

## 15 APRIL 2025 PLANNING COMMITTEE

6a PLAN/2024/0305

WARD: Canalside

**LOCATION:** Sheerwater Estate, Albert Drive, Sheerwater, Woking, Surrey.

**PROPOSAL:** Provision of 19no. residential units (apartments) (Class C3) within blocks Y1 and Y4 in Phase Yellow (of the Sheerwater Regeneration) to replace the previously approved Community Centre, Health Centre and Nursery spaces and associated alterations and alterations to highways to provide a footway/cycleway connection between Blackmore Crescent and Devonshire Avenue and associated landscape proposals (part retrospective) (Amended description and plans received February 2025)

**APPLICANT:** Thamesway Developments Ltd

**OFFICER:** Joanne Hollingdale

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### **REASON FOR REFERRAL TO COMMITTEE**

The application is required to be determined by the Planning Committee as the applicant is a company wholly owned by Woking Borough Council and the application is for major development.

### **SUMMARY OF PROPOSED DEVELOPMENT**

The application seeks permission for the provision of 19 residential units (apartments) (Class C3) within blocks Y1 and Y4 in Phase Yellow (of the Sheerwater Regeneration) to replace the previously approved Community Centre, Health Centre and Nursery spaces and associated alterations and alterations to highways to provide a footway/cycleway connection between Blackmore Crescent and Devonshire Avenue and associated landscape proposals (part retrospective).

19 additional residential units are proposed in phase Yellow in place of the approved community facilities, as the existing community facilities will no longer be demolished as the project will stop after the current phases are completed. The dental surgery space and pharmacy space will however be retained in the scheme as will the previously approved retail units on the ground floor facing Dartmouth Avenue.

The additional 19 residential units would have the following split:

- 7no. 1 bed units
- 10no. 2 bed units
- 2no. 3 bed units

All the proposed 19 residential units will be for market housing. The former community car park will be used to provide allocated parking spaces for the additional units, with the remainder being unallocated parking. Each additional unit would have 1 parking space.

To facilitate the conversion of the previously approved community spaces to residential, external alterations to the building are proposed to the ground and first floors primarily. There will also be some small minor alterations to the remainder of Y0 but these would be within the approved stone framework of the building.

As the existing MUGA on the Sheerwater Recreation ground will no longer be demolished, there is no requirement for a replacement MUGA to be provided as part of phase Yellow. The removal of the MUGA from phase Yellow will retain the existing access to the

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Sheerwater Recreation ground and the community facilities which are accessed from the car park e.g. Parkview.

To construct phase Yellow, part of Blackmore Crescent was closed as a through road. However with the demolished of part of Woodlands House and as the replacement MUGA is no longer required to be provided the opportunity now exists to provide a new footway/cycleway connection from Blackmore Crescent to Devonshire Avenue.

The wider area around the new footway/cycleway connection will also be landscaped to provide amenity space and further footways would be provided to link Blackmore Crescent to Devonshire Avenue/Bunyard Drive.

For Phase Yellow only, the **approved development split** between affordable and market housing is given below:

HOUSING MIX	Market	Affordable	Total
Studio	3	0	3
1 bed	34	60	94
2 bed	25	36	61
3 bed	4	6	10
<b>Total</b>	<b>66</b>	<b>102</b>	<b>168</b>

Note: Phase Yellow comprises buildings Y1-Y4 and Y5

For Phase Yellow only, the **proposed development split** between affordable and market housing would be as follows:

HOUSING MIX	Market	Affordable	Total
Studio	3	0	3
1 bed	41	60	101
2 bed	35	36	71
3 bed	6	6	12
<b>Total</b>	<b>85 (45%)</b>	<b>102 (55%)</b>	<b>187</b>

Note: Phase Yellow comprises buildings Y1-Y4 and Y5

### **PLANNING STATUS**

- Urban area
- Thames Basin Heaths SPA Zone b 400m-5km
- Flood Zone 1 (as shown on the updated EA Maps)
- Surface water flood risk area (medium, high and very high)
- Priority Place
- Local Centre (part of site)

### **RECOMMENDATION**

It is recommended to **GRANT** planning permission for the application subject to:

1. the prior completion of a S106 Legal Agreement and Executive Undertaking to:
  - a. secure the SAMM (SPA) contribution of **£17,224**;
  - b. to prevent any further development beyond phases Purple, Red, Yellow and Copper from occurring on the site and to ensure that any affordable housing lost from earlier phases is made up in later phases to accord to the original permissions. (This obligation relates to both the S106 Legal agreements and Executive Undertakings for both applications PLAN/2018/0337 and

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- PLAN/2018/0374) and to re-iterate the approved affordable housing provision within the S106 Legal Agreement/Executive Undertaking for phase Yellow as a whole for the avoidance of any doubt as the red line for this application relates to some of the other areas including communal areas within the Phase as a whole;
- c. to dedicate land (the new footway/cycleway) as public highway; and
  - d. Monitoring fee of £1,000 per obligation (excluding SAMM obligation).

2. Subject to conditions (and any minor amendments to those conditions).

### **SITE DESCRIPTION**

Phase Yellow is the third phase of the development for the Sheerwater Regeneration and includes the part of the site described in the original application as the 'civic quarter' and residential apartments. This phase is located to the north of phase Purple and phase Red and lies between Dartmouth Avenue, Devonshire Avenue/Bunyard Drive and Blackmore Crescent.

The phase originally included the replacement community facilities including the community centre, community car park, nursery, health centre, dental centre along with a pharmacy and 3 retail units. A replacement MUGA was also to be provided as part of this phase.

Pursuant to planning permission PLAN/2028/0337 the new buildings in this phase are complete as is the surface level car park. Phase Purple (first phase) is complete. Phase Red (second phase) is complete and Phase 1c (also known as Phase Copper) (granted permission under PLAN/2018/0374 and PLAN/2015/1260) is also complete.

### **RELEVANT PLANNING HISTORY**

The relevant planning history for this application is as follows:

**PLAN/2023/1037** - Section 73 application to vary Condition 4 (approved plans - relating only to the NIA plan for Parcel B (Phase Red) to alter the affordable/market housing split for Phase Red only) of planning permission PLAN/2018/0337 for the redevelopment of the Sheerwater Estate (please see PLAN/2018/0337 for the original description). Resolution to Grant planning permission (20.02.2024 Planning Committee) awaiting completion of S106 Legal Agreement.

**PLAN/2018/0337** - Hybrid planning application (part outline, part full planning application) for the demolition of 573 residential units and existing non-residential buildings and redevelopment of the site to be implemented in phases to provide a mixed-use development comprising of 869 residents units (Class C3), 134 specialist residential units (Class C3/C2), 904 sqm community centre (Class D1), 929 sqm nursery/children's centre (Class D1), 312 sqm health centre (Class D1), 290 sqm additional classrooms (Class D1), 1,728 sqm of retail (flexible use within Class A1 and/or A2 and/or A3 and/or A4 and/or A5), 117sqm management office (flexible use within Class A1 and/or A2 and/or A3 and/or A4 and/or A5 and/or B1a and/or SG), and 132 sqm dentist (flexible use within Class A1 and/or A2 and/or A3 and/or A4 and/or A5 and/or class D1), a new energy centre, formation of a new car park for Broadmere Primary school, formation of an extended car park for Bishop David Brown School and the Leisure Centre, including a bus/coach drop off area, formation of a new community car park to serve community hub, hard and soft landscaping and open space with a kiosk, a multi-use games area (MUGA) and a skate park, reconfigured and new vehicular and pedestrian access and works to the public highway and associated works; including full planning application for the detailed phases comprising of: demolition of 412 residential units and 7,609 sqm existing non-residential buildings, and construction of 695 residential units (7 no. studios, 68 no. 1-bedroom specialist accommodation, 160 no. 1-bed units, 227 no. 2-bed units, 160 no. 3-bed units, 71 no.4-bed units, and 2 no. 5-bed units,), 904 sqm Community Centre (Class D1), 1,728 sqm of retail (flexible use within Class A1 and/or A2 and/or A3 and/or A4 and/or A5), 117sqm management office (flexible use within Class A1 and/or A2 and/or A3 and/or A4 and/or A5 and/or B1a and/or SG) and 132 sqm dentist (flexible use within Class A1 and/or A2 and/or A3 and/or A4 and/or A5 and/ or class D1), 929

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sqm of nursery/children's centre (Class D1), 312 sqm health centre (Class D1), an energy centre, formation of an extended car park for Bishop David Brown School and the Leisure Centre, including a bus/coach drop of area, formation of a new community car park to serve community hub, hard and soft landscaping and open space with a kiosk, a multi-use games area (MUGA) and a skate park reconfigured and new vehicular and pedestrian access and works to the public highway and associated works. Permitted 18.04.2019 subject to a S106 Legal Agreement and Executive Obligations.

To note, the planning permission which granted Phase 1c (also known as Phase Copper) is:

**PLAN/2018/0374** - Section 73 application to remove Condition 26 (bund), to vary Condition 4 (approved plans insofar as they relate to the Leisure Centre and sports pitches), Condition 23 (phase 1b playing fields timeline), to submit details to satisfy Condition 21 (on/off-site drainage works), Condition 27 (drainage details for phase 1a(i)), Condition 28 (drainage details for phase 1a(ii)), Condition 29 (drainage details for phase 1a(iii)), Condition 30 (drainage details for phase 1b), Condition 52 (external materials for Leisure Centre), Condition 53 (details of finished floor levels for Leisure Centre), Condition 54 (sustainability - substitution of combined heat and power plant with a ground source heat pump) and amendments to wording of Condition 36 (phase 1c details of front boundary enclosures), Condition 38 (phase 1c biodiversity enhancement measures), Condition 43 (phase 1c external materials), Condition 45 (phase 1c details of bin storage areas), Condition 46 (phase 1c details of photovoltaic panels), Condition 47 (phase 1c sustainability measures), Condition 49 (protection of residential properties from noise), Condition 51 (phase 1c details of play area/trim trail delivery) to alter the timing for the submission of details for approval, of planning permission PLAN/2015/1260 for the redevelopment of the Sheerwater Estate. Permitted 18.04.2019 subject to a S106 Legal Agreement and Executive Obligations.

### **CONSULTATIONS**

**SCC County Highway Authority (most recent response):** Having assessed the application on safety, capacity and policy grounds, recommends conditions be imposed on any permission granted.

**SCC LLFA (most recent response):** Satisfied that the proposed drainage scheme meets the requirements set out in the aforementioned documents and are content with the development proposed and should planning permission be granted, suitably worded conditions should be applied to ensure that the SuDS Scheme is properly implemented and maintained throughout the lifetime of the development.

**SCC County Archaeologist (summary of comments):** No archaeological concerns (response dated 26.06.24).

**SCC County Planning:** No comments received.

**SCC Minerals and Waste:** No objection subject to WBC being satisfied that adequate facilities for waste storage and recycling are included and maintained/managed for the lifetime of the development and the submission of a Waste Management Plan to WBC to demonstrate that waste generated during construction is limited to the minimum quantity necessary and that opportunities for re-use and recycling of waste material are maximised.

**SCC Education (early years):** Surrey County Council Early Years Commissioning team have completed a sufficiency assessment to understand the impact of nursery provision no longer being created as part of the regeneration. We considered Canalside and neighbouring wards to understand the most recent demand for early years places. The data suggests that early years providers are full or working at a healthy occupancy in this area, suggesting that further places may be needed. Canalside consistently has a high number of families which meet criteria for funded early education for two year olds (FEET), largely

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based on lower-income criteria, many of whom do not take up a place at their local setting, which could suggest a lack of available places for our most disadvantaged children. It is essential to ensure sufficient places are available to support these children and their families. The eligibility for funded entitlements for working parents, will be extended from April 2024, further in September 2024 and again in September 2025, to include funded entitlements for younger children whose families meet the eligibility criteria. Demand may be significantly impacted by the expansion of eligibility. The extent of this is unknown at this stage but we are unlikely to see a decrease in the number of early years places required.

**WBC Housing Services:** Housing Services support the conversion of community facilities to 19 extra residential units. Following the issue of the S114 notice on 7 June 2023, the Council decided that the delivery of the Sheerwater Regeneration Project should be brought to an end; only those phases under construction (including Yellow phase) would continue to be delivered by ThamesWey. It was also agreed that the existing community facilities would be retained and therefore, new facilities are no longer necessary as part of Yellow phase. The conversion of this space into 19 extra homes will support wider housing need. The original consent for the whole scheme would have delivered a sustainable tenure mix of 46% affordable and 54% market tenure. Whilst the additional 19 homes are all proposed to be market units, the current application, combined with PLAN/2023/1037, will still deliver a marginally (1%) higher proportion of affordable homes in comparison to the original scheme.

**WBC Arboricultural Officer:** The landscaping information provided is acceptable and should be complied with in full.

**WBC Contaminated Land Officer:** Review of the historical maps on uniform indicates this part of the site was woods until the current houses were built. The use of the site since then has always been residential. After consideration of the proposed end use and risk, I am of the view there is no increased risk to end users by the change proposed and have no comments regarding contaminated land. No contamination conditions are required.

**WBC Environmental Health Officer:** The proposed residential should be subject to the same conditions as applied to the other residential in this Phase. There are no specific concerns.

**Joint Waste Solutions:** Comments provided regarding detailed bin provision and considerations regarding provision and collection for flats. Revised plan received. No further comments to make, the bin provision is more than sufficient and the bin presentation collection points would be within the 10m maximum pulling distance.

**NHS Surrey Heartlands ICB (summary of comments):** As the proposed planning application will result in the loss of the new modern health centre, which was to be delivered as mitigation for the loss of the existing facility and the new population expected to come forward from the 713 units, the ICB note that should the council seek to approve this planning application, a financial contribution towards the improvement of existing facilities should be made to mitigate the 732 units coming forward as part of Site Allocation UA24. The ICB recognises and understands the special circumstances that has led to this planning application and seeks to continue our dialogue to extend the life and upgrade the existing Surgery building to meet the needs of patients. [*Officer note: As the scheme will not be completed there would be a reduced net increase in the number of units than is specified in this response. Please see paragraphs 8-13 under the 'Principle of proposed development'*]

**Surrey Fire and Rescue:** Response provides advice regarding fire safety legislation.

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**Surrey Wildlife Trust:** No comments received. Any comment received will be reported verbally.

**Environment Agency:** Do not wish to be consulted as application falls within standing advice.

**Natural England:** No objection subject to securing appropriate mitigation for recreational pressure impacts on habitat sites.

**Thames Water:** No comments received.

**National Grid Electricity Transmission:** There are no National Grid Electricity Transmission assets affected by the proposal.

**Network Rail:** No comments on this application.

**Fairoaks Airport:** No safeguarding objections to the proposed development.

**Health and Safety Executive:** Proposal does not lie within the consultation distance of a major hazard site and no consultation is required.

### **REPRESENTATIONS**

No representations have been received in respect of this application.

### **RELEVANT PLANNING POLICIES**

#### **National Planning Policy Framework (NPPF) (2024)**

#### **South East Plan 2009:**

Saved Policy NRM6 – Thames Basin Heaths SPA

#### **Woking Core Strategy 2012:**

CS1 – A Spatial Strategy for Woking

CS4 – Local Centres

CS5 – Priority Places

CS7 – Biodiversity and Nature Conservation

CS8 – Thames Basin Heaths SPA

CS9 – Flooding and Water Management

CS10 – Housing provision and distribution

CS11 – Housing Mix

CS12 – Affordable Housing

CS16 – Infrastructure Delivery

CS17 – Open Space, Green Infrastructure, Sport and Recreation

CS18 – Transport and Accessibility

CS19 – Social and Community Infrastructure

CS20 – Heritage and Conservation

CS21 – Design

CS22 – Sustainable Construction

CS24 – Woking's Landscape and Townscape

CS25 – Presumption in favour of sustainable development

#### **Site Allocations Development Plan Document (DPD) 2021:**

Policy UA24 – Land within Sheerwater Priority Place, Albert Drive, Woking

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### **Development Management (DM) Policies DPD 2016:**

DM1 – Green Infrastructure Opportunities  
DM2 – Trees and Landscaping  
DM3 – Outdoor Recreation and Sport Facilities  
DM5 – Environmental Pollution  
DM6 – Air and Water Quality  
DM7 – Noise and Light Pollution  
DM8 – Land Contamination and Hazards  
DM17 – Public Realm  
DM20 – Heritage assets and their settings

### **Supplementary Planning Documents:**

Outlook, Amenity, Privacy and Daylight 2022  
Thames Basin Heaths SPA Avoidance Strategy 2022  
Climate Change 2023  
Affordable Housing Delivery 2023  
Design 2015  
Parking Standards 2018

### **PLANNING ISSUES**

1. The main planning issues to consider in determining this planning application are the principle of the proposed development, housing mix, impact on character, impact on neighbouring amenity, standard of accommodation for future occupiers, transportation impact, affordable housing provision, ecology, drainage and flood risk, sustainability, impact on Thames Basin Heaths SPA, other matters, Biodiversity Net Gain (mandatory) and local finance considerations having regard to the relevant policies of the Development Plan and other material planning considerations.

### **Principle of proposed development**

2. Policy CS19 of the Woking Core Strategy 2012 seeks to resist the loss of social and community infrastructure which would include a community centre, child care premises and GP surgery/health centre amongst others. Policy UA24 of the Site Allocations DPD 2021 also sought the provision and improvement of community facilities to meet demand as part of the regeneration. The previously approved development sought to demolish the existing community facilities and relocate/re-provide them in an alternative location (towards the centre of the scheme) whilst also providing an increase in floorspace provision to support the increased population that would result from the increased housing as part of the new development. These new community facilities were to be provided in phase Yellow as they were required to be re-provided before the existing facility was demolished as part of a later phase.
3. Following the decision of the Council to not implement or complete any other phases after the current phases (Purple, Red, 1c (Copper) and Yellow) are completed, the existing community facilities have not been demolished and they will no longer be required to be demolished to facilitate the previously approved development.
4. Phase Yellow also was to have a new MUGA to replace the one on the Sheerwater Recreation ground which would have been demolished as part of the re-development. However the existing MUGA will not now be demolished and there is no requirement for a replacement MUGA as the existing facility will be retained. In addition had the new MUGA been completed it would prevent vehicular access to the Recreation

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Ground and the existing community facilities located there. The area to the north of the building is now proposed to be set out as new landscaped open space with footway/cycleway which would provide further amenity open space to the benefit of the community.

5. In planning policy terms, as the existing community facilities will be retained on the site their loss is no longer proposed and therefore there is no requirement for their replacement. The proposal would therefore comply with Policy CS19 of the Woking Core Strategy.
6. Notwithstanding the above, it is however considered necessary to include an obligation in a S106 legal agreement to ensure no further development beyond the current phases is completed to limit the net increase of residential units and to ensure the existing community facilities are no longer required to be demolished as a result of this development (although acknowledging that the retention of these facilities is up to the providers although any new proposal for the loss of these facilities would be considered in light of the relevant policies which seek to protect community facilities).
7. Whilst the existing community facilities within the regeneration area would have been replaced to mitigate their loss as part of the redevelopment of the regeneration area, there would also have been a net increase in floorspace of the community centre, nursery and health centre to account for the increased population resulting from the completed development. It should be noted that the replacement community facilities would not have been brought into use until the completion of phase Yellow or afterwards (providing it was before the existing facility was demolished). However much of the new residential development would not now result from this approved scheme.
8. Both Surrey Heartlands ICB and SCC Education (early years) have raised concern about the loss of the replacement (and enlarged) floorspace for the health care and nursery uses respectively. However it was always recognised as part of the application that as the development was being built in phases the development could stop at any time. It should also be noted that for the first three phases Purple (72 dwellings net), Red (103 dwellings net) and 1c (Copper) (88 dwellings net) the application did not secure any alternative healthcare and education mitigation as part of these phases (total units 263). Whilst the provision of a health centre and nursery (with an increase in floorspace) to mitigate the loss of the existing doctor's surgery and existing nursery was secured, this was provided for in phase Yellow and the planning permission only prevented the existing facility from being lost until the new facility had been provided and was available for use. This could have been after the residential units in phase Yellow (79 units net as approved) had been occupied. No other alternative mitigation was secured in the event that the existing healthcare and nursery facility were retained on the site.
9. The Clinical Commissioning Group (precursor to Surrey Heartlands ICB) were consulted on the previous applications at the time but no response was received. It should also be noted that the site of the existing GP surgery has space available in the attached vacant part of the building (formerly used by the dental surgery) to expand if necessary. It is understood that WBC own this part of the building. Whilst works would be required to the existing building to bring it into use as an extension to the existing GP surgery, the new facility would similarly need to be fitted out to bring it into use. As the existing healthcare facility would be retained, it is not considered that there is any planning justification for a financial contribution for healthcare facilities in connection with the current application to offset that the new healthcare floorspace



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would not now be provided.

10. Regarding the nursery provision, it is noted that the previously existing nursery in a building adjacent to the Recreation Ground closed some years ago and in 2021, temporary planning permission was granted to use the building as a nursery (the nursery building was vacant at the time of the application). It is further noted that a new nursery has opened in part of this nursery building (as the foodbank is still in operation) more recently (approximately 2023). Whilst a financial contribution is sought by SCC Education in mitigation for the loss of the nursery floorspace there is already an existing nursery in operation within the regeneration area (the original permission for the building was for a 100 place nursery). It should also be noted that education contributions from new development are funded through CIL and there is no planning justification for any other mitigation.
11. Furthermore it is noted that the current application only proposes an additional 19 units above that already approved in the phases to be completed and this amount of additional development would not justify mitigation in terms of healthcare and nursery provision on the basis of the limited number of residents generated by this proposal.
12. As the existing community facilities would be retained it is not considered necessary for the applicant to demonstrate that there is no other requirement for the facility from any other public service provider as Sheerwater has other community facilities and the first phase of the redevelopment for Sheerwater provided a new leisure centre and sporting facilities including a swimming pool. Therefore there is no objection in principle to the use of this floorspace to provide further residential development, which would comply with the other policies in the Development Plan including Policy UA24 of the Site Allocations DPD 2021.
13. Subject to the planning obligation (to ensure no further phases are developed beyond those to be completed) the proposal is considered acceptable in principle and would comply with Policies CS5, CS10 and CS19 of the Woking Core Strategy 2012, Policy UA24 of the Site Allocations DPD 2021 and the NPPF.

### Housing Mix

14. Policy CS11 of Woking Core Strategy 2012 relating to 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.
15. The proposed housing mix of the 19 units is as follows:

<b>Unit Size</b>	<b>SHMA 2015</b>	<b>No. of units proposed</b>	<b>% of proposed dwellings by size</b>
<b>Studio &amp; 1 bed</b>	20%	7	37%
<b>2 bed</b>	30%	10	53%
<b>3 bed</b>	35%	2	10%
<b>4+ bed</b>	15%	0	0
<b>Total</b>	<b>100%</b>	<b>19</b>	<b>100%</b>

16. The proposed housing mix would not match the SHMA 2015 housing mix exactly but housing mix is measured borough wide and not every housing development will be able to exactly match the housing mix set out. Where there is a small number of total

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dwelling provided it will always be more difficult to exactly match the housing mix and additionally these apartments are proposed in space which is being converted from that which was originally intended for other uses. However the majority of the units to be provided (63%) would be 2 and 3 bed units, being family accommodation, and thus would generally reflect the SHMA 2015 need to provide units with 2+ bedrooms. In addition, it is also considered that the proposed housing mix is appropriate given the housing mix for phase Yellow which comprises studio, 1 bed, 2 bed and 3 bed units. Overall, the proposed housing mix is considered to be acceptable and would comply with Policy CS11 of the Woking Core Strategy 2012.

### **Impact on Character**

17. The NPPF (2024) 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 requires proposals to *“add to the overall quality of the area...”* and to be *“visually attractive as a result of good architecture, layout and appropriate and effective landscaping...”* amongst other things. The policies in the Development Plan replicate these requirements and require new development to make a positive contribution to the street scene and the character of the area in which they are situated.
18. There are two main elements to this application in terms of visual amenity, the conversion of the ground and first floor space from community uses (community centre, nursery and health centre) to residential and the laying out of the open space and green street to the north and east of the residential with the new footway/cycleway connection from Blackmore Crescent to Devonshire Avenue.
19. Phase Yellow was identified in the original design and access statement as the ‘civic quarter’ and its design utilises a dominant and well-designed stone effect framework for the building to provide a distinct character to this block (blocks Y1-Y4) in the centre of the regeneration area. The buildings are nearing completion. For this application, the applicant has stated that the *“intention is for these units to integrate seamlessly into the block with minimal changes whilst maintaining the aesthetic appeal of the development while enhancing its residential capacity.”* In respect of the appearance of the proposals the applicant has further advised that the main aspiration was to *“retain the existing precast concrete column and beam façade to ensure little disruption to the main design intent of the consented scheme”* whilst making adjustments to the elevation which have been *“tailored towards a more domestic/residential scale which is consistent throughout the rest of the wider development”* and *“materiality is also to be consistent throughout, with no new materials are proposed that do not already exist within the consented scheme.”*
20. For the northern elevation facade treatment, the stone effect framework remains unchanged and the setting out of the glazing and curtain walling follows the broad arrangement of the approved residential development on the floors above. The introduction of new glazed units, perforated panels and horizontal panels is required to create the new apartments within the framework and create the new floorplan and balconies/terraced areas. The proposed balconies would be consistent with the other balconies provided in the scheme. At ground floor level private terraces with hedge planting would be provided for some defensible space. Overall, the elevational treatment will closely reflect that of the previously approved residential apartments on the upper floors, although there would be extra horizontal panels to account for the larger height of the stone effect framework on the lower two floors and the more

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domestic scale of the new glazed units, but this alteration is not considered to be harmful to the overall aesthetic of the building.

21. For the west elevation the double height glazing for the entrance to the community centre and nursery will be altered within the stone effect framework to provide the residential apartments. Although there is an entrance to the residential block on this elevation (where the nursery entrance was previously) the double height glazing with horizontal panels would not be dissimilar to the approved double height glazing for the nursery entrance.
22. Four additional apartments would be provided at ground floor level on the western side of the building (in place of the health centre). The elevations will match the appearance of the other residential development with minor changes to the composition of doors, glazing and perforated panels. The floor plan of these units have small recesses along the front elevation to enable a small terrace/garden area to be provided for the use of the apartment. This space would be enclosed by railings which would reflect other ground floor terrace/garden space for the apartments already built.
23. For the south elevation to the podium (first floor level), there would be minimal elevational change as the double-glazed doors to each section of the previously approved nursery would be altered for full height windows, doors and/or perforated panels to match the other units. These changes would only be viewed from within the podium itself.
24. There are other minor alterations to some upper floor flats due to the omission of the lift that was exclusively for the nursery use and the introduction of a second lift that would go through all floors to provide a second lift for the residential users as well as some other minor alterations to window/perforated panel arrangement to other elevations. None of the other proposed alterations to the building including the new lift overrun are considered to be visually significant and all proposed alterations would be in keeping with the overall character and appearance of the new development as a whole.
25. The proposed external alterations to the building as a result of the development are considered to reflect the design rationale and the high-quality character and appearance of the development.
26. As the Council has made the decision that the Sheerwater Regeneration scheme will not continue, this application also includes proposals to 'finish-off' the land around phase Yellow to provide an attractive, albeit altered setting to the buildings on the northern and eastern sides.
27. To the north of the building and the surface level car park, the land remaining will be landscaped to provide a new shared footway/cycleway connection, a large area of amenity open space and further footways to connect areas to the north and south of this phase. Areas of amenity grass, shrub and hedge planting and significant new tree planting will be provided within this area. This large area of open amenity space would provide a high quality and visually attractive setting to the phase to the benefit of new and existing residents and provide enhanced pedestrian and cycleway connections through the new development.
28. The land to the eastern side of the building would be landscaped to provide a 'green street' which will include a footway from Devonshire Avenue to Dartmouth Avenue and

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this area will provide an open space area to provide a setting for the eastern side of the building and an attractive and 'green' area of open space. One of the original intentions of the scheme was to enhance the environment, provide more attractive footway/cycleway connections and provide areas of useful amenity space. The open space will be landscaped with trees, planting and amenity grass.

29. Overall the proposed changes and new landscaped amenity areas are considered to reflect the high quality and attractiveness of the new built development and would enhance this part of the site to provide an attractive setting for the building, new open amenity space and beneficial connections through the development. Subject to conditions the proposed development is considered to comply with Policies CS21 and CS24 of the Woking Core Strategy 2012 and the NPPF.

### **Impact on Neighbouring Amenity**

30. The NPPF (2024) states that planning decisions should ensure that a "*high standard of amenity*" is achieved for existing and future residents and Policy CS21 of the Woking Core Strategy 2012 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 further guidance relating to residential amenity including recommended minimum separation distances for different forms of development.
31. The proposed development does not result in any additional built structure in terms of footprint and height in comparison to that previously approved. The new residential development would be at ground and first floor levels, with the previously approved residential development on the upper floors. The majority of the new residential units would face the open space to the north and the podium level to the south. To the north part of Woodlands House has been demolished to facilitate the development and the remaining part of Woodlands House would be retained. The northern elevation of the building is angled towards Woodlands House but this building is L-shaped with the longest elevation facing away from the new development. The closest part of the buildings to each other is diagonally with a separation of around 18.8m. Other parts of the elevation are between 20-30m from each other but the elevations are not directly facing each other. Where elevations more directly face each other the separation is between 39-43m. Given the separation distances and the relationship of the buildings to each other it is not considered that the introduction of new residential units at ground and first floor level would result in a significant adverse impact on the privacy of the occupiers of Woodlands House. It should also be noted that residential units have already been approved at the upper floor levels on the northern elevation.
32. For the three new units to the ground floor on the western elevation, these would face the road/community car park and the new block (Y5) opposite. This would result in an 'across the street' relationship with a separation distance of around 17.5m (window to window) and thus no significant adverse impact to privacy of the occupiers opposite would result.
33. For the first floor podium level (south elevation), the new residential units would face the podium. A large area of open space was included in the scheme to provide open space for the nursery and this space will now be converted to provide some semi-private terraces for the individual apartments and some communal open space at podium level. As the scheme had been approved with the outdoor space for the nursery and apartments above the nursery the separation distances between the new

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residential apartments and those previously approved would be similar to those on the upper floors. Therefore the proposed additional units are not considered to result in a significant adverse impact on privacy of the occupiers of the closest apartments in the other blocks on the podium.

34. A new footway/cycleway is proposed to link Blackmore Crescent and Devonshire Avenue. Although this new footway/cycleway would result in some noise and disturbance through its use, a new 1.8m high boundary wall is proposed to the Woodlands House boundary to safeguard amenity and the footway/cycleway has been positioned to maximise the space from the proposed ground floor apartments. These apartments would also have defensible space in the form of private terraces and hedging. The proposed arrangement would be similar to other footway/cycleways within a suburban location such as this. Given the arrangement proposed it is not considered that the footway/cycleway would result in any adverse impact to neighbouring amenity in terms of noise and disturbance
35. Overall, the proposed development is not considered to result in any overbearing impact, loss of daylight/sunlight or any significant reduction in privacy to other nearby residential occupiers. The proposal is therefore considered to comply with policy CS21 of the Woking Core Strategy 2012, the Outlook, Amenity, Privacy and Daylight SPD 2022 and the NPPF.

### **Standard of Accommodation for future occupiers**

36. The NPPF (2024) 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 39m<sup>2</sup>, 50m<sup>2</sup> for a one bedroom, two person flat, 61m<sup>2</sup> for a two bedroom, three person flat, 70m<sup>2</sup> for a two bedroom, four person flat and 93m<sup>2</sup> for a three bedroom, 5 person two storey (duplex) flat. These standards are not formally adopted by Woking but nevertheless provide a useful indication as to whether the flats would provide an acceptable standard of accommodation.
37. The apartments would range from 52m<sup>2</sup> to 116m<sup>2</sup> and would meet the National Technical Housing Standards specified above. Except for the two habitable rooms noted below, all other habitable rooms would have open outlooks and the proposed apartments are considered to offer an acceptable standard of internal accommodation for future residents.
38. It is noted that the two 3 bedroom, 5 person flats would be duplex apartments and would have two of their bedrooms at ground floor level into the podium car park. Due to their position lightwells would be provided at first floor podium level. It is acknowledged that daylight into these bedrooms would be restricted but bedrooms have a lower daylight requirement than living/dining rooms and the first floor level of these apartments would have their living accommodation and a single bedroom at podium level with outlook over the podium. The lightwells would be located within the semi-private gardens of these apartments at podium level. Whilst it is accepted that daylight to these two bedrooms in each of these two apartments would be restricted, this would be limited to these bedrooms only. In addition these two apartments would represent around 1% of the total apartments in this block (Y1-Y4). It should be noted that duplex flats with this arrangement were approved as part of the original scheme in phase Blue. It is also considered that it is preferable to make efficient use of this space. Regarding daylight the BRE 'Site Layout for planning for daylight and sunlight'

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guidance states that it's guidance is not mandatory, is intended to inform rather than constrain development and that the guidelines should be interpreted flexibly since natural lighting is only one of many factors in site layout design. In this limited situation the proposed duplex apartments are considered acceptable.

39. All other apartments have their main living/kitchen/dining room and bedrooms facing outwards (north or west) or southwards out over the podium level. A good standard of outlook and daylight is considered to result to all other apartments and also the first floor of the duplex apartments which face the podium level.
40. 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 61m<sup>2</sup>) 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 permitted such as a communal amenity space or suitable area of landscaped roof garden or terrace.
41. There would be 13 apartments that would have an internal floor area of 61m<sup>2</sup> or above. Nonetheless, all the ground floor flats facing north, would have a small garden area/terrace to the front of their apartment which will be defined from the public open space to the north by dwarf walls, railings and hedgerow planting. The four apartments facing westwards would have a small terrace (1.3m deep) to the front of their living/kitchen dining room. All the first floor apartments facing northwards have a terraced area and all the first floor apartments facing southwards have a semi-private garden area at the podium level.
42. The remainder of the podium level will be landscaped and whilst the nursery open space was to be separated by walls from the remainder of the podium landscaped area, these walls would be removed so that the communal podium area at the southern side (outside the semi-private garden areas) would be landscaped and form an extension of the landscaped podium communal space already provided in the previously approved scheme.
43. It should also be noted that the area immediately to the north of the site would be laid out as open space and the new 19 apartments are located very close to the Sheerwater Recreation ground offering further opportunities for open space. Overall, the provision of private amenity space for each of the 19 additional apartments is considered to be acceptable along with the proximity to other public amenity space.
44. In terms of the amenity of future residents, none of these new residential units would be located below or adjacent to non-residential units. The units would be located below or adjacent to other residential units and/or the podium car park. This arrangement is considered to result in an acceptable level of amenity for the future occupiers of the development. The Environmental Health Officer has not raised any objection subject to conditions but as the residential development is not located adjacent to non-residential development, only a condition relating to the installation of any new plant/equipment is required to be included.

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45. The proposal is therefore considered to result in an acceptable standard of amenity for the proposed residential occupiers and complies with the guidance in the Outlook, Amenity, Privacy and Daylight SPD, Policy CS21 of the Woking Core Strategy 2012 and the NPPF.

### **Transportation Impact**

46. The previously existing road connection between Blackmore Crescent and Devonshire Avenue was severed when work on phase Yellow commenced. Had the scheme continued this connection was to remain severed as new amenity space would have been provided in this area and a different road layout constructed with further phases of the development. As the development will not continue the development needs to be finished off in some way. In accordance with SCC's Healthy Streets design guidance the applicant proposes a footway/cycleway connection to re-connect Blackmore Crescent to Devonshire Avenue. This link gives priority to pedestrians and cyclists to improve accessibility within this part of Sheerwater and provides a more pleasant environment for making trips by sustainable modes of transport.
47. The new footway/cycleway link will enable a north-south link to be provided linking Sheerwater Recreation Ground to the new open space and through the Green Street across Devonshire Avenue to the new open space and play area which was provided as part of phase Red. This footway/cycleway will provide an enhanced route north to south as well as east to west (linking Blackmore Crescent to Devonshire Avenue and the schools to the eastern side of Sheerwater). This footway/cycleway link also reflects one of the original objectives of the scheme which was to improve pedestrian and cycle links within Sheerwater. The County Highway Authority has no objection to the proposed plans subject to conditions and the requirement that the land for the footway/cycleway to be dedicated as public highway. As land cannot be dedicated as public highway by planning condition, this is included as a planning obligation as part of the recommendation.
48. The Council's Parking Standards SPD 2018 sets minimum residential parking standards of 0.5 parking spaces per one bedroom apartment and 1 space per two and three bedroom apartments. An additional 16 parking spaces are required for the proposed apartments, however 19 parking spaces are provided within the community car park. These spaces will be allocated parking spaces. In addition 2 other parking spaces are to be moved from within the podium for this block and would be re-allocated to the community car park, making a total of 21 spaces to be allocated. The remainder of the 33 spaces would be unallocated for general use. The proposal therefore exceeds the Parking Standards SPD requirements.
49. In terms of cycle parking provision an additional 38 cycle parking spaces are required (2 per apartment) and these are proposed. The County Highway Authority (CHA) has recommended a condition for the provision of the cycle parking and a condition is included. However the condition does not refer to the requirement to provide a charging point with timer for e-bikes (as recommended by the CHA) as this application is for an additional 19 units in a residential building which already comprises parking and cycle parking and it is not considered that this additional provision would be justified. Furthermore the applicant has also raised concern regarding this requirement and the potential for fire risk associated with the unregulated supply of batteries and e-bikes.

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50. In terms of electric vehicle charging, it is noted that since the approval of the original application in 2019, the Council's Climate Change SPD 2023 has been updated in respect of electric vehicle charging requires all new dwellings with parking to have an EV charging point or where there are more than 10 parking spaces or more parking spaces than dwellings cable routes must be installed in any parking spaces which do not have an EV charging point. It is also understood that as this proposal forms part of the overall building for Phase Yellow (which was implemented before the recent changes to the EV charging requirements under the Building Regulations) the current Building Regulations requirement relating to EV charging does not apply to these additional 19 units.
51. The application proposes to increase the provision of active and passive EV chargers in line with the previously approved proportions, meaning 1 additional active EV charging bay is proposed and 3 additional passive EV charging bays are proposed within the podium car park. In recognition of the change to the Climate Change SPD, all 19 allocated parking spaces within the community car park will also be provided with cable routes for the further introduction of EV chargers in future. Whilst this provision does not fully reflect the guidance for individual dwellings within the Climate Change SPD, as this application was submitted mid-construction of this phase, the proposed provision does comply with the requirement relating to more than 10 parking spaces, represents an increase in provisions above that which was previously approved and also provides further opportunity for the installation of EV chargers for more residential spaces at a later date than would have been previously been the case with the approved scheme alone. Nonetheless it is acknowledged that there would be some limited conflict with Policy CS22 of the Woking Core Strategy 2012 relating to sustainable construction.
52. The County Highway Authority has also recommended a condition that requires 50% of all available parking spaces are provided with an active EV charger and the other 50% are provided with the cable routes. As noted above all the car parking spaces are approved and are being constructed in accordance with the previously approved plans. This application is for the additional 19 units and for the reasons set out above it is not considered reasonable or necessary to require such a condition. A condition is however included to require the provision of the active and passive EV charging spaces in accordance with the application details.
53. Overall, although there is some conflict with Policy CS22 in relation to the provision of EV charging points, the proposal is considered to have an acceptable highways impact in terms of parking and would provide a highways benefit in terms of the new footway/cycleway to be provided and dedicated as public highway. Subject to conditions and the planning obligation the proposal is therefore considered to comply with Policy CS18 of the Woking Core Strategy, the Parking Standards SPD 2018 and the NPPF.

### **Affordable Housing Provision**

54. The NPPF (2024) supports the delivery of affordable homes as part of establishing housing need in an area and creating mixed and sustainable communities. Policy CS12 of the Woking Core Strategy states that all new residential development on previously developed land will be expected to contribute to the provision of affordable housing in accordance with the criteria set out in the policy. Policy CS12 also notes that the proportion of affordable housing to be provided on a site will take into account a number of factors including the constraints on the development imposed by other planning objectives and the need to achieve a successful housing development in



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terms of the location and mix of affordable homes. Policy CS5 seeks to redress the tenure imbalance in the Priority Place area.

55. Policy UA24 of the adopted Site Allocations DPD 2021, relates specifically to the Sheerwater Regeneration area, and in relation to affordable housing states that development of the site will be required to:

- *Ensure no net loss of affordable housing on site. Any proposed housing mix should reflect the specific need for family accommodation (two or more bedrooms) in the area as set out in Core Strategy Policies CS5 and CS12.*

56. It is important to note that Policy UA24 requires there to be no net loss of affordable housing on the site (from that existing originally). The newly adopted Affordable Housing SPD 2023, does not have any specific guidance relating to the Sheerwater Regeneration area as the planning permission had already been granted and was being built out at the time the current Affordable Housing Delivery SPD was updated. However, it is worth noting the guidance in the previous Affordable Housing SPD as stated in the Officer report to Planning Committee for application PLAN/2018/0337:

*40. The Affordable Housing Delivery SPD (Oct 2014) provides further guidance in respect of the delivery of affordable housing in the Priority Place areas. Section 5.5, states that “the Council will allow some flexibility to the on-site requirements for affordable housing in the Council’s regeneration areas and other major allocated sites, where the Council considers there is an issue of tenure imbalance in the existing community.” It is advised that in these circumstances the Council may decide on an alternative tenure mix and lower or higher percentage provision as appropriate. The Affordable Housing Delivery SPD also requires a “higher proportion of new affordable homes should be family homes”.*

57. There were 448no. previously existing affordable housing units within the application site. The previously existing split between market and affordable housing within the application site was 22% market housing and 78% affordable housing which highlighted the significant imbalance in the area.

58. Under PLAN/2018/0337, 499no. affordable housing units were proposed and this would have represented a net increase of 51no. units. If phase 1c (Copper) (88 units completed) and phase 1e (not now to be constructed) of planning permission PLAN/2015/1260 (Section 73 permission – PLAN/2018/0374) were included it would represent a net increase of 75no. affordable units across the site. The previous Officer report to Planning Committee for PLAN/2018/0337 also noted that:

*When considered with the approved phase 1c and proposed phase 1e from permission PLAN/2015/1260, 54% of the proposed new development being market housing (619 units) and 46% being affordable housing (523 units). The proposed development would still therefore result in a more recognised/balanced level i.e. between 45-50% of affordable housing provision which Policy CS12 normally seeks to achieve on development sites.*

59. It was also noted in the Officer report to Planning Committee for PLAN/2018/0337 that, “the first three phases would provide more affordable housing units than market housing units” and “with any phased scheme there is always potential that only part of the development will be delivered. In this case however it is likely that if the later phases of development are not delivered then the existing affordable housing units on

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*the site would be retained.*” For phases Purple, Red, Yellow and Phase 1c (Copper) the approved delivery of affordable units was as follows:

<b>Phasing</b>	<b>Total Units</b>	<b>Affordable Units</b>	<b>Market Units</b>	<b>% of Affordable units per phase</b>
<b>Purple</b>	92	46	46	50%
<b>Red</b>	124	107	17	86%
<b>Yellow</b>	168	102	66	61%
<b>*Copper (phase 1c)</b>	92	13	79	14%
<b>Total</b>	<b>476</b>	<b>268 (56%)</b>	<b>208 (44%)</b>	<b>-</b>

Note - \* details approved under PLAN/2015/1260 and PLAN/2018/0374.

60. These aspects of the previous proposal were accepted in the granting of the planning permission PLAN/2018/0337. For reasons not related to planning, only the current phases under construction will be completed and no further phases will be commenced.
61. As noted in the table above the earlier phases of the development had higher levels of affordable housing provision (56%) than market housing provision (44%) in comparison to the approved level for the Sheerwater Regeneration as a whole (46% affordable housing and 54% market housing). In addition, it should also be noted that a significant number of existing affordable units on the site will now be retained.
62. As the development is to cease, planning permission has already been granted under PLAN/2023/1037 to alter 39 units in phase Red from affordable to market units. The 19 units proposed by this application are all proposed to be market units so that the development to now be completed would better reflect the overall approved affordable housing and market housing split and result in a more balanced housing provision in the area to reflect that which would have resulted had the scheme been completed, as follows:

<b>Phasing</b>	<b>Total Units</b>	<b>Affordable Units</b>	<b>Market Units</b>	<b>% of Affordable units per phase</b>
<b>Purple</b>	92	46	46	50%
<b>Red</b>	124	68	56	55%
<b>Yellow</b>	187 (168 +19)	102	85 (66 +19)	55%
<b>*Copper (phase 1c)</b>	88**	13	75**	15%
<b>Total</b>	<b>491</b>	<b>229 (47%)</b>	<b>262 (53%)</b>	<b>-</b>

Note - \* details approved under PLAN/2015/1260 and PLAN/2018/0374. \*\*4 approved dwellings cannot be constructed as vehicular access via Spencer Close to be retained.

63. It can be noted from the above table that despite the overall tenure mix for the Sheerwater Regeneration area altering as proposed, the affordable housing provision would still marginally exceed that which would have been delivered had the whole development been completed i.e. 47% affordable housing instead of 46% affordable housing. In addition, for phase Yellow, even with all the 19 proposed units being market housing, the proposed affordable housing provision still exceeds the policy requirement for this phase in isolation. The proposal would still therefore contribute to

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a more balanced tenure in the development which will be completed in comparison to the previously existing situation and meet one of the main objectives of the scheme which was to re-balance the tenure in the Sheerwater regeneration area (as identified in Policy CS5 and the original application) as well as replacing poor quality and outdated housing stock.

64. To facilitate the construction of these phases to date, 104no. of affordable units and 38no. market units have been demolished for the redevelopment. For the phases to be completed, this would result in a net increase of 125no. affordable units on the site in comparison to those demolished. This net increase of 125no. affordable units exceeds the net increase in the number of affordable housing units that would have resulted had the whole development been completed (75no.) and this also complies with the requirements of Policy UA24 of the Site Allocations DPD 2021 in ensuring there is "*no net loss of affordable housing on the site*".
65. It should also be noted that other affordable housing units would be retained on in the regeneration area/phases which will not now be re-developed. In other areas which may come forward for redevelopment, where there are existing affordable units, any schemes will be assessed on their own merits having regard to adopted policies and material considerations prevailing at the time.
66. As all the proposed units are for market housing there would be no change to the affordable housing mix from that previously approved by earlier permissions.
67. It is understood that only the current phases will be completed and the above assessment in terms of the proposed 19 units being for market housing is acceptable, providing the remainder of the development is not implemented. If the remainder of the development were to be implemented then to comply with policy and to maintain the originally approved split (between affordable and market housing), the remainder of the development phases would need to provide more affordable housing to maintain the originally approved number of affordable units (an obligation will be included to the S106 Legal agreement/Executive Undertaking to this effect). Nonetheless it is understood that the remainder of the development is not to be progressed and therefore it is more straightforward to include in the S106 Legal agreement and Executive Undertaking obligation(s) which prevent the implementation of any further phases in the development beyond phases Purple, Red, Yellow and Copper (relating to previous permissions PLAN/2018/0337 and PLAN/2018/0374). No phases beyond these phases will be able to be implemented. This will ensure that the affordable/market split remains as assessed above. However it is considered prudent to include both obligations in the alterations to the S106 Legal Agreement/Executive Undertaking for the avoidance of doubt. It is also considered necessary to reiterate the approved affordable housing provision within the S106 Legal Agreement/Executive Undertaking for phase Yellow as a whole for the avoidance of any doubt as the red line for this application relates to some of the other areas including communal areas within Phase Yellow as a whole.
68. No objections have been raised to the proposed changes by WBC Housing Services. Subject to the new planning obligation(s), overall, the proposed 19 units for market dwelling still result in a more recognised/balanced level i.e. between 45-50% of affordable housing provision which Policy CS12 normally seeks to achieve on development sites and which is supported by Policy CS5. The proposal would still result in a more balanced split of the new units to be provided on the site and there would be a net increase in the number of affordable units on the site in compliance with Policy UA24 of the Site Allocations DPD 2021.

**Ecology**

69. The NPPF (2024) 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.
70. As the application relates to the conversion of part of a building under construction and is within a construction/development site, there is no ecological impact resulting from the development. However, the proposed development would result in ecological enhancements from the new landscaping to be provided in the open space. In addition, phase Yellow included other ecological enhancements as part of the original permission e.g. new tree planting and landscaping including rain gardens and the integration of bat boxes, bird boxes and bug/bee boxes within building Y5 (which is also part of phase Yellow).
71. In terms of ecological enhancements a condition relating to landscaping is required but no further ecological conditions are required (separate from the mandatory BNG requirement) as the proposal complies with the relevant policies.

**Drainage and Flood Risk**

72. The NPPF states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk and that where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere. This is reflected in Policy CS9 of the Woking Core Strategy 2012. Opportunities should also be taken to reduce flood risk by the use of sustainable drainage systems (SUDs).
73. The site is located in Flood Zone 1 (low risk). There is no history of fluvial flooding incidents on the development site. The canal is not classed as 'fluvial' as it is a controlled water course. The site is located within the medium (1 in 1000 year), high (1 in 100 year) and very high (1 in 30 year) surface water flood risk areas. This is caused mainly by the inability of the previously existing surface water drainage network to serve the previously existing development and also overland flows in the centre of Sheerwater (originating outside the application site).
74. All forms of development are suitable in Flood Zone 1. For areas at risk of flooding from any source a Sequential Test should be used to direct development to areas at lower risk of flooding and development should not be permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding. However it should be noted that the NPPF also states that changes of use should not be subject to the Sequential Test. In this case the proposal is essentially a change of use from non-residential development to residential development which will occupy the space previously approved for community uses. It is not therefore considered that the proposal should be subject to the Sequential Test.
75. As the proposal is for major development a surface water drainage scheme has been submitted with the application. This phase also has an overland flow route for surface water and the submitted details also include a plan to show how this would be managed by directing water away from the building thresholds and towards the highways and open space to the north and east of the phase.

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76. The Lead Local Flood Authority has been consulted on the surface water drainage details and no objections are raised subject to conditions which are included in the recommendation. The Environment Agency did not wish to comment on the application. The proposal is therefore considered to be acceptable in terms of flood risk and drainage and the [proposed development is considered to comply with Policy CS9 of the Woking Core Strategy 2012 and the NPPF

### **Sustainability**

77. Policy CS22 of the Woking Core Strategy (2012) seeks to require new residential development to achieve Code for Sustainable Homes Level 5 from 2016 onwards. However, a Written Ministerial Statement to Parliament, dated 25 March 2015, sets out the Government's expectation that any Development Plan policies should not be used to set conditions on planning permissions with requirements above the equivalent of the energy requirement of Level 4 of the (now abolished) Code for Sustainable Homes; this is equivalent to approximately 19% above the requirements of Part L1A of the 2010 Building Regulations. This is reiterated in Planning Practice Guidance (PPG) on Climate Change, which supports the NPPF (2024).
78. Although Part L of the Building Regulations was updated in June 2022 as this proposal relates to the conversion of part of an existing building which is under construction, for the purposes of Building Regulations, the proposal is not subject to the new Building Regulations energy performance requirements. Therefore it is still necessary to consider energy efficiency to ensure the proposal meets the 19% improvement over the 2010 requirements. An updated Energy Statement has been submitted with the application and for the additional 19 units the proposed energy efficiency is 38.5% and for the building as a whole would be 37.9% which far exceeds the 19% requirement. A condition will be imposed to ensure this improvement is met.
79. For water efficiency the condition will also require estimated water use of no more than 110 litres/person/day to comply with the policy.
80. Subject to condition to ensure the submission of as built additional information the proposal is considered to have an acceptable impact on energy and water consumption and complies with Policy CS22 of the Woking Core Strategy 2012 in this regard.

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

81. 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.

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82. 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 **£17,224** based on a net gain of 7x one bedroom apartments (7x £714), 10x two bedroom apartments (10x £968) and 2x three bedroom apartments (2x£1,273) 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. Sufficient SANG capacity is available at Horsell Common for this development.
83. 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.

### **Other Matters**

84. In terms of archaeology, the phase is already subject to an archaeological condition as part of the original permission. Therefore, no further archaeological condition is required and the proposal complies with Policy CS20 of the Woking Core Strategy 2012 and Policy DM20 of the DM Policies DPD 2016.
85. Similarly in relation to contamination the phase has already been subject to the contamination condition on the original planning permission. As advised by the Council's Contaminated Land Officer, no further contamination conditions are required. The proposal complies with Policies DM5 and DM8 of the DM Policies DPD 2016.
86. Joint Waste Solutions have no objection to the proposal in terms of refuse/recycling provision and a condition is included to ensure this provision. SCC Minerals and Waste have recommended that a Waste Management Plan is submitted for approval but as this application is only for 19 units, it is not considered that such a condition would be reasonable or necessary for this limited number of units.
87. As the red line for this application site relates to some ground floor and upper floor elements but not the building as a whole, for the avoidance of doubt some of the conditions previously imposed e.g. relating to the pharmacy are carried over to this permission.

### **Biodiversity Net Gain (BNG)**

88. The Environment Act (2021) inserts Schedule 7A into the Town and Country Planning Act 1990 which establishes a statutory requirement for Biodiversity Net Gain to be a condition of planning permissions in England. This came into effect on 12th February

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2024 and planning applications submitted after this date will need to demonstrate a 10% Biodiversity Net Gain.

89. A Biodiversity Net Gain (BNG) report and statutory metric has been submitted with the application. The BNG report states that the majority of the site had been cleared and is currently undergoing construction works tied to the previously approved development. The report states that the site is “*dominated by developed land; sealed surface and bare ground, alongside small areas of modified grassland, mixed scrub and ruderal / ephemeral vegetation.*” The BNG report concludes that “*the scheme currently succeeds in delivering a net gain in habitat units of 65.67% (0.82 units) due to the dominance of developed land; sealed surface and bare ground present pre-development combined with the provision of landscaping, particularly along the northern and eastern site boundaries. The development also succeeds in securing a net gain of 0.35 hedgerow units, with these features absent from the site pre-development.*” In addition the report concludes that “*due to the ornamental nature of the landscaping, however, the development fails to meet the trading standards for medium distinctiveness habitats, with a small 0.01-unit net loss of mixed scrub. The applicant will be committed to ensuring that all trading rules are achieved either through delivering replacement mixed scrub habitat on-site as part of an altered landscaping proposal or by purchasing biodiversity units from a third party. In doing so it is considered that the development would be compliant with all relevant policy and legislation.*”
90. No response has been received from the Surrey Wildlife Trust in respect of the BNG information submitted. Nonetheless, given the conclusions of the BNG report it is considered that the information is acceptable to demonstrate that the proposal is capable of complying with the minimum statutory BNG requirements on site and would therefore be capable of complying with the BNG condition. It is considered reasonable and necessary to include a condition relating to BNG to secure a BNG scheme on site and the 30-year maintenance requirement.

### **Local finance considerations**

91. The Council introduced the Community Infrastructure Levy (CIL) on 1 April 2015. The proposal would be liable to make a CIL contribution of approximately £218,635.42 based on a proposed residential floor area of 1,931m<sup>2</sup>.

### **Conclusion and Planning Balance**

92. Whilst objections have been received from Surrey Heartland ICB and SCC Education (early years) to the proposal to convert the previously approved community uses to residential uses, the existing health centre and the nursery (which has re-opened since it was last closed) would not now be demolished to facilitate the previously proposed development. Although new development and residents would result from the part of the development built to date, for the reasons set out in this report it is not considered that any further mitigation in the form of financial contributions is justified to off-set the non-provision of the increased community floorspace in phase Yellow.
93. In terms of benefits, the proposal would provide new residential development which would contribute to housing provision overall, would assist in providing a more balanced community and would reflect the original community balance had the scheme been completed. The proposal would also make efficient use of the floorspace in the building and result in development of high visual quality, would provide a new footway/cycleway connection which is to be dedicated as public

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highway and would provide significant new open space and landscaping to provide an enhanced setting to the building and surrounding area. The new pedestrian and cycleway connections would be beneficial to all residents not just those of the new development.

94. Although there would be some conflict with Policy CS22 of the Woking Core Strategy 2012 relating to the reduced provision of EV charging, subject to the planning obligations (as detailed below) and planning conditions it is considered that the benefits of the proposal would carry significant weight and would outweigh the identified harm resulting from the proposal. Accordingly, the presumption in favour of sustainable development indicates that planning permission should be granted notwithstanding the limited conflict with the development plan.

### **Planning Obligations**

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

	<b>Obligation</b>	<b>Reason for Agreeing Obligation</b>
1.	SAMM (SPA) contribution of <b>£17,224</b>	To accord with the Habitat Regulations, Policy CS8 of the Woking Core Strategy 2012 and The Thames Basin Heaths SPA Avoidance Strategy 2022.
2.	<p>To prevent any further development beyond phases Purple, Red, Yellow and Copper from occurring on the site and to ensure that any affordable housing lost from earlier phases is made up in later phases to accord to the original permissions. (This obligation relates to both the S106 Legal agreements and Executive Undertakings for both applications PLAN/2018/0337 and PLAN/2018/0374).</p> <p>To re-iterate the approved affordable housing provision within the S106 Legal Agreement/Executive Undertaking for phase Yellow as a whole for the avoidance of any doubt as the red line for this application relates to some of the other areas including communal areas within the Phase as a whole.</p>	In the interests of good planning and to accord with Policies CS12 and CS19 of Woking Core Strategy 2012.
3	To dedicate land (footway/cycleway) as public highway	In the interests of good planning and to accord with Policy CS18 of Woking Core Strategy 2012.
4	Monitoring fee of £1,000 per obligation (excluding SAMM obligation).	

### **BACKGROUND PAPERS**

Planning file PLAN/2024/0305



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### **RECOMMENDATION**

It is recommended to **GRANT** planning permission for the application subject to:

1. the prior completion of a S106 Legal agreement to secure the above-mentioned obligations;
2. the prior completion of an Executive Undertaking to secure the above-mentioned obligations; and
3. the following conditions (and any minor amendments to those conditions):

### **Conditions**

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

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

2. The development hereby permitted shall be carried out in accordance with the following approved plans and documents:

#### Plans received on 23.04.2024

Y1-Y4 GA PLAN LEVEL 01 (SHE-WIA-Y0-01-DR-A-01-1501 Rev B)  
GA PLAN Y1-Y4 LEVEL 02 (SHE-WIA-Y0-02-DR-A-01-1002 Rev H)  
Y1-Y4 GA PLAN LEVEL 02 (SHE-WIA-Y0-02-DR-A-01-1502 Rev A)  
GA PLAN Y1-Y4 LEVEL 02 (SHE-WIA-Y0-02-DR-A-01-4002 Rev C)  
GA PLAN Y1-Y4 LEVEL 03 (SHE-WIA-Y0-03-DR-A-01-1003 Rev H)  
Y1-Y4 GA PLAN LEVEL 03 (SHE-WIA-Y0-03-DR-A-01-4003 Rev C)  
GA PLAN Y1-Y4 LEVEL 04 (SHE-WIA-Y0-04-DR-A-01-1004 Rev H)  
Y1-Y4 GA PLAN LEVEL 04 (SHE-WIA-Y0-04-DR-A-01-4004 Rev C)  
GA PLAN Y1-Y4 LEVEL 05 (SHE-WIA-Y0-05-DR-A-01-1005 Rev G)  
Y1-Y4 GA PLAN LEVEL 05 (SHE-WIA-Y0-05-DR-A-01-4005 Rev B)  
GA PLAN Y1-Y4 ROOF PLAN (SHE-WIA-Y0-06-DR-A-01-1006 Rev H)  
Y1-Y4 GA PLAN LEVEL 06 (ROOF PLAN) (SHE-WIA-Y0-06-DR-A-01-4006 Rev B)  
GA SECTIONS Y1-Y4 (SHE-WIA-Y0-XX-DR-A-01-1100 Rev E)  
GA PODIUM ELEVATIONS Y1-Y4 (1 OF 2) (SHE-WIA-Y0-XX-DR-A-01-1202 Rev F)  
GA PODIUM ELEVATIONS Y1-Y4 (2 OF 2) (SHE-WIA-Y0-XX-DR-A-01-1203 Rev H)  
GA SOUTH AND WEST ELEVATIONS (SHE-WIA-Y0-XX-DR-A-01-4011 Rev D)  
GA PODIUM ELEVATIONS Y1-Y4 (1 OF 2) (SHE-WIA-Y0-XX-DR-A-01-4012 Rev D)

#### Plans received on 24.05.2024

GA PODIUM ELEVATIONS Y1-Y4 (2 OF 2) (SHE-WIA-Y0-XX-DR-A-01-4013 Rev C)  
STRIP ELEVATION (SHE-WIA-Y1-XX-DR-A-01-3004 Rev B)

#### Plans received on 27.08.2024

GA NORTH AND EAST ELEVATIONS Y1-Y4 (SHE-WIA-Y0-XX-DR-A-01-1200 Rev H)  
GA SOUTH AND WEST ELEVATIONS Y1-Y4 (SHE-WIA-Y0-XX-DR-A-01-1201 Rev I)  
RENDERED NORTH AND SOUTH ELEVATIONS Y1-Y4 (SHE-WIA-Y0-XX-DR-A-01-1205 Rev H)  
RENDERED EAST AND WEST ELEVATIONS (SHE-WIA-Y0-XX-DR-A-01-1206 Rev H)

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GIA AND GEA PLANS (SHE-WIA-Y0-XX-DR-A-01-1303 Rev G)  
GA NORTH AND EAST ELEVATIONS Y1-Y4 (SHE-WIA-Y0-XX-DR-A-01-4010 Rev E)

### Plans and documents received on 27.02.2025

GA LEVEL 01 PODIUM EXTERNAL LANDSCAPE (SHE-TRI-Y0-01-PL-L-90-0001 Rev P07)

NIA PLANS (SHE-WIA-Y0-XX-DR-A-01-1302 Rev H)

SITE LOCATION PLAN (SHE-WIA-Y0-00-DR-A-01-5000 Rev D)

PROPOSED DRAINAGE LAYOUT PART PLAN 1 OF 8 (SHE-BWM-Y0-00-DR-C-2301\_P1)

PROPOSED DRAINAGE LAYOUT PART PLAN 2 OF 8 (SHE-BWM-Y0-00-DR-C-2302\_P1)

PROPOSED DRAINAGE LAYOUT PART PLAN 3 OF 8 (SHE-BWM-Y0-00-DR-C-2303\_P1)

PROPOSED DRAINAGE LAYOUT PART PLAN 4 OF 8 (SHE-BWM-Y0-00-DR-C-2304\_P1)

PROPOSED DRAINAGE LAYOUT PART PLAN 5 OF 8 (SHE-BWM-Y0-00-DR-C-2305\_P1)

PROPOSED DRAINAGE LAYOUT PART PLAN 6 OF 8 (SHE-BWM-Y0-00-DR-C-2306\_P1)

PROPOSED DRAINAGE LAYOUT PART PLAN 7 OF 8 (SHE-BWM-Y0-00-DR-C-2307\_P1)

PROPOSED DRAINAGE LAYOUT PART PLAN 8 OF 8 (SHE-BWM-Y0-00-DR-C-2308\_P1)

OVERALL DRAINAGE LAYOUT WITH HEALTHY STREET (SHE-BWM-Y0-00-DR-C-2350\_P1)

EXCEEDANCE FLOW PLAN (SHE-BWM-Y0-00-DR-C-2380\_C2)

GA LEVEL 00 BLACKMORE CRESCENT HEALTHY STREET (SHE-TRI-Y0-00-PL-L-90-0005 P02)

GA LEVEL 00 BLACKMORE CRESCENT HEALTHY STREET TREE PLANTING (SHE-TRI-Y0-00-PL-L-90-0075 P02)

GA LEVEL 00 BLACKMORE CRESCENT HEALTHY STREET PLANTING PLAN (SHE-TRI-Y0-00-PL-L-90-0085 P02)

SITE PLAN (SHE-WIA-Y0-00-DR-A-01-0100 Rev K)

GA Y1-Y4 LEVEL 00 (SHE-WIA-Y0-00-DR-A-01-1000 Rev K)

PARKING STRATEGY (SHE-WIA-Y0-00-DR-A-01-1304 Rev M)

ACCESS STRATEGY (SHE-WIA-Y0-00-DR-A-01-1305 Rev H)

GA Y1-Y4 LEVEL 01 (SHE-WIA-Y0-01-DR-A-01-1001 Rev K)

REFUSE STRATEGY (SHE-WIA-Y0-XX-DR-A-01-1306 Rev J)

Y1-Y4 HYDROBRAKE DETAILS AND CALCULATIONS (SFP-0075-3000-1400-3000 – 3 documents)

Y5 HYDROBRAKE DETAILS AND CALCULATIONS (SFP-0081-3100-1000-3100 – 3 documents)

PLANTING SCHEDULE WITH HEALTHY STREET (SHE-TRI-Y0-XX-SC-L-90-0005 C00)

SUDS MAINTENANCE STRATEGY (5450-BWM-XX-XX-RP-C-0002 REV T1)

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

3. The external finishes of the development, any hard surfacing and any walls and railings hereby permitted must be as set out on the approved drawings and the materials specified shall match in colour, style, bonding and texture those matching materials used in phases Purple, Red and Yellow of the development as approved under

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PLAN/2018/0337 and the relevant conditions applications. Any new external and/or surfacing materials which have not been previously approved as part of an earlier phase of development approved under PLAN/2018/0337 must have their details submitted to and approved in writing by the Local Planning Authority prior to their use on the site.

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

4. Prior to the first use of the footway/cycleway hereby approved a 1.8m high boundary wall to the Woodlands House boundary in the position shown on the approved plans shall be erected on site. The boundary wall shall be faced in brick in accordance with the details of the brick which shall have first been submitted to and approved in writing by the Local Planning Authority. Thereafter the boundary wall shall be retained and maintained in accordance with the approved details.

Reason: In the interests of the visual amenities of the area and to safeguard the amenities of the nearby occupiers.

5. The development hereby permitted shall be carried out only in accordance with the proposed finished floor levels and ground levels as shown on the approved plans unless otherwise first approved in writing with the Local Planning Authority.

Reason: To ensure that the development is carried out at suitable levels in relation to the highway and adjoining land having regard to drainage and the amenities of the area in accordance with Policies CS21 and CS24 of the Woking Core Strategy 2012 and the NPPF.

6. The drainage system shall be installed in accordance with the approved documents prior to the first occupation of the proposed development. The development shall be carried out strictly in accordance with the details so approved and maintained as such thereafter.

Reason: To ensure the design meets the national Non-Statutory Technical Standards for SuDS and the final drainage design does not increase flood risk on or off site.

7. Prior to the first occupation of the development, a verification report carried out by a qualified drainage engineer must be submitted to and approved by the Local Planning Authority. This must demonstrate that the surface water drainage system has been constructed as per the agreed scheme (or detail any minor variations), provide the details of any management company and state the national grid reference of any key drainage elements (surface water attenuation devices/areas, flow restriction devices and outfalls), and confirm any defects have been rectified.

Reason: To ensure the Drainage System is constructed to the National Non-Statutory Technical Standards for SuDS.

8. Any existing hard surface (and its associated sub-base) within any area of the site to be utilised as gardens and public open space as part of the development hereby approved, shall be demolished and all debris removed from the approved open space, a verification report, appended with substantiating evidence shall be submitted to and approved in writing by the Local Planning Authority prior to the first use of these areas.

Reason: These areas are intended to be free-draining and to ensure the drainage strategy set out in the application is adhered to, to reduce flood risk and to comply with Policy CS9 of the Woking Core Strategy 2012 and the NPPF.

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9. No part of the development shall be first occupied unless and until the proposed pedestrian/cycleway access between Blackmore Crescent and Devonshire Avenue has been constructed and provided with a means at the back edge of the highway (pedestrian/cycleway) of preventing highway water from entering the adjoining private land in accordance with details which shall have first been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be retained in accordance with the approved details.

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

10. The development hereby approved shall not be occupied unless and until the active electric car charging points (to comprise 7 kw Mode 3 with Type 2 connector - 230v AC 32 Amp single phase dedicated supply) have been installed in accordance with the approved plans and details and the submitted document titled SPD Car Charging requirements (SHE-KAN-Y0-RP-E-6204 Rev C1 received on 27.04.2024) and the cable routes for the future installation of electric vehicle charging points have also been installed in accordance with approved Parking Strategy plan listed in condition 2. The development shall thereafter be retained in accordance with the approved details.

Reason: To ensure that the development achieves a high standard of sustainability and makes efficient use of resources and to comply with Policies CS21 and CS22 of the Woking Core Strategy 2012 and the NPPF.

11. The development hereby approved shall not be occupied unless and until facilities for the secure parking of cycles for the development have been provided and are available for use in accordance with details which shall have first been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved facilities shall be retained and maintained in accordance with the approved details.

Reason: To promote sustainable modes of transport in accordance with Policy CS18 of the Woking Core Strategy 2012 and the NPPF.

12. The development hereby approved shall not be occupied unless and until space has been laid out within the site in accordance with the approved plans for vehicles to be parked and 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 purpose in accordance with the approved plans.

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

13. The development shall not be first occupied until the refuse stores have been provided and are available for use by residents and a refuse management plan has been submitted to and approved in writing by the Local Planning Authority. The refuse management plan to be submitted for approval shall include details of the allocation of each residential unit to a bin store (to prevent overuse of any bin store), measures to secure/restrict access to non-allocated residents, measures to control odour and vermin etc. and management arrangement details for collection of refuse. The development shall be implemented and thereafter retained in accordance with the approved details.

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Reason: In the interests of amenity and to ensure the provision of satisfactory facilities for the storage and recycling of refuse in accordance with Policy CS21 of the Woking Core Strategy 2012 and the NPPF.

14. The development shall not be first occupied until written documentary evidence has been submitted to and approved in writing by the Local Planning Authority demonstrating that the residential development has:
- a. Achieved a minimum of a 19% improvement in the dwelling emission rate over the target emission rate, as defined in the Building Regulations for England Approved Document L1A: Conservation of Fuel and Power in New Dwellings (2013 edition). Such evidence shall be in the form of an As Built Standard Assessment Procedure (SAP) Assessment, produced by an accredited energy assessor; and
  - b. Achieved a maximum water use of 110 litres per person per day as defined in paragraph 36(2b) of the Building Regulations 2010 (as amended). Such evidence shall be in the form of the notice given under Regulation 37 of the Building Regulations.

Development shall be carried out wholly in accordance with the agreed details and maintained as such in perpetuity unless otherwise 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 and to comply with Policy CS22 of the Woking Core Strategy 2012 and the NPPF.

15. Within 6 months from the date of this planning permission a Biodiversity Net Gain (BNG) management plan must be submitted to and approved in writing by the Local Planning Authority. The biodiversity net gain plan shall be informed by the Biodiversity Net Gain Report by Ecology Solutions (9854 version vf2 received on 27.02.2025) and the accompanying Biodiversity statutory metric submitted with the application along with any updated information and statutory metric as necessary. The biodiversity net gain management plan shall include details of:
- i. proposals for BNG relative to pre-development biodiversity value,
  - ii. measures to minimise the effects of the scheme in respect of biodiversity,
  - iii. measures to enhance ecological diversity,
  - iv. a timetable for the implementation of the measures,
  - iv. monitoring arrangements in respect of BNG and habitats for a period of 30 years from the completion of the development.

The approved biodiversity measures shall be provided and maintained in accordance with the approved details whilst the development is in operation.

Reason: In the interests of amenity and biodiversity in accordance with Policies CS7, CS17, CS21 and CS24 of the Woking Core Strategy 2012 and the NPPF.

16. All landscaping (hard and soft landscaping other than the footway/cycleway which is subject to condition 9 and podium landscaping) must be carried out in accordance with the approved plans and approved planting schedule as listed in condition 2 in the first planting season (November-March) following the first occupation of the residential units hereby approved or the completion of the development 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

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Planning Authority. Thereafter all landscaped areas within the site shall be retained and maintained for the purposes identified in the approved plans and, save for domestic gardens and/or shared (private) communal podium gardens, all areas for use as public open space shall be made available and retained in perpetuity for public use.

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

17. Prior to the first occupation of any residential unit, measures to prevent the unauthorised vehicular use of the access to the eastern side of the building shall be installed in accordance with full details which shall have first been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved measures shall be retained and maintained in accordance with the approved details unless otherwise approved in writing by the Local Planning Authority.

Reason: In the interests of visual and neighbouring amenity and to comply with Policy CS21 of the Woking Core Strategy 2012 and the NPPF.

18. Prior to the first occupation of any of the five residential units at first floor level facing the podium the timber fencing and gates to the semi-private terraces for each of these units must have been provided in accordance with full design details (in general accordance with the approved plans) which shall have first been submitted to and approved in writing by the Local Planning Authority. The timber fencing and gates must thereafter be retained and maintained in accordance with the approved plans and must not be altered in any way without the prior written approval of the Local Planning Authority.

Reason: In the interests of visual and neighbouring amenity and to comply with Policy CS21 of the Woking Core Strategy 2012 and the NPPF.

19. No fixed plant and equipment associated with air moving equipment, compressors, generators or plant or similar equipment, shall be installed anywhere on the site until details, including acoustic specifications have been submitted to and approved in writing by the Local Planning Authority. The plant and/or equipment shall be installed and thereafter retained in accordance with the approved details.

Reason: To protect the environment and amenities of the occupants of neighbouring properties in accordance with Policy CS21 of the Woking Core Strategy 2012 and the NPPF.

20. Notwithstanding the Town and Country Planning (Use Classes) Order 1987 (or any orders amending or re-enacting that order with or without modification) and the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any orders amending or re-enacting that order with or without modification) the pharmacy unit hereby permitted as shown on the approved plan(s) shall only be used as a pharmacy unit, and for no other purpose whatsoever including any other purpose within Class E of the Town and Country Planning (Use Classes) Order 1987 (or any orders amending or re-enacting that order with or without modification).

Reason: To ensure the development is carried out in accordance with the approved plans and other submitted details and to ensure the provision of pharmacy unit to serve the increased population on the site and to comply with Policies CS5 and CS19 of the Woking Core Strategy 2012 and the NPPF.

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21. Notwithstanding the provisions of Article 3, Schedule 2, Part 2, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or an order revoking and re-enacting that Order with or without modification), no gate, fence wall, or other means of enclosure shall be erected constructed anywhere on the application site without the prior written approval of the Local Planning Authority, unless specifically authorised by any planning condition of this planning permission.

Reason: In the interests of character and appearance of the site and trees and to comply with Policies CS7, CS9 and CS21 of the Woking Core Strategy and the NPPF.

22. Notwithstanding the provisions of Article 3, Schedule 2, Part 16, Classes A, B, and C of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or an order revoking and re-enacting that Order with or without modification) no development falling within these classes shall take place anywhere within the site.

Reason: To protect the character and appearance of the site and to comply with Policies CS5, CS16 and CS21 of the Woking Core Strategy 2012 and the NPPF.

23. No external lighting other than street lighting shall be installed in the development until full design details of the proposed external lighting in accordance with the recommendations of the Bat Conservation Trusts' document entitled "Bats and Lighting in the UK - Bats and the Built Environment Series" (and also ensuring compliance with the recommendations of the Institute of Lighting Engineers 'Guidance Notes for Reduction of Light Pollution' and the provisions of BS 5489 Part 9) have been submitted to and approved in writing by the Local Planning Authority. Any lighting on the site shall thereafter be installed and maintained in accordance with the approved details.

Reason: In the interests of visual amenity and the ecology/biodiversity of the site and surrounding area and to comply with Policies CS6, CS7 and CS21 of the Woking Core Strategy 2012, Circular 06/05 Biodiversity and Geological Conservation and the NPPF.

24. There shall be no change/alteration to any hard surface on the site hereby approved, from the approved details and no further impermeable surfaces shall be installed anywhere on the site including the public open space areas without the prior written consent of the Local Planning Authority.

Reason to prevent the increased risk of flooding and to ensure the future maintenance of the approved drainage system and to accord with Policy CS9 of the Woking Core Strategy and the NPPF.

### **Informatives**

1. The applicant is advised that this planning permission is subject to a Section 106 Legal agreement and an Executive Undertaking.
2. The applicant and future residents are advised that no permitted development rights exist for any of the residential units on this site including, extensions, outbuildings, the insertion of any new windows in the development or the addition of any hard surfacing or satellite dishes. In all instances a formal application to the Local Planning Authority will be required to be submitted.
3. Surface water drainage - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a

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suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921.

4. There are public sewers crossing or close to your development. In order to protect public sewers and to ensure that Thames Water can gain access to those sewers for future repair and maintenance, approval should be sought from Thames Water where the erection of a building or an extension to a building or underpinning work would be over the line of, or would come within 3 metres of, a public sewer. Thames Water will usually refuse such approval in respect of the construction of new buildings, but approval may be granted in some cases for extensions to existing buildings. The applicant is advised to contact Thames Water Developer Services on 0800 009 3921 to discuss the options available at this site.
5. The permission hereby granted shall not be construed as authority to obstruct the public highway by the erection of scaffolding, hoarding or any other device or apparatus for which a licence must be sought from the Highway Authority Local Highways Service.
6. The permission hereby granted shall not be construed as authority to carry out any works on the highway. The applicant is advised that permission must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge to form a vehicle crossover to install dropped kerbs. [www.surreycc.gov.uk/roads-and-transport/permits-and-licences/vehicle-crossovers-or-dropped-kerbs](http://www.surreycc.gov.uk/roads-and-transport/permits-and-licences/vehicle-crossovers-or-dropped-kerbs).
7. 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).
8. 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.
9. The Council confirms that in assessing this planning application it has worked with the applicant in a positive and proactive way, in line with the requirements of the National Planning Policy Framework.
10. 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.
11. 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 extension 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.

Claims for relief must be made on the appropriate forms which are available on the planning portal.

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>

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).