

25th SEPTEMBER 2018 PLANNING COMMITTEE

5g 18/0515 Reg'd: 15.06.18 Expires: 07.06.18 Ward: KNA
Nei. 12.07.18 BVPI Minor Number >13 On No
Con. Target (dwellings) of Weeks Target?
Exp: on Cttee'
Day:

LOCATION: 4 Anchor Crescent, Knaphill, Woking, Surrey

PROPOSAL: Proposed change of use of first floor retail space to 4 socially rented residential units (three 1-bed and one studio) with additional first floor fenestration.

TYPE: Full

APPLICANT: Mr Sajjad Hussain

OFFICER: Barry Curran

REASON FOR REFERRAL TO COMMITTEE

The application is of a type which falls outside the Council's Scheme of Delegation. In addition, the applicant is an elected member of the Council.

SUMMARY OF PROPOSED DEVELOPMENT

This is an application for the change of use of first floor retail space (A1 Use Class) within 4 Anchor Crescent to 4 socially rented residential units (C3 Use Class) with additional fenestration at first floor level.

Site Area: 0.0435ha (435 sq.m)
Existing units: 0
Proposed units: 4
Existing density: 0 dph (dwellings per hectare)
Proposed density: 92 dph

PLANNING STATUS

- Urban Area
- Local Centre
- SPA Zone B

RECOMMENDATION

GRANT planning permission subject to conditions and S.106 Agreement to secure a SAMM contribution and affordable housing (socially rented).

SITE DESCRIPTION

The application site is within the Knaphill Local Centre and relates to the first floor retail space (A1 Use Class) above a public library (D1 Use Class) within the Anchor Crescent shopping arcade displaying a mix of A1 (retail), A2 (financial and

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professional services) and A3 (café) uses. The application site is within a primarily commercial setting but is neighboured to the south-east by residential properties with a service yard and parking facilities to the south-west with residential properties above.

PLANNING HISTORY

Extensive. Of relevance;

PLAN/2005/0898 - Consultation from Surrey County Council for the change of use of ground floor shop from (use class A1) to public library (use class D1) – No Objection 30.08.2005

The Anchor Public House;

PLAN/2017/1167 - Erection of two storey side and rear extensions and change of use of part of existing Public House to provide 8x self-contained residential units (3x two bed & 5x one bed) and retention of A3 (restaurant/café)/A4 (drinking establishment) use at ground floor level and associated external alterations, bin storage, parking and landscaping following demolition of existing rear extensions and outbuilding – Permitted 03.07.2018

PROPOSED DEVELOPMENT

The application seeks permission for the change of use of the first floor A1 retail space to 4 socially rented residential units (three 1 bed and one studio) with insertion of additional first floor fenestration including oriel windows on the south-eastern elevation.

In addition, 4 off-street parking spaces are to be allocated to the units on the south-western side of 4 Anchor Crescent within the service yard accessed off High Street.

CONSULTATIONS

Surrey Highways: Recommend a number of conditions (05.07.18)

REPRESENTATIONS

None received

RELEVANT PLANNING POLICIES

National Planning Policy Framework (NPPF) 2018:

Section 5 – Delivering a sufficient supply of homes

Section 9 – Promoting sustainable transport

Section 11 – Making effective use of land

Section 12 – Achieving well-designed places

Woking Core Strategy 2012:

CS1 - A Spatial strategy for Woking Borough

CS4 - Local and neighbourhood centres and shopping parades

CS8 - Thames Basin Heaths Special Protection Areas

CS10 - Housing provision and distribution

CS11 - Housing Mix

CS12 – Affordable housing

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CS18 - Transport and accessibility
CS21 - Design
CS22 - Sustainable construction
CS24 - Woking's landscape and townscape
CS25 - Presumption in favour of sustainable development

Supplementary Planning Documents (SPDs):

Woking Design (2015)
Outlook, Amenity, Privacy and Daylight (2008)
Parking Standards (2018)

PLANNING ISSUES

1. The main issues to consider in determining this application are; the principle of development, design considerations and the impact of the proposal on the character of the area, impact on residential amenities, highway safety impact, affordable housing and local finance considerations.

Principle of Development

2. The application site relates to the first floor space above a public Library (D1 Use Class). It is understood that this first floor space is utilised as storage space which was ancillary to the previous A1 retail unit which existed on site prior to the change of use to the ground floor space under a consultation application PLAN/2005/0898 (*Consultation from Surrey County Council for the change of use of ground floor shop from (use class A1) to public library (use class D1)*). Considering this, the change of use under PLAN/2005/0898 related solely to the ground floor space and therefore the lawful use of the first floor space remains as A1 Use Class.
3. The site is within the Urban Area and the Knaphill Local Centre. Policy CS4 of the Woking Core Strategy 2012 seeks to protect the vitality and viability of Local Centres and states that *"In neighbourhood centres and shopping parades the Council will seek to protect and retain local shops and other small scale economic uses such as post offices, petrol stations and public houses, because of the importance of these uses for meeting the everyday needs of those living locally"*. The first set of criteria in Policy CS4 of the Woking Core Strategy 2012 provides a useful guide to the change of use, bearing in mind that this floor space is regarded as ancillary retail floor space to the previous A1 use of the wider unit rather than a functioning retail premises. CS4 states *"The change of use of A1 retail premises to other town centre uses will only be permitted where:*
 - i. The floorspace is vacant*
 - ii. The unit is not an anchor unit*
 - iii. The change of use is not considered harmful to the vitality and viability of the centre as a whole*
 - iv. Existing facilities which provide for people's day-to-day needs are protected."*
4. The floor space is vacant and is also not an anchor unit. It is considered that there would be no harm (and perhaps some benefit) from the change of use of such floor space on the vitality and viability of the centre as a whole. Considering the application relates solely to the first floor space and not the D1 ground floor unit, the existing facilities (library) provides for people's day to day needs (criteria iv.). The first floor space is, therefore, not deemed

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necessary to the functioning of the library on the ground floor given the change of use application (PLAN/2005/0898).

5. Policy CS1 of the Woking Core Strategy 2012 states: *“Development located in the District, Local and Neighbourhood Centres to provide housing, jobs and convenient access to everyday shops, services and local community facilities will also be encouraged”*. This policy of the Core Strategy notes that developments located in Local Centres will provide housing and convenient access to services and local community facilities. Policy CS10 makes provision for 250 dwellings as infill development in the Borough’s urban area between 2010 and 2027, at a density of 30-60dph (dwellings per hectare). The reasoned justification for the policy states that in Local Centres *“infill and other forms of residential development within these centres will be permitted within the boundaries as shown on the Proposals Map”*.
6. The Core Strategy implies that these density figures are only to be used as indicative, where it goes on to state that density levels will depend on the nature of the site and will be influenced by design with the aim to achieve the most efficient use of land. Higher densities than these guidelines will be permitted in principle where they can be justified in terms of the sustainability of the location and where the character of the area would not be compromised.
7. PLAN/2017/1167 included the extension and change of use of part of the Locally Listed Anchor Public House which backs onto the Anchor Crescent shopping arcade. Permission was approved for conversion of part of this building into residential use with a density figure of 78.8dph as this was not found to result in undue overdevelopment of the site or a development which is out of character with the area. The proposed development contains a density of 92dph which again is outside of the indicative range but nevertheless would be aligned with that of the approved scheme at The Anchor. Furthermore, the proposal is considered to be justified by the site’s sustainable location and its acceptable impact on the character of the area, which is discussed in further detail in the following section.
8. The appropriate percentage of different housing types and sizes depends upon the established character and density of the neighbourhood and the viability of the scheme. Policy CS11 of the Core Strategy states that all residential proposals will be expected to provide a mix of dwelling types and sizes to address the nature of local needs as evidenced in the latest SHMA (Strategic Housing Market Assessment) in order to create sustainable and balanced communities. The most recent (September 2015) Strategic Housing Market Assessment (SHMA) for the West Surrey area indicates an estimated breakdown of (market housing) dwellings required between 2013 and 2033 of 10% 1 bed, 30% 2 bed, 39% 3 bed and 22% 4+ bed. In this instance whilst the proposed development does not wholly reflect the housing mix outlined within Policy CS11 and the SHMA (2015), it does, however, state that lower proportions of family accommodation can be considered acceptable in locations in the Borough, such as the town centre, which are suitable for higher density development. The proposal would provide four 1-bedroom units in a Local Centre which is highly accessible. The housing mix is also influenced by other material planning considerations such as the level of car parking and surrounding characteristics. Overall, it is considered that the proposed dwelling types are considered appropriate having regard to the site

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location in accordance with Policy CS11 of the Woking Core Strategy 2012 and the SHMA (2015).

9. Policy CS12 of the Core Strategy requires new PSI schemes to contribute towards affordable housing but the newly adopted 2018 National Planning Policy Framework makes it clear that there should be no requirement for schemes under 10 units. Therefore, no affordable housing is required for this development. The fact that 100% socially rented housing is proposed is welcomed. In order to ensure the proposal will meet the relevant CIL Exemption, it will need to be secured through a Section. 106 Agreement.
10. The National Planning Policy Framework and Woking Core Strategy 2012 Policy CS25 promote a presumption in favour of sustainable development. The site lies within the designated Urban Area and within the 400m-5km (Zone B) Thames Basin Heaths Special Protection Area (SPA) buffer zone where impacts of new residential developments can be avoided and is within an established Local Centre where mixed use development can be supported. Furthermore, Core Strategy Policy CS10 seeks to ensure that sufficient homes are built in sustainable locations where existing infrastructure is in place. The principle of residential development is therefore considered acceptable subject to further material planning considerations, specific development plan policies and national planning policy and guidance as discussed below.

Design Considerations and the Impact of the Proposal on the Character and Appearance of the Surrounding Area

11. Policy CS21 requires new development to pay due regard to the scale, height, proportions, building lines, layout, materials and other characteristics of adjoining buildings and land; to achieve a satisfactory relationship to adjoining properties. One of the core principles of the National Planning Policy Framework is to seek to secure high quality design. Para 124 echoes the provisions of the Core Strategy Policy CS21 in that *“the creation of high quality buildings and places is fundamental to what the planning and development process should achieve”*.
12. In this instance, the proposed development relates to the change of use of a first floor space in A1 Use with the installation of additional first floor windows. Along the north-western elevation which addresses the shopping arcade, it is proposed to install 2 additional windows in line with the existing 4 windows which currently exist, 3 high level windows are proposed along the north-eastern elevation with 6 full length windows, similar to those on the north-western elevation, on the south-western elevation. Oriel windows are proposed on the south-eastern elevation which will be full length and primarily orientated towards the flank elevation of the neighbouring property on this side. The additional windows which would be formed on each elevation would reflect existing windows within the building in size and design and are therefore considered to integrate acceptably into character and appearance of the existing building.
13. The emulating design of the additional windows which are the only external alteration to the building would be in line with its established character and is therefore in accordance with provisions outlined in the National Planning

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Policy Framework, Policy CS21 of the Woking Core Strategy 2012 and the Supplementary Planning Document 'Design' 2015.

Impact on Residential Amenity

14. First floor north-western and north-eastern elevation windows are proposed to be installed to serve habitable space but would overlook public spaces within the shopping arcade or out over an off-street parking area. It is noted that the neighbour site, The Anchor pub, has received permission to erect extensions and convert part of the pub into residential units and therefore this must be afforded significant weight and is a material consideration. The approved ground floor habitable room windows of this development which face onto Anchor Crescent and High Street have areas of enclosed private space with 0.4 metres high railing separating this space. As such, these patio areas are open to views from a publically accessible area and would not be afforded much privacy. The proposed extension which would stem back along the site's south-eastern boundary includes a number of habitable room windows at first floor level. These windows would be positioned approximately 7-8 metres from the proposed windows on No.4 Anchor Crescent which falls short of the recommended minimum of 10 metres for front-to-front relationships set out in the Council's Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight' 2008. Whilst it is acknowledged that this is a relatively close relationship, this is considered reflective of the constrained nature of the proposal site which is within a Local Centre and the proposal site already has a relatively close relationship with its neighbours. The proposal is therefore not considered to result in undue overlooking on neighbours when considering the context of the site.
15. To the south-west of the site, detached chalet bungalows back onto the service yard located between the application site. While the proposed development would introduce fenestration along this south-western elevation, a separation distance of at least 12 metres would remain and therefore the recommended separation distance of 10 metres from rear elevation to boundary would be met.
16. No.3 and No.5 Lower Guildford Road are located to the south-east of the application site and include rear amenity spaces which stem south-westwards. It is proposed to install 3 first floor oriel windows in the south-eastern elevation, one of which is to serve a bathroom and therefore can be conditioned to be obscurely glazed (Condition 4). There would be 2 further oriel windows positioned on this elevation, both of which would serve the primary living space for proposed unit 1. These are proposed to be orientated towards the two storey flank of No. 3 Lower Guildford Road and would, therefore, given this orientation, look towards the flank elevation of this dwelling with only oblique shallow views obtainable of the rear amenity space of both No.3 and No.5 Lower Guildford Road. It is acknowledged that the installation of these windows in the south-eastern elevation would introduce a perception of overlooking, it has to be noted the site is within an urban area and a Local Centre where the same level of privacy or perceived privacy is not always achievable to the level of privacy in a more semi-rural/rural location.
17. Overall the proposal is considered to have an acceptable impact on the amenities of neighbours and accords with provisions outlined in the National

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Planning Policy Framework, Policy CS21 of the Core Strategy 2012 and Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight' 2008.

Layout and Creation of Acceptable Residential Development for Proposed Occupiers

18. The proposed development includes 4 residential units (three one-bed and one studio) The units range in size from 40m² to 45.7m² which is considered an acceptable size of internal accommodation and accords with the recommended minimum standards of 37m² for a 1 person single storey dwelling set out in the National Technical Housing Standards 2015 and updated in May 2016.
19. In terms of amenity space Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight' 2008 states that *"dwellings specifically designed not to be used for family accommodation do not require any specific area to be set aside for each as private amenity space. This would apply to one and two bedroom flats and any other forms of dwelling less than 65sq.m. floorspace (but that) all forms of dwelling should seek to incorporate some modest private sunlit area for sitting outside."* Given the constrained nature of the proposal site, it is not possible for every unit to feature areas of private amenity space. Considering the modest size of the units in line with the local centre location, it is not deemed necessary to provide private amenity space for such flats. It is considered that, as a whole, the development provides an acceptable solution to providing new dwellings within a constrained site in a Local Centre.

Impact on Highway safety

20. Policy CS18 of the Woking Core Strategy 2012 sets out that the Council is committed to developing a well integrated community connected by a sustainable transport system which connects people to jobs, services and community facilities and that this will be achieved by, among other measures *"implementing maximum car parking standards for all types of non-residential development, including consideration of zero parking in Woking Town Centre, providing it does not create new or exacerbate existing on-street car parking problems. Minimum standards will be set for residential development. However in applying these standards, the Council will seek to ensure that this will not undermine the overall sustainability objectives of the Core Strategy"*.
21. The Council's Supplementary Planning Document 'Parking Standards' 2018 indicates a minimum standard for 0.5 car parking spaces per 1 bedroom flat/apartment. The development includes 4 dedicated car parking spaces and 1 disabled space towards the south-western side of the building as part of the red-lined application site. This number meets and exceeds the recommended minimum standards. Also towards the north-eastern side of the application building is a dedicated space and stand for cycle parking for up to 5 bicycles. The SPD on 'Parking Standards' 2018 identifies 2 cycle spaces per unit but considering the sustainable location as well as the level of car parking provided, the number of cycle spaces is considered acceptable.
22. The County Highway Authority have been consulted on this application and raise no objection to the development subject to conditions ensuring the

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spaces are laid out in accordance with the submitted plans for vehicles to be parked and for vehicles to turn and leave the site in a forward gear. The secure parking of bicycles is also conditioned (Conditions 5 and 6).

Affordable Housing

23. Policy CS12 of the Woking Core Strategy 2012 states that all new residential development will be expected to contribute towards the provision of affordable housing and that, on sites providing fewer than five new dwellings, the Council will require a financial contribution equivalent to the cost to the developer of providing 10% of the number of dwellings to be affordable on site.
24. However, Paragraph 63 of the NPPF 2018 sets out that the 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).
25. The proposed units would be 100% socially rented which would help to meet the demand within the Borough. Whilst policy does not require all units to be affordable, given that the proposed development is seeking social housing relief from the Community Infrastructure Levy (CIL), it is considered reasonable to secure all units to be affordable through a legal agreement and the associated restriction to ensure that the flats are utilised for their proposed use. The applicant has agreed to enter into a legal agreement to secure this.

Thames Basins Heath Special Protection Area

26. The Thames Basin Heaths Special Protection Area (SPA) is classified for its internationally important bird breeding populations. The designation is made under the Habitats Regulations 2010. It is necessary to ensure that planning applications for new residential developments include sufficient measures to ensure avoidance of any potential impacts on the SPA.
27. The applicant has agreed to make a SAMM contribution of £2,012 (£503 per 1 bed unit) in line with the Thames Basin Heaths Special Protection Area Avoidance Strategy 2010-2015 as a result of the uplift of 4 one bedroom units that would arise from the proposal. The applicant is prepared to enter into a S106 Legal Agreement to secure this financial contribution.
28. In view of the above, the Local Planning Authority is able to determine that the development would have no significant effect upon the SPA and therefore accords with Policy CS8 of the Woking Core Strategy 2012 and the Thames Basin Heaths Special Protection Area Avoidance Strategy 2010-2015.

Local Finance Consideration

29. CIL is a mechanism adopted by the Woking Borough Council which came into force on 1st April 2015, as a primary means of securing developer contributions towards infrastructure provisions in the Borough. In this case, the proposed residential development will incur a cost of £125 per sq.metre on a floor area of 201.11 sq.m which equates to a contribution of £31,036.69 (including 2018 Indexation). The applicant, however, is proposing 100% socially rented housing and has agreed to enter into a Section.106 Legal Agreement to secure it as such. Considering the proposed socially rented

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housing, the applicant has submitted CIL Form 2 (Claiming Exemption or Relief) claiming social housing relief and would therefore be exempt provided they meet the criteria laid down by Regulation 49 of The Community Infrastructure Levy (Amendment) Regulations 2014. An Exemption Claim form and CIL Assumption of Liability form have been submitted to the Local Planning Authority with a commencement form required prior to the commencement of development.

Conclusion

30. To conclude, it has been demonstrated that the proposal is acceptable development within the urban area and would not result in any adverse impacts to visual amenity, amenities enjoyed by surrounding neighbours, both existing and proposed, highway safety or any other material planning consideration subject to the conditions as recommended. Having regard to the relevant material planning considerations as well as national and local planning policies and guidance, the proposal, is seen to comply with provisions outlined Sections 5, 9, 11 and 12 of the National Planning Policy Framework, Policies CS1, CS4, CS8, CS10, CS11, CS12, CS18, CS21, CS22, CS24 and CS25 of the Woking Core Strategy 2012, Supplementary Planning Documents 'Outlook, Amenity, Privacy and Daylight' 2008, 'Parking Standards' 2018 and 'Design' 2015 and is accordingly recommended for approval subject a Section 106 agreement and the attached conditions.

BACKGROUND PAPERS

1. Site visit photographs.
2. Response from Highway Authority (05.07.18)
3. Site Notice (General Site Notice) (27.06.18)

PLANNING OBLIGATIONS

	Obligation	Reason for Agreeing Obligation
1.	Provision of £2,012 SAMM contribution	To accord with the Habitat Regulations, Policy CS8 of the Woking Core Strategy 2012 and The Thames Basin Heaths SPA Avoidance Strategy 2010-2015.
2.	The development shall be 100% affordable (socially rented) and shall only be used as such.	To address Policy CS12 of the Woking Core Strategy 2012 and to benefit from social housing relief under the Community Infrastructure Levy.

RECOMMENDATION

It is recommended that planning permission be Granted subject to the following Conditions and securing a S.106 Agreement:

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

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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 materials to be used on the external surfaces of the building to be converted hereby approved shall match those shown in the submitted application and approved drawings.

Reason:

In the interests of the visual amenities of the area.

3. The development hereby permitted shall be carried out in accordance with approved plans;
 - Block Plan (Amended Plan) (Received 13.07.18)
 - Proposed Elevations Project No. wp1/Knap/0317/ProEI (Amended Plan) (Received 13.07.18)
 - Proposed First Floor Internal Layout Project No. wp1/Knap/0317/Ex3 (Amended Plan) (Received 13.07.18)
 - Bicycle Storage Project No. wp1/Knap/0317/EI (Received 08.08.18)
 - Parking Arrangements Project No. wp1 Knap 0317 Pro4

Reason:

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

4. The Oriel Window (W1) which is shown to be entirely obscurely-glazed and the smaller panes on W2 and W3 which are shown to be obscurely-glazed on the approved plans (Proposed Elevations) shall be installed as such and thereafter permanently retained as such unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To safeguard the privacy of the occupiers of the adjoining properties in accordance with Policy CS21 of the Woking Core Strategy 2018.

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

Reason:

In order that the development should not prejudice highway safety nor cause inconvenience to other highway users.

6. The development hereby approved shall not be first occupied unless and until the following facilities have been provided in accordance with the approved plans for:

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- (a) The secure parking of bicycles within the development site. Thereafter the said approved facilities shall be provided, retained and maintained to the satisfaction of the Local Planning Authority.

Reason:

In recognition of Section 9 “Promoting Sustainable Transport“ in the National Planning Policy Framework 2018.

Informatives:

1. 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 paragraphs 38-39 of the National Planning Policy Framework 2018.
2. 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.
3. The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders. (Highways Act 1980 Sections 131, 148, 149)
4. The applicant is advised that, under the Control of Pollution Act 1974, site works which will be audible at the site boundaries are restricted to the following hours:-
08.00 - 18.00 Monday to Friday
08:00 – 13.00 Saturdays
and not at all on Sundays and Bank/Public Holidays.