the S106 Legal Agreement to include planning obligations which prevent the re-establishment of any of the lawful gypsy and traveller pitches on the application site and the adjacent site on the implementation of this planning permission.
49. The proposed site layout and the requirements to accommodate specific facilities on each permanent pitch and meet the required separation distances for fire regulations etc. has meant that the proposals do not include a pitch for a transit site as envisaged by Policy GB2. However the application has been under consideration for a number of years now and a large amount of that time has been spent on the site layout through multiple revisions to ensure that the access road can accommodate the refuse collection

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vehicle, that each plot can accommodate the facilities that would normally be expected to be provided on the site and that the separation distances between units can be achieved (for fire safety purposes) and as required by the criteria in Policies SA1 and GB2 of the draft Site Allocations DPD. The combination of all of these factors has meant that it is not physically possible to provide a transit pitch on the site in addition to the 19no. permanent pitches and the replacement dwelling. A transit pitch is normally expected to have all of the requirements of a permanent pitch, although such a pitch would not be permanently occupied by the same people.

50. However, notwithstanding the inclusion of a transit pitch within Policy GB2 of the draft Site Allocations DPD, the TAA from 2013 did not identify a need for a transit pitch within the Borough. Therefore whilst it may be considered desirable to have a transit pitch within the Borough, the TAA did not specifically identify a need for a transit pitch. In addition whilst it is noted that there have been a number of unauthorised Gypsy and Traveller incursions on sites within the Borough over a number of years, where these have occurred on Council owned land, they have been remedied swiftly through the use of other legislation. In addition there is no other evidence to suggest that these incursions have been by one caravan, which only 1no. transit pitch would be able to be accommodate in any event. Therefore the provision of 1no. transit pitch on this site would have only made a small contribution to the provision of transit pitches in the Borough. It is also considered that it would be difficult to sustain an objection to this application on the grounds of the lack of provision of a transit pitch given that there is no evidence of an overriding need for a transit pitch on this site. Nonetheless as no transit pitch is provided it is considered that harm would result, albeit this harm is considered to be very limited, in the absence of evidence relating to need for a transit pitch. This harm would be added to the Green Belt harm and will be weighed against the benefits of the proposal in the planning balance at the end of this report.
51. With regard to the dwelling, a two storey dwelling is proposed in replacement for the existing single storey dwelling. Had a replacement dwelling not been proposed, harm would have resulted from the proposal from the loss of an existing dwelling. The new dwelling would have 5no. bedrooms and would be used as the site manager's accommodation. Policy GB2 is silent in respect of the existing dwelling and any proposed dwelling but it is considered beneficial for there to be accommodation for the site manager, who can actively manage the site and respond to any issues as they arise. The occupation of the dwelling can be controlled by planning condition. The positioning of the new dwelling on the site would be similar to that of the existing dwelling and would offer natural surveillance of the access into the site.

Site layout and Impact on visual amenity

52. 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.*" Policy CS24 also seeks to maintain the landscape character of the area. Policy CS14 also states that the site should not have unacceptable adverse impacts on the visual amenity and character of the area. PPTS also states that LPAs should attach weight to sites being well planned or soft landscaped in such a way as to positively enhance the environment and increase its openness.
53. The PPTS further advises that weight should also be attached to the following matters (paragraph 26):

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- a) *effective use of previously developed (brownfield), untidy or derelict land;*
- b) *sites being well planned or soft landscaped In such a way as to positively enhance the environment and increase its openness;*
- c) *promoting opportunities for healthy lifestyles, such as ensuring adequate landscaping and play areas for children; and*
- d) *not enclosing a site with so much hard landscaping, high walls or fences, that the impression may be given that the site and its occupants are deliberately isolated from the rest of the community.*

54. The application site is rectangular in shape and the proposed new dwelling would be sited in a similar position to the existing dwelling. The dwelling would have its own garden and parking area with at least two car parking spaces. The dwelling would be two storey with a conventional dual pitched roof. The dwelling would be located with its gable end facing Brookwood Lye Road, but this would have two first floor windows to provide some visual interest. The front elevation would face the site access providing natural surveillance and the rear elevation would face the private garden. The dwelling would be faced in brick under a red plain tiled roof. The proposed dwelling is well designed in terms of its proportions and appearance and would appear as a conventional domestic dwelling within the street scene. Given the position of the dwelling on the site, its relationship with the remainder of the site and for drainage reasons it is considered reasonable and necessary to withdraw 'permitted development' rights for any enlargement of the dwelling, the construction of any detached outbuildings in the rear garden and for the provision of any additional hard surfacing within the plot.
55. The internal access road would form a rectangular shape around the site, enabling 9no. pitches to be arranged along the eastern and southern boundaries of the site with an 'island' of 10no. pitches within the centre of the site. Each pitch would have space for a mobile home, a touring caravan, a utility building, 2no. car parking spaces, a small amenity area, an external store, refuse/bin storage and LPG bottle storage. Around the access road would be small areas for landscaping, with a wider buffer zone of landscaping provided along the western boundary of the site. Along the northern boundary of the access would be re-positioned, a new 2m wide footway along the frontage of the site provided along with landscaping. Within the site a small area of open space and a space for visitor parking would also be provided.
56. Given the size of the site and the number of pitches the site is required to accommodate in accordance with Policies SA1 and GB2 of the draft Site Allocations DPD, the proposed arrangement is considered to meet all of the required separation distances between caravans/mobile homes (as required for fire separation) whilst also providing a well-planned, logical and visually acceptable arrangement to accommodating the development. Each pitch would be well defined and interspersed along the access road would be small areas of landscaping which would contribute to the 'greening' of the site to relieve the uniformity of the hard surfaced access road. The Council's Environmental Health Officer has reviewed the revised site layout plan and has not made any adverse comments, although recommends conditions relating to services and amenities, site lighting and LPG storage, which have been included in the recommended conditions.
57. There are some trees within the site which will require removal to accommodate the proposed development. The application is supported by Arboricultural Information and a tree protection plan. The proposed development would result in the removal of 5 no. individual trees within the site, all of which are either category C (trees of low quality and value) or U (trees in such condition which would be lost in 10 years and should be removed) trees. There are also 4no. hedges within the site which are proposed to be removed. All of the hedges are identified as being category C hedges. The removal of the proposed trees and hedges is not considered to have a significant impact in terms of

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the appearance of the site. The proposed site plan, provides a 2 metre buffer zone for planting along the western boundary of the site, provides planting to the front boundary of the site (which would be behind the visibility splay for the access) and would provide small areas for landscaping/planting within the site. Subject to condition the proposed landscaping would enhance the overall layout of the proposed development.

58. There are also a number of trees outside the application site, adjacent to the eastern boundary of the site which could be affected by the proposed development. These trees have also been subject to assessment. These trees will be protected by fencing and ground protection during construction and it is stated that any works within close proximity to these trees will be undertaken in an arboriculturally sensitive manner, the details of which will be subject to a planning condition. Subject to conditions relating to trees and landscaping, the Council's Arboricultural Officer has advised that the details are acceptable.
59. Subject to conditions relating to site layout, the provision of facilities on each pitch, external materials, landscaping provision, means of enclosure to plots, removal of permitted development for further means of enclosure on the site and in relation to the dwelling the proposal is considered to result in a visually acceptable development which would significantly improve the character and quality of this site and its appearance within the street scene. Subject to the conditions the proposal is considered to comply with Policies CS14, CS21 and CS24 of the Woking Core Strategy, Policy DM2 of the DM Policies DPD, Policies SA1 and GB2 of the draft Site Allocations DPD, the relevant requirements of paragraph 26 of the PPTS and the NPPF.

Impact on neighbouring amenity and amenity of future occupiers

60. Policy CS21 of the Core Strategy advises that proposals for new development should achieve a satisfactory relationship to adjoining properties avoiding significant harmful impact in terms of loss of privacy, daylight or sunlight, or an overbearing effect due to bulk, proximity or outlook. Further detail is provided in the SPD Outlook, Amenity, Privacy and Daylight.
61. The proposed development would not result in any adverse impacts to the amenity of any residential occupiers outside of the site as there are currently no residential properties adjoining the application site. The adjacent larger site is the subject of a planning application for new residential development but the considerations for that application will include the impact on the amenities of any future occupiers of this development, in the event that permission is granted for this proposal.
62. With regard to the impact on amenities of occupiers within the site, the proposed dwelling would have an internal floor area of around 164sqm (excluding the covered porch) which exceeds the minimum internal floorspace within the CLG Housing Technical Standards for a 5 bedroom dwelling. The new dwelling would also have a private rear garden of around 165sqm (including the area covered by the detached outbuilding). In this regard the proposed rear amenity space is considered to be suitable and commensurate with the size and scale of the dwelling. There would also be no first floor window in the southern elevation of the dwelling facing the adjacent pitch and as 'permitted development' rights are recommended to be removed from the dwelling, planning permission would be required for any new window in this elevation.
63. Policy SA1 of the Site Allocations DPD states that sites should ensure a degree of privacy for individual households without inhibiting the important sense of community. With regard to the provision of the pitches, it is acknowledged that the site is relatively tight in terms of its layout, but the site layout and the positioning of the amenity buildings

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would provide some separation between the static mobile home positions. Boundary treatments would also be provided to define each plot and would provide some further privacy. It is however recognised that on a sloping site such as this with the static mobile homes being raised (as they all sit elevated above ground level), there will be some degree of views between plots. The closest static mobile home positions are between plots 6 and 8 and plots 3 and 5 where the separation is just over 6 metres. For plots 3 and 5 the separation is across part of the access road and for plots 6 and 8 an amenity building is positioned between the mobile home positions and some garden/green area would exist for planting if additional privacy was required. The size of mobile homes/caravans including their height is also limited by the Caravan Sites Act 1968. Overall it is considered that the proposed site layout provides an acceptable arrangement of plots and would not result in any significant adverse amenity impacts between future occupiers, by reason of overbearing, privacy or daylight impacts.

64. The site lies between Brookwood Lye Road and the main South Western railway line. A Noise Assessment report has been submitted with the application. For the proposed new dwelling, building fabric, glazing and trickle ventilator specifications are provided for the specified elevations to ensure that acceptable internal noise levels can be achieved within the dwelling. With regard to the mobile homes the noise assessment identifies the likely noise levels at each pitch, which is dependent on the proximity to the noise source e.g. either the road or railway line. Predictions are made with regard to the nominal sound reduction provided by a partially open window. The predicted internal noise levels on the pitches would be higher than the WHO noise guidelines and those noise levels generally sought by Policy DM7 of the DM Policies DPD. Policy DM7 states that proposals for noise sensitive uses in areas of significant or neighbourhood noise will only be supported where the need for development outweighs impacts on amenity of future occupiers and where a robust scheme of mitigation is provided. Policy GB2 of the draft Site Allocations DPD also requires noise to be considered for the site.
65. However it is noted that part of the site has planning permission for gypsy and traveller pitches, which were located slightly closer to Brookwood Lye Road than they would be as a result of this scheme. In addition the authorised pitches on the adjacent site were located immediately adjacent to the southern boundary adjacent to the railway line. The pitches on the application site would be located further away from the railway line than the previously authorised pitches. Whilst it is acknowledged that the site is affected by noise, having regard to the current use of the site, the previously authorised pitches, the proposed site allocation and the need for Gypsy and Traveller pitches it is considered that the site is appropriate for the proposed use and that the need for the development would outweigh any potential noise impacts on future occupiers. In addition a condition is included in the recommendation to ensure that the development is undertaken in accordance with the requirements set out in the noise report to meet or better the internal noise levels as set out, in accordance with the comments from the Council's Environmental Health Officer.
66. In light of the above comments and subject to conditions relating to noise, the proposed development is not considered to result in any significant adverse amenity impacts to the future occupiers of the site. The proposal therefore complies with Policy CS21 of the Woking Core Strategy 2012, Policy DM7 of the DM Policies DPD, Policies SA1 and GB2 of the draft Site Allocations DPD, the SPD Outlook, Amenity, Privacy and Daylight and the NPPF.

Highways, access and parking provision

67. A Transport Statement has been submitted with the application. In terms of traffic generation it is noted that the wider land holding has historically had planning

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permission for 13no. pitches. It is also noted that the existing site has been subject to a number of caravans in recent years. The application proposes 19no. permanent pitches and a replacement dwelling and in traffic generation terms, whilst there may be a slightly larger volume of vehicular trips in comparison to the authorised number of pitches, the applicant's Transport Statement advises that without undertaking any detailed trip analysis the addition traffic generated will be insignificant and will not have a material impact on the operation of the local highway network. The County Highway Authority has not raised any concerns to the application in this regard.

68. The proposed access into the site would be located slightly further west than the existing access and would allow for two-way entry and egress. The access road around the site would be a circular road of varied width which would be operated on a one way system and would enable access for larger vehicles, including the refuse collection vehicle. A swept path plan has been provided with the application to show that a refuse vehicle can manoeuvre around the site. The access road would be treated as a shared surface allowing pedestrians priority over vehicles.
69. Policy GB2 of the draft Site Allocations DPD, specifically states that the development should contribute to the provision of essential transport infrastructure to mitigate the impacts of the development and in addition to normal access, parking and servicing requirements it seeks to secure the extension of the footway on the south side of Brookwood Lye Road. In this regard a 2 metre wide footway would also be provided to the front of the site to promote pedestrian access to the site, along with an uncontrolled crossing point on Brookwood Lye Road. Such facilities will provide an important linkage from the site to Brookwood for residents to access local services by means other than a private car. In addition when the adjacent site is developed the proposed footway would extend to the Brookwood crossroads on this side of the road also.
70. The Parking Standards SPD sets maximum parking standards for non-residential uses and there is no standard for gypsy/traveller pitches. However each pitch would have parking space for a touring caravan and 2no. car parking spaces. This provision is considered to be sufficient for each pitch. A storage shed is also shown for each pitch and this would be able to accommodate any cycle storage requirements for each pitch. Furthermore a visitor space is shown inside the front boundary of the site. The proposed new dwelling would have space for 2no. car parking spaces, although it is noted from the plan that 3no. spaces could be accommodated in the area shown for parking. This provision is in accordance with the Parking Standards SPD for a 5 bedroom dwelling. An outbuilding and sufficient space would exist within the site for the dwelling to accommodate any cycle parking.
71. The County Highway Authority has reviewed the application and recommended a number of planning conditions, including securing the provision of the 2 metre wide footway along the front of the site and also the uncontrolled crossing point on Brookwood Lye Road. Subject to the imposition of the conditions the proposed development is therefore considered to comply with Policy CS18 of the Woking Core Strategy 2012, Policies SA1 and GB2 of the draft Site Allocations DPD, the Parking Standards SPD and the NPPF.

Drainage and Flood Risk

72. The application site is shown on the Flood Risk Maps as being located within Flood Zones 2 (medium probability) and 3 (high probability). As part of the application, the applicant has undertaken a Flood Risk Assessment (FRA) including a fluvial modelling exercise (hydraulic modelling) to determine the flood risk of the development site. The hydraulic modelling has been reviewed and was subsequently approved by the

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Environment Agency in February 2019. The modelling determined that the site is located in Flood Zone 1. The applicant has undertaken a precautionary approach and set the finished floor level of the built development above the 1% annual probability (1 in 100) flood level with an appropriate allowance for climate change. This will reduce the risk of flooding to people and property.

73. On the basis of the modelling undertaken the Environment Agency has been able to remove their objection to the application subject to a condition requiring the development to be carried out in accordance with the FRA and the mitigation measures that the finished floor level of the proposed replacement dwelling and outbuilding are set no lower than 38.508 AOD (they are both shown on the site layout plan to be 38.600 AOD) and the finished floor level of the static mobile homes on each pitch are set no lower than 38.806 AOD. Although the finished floor levels of the static mobile homes are not shown on the proposed site layout plan it is considered that these finished floor levels would be achievable given that mobile homes have by their nature a raised floor level, the site levels and the sloping nature of the site.
74. As part of the application surface water drainage information has been submitted which will provide a new surface water drainage system for the whole site and will also control the discharge rate of water from the site. The drainage system will include a permeable road construction, permeable paving for the pitches, underground storage crates and also a small swale/pond along part of the frontage of the site (outside the garden for the new dwelling). The proposed new drainage system would therefore result in a betterment to the existing authorised situation. The Council's Drainage and Flood Risk Engineer has reviewed the submitted drainage details and has raised no objection subject to the imposition of planning conditions.
75. Subject to the imposition of the recommended conditions the proposal is considered to comply with Policy CS9 of the Woking Core Strategy, Policy GB2 of the draft Site Allocations DPD and the NPPF.

Contamination

76. Paragraphs 120 and 121 of the NPPF relate to contamination and advise that the effects of pollution should be taken into account and that the responsibility for securing a safe development rests with the developer and/or landowner. Policy DM5 of the DM Policies DPD relates to environmental pollution and Policy DM8 relates to land contamination. Draft Policy GB2 of the draft Site Allocations DPD seeks to ensure that any development on this site makes provision for investigation and remediation. As the site is currently occupied it makes site investigation difficult and thus the Council's Contaminated Land Officer has recommended the standard contamination conditions be imposed on any permission granted to ensure that any contamination is remediated as required. Subject to these conditions the proposal is considered to comply with Policies DM5 and DM8 of the DM Policies DPD 2016, Policy GB2 of the draft Site Allocations DPD and the NPPF.

Sustainable construction

77. Planning policies relating to sustainable construction have been updated following the Government's withdrawal of the Code for Sustainable Homes. Therefore in applying Policy CS22 of the Core Strategy, the approach has been amended and at present all new residential development (dwellings) is required to be constructed to achieve a water consumption standard of no more than 110 litres per person per day water consumption and not less than a 19% CO2 improvement over the 2013 Building Regulations TER Baseline (Domestic). Subject to conditions for the proposed new dwelling the proposal is

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considered to be acceptable and would comply with Policy CS22 of the Core Strategy and the NPPF.

Ecology

78. Policy CS7 of the Woking Core Strategy 2012 and Policy GB2 of the Site Allocations DPD require development to contribute to the protection and enhancement of biodiversity and nature conservation. A Preliminary Ecological Appraisal (PEA) had been submitted with the application along with a Bat Survey Report.
79. The PEA report advises that although the Brookwood Lye and West Hill Golf Course SINCs and the Basingstoke Canal SSSI are in close proximity to the site, there are roads and a railway line intervening and providing measures are taken to avoid light spill, the potential for indirect effects on these non-statutory ecological sites, is considered to be low.
80. The site is covered with a significant amount of hard surfacing which limits the ecological value of the site. However there are a number of existing buildings on the site which would be demolished as part of the proposals. A Bat Survey report has also been provided although this survey relates to the application site and the adjacent site. Buildings B12-B20 lie within the application site. It is noted in the report that these buildings were not subject to any surveys during 2019 due to lack of access. A single Common Pipistrelle was recorded emerging from Building 19 during the emergence survey on 1 August 2019. It was also noted that Building B20 (the existing dwelling) is thought to provide low bat roosting potential based on previous 2017 surveys. The Bat Survey report further recommends that internal and external surveys are undertaken once the buildings are vacated and access is available.
81. It is well established planning guidance that ecological surveys should occur prior to the grant of any planning permission to ensure that all material planning considerations are taken into account. This approach is in accordance with national planning guidance in Circular 06/05 which states that "*the need to ensure ecological surveys are carried out should therefore only be left to coverage under planning conditions in exceptional circumstances.*" In this regard the applicant has advised that the site is not within their control and access to the buildings has not been granted to the applicant team or their ecological experts. It is advised that the applicant has been in contact with the occupier on several occasions to seek access but this has not been granted and thus the applicant is in the position of being willing and able to undertake the bat surveys but is unable to do so. The applicant therefore requests, with reference to the guidance, that an exception be made in this particular case and a pre-commencement planning condition is imposed on any permission granted which would require the surveys to take place prior to any demolition. In further support of this approach the applicant has provided a letter from the Ecologist which confirms the need to undertake the surveys, the process to be adopted and the potential mitigation and enhancements that can be provided in the event that a bat roost is recorded on the site. It is also noted that if a bat roost is recorded it will be necessary to obtain a licence from Natural England prior to demolition.
82. The original comments of the Surrey Wildlife Trust on the application and with regard to the requirement for further bat surveys are noted. In nearly all cases bat surveys would be undertaken prior to the determination of the application. In this case it is acknowledged that the approach suggested by the applicant is unusual, however it is further acknowledged that the application has been under consideration by the LPA for just over 3 years and whilst many seasons have passed where these surveys could have been undertaken, to date the surveys have still not been carried out. Following the

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receipt of the Bat Survey report in February 2020 the LPA reiterated to the applicant the requirement for the surveys to be undertaken. Nonetheless the applicant has advised that access is still not possible to the site/buildings. It is further acknowledged that the site is occupied, part of the use of the site remains unauthorised and given the impact of the coronavirus pandemic over the past year and the ongoing situation requiring contact between persons to be limited it is considered that there are sufficient exceptional circumstances relating to this case such that a pre-commencement condition requiring the bat survey(s) to be undertaken prior to the commencement of any works on the site would be justified. A condition is therefore included in the recommendation to ensure that impacts on bats are mitigated/compensated as may be required.

83. In respect of other ecological matters, the original PEA report noted the presence of a single Japanese knotweed plant and a small immature false acacia tree on the application site, both of which are listed as invasive plants on Schedule 9 of the Wildlife and Countryside Act 1981 (as amended). The PEA report therefore recommends an eradication programme in advance of site clearance works and a condition is thus included in the recommendation. A condition relating to vegetation removal is also included.
84. Subject to conditions the proposal is considered to comply with Policy CS7 of the Woking Core Strategy, Policy GB2 of the draft Site Allocations DPD, the guidance in Circular 06/05 and the NPPF.

Thames Basin Heaths Special Protection Area (TBH SPA)

85. The SPA's in this area are internationally-important and designated for their interest as habitats for ground-nesting and other birds. The site lies in an area between 400m and 5km from the SPA. Policy CS8 of the Core Strategy states that any proposal (including the permanent stationing of gypsy and traveller caravans or mobile homes) with potential significant impacts (alone or in combination with other relevant developments) on the Thames Basin Heaths SPA will be subject to Habitats Regulations Assessment to determine the need for Appropriate Assessment.
86. Following recent European Court of Justice rulings, a full and precise analysis of the measures capable of avoiding or reducing any significant effects on European sites must be carried out at an 'Appropriate Assessment' stage rather than taken into consideration at screening stage, for the purposes the Habitats Directive (as interpreted into English law by the Conservation of Habitats and Species Regulations 2017 (the "Habitat Regulations 2017")). As this site is proposed to be allocated in the draft Site Allocations DPD yielding an additional 6no. pitches, this site has already been included in the Appropriate Assessment prepared for the draft Site Allocations DPD which concluded no likely significant effect.
87. Policy CS8 of Woking Core Strategy (2012) requires new residential development beyond a 400m threshold, but within 5 kilometres of the TBH SPA boundary to make an appropriate contribution towards the provision of Suitable Alternative Natural Greenspace (SANG) and Strategic Access Management and Monitoring (SAMM), to avoid impacts of such development on the SPA. The SANG and Landowner Payment elements of the SPA tariff are encompassed within the Community Infrastructure Levy (CIL), however the SAMM element of the SPA tariff is required to be addressed outside of CIL. Gypsy and Traveller caravans/mobile homes do not constitute 'chargeable development' for the purposes of the CIL Regulations 2010. However the SANG charge within the CIL Schedule for 'chargeable development', has been set at a level which is high enough to mitigate the harm arising from 'non-chargeable development' such as affordable housing, residential conversions and gypsy/traveller caravans. However the

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proposed replacement dwelling is CIL liable development. An updated Appropriate Assessment has also been undertaken and for the avoidance of doubt, sufficient SANG at Brookwood Country Park has been identified to mitigate the impacts of the development proposal.

88. The SAMM (Strategic Access Management and Monitoring) component of the SPA mitigation payment is a monitoring contribution and SAMM payments are not included within the CIL Charging Schedule and therefore have to be secured outside of CIL. The current proposal would, in combination with other residential developments, adversely affect the integrity of the SPA in relation to urbanisation and recreational pressure pathways in the event that a SAMM financial contribution was not secured.
89. The proposal seeks to increase the number of authorised pitches from 13no. to 19no. Given the nature of caravans which can be replaced on an authorised pitch providing they fall within the size limits for a caravan, it is considered reasonable to consider that the caravans would likely be 3 bedroom caravans. On this basis the applicant has agreed to make a relevant SAMM contribution of £5,658 in line with the Thames Basin Heaths SPA Avoidance Strategy tariff. This would need to be secured through a S106 Legal Agreement. The new dwelling would replace the existing dwelling and thus there is no net increase in the number of dwellings in this regard.
90. Subject to securing the provision of the SAMM tariff and in line with the conclusions of the Appropriate Assessment, the Local Planning Authority is able to determine that the development will not affect the integrity of the TBH SPA either alone or in combination with other plans and projects in relation to urbanisation and recreational pressure effects. The development therefore accords with Policy NRM6 of the South East Plan 2009, Policy CS8 of Woking Core Strategy 2012, the measures set out in the Thames Basin Heaths SPA Avoidance Strategy, the requirements of the Habitat Regulations 2017 and Policy GB2 of the draft Site Allocations DPD.

Human Rights

91. Article 8(1) of the European Convention on Human Rights (ECHR) provides that everyone has the right to respect for his private and family life, his home and his correspondence. If Article 8(1) is engaged, a balancing exercise by Article 8(2) of the ECHR is also required to be carried out. Article 8(2) allows interference with the right to respect (for his private and family life, his home and his correspondence) where the interference accords with the law and is necessary in a democratic society for the wider public interest, in terms of national security, public safety or the economic well-being of the country for the prevention of disorder or crime, for the protection of health or morals or for the protection of rights and freedoms of others.
92. However Article 8 does not give a right to be provided with a home, nor does it go so far as to allow an individual's preferences for their place of residence to override the general interest and the right is thus not absolute. Interference with that right can be justified by the state if the interference is for a legitimate aim, in accordance with the law and necessary in the public interest.
93. This case is particularly unusual in that no information relating to existing or potential future occupiers is given. Nonetheless if the current application was to be refused, given the unauthorised nature of the current development on the site it would be necessary to consider whether enforcement action would be in the public interest and it would also give rise to uncertainty with regard to the occupation of the site by current occupiers. This would result in an interference with their human rights with regard to Article 8 of the European Convention on Human Rights, which encompasses respect for family life and

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the home. Whether the interference is necessary is dependent upon whether it is proportionate to the legitimate aims pursued by the state. To remedy a breach of planning control where harm to planning results is ordinarily considered proportionate and in the public interest.

94. However that is not to say that all, or even any of the current occupiers fall within the gypsy/traveller definition and thus it is not clear whether any of the current occupiers would be able to stay on the site, either by reason of their status as gypsies/travellers or would be able to be physically accommodated on the site (it is not clear how many caravans on the site are being occupied) or would even wish to stay on the site in the event that planning permission is granted and then subsequently implemented.
95. Nonetheless, despite the lack of information regarding current occupiers of the site, if planning permission were to be refused, it would likely lead to uncertainty with regard to the likelihood of enforcement action. Contrary in the event that any planning permission is granted and subsequently implemented, the granting of planning permission would lead to a degree of certainty with regard to the planning status of the site which would be of significant benefit to any potential future occupier of the site (whether an existing occupier or not). In addition to providing certainty with regard to the planning status of the site, it would also be significantly beneficial in terms of the layout, visual character and the amenity of the site which would contribute to the provision of settled, authorised gypsy/traveller pitches for future occupiers and their families.
96. It is not clear whether there are any children on the site but it is likely that there may be children residing on the site. It is consistent with relevant case law that the best interests of any children should be a primary consideration in the planning decision, although not necessarily the determining factor. If planning permission were to be refused for the proposed development then this is likely to result in undesirable impacts for any children on the site, including potentially resulting in a more unsettled environment and consequent impacts on access to education and healthcare. It is likely that the prolonged absence of a settled site would lead to serious disruption to access to education, health and other services for any children. The granting of planning permission would enable certainty of a settled site.
97. If planning permission is granted and implemented for the development of the site it is inevitable that this will result in some disruption to the occupiers of the site and it may be that some will wish to leave the site temporarily or permanently. In addition there is always the possibility that some of the current occupiers may not comply with the gypsy and traveller definition in the PPTS. Nonetheless, if the Council were to seek to take enforcement action to remedy the unauthorised use of part of the site, it is highly likely that this would also result in similar disruption to the occupation of the site (until which time that planning permission had been granted) and would likely result in a reduction in the number of pitches on the site, in the interim. Furthermore in order to mitigate the impacts of this development, conditions relating to archaeology, drainage and contamination are required and these works are likely to result in a significant amount of ground works which will be required on the site. These works are likely to prevent some, if not all, occupation on the site whilst the works are occurring. However this situation would be temporary and once the works completed the site would provide 19no. permanent pitches for occupation by Gypsies and Travellers.

Public Sector Equality Duty

98. The Public Sector Equality Duty is also engaged by the application. The legislation provides that:

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“(1) A public authority must, in the exercise of its functions, have due regard to the need to –

- (a) Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;*
- (b) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;*
- (c) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.”*

99. Over the course of the VSC balancing exercise, due regard must be given to these issues. The protected characteristic relevant to this case would be any existing and proposed occupiers' Gypsy and Traveller status.

100. With regard to the proposed residents' Gypsy/Traveller status, particular consideration should be given to provision 3b of the Public Sector Equality Duty which specifies that:

“having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular to the need to...take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it.”

101. The need in question is for Gypsy and Traveller pitches, which has been established as being unmet in the Borough. Furthermore the proposed draft Site Allocation DPD specifically identifies this site to provide additional gypsy/traveller pitches to partially meet the need identified in the Borough and proposes to allocate this site to meet this need. The granting of planning permission for this development will therefore make a significant contribution to meeting the need for gypsy/traveller pitches in the Borough and would significantly contribute to parts (b) and (c) of the PSED by providing an increased number of pitches specifically for gypsy/travellers in a sustainable location and would result in an authorised and well laid out gypsy/traveller site which has the potential to integrate with the settled community and foster good relations.

Local Finance Considerations

102. The Council implemented the Community Infrastructure Levy (CIL) on 1st April 2015. The proposed development relating to Gypsy and Traveller pitches is rated nil in the charging schedule. With regard to the proposed replacement dwelling this would result in an internal floor area increase of 81.4sqm and is thus CIL liable development. An estimate of the liability is £13,082.14.

CONCLUSION – THE PLANNING BALANCE

103. In addition to the harm through inappropriateness the development would result in some, albeit, very limited harm to openness. Some very limited harm would also result from the lack of the provision of a transit pitch on this site, albeit it is acknowledged there is no evidence for the requirement for this. In accordance with Paragraph 144 of the NPPF (2018) substantial weight should be afforded to the harm to the Green Belt.

104. In favour of granting planning permission for the site are a number of factors. The draft Site Allocations DPD specifically allocates this site for 19no. permanent pitches and states that these should be delivered in the year 2020/2021 i.e. immediately to meet the assessed need for gypsy and traveller pitches in the Borough. Although the Site Allocations DPD is yet to be adopted, as it is at the minor modification stage, following

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examination, it can be afforded substantive weight for the purposes of development management. This factor weighs heavily towards the grant of permanent planning permission.

105. Additionally, the current unmet need within the Borough for gypsy and traveller pitches and absence of a 5 year supply of deliverable sites, also weigh heavily in favour of the grant of planning permission and thus can be afforded substantial weight. There are other matters which, taken together, also carry significant weight in favour of the grant of planning permission, including the sustainable location of this site enabling access to a range of local facilities including education and other local services, the location of the site in close proximity/on the edge of the existing settlement of Brookwood offering the potential for the site and residents to integrate with the settled community and foster good relations and the lack of alternative sites (i.e. this site is intended to provide gypsy and traveller pitches to meet the need in the absence of other available sites to meet that need). Further benefits of the proposal include the provision of a new drainage system on the site and the footway across the front of the site. It should also be noted that there would be some effects on human rights if the application fails (and the likelihood of enforcement action to resolve the unauthorised elements of the site). If however planning permission is granted it would lead to certainty and the provision of a settled permanent site for Gypsies and Travellers including any children.

106. Having regard to the above and to all other matters raised, it is considered that the harm to the Green Belt and the other identified harm which would result from this development would be clearly outweighed by other considerations such that in this case it is considered that there are very special circumstances which would justify the granting of planning permission subject to appropriate conditions and the prior completion of a S106 Legal Agreement.

107. In considering this application the Council has had regard to the provisions of the development plan, so far as material to the application and to any other material considerations. It is therefore recommended that planning permission be granted subject to the prior completion of the S106 Legal Agreement and the conditions as set out below.

BACKGROUND PAPERS

Planning File PLAN/2017/1307

PLANNING OBLIGATIONS

	Obligation	Reason for Agreeing Obligation
1.	£5,658 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.
2.	Prevent the re-establishment of any previous Gypsy and Traveller pitch provision on the site and adjacent site on the implementation of this permission	To accord with Policy CS14 of the Woking Core Strategy 2012

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RECOMMENDATION

It is recommended that temporary planning permission be **GRANTED** subject to the following conditions:

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

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

2. The development hereby permitted shall be carried out in accordance with the following approved plans and documents:

Site Location Plan (BLR-WBR-SITE-ZZ-DR-Z-W(80)18) (scale 1:1250) received 20.11.2017

Site Location Plan (BLR-WBR-SITE-ZZ-DR-Z-W(80)18) (scale 1:1200) received 20.11.2017

Topographical Survey plan received 07.02.2020

Proposed Site Plan (BLR-WBR-00-XX-DR-A-13301 Rev P12) received on 20.01.2021

Revised Tree Protection Plan received on 20.01.2021

Cross Sections of site (BLR-WBR-ZZ-XX-DR-A-14403 Rev P06) received on 20.01.2021

House type EE Elevations (BLR-WBR-EE-XX-DR-A-22112 Rev P03) received on 20.01.2021

House type EE Floor plans (BLR-WBR-EE-ZZ-DR-A-22102 Rev P02) received on 20.01.2021

Proposed Garden Shed plans and elevations (BLR-WBR-HH-ZZ-DR-A-10100 Rev P02) received on 20.01.2021

Type UA Utility Block A plans and elevations (BLR-WBR-UA-ZZ-DR-A-10100 Rev P02) received on 20.01.2021

Type UB Utility Block B plans and elevations (BLR-WBR-UB-ZZ-DR-A-10100 Rev P02) received on 20.01.2021

Type UB Utility Block C plans and elevations (BLR-WBR-UC-ZZ-DR-A-10100 Rev P02) received on 20.01.2021

Swept path analysis – Large refuse vehicle (A18147-04 Rev P02) received on 20.01.2021

Reason: For the avoidance of doubt and to ensure that the development is completed in accordance with the approved plans.

3. The occupation of the two storey dwelling hereby permitted shall be limited to a person(s) who is/are solely or mainly employed/appointed as the site manager of this Gypsy and Traveller site and any resident dependants of such persons.

Reason: To ensure that the dwelling is occupied only by a person employed/appointed as the site manager.

4. The mobile homes/caravans on the site shall not be occupied by any persons other than gypsies and travellers as defined by Annex 1 of the Planning Policy for Traveller Sites published in August 2015 or its equivalent in replacement national policy and not as a transit site or as a temporary stopping place.

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Reason: To ensure that sufficient provision is made for Gypsy and Travellers within the Borough and in light of the very special circumstances in this case which justify the grant of planning permission and to comply with Policy CS14 of the Woking Core Strategy 2012 and the NPPF.

5. No more than one static mobile home and one touring caravan, as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968 as amended shall be stationed on each of the 19no. pitches hereby approved at any time. The mobile homes and touring caravans shall be located/sited in the positions shown on the approved site plan BLR-WBR-00-XX-DR-A-13301 Rev P12 received by the Local Planning Authority on 20.01.2021 at all times.

Reason: In the interests of visual amenity, the amenity of residents on the site and to ensure a satisfactory form of development and to comply with Policies CS9, CS14 and CS21 of the Woking Core Strategy 2012 and the NPPF.

6. No commercial activities shall take place on the land, including the storage of materials and no more than one commercial vehicle per pitch, which shall be kept on the land for the use by the occupiers of the land hereby permitted and this vehicle(s) shall not exceed 3.5 tonnes in weight.

Reason: In the interests of visual amenity, the amenity of residents on the site and to ensure a satisfactory form of development and to comply with Policies CS9, CS14 and CS21 of the Woking Core Strategy 2012 and the NPPF.

7. Prior to first occupation of each pitch, the facilities shown on the approved site plan for that pitch shall be constructed and made available for use by the occupiers of that pitch and full size/design details of the proposed sheds, refuse stores and LPG bottle stores (to accommodate a maximum of 4 x 47kg cylinders) shall first be submitted to and approved in writing by the Local Planning Authority prior to their construction/installation on each pitch. The development shall be implemented and retained thereafter in accordance with the approved details with the facilities retained for use by the occupiers of each pitch.

Reason: To ensure sufficient amenities are provided for the occupiers of each pitch and to comply with Policy CS14 of the Woking Core Strategy 2012 and the NPPF.

8. Prior to the commencement of any works, except for works associated with the demolition of existing buildings, contamination investigation and archaeology, full details of the services to be provided within each utility building, including water, sanitation, heating and electrical outlets shall be submitted to and approved in writing by the Local Planning Authority. The development must then be implemented in accordance with the approved details and the services installed and made available prior to the occupation of each pitch.

Reason: To ensure sufficient amenities are provided for the occupiers of each pitch and to comply with Policy CS14 of the Woking Core Strategy 2012 and the NPPF.

9. The dwelling hereby permitted shall be constructed in accordance with the details specified in the submitted Planning Noise Assessment report, including the information in Table 5 of that report and Appendix D, to achieve the specified noise levels in the internal areas/rooms as stated within the report, unless otherwise first approved in writing by the Local Planning Authority. The required specifications shall be carried out concurrently with the development, implemented in full before the dwelling is occupied and shall be retained thereafter.

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Reason: To protect the occupants of the new development from noise disturbance and to comply with Policy CS21 of the Woking Core Strategy 2012 and the NPPF.

10. Prior to the installation of any mobile home/static caravan on the site, full details of a scheme for protecting the occupiers of each pitch from noise shall be submitted to and approved in writing by the Local Planning Authority to meet or better the internal noise levels for the mobile homes/static caravan as stated in the submitted Planning Noise Assessment report. Any mobile home/static caravan on the site shall comply with the approved details upon first occupation of the land and shall thereafter be retained in accordance with these details.

Reason: To protect the occupants of the new development from noise disturbance and to comply with Policy CS21 of the Woking Core Strategy 2012 and the NPPF.

11. The utility/amenity building hereby permitted upon each pitch shall only be used for purposes ancillary and incidental to the residential occupation of the mobile home upon the relevant pitch.

Reason: To prevent an inappropriate intensification of occupation of the site and to protect the character and appearance of the area in accordance with Policies CS6, CS14, CS21 and CS24 of the Woking Core Strategy 2012 and the NPPF.

12. Prior to the commencement of development a comprehensive, written environmental desktop study report shall be submitted to and approved in writing by the Local Planning Authority (including any additional requirements that it may specify). The report to be submitted shall identify and evaluate possible on and off-site sources, pathways and receptors of contamination and enable the presentation of all plausible pollutant linkages in a preliminary conceptual site model. The study shall include relevant regulatory consultations and shall be prepared in accordance with the Environment Agency's Model Procedures for the Management of Contaminated Land (CLR 11) and British Standard BS 10175.

Reason: To ensure that a satisfactory strategy is put in place for addressing contaminated land, making the land suitable for the development hereby approved without resulting in risk to construction workers, future users of the land, occupiers of nearby land and the environment. This condition is required to be addressed prior to commencement in order that the ability to discharge its requirement is not prejudiced by the carrying out of building works or other operations on the site.

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

Reason: To ensure that a satisfactory strategy is put in place for addressing contaminated land, making the land suitable for the development hereby approved

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without resulting in risk to construction workers, future users of the land, occupiers of nearby land and the environment. This condition is required to be addressed prior to commencement in order that the ability to discharge its requirement is not prejudiced by the carrying out of building works or other operations on the site.

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

Reason: To ensure that a satisfactory strategy is put in place for addressing contaminated land, making the land suitable for the development hereby approved without resulting in risk to construction workers, future users of the land, occupiers of nearby land and the environment. This condition is required to be addressed prior to commencement in order that the ability to discharge its requirement is not prejudiced by the carrying out of building works or other operations on the site.

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

Reason: To ensure that a satisfactory strategy is put in place for addressing contaminated land, making the land suitable for the development hereby approved without resulting in risk to construction workers, future users of the land, occupiers of nearby land and the environment. This condition is required to be addressed prior to commencement in order that the ability to discharge its requirement is not prejudiced by the carrying out of building works or other operations on the site.

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

Reason: To ensure that a satisfactory strategy is put in place for addressing contaminated land, making the land suitable for the development hereby approved

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without resulting in risk to construction workers, future users of the land, occupiers of nearby land and the environment.

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

Reason: To ensure that a satisfactory strategy is put in place for addressing contaminated land, making the land suitable for the development hereby approved without resulting in risk to construction workers, future users of the land, occupiers of nearby land and the environment.

18. No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a Written Scheme of Investigation which has been submitted by the applicant and approved by the Local Planning Authority. The development shall then be undertaken in accordance with the approved details.

Reason: To allow the site to be investigated for archaeological purposes and to comply with Policy CS20 of the Woking Core Strategy 2012 and the NPPF. This condition is required to be addressed prior to commencement in order that the ability to discharge its requirement is not prejudiced by the carrying out of building works or other operations on the site.

19. Prior to the commencement of any development hereby approved bat activity surveys including internal and external building inspections, roost emergence and re-entry surveys (if required) and tree inspections (if required) (in accordance with the details in the submitted Bat Survey Report by Ecology Solutions (ref: 8419.BatReport.dv3 dated November 2019 received on 07.02.2020 and the letter from Ecology Solutions (ref: 8419/001.let.et dated 12.01.2021) received on 20.01.2021) shall be undertaken on site. All survey results and full details of any recommendations, mitigation measures and biodiversity enhancements shall be submitted to and approved in writing by the Local Planning Authority. Once approved in writing by the Local Planning Authority the development shall be carried out in accordance with the approved details. Any biodiversity enhancements shall, once installed, be retained and maintained on site in accordance with the approved details.

Reason: In accordance with the terms of the application and to ensure the provision of suitable ecological mitigation as specified in the application and to comply with Policy CS7 of the Woking Core Strategy 2012, Circular 06/05 Biodiversity and Geological Conservation and the NPPF. This condition is required to be addressed prior to commencement in order that the ability to discharge its requirement is not prejudiced by the carrying out of building works or other operations on the site.

20. Prior to the commencement of any site clearance works a removal/eradication programme shall be implemented to remove the stand of Japanese knotweed and the false acacia tree from the site in accordance with details including a method statement, measures to prevent the spread of Japanese knotweed and timescales which shall have

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first been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

Reason: In accordance with the terms of the application, enhance the biodiversity on the site and to comply with Policy CS7 of the Woking Core Strategy 2012, Circular 06/05 Biodiversity and Geological Conservation and the policies in the NPPF. This condition is required to be addressed prior to commencement in order that the ability to discharge its requirement is not prejudiced by the carrying out of building works or other operations on the site.

21. The development permitted by this planning permission shall be carried out in accordance with the Flood Risk Assessment (FRA) reference: Brookwood Lye Flood Risk Assessment dated December 2019 undertaken by SLR and the following mitigation measures detailed within the FRA:

1. Finished floor levels of the proposed replacement dwelling and garden outbuilding are set no lower than 38.508 metres above Ordnance Datum
2. Finished floor levels of the static mobile homes on each pitch should be set no lower than 38.806 metres above Ordnance Datum.

Reason: to reduce the risk of flooding to the proposed development and future occupants and to comply with Policy CS9 of the Woking Core Strategy and the NPPF.

22. No development shall commence, except for demolition and above ground site clearance works, until construction drawings of the approved surface water drainage network in accordance with the Drainage Strategy response details and all plans contained therein, by SLR dated 14.05.2020 ref: 407.06583.00008 received by the LPA on 20.01.2021, associated sustainable drainage components, flow control mechanisms and a detailed construction method statement have been submitted to and approved in writing by the Local Planning Authority. The scheme shall then be constructed in accordance with the approved drawings, method statement and Micro drainage calculations prior to the first use of the development hereby approved. No alteration to the approved drainage scheme shall occur without prior written approval of the Local Planning Authority.

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

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

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

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undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

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

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

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

25. Any existing hard surface (and its associated sub-base) within any area of the site to be utilised as gardens, landscaping, open space or as a permeable surface/construction shall be demolished and all debris removed from the site concurrently with the implementation of the development hereby permitted. A verification report for this, appended with substantiating evidence shall be will need to be submitted to the Local Planning Authority within 3 months of the first occupation of the development hereby by approved.

Reason: These areas are intended to be free-draining and to ensure the drainage strategy set out in the application is adhered to in order to reduce flood risk.

26. Protective measures shall be carried out in strict accordance with the Arboricultural Information provided by David Archer Associates (DAA AIR AMS 02 March 2017 (except for the enclosed Tree Protection Plan) received on 20.11.2017, the Additional Arboricultural Information received by email on 17.04.2020 and the revised Tree Protection Plan, including ground protection received on 20.01.2021 including the convening of a pre-commencement meeting and arboricultural supervision as indicated. No works or demolition shall take place until the tree protection measures have been implemented. Any deviation from the works prescribed or methods agreed in the report will require prior written approval from the Local Planning Authority.

Reason: To ensure reasonable measures are taken to safeguard trees in the interest of local amenity and the enhancement of the development itself.

27. Any works within the root protection areas of any retained trees within or adjacent to the site shall be undertaken under full arboricultural supervision. The construction of any hard surfaces within root protection areas shall be undertaken using no-dig techniques, the full details of which shall have first been submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall only take place in accordance with the approved details.

Reason: To ensure the retention and protection of trees to be retained on the site in the interests of the visual amenities of the locality and the appearance of the development and ecology and to comply with Policies CS7 and CS21 of the Woking Core Strategy 2012 and the NPPF.

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28. Any scrub, hedgerow and tree clearance must be undertaken outside the bird breeding season (March to August inclusive) unless the applicant has first carried out a survey of such vegetation which shows that there are no nesting species within relevant parts of the application site and any such survey results have been submitted to and approved in writing by the Local Planning Authority.

Reason: To prevent birds being injured or killed during site clearance works and to comply Policy CS7 of the Woking Core Strategy 2012, Circular 06/05 Biodiversity and Geological Conservation and the NPPF.

29. The development hereby approved shall not be first occupied unless and until the proposed vehicular access to Brookwood Lye Road has been constructed and provided with visibility zones in accordance with the approved plans and thereafter the visibility zones shall be kept permanently clear of any obstruction measured from 0.6 metres above the road surface.

Reason: In order that the development does not prejudice highway safety nor cause inconvenience to other highway users and to comply with Policy CS18 of the Woking Core Strategy 2012 and the NPPF.

30. The development hereby approved shall not be first occupied unless and until the existing access from the site to Brookwood Lye Road has been permanently closed and any kerbs, verge, footway, fully reinstated.

Reason: In order that the development does not prejudice highway safety nor cause inconvenience to other highway users and to comply with Policy CS18 of the Woking Core Strategy 2012 and the NPPF.

31. The development hereby approved shall not be first occupied unless and until space has been laid out within the site in accordance with the approved plans for vehicles to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the parking and turning areas shall be retained and maintained for their designated purposes.

Reason: In order that the development does not prejudice highway safety nor cause inconvenience to other highway users and to comply with Policy CS18 of the Woking Core Strategy 2012 and the NPPF.

32. No development shall commence until a Construction Transport Management Plan, to include details of:

- (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) Measures to prevent the deposit of materials on the highway;
- (e) On-site turning for construction vehicles

has been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented during the construction of the development.

Reason: In order that the development does not prejudice highway safety nor cause inconvenience to other highway users and to comply with Policy CS18 of the Woking Core Strategy 2012 and the NPPF. This condition is required to be addressed prior to commencement in order that the ability to discharge its requirement is not prejudiced by the carrying out of building works or other operations on the site.

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33. The development hereby approved shall not be first occupied unless and until the following facilities have been provided in accordance with details which shall have first been submitted to and approved in writing by the Local Planning Authority for:
- (a) Providing an uncontrolled crossing point with dropped kerbs and tactile paving on Brookwood Lye Road;
 - (b) Providing a new 2 metre wide footway along the frontage of the site
- and thereafter the said approved facilities shall be provided, retained and maintained in accordance with the approved details.

Reason: To promote sustainable travel choices and to provide pedestrian linkages to Brookwood and to comply with Policy CS18 of the Woking Core Strategy 2012 and the NPPF.

34. No above ground development associated with the development hereby permitted shall commence until details and/or samples and a written specification of the materials to be used in the external elevations of the buildings (dwelling, outbuilding, sheds and utility buildings) hereby permitted and hard surfaced areas have been 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 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 and the NPPF.

35. Soft landscaping shall be carried out in the first planting season (November - March) following the substantial completion of the development or prior to the first occupation of the site (whichever is the sooner) in accordance with a landscaping scheme which specifies species, planting sizes, spaces and numbers of trees/ shrubs and hedges to be planted which shall have first been submitted to and approved in writing by the Local Planning Authority and include the area of open space. Following planting, the landscaping shall be maintained thereafter and any retained or newly planted trees, shrubs or hedges which die, become seriously damaged or diseased or are removed or destroyed within a period of 5 years from the date of planting shall be replaced during the next planting season with specimens of the same size and species unless otherwise agreed in writing by the Local Planning Authority. The area annotated as open space on the approved plans shall thereafter be made available for use by the occupiers of the site for the lifetime of the development.

Reason: In the interests of amenity and biodiversity and to preserve and enhance the character and appearance of the locality.

36. No external lighting shall be installed on the land until details of any external lighting in accordance with the recommendations of the Bat Conservation Trusts' document entitled "Bats and Lighting in the UK - Bats and the Built Environment Series" (and also ensuring compliance with the recommendations of the Institute of Lighting Engineers 'Guidance Notes for Reduction of Light Pollution' and the provisions of BS 5489 Part 9) have been submitted to and approved in writing by the Local Planning Authority. Any lighting on the site shall thereafter be installed and maintained in accordance with the approved details.

Reason: To preserve the character and appearance of the surrounding area and the residential amenities of neighbouring properties in accordance with Policies CS6, CS21 and CS24 of the Woking Core Strategy 2012.

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37. No plant and equipment associated with air moving equipment, compressors, generators or plant or similar equipment shall be sited on the land until details of such equipment, including acoustic specifications, have been submitted to and approved in writing by the Local Planning Authority. Such equipment shall thereafter be installed and maintained in accordance with the agreed details.

Reason: To preserve the character and appearance of the surrounding area and the residential amenities of neighbouring properties in accordance with Policies CS6, CS21 and CS24 of the Woking Core Strategy 2012.

38. Prior to the first occupation of the dwelling and each pitch, a means of enclosure to each pitch, to the boundaries to the rear and sides of the dwelling and the boundaries of the site shall be installed in accordance with full design details which shall have first been submitted to and approved in writing by the Local Planning Authority. Thereafter the means of enclosure shall be retained and maintained in accordance with the approved details.

Reason: To preserve the character and appearance of the area in accordance with Policies CS14, CS21 and CS24 of the Woking Core Strategy 2012.

39. Notwithstanding the provisions of Article 3, Schedule 2, Part 2, Class A of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), (or any order(s) amending or re-enacting that Order with or without modification(s)) no further means of enclosure (including walls, fencing and gates) shall be erected, installed or otherwise placed on the land other than those means of enclosure as approved by the Local Planning Authority under Condition 38 without planning permission being first obtained from the Local Planning Authority.

Reason: To protect the amenities of the area and to ensure a satisfactory form of development in accordance with Policies CS6, CS14, CS21 and CS24 of the Woking Core Strategy 2012.

40. The finished floor levels of the two storey dwelling and the utility buildings for each pitch hereby permitted shall be carried out only in accordance with the proposed finished floor levels as shown on the approved plans unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of the visual amenity and drainage and flood risk and to comply with Policies CS9, CS14 and CS21 of the Woking Core Strategy and the NPPF.

41. The development hereby approved shall not be first occupied until all existing means of enclosure including any gates, walls and fences along the frontage of the site, adjacent to Brookwood Lye Road have been permanently removed from the site.

Reason: To preserve the character and appearance of the area in accordance with Policies CS14, CS21 and CS24 of the Woking Core Strategy 2012.

42. Prior to the commencement any above ground works in connection with the two storey dwelling hereby permitted, written evidence shall be submitted to and approved in writing by the Local Planning Authority (LPA) demonstrating that the development will:
- a. Achieve a minimum of a 19% improvement in the dwelling emission rate over the target emission rate, as defined in the Building Regulations for England Approved Document L1A: Conservation of Fuel and Power in New Dwellings (2013 edition). Such evidence shall be in the form of a Design Stage Standard Assessment Procedure (SAP) Assessment, produced by an accredited energy assessor; and,

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b. Achieve a maximum water use of no more than 110 litres per person per day as defined in paragraph 36(2b) of the Building Regulations 2010 (as amended), measured in accordance with the methodology set out in Approved Document G (2015 edition). Such evidence shall be in the form of a Design Stage water efficiency calculator.

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

Reason: To ensure that the development achieves a high standard of sustainability and makes efficient use of resources and to comply with policy CS22 of the Woking Core Strategy 2012.

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

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

Reason: To ensure that the development achieves a high standard of sustainability and makes efficient use of resources and to comply with policy CS22 of the Woking Core Strategy 2012.

44. 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 development falling within Classes A, AA, B, E, and F of Part 1 of Schedule 2 of that Order shall occur within the residential curtilage of the dwelling hereby approved without the prior written permission of the Local Planning Authority following an application made for that purpose.

Reason: To protect the amenity and privacy of the occupants of neighbouring properties, in the interests of visual amenity and to ensure that any matters relating to flood risk and drainage are adequately considered and to comply with Policies CS9 and CS21 of the Woking Core Strategy 2012 and the NPPF.

45. The residential curtilage for the two storey dwelling hereby permitted shall be formed by the red line showing the plot boundary as shown on the approved site plan (BLR-WBR-00-XX-DR-A-13301 Rev P12) received on 20.01.2021 and shall not be altered in any way without the prior express permission of the Local Planning Authority.

Reason: To protect the amenity and privacy of the occupants of neighbouring properties, in the interests of visual amenity and to ensure that any matters relating to flood risk and drainage are adequately considered and to comply with Policies CS9 and CS21 of the Woking Core Strategy 2012 and the NPPF.

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Informatives

1. The applicant is advised that this permission is subject to a S106 Legal Agreement.
2. Where land is used as a caravan site, the owner must hold a caravan site licence which is subject to site licence conditions in accordance with The Caravan Sites and Control of Development Act 1960. An application for a caravan site licence can be made online at www.woking.gov.uk prior to the occupation of the site. Any enquiries or for further information, please contact Environmental Health 01483 743840.
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 and 149).
4. The permission hereby granted shall not be construed as authority to carry out any works on the highway. The applicant is advised that prior approval must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway or verge to form a vehicle crossover to install dropped kerbs. Please see www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/vehicle-crossovers-or-dropped-kerbs.
5. When a temporary access is approved or an access is to be closed as a condition of planning permission and agreement with, or licence issued by, the Highway Authority Local Highways Service will require that the redundant dropped kerb be raised and any verge or footway crossing be reinstated to conform with the existing adjoining surfaces at the developers expense.
6. The developer is advised that as part of the detailed design of the highway works required by the above conditions, the County Highway Authority may require necessary accommodation works to street lights, road signs, surface edge restraints and any other street furniture/equipment.
7. The Contaminated Land Officer would like to draw the applicants/agents/consultants attention to the specifics of the contaminated land conditional wording such as 'prior to commencement', 'prior to occupation' and 'provide a minimum of two weeks notice'. The submission of information not in accordance with the specifics of the planning conditional wording can lead to delays in discharging conditions, potentially result in conditions being unable to be discharged or even enforcement action should the required level of evidence/information be unable to be supplied. All relevant information should be formally submitted to the Local Planning Authority and not direct to the Contaminated Land Officer.
8. There are public sewers crossing or close to your development. If you're planning significant work near our sewers, it's important that you minimize the risk of damage. We'll need to check that your development doesn't reduce capacity, limit repair or maintenance activities, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes. <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>

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9. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please refer to our website. <https://developers.thameswater.co.uk/Developing-a-large-site/Apply-and-pay-for-services/Wastewater-services>
10. A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing wwqriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality
11. The Council confirms that in assessing this planning application it has worked with the applicant in a positive and proactive way, in line with the requirements of the NPPF.
12. You are 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.
13. The applicant is advised that the elevations of the proposed dwelling are labelled incorrectly, except for the front elevation, but the floorplans show which is the respective elevation.
14. The applicant is advised that there is no implied approval for any development shown outside of this application site as may be shown on the plans submitted with this application.