



Woking Borough Council
16 January 2024
Planning Committee
Update

Item No.	App no. and site address:	Report Recommendation
6a	PLAN/2023/0835 Cleary Court (Church Street East), Nos.33-45 Chobham Road Incl. (Odd Numbers) & Nos.2 & 4 Christchurch Way, Woking, GU21 6JD	LEGAL

REPRESENTATIONS

x1 further letter in **support** has been received, raising the following points:

- As a locally headquartered business, this is an area close to the heart of Woking Town Centre that could certainly benefit from replanning to create a more environmentally friendly and efficient use of space.
- Without the necessary investment, I would be concerned that the building and surrounding area gets left behind amidst the regeneration that is taking place more widely on both sides of the Town Centre.

Therefore, a total of **x10** letters of **support** have been received. **x4** letters of **objection** have been received (x2 of which originate from the same household) (as per the Planning Committee report).

CONSULTATIONS

ThamesWey Energy Ltd (further responses dated 11th and 15th January 2024):
ThamesWey strongly challenges the assertion in the AECOM memo of 21/12/2023 and accompanying energy strategy for the Chobham Road Development (PLAN/2023/0835) that it has demonstrated the building level ASHP [Air Source Heat Pump] solution proposed is a better alternative for reducing carbon emissions from the development, than a connection to Woking's pioneering town centre district energy network. We therefore contend the application is not consistent with [Policy] CS22 [of the Woking Core Strategy (2012)] or the CCCSPD [SPD Climate Change (2023)] and should not be approved as submitted.

(Case Officer Note: These further responses are available to view in full online)

Energy and water consumption

In response to the further comment of ThamesWey the Applicant (by way of email dated 15th January 2024, which is available to view in full online) comments that “*unfortunately there was a typo in Aecom’s note [dated 21 December 2023, titled District Energy Network Connection (including revised Energy Modelling)] which is corrected below. As such, this point is dealt with and ASHPs [Air Source Heat Pumps] provide a better carbon emissions reduction*” and “*the development’s proposed on-site air source heat pump (ASHP) solution provides a better reduction in carbon emissions, when using approved software (IES Virtual Environment) and following the Building Regulations Approved Document L2 2021 methodology.*”

Option Name	Centralised ASHP	DEN 2023 Figures	DEN 2026 Figures
BER/TER % Reduction	8.36%	-13.97%	-10.24%
BPER/TPER % Reduction	8.37%	-9.10%	-6.63%

DEN = District Energy Network

The Applicant also states that “*the Applicant strongly disagrees it failed to engage with ThamesWey in a meaningful way. The Applicant met with ThamesWey during the pre-application stage (albeit there was a long period with no response from ThamesWey given personnel changes) and then following its initial representation once the application had been submitted. What became very clear is, for this development, the energy centre presently (fuelled by gas) does not provide a better carbon solution than on site ASHPs. There was a discussion about a future ‘sleeved option’ and plans to upgrade the facility, however there is no certainty over the funding commitments and timings of this...In summary, we [the Applicant team] have assessed our scheme against the capabilities of the district network as it exists today as per Policy CS22 (with no reliance on a future low-carbon network referred to in Point 2) and can confirm that ASHPs provide a better carbon solution.*”

In light of the above, and having regard to the tests for planning conditions (NPPF, para 56), there is no change to recommended planning conditions in this respect, albeit an additional informative is recommended as below (shown in italics):

Additional Informative

21. The developer is strongly encouraged by the Local Planning Authority to give further consideration/exploration (following further engagement between the developer and a District Energy Network (DEN) operator) of the possibility for connection of the development hereby permitted to the local District Energy Network (DEN).

PLANNING CONDITIONS

Following further discussion with the Applicant (in line with NPPF, para 56) some minor changes to planning conditions are recommended, these changes mainly relate to ‘trigger points’ to take into account the likely sequence and timings of demolition and construction works (should planning permission be granted).

For clarity the new/additional wording is restricted to those parts shown in bold with those parts shown in red and strikethrough text indicating deletion. For brevity conditions 10, 13

and 29 are not repeated in full here although the text which is not repeated remains unchanged from the published Planning Committee report:

Amended condition 10 wording (Demolition & Construction Environmental Management Plans (DCEMP)) (p.156-157 of the report)

~~10. ++ Development must not take place, including any works of demolition and/or site clearance, until an updated detailed Construction Environmental Management Plan (CEMP) has first been submitted to and approved in writing by the Local Planning Authority. The updated detailed CEMP must accord with and give effect to the principles for such a plan proposed by the Framework Construction Environmental Management Plan (CEMP), dated September 2023, prepared by Greengage, which was submitted with the planning application. The detailed CEMP must include the following matters:~~

10. ++ Prior to the commencement of each of the following phases of development on the site:

- a. Demolition; and**
- b. Construction**

a Demolition / Construction Environmental Management Plan (DCEMP) for that phase of development must first be submitted to and approved in writing by the Local Planning Authority. The CEMP(s) must accord with and give effect to the principles for such a plan(s) proposed by the Framework Construction Environmental Management Plan (CEMP), dated September 2023, prepared by Greengage, which was submitted with the planning application. The detailed CEMP(s) shall include the following matters:

[points a. to s. (inclusive) remain as per the Planning Committee report]

*Development must be carried out only in accordance with the approved ~~updated detailed~~ **Demolition / Construction Environmental Management Plan (DCEMP) for that phase of development.***

Reason: To ensure the proposed development does not unduly prejudice the amenities of occupiers of adjoining properties during demolition and construction phases and in the interests of highway and pedestrian safety and to protect the environmental interests and the amenity of the area in accordance with Policies CS2, CS7, CS9 and CS21 of the Woking Core Strategy (2012) and the National Planning Policy Framework (NPPF). This condition is required to be addressed prior to commencement (including prior to demolition and site clearance) in order that the ability to discharge its requirement is not prejudiced by the carrying out of building works or other operations on the site.

Amended condition 13 wording (Demolition & Construction Transport Management Plan (DCTMP)) (p.158-159 of the report)

~~13. ++ Development must not commence, including any works of demolition and site clearance, until a Construction Transport Management Plan (CTMP) has first been submitted to and approved in writing by the Local Planning Authority. The submitted CTMP must include details of:~~

13. ++ Prior to the commencement of each of the following phases of development on the site:

- a. Demolition; and**

b. Construction

a Demolition / Construction Transport Management Plan (DCTMP) for that phase of development must first be submitted to and approved in writing by the Local Planning Authority. The submitted DCTMP must include details of:

[points a. to i. (inclusive) remain as per the Planning Committee report]

*Development must be carried out only in accordance with the approved **Demolition / Construction Transport Management Plan (DCTMP) for that phase of development.***

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with Policy CS18 of the Woking Core Strategy (2012), Policy DM16 of the Development Management Policies DPD (2016) and the National Planning Policy Framework (NPPF). This condition is required to be addressed prior to commencement (including prior to demolition and site clearance) in order that the ability to discharge its requirement is not prejudiced by the carrying out of building works or other operations on the site.

Amended condition 15 wording (air quality) (p.159-160 of the report)

15. The ~~primary~~ source(s) of energy for the development hereby permitted must be ~~electric Air Source Heat Pumps (ASHPs) and/or Photovoltaic (PV) panels and/or connection to the local District Energy Network (DEN) unless otherwise first agreed in writing by the Local Planning Authority. If electric ASHPs and/or PV panels and/or connection to the local District Energy Network (DEN) are not to provide the main source(s) of energy for the development hereby permitted for any reason(s);~~ **provided, and permanently maintained thereafter, only in accordance with the provisions of the Energy Strategy (Revision: R4, Revision date: 22.09.2023) and the Sustainability Statement (Revision: 04, Revision date: 22.09.2023), both prepared by AECOM Limited (and both submitted with the planning application) unless additional future air quality modelling in respect of alternative energy source(s) ~~must first be~~ **has first been** submitted to and approved in writing by the Local Planning Authority in order to ensure that there are no significant adverse air quality impacts. The development must thereafter be permanently maintained in accordance with any such approved details.**

Reason: To ensure no adverse impact upon air quality in accordance with Policy CS21 of the Woking Core Strategy (2012), Policy DM6 of the Development Management Policies DPD (2016) and the National Planning Policy Framework (NPPF).

Amended condition 21 wording (Hours of use for Office floorspace) (p.162 of the report)

21. The use of the Class E (g) (i) (Office) floorspace labelled as 'Office' (and shown coloured in blue) at level 02 up through to level 10 (inclusive) of the development hereby permitted, including the area labelled as 'Lounge' at level 10 (and shown coloured in purple) ancillary thereto, must not operate other than between the following hours (**other than for building cleaning and/or maintenance and/or repair purposes**):

- ~~07:00~~ **06:00** and 23:00 hours on Mondays to Saturdays (inclusive) (excluding Bank and Public Holidays); and
- 08:00 and 22:00 hours on Sundays, Bank and Public Holidays.

Reason: To safeguard the amenity of the surrounding area and the residential amenities of proximate existing, **extant** and future occupiers in accordance with Policy CS21 of the Woking Core Strategy (2012), Policy DM7 of the Development Management Policies DPD (2016) and the National Planning Policy Framework (NPPF).

Amended condition 29 (Biodiversity enhancements) (p.165-166 of the report)

29. ++ ~~Superstructure works must not commence~~ **Superstructure works must not advance any higher than the floor level of level 1 (for the avoidance of any doubt this is +38.000m)** until full details of biodiversity enhancements have first been submitted to and approved in writing by the Local Planning Authority (for the avoidance of any doubt this allows for demolition ~~and~~, works below ground level and **superstructure works up to the stated level below ground level** to first take place). The biodiversity enhancements across the development must be in accordance with the relevant recommendations of the Ecological Appraisal report, prepared by Greengage, dated September 2023; (including Bat Survey Report and Biodiversity Net Gain Assessment) and must include (as a minimum) the following biodiversity enhancement measures:

[points a) to d) (inclusive) remain as per the Planning Committee report]

The approved biodiversity enhancement measures must be implemented in full prior to the first occupation of any part of the development hereby permitted and must thereafter be permanently retained as such for the lifetime of the development.

Reason: To contribute towards and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity in accordance with Policies CS21 and CS7 of the Woking Core Strategy (2012) and the National Planning Policy Framework (NPPF).

Amended condition 30 wording (Landscape and Ecological Management Plan (LEMP)) (p.166 of the report)

30. ++ ~~The development hereby permitted must not be commenced, other than site clearance and/or demolition works,~~ **Superstructure works must not advance any higher than the floor level of level 1 (for the avoidance of any doubt this is +38.000m)** until a Landscape and Ecological Management Plan (LEMP) has first been submitted to and approved in writing by the Local Planning Authority. The submitted LEMP must be based on the proposed impact avoidance, mitigation and enhancement measures specified in the Ecological Appraisal report, prepared by Greengage, dated September 2023, and should include, but not be limited to, the following:

- ~~a)~~ **a) Description and evaluation of features to be managed;**
- ~~b)~~ **b) Ecological trends and constraints on site that might influence management;**
- ~~e)~~ **a) Aims and objectives of management;**
- ~~d)~~ **b) Appropriate management options for achieving aims and objectives;**
- ~~e)~~ **c) Prescriptions for management actions, together with a plan of management compartments;**
- ~~f)~~ **d) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a 30 year period);**
- ~~g)~~ **e) Details of the body or organisation responsible for implementation of the plan;**
- ~~h)~~ **f) Ongoing monitoring and remedial measures;**

~~g~~) Legal and funding mechanisms by which the long-term implementation of the plan will be secured by the applicant with the management body(ies) responsible for its delivery;

~~h~~) Monitoring strategy, including details of how contingencies and/or remedial action will be identified, agreed, and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme; and

~~k~~) A Swift mitigation and compensation strategy, which must include details of suitable nesting boxes for swifts (including number, locations and type of boxes) to be provided within the proposed development and a timeline for their provision (in line with the Ecological Appraisal report, prepared by Greengage).

The LEMP as approved must be carried out concurrently with the development hereby permitted and thereafter be permanently maintained for the lifetime of the development.

Reason: In the interests of biodiversity and to protect the general amenity and character and appearance of the locality in accordance with Policies CS7, CS17, CS21 and CS24 of the Woking Core Strategy (2012) and the National Planning Policy Framework (NPPF).