

29 JUNE 2021 PLANNING COMMITTEE

PLANNING HISTORY

PLAN/2020/0862 - Erection of a four storey building including accommodation in the roof space, comprising 9x self-contained flats and 2x commercial units and associated parking, landscaping, bin and cycle storage following demolition of existing building - **REFUSED** 22.12.2020 for the following reasons:

01. *The proposal site forms a prominent corner site in Knaphill and the proposed development, by reason of its scale, bulk, massing, form and design would result in an unduly prominent, dominating and incongruous development which fails to exhibit high quality design and fails to improve the character or quality of the area. The proposal is therefore contrary to Woking Core Strategy (2012) policies CS21 'Design' and CS24 'Woking's Landscape and Townscape', Supplementary Planning Document 'Design' (2015) and the National Planning Policy Framework (2019).*
02. *In the absence of a Legal Agreement or other appropriate mechanism to secure contributions towards mitigation measures, it cannot be determined that the net additional dwellings arising from the proposed development would not have a significant impact on the Thames Basin Heaths Special Protection Area, contrary to Woking Core Strategy (2012) policy CS8 'Thames Basin Heaths Special Protection Areas', the Thames Basin Heaths Avoidance Strategy (2010 - 2015), saved policy NRM6 of the South East Plan (2009) and the Conservation of Habitats and Species Regulations (2017) (SI No. 1012 - the "Habitats Regulations").*

PLAN/2020/0068 - Prior Approval for a Proposed Change of Use of a building from Office Use (Class B1(a)) to a Dwellinghouse (Class C3) to create 4No apartments – Prior Approval Approved 19.03.2020

PLAN/2018/0624 - Erection of a three storey building comprising 3x retail (A1) units at ground floor and 8x self-contained flats (1xbed) at first and second floor with associated parking, landscaping, bin and cycle storage following demolition of existing building – **REFUSED** 22.01.2019 for the following reasons:

01. *The site is on a prominent corner within Knaphill and it has not been demonstrated that the size, layout, scale and amount of development would result in a satisfactory form of development appropriate for the site or that it would have a satisfactory impact on the character or appearance of the area contrary to Policy CS21 of the Woking Core Strategy (2012), Supplementary Planning Document 'Woking Design (2015) and Section 12 of the National Planning Policy Framework (2018).*
02. *In the absence of a Legal Agreement to secure contributions towards mitigation measures, the Local Planning Authority is unable to determine that the additional dwelling would not have an adverse effect on the integrity of the Thames Basin Heaths Special Protection Area, either alone or in combination with other plans and projects in relation to urbanisation and recreational pressure effects, contrary to the Conservation of Habitats and Species Regulations 2010 (SI No. 490 - the "Habitats Regulations"), saved Policy NRM6 of the South East Plan 2009, Policy CS8 of the Woking Core Strategy 2012 and the Thames Basin Heaths Avoidance Strategy 2010-2015.*

PLAN/2017/1036 - Erection of a three storey building comprising 3x retail (A1) units at ground floor and 8x self-contained flats (1xbed) at first and second floor with associated parking, landscaping, bin and cycle storage following demolition of existing building – **REFUSED** 12.12.2017 for the following reasons

29 JUNE 2021 PLANNING COMMITTEE

01. *The proposed development would result in the loss of office (B1) employment for which no justification has been provided contrary to policies CS4 and CS15 of the Woking Core Strategy (2012).*
02. *The site is on a prominent corner within Knaphill and it has not been demonstrated that the size, layout, scale and amount of development would result in a satisfactory form of development appropriate for the site or that it would have a satisfactory impact on the character or appearance of the area contrary to policies CS10, CS11 and CS21 of the Woking Core Strategy (2012) and National Planning Policy Framework (2012).*
03. *In the absence of a Legal Agreement or other appropriate mechanism to secure contributions towards mitigation measures, it cannot be determined that the additional dwelling would not have a significant impact on the Thames Basin Heaths Special Protection Area, contrary to Core Strategy (2012) policy CS8 'Thames Basin Heaths Special Protection Areas', the Thames Basin Heaths Avoidance Strategy (2010 - 2015) and saved policy NRM6 of the South East Plan (2009) and the Conservation of Habitats and Species Regulations 2010 (SI No. 490 - the "Habitats Regulations").*

PLAN/2016/1418 - Prior notification for a proposed change of use of offices (B1) to dwelling (C3) at first and second floors to provide 4 apartments – Prior Approval Approved
08.02.2017

PLAN/2013/1081 - Outline planning application to demolish the existing building and erect a 4 storey building comprising of 10 no. residential flats - **REFUSED** 31.01.2014 for the following reasons:

01. *The proposed development would result in the loss of the existing shops (A1) and office (B1) within the local centre of Knaphill which would detrimentally harm the vitality and viability of the area and undermine the function of the local centre to serve the day-to-day needs of the local community, contrary to policy CS4 of the Woking Core Strategy (2012) and section 2 'ensuring the vitality of town centres' of the National Planning Policy Framework (2012).*
02. *The proposed development would result in the loss of office (B1) employment for which no justification has been provided contrary to policy CS15 of the Woking Core Strategy (2012) and section 1 'building a strong, competitive economy' of the National Planning Policy Framework (2012).*
03. *It has not been demonstrated that the size, layout, scale and amount of development would result in a satisfactory form of development appropriate for the site or that it would have a satisfactory impact on the character, appearance or pedestrian permeability of the area contrary to policy CS21 of the Woking Core Strategy (2012) and section 7 'requiring good design' of the National Planning Policy Framework (2012).*
04. *It has not been demonstrated that the proposed development would result in a satisfactory residential environment for the occupiers of the building by reason of a lack of on site amenity provision and, in lieu of onsite amenity provision, no contribution has been submitted towards the upkeep of local public open space, contrary to policies CS17 and CS21 of the Woking Borough Local Plan (1999), Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight (2008) and sections 7 'requiring good design' and 8 'promoting healthy communities' of the National Planning Policy Framework (2012).*

29 JUNE 2021 PLANNING COMMITTEE

05. *No arboricultural information has been provided to either demonstrate that the mature trees to the rear of the site, which have significant amenity value, would be protected as result of the development, or, to justify the loss of the trees, contrary to policy NE9 of the Woking Borough Local Plan (1999), CS21 of the Woking Core Strategy (2012) and the National Planning Policy Framework (2012).*
06. *The proposal fails to make any provision towards affordable housing contrary to policy CS12 of the Woking Core Strategy (2012) and section 6 'delivering a wide choice of high quality homes' of the National Planning Policy Framework (2012).*
07. *The proposed development fails to provide avoidance measures against its impact on the Thames Basin Heaths Special Protection Area contrary to policy CS8 of the Woking Core Strategy (2012), the Thames Basin Heaths Special Protection Area Avoidance Strategy 2010-2016 and section 11 'conserving and enhancing the natural environment' of the National Planning Policy Framework (2012).*
08. *The proposed development fails to make any provision towards open space and green infrastructure contrary to policy CS17 of the Woking Core Strategy (2012) and section 8 'promoting healthy communities' of the National Planning Policy Framework (2012).*

PLAN/2002/1103 - Two storey extension to rear of property to provide additional storage and office accommodation - Permitted 07.11.2002

PLAN/1999/1254 - To convert the existing loft of No 3 High Street to form additional office space and to erect a two storey addition to the rear of No 1 High Street - Permitted 24.02.2000

PLAN/1996/0470 - Retain pre-cast concrete garage for use as pet food store (Retrospective) - Permitted 09.08.1996

PLAN/1989/1118 - Erection of three storey extension to rear of property and dormer addition to front retention of ground floor retail unit and provision of office use on 1st and 2nd floor – Permitted 26.06.1990

CONSULTATIONS

Surrey County Highways: No objection subject to conditions

Flood Risk and Drainage Team: No objection subject to condition

Waste Services: No objection

Environmental Health: No objection subject to conditions

Arboricultural Officer: No objection

REPRESENTATIONS

10 letters of objection have been received raising the following points:

- Unsympathetic development
- Will destroy a local building of some heritage
- The existing building is an attractive addition to Knaphill High Street
- Need buildings of interest not the same bland architecture

29 JUNE 2021 PLANNING COMMITTEE

- If housing must be built, should at least make it affordable
- Lack of parking
- Increase parking pressure on Highclere Road and Highclere Gardens
- Increase in traffic will have an impact on highway safety
- The existing building has historical significance and is the only remaining building on High Street with some historical significance or character
- The proposed building is too large for the site
- The proposal would cause overlooking
- The proposal will result in a loss of privacy
- There are already enough flats in Knaphill
- The proposal would cause loss of light
- Don't need more retail units
- Too tall
- Proposal would add to existing congestion problems at the crossroads
- The construction phase would cause disruption to local residents

10 representations have been received expressing support for the proposal. These representations make the following summarised comments:

- The plans are better than the previous applications
- Will be an attractive addition for retail and residential
- Will improve the appearance of the High Street
- There is a shortage of small homes
- Will provide an attractive building that fits well into the streetscene
- The existing building has become an eyesore

2 neutral letters of representation has been received in addition to the above.

RELEVANT PLANNING POLICIES

National Planning Policy Framework (NPPF) (2019):

- Section 2 - Achieving sustainable development
- Section 5 - Delivering a sufficient supply of homes
- Section 9 - Promoting sustainable transport
- Section 11 - Making effective use of land
- Section 12 - Achieving well-designed places
- Section 14 - Meeting the challenge of climate change, flooding and coastal change

Woking Borough Core Strategy (2012):

- CS1 - A spatial strategy for Woking Borough
- CS4 - Local and neighbourhood centres and shopping parades
- CS8 - Thames Basin Heaths Special Protection Areas
- CS9 - Flooding and water management
- CS10 - Housing provision and distribution
- CS11 - Housing mix
- CS12 - Affordable housing
- CS15 - Sustainable economic development
- CS18 - Transport and accessibility
- CS21 - Design
- CS22 - Sustainable construction
- CS24 - Woking's landscape and townscape
- CS25 - Presumption in favour of sustainable development

29 JUNE 2021 PLANNING COMMITTEE

Woking Development Management Policies DPD (2016):

- DM2 - Trees and Landscaping
- DM7 - Noise and Light Pollution
- DM8 - Land Contamination and Hazards

Supplementary Planning Documents:

- Design (2015)
- Parking Standards (2018)
- Character Study (2010)
- Outlook, Amenity, Privacy and Daylight (2008)
- Climate Change (2013)

Other guidance:

Thames Basin Heaths Special Protection Area Avoidance Strategy 2010-2015

Community Infrastructure Levy (CIL) Charging Schedule (2015)

Waste and recycling provisions for new residential developments

South East Plan (2009) (Saved policy) NRM6 - Thames Basin Heaths Special Protection Area

PLANNING ISSUES

Background

1. There have been four previous applications for the redevelopment of the site which have been refused. The most recently refused application (PLAN/2020/0862) was for a four storey building comprising 9x flats. This application was refused as the site formed a prominent corner site in Knaphill and the proposed development, by reason of its scale, bulk, massing, form and design would result in an unduly prominent, dominating and incongruous development which failed to exhibit high quality design and failed to improve the character or quality of the area. It is necessary for the current application to have significant differences to fully overcome the previous reasons for refusal and be considered acceptable in its own right.
2. The current proposal has been amended since refused planning application PLAN/2020/0862 to overcome the refusal reasons and incorporates the following changes:
 - Reduced the maximum height by 0.5m from 12.1m to 11.6m
 - Amended position of dormer in the elevation fronting Highclere Road
 - Amended design of canopy to residential entrance from Highclere Road
 - Tile hanging and decorative tile inset to gable ends
 - Amended window design in the rear, west side and side elevation fronting Highclere Road
 - Decorative detail to main gable end fronting high Street
 - Added brick quoins
 - Amended decorative detail to string course
 - Amended position and size of dormer in west side elevation

Principle of development

3. The application site is located within the Knaphill Local Centre. Policy CS4 of the Woking Core Strategy (2012) states that Local Centres '*will retain town centre uses wherever viable, in order to meet the day-to-day needs of the local community*'. Town centre uses are defined in the glossary of the Woking Core Strategy (2012) and include retail development and offices. The proposed development would comprise 9x flats at first floor level and above and 2x commercial units at ground floor level. The proposed commercial

29 JUNE 2021 PLANNING COMMITTEE

units would front High Street and provide approximately 124m² of retail floor space. The ground floor retail floor space in the existing building is approximately 95m². The principle of the provision of this level of commercial floor space is considered acceptable in this location.

4. The existing building on the site features office space at first and second floor level. Policy CS4 of the Woking Core Strategy (2012) states '*the change of use of office premises will only be permitted where: (i) the floorspace is vacant, (ii) the proposed use accords with policies in the Core Strategy, (iii) with the exception of self-contained ground floor premises, detailed evidence is provided to show the premises have been actively marketed without success for at least 12 months. Where applications are put forward for the redevelopment of office premises to alternative uses, evidence will be required to show that there is a lack of demand for office use in the local centre*'. There is therefore a presumption against the loss of office floor space in Local Centres.
5. However Prior Approval has been granted on 19.03.2020 under PLAN/2020/0068 for the change of use of the upper floors to residential. The applicant has until 18.03.2023 to implement this prior approval. It is also borne in mind that the loss of office floor space did not form a reason for refusal under the most recently refused applications (PLAN/2018/0624 and PLAN/2020/0862). In this context, the loss of the existing office space is not considered to warrant a reason for refusal.
6. The principle of the development in land use terms is therefore considered acceptable.

Impact on Character of the Area

7. High quality design and a positive enhancement of the character of the area are requirements of the Development Plan; Policy CS21 of the Woking Core Strategy (2012) requires development proposals to "*respect and make a positive contribution to the street scene and the character of the area in which they are situated, paying due regard to the scale, height, proportions, building lines, layout, materials and other characteristics of adjoining buildings and land*" whilst Policy CS24 'Woking's landscape and townscape' requires all development to provide a positive benefit in terms of landscape and townscape character. Section 12 of the NPPF (2019) states that "*Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions*" and requires proposals to "*add to the overall quality of the area...*", to be "*visually attractive as a result of good architecture...*" and "*sympathetic to local character and history, including the surrounding built environment...*"
8. The current proposal is for a four storey building including accommodation in the roof space comprising 9x flats. The maximum height of refused scheme PLAN/2018/0624 was 11.4m and the height of most recently refused scheme PLAN/2020/0862 was 12.15m. The current proposal has been reduced in height since PLAN/2020/0862, but still has a maximum height of 11.6m which is still higher than PLAN/2018/0624. The height and scale of the development has not therefore been reduced in comparison to the previously refused scheme. In any case, the proposal has been assessed on its own merits as set out below.
9. The application site is located on a very prominent corner plot to the north west of the crossroads between Anchor Hill, Lower Guildford Road, Highclere Road and Knaphill High Street. The crossroads is at the highest point at the top of Anchor Hill and forms the historic core of Knaphill village; The Anchor Public House on the opposite side of High Street is understood to be the oldest building on High Street. Woking's Character Study (2010) describes how Knaphill was one of the original pre-Victorian villages present prior to

29 JUNE 2021 PLANNING COMMITTEE

Woking's rapid expansion. The proposal site is therefore a particularly prominent and important site.

10. The existing building appears to date from the late Victorian Period and has original Flemish bond brickwork, nail head string courses, ridge tile cresting, stone window dressings and dog tooth brickwork under the eaves. Some more recent additions have been added to the building including a two storey side extension, signage and modern shopfronts. Other alterations to the building have attempted to maintain the character of the original building. Whilst the building is not statutorily or locally listed as a building, the building makes a positive contribution to the character of the village and the streetscape. The attractive existing building coupled with the prominence and importance of the proposal site means that any proposed redevelopment should exhibit a high quality of design and should make a positive contribution to the street scene.
11. The proposed building would be four storeys with the top floor accommodated in the roof space. On the front elevation facing High Street the building would comprise a gabled and cat-slide roof element. The side elevation facing Highclere Road would feature an element of flank elevation with two dormer windows and a cat-slide roof and dormer windows on the rear. The building would be finished in render with a horizontal band of brick and brick quoins.
12. The front elevation facing High Street would feature a three storey gable element and the most prominent part of the building at the corner of the site would comprise a cat-slide roof element with a reduced eaves level. The front elevation has been amended since planning application PLAN/2020/0862 with the addition of brick quoins, tile hanging and decorative tile inset to gable ends and decorative detail to the main gable end.
13. This elevation still features a projecting first floor gabled element with another gabled element sitting awkwardly above it with another smaller dormer element adjacent to it which was considered unacceptable under planning application PLAN/2020/0862. Despite being the most prominent part of what will be a very prominent building on a prominent corner site, the building steps down apologetically with a reduced eaves level and cat-slide roof. This is a device often used to mask the bulk and massing of buildings but in this case it is considered to highlight the building's inappropriate bulk and massing and the contrived nature of the development.
14. Despite the building being amended since planning application PLAN/2020/0862 to increase the detailing and architectural features to the building such as tile hanging and decorative tile inset to gable ends, decorative detail to main gable end fronting high Street, brick quoins, amended window design and amended decorative detail to string course it is considered the building exhibits a confused collection of design features and roof forms and a discordant arrangement of window openings. The flank elevation facing Highclere Road features six different sizes of window openings and the building features rectangular windows which jar with the other windows and contributes towards a vague and incoherent design.
15. The proposed roof has been amended and reduced in height since planning application PLAN/2020/0862, however the roof form is considered unduly large and dominating in appearance and the dormer windows are considered to sit awkwardly and high up on the roof slope. On the front elevation facing High Street the roof pitch of the front gable element differs from that of the main roof which adds to the contrived nature of the proposed roof form.
16. Although the design features of the building have been increased and the maximum height of the building has been reduced since PLAN/2020/0862 it is considered that the proposed

29 JUNE 2021 PLANNING COMMITTEE

changes are not significant enough to overcome refusal reason 01 of planning application PLAN/2020/0862.

17. The proposed building is not considered a sensitively designed or attractive building for this important and prominent site. Considering the architectural merit of the existing building and its positive contribution to the street scene, the proposed building is considered a poor replacement which does not adequately respond to its context.
18. The proposal site forms a prominent corner site in Knaphill and the proposed development, by reason of its scale, bulk, massing, form and design would result in an unduly prominent, dominating and incongruous development which fails to exhibit high quality design and fails to improve the character or quality of the area. The proposal is therefore contrary to Policies CS21 and CS24 of the Woking Core Strategy (2012), Supplementary Planning Document 'Woking Design' (2015) and the National Planning Policy Framework (2019).

Impact on Neighbours

19. Policy CS21 of the Woking Core Strategy (2012) advises that proposals for new development should achieve a satisfactory relationship to adjoining properties, avoiding significant harmful impact in terms of loss of privacy, daylight or sunlight, or an overbearing effect due to bulk, proximity or outlook.
20. In terms of potential overlooking and loss of privacy, Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight' (2008) sets out recommended separation distances for different relationships and different building heights. For three storey development and above, the SPD recommends a minimum separation distance of 15m for 'front-to-front' relationships and 30m for 'rear-to-rear' relationships to avoid undue overlooking. However, these standards are advisory and the SPD makes clear that the context of development proposals will be of overriding importance.
21. Tudor Court and Knap Court, Lower Guildford Road are sited to the south-east of the proposal site. A separation distance of approximately 29.5m would be maintained to these properties. This separation distance complies with the recommended minimum distances set out in the Council's 'Outlook Amenity, Privacy and Daylight' SPD (2008) for three storey development (15m for front or back to boundary/flank relationships). Due to the separation distance and relationship it is considered that the proposed development would not result in an undue overbearing, overlooking or loss of light impact on these neighbours.
22. The Anchor Public House, High Street is sited to the south of the application site. A separation distance of at least 25m would be maintained to The Anchor Public House to the south. This separation distance complies with the recommended minimum distances set out in the Council's 'Outlook Amenity, Privacy and Daylight' SPD (2008) for three storey development (15m for front or back to boundary/flank relationships). Due to the separation distance and relationship it is considered that the proposed development would not result in an undue overbearing, overlooking or loss of light impact on The Anchor Public House, High Street.
23. To the east of the proposal site is No.1a Anchor Hill which is in commercial use. The proposed building would be positioned approximately 18.2m from this neighbour at its nearest point which is considered sufficient to achieve an acceptable neighbour relationship.
24. Residential properties at No.1, 2, 3, 4, 53, 54 and 55 Highclere Gardens are sited to the north west and north of the application site. A minimum separation distance of approximately 35m would be retained to the front elevations of these properties. This

29 JUNE 2021 PLANNING COMMITTEE

separation distance would comply with the recommended minimum distances set out in the Council's 'Outlook Amenity, Privacy and Daylight' SPD (2008). Due to the separation distance and relationship it is considered that the proposed development would not result in an undue overbearing, overlooking or loss of light impact on these neighbours.

25. Adjoining the site to the south-west is No.3a High Street which is a single storey building which is in commercial use and is currently occupied by a hairdressers. Further to the south-west is Highclere House which is understood to feature residential accommodation at first floor level and above and commercial use at ground floor level. Highclere House features side-facing windows at first and second floor level facing the proposal site however these are understood to serve a communal staircase which is not considered a habitable room.
26. The front elevation of the proposed building would approximately align with the front elevation of Highclere House and the proposal is not considered to result in an undue loss of light or overbearing impact on the front-facing windows of this neighbour. The rear elevation of the proposed building would be obliquely angled towards Highclere House; the proposal would pass the '45° test' with the rear-facing windows of this neighbour. The proposal includes side-facing windows in the flank elevation facing Highclere House however these primarily serve secondary windows which could be required to be obscurely glazed with restricted opening if the proposal were considered otherwise acceptable. The proposal does feature a dormer window at third floor level facing this neighbour however the height and position of this window means that it would look across the roof of this neighbour and is not considered to result in undue loss of privacy or overlooking.
27. No.60 Highclere Road is located to the north-west of the application site. The proposed development would be located 31.2m from the flank elevation of this neighbour at its nearest point. Due to the siting of the properties and relationship with No.60 Highclere Road it is considered there would not be a significant loss of privacy, overlooking or overbearing impact to No.60 Highclere Road. Other neighbours in the surrounding area are considered a sufficient distance from the proposal site in order to not be unduly affected.
28. Overall the proposal is therefore considered to have an acceptable impact on the amenities of neighbours in terms of loss of light, overlooking and overbearing impacts and accords with Policy CS21 of the Core Strategy (2012), Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight' (2008) and the policies in the NPPF (2019). However the lack of any objection to the application on these grounds does not outweigh the other objections to the proposal.

Transportation Impact

29. The proposed flats would have pedestrian and vehicular access from Highclere Road using the existing vehicular crossover.
30. Supplementary Planning Document 'Parking Standards' (2018) sets minimum standards of 0.5x spaces per one bedroom flat and 1x space per two bedroom flat. The proposed development includes 6x one bedroom flats and 3x two bedroom flats which equates to a minimum requirement of 6x spaces.
31. Supplementary Planning Document 'Parking Standards' (2018) requires a retail unit with a floorspace of upto 500m² to provide a maximum of 1 on site car space per 30m², however there is a 50% reduction in Local Centres which would equate to a maximum requirement of 2x spaces. The proposed plans identify the provision of 10x parking spaces

29 JUNE 2021 PLANNING COMMITTEE

in a car park to the rear accessed from Highclere Road. The proposal would comply with parking standards within Supplementary Planning Document 'Parking Standards' (2018).

32. With regards to cycle parking Supplementary Planning Document 'Parking Standards' (2018) sets a minimum standard of two spaces per dwelling but states that this applies to '*family houses, up to 6 residents living as a single household...*' and does not refer to flats. An integral cycle store is proposed to facilitate 12 cycle spaces for the residential flats and the County Highway Authority have raised no objection to the level of cycle parking proposed.
33. Supplementary Planning Document 'Parking Standards' (2018) requires the provision of 1 cycle space per 125m² of food retail (town/local centre) and 1 cycle space per 300m² for non food retail. A total of 1 cycle space would be required to serve the retail floorspace. An integral cycle store is proposed to facilitate cycle spaces for the commercial units. Had the application otherwise been considered to be acceptable planning conditions would have been recommended to secure the proposed cycle provision.
34. The County Highway Authority have been consulted and raised no objection subject to conditions. Had the application been otherwise considered acceptable it would have been necessary to impose the requested conditions.
35. Overall therefore the proposal is considered to result in an acceptable impact upon highway safety and car parking provision and accords with Policy CS18 of the Woking Core Strategy (2012), Supplementary Planning Documents 'Parking Standards' (2018) and 'Climate Change' (2013) and the National Planning Policy Framework (2018). However the lack of any objection to the application on these grounds does not outweigh the other objections to the proposal.

Standard of Accommodation

36. The proposal is for 6x one bedroom flats and 3x two bedroom flats ranging from 50m² to 91m² in floor area. The flats would meet the minimum standards set out in the National Technical Housing Standards (2015) and are considered to achieve an acceptable standard of accommodation for future residents.
37. The Council's 'Outlook, Amenity, Privacy and Daylight' Supplementary Planning Document (2008) states that family accommodation (which is defined as including flats of two bedrooms or more exceeding 65m²), should provide a suitable area of predominately soft landscaped private amenity space. In the most dense urban locations, alternative forms of on-site amenity provision may be permitted.
38. The proposed development would include 3 dwellings to be used for family accommodation. Most of the proposed flats would not have access to private outdoor amenity space however given the location of the proposal site within a Local Centre this is considered acceptable. Had the application otherwise been considered to be acceptable a planning condition would have been recommended to secure details of landscaping. It is also borne in mind that a lack of amenity space did not form a reason for refusal under the most recently refused application (PLAN/2020/0862).
39. It is acknowledged that there is a potential conflict between the residential and commercial elements of the proposed development. Had the application been otherwise considered acceptable it would have been necessary to impose conditions requiring the submission of details of acoustic insulation, air moving plant and a scheme for protecting the proposed development from traffic noise and restricting sound reproduction equipment.

29 JUNE 2021 PLANNING COMMITTEE

40. However the lack of any objection to the application on these grounds does not outweigh the other objection to the proposal.

Housing Mix

41. Policy CS11 of the Woking Core Strategy (2012) requires proposals to address local needs as evidenced in the Strategic Housing Market Assessment (SHMA) which identifies a need for family accommodation of two bedrooms or more. The justification text for Policy CS11 goes on to state that *'lower proportions of family accommodation (2+ bedroom units which may be houses or flats) will be acceptable in locations in the Borough such as the town and district centres that are suitable for higher density developments'*. The proposal would deliver 6x one bedroom flats and 3x two bedroom flats. In the context of the above, the proposal is considered to deliver an acceptable mix of dwelling sizes in this location.
42. However the lack of any objection to the application on these grounds does not outweigh the other objection to the proposal.

Drainage and Flood Risk

43. The application site is in and adjacent to areas at medium risk surface water flooding. The Flood Risk and Drainage Team have been consulted and have recommended a condition to secure the submission of a scheme for disposing of surface water by means of a sustainable drainage system. Had the planning application otherwise been considered acceptable a condition could have secured the required information.
44. However the lack of any objection to the application on these grounds does not outweigh the other objection to the proposal.

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

45. The Thames Basin Heaths Special Protection Area (TBH SPA) has been identified as an internationally important site of nature conservation and has been given the highest degree of protection. Policy CS8 of the Core Strategy states that any proposal with potential significant impacts (alone or in combination with other relevant developments) on the TBH SPA will be subject to Habitats Regulations Assessment to determine the need for Appropriate Assessment. Following recent European Court of Justice rulings, a full and precise analysis of the measures capable of avoiding or reducing any significant effects on European sites must be carried out at an 'Appropriate Assessment' stage rather than taken into consideration at screening stage, for the purposes of the Habitats Directive (as interpreted into English law by the Conservation of Habitats and Species Regulations 2017 (the "Habitat Regulations 2017")). An Appropriate Assessment has therefore been undertaken for the site as it falls within 5 kilometres of the TBH SPA boundary.
46. Policy CS8 of Woking Core Strategy (2012) requires new residential development beyond a 400m threshold, but within 5 kilometres of the TBH SPA boundary to make an appropriate contribution towards the provision of Suitable Alternative Natural Greenspace (SANG) and Strategic Access Management and Monitoring (SAMM), to avoid impacts of such development on the SPA. The SANG and Landowner Payment elements of the SPA tariff are encompassed within the Community Infrastructure Levy (CIL), however the SAMM element of the SPA tariff is required to be addressed outside of CIL. The proposed development would require a SAMM financial contribution of £5556 based on 6x one bedroom flats and 3x two bedroom dwelling which would arise from the proposal. The Appropriate Assessment concludes that there would be no adverse impact on the integrity of the TBH SPA providing the SAMM financial contribution is secured through a S106 Legal Agreement. CIL would be payable in the event of planning permission being granted.

29 JUNE 2021 PLANNING COMMITTEE

Nonetheless no Legal Agreement has been submitted to secure the SAMM financial contribution given the other objections to the proposal.

47. In view of the above, and in the absence of a Legal Agreement to secure contributions towards mitigation measures, the Local Planning Authority is unable to determine that the additional dwellings would not have an adverse effect on the integrity of the Thames Basin Heaths Special Protection Area, either alone or in combination with other plans and projects in relation to urbanisation and recreational pressure effects, contrary to the Conservation of Habitats and Species Regulations (2017) (SI No. 1012 - the "Habitats Regulations"), saved Policy NRM6 of the South East Plan (2009), Policy CS8 of the Woking Core Strategy (2012) and the Thames Basin Heaths Avoidance Strategy 2010-2015.

Sustainability

48. Following a Ministerial Written Statement to Parliament on 25 March 2015, the Code for Sustainable Homes (aside from the management of legacy cases) has now been withdrawn. For the specific issue of energy performance, Local Planning Authorities will continue to be able to set and apply policies in their Local Plans that require compliance with energy performance standards that exceed the energy requirements of Building Regulations until commencement of amendments to the Planning and Energy Act 2008 in the Deregulation Bill 2015. The government has stated that the energy performance requirements in Building Regulations will be set at a level equivalent to the outgoing Code for Sustainable Homes Level 4.
49. Until the amendment is commenced, Local Planning Authorities are expected to take this statement of the Government's intention into account in applying existing policies and setting planning conditions. The Council has therefore amended its approach and an alternative condition will now be applied to all new residential permissions which seeks the equivalent water and energy improvements of the former Code Level 4. The Council has therefore amended its approach and an alternative condition will now be applied to all new residential permissions which seeks the equivalent water and energy improvements of the former Code Level 4.

Affordable housing

50. The NPPF (2019) establishes that affordable housing should not be sought for developments which are not 'major' developments. The NPPF definition of 'major' development is the same as that in the Development Management Procedure Order (2015) which is defined as 10x units or more. Affordable housing contributions are not therefore sought under this application.

Community Infrastructure Levy (CIL)

51. The proposal would be liable to make a CIL contribution of £127,896.43

CONCLUSION

52. The proposal site forms a prominent corner site in Knaphill and the proposed development, by reason of its scale, bulk, massing, form and design would result in an unduly prominent, dominating and incongruous development which fails to exhibit high quality design and fails to improve the character or quality of the area. The proposal is therefore contrary to Policies CS21 and CS24 of the Woking Core Strategy (2012), Supplementary Planning Document 'Woking Design' (2015) and the National Planning Policy Framework (2019).

29 JUNE 2021 PLANNING COMMITTEE

53. Furthermore, in the absence of a Legal Agreement or other appropriate mechanism to secure contributions towards mitigation measures, it cannot be determined that the net additional dwellings arising from the proposed development would not have a significant impact on the Thames Basin Heaths Special Protection Area, contrary to Woking Core Strategy (2012) policy CS8 'Thames Basin Heaths Special Protection Areas', the Thames Basin Heaths Avoidance Strategy (2010 - 2015), saved policy NRM6 of the South East Plan (2009) and the Conservation of Habitats and Species Regulations (2017) (SI No. 1012 - the "Habitats Regulations").

BACKGROUND PAPERS

1. Site visit photographs

RECOMMENDATION

It is recommended that planning permission is refused for the following reasons:

01. The proposal site forms a prominent corner site in Knaphill and the proposed development, by reason of its scale, bulk, massing, form and design would result in an unduly prominent, dominating and incongruous development which fails to exhibit high quality design and fails to improve the character or quality of the area. The proposal is therefore contrary to Woking Core Strategy (2012) policies CS21 'Design' and CS24 'Woking's Landscape and Townscape', Supplementary Planning Document 'Design' (2015) and the National Planning Policy Framework (2019).
02. In the absence of a Legal Agreement or other appropriate mechanism to secure contributions towards mitigation measures, it cannot be determined that the net additional dwellings arising from the proposed development would not have a significant impact on the Thames Basin Heaths Special Protection Area, contrary to Woking Core Strategy (2012) policy CS8 'Thames Basin Heaths Special Protection Areas', the Thames Basin Heaths Avoidance Strategy (2010 - 2015), saved policy NRM6 of the South East Plan (2009) and the Conservation of Habitats and Species Regulations (2017) (SI No. 1012 - the "Habitats Regulations").

Informatives

1. The plans relating to the development hereby refused are listed below:

19150 PLS02 (Location Plan) received by the Local Planning Authority on 17.02.2021

19150 PLS03 (Existing Site Plan) received by the Local Planning Authority on 17.02.2021

19150 PLS04 (Existing Plans and Elevations) received by the Local Planning Authority on 24.02.2021

19150 PLS01 (Proposed Block Plan) received by the Local Planning Authority on 17.02.2021

19150 PL001 (Proposed Site Plan) received by the Local Planning Authority on 17.02.2021

19150 PL002 (Proposed Ground Floor Plan) received by the Local Planning Authority on 17.02.2021

19150 PL003 (Proposed First and Second Floor Plan) received by the Local Planning Authority on 17.02.2021

29 JUNE 2021 PLANNING COMMITTEE

19150 PL004A* (Proposed Third Floor and Roof Plan) received by the Local Planning Authority on 17.02.2021

19150 PL005A* (Proposed High Street Elevation) received by the Local Planning Authority on 17.02.2021

19150 PL006A* (Proposed Highclere Road Elevation) received by the Local Planning Authority on 17.02.2021

19150 PL007A* (Proposed Rear Elevation) received by the Local Planning Authority on 17.02.2021

19150 PL008A* (Proposed Street Scene) received by the Local Planning Authority on 17.02.2021

19150 PL010A* (Proposed Side Elevation) received by the Local Planning Authority on 17.02.2021