5 June 2018 PLANNING COMMITTEE

5k 17/1185	**Reg'd: 16.10.17**		**Expires: 30.06.18**	**Ward:**	**HO**
Nei. 16.11.17 Con. Exp:	**BVPI Target**	**20 - COU**	**Number of Weeks on Cttee' Day:**	**33/36**	**On Target?**	**Y**

LOCATION: **Britannia Wharf, Monument Road, Woking, GU21 5LW**

PROPOSAL: **Change of use of land currently forming an informal car park (land coloured green) to publicly accessible open space, change of use of land (coloured blue) from publicly accessible recreational open space to car park and construction of car park for exclusive use of the owners/occupiers of the property known as Britannia Wharf, change of use of land (coloured green and cross hatched black) from publicly accessible recreational open space to vehicle lay-by and construction of lay-by and removal/expunging of the existing S106 legal agreement dated 29th July 2017 to facilitate the proposed development.**

TYPE: **FULL**

APPLICANT: **Campmoss Property Ltd** **OFFICER:** **Joanne Hollingdale**

REASON FOR REFERRAL TO COMMITTEE

The application has been referred to the Planning Committee by the Development Manager.

SUMMARY OF PROPOSED DEVELOPMENT

This application seeks full planning permission for the change of use of land currently forming an informal car park (land coloured green) to publicly accessible open space, change of use of land (coloured blue) from publicly accessible recreational open space to car park and construction of car park for exclusive use of the owners/occupiers of the property known as Britannia Wharf, change of use of land (coloured green and cross hatched black) from publicly accessible recreational open space to vehicle lay-by and construction of lay-by and removal/expunging of the existing S106 legal agreement dated 29th July 2017 to facilitate the proposed development.

PLANNING STATUS

- Green Belt
- Basingstoke Canal Conservation Area
- Scheduled Ancient Monument
- Common Land
- Basingstoke Canal SSSI (nearby)
- Site of Nature Conservation Importance (Woodham Common SNCI)
- High Archaeological Potential
- Flood Zone 1
- Thames Basin Heaths SPA Zone B (400m-5km)

RECOMMENDATION

Subject to the expiry of the site and press notices on 6th June 2018 and the receipt of representations which do not raise any new issues it is recommended that planning permission be **GRANTED** subject to:

i) the prior completion of a S106 Legal Agreement to secure the matters referred to in the section titled Planning Obligations; and

ii) the recommended planning conditions.

SITE DESCRIPTION

This application relates to an area of land immediately to the north of the Britannia Wharf site. The southern boundary of the application site is formed by the Britannia Wharf site with the eastern and northern boundaries of the site being formed by Horsell Common.

The western part of the application site includes part of Horsell Common and the informal car park which can accommodate around 19 vehicles. This part of the site also includes part of the bell barrow (Tumulus) which is designated as a scheduled ancient monument. The eastern part of the site includes an area of land currently forming part of Horsell Common. Access into the informal car park is via the access from Monument Road into the Britannia Wharf site.

PLANNING HISTORY

There is a long planning history for the site as part of the adjacent Britannia Wharf site, most of which relates to the site before the existing office building was constructed. The most recent planning history for the application site and its adjacent Britannia Wharf site is as follows:

PLAN/2016/1204 – The partial demolition, rebuild and extension of existing B1 office building to create a 4/5 storey building for Class C3 use including 52 (47no. 2 bed and 5no. 1 bed) apartments, associated works. Existing access roads/car parking to be retained. Resolution to Grant planning permission subject to prior completion of S106 legal agreement and conditions 27.02.18

PLAN/2016/0724 - Prior notification for a proposed change of use - conversion of 4/5 storey office building (B1 use) to create 51 residential units (C3 use). Withdrawn

PLAN/2016/0358 - Prior notification for a proposed change of use - conversion of 4/5 storey office building (B1 use) to create 51 residential units (C3 use). Withdrawn

PLAN/2015/1438 - Demolition of existing 4/5 storey office building B1 Use and the construction of a new 3/4 storey care home (82 beds) C2 Use with associated access roads, car parking, landscaped amenity areas and new electricity sub station. Granted subject to S106 legal agreement 27.07.17.

PLAN/1991/0474 - Relaxation of Condition 5 (restricting office use to less than 300 square metres) of application 87/1213 for the erection of a three storey B1 office building. Granted 13.06.91

PLAN/1989/1073 - Amendment to application 88/0638 proposing use of redundant plant room to directors dining/board room and use of part of basement as lecture room/projection room and revisions to parking layout. Granted 06.04.90

PLAN/1988/0638 - Approval of Reserved Matters pursuant to application 87/1213 in respect of demolition of existing building, erection of B1 Use Class building and car parking, construction of new vehicle access. Granted 15.09.88

PLAN/1987/1213 - Demolition of existing industrial buildings and erection of a three storey building providing 25,188sq.ft. of Class B1 (Business) floor space (revised proposal). Granted 25.04.88

PROPOSED DEVELOPMENT

This application seeks full planning permission for the change of use of land currently forming an informal car park (land coloured green) to publicly accessible open space, change of use of land (coloured blue) from publicly accessible recreational open space to car park and construction of car park for exclusive use of the owners/occupiers of the property known as Britannia Wharf, change of use of land (coloured green and cross hatched black) from publicly accessible recreational open space to vehicle lay-by and construction of lay-by and removal/expunging of the existing S106 legal agreement dated 29th July 2017 to facilitate the proposed development.

The proposed development would facilitate:

- The removal of the existing informal car park providing 19no. car parking spaces and the reversion of this land back to natural open green space to enhance the setting of the scheduled monument;
- Extinguish any S106 legal agreement relating to the public use of the existing informal car park in connection with the recreational use of Horsell Common;
- The creation of a coach parking lay-by along Monument Road, including the extension of the footway on the eastern side of Monument Road south to the Britannia Wharf access; and
- Re-provide a new smaller car park area for the exclusive use of the occupiers of Britannia Wharf site to replace the 19no. spaces lost from the informal car park.

In support of the application a Heritage Statement, Extended Ecology Survey Report, Drainage Design report, Arboricultural Report for new private car park and Arboricultural Report for layby have been submitted.

CONSULTATIONS

County Highway Authority – Having assessed the application in terms of safety, capacity and policy grounds, recommends that conditions be attached to any permission granted (conditions 11, 12 and 13).

Historic England – The existing car park covers part of the scheduled area of the barrow on its western edge which means the barrow is subject to potential damage from ground compaction of cars driving over its outer ditch. It also makes it difficult to appreciate the full extent of the barrow when cars are parked on its western edge. Removal of the car park from the western edge of the barrow enables it to be better presented in its landscape setting and allows for a suitable reinstatement and management regime to be implemented. The addition of a vehicle layby will not encroach onto the scheduled area of the barrow or intrude significantly into the area surrounding it. The location of the layby will also ensure public accessibility to the range of designated heritage assets in this part of the common.

The proposed car park will intrude into the wider area surrounding the barrow on the eastern site but it is set far enough back from the barrow to preserve its immediate setting. There is also some tree screening between the two elements and setting the car parking to

the east is a significant improvement on having cars parked on the western edge of the barrow within the scheduled area.

The land changes have been devised through discussion with relevant consultees including Historic England and it is our view that the proposals seek to offer heritage benefits in terms of both improving the immediate setting of the barrow and enabling an improved future management regime both of which would enhance the monument (condition 19). No objection to the application on heritage grounds.

Ancient Monuments Society – No comments received.

Natural England (first response) – Objection as the further information is required with regard to the following: the site sits on a portion of SANG land and Natural England requires the applicant to liaise with the LPA in order to establish the proposed loss/gain of SANG land off the back of the proposals and submit this to Natural England for review. [*Officer note: this information was provided to Natural England by the LPA*]

Natural England (second response) – Objection withdrawn – on the basis of the further information received, satisfied that the issues raised have been resolved. Consider that there would be no significant adverse impacts on Horsell Common SSSI and the Thames Basin Heaths SPA.

Environment Agency – No comments received

Surrey Wildlife Trust – No comments received

County Archaeologist - With regard to below ground archaeological remains outside the Scheduled Ancient Monument, agree with the recommendation of the submitted archaeological information that the proposed car park should be subject to further archaeological investigation and the recommendations set out are appropriate i.e. archaeological monitoring and an archaeological 'strip map and sample exercise'. To ensure the required archaeological work is secured a condition should be attached to any planning permission granted (condition 10).

WBC Drainage and Flood Risk Engineer – No objection subject to condition (condition 14).

WBC Contaminated Land Officer – There is potential for ground contamination given the historical use of the site and the full condition should be imposed (condition 9).

WBC Conservation Consultant – I have no comment on this application which is mainly an archaeological issue which has been dealt with in the accompanying report.

WBC Arboricultural Officer – The new car park creation is acceptable subject to an Arboricultural Method statement and Tree Protection Plan as the majority of trees to be removed area of low quality with the best trees in the vicinity being retained. The information submitted in relation to the layby is acceptable and the trees shown for removal can be mitigated through replacement planting (conditions 4 and 8).

Horsell Common Preservation Society - has submitted two letters and provided clarification for Natural England. A summary of the main comments provided in the first letter is as follows:

- Support the application.

- HCPS has for many years opposed the siting of the informal car park on the land coloured green on the application plans as it is registered common land and no consent was granted for the land to be used as a car park. The applicant has used it as a car park since 1991 although members of the public could also use the car park for access to Horsell Common for recreational use.
- The applicant also has within its freehold one of the finest bronze age bell barrows in Surrey which is a scheduled monument. This monument suffers from tree and scrub encroachment as well as having the informal car park extending across its outer boundary. HCPS would like to acquire the barrow and informal car park so that it can restore the barrow, remove the informal car park, enhance the setting of this monument and secure its long term protection. Historic England suggests that the continued use of the informal car park will cause harm to the significance of the barrow.
- The applicant has agreed, subject to contract, to transfer its title to the tumulus (barrow) and the informal car park to HCPS and to dedicate the land required for the proposed lay-by for highway use. In exchange HCPS will transfer, to the applicant, the land coloured blue on the application as an extension to the car park for the benefit of the occupiers of the new building at Britannia Wharf. This is dependant on the application being granted planning permission.
- The proposed lay-by will provide parking for two coaches (or other vehicles) to accommodate parties of school children and others visiting the Muslim Burial Ground.
- Consent has been obtained from the Secretary of State for the land coloured blue to be de-registered as common land in exchange for the land being transferred to HCPS which will become registered land. The Inspector concluded that this exchange did not adversely affect the interest of any persons having rights in relation to the exchange land and neither would the interests of the neighbourhood or the public be adversely affected.
- Since the closure of Britannia Wharf the informal car park has been open to the public and has been used to a minor extent by users of the common. However if the redevelopment of Britannia Wharf took place without the exchange then the informal car park would be in constant use and therefore we consider the loss of this potential parking for common users to be of little importance in practice and particularly in the light of the potential benefits of the scheme.
- HCPS wishes to support the application subject to a condition that the consent shall not be implemented until a legal agreement is concluded between the applicant and HCPS which binds the parties to the proposed land exchange and to rescind any S106 legal agreement made in relation to the use of the informal car park.

A second letter has been received from HCPS. A summary of the main comments provided is as follows:

- If the existing informal car park remains in the ownership of the applicant then it will be used by residents living in the new Britannia Wharf development;
- Knowing demand for parking we do not expect that there would ever be any spaces free for Common users. When the building was occupied there was never any space in the car park for Common users except at weekends when it was sporadically used by dog walkers. When the new building is occupied by residents there is even less chance that spaces will be available for Common users;
- Historic England is supportive of the plan and also welcomes the acquisition of the tumulus by HCPS;
- There is another car park for Common Users some 300 metres to the north which always has capacity for Common Users;

- The plan also includes the insertion of a lay-by so that school parties and other groups have somewhere for their coaches/mini-buses to park whilst visiting the Muslim Burial Ground; and
- The proposed land exchange would also increase the extent of Registered Common Land which is Horsell Common.

In response to the original concerns of Natural England, HCPS made additional comments which in summary are as follows:

- HCPS has an agreement in principle with the applicant to exchange a small piece of common land totalling in 780sqm and in return it will receive a parcel of land totalling 2570sqm. The exchange of common land has been approved by the Secretary of State pursuant to s.16(1) of the Commons Act 2006 and will, de facto, become part of this SANG in perpetuity.
- The SANG agreement dated 01.03.07 between WBC and HCPS was one of the earliest agreements within the TBHSPA and preceded the JSPB strategy for the on-going management of SANG and thus only had a management period of 10 years. However HCPS is committed to maintaining public access to the SANG in perpetuity. This has been the subject of a meeting between Paul Rimmer of HCPS and Marc Turner of Natural England and agreement has been reached regarding on-going management.
- The enlarged area with the added features of a historic scheduled monument and a lay-by for visitors will add value to the SANG. The rationale for the land exchange can be found in the original letter submitted by HCPS in relation to the application.
- A condition requiring the removal of the existing informal car park and returning it to its natural state would be beneficial and hopefully satisfy Natural England's concerns.

An email has also been received from HCPS. In summary the comments made are as follows:

- HCPS has agreed with the applicant that the tumulus and informal car park adjacent to Britannia Wharf will be transferred to HCPS in exchange for the land to the rear of the site into which the new car park will be constructed.
- HCPS and the applicant will enter into a binding contract in this respect when the planning application is resolved.
- In due course the land upon which the proposed lay-by is constructed will be wholly owned by HCPS although the applicant will be undertaking its construction.
- To ensure compliance HCPS is happy to be party to a S106 legal agreement with the applicant to bind the parties to the extinction of the existing informal car park thereby terminating the effect of the old legal agreements and ensuring the retention of that land to natural land apart for the land required for the new lay-by.
- HCPS already has agreement from DEFRA for the extinction of the common land status for the land which is to become the replacement car park in exchange for the front land which apart from the lay-by will become registered common land.

REPRESENTATIONS

1 letter of representation has been received. A summary of the main comments made is given below:

- The applicant are planning to extend their car park [*Officer note: a land-swap is proposed*]. Some years ago I visited the site with the secretary of HCPS and a man from English Heritage [*Officer note: now Historic England*] who thought it likely that a fence would be erected around the barrow. Nothing came of this. A

fence would clearly show the site of the barrow. Over the years Britannia Wharf will change hands many times but the barrow has been there for 4,000 years – lets keep it safe.

RELEVANT PLANNING POLICIES

National Planning Policy Framework
Planning Practice Guidance

Woking Core Strategy 2012
CS1 – A spatial strategy for Woking
CS6 – Green Belt
CS7 – Biodiversity and nature conservation
CS8 – Thames Basin Heaths Special Protection Areas
CS9 – Flooding and water management
CS17 – Open space, green infrastructure, sport and recreation
CS20 – Heritage and conservation
CS21 – Design
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
DM8 – Land contamination and hazards
DM20 – Heritage Assets and their settings

SPD
Parking Standards 2018
Thames Basin Heaths Special Protection Area Avoidance Strategy 2010-2015

PLANNING ISSUES

1. The main issues to consider in the determination of this application are the impact of the proposal on the Green Belt, impact on provision of open space, heritage matters including impact on the scheduled monument and archaeology, the visual impact of the proposed development including the impact on the Basingstoke Canal Conservation Area, the impact on neighbouring occupiers, highway and parking issues, flood risk and surface water drainage, contamination, ecology and local finance considerations.

Green Belt

2. Paragraph 79 of the NPPF confirms that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. Paragraph 90 defines other types of development that are not inappropriate development in the Green Belt. These other types of development include engineering operations such as the provision of a car park but do not include a material change of use of the land. A material change of use is therefore inappropriate development in the Green Belt which is by definition harmful. Case law has established that even if an application contains elements that on their own would be appropriate development, the whole of the development is required to be regarded as inappropriate development in the Green Belt. It is also necessary to establish whether any other harm (Green Belt or otherwise) would result from the proposed development, in addition to harm by reason of inappropriateness.

3. The application proposes that the use of the existing informal car park would cease and the land would revert back to natural green space as part of the wider Horsell Common area. This area of land extends to around 1004sqm. In exchange an area of around 564sqm would be made available to the applicant to provide 19no. car parking spaces to replace the informal car park lost and an area of 278sqm would be used to provide a coach layby for the parking for 2no. coaches/buses and the extension of the footway southwards. On the basis of this land exchange between the uses it is not considered that the proposal would result in a loss of openness or would result in the encroachment of the countryside as more land would be reverted back to its natural state than would be used to provide the replacement car park and coach layby. As the land is currently in two different ownerships a Section 106 legal agreement would be required to secure the closure of the existing informal car park, its reversion to natural green space, its retention in perpetuity as publicly accessible open space, the provision of a coach layby, replacement car park and the timing of such works to ensure that only one car park results. No other harm to the Green Belt is considered to result from the proposed development.

4. Nonetheless as the proposal comprises inappropriate development in the Green Belt, in accordance with the NPPF substantial weight is required to be given to this harm. The NPPF states that very special circumstances to justify the granting of planning permission will not exist unless the harm to the Green Belt by reason of inappropriateness and any other harm is clearly outweighed by other considerations. In terms of 'other harm' the paragraphs further below consider whether any other harm would result to specific planning issues under their respective headings.

Very special circumstances

5. In consideration of very special circumstances, these can constitute one consideration or the combination of a number of considerations.

6. Paragraph 81 of the NPPF requires local planning authorities to plan "positively to enhance the beneficial use of the Green Belt" including to "provide opportunities for outdoor sport and recreation". This proposal would result in the enhancement of Horsell Common by a net increase in the land to be reverted back to 'natural' open green space from the existing informal car park use.

7. The existing informal car park lies directly adjacent to a scheduled ancient monument comprising a single bell barrow on the east side of Monument Road. The outer perimeter of the scheduled monument extends into the existing informal car park. A scheduled monument is an asset of national importance. Historic England has advised that "*the existing car park covers part of the scheduled area of the barrow on its western edge, which means the barrow is subject to potential damage from ground compaction of cars driving over its outer ditch. It also makes it difficult to appreciate the full extent of the barrow when cars are parked on its western edge.*" The removal of the existing informal car park from the western edge of the barrow enables it to be better presented in its landscape setting and allows for a suitable reinstatement and management regime to be implemented. The removal of the informal car park will thus significantly enhance the setting of the ancient monument which is an asset of national importance. Without this application the existing informal car park would continue to affect the setting of the monument and would also have the potential to result in further harm resulting from the continued use of the car park by vehicles.

8. The proposals would also result in the provision of a coach/bus lay-by which would provide two coach parking spaces and a footway extension. There is no other coach/bus lay-by parking along this part of Monument Road. This part of Horsell Common includes

the Grade II listed Muslim Burial Ground as well as the tumulus on the eastern and western sides of Monument Road. The provision of a coach/bus lay-by would result in a positive benefit and would enable visitors to Horsell Common, the Muslim Burial Ground and also the tumulus to use alternative modes other than the private car. The small extension to the footway would also enable pedestrians to access Horsell Common along the eastern side of Monument Road. These additional facilities are considered to be a significant enhancement to the existing open space and its features.

9. In this particular case, it is therefore considered that the net increase of land to be reverted back to open green space, the provision of the 2no. coach/bus lay-bys and the removal of the existing informal car park which lies within the outer perimeter of the scheduled monument enabling it to be better presented and appreciated in the landscape setting are considered to comprise very special circumstances.

10. Whether these matters in isolation or in combination are considered to outweigh the harm to the Green Belt and any other harm resulting from the proposed development will be assessed as part of the conclusion-planning balance at the end of this report, once all other material planning considerations have been assessed as to whether 'any other harm' would result from the proposed development in addition to that already identified.

11. In the event that the proposal is considered acceptable and as the site is located in the Green Belt, to prevent the provision of 2 car parks resulting and to ensure the benefits of the scheme are delivered it would be necessary to secure:
    i. the closure of the existing informal car park and its reversion back to natural open green space if the replacement car park is constructed;
    ii. to secure the land reverted back to open space in perpetuity as publicly accessible open green space (including the expunging of any previous legal agreements relating to the informal car park),
    iii. the provision of the coach/bus parking bays and their use for coach/bus/disabled parking in connection with the recreational use of Horsell Common; and
    iv. to secure the agreement of both landowners to ensure that neither party prevents the compliance with the relevant planning conditions attached to any permission granted.

12. As the application site is owned by two different landowners it would be necessary to require both landowners to enter into a S106 legal agreement to secure the details as listed above. Both landowners have agreed to enter into such an agreement.

<u>Open Space (including SANG land)</u>

13. Policy CS17 of the Woking Core Strategy states that the loss of open space will not be permitted unless alternative and equivalent or better provision is made available within the vicinity of the site. This approach reflects the NPPF requirements relating to open space. In relation to the application site the area proposed for the replacement car park is currently part of Horsell Common which is public open space and the informal car park area forms part of the adjacent Britannia Wharf site which is in private ownership.

14. It is also noted that the whole of Horsell Common, including the application site is designated as Suitable Alternative Natural Greenspace (SANG) which is land that is accessible for public recreation and meets the requirements of visitors who would use the SPA as an alternative to using the SPA. Policy CS7 of the Woking Core Strategy also states that development will only be permitted where the Council is satisfied that this will not give rise to a significant adverse effect upon the integrity of the SPA.

15. In terms of open space provision, as a result of the proposed development more land would be changed to open green space than would be lost due to the provision of the replacement car park. In addition although the whole of the application site area is included in the SANG designation, not all of the land currently forms functional SANG land as part of the SANG is used as informal car park. Therefore more land would be put back to functional SANG land than would be removed to provide the replacement car park and coach layby as shown in the table below:

	Existing	Proposed
Existing informal car park	1004sqm	-
Proposed car park	-	564sqm
Coach layby	-	278sqm
Total	**1004sqm**	**842sqm**

16. It is therefore considered that the proposed development would result in a beneficial impact to the provision of open space and natural/functional SANG land in this area. The proposed development is therefore considered to have a beneficial effect upon the provision of open space and SANG and consequently the TBHSPA. The proposed development is therefore considered to comply with Policies CS7 and CS17 of the Core Strategy 2012 and the Thames Basin Heaths Special Protection Area Avoidance Strategy and the policies in the NPPF.

Scheduled Monument and archaeology

17. Three Bronze Age funerary mounds are located on Horsell Common, a bell and disc barrow located to the west of Monument Road and a single bell barrow on the east side of Monument Road, the boundary of which extends into the application site. The barrow adjacent to and partly within the application site is designated as a scheduled monument and Historic England advise that the "*barrow is a prehistoric burial mound and is an important monument, considered to be a rare and fragile survival that contain important archaeological and environmental information. Bell barrows are an especially rare type of barrow, and this is an outstanding example of its kind. The barrow also has increased importance due to its proximity to two further scheduled barrows on the opposite side of the road to the west."*

18. Monuments fall within the NPPF definition of a heritage asset. Paragraph 132 of the NPPF states that "*when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset the greater the weight should be.*" A scheduled monument is an asset of national importance. Policy CS20 of the Core Strategy and Policy DM20 of the DM Policies DPD relate to development affecting heritage assets and states that new development should make a positive contribution to the historic environment. The applicant has submitted a Heritage Statement with the application.

19. With regard to the impact of the proposed development on the scheduled monument, the proposed replacement car park would be located further to the east of the scheduled monument and the proposed coach/bus lay-by would lie adjacent to Monument Road to the west of the scheduled monument. The applicant's Heritage Statement advises that neither the new car park nor the coach/bus lay-by would encroach into the area of the scheduled monument. Historic England has advised that the new car parking area to the east will intrude a little into the wider open space area to the eastern side of the barrow but it is their view that the parking area is set far enough back from the barrow to preserve its immediate setting. They also comment that there is some tree screening

between the two elements and that setting the parking to the east is a significant improvement on having cars parked on the western edge of the barrow within the scheduled area. In respect of the lay-by, Historic England advise that it will not encroach onto the scheduled area of the barrow or intrude significantly into the area surrounding it.

20. Much of the application site also falls under the area of high archaeological potential. With regard to ground disturbance, the creation of a new car park will result in ground disturbance within an archaeologically sensitive area. The County Archaeologist has advised that she is pleased that the application is supported by a Heritage Statement which provides a useful assessment of the extent of previous site impacts as well as the likely impact of the proposals. The applicant's Heritage Statement concludes that although the archaeological potential is high, within this area subsequent development from buildings and the existing vegetation reduce the remaining potential of the area. Nonetheless the County Archaeologist agrees with the conclusions of the applicant's Heritage Statement that the proposed car park should be subject to further archaeological investigation comprising monitoring and then an archaeological strip map and sample exercise to be secured by condition (condition 10).

21. As noted in paragraph 7 above the proposed removal of the informal car park and the reversion of this land back to natural open green space would significantly enhance the setting of the ancient monument which is an asset of national importance. Historic England has raised no objection to the application on heritage grounds subject to a condition requiring a heritage management and maintenance plan to enhance the monument (condition 19). It is also considered necessary to include a condition to ensure that the reversion of the car park within the outer perimeter of the scheduled monument to natural open space is subject to appropriate measures (conditions 18 and 19).

22. The proposed replacement car park and coach layby are not considered to have an adverse effect on archaeology and the scheduled monument. In addition the proposed change of use of the informal car park to natural green space would have a significant positive benefit on the setting of the adjacent scheduled monument, subject to conditions (conditions 18 and 19). The proposal is therefore considered to comply with Policy CS20 of the Core Strategy, Policy DM20 of the DM Policies DPD and the policies in the NPPF.

Visual Amenity including Basingstoke Canal Conservation Area

23. The application site is located within the Basingstoke Canal Conservation Area. In this location the conservation area includes the canal, the adjacent Britannia Wharf site, the application site and also part of Horsell Common. In relation to conservation areas, Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that ‘‘special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area’’ when Local Planning Authorities are exercising their planning functions. This requirement is also reflected in Policy CS20 of the Core Strategy and Policy DM20 of the DM Policies DPD.

24. As the consideration of the impact of the proposed development on the Basingstoke Canal Conservation Area is a visual assessment it should also be noted that Policy CS21 of the Core Strategy states that new development should respect and make a positive contribution to the street scene and the character of the area within which it is located. Policy CS24 requires all development proposals to provide a positive benefit in terms of landscape and townscape character. Policy DM4 of the DM Policies DPD also states that proposals which conserve and enhance the landscape, heritage, architectural

or ecological character, setting or enjoyment of the Basingstoke Canal and would not result in the loss of important views will be permitted.

25. The proposed works to create the replacement car park would be limited to ground level works only and would be located around 29 metres from the Basingstoke Canal. The proposed replacement car park would still be closely associated with the adjacent Britannia Wharf site and would be less visually prominent when viewed from Monument Road than the existing car park. The proposal in its totality would also enable a larger part of land (the existing informal car park save for the coach/bus lay-by and footway extension) to be returned to natural green open space. Whilst part of the site would be utilised for a coach/bus lay-by and footway extension, this area would be located adjacent to Monument Road and would appear closely associated with the main carriageway. A coach/bus lay-by is not an unusual feature adjacent to a carriageway. The Council's Conservation Consultant also has no comments on this application.

26. Subject to conditions relating to surfacing materials for the car park and means of enclosure (2, 5 and 6) it is considered that the proposal would preserve and enhance the character and appearance of the Basingstoke Canal Conservation Area and the wider local area and would not adversely affect the setting of the Basingstoke Canal. The proposal would therefore comply with Policies CS17, CS20, CS21 and CS24 of the Woking Core Strategy, Policies DM4 and DM20 of the DM Policies DPD and the policies in the NPPF.

Impact on trees/vegetation

27. Policy DM2 of the DM Policies DPD reflects Policy CS21 and requires trees and vegetation to be considered holistically as part of any proposal, requires tree removal to be justified to the satisfaction of the Council and requires appropriate replacement planting to enhance the quality of any development.

28. Two Arboricultural Reports have been submitted with the application relating to the proposed new car park and also the roadside layby/footway extension. In respect of the proposed new car park 14no. trees are required to be removed to facilitate the development. 11no. of these trees are either a category C or U trees, with 1no. tree being a category A tree and 2no. trees being category B trees. 1no. category A tree is also required to be transplanted to facilitate the development as it is currently suppressed. As the site boundary to the proposed car park is drawn tightly around the car park to minimise the development site, there is no opportunity within the proposed car park for any replacement planting. Nonetheless the site forms part of a much wider well established and mature area of Common Land comprising woodland. The removal of this small number of trees without replanting is not considered to adversely affect the integrity of this part of Horsell Common and a number of trees would remain in the vicinity of the proposed car park. As the proposed car park would be in close proximity to other trees to be retained, 'no-dig' methods of construction utilising cellular confinement system will be required in the root protection area (RPA) and details of any drainage/service runs will need to be approved by condition to avoid excavation or levels changes within the RPA of any retained trees (condition 8).

29. With regard to the proposed coach lay-by and footway extension to the south, the Arboricultural Information notes that a number of significant trees in the vicinity of the application site have been removed by others, which is understood to be part of the maintenance works implemented by the utility provider. To facilitate the proposed development 10no. trees will be removed. Of these, one is dead, 7no. trees comprise young to early-mature birch trees planted by the owner of Britannia Wharf around the northern side of the access into the site and 2no. trees are mature Scots Pine trees

(category B trees). It is considered that the loss of the trees to facilitate the development would not adversely affect the overall visual integrity of Horsell Common or the character and appearance of the Conservation Area, given the wider context of the area within which the site is located. Nonetheless it would be possible to plant some replacement tree planting close to the layby and footway extension without encroaching into the outer perimeter of the scheduled ancient monument. This limited tree planting would further enhance the appearance of this part of the site (condition 4).

30. The Council's Arboricultural Officer has advised that the impact of the development on trees is acceptable subject to conditions (conditions 4 and 8). Subject to the imposition of the conditions it is considered that the impact of the development on trees/vegetation is acceptable. The proposal is therefore considered to comply with Policy CS21 of the Core Strategy, Policy DM2 of the DM Policies DPD and the policies in the NPPF.

Impact on residential amenity

31. In order to comply with Policy CS21 of the Core Strategy, new developments must achieve a satisfactory relationship to adjoining properties avoiding significant harmful impacts in terms of loss of privacy, daylight or sunlight, or an overbearing effect due to bulk, proximity or outlook.

32. There are no existing residential occupiers immediately adjoining the site or nearby to be affected by the proposal. As the proposed replacement car park would provide the same number of parking spaces as the existing informal car park and would serve the re-developed Britannia Wharf site, it is not considered that it would result in any adverse impact to the future occupiers of the Britannia Wharf site.

33. The proposed development is therefore considered to comply with Policy CS21 of the Woking Core Strategy and the policies in the NPPF.

Highways and parking issues

34. The existing vehicular access to the Britannia Wharf site from Monument Road would be retained. The proposed replacement car park would provide 19no. car parking spaces which is the same number of vehicles that can be accommodated in the existing informal car park and as such the proposals are unlikely to result in any material change in terms of traffic generation into the site.

35. In terms of parking, there are no parking standards for public open space and any assessment is required to be on an individual basis. The existing informal car park is capable of being used by the public when utilising Horsell Common for recreation purposes and therefore the proposal would result in the loss of this car park for public use. The replacement car park would be for private use in connection with Britannia Wharf. Whilst the current car park is available for use by the public, this is only when there are spaces available in the informal car park. If the car park was full then there would be no right for the public to park within the car park or anywhere else on the Britannia Wharf site. For example, if the existing office was fully occupied and all employees chose to park in the informal car park, then there is no planning or legal restriction preventing them from doing so. Access to the informal car park is also controlled by a height restrictor to prevent unauthorised use by other vehicles. In addition HCPS has advised that there is another car park for Common users some 300 metres to the north which they state ‘‘always has capacity for Common users’’. The approved plan for the car park to the north showed that the car park had provision for around 25 car parking spaces (PLAN/2007/1155). It is considered that as HCPS own and manage Horsell Common that they are best placed to identify the requirements for

Horsell Common in terms of parking provision. On the basis that there is another car park to the north which also serves Horsell Common and as the public has no overriding right to part in this car park (only when spaces are free) it is not considered that the loss of this car park would result in an under-provision of car parking serving Horsell Common. No harm is considered to result from this part of the proposal.

36. The application also proposes the provision of a coach layby for the parking of 2no. coaches in connection with the adjacent Horsell Common recreation facility. The provision of the coach parking layby would also provide a footway extending south along Monument Road to the existing vehicular access to the Britannia Wharf site. The provision of the 2no. coach parking bays would benefit users of the Horsell Common by providing alternative means of accessing the site and in-lieu of the closure of the existing informal car park the footway on the eastern side of Monument Road would be extended from the vehicular access past the coach parking bay retaining and improving pedestrian access to Horsell Common. This is a significant benefit for potential visitors to Horsell Common.

37. The County Highway Authority does not raise any objection to the application subject to conditions (conditions 11, 12 and 13). The proposed development is therefore considered to comply with Policy CS18 of the Woking Core Strategy and the policies in the NPPF.

Flood Risk, Surface Water Drainage and Water Utilities

38. The site is located within Flood Zone 1 (low risk) and no issues relating to flood risk are raised. The Council's Drainage and Flood Risk Engineer has raised no objection to the application subject to condition (condition 14). The proposal is therefore considered to accord with Policies CS9 and CS16 of the Core Strategy, Policy DM4 of the DM Policies DPD and the policies in the NPPF.

Contamination

39. 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 and seeks to remediate or minimise the risks from contamination.

40. The Council's Contaminated Land Officer has advised that there may be potential for contamination and as such the full contamination condition should be imposed on any permission granted (condition 9). Subject to condition the proposed development is considered acceptable and would comply with Policies DM5 and DM8 of the DM Policies DPD and the guidance in paragraphs 120 and 121 of the NPPF relating to contamination.

Ecology

41. The NPPF states that the planning system should contribute to and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible. Circular 06/05 – Biodiversity Geological Conservation also requires the impact of a development on protected species to be established before planning permission is granted. This approach is reflected in Policy CS7 of the Core Strategy.

42. The application site lies partly within the Woodham Common SNCI. The applicant has submitted an Extended Phase 1 Habitat Survey and a Bat Survey. The bat surveys conclude that the existing trees on the site are very unlikely to host roosting bats. No badger setts were found within or adjacent to the application site, although there are signs of badger activity to the north of the site. As badgers can open up holes for new setts overnight the ecology report recommends that a pre-commencement badger survey be conducted within one month of the commencement of works (condition 16). It is not considered likely that the proposal would have any adverse impact upon other protected species, such as reptiles, great crested newts or dormice as the habitats to be affected by the development are sub-optimal for use by these species. Any vegetation removal should be undertaken outside the bird nesting season unless the vegetation/building has been surveyed for nesting birds (condition 15) and a condition is recommended in relation to external lighting (condition 17).

43. Subject to the recommended conditions (15, 16 and 17) the proposal is considered to be acceptable in terms of ecological impact and would comply with Policy CS7 of the Core Strategy and the policies in the NPPF relating to ecology and biodiversity and the guidance in Circular 06/05.

Local Finance Considerations

44. The Council implemented the Community Infrastructure Levy (CIL) on 1st April 2015. As the proposal relates to the provision of a car park the development is not CIL liable.

Conclusion – Planning Balance

45. The NPPF sets out that it is the Government's clear expectation that there is a presumption in favour of development and growth except where this would compromise key sustainable development principles and be contrary to local planning policies, unless material considerations indicate otherwise. The role of the planning system is to contribute to the achievement of sustainable development. This often involves balancing the economic, social and environmental aspects of a proposal. In addition, where a proposal comprises inappropriate development within the Green Belt, a balancing exercise is required to establish whether very special circumstances exist that clearly outweigh the substantial weight to be given to the impact on the Green Belt by reason of inappropriateness and any other harm.

46. In this case the proposal would represent inappropriate development in the Green Belt by definition, although there would be no loss of openness (due to the land exchange and more land to be reverted to natural green space) or harm to the purposes of the Green Belt. In consideration of the other material planning considerations, no other harm is considered to result from the proposed development, subject to conditions and a S106 legal agreement.

47. The net increase of land to be reverted back to publicly accessible open green space, the provision of the 2no. coach/bus lay-bys and footway extension and the removal of the existing informal car park which lies within the outer perimeter of the scheduled monument enabling it to be better presented and appreciated in the landscape setting are, when taken together, considered to comprise very special circumstances which outweigh the substantial weight to be given to the harm resulting from the inappropriateness of the development and which justify a recommendation of approval for the application.

48. In light of the very special circumstances which exist in this case it is considered that a recommendation to grant planning permission subject to a S106 legal agreement and

the conditions is justified. Other than the conflict with Policy CS6 of the Woking Core Strategy, which is addressed by the very special circumstances, the proposed development is considered to comply with Policies CS7, CS8, CS9, CS18, CS20, CS21 and CS24 of the Woking Core Strategy, Policies DM2, DM5, DM8 and DM20 of the DM Policies DPD, the relevant SPDs and the policies in the NPPF subject to the prior completion of the S106 legal agreement and the recommended conditions.

49. The recommendation has been made in compliance with the requirement of the NPPF to foster the delivery of sustainable development in a positive and proactive manner.

Planning Obligations

	Obligation	**Reason for Agreeing Obligation**
1.	To secure the cessation of the use of the informal car park and its permanent closure (including timing) and expunging of any previous legal agreements governing such use of the informal car park, concurrently or prior to the first use of the replacement car park hereby approved. To secure the use of the closed informal car park as publicly accessible open green space in perpetuity.	To accord with Policies CS6, CS17, CS20 and CS21 of the Woking Core Strategy 2012.
2.	To secure the provision of a coach parking bay for 2no. coaches/buses in accordance with the approved plan to be retained in perpetuity for coach/bus parking/disabled parking in connection with the recreational use of Horsell Common.	To accord with Policies CS6, CS17, CS20 and CS21 of the Woking Core Strategy 2012.
3.	To prevent use of the replacement car park until such time as the coach/bus parking layby and footway extension have been provided and the existing informal car park has been closed.	To accord with Policies CS6, CS17, CS20 and CS21 of the Woking Core Strategy 2012.
4.	To secure the agreement of both landowners of the respective parts of the site to not prevent either party from being able to comply with the planning conditions of the planning permission.	To accord with Policies CS6, CS17, CS20 and CS21 of the Woking Core Strategy 2012.

BACKGROUND PAPERS
Planning application file PLAN/2017/1185

RECOMMENDATION

Subject to the expiry of the site and press notices on 6th June 2018 and the receipt of representations which do not raise any new issues it is recommended that planning permission be **GRANTED** subject to:

i) the prior completion of a S106 Legal Agreement to secure the matters referred to above in the section titled Planning Obligations; and

ii) the following planning conditions:

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

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

2. The development hereby permitted shall be carried out in accordance the following approved plans received with the application unless specified:

   Site Location Plan (2017/BRW_CH/400 Rev E) rec 13.10.17
   Proposed site plan (2017/BRW_CH/401 Rev B) rec 13.10.17
   New Coach lay by (MBSK160818-1 Rev C) rec 13.10.17
   Swept Path analysis (MBSK160818-2 Rev B) rec 13.10.17
   Swept Path analysis (MBSK160818-3 Rev B) rec 13.10.17
   Coach/bus parking sign details (TS01) rec 13.10.17

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

3. The development hereby permitted shall not commence until samples and a written specification of all of the surfacing materials for the replacement car park hereby approved 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: To protect the visual amenities of the area in accordance with Policies CS20 and CS21 of the Woking Core Strategy 2012 and the policies of the NPPF.

4. The development hereby permitted shall not commence until a detailed replacement tree planting scheme for planting in the vicinity of the coach/bus layby hereby approved has been submitted to and approved in writing by the Local Planning Authority which specifies, the existing trees to be retained and the species, planting sizes, spaces and numbers of trees to be planted. All landscaping shall be carried out in accordance with the approved scheme in the first planting season (November-March) following the completion of the coach layby and maintained thereafter. Any retained or newly planted trees 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.

   Reason: In the interests of amenity and biodiversity and to preserve and enhance the character and appearance of the locality in accordance with Policies CS7, CS17, CS21 and CS24 of the Woking Core Strategy 2012 and the policies in the NPPF.

5. The development hereby approved shall not be commenced until details of any means of enclosure to the replacement car park hereby approved have been submitted to and approved in writing by the Local Planning Authority. The means of enclosure shall be implemented in full in accordance with the approved details prior to the first use of

the car park and shall thereafter be retained and maintained as approved unless otherwise first approved in writing by the Local Planning Authority.

Reason: To ensure that the proposed development does not adversely affect the character and appearance of the site in accordance with Policies CS6, CS17, CS20 and CS21 of the Woking Core Strategy 2012 and the policies in the NPPF.

6. Except where otherwise approved under Condition 5, notwithstanding the provisions of Article 3 and Schedule 2, Part 2 and Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any orders amending or re-enacting that Order with or without modification) no fences, gates or walls or other means of enclosures shall be erected anywhere on the application site without the prior written permission of the Local Planning Authority.

   Reason: To ensure that the proposed development does not adversely affect the character and appearance of the site in accordance with Policies CS6, CS17, CS20 and CS21 of the Woking Core Strategy 2012 and the policies in the NPPF.

7. Prior to the commencement of development full details of the existing and proposed levels for the replacement car park hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with the approved details.

   Reason: In the interests of visual amenity and in accordance with Policies CS20 and CS21 of the Woking Core Strategy 2012 and policies in the NPPF.

8. No development related works shall be undertaken on site (including clearance and demolition) until tree protection details, to include the protection of trees hedges and shrubs, have been submitted to and approved in writing by the Local Planning Authority. These details shall adhere to the principles embodied in BS 5837 2012 and shall include an Arboricultural Method Statement. The details shall make provision for the convening of a pre-commencement meeting and Arboricultural supervision by a suitably qualified and experienced Arboricultural Consultant for works within the RPAs of retained trees. Full details shall be provided to indicate exactly how and when the retained trees will be protected during the site works, full details of the no-dig cellular confinement system for construction within any root protection areas and details of the drainage and service runs. The development shall be carried out strictly in accordance with the agreed details.

   Reason: To ensure measures are taken to safeguard trees in the interest of local amenity and the enhancement of the development itself to comply with Policy CS21 of the Woking Core Strategy 2012, Policy DM2 of the DM Policies DPD and policies in the NPPF.

9. The development hereby permitted shall not commence until a scheme to deal with contamination of the site has been submitted to and approved in writing by the Local Planning Authority.

   The above scheme shall include :-

   (a) a contaminated land desk study and suggested site assessment methodology;
   (b) a site investigation report based upon (a);
   (c) a remediation action plan based upon (a) and (b);
   (d) a "discovery strategy" dealing with unforeseen contamination discovered during construction; and

(e) a "validation strategy" identifying measures to validate the works undertaken as a result of (c) and (d)
(f) a verification report appended with substantiating evidence demonstrating the agreed remediation has been carried out

Unless otherwise agreed in writing by the Local Planning Authority, the development shall be carried out and completed wholly in accordance with such details and timescales as may be agreed.

Reason: To ensure that a satisfactory strategy is put in place for addressing contaminated land before development commences and to make the land suitable for the development without resulting in risk to construction workers, future users of the land, occupiers of nearby land and the environment generally in accordance with Policies CS9 and CS21 of the Woking Core Strategy 2012 and the policies in the NPPF.

10. 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 to and approved in writing by the Local Planning Authority. The programme of archaeological work shall be implemented fully in accordance with the approved scheme.

    Reason: To ensure that the required archaeological work is undertaken and in accordance with Policy CS20 of the Woking Core Strategy 2012 and the policies in the NPPF.

11. The new car park hereby approved shall not be first used unless and until the proposed modified access to Monument Road has been constructed and provided with visibility zones in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority and thereafter the visibility zones shall be kept permanently clear of any obstruction over 1.05m high.

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

12. The new car park hereby approved shall not be first used unless and until the proposed coach layby has been constructed in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.

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

13. The new car park hereby approved shall not be first used unless and until the proposed footway between the access and the coach lay by has been constructed in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.

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

14. No development shall commence until a surface water drainage scheme for the site based on sustainable drainage principles and an assessment of the hydrological and

hydrogeological context of the development has been submitted to and approved in writing by the Local Planning Authority. The drainage scheme should demonstrate the surface water run-off generated up to and including the 1 in 100 plus climate change critical storm will not exceed the run-off from the existing site following the corresponding rainfall event.

The drainage scheme details to be submitted for approval shall also include:

I. Calculations demonstrating no increase in surface water runoff rates and volumes discharged from the site compared to the existing scenario up to the 1 in 100 plus climate change storm event.
II. Calculations demonstrating no on site flooding up to the 1 in 30 storm event and any flooding between the 1 in 30 and 1 in 100 plus climate change storm event will be safely stored on site ensuring no overland flow routes.
III. Detail drainage plans showing where surface water will be accommodated on site,
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 undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

The surface water drainage scheme shall be implemented in accordance with the approved details prior to the first occupation of the development hereby permitted and thereafter it shall be managed and maintained in accordance with the approved details in perpetuity.

Reason: To prevent the increased risk of flooding, to improve and protect water quality and to ensure the future maintenance of these in accordance with Policies CS9 and CS16 of the Woking Core Strategy 2012 and the policies in the NPPF."

15. Any scrub, hedgerow and tree clearance must be undertaken outside the bird breeding season (1st March to 30th August inclusive) unless the applicant has first carried out a survey of such vegetation (undertaken by an ecologist) 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 policies in the NPPF.

16. Within a calendar month immediately prior to the commencement of development a badger survey shall be conducted on the whole site with the findings of the survey (including any recommendations for mitigation including during construction) being submitted to and approved in writing by the Local Planning Authority. The development shall then be implemented in accordance with the approved details.

    Reason: To ensure that badgers and/or badger habitat are protected 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.

17. No external lighting shall be installed anywhere on the site until full details of any proposed 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: In the interests of visual amenity and the ecology/biodiversity of the site and surrounding area and to comply with Policies CS6, CS7 and CS21 of the Woking Core Strategy 2012, Circular 06/05 Biodiversity and Geological Conservation and the policies in the NPPF.

18. Prior to the commencement of development a scheme for the closure of the existing informal car park, including the method of closure and full details of a proposed scheme for the restoration of the land to natural open green space, including but not limited to the means of closure, removal of items from the site e.g. height restrictor, restoration of ground to natural green space, a timetable for each part of the restoration and long term management objectives for the site shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be implemented in accordance with the approved details.

    Reason: To ensure that the existing informal car park is restored to natural green space in an acceptable form having regard to the constraints of the site and to comply Policies CS6, CS7, CS20 and CS21 of the Woking Core Strategy 2012, Circular 06/05 Biodiversity and Geological Conservation and the policies in the NPPF.

19. Prior to the commencement of development on the site, a heritage management and maintenance plan for the scheduled barrow shall be submitted to and approved in writing by the Local Planning Authority. The barrow shall thereafter be managed and maintained in accordance with the approved details unless otherwise first approved in writing by the Local Planning Authority.

    Reason: To improve the presentation and management of the scheduled barrow and to comply with Policy CS20 of the Woking Core Strategy 2012 and the policies in the NPPF.

20. Prior to the first use of the replacement car park hereby approved it shall be laid out in accordance with the approved plans. The replacement car park hereby approved shall only be used for parking of vehicles in connection with and ancillary to the adjacent building/site currently known as 'Britannia Wharf' and shall be retained thereafter solely for that purpose and made available to the occupiers of the property at all times for parking purposes unless otherwise first approved in writing by the Local Planning Authority.

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

Informatives

1. This application is subject to a Section 106 legal agreement.

2. For the avoidance of doubt, the following definitions apply to the above condition (condition 9) relating to contaminated land:
Desk study- This will include: -

(i) a detailed assessment of the history of the site and its uses based upon all available information including the historic Ordnance Survey and any ownership records associated with the deeds.
(ii) a detailed methodology for assessing and investigating the site for the existence of any form of contamination which is considered likely to be present on or under the land based upon the desk study.

Site Investigation Report: This will include: -
(i) a relevant site investigation including the results of all sub-surface soil, gas and groundwater sampling taken at such points and to such depth as the Local Planning Authority may stipulate.
(ii) a risk assessment based upon any contamination discovered and any receptors.

Remediation action plan: This plan shall include details of: -
(i) all contamination on the site which might impact upon construction workers, future occupiers and the surrounding environment;
(ii) appropriate works to neutralise and make harmless any risk from contamination identified in (i).

Discovery strategy: Care should be taken during excavation or working of the site to investigate any soils which appear by eye or odour to be contaminated or of different character to those analysed. The strategy shall include details of: -
(i) supervision and documentation of the remediation and construction works to ensure that they are carried out in accordance with the agreed details;
(ii) a procedure for identifying, assessing and neutralising any unforeseen contamination discovered during the course of construction
(iii) a procedure for reporting to the Local Planning Authority any unforeseen contamination discovered during the course of construction.

Validation strategy: This shall include : -
(i) documentary evidence that all investigation, sampling and remediation has been carried out to a standard suitable for the purpose; and
(ii) confirmation that the works have been executed to a standard to satisfy the planning condition (closure report).

All of the above documents, investigations and operations should be carried out by a qualified, accredited consultant/contractor in accordance with a quality assured sampling, analysis and recording methodology. In addition to this it is expected that best practice guidance from authorities such as the EA, British Standards, CIRIA and NHBC would be followed where applicable.

3. In connection with condition 9 (Archaeology) the applicant's attention is drawn to the consultation response from the County Archaeologist which advises that the details to be submitted to satisfy the condition should also include temporary fencing being erected around the existing earthwork and steps to ensure that any previously unidentified below ground heritage assets which lie within the car park area are preserved intact in the form of a protective surface across the car park to minimise impact from heavy construction traffic etc.

4. 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.

5. The permission hereby granted shall not be construed as authority to carry out works on the highway or any works that may affect a drainage channel/culvert or watercourse. The applicant is advised that a permit and, potentially, a Section 278 agreement must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. All works on the highway will require a permit and an application will need to be submitted to the County Council's Street Works Team up to 3 months in advance of the intended start date, depending on the scale of the works proposed and the classification of the road. Please see http://surreycc.gov.uk/roads-and-transport/road-permits-and-licences/the-traffic-management-permit-scheme. The applicant is also advised that consent may be required under Section 23 of the Land Drainage Act 1991. Please see www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/flooding-advice.

6. 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).

7. The applicant is advised that in addition to any planning permission, the consent of the Secretary of State is also required for any works on common land.

8. The applicant is also advised that any works (including ground disturbance, landscaping or insertion of fence posts) within the scheduled area will require Scheduled Monument Consent and in this regard you are advised to contact Historic England.

9. The Council confirms that in assessing this planning application it has worked with the applicant in a positive and proactive way, in line with the requirements of paragraph 186-187 of the National Planning Policy Framework 2012.