

4th JUNE 2024 PLANNING COMMITTEE

6b PLAN/2022/1086

WARD: St Johns

LOCATION: 1 Robin Hood Road, St Johns, Woking, Surrey, GU21 8SP

PROPOSAL: Demolition of No.1 Robin Hood Road and erection of a part three storey, part two storey building comprising 7x self-contained flats and a ground floor commercial unit (Use Class E) and associated parking, landscaping and works (AMENDED PLANS)

APPLICANT: Mr Edward Callaghan

OFFICER: David Raper

REASON FOR REFERRAL TO COMMITTEE:

The number of dwellings proposed falls outside the Scheme of Delegation.

SUMMARY OF PROPOSED DEVELOPMENT

The proposal is for the demolition of No.1 Robin Hood Road and erection of a part three storey, part two storey building comprising 7x self-contained flats and a ground floor commercial unit (Use Class E) and associated parking, landscaping and works.

PLANNING STATUS

- Urban Area
- St Johns Local Centre
- Locally Listed Building
- In vicinity of Basingstoke Canal Conservation Area
- Thames Basin Heaths Special Protection Area (TBH SPA) Zone B (400m-5km)

RECOMMENDATION

Grant Planning Permission subject to conditions and a S106 Agreement.

SITE DESCRIPTION

The proposal site comprises a prominent corner plot, bordered by Barrack Path to the south and Robin Hood Road to the north-east and fronting onto a roundabout close to Kiln Bridge over the Basingstoke Canal. The existing building on the site is a double-fronted Victorian villa which has been in use as a veterinary practice but is currently vacant. The building is two storeys with a symmetrical front elevation with bay windows and a hipped roof form and is finished in brick with contrasting coign brick detailing. The building is Locally Listed for its townscape merit but has been extended and altered in the past.

The surrounding area is characterised predominately by two storey development of varying ages however on the opposite side of the Basingstoke Canal is a three storey building and to the north is Capstans Wharf which is a modern flatted development of two storeys with accommodation in the roof space. The proposal site is bordered on two sides by detached dwellings (Brackendale on Barrack Path and No.3 Robin Hood Road). To the south on Hermitage Road is a piece of land where permission has been granted for a two storey block of flats with accommodation in the roof space, beyond this is a two storey parade of shops dating from the 1960s. To the east is an MOT/car repair business and to the south and south-east are two storey Victorian commercial buildings and the Basingstoke Canal.

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The proposal site is within the St Johns Local Centre and the Urban Area.

RELEVANT PLANNING HISTORY

- PLAN/1999/0904 - Certificate of lawfulness for: (1) Non-compliance with condition 2 (means of access) attached to planning permission 83/0737. (2) Non-compliance with condition 3 (no animals to remain at the premises overnight) attached to planning permission 83/0737. (3) Use of the first floor in connection with veterinary practice. (4) Change of use of land at Brackendale from residential to parking connection with veterinary practice – Certificate Granted 20.01.2000
- 83/0737 – Permanent use of two rooms on ground floor as waiting and consulting rooms and use of two storey extension as a recovery/observation room in connection with veterinary practice – Permitted 01.09.1983
- 81/1242 – Two storey extension – Permitted 01.01.1982
- 80/0176 – Use of two rooms on the ground floor as waiting/consultation rooms – Permitted 01.05.1980

CONSULTATIONS

- **County Highway Authority:** No objection subject to conditions.
- **Conservation Consultant:** *I accept that the current building, although locally listed, has been severely damaged by insensitive historic additions and a replacement of quality and interest could compensate for the low level harm demolition might cause...Corner sites very often are capable of accommodating buildings of greater height and town-scape presence as there is generally more space associated with a junction situation. This is such a situation, the extra storey is partly concealed within the roof geometry and the building presents interesting all around facades...The site is within the visual influence of the nearby conservation area, but I do not consider the proposal in any way harms the special character. I think the fact that the building line is closer to the road as acceptable due to the unique setting of this corner site. The design of the building has a high degree of articulation and interest due to its unique plan form. Subject to satisfactory materials of high quality I consider the development could integrate well with surrounding development...*
- **Environmental Health:** No objection subject to conditions.
- **Lead Local Flood Authority:** No objection subject to conditions.
- **Surrey Wildlife Trust:** No objection.
- **Tree Officer:** No objection.
- **Waste Services:** No objection.

REPRESENTATIONS

44x objections were received in response to the originally submitted plans raising the following summarised comments:

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Character:

- Proposal would be out-of-keeping with the character with St Johns village
- Proposed building would be too tall and would not reflect surrounding building heights
- There are no three storey buildings in the area
- Proposed building would be imposing
- Proposal is too urbanising for this location
- The building is Locally Listed and should be retained
- Any new building should be traditionally designed
- The balconies and glazing are out of place in this village location
- Proposal would be an overdevelopment
- The proposal does not follow the building lines along Robin Hood Road and Barrack Path

Parking and Highway Safety:

- Proposal would provide insufficient parking and would result in overflow parking onto already heavily parked streets and car parks
- Existing public car parks in St Johns are regularly full
- The additional pressure on parking would impact on footfall and local businesses
- Submission indicates tables and chairs outside the commercial unit. This is unrealistic as this is a busy junction and could pose a highway safety risk
- Proposal site is on a busy pedestrian and cycle route and poses a highway safety risk
- The proposal has not considered the existing Pluto Way cycle path on the pavement
- The access onto Barrack Path is too narrow
- An access from Robin Hood Road would be preferable
- Proposal could impact on visibility splays on a busy roundabout
- Public transport links are poor in this location
- There is limited space for servicing and deliveries
- There would be no accessible spaces

Impact on Neighbours:

- Proposal would result in loss of light, overshadowing and overbearing impacts on neighbours
- Proposal would result in overlooking and loss of privacy
- The proposal could impact on a nearby consented development (PLAN/2020/1202)
- The Daylight and Sunlight report is inaccurate
- The proposed development is lacking in amenity space

Other concerns:

- Proposed commercial unit could compete with existing businesses
- The construction of the development would cause noise and disruption
- Existing infrastructure would not be able to cope with the additional development
- The proposed development takes no account of the embodied carbon in the present attractive building on the site which could be adapted.
- The site should be retained as a veterinary surgery

Neighbours were re-consulted on amended plans a further **21x** objections were received reiterating the above objections and raising the additional points:

- Proposal is closer to Barrack Path and breaches the building line
- The building would be closer to the boundaries which poses a highway safety issue due to the narrow pavements surrounding the site
- The Daylight and Sunlight Report has not been updated to reflect the amended plans
- There would be insufficient parking provision
- The revised plans do not address previous objections

RELEVANT PLANNING POLICIES

National Planning Policy Framework (NPPF) (2023):

- 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 and beautiful places
- Section 14 - Meeting the challenge of climate change, flooding and coastal change
- Section 16 - Conserving and enhancing the historic environment

Woking Core Strategy (2012):

- CS1 - A Spatial strategy for Woking Borough
- CS4 - Local and Neighbourhood Centres and shopping parades
- CS7 - Biodiversity and nature conservation
- CS8 - Thames Basin Heaths Special Protection Areas
- CS9 - Flooding and water management
- CS10 - Housing provision and distribution
- CS11 - Housing Mix
- CS18 - Transport and accessibility
- CS19 - Social and community infrastructure
- CS20 - Heritage Assets
- CS21 - Design
- CS24 - Woking's landscape and townscape
- CS25 - Presumption in favour of sustainable development

Woking Development Management Policies DPD (2016):

- DM2 - Trees and Landscaping
- DM7 - Noise and Light Pollution
- DM8 - Land Contamination and Hazards
- DM20 - Heritage Assets and their Settings

Supplementary Planning Documents (SPDs):

- Parking Standards (2018)
- Design (2015)
- Outlook, Amenity, Privacy and Daylight (2022)
- Heritage of Woking (2000)

In addition to the above, Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a statutory duty on decision makers to have 'special regard' to preserving or enhancing the character of conservation areas and states that '*with respect to any buildings or other land in a conservation area, of any functions under or by virtue of any of the provisions mentioned in sub section (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area*'.

PLANNING ISSUES

Background:

1. Amended plans were received on 10.05.2023 and 12.07.2023 which amended the proposed parking, bin and cycle storage arrangements and added details to plans.

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2. Further amended plans were received on 24.01.2024 which amended the footprint and layout of the development. A projecting element on the Barrack Path frontage has been omitted and the parking, bin and cycle storage arrangements amended. The proposal has been assessed on the basis of these amended plans.

Land Use:

3. The proposal site is located within the St Johns 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*' and that '*Mixed use development with a small amount of retail will be encouraged in local centres provided it accommodates local needs, contributes to the vitality and viability of the centre and is appropriate to the role and function of the centre in the hierarchy*'.
4. The proposal site comprises a vacant building which was formerly used as a veterinary practice and is approximately 79m² in area. The proposed development includes a commercial unit at ground floor level of 109m² in area which would have shopfronts on all the road frontages. This unit is identified as being within retail use (formerly Use Class A1 which is now Use Class E). Use Class E (Commercial, Business and Service) of the Town and Country Planning (Use Classes) Order 1987 which includes retail, restaurant and office uses which are considered appropriate for this location. However, Use Class E can also include light industrial and creches. It is therefore considered reasonable and necessary to restrict the use of the commercial unit to uses falling within Use Classes E(a) (retail), E(b) (restaurant/café), E(c) (financial/professional services), E(d) (indoor sport, recreation or fitness), E(e) (medical or health services) and E(g)(ii) (office).
5. The re-provision of a commercial unit, along with the provision of 7x additional residential units, is considered to contribute positively to the vitality and viability of the St Johns Local Centre. The proposal is therefore considered an acceptable form of development in principle subject to the detailed considerations set out below.

Impact on Character and Heritage:

Policy Context:

6. Woking Core Strategy (2012) Policy CS21 'Design' 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 development proposals to "*...provide a positive benefit in terms of landscape and townscape character, and local distinctiveness*" and to "*conserve, and where possible, enhance townscape character*".
7. Section 12 'Achieving well-designed places' of the NPPF (2023) states that "*The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve*" and that "*Good design is a key aspect of sustainable development...*" and requires proposals to "*add to the overall quality of the area...*", to be "*visually attractive as a result of good architecture, layout and appropriate and effective landscaping...*" and "*sympathetic to local character and history, including the surrounding built environment and landscape setting...*" and "*establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit*".

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8. Woking Core Strategy (2012) policy CS20 'Heritage and Conservation' and Woking DMP DPD (2016) policy DM20 'Heritage Assets and their Settings' establish a presumption in favour of preserving or enhancing the character of Heritage Assets whilst the NPPF (2023) attaches great weight to the desirability of preserving and enhancing Heritage Assets and 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 (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification...

...Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss...

...The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset".

Proposed Development:

9. The proposed development comprises the erection of a building of up to three storeys following demolition of the existing building. The site is irregularly shaped due to its corner plot position and has road frontages on Barrack Path and Robin Hood Road and fronts onto a mini roundabout and Kiln Bridge. The proposal site is bordered on two sides by detached two storey dwellings (Brackendale on Barrack Path and No.3 Robin Hood Road).
10. The immediate area is characterised predominately by two storey development of varying ages however on the opposite side of the Basingstoke Canal at No.1 St Johns Road is a three storey building and to the north is Capstans Wharf which is a modern flatted development of two storeys with accommodation in the roof space. Immediately to the south on Hermitage Road is a piece of land where a two storey block of flats with accommodation in the roof space is currently under construction. Therefore, whilst development is predominately two storeys, there are examples of three storey developments and accommodation at second floor level. Whilst the building would be adjacent to two storey development, the building would step down to two storeys on Barrack Path and steps down to single storey level on Robin Hood Road which is considered to achieve an acceptable transition in height, bulk and massing.
11. The proposal site forms a prominent corner plot in the Local Centre where greater heights can be justified in urban design terms as the greater height can be seen to announce an important nodal or gateway point. The height, scale, bulk and massing of the proposed building is considered acceptable in this location.

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12. The proposed building confidently addresses its corner position and provides active frontages and animation on its road frontages. The proposed building would be sited approximately 0.9m from the Barrack Path frontage at its nearest point, 0.6m from the front boundary of the site facing the roundabout and part of the building would be on the boundary on the Robin Hood Road frontage. The building adopts projecting gable features on each of the frontages which creates a varied building line and allows opportunities for elements of soft landscaping around the perimeter of the site.
13. The building would be positioned forward of the building lines along Barrack Path and Robin Hood Road however this is considered acceptable in this corner location and would be more consistent with the character of the Local Centre where buildings are typically positioned directly on the edge of the footpath.
14. The proposed building includes projecting three storey gabled features with the main body of the building having hipped roofs disguising an area of flat roof. The building adopts window openings with a vertical emphasis and includes second floor windows which are set into the eaves as dormer features. The projecting gable features would incorporate integral balconies. The proposal would be finished in brick and includes decorative string course brick detailing in a contemporary arrangement.
15. The building is considered to adopt a traditional form but in a contemporary style and can be seen as a contemporary interpretation of the predominantly traditional forms and styles which typically characterise the surrounding area and nearby Conservation Area. The building is considered to exhibit high quality, well-proportioned and well-considered elevations and the form and design approach is considered to be sympathetic to the context of the proposal site.
16. The development incorporates adequate integral bin and cycle storage and car park with five parking spaces. The development is considered to achieve an acceptable balance of hard and soft landscaping. Further specific details of external materials can be secured by condition. A hedge surrounds most of the site which would be lost as part of the proposal however a detailed hard and soft landscaping which includes planting around the perimeter can be secured by condition.

Loss of Heritage Asset:

17. The existing building comprises a double-fronted Victorian villa which has been in use as a veterinary practice but is currently vacant. The building is two storeys with a symmetrical front elevation with bay windows and a hipped roof form and is finished in brick with contrasting coign brick detailing. The building is Locally Listed for its townscape merit. The building occupies a prominent position fronting onto the roundabout on a prominent corner plot. The building is considered to have architectural merit and contributes positively to the character of the area.
18. The proposal would result in the demolition of the Locally Listed building and replacement with a building of up to three storeys. In the above policy context, any benefits of the scheme would need to be balanced with the loss of the heritage asset, taking account of the significance of the heritage asset.
19. In support of the application the applicant has submitted a Heritage Statement. The Heritage Statement argues that the unsympathetic alterations and additions and the poor quality concrete hardstanding which surrounds the building significantly reduce the building's contribution to the Conservation Area and lessens the building's significance. The Statement also argues that the proposal provides an opportunity to

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enhance the contribution of the site to the Conservation Area and better emphasises the prominent corner plot.

20. Whilst the existing building has an attractive and well-proportioned front elevation, the building has been unsympathetically extended with a two storey flat roof extension as well as unsympathetic window openings and air conditioning units. The building is largely surrounded by hardstanding. Whilst the building could be sympathetically extended, this is unlikely to achieve the quantum of development proposed in this sustainable location. The building occupies a prominent and important corner plot in the Local Centre and in St Johns generally, but the building sits centrally within the plot and does not make efficient use of the site.
21. The proposal site is in a sustainable location in the Urban Area and within the St Johns Local Centre with good access to local facilities and amenities. The building currently makes a relatively inefficient use of the site and the proposal would allow the redevelopment of a vacant site with a mixed use development at a higher density. The proposal would provide 7x additional residential units in the Local Centre along with a ground floor commercial unit. The proposal would make efficient use of land and would provide additional dwellings in a sustainable location.
22. As discussed above, the proposed building is considered to exhibit high quality design and addresses each road frontage on this prominent corner plot with active frontages, good articulation and animation. The proposed development is considered a contemporary interpretation of a traditional form and is considered a high quality development.
23. These factors are considered to weigh significantly in favour of the proposal.

Impact on the Conservation Area:

24. The proposal site is not within a Conservation Area but is located opposite the Basingstoke Canal Conservation Area, which is located approximately 15m to the south-east. The St Johns Conservation Area borders the Basingstoke Canal Conservation Area which is located approximately 55m to the south-east. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a statutory duty on decision makers to have 'special regard' to preserving or enhancing the character of Conservation Areas.
25. The Basingstoke Canal Conservation Area encompasses the part of the roundabout and approach to the bridge over the canal to the front of the site. The Conservation Area follows the length of the canal and is an important part of the historic development of settlements in the area and is now a naturalistic green corridor through the Borough. The St Johns Conservation Area comprises the Victorian core of St Johns village. It has a close relationship with the Basingstoke Canal and the open space of St Johns Lye and has retained a village character and is characterised predominantly by two storey Victorian dwellings and commercial buildings.
26. As discussed above, the proposed building is considered to exhibit high quality design and is considered to respect the characteristics of the surrounding area. Considering this, along with the separation to the Conservation Area, the proposal is considered to preserve the special character and setting of the Conservation Area.

Summary and Planning Balance:

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27. The proposal is considered to deliver public benefits in terms of achieving an efficient use of a sustainable site, achieving a high quality development which responds positively to its corner location and the positive impact on the vitality and viability of the Local Centre arising from the proposed commercial unit and 7x additional residential units. When balanced with the limitations of the existing building and site described above, the loss of the existing Heritage Asset is considered to be outweighed by these public benefits. The proposal is considered to have an acceptable overall impact on the character of the surrounding area and on heritage assets.

Impact on Neighbouring Amenity:

28. Section 12 of the NPPF (2023) states that planning decisions should ensure that a 'high standard of amenity' is achieved for existing and future residents and Woking Core Strategy (2012) policy CS21 'Design' requires development proposals to '*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*'. The Council's 'Outlook, Amenity, Privacy and Daylight' SPD (2022) sets out the principles of the '45° test' whereby if a proposal fails the test in both plan and elevation form, then the neighbour is likely to experience a noticeable loss of light and sets out recommended minimum separation distances for different forms of development.

Brackendale, Barrack Path:

29. The proposal site has a close relationship with the neighbour at Brackendale to the west. This is a detached dwelling whose flank elevation is positioned on the boundary with the proposal site. This neighbour is unusual in that it has a limited rear garden space and a larger front garden area which is relatively private as it enclosed by 1.8m high fencing, and appears to be used as outdoor amenity space by the occupants.
30. This neighbour features no side-facing windows but features habitable room windows on the front and rear elevation in close proximity to the boundary. The ground floor front-facing window appears to have originally been a garage which has been converted to a habitable room.
31. The proposed building would be located 7.6m from this neighbour at its nearest point and projects approximately 7.9m beyond the front elevation of this neighbour. The element of the building nearest this neighbour would be two storeys, with the taller three storey element set-in a further 5m from this neighbour. The proposal would pass the 45° test with this neighbour and is not considered to result in a significantly harmful loss of light impact on this neighbour. The separation to this neighbour and the stepping down of height is considered sufficient to avoid a significantly harmful overbearing impact on this neighbour.
32. The development includes first and second floor windows facing towards this neighbour however these serve a stairwell and so can be required to be obscurely glazed with restricted opening by condition to avoid undue overlooking and loss of privacy. Remaining new window openings would have only oblique views towards this neighbour and the proposal is not considered to result in a significantly harmful overlooking or loss of privacy impact on this neighbour.

No.3 Robin Hood Road:

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33. This neighbour is a detached two storey dwelling which borders the site to the north. The flank elevation of this neighbour is located approximately 1.5m from the boundary with the proposal site and the flank elevation features ground and first floor side-facing windows. The three ground floor side-facing windows serve as secondary windows to a lounge which is served by a bay window on the principal front elevation. One of the first floor flank windows serves a bathroom and the other serves as a secondary window to a bedroom.
34. The element of the proposed building nearest this neighbour would be single storey, stepping up to three storeys. Whilst the proposed building would project forward of the building line on Robin Hood Road, the proposed building is not considered to unduly dominate views from the front habitable room windows of this neighbour. The proposal would pass the 45° test with this neighbour and is not considered to result in a significantly harmful loss of light impact on this neighbour. The separation to this neighbour and the stepping down of height is considered sufficient to avoid a significantly harmful overbearing impact on this neighbour.
35. A first floor window facing towards this neighbour is proposed however this would serve the stairwell and so can be required to be obscurely glazed with restricted opening by condition to avoid undue overlooking and loss of privacy. Remaining new window openings would have only oblique views towards this neighbour. Adequate boundary treatments between the proposal site and this neighbour can be secured as part of a landscaping scheme.

Development adjacent to No.1 Hermitage Road:

36. Immediately to the south on the opposite side of Barrack Path is a development of two flats which is currently under construction after being permitted under PLAN/2020/1202. The approved development includes first and second floor habitable room windows facing towards the proposal site. The proposed development would be located approximately 8m from this neighbour at its nearest point. Whilst this falls short of the recommended 'front-to-front' separation distances set out in the Council's 'Outlook, Amenity, Privacy and Daylight' SPD (2022), this relationship is considered acceptable given the location of the proposal site in a Local Centre. The proposal is not considered to result in a significantly harmful overbearing, overlooking, loss of privacy or loss of light impact on these neighbours.
37. Other neighbours in the surrounding area are considered a sufficient distance from the proposal in order to avoid an undue amenity impact.
38. Overall, the proposal is considered to form an acceptable relationship with surrounding neighbours and is not considered to result in a significantly harmful impact on neighbouring amenity.

Transportation Impact:

39. The Council's Parking Standards SPD (2018) sets minimum residential parking standards of 0.5x spaces per one bedroom flat and 1x space per two bedroom flat. For commercial uses the SPD sets maximum parking standards, with a 50% reduction recommending in District, Local and Neighbourhood Centres. The SPD refers to the former Use Classes Order which was amended in September 2020. The SPD sets standards 'A' class uses (e.g. A1 retail), which are now Class E uses.
40. For retail uses under 500m², a maximum of 1x space per 30m² is specified (reducing to 0.5x space in Local Centres). The former use was a veterinary surgery which now comes within Class E.

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41. The proposed development comprises the following:
 - 5x one bed units (SPD requirement of 2.5x spaces)
 - 2x two bed units (SPD requirement of 2x spaces)
 - Class E Commercial unit of 109m² (Maximum SPD requirement of 3.6x spaces, reduced to 1.8x spaces in the Local Centre)
42. The proposed development includes the provision of 5x off-street parking spaces as part of the development. This would be sufficient to meet the minimum parking requirements of the SPD as set out above. There would effectively be no off-street parking serving the commercial unit however given that the SPD sets maximum standards and considering the sustainable location of the site in a Local Centre, this arrangement is considered acceptable in terms of parking provision. There are two free public car parks serving St Johns Local Centre; whilst it is acknowledged that these are often at full capacity, they nonetheless provide an option for overspill parking.
43. The development would utilise the existing vehicular access onto Barrack Path. The County Highway Authority has reviewed the proposal and raises no objection on highway safety and capacity grounds subject to conditions. The proposal site is bordered by footpaths and a short section of cycle lane to the front of the site however the proposal would not interfere with the operation of these.
44. Sufficient space is identified for integral bin and cycle storage and bins would be collected via Barrack Path.
45. Overall, the proposal is considered to have an acceptable transportation impact subject to conditions.

Standard of Accommodation:

46. The NPPF (2023) states that planning decisions should ensure that a 'high standard of amenity' is achieved for existing and future residents. The National Technical Housing Standards (2015) sets minimum standards for internal floor areas for dwellings. The minimum standard for a one bedroom, one person flat is 39m², 50m² for a one bedroom, two person flat, 61m² for a two bedroom, three person flat and 70m² for a two bedroom, four person flat. These standards are not formally adopted by Woking Borough Council but nevertheless provide a useful indication as to whether the flats would provide an acceptable standard of accommodation.
47. The flats would range from 39m² to 72m² and would meet the National Technical Housing Standards specified above. Habitable rooms would have relatively open outlooks and the proposed flats are considered to offer an acceptable standard of internal accommodation for future residents.
48. The Council's 'Outlook, Amenity, Privacy and Daylight' SPD (2022) sets out guidance for amenity space for different types of accommodation. The SPD states that there is no specific requirement for private amenity space provision for non-family accommodation but encourages all dwellings to achieve some modest private amenity space. For family dwellings (i.e. two bedroom flats over 61m²) the SPD states that a suitable sunlit area of predominantly soft landscaped private amenity space, appropriate in size and shape for the outdoor domestic and recreational needs of the family it is intended to support, is required. However, the SPD goes on to state that in the densest urban locations, alternative forms of on-site amenity provision may be

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permitted such as a communal amenity space or suitable area of landscaped roof garden or terrace.

49. The proposed development has been designed so that each residential unit has access to a private balcony. Whilst modestly proportioned, the balconies are inset and relatively sheltered and offer opportunities for outdoor seating and would have amenity value for occupants. It is also borne in mind that the proposal site is in close proximity to the Basingstoke Canal and the large public open space of St Johns Lye. The proposal is therefore considered to achieve an acceptable level of amenity space provision.
50. The Council's Environmental Health Team has been consulted and raises no objection subject to conditions. The use and opening hours of the ground floor commercial unit can be controlled by condition, as can the installation of air moving plant and equipment. The commercial unit is not considered to result in an unduly harmful impact on neighbouring amenity or the amenity of future occupants.
51. Overall, the proposal is considered to achieve an acceptable size and standard of internal accommodation and external amenity space for future occupants.

Housing Mix:

52. Core Strategy (2012) policy CS11 'Housing Mix' requires proposals to address local needs as evidenced in the latest Strategic Housing Market Assessment (SHMA) which identifies a need for family accommodation of two bedrooms or more. The most recent published SHMA (September 2015) is broadly similar to the mix identified in policy CS11. However policy CS11 goes on to state that "*The appropriate percentage of different housing types and sizes for each site will depend upon the established character and density of the neighbourhood and the viability of the scheme*" and the reasoned justification 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 comprise 5x one bedroom flats and 2x two bedroom flats. This is considered an acceptable mix of unit sizes for this location.

Ecology:

53. The NPPF (2023) states that the planning policies and decisions should contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity. This approach is supported by Circular 06/05 – Biodiversity and Geological Conservation and is reflected in Policy CS7 of the Woking Core Strategy (2012). Bats and their roosts are protected under the Wildlife and Countryside Act (1981) (as amended). The Conservation of Habitats and Species Regulations (2017) (as amended) transpose the Habitats Directive into national law. Schedule 2 of the Regulations lists all species of bats as being European Protected Species. It is an offence to kill or disturb bats or their roosts. However, such actions can be made lawful through the grant of a license from Natural England, but only after it is satisfied that there are no satisfactory alternatives and that such actions will have no detrimental effect on the species concerned.
54. The application is accompanied by a Preliminary Roost Assessment and a bat emergence / re-entry survey on the building which would be demolished. The survey concludes that the buildings are unlikely to support roosting bats and low overall bat activity was recorded. The report sets out recommend precautions, mitigation and

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enhancement measures and compliance with these can be secured by condition. Details of biodiversity enhancement measures can be secured by condition. Surrey Wildlife Trust has reviewed the proposal and raises no objection. Overall, the proposal is considered to have an acceptable impact on ecology.

Drainage and Flood Risk:

55. The proposal site is not within a Flood Zone or surface water flood risk area but parts of the carriageway of Barrack Path are designated as being at risk from surface water flooding. The Lead Local Flood Authority has been consulted and raises no objection subject to a condition securing a sustainable drainage scheme. The proposal is therefore considered acceptable in this regard.

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

56. 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.
57. 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 **£5,320** based on a net gain of 5x one bedroom dwellings (5x £690) and 2x two bedroom dwellings (2x £935) 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.
58. Subject to securing the provision of the SAMM tariff and an appropriate CIL contribution, and in line with the conclusions of the Appropriate Assessment (as supported by Natural England), the Local Planning Authority is able to determine that the development will not affect the integrity of the TBH SPA either alone or in combination with other plans and projects in relation to urbanisation and recreational pressure effects. The development therefore accords with Policy CS8 of Woking Core Strategy (2012), the measures set out in the Thames Basin Heaths SPA Avoidance Strategy, and the requirements of the Habitat Regulations 2017.

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Affordable Housing:

59. Woking Core Strategy (2012) policy CS12 states that all new residential development will be expected to contribute towards the provision of affordable housing and that, on sites providing between five and nine new dwellings, the Council will require a financial contribution equivalent to the cost to the developer of providing 20% of the number of dwellings to be affordable on site. However, the NPPF (2023) states that *“Provision of affordable housing should not be sought for residential developments that are not major developments, other than in designated rural areas (where policies may set out a lower threshold of 5 units or fewer)”*. The NPPF goes on to clarify that ‘major’ development means developments of 10x or more dwellings or where the site is over 0.5ha or non-residential developments of over 1,000m² (which reflects the definition of ‘major’ development in The Town and Country Planning (Development Management Procedure) (England) Order 2015).
60. Whilst it is considered that weight should still be afforded to Policy CS12 it is considered that more significant weight should be afforded to the NPPF (2023). The proposal is not major development and is not within a designated rural area, therefore no affordable housing contribution is sought.

Community infrastructure Levy (CIL):

61. The proposal would be liable to make a CIL contribution of approximately £91,940.16 based on a proposed residential floor area of 482m² and a net gain in 30m² of commercial floor space. This figure may change due to indexation.

Conclusion and Planning Balance:

62. The proposal is considered to deliver public benefits in terms of achieving an efficient use of a sustainable site, achieving a high quality development which responds positively to its corner location and the positive impact on the vitality and viability of the Local Centre arising from the proposed commercial unit and 7x additional residential units. When balanced with the limitations of the existing building and site described above, the loss of the existing Heritage Asset is considered to be outweighed by these public benefits. The proposal is considered to have an acceptable overall impact on the character of the surrounding area and on heritage assets.
63. The proposal is considered to form an acceptable relationship with neighbours and is considered acceptable in transportation terms and in all other respects. The proposal therefore accords with the Development Plan and is recommended for approval subject to conditions and a Legal Agreement.

PLANNING OBLIGATIONS

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

	Obligation	Reason for Agreeing Obligation
1.	SAMM (SPA) contribution of £5,320	To accord with the Habitat Regulations, policy CS8 of the Woking Core Strategy 2012 and The Thames Basin Heaths SPA Avoidance Strategy 2022.

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RECOMMENDATION

Grant Planning Permission subject to the following condition(s):

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

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

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

S201 (Site Location Plan) received by the LPA on 24.01.2024

S202 (Existing Site Survey) received by the LPA on 24.01.2024

360G/22048B/200 PLANS (Existing Floor Plans) received by the LPA on 17.01.2023

360G/22048B/300 ELEVS (Existing Elevations) received by the LPA on 17.01.2023

P210 (Proposed Floor Plans) received by the LPA on 24.01.2024

P211 (Proposed Elevations) received by the LPA on 24.01.2024

P201 (Proposed Site Plan – Ground Level) received by the LPA on 24.01.2024

P202 (Proposed Site Plan – Roof Level) received by the LPA on 24.01.2024

P212 (Proposed Street Scene) received by the LPA on 24.01.2024

Bat Emergence and Re-entry Surveys prepared by Arbtech dated 19.09.2022 received by the LPA on 24.11.2022

Preliminary Roost Assessment prepared by Arbtech dated 02.09.2022 received by the LPA on 24.11.2022

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

03. ++ Notwithstanding the material details outlined on the approved plans, no above ground development associated with the development hereby permitted shall commence until a written specification of the details of the materials to be used in the external elevations of the development hereby permitted and details, including plans drawn at scale 1:50 or less, of architectural features including, balconies, detailing, window reveals, doors and shopfronts, have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and thereafter retained in accordance with the approved details unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of the visual amenities of the area.

04. Notwithstanding any indication otherwise given by the approved plans listed in this notice, no cables, wires, aerials, satellites, pipework (except rainwater downpipes as shown on the approved plans), meter boxes or flues shall be fixed to any external

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elevation of the development hereby permitted without the prior written approval of the Local Planning Authority.

Reason: To safeguard the appearance of the building and the visual amenities of the area.

05. ++Prior to the commencement of any above ground works in connection with the development hereby permitted (excluding demolition), a hard and soft landscaping scheme showing details of shrubs, trees and hedges to be planted, details of materials for areas of hardstanding and details of boundary treatments, shall be submitted to and approved in writing by the Local Planning Authority. All landscaping shall be carried out in accordance with the approved scheme in the first planting season (November-March) following the occupation of the buildings or the completion of the development (in that phase) whichever is the sooner and maintained thereafter. Any retained or newly planted trees, shrubs or hedges which die, become seriously damaged or diseased or are removed or destroyed within a period of 5 years from the date of planting shall be replaced during the next planting season with specimens of the same size and species unless otherwise agreed in writing by the Local Planning Authority. The development shall be carried out and thereafter retained in accordance with the approved details unless otherwise first agreed in writing by the Local Planning Authority.

Reason: In the interests of the visual amenities of the site and surrounding area.

06. Notwithstanding any indication otherwise given by the approved plans listed in this notice, the first and second floor windows in the west and north-west facing elevations of the development hereby permitted shall be glazed entirely with obscure glass and non-opening unless the parts of the windows which can be opened are more than 1.7 metres above the finished floor levels of the rooms in which the windows are installed. Once installed the windows shall be permanently retained in that condition unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard the amenities of the adjoining properties.

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

Reason: To ensure that the development does not prejudice highway safety nor cause inconvenience to other highway users and in the interests of public safety and amenity.

08. No part of the development hereby permitted shall be first occupied unless and until the proposed modified vehicular access to Barrack Path has been constructed in accordance with the approved plan numbered P201 received by the Local Planning Authority on 24.01.2024. Thereafter the access shall be kept permanently clear of any obstruction over 1.05m high.

Reason: To ensure that the development does not prejudice highway safety nor cause inconvenience to other highway users and in the interests of public safety and amenity.

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09. ++Prior to the first occupation of the development hereby permitted, details of secure cycle storage for the residential units and commercial unit hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. These facilities shall thereafter be fully implemented in accordance with the agreed details and made available for use prior to the first occupation of the development hereby permitted and shall thereafter be retained and made available for use at all times.

Reason: To ensure that satisfactory facilities for the parking of cycles are provided.

10. The development hereby permitted shall take place in accordance with the precautions and recommendations set out in the within the Bat Emergence and Re-entry Surveys dated 19.09.2022 and Preliminary Roost Assessment dated 02.09.2022 prepared by Arbtech received by the LPA on 24.11.2022 unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to protect and enhance biodiversity on the site.

11. ++Prior to any above ground works in connection with the development hereby permitted (excluding demolition), details of the measures for the enhancement of biodiversity on the site and a timetable for their provision on the site, shall be submitted to and approved in writing by the Local Planning Authority. The measures shall be implemented in full accordance with the agreed details prior to the first occupation of the development hereby permitted and thereafter shall be permanently retained and maintained in accordance with the agreed details, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to protect and enhance biodiversity on the site.

12. ++ Prior to the commencement of any above-ground works (excluding demolition) in connection with the development permitted, written evidence must be submitted to, and approved in writing by, the Local Planning Authority demonstrating that the dwellings within the development will achieve a maximum water use of no more than 110 litres per person per day as defined in paragraph 36(2b) of the Building Regulations 2010 (as amended), measured in accordance with the methodology set out in Approved Document G (2015 edition). Such evidence must be in the form of a Design Stage water efficiency calculator.

Development must be carried out wholly in accordance with such details as may be approved and the approved details must be permanently maintained and operated for the lifetime of the development unless otherwise first agreed in writing by the Local Planning Authority.

Reason: To ensure that the development achieves a high standard of sustainability and makes efficient use of resources in accordance with Policy CS22 of the Woking Core Strategy (2012), the Climate Change SPD (2013) and the provisions of the National Planning Policy Framework (NPPF).

13. ++No development shall commence until details of a scheme for disposing of surface water by means of a sustainable drainage system have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in full in accordance with the approved details prior to the first occupation of the development.

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

14. Notwithstanding the provisions of The Town and Country Planning (Use Classes) Order 1987 (as amended) or Article 3, Schedule 2 of The Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any order revoking and re-enacting those Orders with or without modification) the use of the unit labelled 'D1 Unit' at ground floor level identified on the approved plans listed in this notice shall be restricted solely to uses falling within Use Classes E(a) (retail), E(b) (restaurant/café), E(c) (financial/professional services), E(d) (indoor sport, recreation or fitness), E(e) (medical or health services) and E(g)(ii) (office) of The Town and Country Planning (Use Classes) Order 1987 (as amended) and for no other use whatsoever without the consent in writing of the Local Planning Authority.

Reason: In the interests of the vitality and viability of the Local Centre and in the interests of the amenity of future occupants and adjoining neighbours.

15. The ground floor commercial unit hereby permitted shall not be used/open to clients/customers and no deliveries shall be taken into or dispatched from the site outside the hours of 08:00 to 18:30 Monday-Saturday and not at any time on Sundays, Bank or Public Holidays.

Reason: In order to protect the residential amenities of the neighbouring properties.

16. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) Order 2015 (as amended), (or any orders amending or re-enacting that Order with or without modification) no extension or enlargement of the development hereby permitted shall be carried out without planning permission being first obtained from the Local Planning Authority.

Reason: The Local Planning Authority considers that further development could cause detriment to the amenities of nearby properties and the character of the area and for this reason would wish to control any future development.

17. Prior to the installation of any fixed plant and equipment associated with air moving equipment, compressors, generators or plant or similar equipment to be installed in connection with the development hereby permitted details, including acoustic specifications, shall be submitted to and approved in writing by the Local Planning Authority. Approved plant and equipment shall not be installed otherwise than in accordance with the approved specifications.

Reason: To safeguard the residential amenities of future occupiers in accordance with Policy CS21 of the Woking Core Strategy (2012), Policy DM7 of the DM Policies DPD (2016) and the NPPF.

18. ++No above ground development associated with the development hereby permitted shall commence until a fully detailed scheme for protecting the residential units in the proposed development from road traffic noise and from noise emanating from the ground floor commercial unit has been submitted to and approved in writing by the Local Planning Authority. The scheme shall comprise acoustic double glazing with ventilation and any other means to protect the building from noise. The approved scheme shall be carried out concurrently with the development of the site and shall then be implemented in full as agreed in writing by the Local Planning Authority before each dwelling is occupied and shall be permanently retained thereafter.

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Reason: To protect the occupants of the new development from noise disturbance.

19. No above ground development associated with the development hereby permitted shall commence until a scheme for the installation of equipment to control the emission of fumes and smell from the premises has been submitted to, and approved in writing by, the Local Planning Authority and the approved scheme shall be fully implemented prior to the first use of the ground floor commercial unit hereby permitted. All equipment installed as part of the approved scheme shall thereafter be operated and maintained in accordance with the approved details and retained as such thereafter.

Reason: To protect the environment and amenities of the occupants of neighbouring properties and prevent nuisance arising from fumes and smell.

20. No external lighting including floodlighting shall be installed until details (demonstrating 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. The approved lighting scheme shall be installed prior to the first use/ occupation of the development hereby approved and maintained in accordance with the approved details thereafter.

Reason: To protect the appearance of the surrounding area and the residential amenities of the neighbouring properties.

Informatives

01. The Council confirms that in assessing this planning application it has worked with the applicant in a positive and proactive way, in line with the requirements of the National Planning Policy Framework (2023).
02. The applicant is 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.
03. The provisions of the Party Wall etc. Act 1996 may be applicable and relates to work on an existing wall shared with another property; building on the boundary with a neighbouring property; or excavating near a neighbouring building. An explanatory booklet, prepared by the Ministry of Housing, Communities and Local Government, and setting out your obligations, is available at the following address:
<https://www.gov.uk/guidance/party-wall-etc-act-1996-guidance#explanatory-booklet>
04. The applicant is advised that this planning permission does not convey the right to enter onto or build on land not within their ownership.
05. The applicant is advised that under the Control of Pollution Act 1974, works which are audible at the site boundary are restricted to the following hours: 8.00 a.m. - 6.00 p.m. Monday to Friday, 8.00 a.m. - 1.00 p.m. on Saturdays and not at all on Sundays and Bank Holidays.
06. The applicant is expected to ensure the safe operation of all construction traffic in order to prevent unnecessary disturbance obstruction and inconvenience to other highway users. Care should be taken to ensure that the waiting, parking, loading and

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unloading of construction vehicles does not hinder the free flow of any carriageway, footway, bridleway, footpath, cycle route, right of way or private driveway or entrance. Where repeated problems occur the Highway Authority may use available powers under the terms of the Highways Act 1980 to ensure the safe operation of the highway.

07. The permission hereby granted shall not be construed as authority to carry out any works (including Stats connections/diversions required by the development itself or the associated highway works) on the highway or any works that may affect a drainage channel/culvert or water course. 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 (including Stats connections/diversions required by the development itself or the associated highway 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: <https://www.surreycc.gov.uk/roads-and-transport/permits-and-licences>
08. The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders. (Highways Act 1980 Sections 131, 148, 149).
09. The developer is advised that as part of the detailed design of the highway works required by the above condition(s), the County Highway Authority may require necessary accommodation works to street lights, road signs, road markings, highway drainage, surface covers, street trees, highway verges, highway surfaces, surface edge restraints and any other street furniture/equipment.
10. Your attention is specifically drawn to the conditions above marked ++. These condition(s) require the submission of details, information, drawings, etc. to the Local Planning Authority PRIOR TO THE COMMENCEMENT OF ANY DEVELOPMENT ON THE SITE or prior to the relevant trigger point. Failure to observe these requirements will result in a contravention of the terms of the permission and the Local Planning Authority may serve Breach of Condition Notices to secure compliance. You are advised that sufficient time needs to be given when submitting details in response to conditions, to allow the Authority to consider the details and discharge the condition. A period of between five and eight weeks should be allowed for.
11. All species of Bat and their roost sites are protected under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) and Schedule 2 of the Conservation of Habitats and Species Regulations 2017. All Bats are therefore European Protected species. Offences under this legislation include any activities that may kill, injure or disturb an individual or damages or destroys a breeding site or resting place of that individual. Destruction of a Bat roost is therefore an offence, even if the bat is not present at the time of roost removal. An EPS Mitigation Licence will be required from Natural England before any actions which may affect bats are undertaken.
12. The applicant is advised that the development hereby permitted is subject to a Community Infrastructure Levy (CIL) liability. The Local Planning Authority will issue a Liability Notice as soon as practical after the granting of this permission.

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The applicant is advised that, if he/she is intending to seek relief or exemptions from the levy such as for social/affordable housing, charitable development or self-build developments it is necessary that the relevant claim form is completed and submitted to the Council to claim the relief or exemption. In all cases (except exemptions relating to residential exemptions), **it is essential that a Commencement Notice be submitted at least one day prior to the starting of the development.** The exemption will be lost if a commencement notice is not served on the Council prior to commencement of the development and there is no discretion for the Council to waive payment. For the avoidance of doubt, commencement of the demolition of any existing structure(s) covering any part of the footprint of the proposed structure(s) would be considered as commencement for the purpose of CIL regulations. A blank commencement notice can be downloaded from: http://www.planningportal.gov.uk/uploads/1app/forms/form_6_commencement_notice.pdf

Claims for relief must be made on the appropriate forms which are available on the Council's website at: <https://www.woking.gov.uk/planning/service/contributions>

Other conditions and requirements also apply and failure to comply with these will lead to claims for relief or exemption being rendered void. The Local Planning Authority has no discretion in these instances.

For full information on this please see the guidance and legislation here: <https://www.gov.uk/guidance/community-infrastructure-levy>
<http://www.legislation.gov.uk/all?title=The%20Community%20Infrastructure%20Levy%20Regulations%20>

Please note this informative provides general advice and is without prejudice to the Local Planning Authority's role as Consenting, Charging and Collecting Authority under the Community Infrastructure Levy Regulations 2010 (as amended).

13. The applicant is advised that this is a DRAFT decision only.