

## 26 SEPTEMBER 2017 PLANNING COMMITTEE

5a 17/0128 Reg'd: 09.02.17 Expires: 26.10.17 Ward: BWB  
Nei. 29.06.17 BVPI Largescale Number > 16 On Ext.  
Con. 29.06.17 Target Major (06) of Weeks Target? of  
Exp: on Cttee' Day: time

**LOCATION:** Land North of Old Woking Road & East of Station Approach,  
West Byfleet, Woking, KT14 6NG

**PROPOSAL:** Outline planning application (all matters reserved except for access) for demolition of all buildings on the site and retail and leisure led mixed use redevelopment comprising up to 5,000 sqm GIA of retail and leisure uses (Use Classes A1/A2/A3/A4/A5), up to 2,000 sqm GIA of commercial use (Use Class B1a), up to 20,500sq m GIA residential (or maximum of 255 units) (Use Class C2/C3 or C3), up to 300 sqm GIA of community use (Use Class D1), together with the provision of basement space, car and cycle parking, highway works, public realm improvements and associated works (amended plans relating to north-west corner of Building B1).

**TYPE:** Outline Application

**APPLICANT:** Prime Finance (West Byfleet) S.a.r.l. **OFFICER:** Benjamin Bailey

---

### **ENVIRONMENTAL IMPACT ASSESSMENT**

The application is supported by an Environmental Statement (ES). The ES has been prepared pursuant to The Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011. The ES has had regard to aspects of the environment likely to be affected by the proposed development and includes an assessment of the likely extent and significance of the potential environmental effects.

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

The proposal is for 'Major' development which falls outside the Management Arrangements and Scheme of Delegations.

### **SUMMARY OF PROPOSED DEVELOPMENT**

Outline planning application (all matters reserved except for access) for demolition of all buildings on the site and retail and leisure led mixed use redevelopment comprising up to 5,000 sqm GIA of retail and leisure uses (Use Classes A1/A2/A3/A4/A5), up to 2,000 sqm GIA of commercial use (Use Class B1a), up to 20,500sq m GIA residential (or maximum of 255 units) (Use Class C2/C3 or C3), up to 300 sqm GIA of community use (Use Class D1), together with the provision of basement space, car and cycle parking, highway works, public realm improvements and associated works (amended plans relating to north-west corner of Building B1).

Whilst the application is in Outline the Parameter Plans submitted provide the framework within which future detailed design can be brought forward. Along with the Design Code the Parameter Plans form a 'control' document, which any future Reserved Matters applications

## 26 SEPTEMBER 2017 PLANNING COMMITTEE

would need to comply with.

Whilst access is the only matter for which approval is sought at this stage, given the nature of the site and its key location within the centre of the designated West Byfleet District Centre, the Outline application is supported by a high level of design work.

The Parameter Plans outline how the parameters for the proposed development are to be defined. Specifically the parameters outlined establish the minimum and maximum floor areas proposed for each use, the minimum and maximum dimensions of the main plots of development proposed (including heights above ground level) and the pedestrian movement routes through the site. The parameter plans are intended to strike a balance between providing flexibility to allow the development to evolve over time, during the preparation of any future reserved matters applications, and providing sufficient design detail against which to appropriately determine the outline application and set a defined framework for determination of future reserved matters applications.

Based on the parameter plans an illustrative scheme has been submitted to demonstrate how development could be brought forward in accordance with the established design parameters. The design & access statement and landscape & public realm strategy provide further detail and background information regarding the context of the illustrative scheme and design development.

The parameter plans are based on a fixed highways arrangement as set out in the technical highways drawings submitted for approval. This includes vehicular access to the site, the laybys around the site, the raised bed at the junction of Madeira Road and Station Approach, and pedestrian access.

Site Area: 0.9989 ha (9,989 sq.m)

Proposed density (C3): 208 – 255 dph (dwellings per hectare)

### **Existing Site**

Land Use	Existing floorspace (sq.m)	To be demolished
Commercial (B1(a))	3,200	3,200
Retail (A1)	3,200 (18 units)	3,200 (18 units)
Library (D1)	170	170

### **Proposed Site**

Land Use	Minimum Parameter (sq.m)	Maximum Parameter (sq.m)	Illustrative Scheme (sq.m)
Residential (C3) (*)	16,700 (or 208 units)	20,500 (or 255 units)	16,700 (208 units)
Retirement / Extra Care (C2/C3 Use)	0	10,250 (**)	0
Retail / Restaurants (A1 – A5 Uses)	3,000	5,000	4,080
Commercial (B1(a))	145	2,000	200
Community Use (D1)	200	300	200
Basement	6,000	8,000	6,700
Total floorspace (excluding basement)	20,045	27,800	21,180
Car Parking (no. of spaces)	190 spaces	247 spaces	214 spaces

## 26 SEPTEMBER 2017 PLANNING COMMITTEE

(***)			
-------	--	--	--

### **Please Note**

All areas GIA

(\*) Doesn't include ancillary residential spaces at basement level

(\*\*) Could only be brought forward if residential (C3) parameter is reduced

(\*\*\*) Car parking to be provided in basement. Listed spaces include re-provision of existing surface public parking spaces

### **Net losses/gains**

<b>Land Use</b>	<b>Existing floorspace (sq.m)</b>	<b>Parameters (sq.m)</b>	<b>Net losses/gains (sq.m)</b>
Residential (C3)	0	16,700 to 20,500	+ 16,700 to + 20,500
Retirement / Extra Care (C2 / C3)	0	0 to 10,250	0 to + 10,250
Retail / Restaurants (Classes A1 – A5)	3,200 (All Class A1)	3,000 to 5,000	- 200 to + 1,800
Commercial (B1(a))	3,200	145 to 2,000	- 3,055 to - 1,200
Community Use (D1)	170	200 to 300	+ 30 to + 130
Total floorspace	6,570	20,045 to 27,800	+ 13,475 to + 21,230
Car parking	155	190 to 247	+ 35 to + 92

### **PLANNING STATUS**

- Urban Area
- District Centre (West Byfleet)
- Primary Shopping Area (Partial)
- Adjacent to Conservation Area (Station Approach)
- Adjacent to Conservation Area (Byfleet Corner/Rosemount Parade)
- Proximity of Statutory Listed Building (Church of St John the Baptist - Grade II)
- Adjacent to Area of High Archaeological Potential
- Flood Zone 1
- Thames Basin Heaths Special Protection Area (TBH SPA) Zone B (400m-5km)

### **RECOMMENDATION**

1. **GRANT** subject to conditions and Section 106 Legal Agreement.
2. In the event that the West Byfleet Neighbourhood Development Plan (2017 - 2027) passes referendum, and is adopted by the Council prior to the completion of the Section 106 Legal Agreement, the Development Manager (or designated deputy) be delegated authority to determine whether the adoption materially alters the consideration of the application and consequently the recommendation and either issue the decision or refer the application back to the Planning Committee accordingly.

### **SITE DESCRIPTION**

## 26 SEPTEMBER 2017 PLANNING COMMITTEE

The application site measures 9,989sqm (0.998ha) and is centrally located within West Byfleet, between the West Byfleet railway station approximately 100 metres to the north, and Old Woking Road adjoining the southern boundary. Owing to its central location, the site forms the main shopping area of the District Centre, currently comprising 18 existing retail units (including a mix of shops such as a bank, cafe and convenience store), a library, and a surface level public car park, both of which front Old Woking Road. The site also contains Sheer House, a vacant seven-storey office building which is served by a decked car parking area accessed/egressed via a ramp from Lavender Park Road. Both Sheer House, and the ground floor 'L' shaped single storey building, originate from the 1960s having been constructed using a reinforced concrete frame. Vehicular access to the surface level public car park is currently achieved from Lavender Park Road with vehicular egress onto Station Approach. A further 'service' vehicular access/egress exists onto Madeira Road. The application site itself does not contain any heritage assets and falls wholly within Flood Zone 1.

The surrounding area is of a mixed character: to the north and west is land in retail and employment use, with residential buildings located immediately adjacent to, and beyond the site, to the east. A Waitrose supermarket and local health centre are adjacent to the western site boundary, which are both accessed via Station Approach, whilst to the east (off Camphill Road) are the Grade II Statutory Listed Church of St John the Baptist and the West Byfleet Recreation Ground.

Two Conservation Areas are located adjacent to the site. The Station Approach Conservation Area is located to the north-west and the Byfleet Corner / Rosemount Parade Conservation Area to the south-east. Both comprise a mix of uses with predominantly retail on the ground floor with residential and/or office on the first/second floors. The site itself is located outside of both designated Conservation Areas.

### **RELEVANT PLANNING HISTORY**

The site has a long and complex planning history. The following applications are the most relevant to the consideration of the current application:

PLAN/2014/0606 - Proposed two storey residential extension over Block N (Londis) comprising of 8 x 2 bedroom apartments and 4 x 1 bedroom apartments (8 affordable housing units).

Resolution to grant subject to completion of legal agreement – legal agreement not completed

PLAN/2014/0020 - Proposed three storey residential extension over car park (South Block) comprising of 2 x 3 bedroom apartments 13 x 2 bedroom apartments and 5 x 1 bedroom apartments (total 20 units, 1368 sq. m.)

Refused (25.04.2014) for the following reasons:

*01. The proposed development, by reason of its design, appearance, scale, bulk and massing would form an incongruous and unattractive addition to the street scene and skyline of West Byfleet District Centre; and be harmful to the character and appearance of the townscape and street scene contrary to Chapters 7 and 12 of the NPPF and policies CS3, CS21 and CS24 of the Woking Core Strategy 2012.*

*02. In the absence of a S106 agreement or Unilateral Undertaking to secure a financial contribution towards affordable housing, highways improvements and SPA mitigation, the proposal would be contrary to policies CS8, CS12, CS16 and CS18 of*

## 26 SEPTEMBER 2017 PLANNING COMMITTEE

*the Woking Core Strategy 2012; and chapter 6- 'Delivering a wide choice of high quality homes' of the National Planning Policy Framework 2012.*

PLAN/2013/0552 - Proposed conversion of existing office building into residential comprising 25No 1-bed units and 15No 2-bed units.  
Prior Approval Approved (31.07.2013)

*(Officer Note: Condition 10 of the original planning permission granted on 5 April 1962 (Ref: WOK/1410) restricted the use of the building to office only. The change of use could therefore not be implemented)*

PLAN/2013/0026 - Outline application (with all matters reserved) for the refurbishment and part redevelopment of Sheer House and adjoining retail centre including; a four storey extension above the southern car park to provide thirty one (x31) 1, 2, and 3 bedroom residential units; a two storey roof extension to Sheer House to provide ten (x10) 1 & 2 bedroom units; a two-storey roof extension above 13-14 Station Approach to provide twelve (x12) 1 & 2 bedroom units; refurbishment of the Station Approach entrance and public courtyard, with improved access to first floor level; and refurbishment of the main Sheer House entrance and foyer. Other external alterations include overcladding/render of all facades of the buildings; removal of high-level walkways; removal of public toilets; and refurbishment/replacement of rooftop balustrades.  
Refused (08.05.2013) & Dismissed at appeal (29.01.2014)

### **CONSULTATIONS**

#### **Statutory Consultees:**

##### **Natural England (Initial):**

This application is within 5 km of the Thames Basin Heaths Special Protection Area (SPA). There is an Avoidance Strategy for the Thames Basin Heaths SPA in place with Woking Borough Council. We will assume that the proposals are meeting the requirement of that plan (e.g. in terms of mitigation, such as contributions to Suitable Alternative Natural Greenspace (SANG) and Strategic Access Management and Monitoring (SAMM)) and the legislation around protected species has also been addressed. If the applicant is complying with this Strategy, then Natural England do not object to this application. It is our understanding that the developer is likely to make these contributions to the Horsell Common or Heather Farm SANGs, which must be secured through a legal agreement prior to granting consent. This is on the understanding that the development site is within a relevant catchment area to facilitate this development, as outlined in page 8 of the Thames Basin Heaths SPA Delivery Framework, and that there is currently sufficient capacity to facilitate the proposed dwellings.

We would expect the Local Planning Authority (LPA) to assess and consider the other possible impacts resulting from this proposal on the following when determining this application:

- local sites (biodiversity and geodiversity)
- local landscape character
- local or national biodiversity priority habitats and species

Natural England does not hold locally specific information relating to the above. These remain material considerations in the determination of this planning application and we recommend that you seek further information from the appropriate bodies (which may include the local records centre, your local wildlife trust, local geoconservation group or other recording society and a local landscape characterisation document) in order to ensure

## 26 SEPTEMBER 2017 PLANNING COMMITTEE

the LPA has sufficient information to fully understand the impact of the proposal before it determines the application.

### **Natural England (Second):**

The advice provided in our previous response applies equally to this amendment although we made no objection to the original proposal. The proposed amendments to the original application are unlikely to have significantly different impacts on the natural environment than the original proposal.

### **Environment Agency (Initial):**

We have no objections to the proposed development subject to conditions being imposed on any planning permission (conditions 21, 10 and 6 refer).

### **Environment Agency (Second):**

No further comments received. Any comments received will be updated at Planning Committee.

### **County Highway Authority (CHA) (SCC) (Initial response):**

Request that the Applicant considers the attached comments and provides an appropriate response and updated documentation (31no. comments).

### **County Highway Authority (CHA) (SCC) (Second response):**

I have carried out an assessment of the submitted documents and can confirm I am satisfied with the contents submitted following my initial response and the updated Transport Assessment. As before I note that the Application is outline with all matters reserved except for access. Therefore in terms of this application, the CHA has not considered in detail:

- The provision of loading bays or the car club bay.
- The detail of any construction management plan.
- The provision of car parking on site and the management thereof.

The CHA will consider the detail of this as they arise in future planning applications. The CHA is satisfied with the accuracy of the likely trip rates associated with the proposed Development.

The CHA is satisfied with the accuracy of the modelling regarding the junctions between (i) Old Woking Road/and Old Woking Road/Camphill Road (ii) Madeira Road West/Station Approach South/Madeira Road East and (iii) Madeira Road/Station Approach/Lavender park Road.

Comments regarding mitigation, access, parking, construction management and provision of Car Club and Loading Bays.

### **Lead Local Flood Authority (LLFA) (SCC):**

Subject to your (WBC) Flood Risk Engineer being satisfied with the proposal, we would have no further comments to make.

### **Thames Water Development Planning:**

Following initial investigation, Thames Water has identified an inability of the existing waste water infrastructure to accommodate the needs of this application. Should the Local Planning Authority look to approve the application, Thames Water would like the following 'Grampian Style' condition imposed:

## 26 SEPTEMBER 2017 PLANNING COMMITTEE

*“Development shall not commence until a drainage strategy detailing any on and/or off site drainage works, has been submitted to and approved by, the local planning authority in consultation with the sewerage undertaker”*

Also recommend piling condition:

*No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.*

### **Historic England (Initial):**

Historic England has concerns regarding the application on heritage grounds. We consider that the issues and safeguards outlined in our advice need to be addressed in order for the application to meet the requirements of paragraphs 129, 132 and 137 of the NPPF.

### **Historic England (Second):**

The amended proposals include alterations to Block B1 facing Station Approach. We highlighted some of our concerns with the design of this block in our earlier response of 27 March and advised that a more stepped profile might reduce the harmful impacts we identified to the Conservation Area. We think that the amendments as submitted do represent a modest improvement over the earlier iteration of the plans, aided by the greater ratio of solid wall to glazing.

We also previously suggested further ways in which other elements of the scheme could be amended to mitigate harmful impacts to Conservation Areas and listed buildings but note that these have not been addressed in the amendments. It is argued that this is because the quantum of development must remain broadly as proposed in order for the development to be viable. Historic England regrettably does not have the resources to scrutinise this assertion, and your council will need to assess whether you are satisfied that there are sufficient public benefits that weigh in favour of the scheme, which will cause some harm to designated heritage assets, even as amended (NPPF paragraphs 132 and 134).

Historic England does not wish to object to the application on heritage grounds and is content to defer to your authority to determine the proposals. In determining this application you should bear in mind the statutory duty of section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess and section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.

### **County Archaeologist (SCC):**

The application site is large. Adjacent to the site is an area identified as an Area of High Archaeological Potential, due to recorded finds of Iron Age/Roman pottery and medieval agricultural finds. I am therefore pleased to note that the applicant has taken on board the archaeological considerations of the proposal and submitted an Archaeological Baseline Assessment, produced by RPS group. The baseline assessment provides a useful synthesis of the archaeological background of the vicinity. It has not identified any archaeological remains known to be present on the site, or any additional information to support the possibility of former occupation associated with the finds reported adjacent (and

## 26 SEPTEMBER 2017 PLANNING COMMITTEE

subsequently made an Area of High Archaeological Potential). However it also shows there has been limited archaeological investigation conducted in the vicinity, and therefore the potential remains somewhat unknown.

The proposals, including a large basement area will clearly have a widespread impact, resulting in the destruction of any below ground remains, but from the available information I have been unable to determine the likelihood of surviving archaeological horizons existing below the current development. Given this, I recommend that further exploratory work needs to take place in order to determine the archaeological potential. In the first instance, I recommend an Archaeological Impact Assessment be produced (this should include the results of any geotechnical work undertaken), followed by archaeological trial trench evaluation if necessary.

Given that there is nothing to suggest that remains of a quality worthy of preservation in-situ will be present, and that there is likely to have been some negative impact during previous development, I do not recommend that it is necessary for the archaeological work to be undertaken in advance of any planning permission; but would recommend that securing the archaeological work as a condition of any planning permission is an acceptable and proportionate response. To ensure the required archaeological work is secured satisfactorily, the following condition is appropriate and I would recommend that it be attached to any planning permission that may be granted (condition 22 refers).

### **National Planning Casework Unit:**

We acknowledge receipt of the Environmental Statement. We have no further comments to make.

### Other consultees:

#### **Drainage & Flood Risk Engineer (Initial):**

Advised that the proposed flood risk and surface water management strategy is insufficient to meet the requirements of the NPPF and Policy CS9 of the Woking Core Strategy(2012).

#### **Drainage & Flood Risk Engineer (Second):**

Following a review of the updated drainage philosophy (23 February 2017), and The Drainage Design Philosophy (dated 27 January 2017), the current information submitted is compliant with Woking Borough Councils Core Strategy (2012) Policy CS9 and NPPF and the accompanying technical standards (April 2015). I therefore would recommend the application is approved on drainage and flood risk grounds subject to the following conditions (conditions 6, 7 and 8 refer).

#### **Surrey Wildlife Trust, Ecological Planning Advisor:**

We note the following report(s) have been submitted in support of the current application: 'Bat Survey' author RPS Group, dated July 2016; and 'Preliminary Ecology Appraisal' also author RPS Group, dated June 2016

The above reports appear appropriate in scope and methodology and have not identified active bat roosts within the building subject to the current planning application. We therefore advise that bats do not appear to present a constraint to the proposed development. The applicant should therefore be encouraged to incorporate bat roosting opportunities as integral design features within the built development.

This development offers some opportunities to restore or enhance biodiversity and such measures will assist the Local Authority in meeting the above obligation and also help offset any localised harm to biodiversity caused by the development process.



The Council needs to review the proposed development in line with the requirements of the Woking Borough Council Thames Basin Heaths Special Protection Area Avoidance Strategy and appropriate supporting documentation and tariffs. The Council should seek advice from Natural England to ensure that contribution to Suitable Alternative Natural Greenspace provision and Strategic Access Management and Monitoring payment is proposed, is appropriate and is adequately secured by planning obligation.

**Environmental Health Service:**

No adverse comments. Recommend conditions.

**Scientific Officer:**

Contamination documents submitted with the application demonstrate there has been a number of buildings and various uses of the site over the past 100 years. During this period buildings have been constructed and demolished and though asbestos materials and waste is now heavily regulated/controlled, there is the potential for asbestos within foundations and under the footprints of buildings, car parks and landscaped areas. There is also asbestos within the fabric of a number of buildings currently on site and whilst management surveys have been carried out, these are non-destructive surveys and unlikely to have identified all the potential asbestos and asbestos containing materials. There are also sites adjacent to the proposed development that had significant contaminative uses such as a former petrol station, which may have led to historic plumes of contamination and smear zones. An investigation in 2014 found contamination such as PAH, asbestos and lead. Given the above, pre-demo asbestos surveys will need to be carried out prior to demolition. Following demolition and site clearance soil can be exposed for further soil assessment to determine the presence of contamination but this can be dealt with via attaching our soil contamination condition (condition 21 refers).

**Heritage & Conservation Consultant:**

In general terms I support this outline application which has the potential to improve the area. I also agree with Historic England's comments. I consider some fine tuning regarding graded heights for some of the blocks nearest the existing shops, could be addressed during the detailed design and reserved matters stage. There will always have to be a balancing exercise which weighs slight harm with the greater public benefit. My comments have had special regard to the need to respect the setting of nearby listed buildings, my comments have afforded this aspect considerable weight.

**Arboricultural Officer:**

The proposed will require the removal of all the trees on site. Arboricultural information has been provided with details of these trees; the trees on site could not be retained as part of the proposed which is regrettable.

The new planting proposals outlined within the Landscape and Public Realm strategy are in principal acceptable and I believe will be a good long term solution to the landscape character of the area, providing large replacement specimens with adequate rooting environments will allow for quick establishment and maximise opportunities for good growth potential, this along with suitable species selection will enhance the area for generations to come. The large specimen planting proposed for the square will provide a significant focal point for the development.

There will be a requirement to provide details of underground structures (such as Silva cell) as all the tree planting is within hard surface areas, this should provide sufficient rooting volumes for the proposed trees to support them into maturity, the tree planting crates could help with drainage solutions.

Adjoining Authorities:

**Runnymede Borough Council:**

Runnymede Borough Council raise no objection to the proposed development, subject to the County Highway Authority being satisfied that there would be no harmful impacts on the highway network or highway safety from any additional vehicle trips using Camphill Road and Scotland Bridge Road.

**Elmbridge Borough Council:**

The proposed development is not considered to cause any unacceptable harm to the Borough of Elmbridge and accordingly no objection is raised.

**Guildford Borough Council:**

Guildford Borough Council has no comment to make on the application.

Full copies of all representations received are available on the electronic planning file, which is available to view online.

**PUBLIC CONSULTATION**

The application has been supported by a Statement of Community Involvement. It notes that the scheme has been subject of an ongoing consultation process including stakeholder consultation and two public exhibitions.

Prior to a more comprehensive public consultation, the applicant held a series of events in the Cornerstone Centre, West Byfleet on Thursday 4<sup>th</sup> February 2016 with key stakeholders, existing businesses of the District Centre and the local community.

Subsequently a fully staffed 'drop-in' public exhibition was held on Friday 13<sup>th</sup> May 2016:

- Invited key stakeholders between 13:00 and 14:00
- Local residents, businesses and interested parties between 14:00 and 20:00
- Prior notification by 3000 mailers, media coverage, letters and advertising of the exhibition ensured that it was well attended with over 350 people viewing the public exhibition.

The applicant comments that concerns and comments received during the consultation process have shaped the accompanying submission. By way of summary, some of the key changes include:

- Reduction in height of the 'marker' building
- Maximising the area of public realm
- Utilising basement car parking rather than above ground

It is considered that the proposal has been the result of a good public consultation process and the application submitted has evolved as a result of the consideration given by the applicant to the feedback of the public and other stakeholders as a result of the public consultation process.

**COMMENTARY**

Since initial submission the application has been the subject of two sets of amended plans.

The first set of amended plans stepped down the height of the north-west corner of Building B in order to reduce the impact of the proposed development upon the Station Approach

## 26 SEPTEMBER 2017 PLANNING COMMITTEE

Conservation Area. Whilst this represented a reduction in the quantum of built development which was initially sought, taking account of the prominent siting of this corner it was considered necessary to undertake further public consultation on these amended plans, commencing on 5<sup>th</sup> June 2017. Amended plan neighbour letters were sent to all those addresses initially sent neighbour notification letters, and to all those who had submitted a representation on the application prior to 5<sup>th</sup> June. Additionally amended plans Site Notices and Press Notices were re-published for a period of 21 days.

The second set of amended plans reduced the bulk and mass of the north-east elevation of Building B in order to reduce the potential losses of daylight and sunlight to adjacent Globe House and Roxburghe House, both fronting Lavender Park Road. This represented a further reduction in the quantum of built development. Taking account of both the further reduction in the quantum of built development, and the location of the reduction to the subject elevation, which abuts the car parking areas of both Globe House and Roxburghe House, it was not considered necessary to undertake further public consultation on this second set of amended plans.

### **REPRESENTATIONS**

#### **Initial Submission representations**

The below summarises the representations received during the public consultation following initial submission of the planning application. For clarity this is the period up to and including 4<sup>th</sup> June 2017.

**x63** letters of objection (including from Cllr Bond and the Byfleet, West Byfleet and Pyrford Residents Association) have been received raising the following main points:

- Sheer House is a tarnish on West Byfleet and the need for redevelopment of the site is obvious
- Without redevelopment the centre of the village will continue to decline
- Out of character with the area
- Out of scale with the area
- High density
- At least two stories too tall
- Will overshadow existing residential properties
- Should not be compared to the redevelopment of Woking Town Centre; Woking is a large town and West Byfleet is a small village
- Buildings lack architectural quality
- Development is not driven by West Byfleet residents or their interests
- What happens to the existing library?
- Removes sunshine from balconies and patios from Lavender Road East
- Should be no higher than five stories
- Missed opportunity to 'pedestrianise' part of Station Approach
- Existing connections to green spaces are worsened
- West Byfleet needs more shops, cafes and bars
- Village atmosphere needs to be retained
- Commercial elements should only be single height - not double height
- Adverse impact upon traffic and parking along Madeira Road
- Would make sense to have a phased development
- Disruption during construction period likely to be 2.5 years
- Loss of library, post office, chemists
- Loss of existing public car park – no plans for parking during any build period
- No affordable housing
- Inadequate parking spaces for number of dwellings proposed

## 26 SEPTEMBER 2017 PLANNING COMMITTEE

- No allocation to replacement post office, library, chemists etc.
- No specification of how the “community space” will be used
- Likely congestion at entrance to car park
- Siting of delivery/loading bays will affect the flow of traffic
- Despite consultations the views of most people appear to have been ignored
- Impact upon Health Centre due to extra demand for services
- Local schools will be overwhelmed
- Don't want just big chain shops
- Loss of mature trees
- Housing need in the area is for family homes – not 1 and 2 bedroom flats
- No plan for keeping the shops open during any build period – loss of jobs
- Shops proposed have a much bigger footprint than current shops and there would be far fewer units
- Generation of noise
- Overlooking
- Existing pedestrian crossings at Byfleet corner are inadequate
- Broadoaks development would also add to traffic
- Loss of light
- Adverse impact upon listed St John's Church
- Adverse impact upon Conservation Areas
- Loss of office space which conflicts with Policy CS3
- Existing public car park is inadequate in size – proposal should increase level of public car parking
- Only 5 metres of pavement alongside a busy road; seems insufficient (Old Woking Road)
- Site will be dark and windy
- Will levels of sunlight to be achieved to the public square be meaningful?
- With this proposal, Sheerwater, Broadoaks and the Woodham New Town there is too much over-development of the local area
- Increased air pollution
- This is a major development for the village; 3 / 4 of the residents have not been told about this planning application  
*(Officer Note: The applicant conducted a public consultation exercise prior to submission of the application to the Council. The Council sent neighbour notification letters to in excess of x600 addresses both upon initial receipt of the application and upon receipt of amended plans. Furthermore the application has been advertised by press and site notices upon both initial receipt and receipt of amended plans. Statutory notification requirements have therefore been exceeded)*
- Existing library in its characteristic 13 sided building would be lost
- Will Coronation Stone of Queen Elizabeth II, which is located by Costa Coffee, and which was relocated when Sheer House was built, be relocated?
- Existing public toilet would be lost
- Will shops be wheelchair accessible?
- Provision of building for public use is too small
- The Woking Core Strategy advocates 170 residential units, a housing density of 50-200 dph and an additional 13,000 sq.m of retail space.
- The Neighbourhood Plan for West Byfleet advocates that any major development should be designed to retain the “village feel”
- Historic England identify some harmful impacts associated with the development and suggest a reduced scale and enhanced design
- West Byfleet car ownership is higher than the average in Woking as well as higher

## 26 SEPTEMBER 2017 PLANNING COMMITTEE

than the average car ownership levels in the UK

- Underground parking may be a deterrent
- Suggestions for alternative parking on the recreation grounds are likely to be strongly opposed  
*(Officer Note: No such proposal forms part of the current application)*
- Adverse impact of construction traffic upon area
- Not attractive to short-stay customers
- Concerns raised by Thames Water Re: Foul water capacity
- Investment in improving existing play equipment in park is required

**x11** letters neither objecting nor supporting the application (including from the West Byfleet Business Association) have been received raising the following main points:

- Redevelopment only affects 25% of the retail space by number of units and less by area
- Vital that it is made clear by developers and WBC that West Byfleet remains open for business during the redevelopment period
- Inadequate parking provision
- Concern over quality and location of delivery bays
- Only appear to have larger units aimed at larger companies; final scheme should provide for predominance of smaller shop sizes of between 100 sq.m and 200 sq.m  
*(Officer Note: The retail unit sizes, and numbers, would form part of further reserved matters applications should outline planning permission be granted and are not for consideration at this outline stage)*
- West Byfleet lacks critical mass as a retail centre so the increase in retail space is welcomed
- Lack of office space will have an impact upon lunch/daytime trading
- Problems at times with over-flowing drains; will allowance be made to increase capacity?
- Important that the library is maintained
- Important that library, post office and chemist are kept open, and some public car parking is provided, during the redevelopment works
- Would prefer development is not so tall
- No mention of replacement public toilets
- Subterranean tunnel should link to shops on south side of Old Woking Road
- Understand that children's playground in adjacent park could be temporarily closed to accommodate parking during construction; surely temporary decking could be used and turf reinstated afterwards  
*(Officer Note: No such proposal forms part of the current application)*
- Increasingly derelict site leads to a lack of confidence and investment by owners and occupiers
- The scheme does need to be viable and produce an incentivising return for the developer
- The design of the scheme and quality reputation of the developer should produce a significant and badly needed improvement to the village
- Concerns raised by Thames Water Re: Foul water capacity
- No mobile phone masts should be put on the roof of the new buildings; the existing mobile phone masts are hideous

**x8** letters of support have been received raising the following main points:

- Will add vibrancy and character to what is currently a gloomy, dated and under-used tower block

## 26 SEPTEMBER 2017 PLANNING COMMITTEE

- Will entice a younger generation to live in the area to balance the population
- Will bring in much needed business to local shops and cafes
- New retail and leisure units will help make West Byfleet a destination
- Will put West Byfleet on the map
- Why not create an additional underground level of public parking?
- This important site currently no longer makes the useful contribution to the business health and vibrancy of the village as it used to
- There is a huge shortage of homes

### **Amended plans submission representations**

The below summarises the representations received during the public consultation following the submission of amended plans relating to the north-west corner of Building B1. For clarity this is the period from 5<sup>th</sup> June 2017 (inclusive) onwards.

**x43** letters of objection have been received raising the following main points:

- Sheer House is a tarnish on West Byfleet and the need for redevelopment of the site is obvious
- Out of character with the area
- Out of scale with the area
- High density
- Amendments are minor
- Currently building is preferable to the proposed development
- At least two stories too high
- Ground level public spaces will be dark and unwelcome
- Should not be compared to Woking Town Centre; Woking is a large town and West Byfleet is a small village
- Buildings lack architectural quality
- Development is not driven by West Byfleet residents or their interests
- What happens to the existing library?
- Village atmosphere needs to be retained
- Disruption during construction period likely to be 2.5 years
- Loss of library, post office, chemists
- No affordable housing
- Inadequate parking spaces for number of dwellings proposed
- Increase in traffic volume
- Impact upon Health Centre due to demand for services
- Local schools will be overwhelmed
- Impact upon the community during the build period
- Altitude has not listened to the overarching feedback of the community
- Difficult to decipher the volume of data within the application
- Loss of privacy
- Generation of noise
- Impact on poor drainage infrastructure
- Should be a maximum of two/three stories high
- West Byfleet is a village, not a town
- Noise and disruption during construction
- Retailers will suffer
- No affordable housing
- No allocation to replacement post office, library, chemists etc.
- Offers no benefits to the local community
- Despite consultations the views of most people appear to have been ignored
- Loss of mature trees

## 26 SEPTEMBER 2017 PLANNING COMMITTEE

- County Highway Authority (SCC) have raised concerns in terms of traffic
- No plan for keeping the shops open during any build period – loss of jobs
- Shops proposed have a much bigger footprint than current shops and there would be far fewer units
- Overlooking
- Who are Prime Finance (West Byfleet) S.a.r.l?
- Broadoaks development would also add to traffic
- Loss of light
- Adverse impact upon listed St John's Church
- Adverse impact upon Conservation Areas
- Suggestions for alternative parking on the recreation grounds are likely to be strongly opposed
- Impact of construction traffic upon area
- Not attractive to short-stay customers
- Concerns raised by Thames Water Re: Foul water capacity
- Investment in improving existing play equipment in park is required

**x2** letters neither objecting nor supporting the application have been received raising the following main points:

- Although pro-development of West Byfleet to aid facilities for local people and to bring in new business concerned about the height and overall look
- May lose village character
- Could Waitrose have parking underneath to reduce need for height?
- Could Waitrose be moved completely to allow the new development to be wider and less high?
- Would not enhance the area aesthetically
- Should be modified using a sensitive approach to current village character
- Waitrose do not object to the principle of mixed use redevelopment of the site but are keen to ensure that any proposal complements the existing offer in order to support the health of the centre as a whole
- In accordance with Policy CS3 it is essential that any convenience element in the proposal is restricted to a maximum of 2,000 sq.m gross
- Customers are moving away from a traditional weekly main-food shop and undertaking a greater number of smaller yet more frequent trips to a variety of locations, making the convenience sector highly competitive
- As a result of these changes the scale of convenience floorspace cited in Policy CS3 may no longer be appropriate
- Appropriate conditions should be attached to restrict the overall convenience goods provision

**x2** letters of support have been received raising the following main points:

- Area needs to be re-developed
- Object to loss of trees
- Object to inadequate parking provision
- Need to replace the library
- Imperative that temporary locations are made available to post office, pharmacy, library
- During demolition and construction direct access should be maintained from Old Woking Road to the railway station via Station Approach
- Planting should be provided to public areas

Full copies of all representations received are available on the electronic planning file, which

is available to view online.

**RELEVANT PLANNING POLICIES**

National Planning Policy Framework (2012) (NPPF)

Achieving sustainable development

Section 1 - Building a strong, competitive economy

Section 2 - Ensuring the vitality of town centres

Section 4 - Promoting sustainable transport

Section 6 - Delivering a wide choice of high quality homes

Section 7 - Requiring good design

Section 8 - Promoting healthy communities

Section 10 - Meeting the challenge of climate change, flooding and coastal change

Section 11 - Conserving and enhancing the natural environment

Section 12 - Conserving and enhancing the historic environment

South East Plan (2009) (saved policy)

NRM6 - Thames Basin Heath Special Protection Areas

Woking Core Strategy (2012)

CS1 - A spatial strategy for Woking Borough

CS3 - West Byfleet District Centre

CS7 - Biodiversity and nature conservation

CS8 - Thames Basin Heaths Special Protection Areas

CS9 - Flooding and water management

CS10 - Housing provision and distribution

CS11 - Housing mix

CS12 - Affordable housing

CS13 - Older people and vulnerable groups

CS15 - Sustainable economic development

CS16 - Infrastructure delivery

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

Development Management Policies DPD (2016)

DM1 - Green infrastructure opportunities

DM2 - Trees and landscaping

DM5 - Environmental pollution

DM6 - Air and water quality

DM7 - Noise and light pollution

DM8 - Land contamination and hazards

DM16 - Servicing development

DM17 - Public realm

DM20 - Heritage assets and their settings

Supplementary Planning Documents (SPDs)

Design (2015)

Outlook, Amenity, Privacy and Daylight (2008)



## 26 SEPTEMBER 2017 PLANNING COMMITTEE

Parking Standards (2006)  
Affordable Housing Delivery (2014)  
Climate Change (2013)

### Supplementary Planning Guidance (SPGs)

Heritage of Woking (2000)  
Byfleet Corner/Rosemount Parade and Station Approach, West Byfleet Conservation Areas  
Character Appraisal and Design Guidance

### The West Byfleet Neighbourhood Development Plan (2017–2027) (Emerging)

BE1 - Development character  
BE2 - New housing quality  
BE3 - District Centre development character  
BE4 - Sheer House complex (“SHC”) development  
BE5 - Older people accommodation  
BE6 - Residential parking provision  
CE1 - District Centre development  
CE2 - Retail space  
CE3 - Sheer House complex (SHC) mixed use development  
CE4 - Business continuity  
CE5 - Public amenity provision  
CE6 - Sheer House complex (SHC) parking provision  
i1 - District centre parking provision  
i2 - Pedestrian and cycle facilities  
i3 - Wastewater and sewerage infrastructure  
OS3 - Trees and hedges  
OS5 - Access  
S&C4 - Library facilities  
S&C5 - Community facilities parking provision  
S&C6 - CIL Projects

*(Officer Note: The WBNDP is scheduled to be go to referendum on Thursday 5<sup>th</sup> October 2017. Against the criteria set out in Paragraph 216 of the NPPF, the WBNDP should currently be afforded significant weight in the determination of the current application. Should the issue of the any planning decision notice occur after the date of adoption, the policies of the WBNDP should be afforded full weight. This scenario is catered for within the recommendation above).*

### Other Material Considerations

National Planning Practice Guidance (NPPG)  
EU Habitats Directive and the UK Habitat Regulations 2010  
The Community Infrastructure Levy (CIL) Regulations 2010  
Listed Buildings & Conservation Areas Act 1990  
The Natural Environment and Rural Communities Act 2006  
Thames Basin Heaths Special Protection Area Avoidance Strategy  
Circular 06/2005: Biodiversity and Geological Conservation  
Manual for Streets and Manual for Streets 2 (2007 and 2010)  
Design Manual for Roads and Bridges (Updated February 2013)  
Historic England – The Setting of Heritage Assets (2015)  
WBC - Waste & Recycling Provisions for New Residential Developments  
Woking Infrastructure Delivery Plan 2011  
Woking Character Study 2010  
Woking Strategic Flood Risk Assessment 2015  
Woking Economic Development Strategy 2012-2017

## 26 SEPTEMBER 2017 PLANNING COMMITTEE

Site Planning for Daylight and Sunlight (2011) BRE  
Strategic Housing Market Assessment (SHMA)  
Strategic Housing Land Availability Assessment (SHLAA)

Draft Site Allocations Development Plan Document (DPD)

*(Officer Note: In accordance with Paragraph 216 of the NPPF, the draft Site Allocations DPD should be afforded very limited weight until it is submitted to the Secretary of State prior to Public Examination. It should be noted however that part of the application site has been allocated for development within the draft DPD (site ref. UA51)) for mixed use development to comprise of community (including retained or replacement Library), offices, retail (including replacement Waitrose store) and residential development including Affordable Housing).*

### **PLANNING ISSUES**

1. The main planning considerations in determining this application are:
  - The planning policy context
  - Principle of development (including employment, retail, community and residential provision and regenerative benefits)
  - Access, highway safety, capacity and sustainability
  - Alternative Modes of Transport (including walking, cycling, bus services and rail services)
  - Proposed access
  - Parking strategy (including servicing and refuse/recycling collection)
  - Travel Plans
  - Density and the mix of dwellings proposed
  - Impact upon the character of the area and the wider landscape
  - Design Parameters
  - Design Code
  - Impact upon trees and landscaping
  - Impact upon neighbouring residential amenity
  - Operational impacts
  - Air quality impacts
  - Noise and vibration
  - Daylight impacts
  - Sunlight impacts
  - Amenities of future residential occupiers
  - Impact upon the Thames Basin Heaths Special Protection Area (TBH SPA)
  - Biodiversity and Protected Species
  - Impact upon heritage assets (including Conservation Areas, Church of St John the Baptist and Archaeology)
  - Land contamination
  - Flood Risk, Drainage and Water (including surface water drainage and foul water)
  - Affordable Housing
  - Energy
  - Business Continuity
  - Local finance considerations
  - Legal agreement requirements
  - Balancing exercise and conclusions

The planning policy context

## 26 SEPTEMBER 2017 PLANNING COMMITTEE

2. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that *“if regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise”*.
3. The Development Plan comprises Saved Policy NRM6 of the South East Plan 2009 (which is relevant to residential development), the policies contained within the Woking Core Strategy (2012) and the Development Management Policies Development Plan Document (DMP DPD) (2016). A number of other Supplementary Planning Documents (SPD's) and Supplementary Planning Guidance (SPG's) are also relevant to the consideration of this application and these generally provide more detailed information on topic based matters.
4. Proposal reference UA51 (Land at Station Approach, West Byfleet) within the draft Site Allocations DPD relates to the application site (and includes other areas not within the application site). At this stage the Draft Site Allocations DPD has the potential of being a material consideration. However what weight, if any, to be afforded to this is a matter for the decision maker. Until the Site Allocations DPD has been formally submitted for public examination, it is considered that very limited weight can be afforded to it.
5. The West Byfleet Neighbourhood Development Plan (2017–2027) (WBNDP) is scheduled to be go to referendum on Thursday 5<sup>th</sup> October 2017. Against the criteria set out in Paragraph 216 of the NPPF, the WBNDP should currently be afforded significant weight in the determination of planning applications. Should the final determination of this application be after the date of adoption, the policies should be afforded full weight prior to determination. This scenario is catered for in the recommendation above.
6. The National Planning Policy Framework (NPPF) (2012) comprises an overarching set of planning policies and details how the Government expects them to be applied. The fundamental aim of the NPPF is to deliver sustainable development and the document sets a strong presumption in favour of development which is economically, socially and environmentally sustainable. The NPPF provides policy guidance on a variety of planning topics and, where relevant, reference to the NPPF is given in the relevant section of the planning considerations for this application in the sections below. The NPPF is a material consideration in the determination of planning applications.
7. The National Planning Practice Guidance (NPPG) is a web-based resource and provides detailed Government advice on matters which relate to the operation of the planning system in practice. The guidance in the NPPG supports the policies contained within the NPPF.
8. The application site is located within the Urban Area of the Borough and falls within the West Byfleet District Centre and includes retail, commercial and community floorspace alongside a surface public car park and decked private parking and toilet block.

Principle of development (including employment, retail, community and residential provision and regenerative benefits)

## 26 SEPTEMBER 2017 PLANNING COMMITTEE

9. The NPPF states that pursuing sustainable development involves seeking positive improvements in the quality of the built, natural and historic environment as well as in people's quality of life (paragraph 9). The NPPF seeks to boost housing supply significantly and local planning authorities should aim to deliver a wide choice of high quality homes, widen opportunities for home ownership and create mixed, inclusive and balanced communities (para 50).
10. The Council is in the process of preparing its Site Allocations DPD to facilitate the delivery of the requirements of the Woking Core Strategy (2012). The Site Allocations DPD seeks to allocate a site in West Byfleet District Centre (Ref: UA51) to regenerate the area through its redevelopment to provide a mixed use development to comprise of a community facility, offices, retail and residential development. Whilst at this stage the Site Allocations DPD can only be afforded very limited weight for the purposes of development management, the allocation is a clear indication of the Council's commitment to enable positive action to regenerate the District Centre.
11. Policy CS1 of the Woking Core Strategy (2012) sets out that the Core Strategy will make provision for the delivery of the following scale of uses between 2010 and 2027;
  - *4,964 net additional dwellings, with an overall affordable housing provision target of 35%*
  - *28,000 sq.m of additional office floorspace and 20,000 sq.m of warehousing floorspace.*
  - *93,900 sq.m of additional retail floorspace.*

*and that "most of the new development will be directed to previously developed land in the town, district and local centres, which offers the best access to a range of services and facilities. The scale of development that will be encouraged in these centres will reflect their respective functions and nature (and that) development located in the District, Local and Neighbourhood Centres to provide housing, jobs and convenient access to everyday shops, services and local community facilities will also be encouraged. This must be well designed to enhance their unique and distinctive characters and attractiveness. Uses that will provide convenient access to the everyday needs of the community, including jobs and housing will be encouraged at the District and Local Centres but at a scale that will not compromise their character and/or functionality".*

12. The application site falls within the District Centre of West Byfleet, which is second only to Woking Town Centre in the hierarchy of centres within Woking Borough as defined by the Core Strategy. The function of the District Centre of West Byfleet is stated within the reasoned justification text to Policy CS1 of the Core Strategy as being *"the second largest centre in the Borough with a primary role to serve the needs of Byfleet, West Byfleet, Pyrford, some small centres just outside the Borough Boundary and the rural hinterland surrounding it. A transport interchange that connects the area with both Woking and other parts of the region"*.
13. Supporting text within Paragraph 4.14 of the Core Strategy states that *"the retail ranking of the centre declined between 1998 and 2008 and it is has been suffering a relatively high vacancy level although this is starting to improve. The physical environment of part of the centre is outdated"*.
14. Policy CS3 of the Core Strategy states that:

*"high density mixed-use development will be encouraged within West Byfleet*

## 26 SEPTEMBER 2017 PLANNING COMMITTEE

*District Centre as indicated on the Proposals Map. All new development should be well designed and integrated, and enhance local character. The Council will facilitate the delivery of the following specific proposals at the district centre. The timetable set out to deliver the proposals is indicative and any proposal which brings forward the redevelopment of the district centre in a comprehensive manner will be considered on its merits”.*

15. The indicative development types and amounts set by Policy CS3 are:
  - Housing = 170 units (2010-2027)
  - Employment = 1,000 – 1,500 sq.m of additional office floorspace to be provided as part of mixed-use developments
  - Retail = Potential for up to 13,000 sq.m of additional Class A floorspace including 12,500 sq.m of A1 retail made up of 10,500 sq.m of comparison and 2,000 sq.m of convenience floorspace
  
16. Policy CS3 sets out that “*town centre and residential uses will be acceptable in principle subject to the following requirements (relevant to the current proposal)*
  - *A1 retail uses will be focused in the Primary Shopping area*
  - *In the Primary Shopping area residential and office development should be provided above ground floor level in order to retain active frontages*
  - *The Council will safeguard office floorspace within West Byfleet District Centre and support office redevelopment where it does not result in an overall loss of office floorspace*
  - *The Council recognises the importance to the well-being of the community of adequate community facilities and social and community infrastructure and will seek to safeguard existing facilities and promote new ones where appropriate, as set out in policy CS19*
  
17. Policy CE1 (District Centre Development) of the emerging WBNDP states that “*development within the District Centre which supports its vitality and viability will be supported*”. Policy CE2 (Retail Space) of the emerging WBNDP sets out that:

*Proposed development within the District Centre that results in the loss of retail (Class A1) space through the change of use of the ground floor shops will be only be supported where it is demonstrated that the proposal will not have significant harmful effects on the primary shopping area or the vitality and viability of the District Centre. Proposals that include a predominance of smaller retail units of up to 200 sq.m will be supported.*
  
18. Policy CE3 (Sheer House Complex (SHC) Mixed Use Development) of the emerging WBNDP sets out that:

*Any proposed redevelopment of the SHC should be a mixed use scheme to provide office accommodation (unless it can be demonstrated it would not be viable to do so) and no less retail space than existing, unless it can be demonstrated the loss of retail (Class A1) space through the change of use of ground floor shops will not have significant harmful effects on the primary shopping area or on the vitality and viability of the District Centre.*
  
19. The proposal seeks to deliver between 145 sq.m - 2,000 sq.m of office (Class B1(a)) floorspace and between 3,000 - 5,000 sq.m of retail (Classes A1 - A5) floorspace. Based on the minimum development parameters the proposed development could result in the loss of 200 sq.m of retail (A1) floorspace and 3,055 sq.m of office (Class

## 26 SEPTEMBER 2017 PLANNING COMMITTEE

B1(a)) floorspace in comparison to the existing situation.

20. However, based on the maximum parameters, the level of retail (Classes A1 - A5) floorspace could increase by up to 1,800 sq.m and would contribute towards the indicative development types and amounts set out by Policy CS3. However, regardless of whether the minimum or maximum parameters of office (Class B1(a)) floorspace is delivered on the site, the overall proposal would result in a net loss of B1(a) floorspace within the District Centre of at least 3,055 sq.m. Policy CS3 states that *“the Council will safeguard office floorspace and support office redevelopment where it does not result in an overall loss of office floorspace”*. The proposed development therefore does not comply with this element of Policy CS3 however does involve the redevelopment of the District Centre in a comprehensive manner which Policy CS3 does enable to be considered on its merits, stating that *“any proposal which brings forward the redevelopment of the district centre in a comprehensive manner will be considered on its merits”*.

### Employment floorspace

21. The applicant considers that at present there is reduced demand, and indeed almost negligible demand, for office floorspace within West Byfleet and considers that the downturn in the market for office floorspace within West Byfleet was underlined by the demolition of office buildings in Rosemount Avenue and redevelopment for residential purposes over ten years ago, and that this has been further demonstrated, following the advent of 'permitted development' rights (under the provisions of Part 3, Class O of the GPDO) for the conversion of office to residential, by the conversion of office buildings, particularly Globe House and Roxburghe House, in Lavender Park Road immediately adjacent to the application site.
22. In terms of the market for office floorspace, the applicant considers that West Byfleet suffers from competition from Woking Town Centre, which is regarded as a major commercial centre. The applicant considers nearby Broadoaks as demonstrating the negligible demand for office floorspace within West Byfleet, drawing attention to the fact that an extensive marketing campaign for the office floorspace developed at Broadoaks has consistently failed to deliver any meaningful interest, and that this site now benefits from a resolution to grant planning permission (Ref: PLAN/2016/1003), subject to completion of a legal agreement, for residential and educational uses.
23. The applicant has submitted details of the level of lettings for office floorspace within the last three years (2013 - 2016) for both West Byfleet and Woking Town Centre. In West Byfleet the applicant states that a total of 19 completed lettings have occurred, with an average letting size of 210 sq.m. The applicant states that this compares to a total of 77 completed lettings, with an average letting size of 376 sq.m, within Woking Town Centre during the same period.
24. The applicant considers that the market itself is always the best guide and demonstrates that West Byfleet is not a sought after office location. Whilst it is an attractive well located position, it has over the last 35 years, seen only very modest office development and loss of office floorspace for no other reason than the location does not drive the demand for office use. The applicant also draws attention to the fact that the office floorspace within the current Sheer House was actively marketed and received no interest for that use. It is noted that paragraph 4.17 of the Core Strategy states that *“the market appraisal of employment floorspace in the Borough found limited demand for office development within West Byfleet”*.

## 26 SEPTEMBER 2017 PLANNING COMMITTEE

25. It is also a significant material consideration that not only has the office floorspace within Sheer House been vacant for in excess of three years, thus making no contribution to the vitality and viability of West Byfleet District Centre or the wider Borough, but that the office floorspace within Sheer House contains asbestos, some of which would need to be subject to removal by licensed asbestos contractors prior to any re-occupation, with remaining asbestos elements required to be subject to encapsulation and/or labelling with an asbestos management plan in place to ensure remaining asbestos materials were not disturbed or damaged. Whilst these factors do not in themselves justify the proposed loss of office floorspace they do add weight to the applicant's case in this respect.
26. Overall, whilst the proposal would not accord with the office floorspace element of Policy CS3 of the Core Strategy and Policy CE3 of the emerging WBNDP, this matter will be considered in the planning balance at the conclusion of the report.

### Retail floorspace

27. The proposal seeks to deliver between 3,000 - 5,000 sq.m of retail (Classes A1 - A5) floorspace. Based on the minimum development parameters the proposed development could result in the loss of 200 sq.m of retail (A1) floorspace in comparison to the existing situation. However, based on the maximum parameters, the level of retail (Classes A1 - A5) floorspace could increase by up to 1,800 sq.m and would contribute towards the indicative development types and amounts stated by Policy CS3.
28. The overall level of retail floorspace, including the number and floor area of retail units, would be considered at reserved matters stage, should outline planning permission be granted, although the submitted land use parameter plans show retail uses to be situated within the Primary Shopping Area at ground floor level and capable of demonstrating active frontages within the proposed public square, along the footways of Station Approach, Old Woking Road, Madeira Road and Lavender Park Road. Whilst the proposal could result in the loss of 200 sq.m of retail floorspace in comparison to the existing situation it is considered that the provision of the proposed public square, which would promote daytime and evening activity, and likely increase subsequent 'dwell' time, civic pride, and greatly enhance the pedestrian experience of the site, would considerably outweigh this potential loss in terms of ensuring the overall vitality and viability of the overall District Centre.
29. Overall the principle of the retail element of the proposal is considered to be acceptable and accord with the overarching objectives of Policy CS3 of the Core Strategy and Policies CE2 and CE3 of the emerging WBNDP although would be subject to further scrutiny at reserved matters stage.

### Community floorspace

30. The existing library on the application site constitutes a form of social and community infrastructure, and Class D1 floorspace, for the purposes of Policy CS19 of the Core Strategy. Policy CS19 identifies that the loss of existing social and community facilities will be resisted except in the case of certain exceptions.
31. Policy S&C4 of the emerging WBNDP states that:

*Proposals for the enhancement of library facilities and the provision of additional community facilities will be supported.*

## 26 SEPTEMBER 2017 PLANNING COMMITTEE

32. The submitted parameter plans allow flexibility for the provision of a community facility (Class D1) anywhere across the ground floor of Buildings A, B and C and/or across parts of the first floor of Buildings A and C. The parameters would result in an uplift in existing Class D1 floorspace within the site of between 30 sq.m and 130 sq.m. Whilst the siting and floor area of the Class D1 floorspace would be considered at reserved matters stage the provision of this quantum of Class D1 floorspace is considered to accord with the requirements of both Policies CS3 and CS19 of the Core Strategy and is therefore considered to be acceptable in principle.
33. Representations relating to the retention of the library facility are noted. The library on the application site is operated by Surrey County Council (SCC). The policy requirement of the current Development Plan is that existing social and community infrastructure should not be lost. The application includes the re-provision of community floorspace and therefore complies with the planning policy requirement in this regard. The Local Planning Authority cannot stipulate the exact use of the re-provided Class D1 floorspace (ie. to a library) as this would also be dependent upon the library operator (SCC) however the potential for the re-provided Class D1 floorspace to be used for library purposes exists.

### Residential floorspace

34. The application site is situated within West Byfleet District Centre, outside of the 400m (Zone A buffer) of the Thames Basin Heaths Special Protection Area (TBH SPA) and outside of identified fluvial and surface water flood risk zones. The proposed development would make a significant contribution towards the Core Strategy requirement to provide at least 4,964 dwellings within the Borough between 2010 and 2027 and would provide between 208 and 255 dwellings.
35. The site has been identified within both the Strategic Housing Land Availability Assessment (SHLAA) and the draft Site Allocations Development Plan Document (DPD) for a mixed use scheme with replacement retail and office floorspace on the lower levels and residential units above. The SHLAA states that an indicative density of 160 dwellings per hectare (dph) would be suitable, resulting in a potential yield of 91 residential units.
36. Policy CS10 of the Core Strategy anticipates indicative development densities of between 50 - 100 dwellings per hectare within West Byfleet District Centre. The residential density of the proposal (red line site area) would be between 208 - 255 dwellings per hectare. Whilst this is the case the Core Strategy notes the importance of achieving a balance between making efficient use of land and delivering the right type of housing to meet the needs of the whole community and states that the density ranges set out within Policy CS10 are not intended to be prescriptive, but a guide to inform development proposals. Furthermore the draft Site Allocations Development Plan Document (DPD) states, in terms of the site, that whilst a density of 50-100 dph is the indicative density range established within Policy CS10 for sites in West Byfleet District, that *"a comprehensive scheme to redevelop an existing developed site in a highly sustainable location such as this would warrant a higher density to ensure viability and efficient use of land"*.
37. Therefore, subject to the detailed observations below, no 'in principle' objection is raised to the proposed residential development quantum and densities nor the uses proposed as part of the development scheme which are acceptable uses within the District Centre. In addition the provision of residential floorspace within the



## 26 SEPTEMBER 2017 PLANNING COMMITTEE

development would enhance overall activity within the District Centre, with future residents likely to make use of the retail and community facilities which would be provided on the site, and add further activity to the public square.

38. The proposals also seek sufficient flexibility so that up to 10,250 sq.m of the residential floorspace could be provided for retirement / extra care use (Use Class C2 / C3). The maximum residential (Use Class C3) parameter would have to be reduced accordingly to achieve this. National policy requires local authorities to meet the specific accommodation needs of older people and other vulnerable groups. It is important that the Council provides increased housing choices in terms of specialist accommodation, and appropriate dwellings that are suitably located close to public transport and other key local services. In addition, offering attractive alternative housing choices for older people and other vulnerable groups would assist the Council in freeing-up family sized homes that are currently under occupied.
39. The growing elderly population can often benefit from a higher level of on-site support. The isolation of the growing elderly population is not conducive to social inclusion, balanced communities and sustainable development. It is therefore important for these types of development to be located in accessible areas, close to main facilities and public transport routes to best cater for residents, staff and visitors, and promote social inclusion. Policy CS13 of the Core Strategy sets out that "*the Council will support the development of specialist accommodation for older people and vulnerable groups in suitable locations*". The site is considered to be within a highly sustainable location, close to key services and public transport routes and would promote social inclusion. Therefore no 'in principle' objection is raised to the provision of retirement / extra care use (Use Class C2 / C3) floorspace on the site although this would be considered further at reserved matters stage.

### Regenerative benefits

40. The proposal includes the provision of a new high quality public square measuring a minimum of 1,288 sq.m in area and which would be at the centre of West Byfleet District Centre and offer substantial opportunity for daytime and evening use which would activate this substantial new public space. The site forms the core retail area of the District Centre however the existing buildings on the site have little or no relationship to the street due to their set back position from the street and footway and the depth of surface level car parking between the street and the buildings. These factors diminish the existing pedestrian experience of the site, with those footways serving the retail units facing onto the surface level car park in particular very restricted in width and constrained by guardrails. There is virtually no public space on the existing site for relaxing or meeting friends and family, public seating is hard to find and there is little coordination of street furniture. Paragraph 73 of the NPPF recognises that access to high quality open spaces can make an important contribution to the health and well-being of communities.
41. Whilst in outline form the parameter ground floor land use plan ensures that active uses are produced at ground floor level in order to activate both the public square and the pedestrian realm along Station Approach, Old Woking Road and Madeira Road. The public square would provide a very significant new 'urban' space within the centre of West Byfleet which would not only be activated by ground floor level uses, with potential for 'spill out' into the perimeters of the square for the placing of restaurant/cafe tables etc. but would also be capable of use for community events and events such as seasonal/Christmas markets, outdoor films and public events as well as providing an attractive space for people to meet and socialise day-to-day. The

## 26 SEPTEMBER 2017 PLANNING COMMITTEE

application is supported by a landscape and public realm strategy, which whilst illustrative at this stage, sets out how a very high quality public realm could be achieved both within the square and the pedestrian frontages. The resulting retail floorspace would also be re-provided within modern units and would benefit from much greater connection to public realm and the pedestrian experience, which would itself be enhanced through the restriction of car parking to basement level.

42. The layout of the development would provide a clear and legible 'civic gateway' into the public square from the Old Woking Road / Station Approach side with the St John the Baptist Church spire framed by the building blocks and serving to 'anchor' the public square in the opposing direction. The public square would support and promote social integration with the illustrative landscape and public realm strategy showing potential for a raised planter with a raised lawn, seating edge and large feature specimen tree to form a focal point to the square. There is potential for bench seating, feature lighting and a high quality of hard and soft landscaping to provide a unified approach in place of the current mixed palette of materials. The public square would also be further activated by the use of the first floor level terrace to Building C, which would overlook the square. The civic edges along Station Approach, Old Woking Road and Madeira Road would also be improved and the Station Approach elevation would also be enhanced by the first floor level podium amenity space to Building B.
43. Overall clearly Policy CS3 of the Core Strategy envisages significant change for West Byfleet District Centre during the current Development Plan period to 2027. Whilst the proposal would not accord with the office floorspace element of Policy CS3 of the Core Strategy and Policy CE3 of the emerging WBNDP, this matter will be considered in the planning balance at the conclusion of the report. The principle of the retail, community and residential elements of the proposal are considered to be acceptable and accord with the overarching objectives of Policy CS3 of the Core Strategy and Policies CE2 and CE3 of the emerging WBNDP although would be subject to further scrutiny at reserved matters stage. The regenerative benefits of the new public square and enhanced civic edges, are considered to be a very significant public benefit of the scheme which would enhance the pedestrian experience of West Byfleet District Centre and have overarching benefits for the District Centre.

### Access, highway safety, capacity and sustainability

44. The NPPF promotes sustainable transport (Chapter 4). Decisions should take account of whether:
  - the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure;
  - safe and suitable access to the site can be achieved for all people; and
  - improvements can be undertaken within the transport network that cost effectively limits the significant impacts of the development. Development should only be refused on transport grounds where the residual cumulative impacts of development are severe.
45. The NPPF also advises that developments which generate a significant amount of movement should be supported by a Transport Assessment and Travel Plan. These requirements are reflected within Policy CS18 of the Core Strategy. The applicant has submitted a Transport Assessment (including a Transport Assessment Update), a Draft Residential Travel Plan and Draft Commercial Travel Plan and these have been assessed by the County Highway Authority (Surrey County Council).

## 26 SEPTEMBER 2017 PLANNING COMMITTEE

46. The application site currently comprises approximately 3,200 sq.m of office space, 3,200 sq.m of retail space and a library (170 sq.m) along with parking for an estimated 155 cars including circa 76 spaces for the office space accessed via a ramp from Lavender Park Road, 67 spaces in a public surface car park (accessed from Lavender Park Road with cars egressing onto Station Approach) and 12 spaces accessed from Madeira Road. Only the 67 spaces within the public surface car park are available for public use.
47. The application site is bounded by the Old Woking Road to the south, Station Approach to the west, Madeira Road to the north and Lavender Park Road to the east. The surrounding area comprises a mixture of land uses with a Waitrose supermarket plus surface car parking and a Health Centre to the west, retail, commercial and residential uses to the north and south, residential uses and St. Johns Church to the east, with further residential uses to the east and west along Madeira Road. West Byfleet Railway Station is located approximately 100 metres to the north and can be accessed via Station Approach and Lavender Park Road from the site. There are a number of shops and restaurants along Station Approach, Madeira Road and Old Woking Road. There are a number of schools within the vicinity including the West Byfleet Infant and Junior Schools on Camphill Road to the east.
48. The applicant's highways and transport consultant recorded traffic flows into and out of the application site at the entrance and exit from the public car park on Lavender Park Road and Station Approach between 07:00 and 10:00, and again between 16:00 and 19:00, on Wednesday 2<sup>nd</sup> December 2015. The results of the traffic flow survey revealed a total of 247 two-way (in and out) movements during the weekday morning peak period (0700 – 1000) and 251 two-way (in and out) movements during the weekday evening peak period (1600 – 1900).
49. Road traffic conditions within West Byfleet are influenced by residents travelling to and from work along with activity associated with the schools and local shops. The office floorspace of Sheer House, which is currently vacant, would have attracted a number of vehicular trips with parking for up to 76 cars on the decked level.
50. Old Woking Road is the main vehicular route through West Byfleet connecting it with Byfleet to the east and Woking to the west; the junctions with Station Approach and Camphill Road take the form of signalised junctions. Station Approach, Madeira Road and Lavender Park Road facilitate access to the local area, including the application site, with junctions operating under priority control.
51. To improve the pedestrian accessibility of the site, and connectivity in the wider area, it is proposed to introduce a raised table at the Madeira Road / Station Approach junction and a further raised table and pedestrian crossing on Lavender Park Road north of the junction with Camphill Road.
52. The baseline scenario assumes the occupation of the existing office floorspace within Sheer House, which has a floor area of approximately 3,200sqm. The potential trip generation for the occupation of the existing office floorspace has been estimated based on trip rate information from the TRICS (Trip Rate Information Computer System) database considering all sites in England, outside of Greater London, within the Employment - Office category with a gross floor area between 2,000sqm and 3,000sqm surveyed since January 2008. The exercise revealed 39 weekday multi-modal surveys.

## 26 SEPTEMBER 2017 PLANNING COMMITTEE

53. The submitted Transport Assessment, due to the nature of the application, considers several different scenarios to understand the likely trip rates associated with the proposed development. These scenarios included differing amounts of retail/restaurant space and commercial space within the parameters sought. The trip rates have been generated using the TRICS database: an industry standard tool.
54. On production of the trip rate data, the applicant has decided to utilise the "*worst case scenario*"; that is the division of land use within the site, within the parameters sought, which would generate the most additional trips. The County Highway Authority (SCC) consider this approach acceptable in that it means that any further modelling that is carried out will produce the most robust results.
55. Due to the range of land uses, the existing site use and the location of the site, an assessment of existing and proposed linked or by-pass trips has not been undertaken. Linked or by-pass trips are those that are already on the public highway network and are not specifically generated by the proposed development. The County Highway Authority (SCC) comment that there is very little scientific analysis available to quantify these trips, and considering the key junctions and routes in the area are already being used by this traffic it is considered acceptable to focus more on the trips actually generated directly by the development itself.
56. The Transport Assessment has further subdivided the trip rates into modes of travel, or modal split data. This is particularly important at this location due to the good quality of public transport network links (West Byfleet Railway Station, Bus Stops) as well as accessible pedestrian and cycle links.
57. Finally, the Transport Assessment details future scenarios including the use of TEMPro growing factors, developed by the Department for Transport (DfT), to indicate the likely additional growth on the public highway network over the course of the various scenarios until the year 2028. The County Highway Authority (SCC) is satisfied with the accuracy of these elements.
58. The Transport Assessment includes details of the existing situation regarding the junctions between Old Woking Road/and Old Woking Road/Camphill Road. The results indicate that these junctions are still operating within capacity, however they do generate significant queues at peak times. In future scenarios this situation does create additional delays and queuing, and with the addition of the proposed development this is predicted to be exacerbated mostly on Station Approach and Pyrford Road. However, the change is considered relatively small; that is the impact of the proposed development is not likely to change the on-highway delay/queuing significantly.
59. Further junctions were also subject to modelling assessments including:
  - Madeira Road West/Station Approach South/Madeira Road East
  - Madeira Road/Station Approach/Lavender Park Road
60. The results of modelling assessments at these further junctions indicates that they currently function within capacity and will continue to do so on completion of the proposed development and taking into account background traffic growth. The County Highway Authority (SCC) is satisfied with the accuracy of the modelling assessments.
61. Condition 27(d) requires, if not already provided by the Broadoaks redevelopment, installation of microprocessor optimised vehicle actuation (MOVA) upgrade to the A245 Old Woking Road - Parvis Road / Station Approach / Pyrford Road / Camphill Road traffic signal junction, including recalibrating the signal controller with current

## 26 SEPTEMBER 2017 PLANNING COMMITTEE

traffic survey movement data in accordance with details to be submitted to and approved in writing by the Local Planning Authority. This would provide mitigation for the proposed development.

### Alternative Modes of Transport

62. The NPPF advises that the transport system needs to be balanced in favour of sustainable transport modes, giving people a real choice about how they travel.

#### Walking

63. There is a good network of footways in the vicinity which includes footways adjacent to roads, formal and informal crossings and footways connecting the application site with the surrounding area, public transport opportunities and nearby retail, residential and commercial development.

#### Cycling

64. As with walking, the wider West Byfleet area is well connected in terms of cycling. A number of the streets in the local area are considered suitable for cycling being relatively level, with cycle infrastructure including a shared footway/cycleway along the northern side of Parvis Road east of Camphill Road and the Saturn Trail situated north of the railway line.

#### Bus Services

65. The closest bus stop, located on Station Approach north of Madeira Road, is served by buses on routes 436, 437 and 557. Routes 436 and 437 run from Woking - West Byfleet - Weybridge every 30 minutes Mondays to Saturdays and every 60 minutes on Sundays. Route 557 runs from Woking - West Byfleet - Shepperton and Sunbury Tesco every 60 minutes Mondays to Sundays.

#### Rail Services

66. West Byfleet Railway Station is located less than 100 metres north of the application site. There are 8 services departing per hour at West Byfleet railway station on a typical weekday including (i) two services per hour to Woking (ii) four services per hour to London Waterloo and (iii) two services per hour to Alton.

### Proposed vehicular access

67. There are currently three vehicular accesses/egresses servicing the application site with one each from Lavender Park Road, Madeira Road and Station Approach. The proposals associated with this planning application include the closure of the vehicular accesses/egresses on Lavender Park Road and Station Approach, and modifications to the access on Madeira Road.
68. The closure of the existing vehicular accesses/egresses on Lavender Park Road and Station Approach would be implemented via a Section 278 Agreement (under the Highways Act 1980) with associated changes to the Traffic Regulation Orders.

### Parking strategy (including servicing and refuse/recycling collection)

69. SPD 'Parking Standards (2006)' sets maximum parking standards, with the objective

## 26 SEPTEMBER 2017 PLANNING COMMITTEE

of promoting sustainable non-car travel. It advises that where car parking provision falls below the stated maximum standard the scheme needs to be examined to ensure it does not have an adverse impact upon highway safety, the free flow of traffic or parking provision in the locality. More recently, Policy CS18 of the Core Strategy highlights the Council's commitment to sustainable transport modes. With this in mind new development is steered to urban locations, such as the application site (within West Byfleet District Centre) that are served by a range of sustainable transport options.

70. Whilst Policy CS18 states that the Council will move towards minimum parking standards for residential development, SPD 'Parking Standards (2006)' remains in place and the NPPF states that in setting local parking standards local planning authorities should take into account the accessibility of the development; the type and mix of the development; the availability and opportunities for public transport; local car ownership levels; and the need to reduce the use of high emission vehicles.
71. SPD 'Parking Standards (2006)' sets maximum residential car parking standards of 1 car space (1 bedroom unit), 1.5 car spaces (2 bedroom unit) and 2 car spaces (3 or more bedroom unit). The SPD also sets maximum car parking standards for other forms of development, including Classes A1 - A5, B1(a) and D1 and states that "*for car parking the standards define the maximum acceptable provision for the most common forms of development. Provision above this level will not normally be permitted*".
72. Although not yet adopted the emerging West Byfleet Neighbourhood Development Plan (WBNDP) sets out both general parking provision for the Neighbourhood Plan area, and parking provision specific to the application site, within Policies BE6, CE6 and I1.
73. Policy BE6 (Residential Parking Provision) of the emerging WBNDP sets out that:

*Proposals for residential development must provide for a safe environment through the provision of off-road parking. Residential development should seek to meet the following minimum parking standards:*

- *1 bedroom property: 1 car space*
- *2-3 bedroom property: 2 car spaces*
- *4+ bedroom property: 3 car spaces*

*Unless it can be clearly demonstrated that alternative requirements are necessary due to the nature and accessibility of residential development or the availability of public transport.*

74. Policy CE6 (SHC Parking Provision) of the emerging WBNDP sets out that:

*The current level of public off-road parking spaces available to shoppers and visitors in the SHC redevelopment (66) should not be reduced.*

75. Policy i1 (District Centre Parking Provision) of the emerging WBNDP sets out that:

*Proposals for development within the District Centre must include provision of parking spaces for shoppers, retailers and residents and must demonstrate that*

## 26 SEPTEMBER 2017 PLANNING COMMITTEE

*they will not result in on-street parking to the detriment of highway safety or adverse impact on the character of the area.*

76. There is currently parking for up to 155 cars on the application site of which 76 are associated with the currently vacant office floorspace within Sheer House, 12 to the rear of the retail units accessed from Madeira Road, and 67 surface parking spaces for public use.
77. The proposals include provision for up to 247 parking spaces, 67 of which will provide a like for like replacement of existing public parking spaces at the site. The remainder will be for the proposed residential units. Parking would be provided in an underground basement car park accessible from Madeira Road. A car club space is proposed to be provided on Madeira Road, to the east of the junction with Station Approach.
78. The minimum car parking space parameter is 190 spaces with the maximum 247 spaces. The submitted illustrative scheme shows 214 spaces. Taking into account that 67 of these spaces would provide a like for like replacement of existing public car parking at the site and that the remainder would be allocated for the proposed residential units, the minimum residential car parking provision would be 123 spaces (ie. 190 minus 67) with the maximum residential car parking 180 spaces (ie. 247 minus 67). Whilst the precise number of residential units, and housing mix (ie. split between 1/2/3 bedroom units), would be considered under reserved matters applications, taking into account that the minimum residential parameter is 208 units and the maximum 255 units, the minimum parking provision would be 0.6 spaces per residential unit with the maximum 0.7 spaces per residential unit.
79. It is acknowledged that these residential parking ratios do not accord with Policy BE6 of the emerging WBNDP however the provision of car parking on the site has to take account of numerous factors. The proposed car parking would be provided entirely at basement level to ensure that the quality of the public realm, including the proposed public square, would not be compromised by surface car parking as per the existing situation. The provision of active ground floor uses and frontages also prevents car parking being provided at surface level. The applicant has explored providing car parking in a multi-storey model however this compromised the urban design and architecture of the proposal.
80. Furthermore in this instance it is a significant material consideration that the application site is located within West Byfleet District Centre within only 100 metres of West Byfleet railway station and within immediate proximity to a range of retail and community facilities and other public transport connections, such as bus, cycle and pedestrian facilities, available within West Byfleet District Centre. Furthermore kerbsides within West Byfleet District Centre are subject to waiting restrictions and parking charges.
81. Condition 27(a) requires provision of a new car club bay on Madeira Road which would absorb some of the pressure for individual vehicle ownership and potential consequent on street car parking.
82. For these reasons the proposed residential units would likely be attractive to non-car owners and are thus consistent with the planning objective to reduce greenhouse gas emissions. In light of the above, and taking into account the locational characteristics of the site within West Byfleet District Centre, including its proximity to key services and public transport accessibility, it is not considered that the level of car parking

## 26 SEPTEMBER 2017 PLANNING COMMITTEE

would result in undue pressure upon the availability of off-site parking in the locality or have a materially adverse impact upon the free flow of traffic and highway safety. The proposal is therefore considered to comply with the National Planning Policy Framework (2012), Policy CS18 of the Woking Core Strategy (2012) and SPD 'Parking Standards (2006)'.

### Servicing

83. The existing uses on the application site generate a number of servicing trips through the day with the office floorspace, although currently vacant, likely to attract the highest number. It is relevant to note that the majority take the form of vans with vehicles larger than 7.5 tonnes not permitted on the existing decked car park. The retail units along Station Approach and "within" the car park predominantly currently receive deliveries via the car park or from the street.
84. The proposed development includes the creation of three new on-street loading bays capable of accommodating vehicles up to and including articulated HGV as below:
  - A loading bay will be created at the southern end of Lavender Park Road. The loading bay which will be created as a "shared" facility will be located to serve units fronting Lavender Park Road and Old Woking Road, as well as for refuse collection from the basement. The facility would be delivered via a Section 278 Agreement (under Highways Act 1980) with associated changes to the Traffic Regulation Orders.
  - A loading bay will be introduced on Station Approach to the south of Madeira Road. The facility which will serve units fronting Station Approach and would be delivered via changes to the Traffic Regulation Orders.
  - A new loading bay would be created on Station Approach north of the junction with Old Woking Road by extending the nearside lane north. It is anticipated that the facility would be used by occupiers in buildings which achieve access from the public square and fronting Old Woking Road. The facility would be delivered via a Section 278 Agreement (under Highways Act 1980) with associated changes to the Traffic Regulation Orders.

### Refuse/Recycling Collection

85. The submitted illustrative scheme includes refuse/recycling bin stores for each building housed within the basement, along with a site bin store with access from the basement and Lavender Park Road. It is anticipated that site management would transfer the bins from the dedicated bin stores to the site bin store on collection days from where they will be taken up to Lavender Park Road for collection by a vehicle within the loading bay to be created on Lavender Park Road. This matter would be considered further at reserved matters stage although is considered to be capable of an acceptable solution on the basis of the illustrative scheme submitted.

### Travel Plans

86. The proposed development includes residential, retail, community and employment uses. However the size of the commercial floorspace, along with the size of the retail units, is such that the individual units would not warrant individual Travel Plans.
87. As such, the applicant proposes that two Travel Plans are prepared as follows;



## 26 SEPTEMBER 2017 PLANNING COMMITTEE

- A Commercial Travel Plan which covers the non-residential elements of the scheme which will primarily focus on information provision.
- A Residential Travel Plan which focuses on information provision and includes a Welcome Pack for the first residential occupiers and provides information on sustainable travel.

### Density and the mix of dwellings proposed

88. Delivering an appropriate density of development is essential as it ensures the best and most efficient use of land; delivering higher densities on redevelopment sites ensures that less land is required to meet housing need. Increasing densities also promotes sustainable development as more buildings, residences, shops, and services can be provided closer together for ease of walking, to enable a more efficient use of services and resources.
89. The density of the proposed development would be between 208 – 255 dwellings per hectare (based on the minimum and maximum residential parameters). The area encompassed by this density calculation does however include non-residential uses (retail/office/community) and the proposed public square. Having regard to the District Centre location within the Urban Area this density range is considered to be acceptable although consideration should also be afforded to the result of these densities such as how they are manifest in the proposed building heights and the impact upon the character of the area. This will be considered further in later sections of this report.
90. Although subject to change (within the parameters) at reserved matters stage the submitted illustrative scheme includes the following (208no. residential units overall):
- 1 bed 2 person            101
  - 2 bed 3 person            37
  - 2 bed 4 person            61
  - 3 bed 5 person            9
91. Having regard to the District Centre location of the site the illustrative unit mix is considered to be acceptable however, the final mix of residential units would be determined through future reserved matters applications.

### Impact upon the character of the area and the wider landscape

92. One of the core principles of planning as identified in the NPPF is securing high quality design. Paragraph 57 of the NPPF refers to the need to plan positively for the achievement of high quality and inclusive design for all development. Policy CS21 of the Core Strategy states that new development should respect and make a positive contribution to the street scene and the character of the area within which it is located. Policy CS24 of the Core Strategy states that all development proposals are required to provide a positive benefit in terms of landscape and townscape character and local distinctiveness. Policy DM17 of the Development Management Policies DPD (2016) states that development should create or contribute to a safe, attractive, high quality, inclusive and legible public realm which positively contributes to local character and encourages social interaction. The Woking Character Study and the SPD 'Design (2015)' also provide design considerations.

## 26 SEPTEMBER 2017 PLANNING COMMITTEE

93. Chapter 8 of SPD 'Design (2015)' sets out that, within West Byfleet District Centre, there is scope for new and improved public spaces as the evolution of the centre has led to removal of public spaces and quality deteriorating and that the provision of new public space would significantly improve the centre. The SPD goes on to state that in West Byfleet the Sheer House site occupies a significant proportion of the District Centre and, in its current form, has a negative impact on the character of the area.
94. The SPD sets out that, where possible, proposals should aim to re-establish a perimeter block format, building footprints should not be oversized, private space and servicing should not address a public streetscape, new development should take account of any opportunities to provide new pedestrian public space and that proposed uses should enhance the designated centre and not diminish current vehicular parking numbers. Whilst Chapter 8 of the SPD looks in detail at West Byfleet it should also be noted that the SPD states West Byfleet "*is used here as a case study to explain the issues and opportunities faced in suburban centres*". Although an indicative potential layout of new development at Sheer House is shown this is used as an example of development in suburban centres and is not, in itself, a planning policy for the site.
95. In terms of scale SPD 'Design (2015)' states that new proposals should accommodate medium scale buildings (circa 5 – 6 storeys) in a clear block structure with good public space. The provision of successful external spaces has social, economic and environmental benefits for new developments and centres as a whole.
96. Policy BE3 (District Centre Development Character) of the emerging WBNDP sets out that:
- Development within the District Centre (as defined in Figure 14) should reflect local character and proposals should demonstrate how they will conserve and, where possible, enhance, local heritage assets, with particular regard to the Conservation Areas and their settings.*
97. Policy BE4 (Sheer House Complex ("SHC") Development) of the emerging WBNDP sets out that:
- The redevelopment of the SHC will be supported, provided the redevelopment of the site will have a positive effect on the area's townscape character and adjacent Conservation Areas. Development proposals should clearly demonstrate how the scheme will achieve high quality and inclusive design that creates a sense of place and a high quality public realm based on the principles set out in the Design SPD, and in the local character assessment within the Neighbourhood Plan.*
98. Alongside the parameter plans and illustrative scheme a Design Code has also been submitted with the application which sets out a number of urban design principles for the proposed development and which would guide the design of the future phases of the development at reserved matters stage(s). The Design Code sets out a number of mandatory requirements that are included to control urban design and architectural or landscaping details which are considered important to delivering a successful master plan. Additional information is also included as discretionary elements which are desirable but offer flexibility for deviations.
99. The application site is located within the centre of West Byfleet, forming the core retail area fronting onto Station Approach and Old Woking Road and presenting inactive

## 26 SEPTEMBER 2017 PLANNING COMMITTEE

elevations to Madeira Road and Lavender Park Road. Smaller scale retail development lies to the north-west, south-west and south-east alongside a Waitrose supermarket to the south-west. Residential development lies predominantly to the east and provides the general wider context of West Byfleet, interspersed with green space. West Byfleet Railway Station is approximately 100 metres to the north.

100. The application site occupies an area of land within the District Centre, which has been modified through extensive development over the passage of time. The existing buildings on the site have little or no relationship to the street due to their set back position from the street and footway and the depth of surface level car parking between the street and the buildings.
101. The existing ground level falls gently, by approximately 2.4 metres, from a height of + 27.1 AOD (Above Ordnance Datum) at Old Woking Road to + 24.7 AOD at the junction of Madeira Road and Station Approach. The existing application site includes the mixed use Sheer House development; this collection of interconnecting concrete buildings and structures comprises 18 retail units in two parades, five floors of offices rising up from these parades (forming a maximum height of seven storeys) and a raised parking deck for 75 cars. A further area of surface car parking is located around the circular form library. Several Limes form street trees and ornamental shrub beds and London Plane trees are located within the surface car park.
102. The design of the existing Sheer House complex is very much of its 1960s time, having a bold, brutalist and modular appearance, and a rigid geometric layout. The core office block is surrounded by lower secondary elements, comprising retail units and car parking decks, all deferring to the core office block. In terms of hard and soft landscaping of the existing site there is currently nothing of note to soften the brutalist design of the Sheer House complex and public realm is very limited due to the predominance of surface car parking, prominent servicing areas and the general landscape of the existing site showing vehicular priority, which is somewhat exacerbated by convoluted pedestrian access points.
103. The zone of visibility for the existing site is relatively limited, despite the height of the Sheer House office building. The close urban grain of West Byfleet, combined with the presence of mature trees within the streetscape, public parks, private gardens and golf courses and the very gently undulating landform within the vicinity obscure long views towards the site.
104. The proposal comprises five main building blocks, three of which would be interconnected, arranged around a public square and a podium level roof garden. The five main building blocks would range in height from five to seven storeys which will provide a high level of enclosure to the external spaces and a strong articulation to the surrounding built form and spaces within the centre of West Byfleet. The main square would form a significant new public space central to the District Centre whilst the roof gardens and podium (Building B) would be allocated for private residential amenity.

### Design Parameters

105. Parameter plans set the limits of horizontal deviation for each of the buildings proposed, setting out the minimum dimensions of distances between buildings, and the size of open spaces, including the public square and communal amenity spaces.
106. The limits of horizontal deviation allow for flexibility regarding the extent of each plot of development, architectural expression, and the need to cater for end user

## 26 SEPTEMBER 2017 PLANNING COMMITTEE

requirements through the refinement of proposals as part of the detailed design stage and submission of reserved matters application(s) and have been defined through the consideration of urban design principles within the site, the relationship of the proposed development with adjacent buildings and the need to create suitable pedestrian permeability through the site.

107. The minimum and maximum building dimensions for each building are set out in the table below:

Plot	Width (m)	Length (m)
Building A	15 – 19	71 – 74
Building B1	13 – 19	44 – 46
Building B2	13 – 19	44 – 46
Building C	13 – 19	35 – 37

108. Building lines along Old Woking Road and Station Approach are considered fixed, though there is a degree of flexibility at ground floor along Station Approach to recess the building line back in order to increase the width of the pedestrian routes and allow for architectural expression.
109. A minimum of 6 metres is to be maintained in the gap between Buildings A and C in order to frame the spire of St John the Baptist Church from the public square. To respond to future detailed assessment of microclimate conditions, parameters allow for this gap to increase up to a maximum of 10 metres. To allow for architectural expression of a prominent corner, the north-eastern end of Building A can deviate in accordance with Design Code 04.
110. The setting back of the top floor is permitted in accordance with Parameter Plan 03, although this is not a mandated requirement, except on Building A (see Design Code 02 for further details).
111. Parameter Plans also set the limits of vertical deviation (building height), detailing the minimum and maximum building heights, measured in meters Above Ordnance Datum (AOD) for each building plot within the application site. The limits of vertical deviation allow for architectural expression in respect of the vertical form of the proposed plots of development, whilst ensuring that the height of buildings is appropriate to its surrounding context. The minimum heights are designed to ensure that the development is not uniform in its height or appearance on the skyline.
112. Building set backs are employed within the minimum and maximum levels to allow for the mass of the buildings to be articulated during reserved matters application(s). As indicated on Parameter Plan 04, building parapets and lift overruns / plant housing may be above the stated AOD finished floor level. The Environmental Statement (ES) has been based on the maximum overall height. Whilst it is the AOD height that is defined through the parameter plans, indicative storey heights are also shown based on typical floor to floor heights of 5.5 metres for A1 - A5 Use Class and 3 metres for C2 / C3 Use Classes. Increased floor to floor height is allowed for on the taller elements in order to architecturally express the top of the building.
113. The building plots vary in height between 1 and 7 storeys and vary between a minimum height of AOD + 30.80 (approx. 4.8m AGL (Above Ground Level)) and a maximum height of AOD + 52.3 (approx. 25.3m AGL).
114. The proposed land uses across the site are defined through parameter plans,

## 26 SEPTEMBER 2017 PLANNING COMMITTEE

highlighting areas permitted for residential (Use Class C2 / C3) and mixed-use (Use Class A1 - A5, B1 & D1) units. On the ground floor, the majority of floorspace will accommodate mixed-use units (Classes A1 - A5, B1a and D1). The parameter plans also indicate areas (the north-west element of Building B), where, due to the existing changes in ground levels across the site, mezzanine floorspace would be possible for mixed uses purposes (Classes A1 - A5, B1a and D1). Residential uses at ground floor level are limited to ancillary entrance lobbies and servicing and vehicle access which are proposed to be located on Madeira Road and Lavender Park Road in order to maintain active ground floor frontages.

115. The majority of floorspace at first floor level is allocated for residential (C2 / C3) uses. To allow for the retail or community uses to take advantage of the terrace of Building C to overlook the public square, the parameter plan allows for flexibility for the first floor level of Building C for mixed-use purposes (Classes C2 / C3, B1 and D1). The eastern end of Building A is also marked as mixed-use, to allow for potential floorspace of retail or community uses at first floor level in this location. The typical floor parameter plan proposes residential (Use Class C2 / C3) across the entire floorplate of all Buildings above first floor level.
116. The parameter plans also identify areas considered suitable for building entrances for residential (C2 / C3), retail (A1 - A5), commercial (B1a) and community (D1) uses, minimum footpath widths (including allowances for landscaping), the provision of on-street servicing and loading bays and vehicle and building servicing access locations. A route for fire tender access is to be provided into the public square. Active frontages are permitted along all road-facing elevations around the perimeter of all Buildings and within the public square.
117. The parameter plans also identify the key pedestrian connections that will be created and retained as part of the proposed redevelopment. The primary pedestrian connection is along Station Approach between Madeira Road and Old Woking Road, which is anticipated to facilitate the majority of north/south pedestrian movement from the Railway Station towards the retail centre of West Byfleet. This route would be approximately 5 metres wide (excluding the potential for a recessed colonnade), which could be brought forward at reserved matters stage.
118. Two secondary pedestrian connections are shown. Along Old Woking Road the minimum width would be 5m (including allowances for landscaping to help offset the impact of the Old Woking Road) and the further secondary connection would include a new pedestrian route through the public square towards the Church of St John the Baptist, where the existing pedestrian crossing is to be enhanced across Lavender Park Road. Two tertiary connections are shown, with a minimum width of 2 metres along Madeira Road and 3 metres along Lavender Park Road.
119. The parameter plans also identify public landscaped areas within the scheme, defining the creation of a new 'Public Square' within the application site. The parameter plans show the minimum area this public square would cover. The maximum extent of the public square would be determined by the horizontal deviations for the buildings that surround the square. However the minimum area for the public square would be 1,106 sq.m (0.1106 ha). It is considered that the proposed ground floor uses (including active frontages) and public square, as well as street trees along Old Woking Road and Station Approach will help to define the human scale. The proposed public realm is also considered to be in general conformity with Policy DM17 of the Development Management Policies DPD (2016).

## 26 SEPTEMBER 2017 PLANNING COMMITTEE

120. The parameter plans define the proposed levels for the basement, and the levels of horizontal deviation, which allow the basement to be extended to the ownership boundary. These levels are subject to deviation of +/-1m. Ancillary plant and other systems (ie. SuDs attenuation tanks) may be locally lower than the stated finished floor levels.
121. The parameter plans also set out private landscape areas and locations where balconies could be implemented for residential private amenity spaces. Residential amenity space would be provided by way of communal amenity space, private balconies and terraces where appropriate. Private amenity space could be formed of projecting balconies, inset, or winter-gardens. The design of these amenity spaces would need to be well integrated into the overall building design although this would be assessed under reserved matters applications. For residential units where private balconies would not be provided, communal roof garden space is to be allocated within the same building and accessed by the same core as the residential unit served. The parameter plans set out minimum dimensions for the private landscaped areas, with each building and residential core having access to communal amenity space.
122. The parameter plans also allow that (i) where a residential unit opens directly onto communal amenity space, a proportion of the area can be allocated for use as private garden (ii) where set backs are employed on the top floors, terraces can be used as private amenity space for residential units and (iii) the provision of plant / lift overruns is permissible within the landscape areas. However, consideration would need to be given to the layout and location of roof top plant to ensure it does not compromise the usability of communal amenity spaces although this would be assessed under reserved matters applications.
123. The scheme would form a redevelopment of the core retail and office buildings, providing a mixed retail, community, office and residential development. These existing and proposed features would combine to provide a comprehensive townscape context to enhance the District Centre of West Byfleet.
124. Development of the core of this District Centre would not result in the loss of positive characterising features of the townscape. The replacement of the existing concrete Sheer House complex and associated low level retail parades with a mixed use development of larger scale and massing would invariably increase the density of the townscape although this is the intention of Policy CS3 of the Core Strategy. The buildings would be arranged to form protected private spaces for residents and to define a series of public spaces, including new public square, and rationalised streetscape.
125. The new public square around which the building blocks are arranged would be visible opening out onto Station Approach, providing greater visual diversity within the street scene. Street trees and planted roof terraces would soften the built form and link to trees within the surrounding townscape.
126. The proposal would remove the existing Sheer House complex and create new buildings with vertical and horizontal organisation of the facades that are ordered with a clear hierarchy, it would provide clear and legible active street frontages that directly join the pavement without any intervening boundary and provide a high quality streetscape and wide footways which would reinforce the existing street pattern and maintain the width of footways.

Design Code

127. The Design Code submitted provides the framework for which a future detailed design could be brought forwards and, together with the Parameter Plans, is considered a 'control' document, which any future Reserved Matters application(s) would need to comply with.
128. The gap between proposed Building A and Building C is set between 6 metres and 10 metres to ensure that the St John the Baptist Church spire axis 'anchors' the proposed public square equally between these two buildings.
129. The Design Code acknowledges that the prominent location, height and length of Building A (fronting Old Woking Road) requires articulation and that the top floor of Building A should be in part set back from the principal building facades (ie. those fronting Old Woking Road and the proposed public square), which could be achieved via a continuous set back or a staggered top floor.
130. The Design Code allows for the ground floor corner of Building B2 to be set back to ease the flow of pedestrians between Station Approach and the new public square, and for the ground floor of Building A to be set back to satisfy visibility splays for highways, both through the use of a colonnade.
131. In order to respond appropriately to the geometry of Old Woking Road and Lavender Park Road, the Parameter Plans permit flexibility to the north-eastern end of Building A. The Design Code sets out how a flexible approach to the treatment of the north-eastern end could be implemented within the prescribed level of deviation, through a shallow radius, gentle radius or angled edge.
132. The Design Code requires that all elevations must accentuate a clear top, middle and bottom composition to the elevation which should be expressed through subtle variations to the grid, materials, or set backs on the facade, and that on key elevations recesses and gaps should be employed to distinguish between taller and lower elements and break up longer runs of bays. In terms of depth and texture of the elevations the Design Code requires a clear articulation of window openings through either brick reveals or projecting window frames, and that, where brick reveals are proposed, these should have a depth of between half a brick and one brick.
133. In terms of the material palette the Design Code states that the predominant material for all buildings should be brick to be complimentary in tone and texture to the existing West Byfleet built environment. The Design Code establishes that the design of the public square must provide a clear perimeter and access route across the space for movement and activity, be durable and robust, allow 'spill-out' from buildings (e.g spaces for table and chairs), have a flexible central area suitable for community and market uses, provide seating and informal places to congregate, some of which should be in the sun, be predominantly hard landscaped, provide suitable ventilation for the car park and include a feature tree.
134. The proposed elements of buildings A and B of up to seven storeys would be the tallest in the area. However, these elements would be seen in context of the broad carriageway of Old Woking Road, placing the highest part of buildings A and B where they would correspond with this corner of Old Woking Road and Station Approach and therefore form an appropriate urban design response which would serve to signify the District Centre and provide a balanced 'gateway' to the proposed public square, when viewed from both Old Woking Road and Station Approach.

## 26 SEPTEMBER 2017 PLANNING COMMITTEE

135. Building A would step down in height across its Old Woking Road elevation which would also be capable, at reserved matters stage through application of the submitted Design Code, of being carefully articulated and fenestrated to reduce the visual bulk of the building. Building B would step down to a podium level across much of its Station Approach elevation which would very much reduce the visual bulk of the five storey element of Building B from this street scene.
136. Building C would sit in the street scene context of Lavender Park Road, immediately adjacent to Roxburghe House, which has extant planning permission (Ref: PLAN/2016/0045) for the erection of a two storey extension. The maximum height above ground level (approximately 20.1m) of proposed Building C would measure approximately 2 metres greater than extant Roxburghe House (approximately 18.1m), which is not considered to appear significant in the resulting street scene, and is not considered to result in an oppressive relationship with Drayton Court to the east in terms of townscape character.
137. The south elevation of Building B, west elevation of Building C and north elevation of Building A would enclose the proposed public square although the minimum widths (42m and 46m respectively) and depths (23m and 28m respectively) of the public square are considered appropriate to this District Centre location. It is considered that the public square would make an attractive and welcoming public realm, have a strong sense of place and be well integrated. The perimeter buildings would enclose a new central space which would be well-connected with views of the St John the Baptist Church spire and active ground floor frontages.
138. In summary, whilst the proposed development would clearly mark a significant change to the District Centre of West Byfleet it is considered that the approach to the proposals in terms of design, layout and height is sound and justifiable and would, through application of the Design Code at reserved matters stage, create a high quality addition to West Byfleet District Centre and deliver a significant proportion of the change that Policy CS3 of the Core Strategy seeks to achieve. Moreover, good practice in Urban Design seeks to enhance the general character of the area and to prioritise, and contribute to, pedestrian permeability. The proposal is considered to be particularly effective in how it addresses Old Woking Road and Station Approach and would create a high quality public square and active frontages which would move away from the existing car dominated and prioritised site and to a pedestrianised site which would make a significant contribution to the daytime and evening vitality of the wider West Byfleet District Centre.
139. In this respect the proposed development is considered to reflect Policy CS3 of the Woking Core Strategy (2012) and SPD 'Design (2015)'.

### Impact upon trees and landscaping

140. Policy DM2 of the Development Management Policies DPD (2016) states that development proposals should allow for the retention of the best tree specimens, should not result in the loss of trees or groups of trees of significant amenity value and that trees to be retained will be required to be adequately protected to avoid damage during construction. Policy CS21 of the Core Strategy also requires the retention of any trees of amenity value.
141. Policy OS3 (Trees and Hedges) of the emerging WBNDF sets out that:



## 26 SEPTEMBER 2017 PLANNING COMMITTEE

*Development proposals should retain mature trees wherever possible and the proposed removal of any trees or hedges should be justified. Where a development proposal seeks to justify the removal of a tree or a hedge, it should demonstrate appropriate replacement with a similar variety within the development site to provide the best mitigation of impact on local character and the natural environment. This is a particularly important requirement where trees are removed and replacements need to be located to maintain the integrity of wildlife corridors.*

142. The application is supported by an Arboricultural Impacts Assessment (dated 24 August 2016) prepared by agb Environmental Ltd. Due to the scale of the proposed development, including the provision of a basement across the majority of the site, the proposed development will require the removal of 19no. trees, T28 - T46 inclusive, the majority being London plane, with Lime, Oak and Horse chestnut also represented. The loss of these trees will have a considerable short to medium term visual impact upon local street scenes, particularly Old Woking Road and Station Approach.
143. Whilst this is the case new tree planting is required within the Design Code, including, within the new public square, a large landmark feature tree of a scale and size in keeping with the proposed building forms, to act as a focal point and to provide colour, texture and movement to this space. Furthermore a minimum of five trees suitable for planting in hard landscape, and capable of growing to significant stature and size without causing maintenance problems along Station Approach, are required alongside a minimum of five trees, of a species to contrast with the specimen avenue trees of Station Approach, and of more conical form, along Old Woking Road, by the Design Code.
144. Whilst the ability for new tree planting to provide long-term compensation for all proposed tree removal would be dependent upon species selection, planting location and subsequent aftercare, subject to due consideration being afforded to these factors, and in particular if species selection increases local diversity, ultimately the development has potential to deliver a tree stock of enhanced resilience and local significance than is currently present.
145. The Councils Arboricultural Officer comments that:

*The proposed will require the removal of all the trees on site. Arboricultural information has been provided with details of these trees; the trees on site could not be retained as part of the proposed which is regrettable.*

*The new planting proposals outlined within the Landscape and Public Realm strategy are in principal acceptable and I believe will be a good long term solution to the landscape character of the area, providing large replacement specimens with adequate rooting environments will allow for quick establishment and maximise opportunities for good growth potential, this along with suitable species selection will enhance the area for generations to come. The large specimen planting proposed for the square will provide a significant focal point for the development.*

*There will be a requirement to provide details of underground structures (such as Silva cell) as all the tree planting is within hard surface areas, this should provide sufficient rooting volumes for the proposed trees to support them into maturity, the tree planting crates could help with drainage solutions.*

146. The application is supported by an illustrative landscape and public realm strategy, including an indicative tree strategy, which demonstrates how a network of new tree planting could be brought forwards at reserved matters stage to reinforce street typologies and to add to the identity and legibility of the landscape. Overall the existing trees on the site are not deemed of significant enough value to constrain the layout of the proposed development and retention of existing trees would compromise the proposed development both in terms of urban design and the provision of a good quality public square. It is considered that new tree planting would be capable of mitigating the loss of 19no. existing trees in the medium-long term. Overall the proposal is considered to accord with Policy DM2 of the Development Management Policies DPD (2016), and Policy OS3 of the emerging WBNDP, in terms of impact upon trees. Landscaping would be considered further at reserved matters stage however the submitted illustrative landscape and public realm strategy demonstrates the potential for landscaping of a very high quality and of high public amenity value.

Impact upon neighbouring residential amenity

147. Policy CS21 of the Woking Core Strategy (2012) advises that proposals for new development should achieve a satisfactory relationship to adjoining properties, avoiding significant harmful impact in terms of loss of privacy, light, or an overbearing effect due to bulk, proximity or outlook. Further guidance, in terms of neighbouring amenity impacts, is provided within SPD 'Outlook, Amenity, Privacy and Daylight (2008)'.
148. The key residential properties to assess are Globe House, Roxburghe House (also known as Magna West) and Drayton Court, all located on Lavender Park Road to the east, properties at upper floor levels within Station Approach/Madeira Road to the north and properties at upper floor levels along the opposing, southern side of Old Woking Road.
149. The impacts, in terms of potential loss of privacy and potential overbearing effect due to bulk, proximity or outlook, will be assessed with regard to each nearby residential property in turn and thereafter the daylight and sunlight impacts to each nearby residential property will be assessed in turn.

Globe House

150. Globe House is a three storey building fronting Lavender Park Road to the east, which has recently been converted from office to residential use under the 'prior approval' process (Ref: PLAN/2014/0147) and now comprises of 18no. apartments. Surface car parking is provided to the rear (west) and at basement level. There is a pending planning application (Ref: PLAN/2016/0990) at Globe House (considered elsewhere on this agenda) for extension from ground floor level to third floor level, extending west, to achieve increased living space within several existing apartments and to create 6no. further apartments (3no. studio and 3no. 1 bedroom).
151. Above ground floor level proposed Building B would achieve a minimum separation to the rear (west) elevation of Globe House measuring approximately 18 metres, therefore complying with the recommended minimum separation distances for achieving privacy set out within SPD 'Outlook, Amenity, Privacy and Daylight (2008)' and considered to be appropriate for the West Byfleet District Centre location. Whilst proposed Building B would undoubtedly alter the outlook from existing openings within the rear (west) elevation of Globe House any such redevelopment of the application site would have this effect. Notwithstanding this, and having regard to the locational

## 26 SEPTEMBER 2017 PLANNING COMMITTEE

characteristic of the application site within West Byfleet District Centre, it is considered that no significantly harmful loss of privacy or overbearing effect due to bulk, proximity or loss of outlook, would occur to Globe House contrary to Policy CS21 of the Core Strategy.

### Roxburghe House (also known as Magna West)

152. Roxburghe House is a four storey building fronting Lavender Park Road to the east, which has also recently been converted from office to residential use under the 'prior approval' process (Ref: PLAN/2015/0869) and now comprises of 22no. apartments. Subsequently planning permission has been granted for external changes to the building (Ref: PLAN/2015/1110) and for the erection of a two storey extension to provide 5no. further apartments (Ref: PLAN/2016/0045). Surface car parking is provided to the front and rear.
153. Above ground floor level Building B would achieve a minimum separation to the rear (west) elevation of Roxburghe House measuring approximately 16 metres, therefore complying with the recommended minimum separation distances for achieving privacy set out within SPD 'Outlook, Amenity, Privacy and Daylight (2008)' and considered appropriate for the District Centre location. Furthermore the massing of Building B would stagger back from the common boundary with Roxburghe House by approximately 8.0m above third floor level. This factor would result in the maximum parameter building height directly opposite, and closest to the common boundary, approximating with the retained separation distance, with a further 8.0m of separation distance achieved at fourth floor level. Whilst Building B would undoubtedly alter the outlook from existing openings within the rear (west) elevation of Roxburghe House any such redevelopment of the application site would have this effect. Notwithstanding this, and having regard to the locational characteristic of the application site within West Byfleet District Centre, it is considered that no significantly harmful loss of privacy or overbearing effect due to bulk, proximity or loss of outlook, would occur to Roxburghe House contrary to Policy CS21 of the Core Strategy.
154. It is acknowledged that side-facing (south-east) openings are shown within the extant planning permission (Ref: PLAN/2016/0045) for a two storey extension at Roxburghe House adjacent to Building C. However the south-east facing opening at fourth floor level is shown to serve a bathroom (non-habitable space) with the opening at fifth floor level shown to serve as secondary aspect to a living room, the primary aspect to which is achieved via full height glazed windows onto a private balcony at the front (north-east) which would be materially unaffected by proposed Building C. Given these factors no significantly harmful impact is considered to occur to the side (south-east) elevation of Roxburghe House contrary to Policy CS21 of the Core Strategy.

### Drayton Court

155. Drayton Court is a part two storey, part three storey 1960s development of 17no. apartments situated on the eastern side of Lavender Park Road. Building C has the potential to impact upon part of Drayton Court. Building B would be predominately screened from Drayton Court by both Building C and the existing Roxburghe House. Building A would be offset from Drayton Court. At its closest Building C would be located approximately 20 metres from Drayton Court and would have a conventional 'across the street' relationship with the street-facing elevation of Drayton Court, resulting in the maximum parameter building height approximating with the retained separation distance. This resulting relationship would be similar, in terms of height and separation distance, to that which will result between adjacent Roxburghe House and

## 26 SEPTEMBER 2017 PLANNING COMMITTEE

Drayton Court following implementation of extant planning permission reference PLAN/2016/0045 at Roxburghe House.

156. Whilst Building C would undoubtedly alter the outlook from existing openings within the street-facing (west) elevation of Drayton Court any such redevelopment of the application site would have this effect. Notwithstanding this, and having regard to the locational characteristic of the application site within West Byfleet District Centre, it is considered that no significantly harmful loss of privacy or overbearing effect due to bulk, proximity or loss of outlook, would occur to Drayton Court contrary to Policy CS21 of the Core Strategy.

### Premier House

157. Premier House is located on the opposing (northern) side of Madeira Road to proposed Building B and has been converted to residential use under the office-to-residential prior approval procedure. The property also benefits from extant planning permission (Ref: PLAN/2016/0235) for the construction of a further storey containing 2no. apartments. Building B would be located approximately 12.6 metres from the south elevation of Premier House. Whilst proposed Building B would undoubtedly alter the outlook from openings within the south elevation of Premier House any such redevelopment of the application site would have this effect. Notwithstanding this, and having regard to the locational characteristic of the application site within West Byfleet District Centre, and the resultant 'across the street' relationship' it is considered that no significantly harmful loss of privacy or overbearing effect due to bulk, proximity or loss of outlook, would occur to Premier House contrary to Policy CS21 of the Core Strategy.

### Nos.15 - 16, Nos.24 - 29, Nos.30 - 33 and No.34 Station Approach

158. Nos.15 - 16 Station Approach are located on the opposing, northern side of Madeira Road and contain retail use at ground floor with office space above and therefore no significantly harmful impact, in terms of potential loss of privacy or overbearing effect is considered to occur.
159. Having regard to relevant retained levels of separation between Building B and Nos.24 - 28 Station Approach (located approximately 38 metres to the north), No.29 Station Approach (located approximately 26 metres to the north-west) and Nos.30-33 and No.34 Station Approach (located approximately 24 metres to the north-east), and taking account of the fact that any residential accommodation within properties fronting Station Approach occurs at first floor level and above, and that Nos.32 - 34 Station Approach are slightly offset from the proposed Building B, no significantly harmful impact, in terms of potential loss of privacy or overbearing effect, is considered to occur to residential accommodation within these properties contrary to Policy CS21 of the Core Strategy.

### Nos.7 - 9, Nos. 11 - 15, Nos.17 - 19 and Nos.20 - 23 Old Woking Road

160. A minimum separation distance measuring approximately 26.2 metres would be retained between Building A and properties on the opposing, southern side of Old Woking Road. Again it is also a material consideration that any residential accommodation within properties on the opposing, southern side of Old Woking Road directly opposite Building A occur at first floor level and above. Given these considerations, and having regard to the maximum height parameter of Building A of 25.3 metres Above Ground Level (AGL) no significantly harmful impact, in terms of

## 26 SEPTEMBER 2017 PLANNING COMMITTEE

potential loss of privacy or overbearing effect, is considered to occur to residential accommodation within these properties contrary to Policy CS21 of the Core Strategy.

### Operational impacts

161. In addition to the impact of the built development, the proposals have the potential to impact upon residential amenities through operational impacts, both during construction and post completion/occupation. Subject to detailed design at reserved matters stage, and suitable mitigation where required, the on-site operation of the uses and any fixed plant is not considered to result in any significantly harmful impacts upon the existing occupiers of the nearby residential units or the proposed residential units within the development itself.
162. The development would increase the traffic flows on the roads and lanes adjoining the site. As for the construction phase, the development has the potential to give rise to noise and disturbance through activities on the site including site preparation (including demolition), ground works, foundation works and superstructure works. There is also potential for the development to result in vibration disturbance to the surrounding properties from hydraulic breaking of the existing surfaces and from compaction of materials during development. The development is likely to result in construction noise being clearly audible from a number of surrounding properties and many of these are also likely to be subject to vibration. It is also noted that the scale of the development means these impacts are likely to persist for some period of time. The impacts are, however, temporary and are capable of mitigation through the submission of a Construction Environmental Management Plan. These impacts can also be controlled through the Control of Pollution legislation. It is therefore concluded that while the development would result in temporary harm to the amenities currently enjoyed by the nearby residential properties these temporary impacts should not be a barrier to development progressing.

### Air quality impacts

163. Paragraph 109 of the NPPF sets out that planning should “*contribute to conserving and enhancing the natural environment by... preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution or land instability*”.
164. The Air Quality section of the National Planning Practice Guidance (NPPG) describes the circumstances when air quality can be a planning concern, requiring assessment. The NPPG advises that whether or not air quality is relevant to a planning decision will depend upon the proposed development and its location. Concerns could arise if the development is likely to generate air quality impacts in an area where air quality is known to be poor. They could also arise where the development is likely to adversely impact upon the implementation of air quality strategies and action plans and/or, in particular, lead to a breach of EU legislation (including that applicable to wildlife).
165. Neither the NPPF nor the NPPG is prescriptive on the methodology for assessing air quality effects, or describing significance, however do advise that “*assessments should be proportionate to the nature and scale of development proposed and the level of concern about air quality, and because of this are likely to be locationally specific*”.
166. The Environmental Statement (ES) contains a chapter on air quality which considers

dust effects during the construction phase, and the air quality impacts during the operational phase, of the proposed development. Impacts during the construction of the proposed development, such as dust generation and plant vehicle emissions, are predicted to be of short duration and only relevant during the construction phase. The results of the risk assessment of construction dust impacts undertaken within the ES, using the IAQM (Institute of Air Quality Management) dust guidance, indicates that, subject to the implementation of the highly-recommended mitigation measures described in the IAQM construction dust guidance the residual dust effects during the construction phase should be reduced to a level categorised as “*not significant*”.

167. In terms of the operational impact of the proposed development upon the surrounding area, within the ES detailed atmospheric dispersion modelling has been undertaken for the first year in which the development is expected to be fully operational, 2023. The operational impact of the proposed development upon existing receptors in the local area is predicted to be ‘negligible’, taking into account the changes in pollutant concentrations and absolute levels. Using the criteria adopted for this assessment together with professional judgement, the ES concludes that the overall impact upon the area as a whole would be ‘negligible’.
168. Regarding suitability of air quality at the site for introducing new occupants, pollutant concentrations at the facades of proposed residential receptors are predicted to be well within the relevant health-based air quality objectives. On that basis, future occupants of the proposed development should be exposed to acceptable air quality and the site is deemed suitable for its proposed use in this respect.
169. The NPPG advises that in considering planning permission, the relevant question for air quality is “*will the proposed development (including mitigation) lead to an unacceptable risk from air pollution, prevent sustained compliance with EU limit values or national objectives for pollutants or fail to comply with the requirements of the Habitats Regulations?*” The conclusion of the ES is that the proposed development will not.
170. The Council’s Environmental Health service has reviewed the air quality chapter of the ES and raises no objection to the proposed development on this basis. Overall therefore the proposed development does not, in air quality terms, conflict with national or local planning policies, or with measures set out in Woking Borough Council’s Air Quality Action Plan.

#### Noise and vibration

171. The Noise and Vibration chapter of the Environmental Statement (ES) provides an assessment of the likely noise and vibration effects of the proposed development upon existing noise and vibration sensitive receptors (NVSRs) and to ascertain the suitability of the site for the development and determine any mitigation measures that may be required to ensure suitable internal and external environments.
172. The ES concludes that, with appropriate mitigation, plant utilisation and working methods, and provided that standard control measures are implemented (through a Contractor’s Construction Noise Management Plan or similar), noise generation due to construction works will result in ‘minor adverse’ effects. Traffic generation due to construction works will result in a ‘negligible’ effect.
173. Mechanical and electrical plant on the development, and within all plant areas of the development, would be selected, installed, operated and maintained such as to

## 26 SEPTEMBER 2017 PLANNING COMMITTEE

minimise any distinct characteristics of its noise emissions, such as tonal or impulsive content. Plant would be designed such as to ensure that the resulting cumulative rating level at the nearest noise sensitive receptor does not exceed British Standard 4142:2014 '*Methods for rating and assessing industrial and commercial sound*'. This matter is capable of being controlled through a combination of scrutiny at reserved matters stage and via planning conditions.

174. The Council's Environmental Health service has reviewed the noise and vibration chapter of the ES and raises no objection the proposed development on this basis.

### Daylight impacts

175. In accordance with the maximum parameters of the outline application, including building heights, the impact of the proposed development upon nearby existing residential properties has been assessed by the applicant within a Daylight and Sunlight Assessment carried out in compliance with the methodology outlined within the Building Research Establishment (BRE) Guide 'Site Layout Planning for Sunlight and Daylight: A Guide to Good Practice (2011)' and the British Standard 'BS 8206-2 Lighting for buildings – Part 2: Code of practice for daylighting', both which are a recognised industry tool for assessing these effects. Both are however guides and compliance is not mandatory, since the actual effect can be influenced by other factors. The BRE guidelines are also referred to within the Council's SPD 'Outlook, Amenity, Privacy and Daylight (2008)'. It must be borne in mind that the daylight impacts outlined within the submitted Daylight and Sunlight Assessment represent a 'worst case' scenario since the assessment has been based upon the maximum parameters. In the event outline planning permission is granted, and reserved matters application(s) come forwards at less than the maximum parameters, the potential daylight impacts upon nearby existing residential properties would be reduced.
176. Rooms in adjoining or nearby housing where daylight is required include living rooms, kitchens and bedrooms. Windows to bathrooms, toilets, storerooms, circulation areas and garages need not be analysed as daylight is not required to these rooms.
177. The quality and quantity of natural light in an interior depend on two main factors. The design of the interior environment is important: the size and position of windows and the depth and shape of rooms. The design of the external environment also plays a major role: the quality and quantity of daylight inside a room will be impaired if obstructing buildings are large in relation to their distance away.
178. Vertical Sky Component (VSC) and Average Daylight Factor (ADF) are the primary tests which have been used to assess impact upon daylight.

### Vertical Sky Component (VSC)

179. Vertical Sky Component (VSC) quantifies the amount of skylight falling on a vertical wall or window, measured on the outer pane of the window. This is the ratio, expressed as a percentage, of the direct sky illuminance falling on a reference point (usually the centre of the window) to the simultaneous horizontal illuminance under an unobstructed sky (overcast sky conditions). The maximum value of VSC for a completely unobstructed vertical window pane is 40%. According to the BRE Guide, if the VSC with the new development in place, as measured at the centre of a window, is at least 27% then enough skylight should still be reaching the window of the existing building. If the VSC, with the new development in place, is both less than 27% and less than 0.8 times its former value, occupants of the existing building will notice the

**26 SEPTEMBER 2017 PLANNING COMMITTEE**

reduction in the amount of skylight. Clearly 'noticeable' is a different test than that set out within Policy CS21 of the Core Strategy, which refers to 'significant' harm rather than a 'noticeable' effect.

180. Furthermore, the BRE Guide makes allowance for different target values in cases where a higher degree of obstruction may be unavoidable such as historic city centres or modern high rise buildings. The guide states that the 27% value is *“purely advisory and different targets may be used on the special requirements of the proposed development or its location”*.

Average Daylight Factor (ADF)

181. The most effective way to assess quality and quantity of daylight within rooms is by calculating the Average Daylight Factor (ADF). The ADF, which is a measure of the overall amount of daylight in a space, is the ratio of the average illuminance on the working plane in a room to the illuminance on an unobstructed horizontal surface outdoors, expressed as a percentage.
182. The ADF takes into account the VSC value, i.e. the amount of skylight received on windows, the size and number of windows serving a single room, the diffuse visible transmittance of the glazing used, the maintenance factor and the reflectance of the room surfaces. Therefore ADF is considered as a more detailed and representative measure of the daylight levels within rooms. Where there are multiple windows serving a single room the ADF due to each one can be added together. BS 8206-2 *Lighting for buildings – Part 2: Code of practice for daylighting* recommends, for housing, minimum values of ADF of 2% for kitchens, 1.5% for living rooms and 1% for bedrooms.

<b>Measure of Interior Daylight</b>	<b>Benchmark</b>	<b>Daylight Criterion</b>
Vertical Sky Component (VSC)	27%	If the VSC, with the new development in place, is both less than 27% and less than 0.8 times its former value (i.e a loss of over 20%), occupants of the existing building will notice the reduction in the amount of skylight.
Average Daylight Factor (ADF)	2.00%	Minimum value of ADF for kitchens
	1.50%	Minimum value of ADF for Living rooms and Study Rooms
	1.00%	Minimum Value of ADF for bedrooms

Summary of the daylight analysis for the impact of the new development on the existing buildings of Drayton Court, Globe House and Roxburghe House (maximum parameter)

	<b>VSC Test</b>	<b>ADF Test</b>
--	-----------------	-----------------



**26 SEPTEMBER 2017 PLANNING COMMITTEE**

Building/Floor	Total no. windows	Exist. no. windows meeting VSC Criteria (above 27%)	Prop. no. windows meeting VSC Criteria (retain 27% or less than 20% loss)	Total no. of rooms	Exist. no. rooms meeting ADF Criteria	Prop. no. rooms meeting ADF Criteria
Drayton Court - Ground	10	10	2	10	10	7
Drayton Court - First	10	10	2	10	10	8
Drayton Court - Second	2	2	0	2	2	1
Globe House - Ground	9	3	2	8	4	4
Globe House - First	17	8	10	8	7	6
Globe House - Second	9	8	9	8	7	7
Roxburghe House - Ground	5	0	0	5	3	1
Roxburghe House - First	7	3	4	7	4	4
Roxburghe House - Second	7	6	7	7	5	4
Roxburghe House - Third	7	7	7	7	5	4
Roxburghe House - Fourth	7	7	7	7	7	7
Roxburghe House - Fifth	7	7	7	7	7	7
<b>Total</b>	<b>97</b>	<b>71/97</b> <b>73% comply</b>	<b>57/97</b> <b>59% comply</b>	<b>79</b>	<b>64/79</b> <b>81% comply</b>	<b>53/79</b> <b>67% comply</b>

Globe House (As Existing)

183. The submitted daylight assessment assesses the daylight impact upon windows within

## 26 SEPTEMBER 2017 PLANNING COMMITTEE

the rear (west) elevation of Globe House facing directly towards the application site in the current building form and internal arrangement of Globe House.

184. With regard to daylight the VSC to nine ground floor windows within Globe House would both fall below 27%, and result in reductions of greater than 20% in comparison to the existing situation. Consequently reductions in daylight to these windows would be noticeable to occupiers, however the retained ADF to all but four rooms would exceed the BS 8206-2 minimum values. Of these two living rooms would retain ADF of 1.09% and 0.98% respectively. Whilst these retained ADF values would fall short of the relevant BS 8206-2 minimum value of 1.50% one of these living rooms does not achieve 1.50% ADF as existing. Two bedrooms would retain ADF of 0.52% and 0.77%, in comparison to the relevant BS minimum value of 1.00%.
185. VSC to seven first floor windows within Globe House would both fall below 27%, and result in reductions of greater than 20% in comparison to the existing situation. Consequently reductions in daylight to these windows would be noticeable to occupiers, however the retained ADF to all but two rooms served by these windows would nonetheless exceed the BS 8206-2 minimum values, whereby a reasonable level of daylight would be maintained. Of the two rooms which would not exceed the BS 8206-2 minimum values, both are bedrooms and would retain ADF of 0.73% and 0.89% respectively. Whilst these fall below the relevant BS minimum value of 1.00% the loss in ADF is not significant over and above the existing situation and therefore a significantly harmful loss of daylight is not considered to arise contrary to Policy CS21.
186. All windows at second floor level within Globe House would retain VSC of either 27%, or would sustain losses of less than 20% in comparison to the existing situation. Daylight losses to the second floor windows are therefore unlikely to be noticeable to occupiers.
187. Overall, whilst a noticeable loss of daylight would occur to a number of ground and first floor living rooms and bedrooms within Globe House, retained levels of daylight within the majority of these living rooms and bedrooms is considered to be sufficient such that significant harm would not occur contrary to Policy CS21 of the Core Strategy. Two ground floor living rooms, and two ground floor bedrooms, would sustain losses of daylight which are considered to be significant. Whilst this is the case it is a material consideration that the existing daylight achieved to these ground floor rooms are of values which are very sensitive to any loss of daylight as existing. Given the locational characteristic of the West Byfleet District Centre location overall Globe House is considered to retain good levels of daylight to living rooms and bedrooms. The harmful impact upon a number of rooms has to be weighed against the overall public benefits of the proposed development.

### Globe House (With Proposed Extension)

188. There is a pending planning application (Ref: PLAN/2016/0990) at Globe House (considered elsewhere on this agenda) for extension from ground floor level to third floor level, extending west, to achieve increased living space within several existing apartments and to create 6no. further apartments (3no. studio and 3no. 1 bedroom). Although this adjacent development does not yet benefit from planning permission the submitted daylight assessment has assessed the impact of the proposed development upon Globe House in the event that the Globe House extension is granted planning permission and is implemented.
189. The cumulative impact of the Globe House extension (Ref: PLAN/2016/0990) together

## 26 SEPTEMBER 2017 PLANNING COMMITTEE

with the proposed development would result in retained ADF to two ground floor living rooms of 0.87% (BS min value = 1.50%). With only the proposed development in place these living rooms would retain ADF of 1.09% and 0.98%. A ground floor bedroom would retain ADF of 0.40% (BS min value = 1.00%) however with only the proposed development in place this bedroom would retain ADF of 0.52%. Two further ground floor bedrooms would retain ADF of 0.95% and 0.66% respectively. With only the proposed development in place these bedrooms would retain ADF of 1.94% and 1.06% respectively, which would accord with the BS minimum values. This demonstrates that it is the Globe House extension itself which causes retained ADF values to fall below the BS minimums. However one bedroom would achieve retained ADF of 0.95% which is only 0.05% short of the BS minimum value.

190. A first floor level bedroom would retain ADF of 0.66% although, with only the proposed development in place, this bedroom would retain ADF of 0.73%. This window as existing does not achieve the BS minimum value of 1.00%.
191. With both the proposed Globe House extension in place, and the proposed development in place, the living rooms and bedrooms within the proposed Globe House extension would retain ADF values which would exceed the minimum values set by BS 8206-2 *Lighting for buildings – Part 2: Code of practice for daylighting* with the exception of a single third floor bedroom which would retain ADF of 0.99% as opposed to the relevant BS minimum value of 1.00%. Given this very minor level of shortfall the proposed development is not considered to materially impact upon the provision of adequate daylight to habitable rooms within the proposed Globe House extension.
192. Overall, whilst the proposed development, figured cumulatively with the proposed Globe House extension (Ref: PLAN/2016/0990), would materially impact upon daylight provision to two ground floor living rooms, three ground floor bedrooms, two first floor bedrooms, and a single second floor bedroom, the assessment demonstrates that these daylight impacts are as much a consequence of the proposed Globe House extension as of the proposed development. Given the locational characteristic of the West Byfleet District Centre, Globe House is considered to retain reasonable levels of daylight to living rooms and bedrooms. The loss of daylight to a number of rooms has to be weighed against the overall public benefits of the proposed development.

### Roxburghe House (also known as Magna West)

193. The submitted daylight assessment assesses the daylight impact upon windows within the rear (west) elevation of Roxburghe House (also known as Magna West) facing directly towards the application site. The west-facing windows within the extant two storey extension (Ref: PLAN/2016/0045) have also been assessed.
194. VSC to all ground floor windows within Roxburghe House would both fall below 27%, and result in reductions of greater than 20% in comparison to the existing situation. Consequently reductions in daylight to these windows would be noticeable to occupiers however the retained ADF to one room would exceed the BS 8206-2 minimum standards and this room would therefore retain reasonable daylight levels. Furthermore two ground floor bedrooms would retain ADF of 0.99% and 0.93%, which fall marginally short of the 1.00% BS 8206-2 standard, and would represent losses of approximately 23% in comparison to the existing situation, 3% above that considered by the BRE Guide to represent a 'noticeable' effect. Additionally two living rooms would retain ADF of 0.71% and 0.66% respectively. Whilst these would represent

## 26 SEPTEMBER 2017 PLANNING COMMITTEE

significant shortfalls of the relevant 1.50% standard these retained ADF values would represent reductions of between approximately 17% and 20% of ADF in comparison to the existing situation and are therefore not considered to be significantly harmful having regard to the existing situation.

195. VSC to three first floor windows within Roxburghe House would both fall below 27%, and result in reductions of greater than 20% in comparison to the existing situation. Consequently reductions in daylight to these three windows would be noticeable to occupiers, however, of these three windows, the retained ADF to two bedrooms would exceed the BS 8206-2 standard. Whilst retained ADF to a single living room (1.16%) would fall below the 1.50% value this living room as existing, at 1.41% ADF, does not meet the relevant value and the reduction amounts to approximately 18% in comparison to the existing situation, which is not considered to be significantly harmful to occupiers having regard to the existing situation.
196. VSC to all windows at second floor level and above within Roxburghe House, including the extant two storey extension, would not fall below 27%, and not result in reductions of greater than 20% in comparison to the existing situation, and therefore reductions in daylight to second floor level and above would not be noticeable to occupiers.
197. Overall, whilst a noticeable loss of daylight would occur to a number of ground and first floor living rooms and bedrooms within Roxburghe House, retained levels of daylight within the majority of these living rooms and bedrooms is considered to be such that significant harm would not occur contrary to Policy CS21. Given the locational characteristic of the West Byfleet District Centre, Roxburghe House is considered to retain reasonable levels of daylight to living rooms and bedrooms.

### Drayton Court

198. The submitted daylight assessment assesses the daylight impact upon windows within the street-facing (west) elevation of Drayton Court facing directly towards the application site.
199. VSC to eight out of ten ground floor windows within Drayton Court would both fall below 27%, and result in reductions of greater than 20% in comparison to the existing situation. Consequently reductions in daylight to these windows would be noticeable to occupiers, however the retained ADF to all but three ground floor rooms would exceed the BS 8206-2 minimum standards. Two ground floor living rooms would fall below these standards but would retain ADF of 1.45% and 1.36% respectively in comparison to the 1.50% BS 8206-2 minimum standard. Additionally a kitchen would retain ADF of 1.64% in comparison to the 2.00% BS 8206-2 minimum standard.
200. VSC to eight out of ten first floor windows within Drayton Court would both fall below 27%, and result in reductions of greater than 20% in comparison to the existing situation. Consequently reductions in daylight to these windows would be noticeable to occupiers, however the retained ADF to all but two rooms would exceed the BS 8206-2 minimum standards. A first floor living room would retain ADF of 1.49% in comparison to the 1.50% BS 8206-2 minimum standard, and a kitchen would retain ADF of 1.79% in comparison to the 2.00% BS 8206-2 minimum standard.
201. At second floor level the VSC of a single living room window would fall below 27%, and result in a reduction of greater than 20% in comparison to the existing situation. Consequently reductions in daylight would be noticeable to this room, however the retained ADF to the room would exceed the BS 8206-2 minimum standard. The VSC

## 26 SEPTEMBER 2017 PLANNING COMMITTEE

of a kitchen window would both fall below 27%, and result in reductions of greater than 20% in comparison to the existing situation, although would retain ADF of 1.97% in comparison to the 2.00% BS 8206-2 minimum standard.

202. Overall whilst reductions in daylight to habitable rooms within Drayton Court would be noticeable to occupiers the retained ADF to habitable rooms would largely comply with the BS 8206-2 minimum standards. Where retained ADF would fall below the minimum values the retained daylight values to the relevant rooms are not considered to be significantly harmful taking account of the relatively modest shortfalls from the relevant BS 8206-2 minimum values.

### Premier House

203. Premier House is located on the opposing, northern side of Madeira Road. VSC to some windows within Premier House, with the new development in place, would be both less than 27% and less than 0.8 times its former value (a loss exceeding 20%), however most of the rooms served by these windows would retain ADF values exceeding the BS 8206-2 minimum standards. Therefore a significantly harmful loss of daylight is not considered to occur to those rooms. One living room would retain ADF of 1.39% (BS min value = 1.50%) however this reduction would represent less than 20% of the existing and is therefore not considered to be significantly harmful. A second living room would retain ADF of 0.87%. Whilst this would fall short of the BS minimum value of 1.50% this existing living room, at 1.35% ADF, does not currently meet the BS minimum value. This living room would experience a noticeable reduction in daylight however this would represent the only significant loss of daylight to the six rooms within Premier House and must be weighed against the overall public benefits of the proposal and having regard to the locational characteristic within West Byfleet District Centre.

### Nos.15 - 16, No.17 and No.18 Station Approach

204. Nos.15 - 16, No.17 and No.18 Station Approach are located to the north of the application site on the opposing, northern side of Madeira Road. Nos.15 - 16 Station Approach contain retail use at ground floor with office space above and therefore are not required to be tested in terms of retained daylight provision. VSC to all windows within No.17 and No.18 Station Approach, with the new development in place, would not be both less than 27% and less than 0.8 times its former value (a loss exceeding 20%), and therefore occupants of these buildings would be unlikely to notice the reduction in the amount of daylight.

### Nos.24 - 28, No.29, Nos. 30 - 33 and No.34 Station Approach and Nos.20 - 23 Old Woking Road

205. Nos.24 - 28, No.29, Nos. 30 - 33 and No.34 Station Approach are located to the north of the application site on the opposing, northern side of Madeira Road. Nos.20 - 23 Old Woking Road are located to the south of the application site on the opposing side of Old Woking Road. VSC to all windows within Nos.24 - 28, No.29, Nos. 30 - 33 and No.34 Station Approach and Nos.20 - 23 Old Woking Road, with the new development in place, would not be both less than 27%, and less than 0.8 times its former value (a loss exceeding 20%), and therefore occupants of rooms served by these windows would be unlikely to notice the reduction in the amount of daylight.

### Nos.17 - 19 Old Woking Road

## 26 SEPTEMBER 2017 PLANNING COMMITTEE

206. Nos.17 - 19 Old Woking Road are located to the south of the application site on the opposing side of Old Woking Road. VSC to twelve first and second floor windows within Nos.17 - 19 Old Woking Road would both fall below 27%, and result in reductions of greater than 20% in comparison to the existing situation. It should be noted that some of these windows are projecting 'oriel' windows with the three window 'sides' having all been assessed. However the retained ADF to all but one room would exceed the BS 8206-2 minimum values. One living room would retain ADF of 1.01%, short of the 1.50% minimum value, however this would represent a reduction of approximately 24% in comparison to the existing situation (1.33% ADF) and therefore is not considered to be significantly harmful and must be weighed against the overall public benefits of the proposal and having regard to the locational characteristic within West Byfleet District Centre.

### Nos. 11 - 15 Old Woking Road

207. Nos. 11 - 15 Old Woking Road are located to the south of the application site on the opposing side of Old Woking Road. VSC to six first and second floor windows within Nos.11 - 15 Old Woking Road would both fall below 27%, and result in reductions of greater than 20% in comparison to the existing situation. Consequently reductions in daylight to these six windows would be noticeable to occupiers, however the retained ADF to the two living rooms served by these six windows would exceed the BS 8206-2 minimum standards and therefore no significantly harmful loss of daylight is considered to arise.

### Nos.7 - 9 Old Woking Road

208. Nos. 7 - 9 Old Woking Road are located to the south of the application site on the opposing side of Old Woking Road. VSC to three first floor windows within Nos.7 - 9 Old Woking Road would both fall below 27%, and result in reductions of greater than 20% in comparison to the existing situation. Consequently reductions in daylight to these three windows would be noticeable to occupiers, however the retained ADF to the two rooms served by these three windows would exceed the BS 8206-2 minimum standards and therefore no significantly harmful loss of daylight is considered to arise.

### Sunlight impacts

209. Sunlight is an important issue to consider for the quality of an internal space. The orientation of windows and the position of a building on a site will have an impact upon the amount of sunlight received but will also have an effect upon the sunlight neighbouring buildings receive.
210. Unlike daylight, which is non-directional and assumes that light from the sky is uniform, the availability of sunlight is dependent on the orientation of the window, or area of ground, being assessed relative to the position of due south. To assess loss of sunlight to an existing building, the BRE guide suggests that all main living rooms of housing should be checked if they have a window facing within 90° of due south. Kitchens and bedrooms are less important.
211. If the main living room can receive at least 25% of annual probable sunlight hours (APSH), including in the 'winter' months between 21 September and 21 March (for ease of reference this period is referred to as 'winter months') of at least 5% of APSH, then the room should still receive enough sunlight. In this context 'Probable sunlight hours' means the total number of hours in the year that the sun is expected to shine on unobstructed ground, allowing for average levels of cloudiness for the location in

## 26 SEPTEMBER 2017 PLANNING COMMITTEE

question.

212. Any reduction in sunlight access below the levels above should be kept to a minimum. If the available sunlight hours are both less than the amount above and would be reduced by 20% or more of their former value, either over the whole year or just in the winter months, then the occupants of the existing building will notice the loss of sunlight.

### Drayton Court

213. The retained APSH to all main living rooms within Drayton Court, over both the whole year (BRE min. value = 25%) and the 'winter' months (BRE min. value = 5%), achieve values whereby the rooms should still receive enough sunlight. Furthermore APSH would not be reduced by 20% or more of their former value, either over the whole year or during the 'winter' months. The occupants of Drayton Court should therefore not notice a loss of sunlight to main living rooms.

### Globe House

214. Two ground floor level living rooms within Globe House would retain 18% and 19% APSH respectively. These rooms would also experience a reduction of more than 20% of their former APSH value over the whole year. The occupants of these two main living rooms would therefore notice the loss of sunlight.
215. Two first floor level living rooms within Globe House would retain 3% APSH during the 'winter' months (as opposed to the BRE 5% min. value) and 6% and 7% respectively across the whole year (as opposed to the 25% min. value). However the existing 'winter' month APSH values to these living rooms is 4% with the existing APSH value across the whole year 7% and 8% respectively. Whilst these reductions in sunlight are likely to be noticeable, given the low existing values the level of reduction represents an actual loss of no more than 1% APSH.
216. Overall, whilst a noticeable loss of sunlight would occur to two ground floor living rooms and two first floor living rooms within Globe House, retained levels of sunlight within the majority of the living rooms and bedrooms within Globe House are considered such that significant harm would not occur contrary to Policy CS21 of the Core Strategy. Having regard to the locational characteristic within West Byfleet District Centre overall Globe House is considered to retain adequate levels of sunlight to living rooms and bedrooms.

### Roxburghe House (also known as Magna West)

217. The submitted sunlight assessment assesses the sunlight impact upon windows within Roxburghe House (also known as Magna West). The windows within the extant two storey extension (Ref: PLAN/2016/0045) have also been assessed. Two ground floor level living rooms would retain 17% and 15% APSH respectively across the whole year; representing reductions of 29% and 21% respectively. Whilst the loss of sunlight is therefore likely to be noticeable to occupiers of these rooms the living room sustaining a reduction of 21% is marginally above the 20% reduction considered to be 'noticeable' by the BRE Guide. The remaining ground floor level living room currently achieves 24% APSH (the BRE minimum is 25% APSH) across the whole year as existing and therefore any development of the application site is likely to result in a retained APSH figure of below 25% to this nearby room within Roxburghe House.

## 26 SEPTEMBER 2017 PLANNING COMMITTEE

218. A second floor level living room would retain 3% APSH during the 'winter' months (as opposed to the min. value of 5%), which would also represent a reduction of more than 20%. The loss of 'winter' sunlight is therefore likely to be noticeable to occupiers of this room however 31% APSH would be retained over the whole year. Taking this into account a shortfall of 2% winter APSH is not considered to be significantly harmful having regard to the existing situation.

### Premier House

219. Two first floor level main living areas would retain 4% APSH over the 'winter' months (BRE min. value = 5%), which would also represent a reduction of more than 20%. The loss of 'winter' sunlight is therefore likely to be noticeable to occupiers of these rooms however 33% and 38% APSH would be retained over the whole year. Taking this into account a shortfall of 1% winter APSH in comparison to the BRE minimum value is not considered to be significantly harmful.

### Nos.15 - 16, No.17 and No.18 Station Approach

220. Nos.15 - 16 Station Approach contain retail use at ground floor with office space above and therefore are not required to be tested in terms of retained sunlight provision. A first floor window within No.17 Station Approach would retain APSH of greater than 25% over the entire year and greater than 5% during the 'winter' months in line with the BRE guidelines. A first floor window within No.18 Station Approach would not experience a loss of greater than 20% APSH over the entire year although would experience a 100% loss during the 'winter' months. However this 100% loss represents the existing 1% APSH value which this window receives during the 'winter' months. Given that the loss would represent the existing 1% APSH value during the 'winter' months this loss is not considered to be significantly harmful.

### Nos.24 - 29 Station Approach

221. A first floor window and second floor window would retain APSH during the 'winter' months of 2% and 4% respectively (BS min. value = 5%). Whilst a loss of 'winter' sunlight is likely to be noticeable, given the minor shortfall of retained 'winter' APSH (4%) to the second floor window in comparison to the BS minimum value (5%) this loss of 'winter' sunlight is not considered to be significantly harmful. The first floor window as existing receives the BS minimum value of 5% for 'winter' sunlight. Whilst the retained 'winter' APSH would represent a 60% loss the window would experience a loss of APSH over the entire year of 25%, which whilst likely to be noticeable, is not considered to be significantly harmful.

### Nos. 30 - 33 and No.34 Station Approach

222. The retained APSH to all windows within Nos. 30 - 33 and No.34 Station Approach, over both the whole year (BRE min. value = 25%) and the 'winter' months (BRE min. value = 5%), achieve values whereby the rooms should still receive enough sunlight. The occupants of Nos. 30 - 33 and No.34 Station Approach should therefore not notice a loss of sunlight.

### Nos.17 - 19 Old Woking Road

223. The first and second floor level windows within No.17 - 19 Old Woking Road would experience reductions in APSH of less than 20% and therefore loss of sunlight should



not be noticeable to occupiers.

Amenities of future residential occupiers

224. Because the application is in outline form the final internal room/dwelling layouts of the proposed buildings are not yet known. Notwithstanding this the applicant has undertaken sample testing to establish the levels of daylight and sunlight to the proposed residential accommodation. These samples have been tested at the lower residential levels (ie. first to third floors) at what are considered to represent 'pinch points', where daylight and sunlight availability is likely to be most restricted, to establish the worst case daylight and sunlight levels. This is on the basis that daylight and sunlight levels within the proposed residential accommodation would only improve at upper levels (ie. fourth floor and above). Typical modern living requirements within urban locations such as this dictate that the majority of apartments contain 'galley' style kitchens to the rear of a larger room only. These 'galley' style kitchens are either not considered to be habitable, due to the small room area, and have been excluded from the submitted analysis, or are only considered as a secondary room use and have therefore been assessed by applying the parameters applicable to the primary room use only (ie. living room or dining room). The BRE guidelines advise that this is acceptable provided such 'galley' kitchens are directly linked to a well-lit space.
225. The results confirm that, from the first to third floor residential levels, of the 102 rooms tested, 93 rooms would achieve minimum values of Average Daylight Factor (ADF), in line with BS 8206-2 Lighting for buildings – Part 2: Code of practice for daylighting. This equates to 91% compliance with the BS 8206-2 minimum values for the levels tested. The nine rooms that are below the minimum values are all likely to serve as bedrooms and are therefore considered to be "*less important*", as per the BRE guidance, in terms of daylighting. Furthermore it would be anticipated that the percentage of ADF compliance would increase with every additional residential level tested (ie. fourth floor and above). There would also be an opportunity at reserved matters stage to further test the levels of daylight to the proposed residential accommodation once final internal room/dwelling layouts are known. On this basis it is considered that levels of daylight would be capable of being achieved, subject to detailed consideration at reserved matters stage, to proposed residential units such that a good standard of amenity would be secured to future residential occupiers.
226. Building B would demonstrate an area of residential amenity space on the podium (fronting Station Approach) at first floor level measuring minimum dimensions of 36 metres x 25 metres. Building C would demonstrate an area of residential amenity space on the podium at first floor level (facing the public square) measuring minimum dimensions of 15 metres x 14 metres. Building A would demonstrate an area of residential amenity space on the roof at sixth floor level measuring minimum dimensions of 33 metres x 12 metres. The parameter plans indicate elevations on which balconies could be accommodated.
227. In terms of sunlight to external amenity areas the BRE Guide 'Site Layout Planning for Sunlight and Daylight: A Guide to Good Practice (2011)' recommends that, for it to appear adequately sunlit throughout the year, at least 50% of an external amenity area should receive at least two hours of sunlight on 21<sup>st</sup> March. The external amenity areas proposed to both Buildings B and C would exceed these guidelines and would therefore appear adequately sunlit throughout the year. Overall it is considered that sufficient areas of external amenity space, achieved both through the provision of external balconies and via first floor level podiums to both proposed Buildings B and C, and the roof of proposed Building A, are capable of being provided although the

## 26 SEPTEMBER 2017 PLANNING COMMITTEE

provision of such would be considered at reserved matters stage.

228. In terms of sunlight to the public square the BRE Guide 'Site Layout Planning for Sunlight and Daylight: A Guide to Good Practice (2011)' recommends that, for it to appear adequately sunlit throughout the year, at least 50% of an external space should receive at least two hours of sunlight on 21st March. The proposed public square would exceed these guidelines and would therefore appear adequately sunlit throughout the year.

### Impact upon the Thames Basin Heaths Special Protection Area (TBH SPA)

229. The application site is located within 400m - 5km of the Thames Basin Heaths Special Protection Area (TBH SPA). This is a European designated site afforded protection under the Conservation of Habitats and Species Regulations 2010, as amended (the Habitats Regulations). The Habitat Regulations designate the Local Planning Authority as the Competent Authority for assessing the impact of development upon European sites and must ascertain that the project will not have an adverse effect on the integrity of the site, alone or in combination with other plans and projects, either directly or indirectly, before granting planning permission.
230. The TBH SPA is designated for its internationally important habitat which supports breeding populations of three rare bird species: Dartford Warbler, Woodlark and Nightjars. The Conservation Objectives of the TBH SPA are to ensure that the integrity of the site is maintained or restored as appropriate, and to ensure that the site contributes to achieving the aims of the Wild Bird Directive, by maintaining or restoring:
- The extent and distribution of the habitats of the qualifying features, the structure and function of the habitats of the qualifying features
  - The supporting processes on which the habitats of the qualifying features rely
  - The population of each of the qualifying features, and,
  - The distribution of the qualifying features within the site.
231. Natural England are currently advising that all residential development within 5km of the TBH SPA has the potential to impact upon these species, either alone or in combination with other development, through increased recreational use of the sites by people. Natural England also advises that development within a 400m to 5km zone around the site is likely to be capable of being mitigated while residential development within 400m cannot be mitigated. The application site falls outside of this 400m area.
232. The Council has an adopted TBH SPA Avoidance Strategy. This seeks to provide a framework to secure mitigation against the impact of residential development and to allow development to take place where otherwise it would be restricted by the TBH SPA requirements. The Strategy advocates development providing or contributing to Suitable Alternative Natural Greenspace (SANG) to attract people away from the TBH SPA, access management measures and monitoring of the TBH SPA to reduce the impact of people who visit the SPA, and Habitat management of the TBH SPA which will improve the habitat for the ground nesting birds.
233. Policy CS8 of the 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).

## 26 SEPTEMBER 2017 PLANNING COMMITTEE

234. The Suitable Alternative Natural Greenspace (SANG) element of the TBH SPA avoidance tariff is encompassed within the Community Infrastructure Levy (CIL) however the Strategic Access Management and Monitoring (SAMM) element of the TBH SPA avoidance tariff is required to be addressed outside of CIL. The applicant has agreed to make a SAMM contribution in line with the Thames Basin Heaths Special Protection Area Avoidance Strategy (TBH SPA). Because the application is in outline form, and the exact number and unit mix of residential dwellings is not known at this stage (although this would be within the residential parameters and considered at reserved matters stage) the payment of SAMM (TBH SPA) would be secured through a schedule within the Section 106 Legal Agreement which would take account of the fact that SAMM payments are index linked based on the RPI annual inflation in the particular year.
235. In view of the above, the Local Planning Authority is able to determine that the development would have no significant effect upon the TBH SPA and therefore accords with Policy CS8 of the Woking Core Strategy (2012) and the 'Thames Basin Heaths Special Protection Area Avoidance Strategy'.

### Biodiversity and Protected Species

236. The NPPF states that the planning system should contribute to and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible. Circular 06/05 – Biodiversity and Geological Conservation also requires the impact of a development on protected species to be established before planning permission is granted and in relation to habitat types of principal importance to assess the impact of development upon these as part of the planning application process. This approach is reflected within Policy CS7 of the Core Strategy. Policy CS8 of the Core Strategy also relates to the Thames Basin Heaths Special Protection Area.
237. A Phase 1 Habitat Survey and Protected Species Assessment has been undertaken by RPS Group (dated June 2016) to ascertain the baseline ecological position of the site, to assess the effects of the proposed development on ecology and to identify any mitigation / compensation required.
238. The Phase 1 Habitat Survey identifies that the application site consists of buildings and hardstanding with some broadleaved trees and introduced scrub which was considered to be of limited ecological value and had limited potential to support any protected or notable habitats or species.
239. The Phase 1 Habitat Survey concludes that the buildings' ledges and flat roofs and the trees on site offer some potential suitable habitat for nesting birds and the seven story office block was considered to offer low bat roost potential and was recommended for a further bat survey as this building could not be fully assessed externally or internally due to its height and condition. The existing library and toilet block buildings, together with the existing trees, were not found to have any features suitable for bat roosts.
240. The Phase 1 Habitat Survey recommends that vegetation and buildings on site which provide some suitable nesting habitat for birds should be cleared/demolished outside of the bird nesting season (ie. between October and mid-February) to ensure nesting birds are not disturbed. If works are required during the bird breeding season the vegetation or buildings must be checked by an ecologist prior to works commencing to ensure no active birds' nests will be disturbed.

## 26 SEPTEMBER 2017 PLANNING COMMITTEE

241. Bat dusk emergence surveys were undertaken on 7<sup>th</sup> and 30<sup>th</sup> June 2016. No bat roosts were identified within the seven story office block and therefore a licence from Natural England is not required and no mitigation measures are required prior to the proposed demolition of existing buildings. No bats were recorded commuting or foraging in and around the seven story office block during the bat surveys.
242. Surrey Wildlife Trust is the Council's retained ecologist who provides advice to the Council in respect of the impact of development on protected species and biodiversity. Surrey Wildlife Trust has reviewed the biodiversity and protected species information submitted in support of the application and comment that:

*The reports appear appropriate in scope and methodology and have not identified active bat roosts within the building subject to the current planning application. We therefore advise that bats do not appear to present a constraint to the proposed development. The applicant should therefore be encouraged to incorporate bat roosting opportunities as integral design features within the built development.*

*This development offers some opportunities to restore or enhance biodiversity and such measures will assist the Local Authority in meeting the above obligation and also help offset any localised harm to biodiversity caused by the development process.*

243. The potential enhancement of biodiversity would be considered during the course of reserved matters applications although the illustrative landscape and public realm strategy sets out that the proposed development presents an opportunity to enhance the biodiversity and habitat value of the site by providing tree, shrub and herbaceous planting including good species diversity and plants for pollinators and to connect into the wider green infrastructure of the area, through planting at ground level, on podium terraces and green/brown roofs.
244. Overall it is considered that the proposal would result in the loss of no existing biodiversity assets, and would provide opportunity to enhance biodiversity in accordance with Policy CS7 of the Woking Core Strategy (2012) and Section 11 of the National Planning Policy Framework (2012).

### Impact upon heritage assets (including Conservation Areas, Church of St John the Baptist and Archaeology)

#### Background

245. The application site is located adjacent to both the Station Approach Conservation Area and the Byfleet Corner/Rosemount Parade Conservation Area and is also located within close proximity to the Grade II Statutory Listed Church of St John the Baptist. An Area of High Archaeological Potential lies adjacent to part of the site.
246. Section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990 states that:

*in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses*

## 26 SEPTEMBER 2017 PLANNING COMMITTEE

247. Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990 states that:

*in the exercise, with respect to any buildings or other land in a conservation area, of any functions under or by virtue of any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area*

248. The NPPF provides a number of definitions with regard to assessing the impact upon heritage assets:

*Heritage asset: A building, monument site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest;*

*Setting of heritage asset: The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surrounding evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral; and*

*Significance (in relation to heritage): The value of a heritage asset to this and future generations because of its heritage interest. That interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting" (Annex 2. Ref 9.3).*

249. It is one of the core principles of the NPPF that heritage assets should be conserved in a manner appropriate to their significance. Chapter 12 of the National Planning Policy Framework (2012), at paragraph 129, sets out that the local planning authority should identify and assess the particular significance of any heritage asset. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal. Paragraphs 131-135 sets out the framework for decision making in planning applications relating to heritage assets and this application takes account of the relevant considerations in these paragraphs.
250. Paragraph 135 of the NPPF states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application and that "*in weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset*".
251. Paragraph 139 of the NPPF states that "*non-designated heritage assets of archaeological interest that are demonstrably of equivalent significance to scheduled monuments, should be considered subject to the policies for designated heritage assets*".
252. In terms of heritage impacts it is the degree of harm, rather than the scale of development that must be assessed. Harm may arise from works to the asset itself or from development within its setting. The application proposes no works to heritage assets and therefore the only heritage harm that may potentially arise would be as a consequence of development within the setting of the nearby heritage assets, which

## 26 SEPTEMBER 2017 PLANNING COMMITTEE

comprise two Conservation Areas, including the Locally Listed buildings within, and a Grade II Listed building.

### Conservation Areas (CA)

253. West Byfleet did not exist until the construction of the railway station in 1887. The area was originally developed for high quality housing, but many properties were shortly redeveloped to provide shops and commercial premises during the early Edwardian period. Both Conservation Areas comprise a mixture of uses with mainly retail uses on the ground floor with office or residential use above.
254. Historically, the application site and the land between it and the railway station was a possible recreation ground called Lavender Park that was later developed as the Station Approach Shopping Parade and some four larger villas by the start of the First World War. Some of the villas were redeveloped in the 1960s with the Sheer House office block, shopping parades, library and car park.
255. The Byfleet Corner/Rosemount Parade Conservation Area is located along the main Old Woking Road through West Byfleet. The Byfleet Corner Parade dates from the late 19th Century and is a good example of the late Victorian period which has largely survived intact. The Rosemount Parade, which was so named because it was built on the grounds of 'Rosemount House' is from 1907 and later. W.G Tarrant of Byfleet was involved in the earlier parts of this development. The parade was originally tree lined.
256. The Station Approach Conservation Area is located within the centre of West Byfleet in front of the railway station. It was constructed prior to the World War I and was also designed by W.G Tarrant. Both parades of shops have a strong "Arts & Crafts" influence with a high standard of architectural design. The Station Approach parade in particular contains many original interesting features and detailed elements such as the colonnade along the western frontage. Many shops still retain their original Edwardian shop fronts.
257. The simple street pattern of the Byfleet Corner/Rosemount Parade CA is largely formed by the continuous retail frontages of the Rosemount Parade & Byfleet Corner Shopping Parades which follow the Old Woking Road together with St. John The Baptists Church, which stands in isolation at the junction of Parvis Road and Camphill Road. The purpose built parades generally demonstrate regular narrow shop frontage widths of about 6 metres. However, the buildings at the end of the parades have frontages up to 17 metres. Building frontages are largely continuous and directly abut the pavement. A parade of buildings along Rosemount Parade; No.23 and Nos.29 - 75 are all Locally Listed and make an important contribution to the character of the CA.
258. The Station Approach CA comprises the street block formed by part of Madeira Road and the curved section of Station Approach, which forms a horse shoe shape, together with No's 49 – 57 Station Approach which are also included within the CA. Shop frontages are narrow with widths at about 5 - 7 metres and the buildings form one continuous frontage which directly abuts the pavement. The Locally Listed parade of buildings along Station Approach, comprising of Nos.15 – 39, make an important contribution to the character of the CA.
259. The most significant landmark within the Byfleet Corner/Rosemount Parade CA is St John the Baptists Church which forms an important view from Byfleet Corner. The large gable on the bank at the junction with Pyrford Road forms a secondary landmark. The predominant building form in both CAs is that of purpose built shopping

## 26 SEPTEMBER 2017 PLANNING COMMITTEE

parades with continuous building frontages. These are generally 2½ to 3 stories under a steep pitched roof, with individual shop units at the ground floor and accommodation to upper floors (originally intended for residential use, many are now in office use). Although the parades were constructed as a single development, they were specifically designed in an 'Arts and Crafts' style to have the appearance of a collection of individual cottage scale buildings.

260. Buildings are constructed from red/orange facing bricks, some are white painted rough cast render all over or just at the second floor. Certain gable ends use eclectic timber frames painted black with rendered infills with tile hanging also commonly used on gable ends. Both CAs are predominately in retail and commercial use with residential and office use above.
261. The pavements within the CAs are generally wide at between 3 – 5 metres with frontages directly joining the pavement without any intervening boundary. Both CAs are urban in character. Whilst within the Byfleet Corner/Rosemount Parade CA the St John the Baptists Church forms a significant area of open space all around the church there are no areas of open space within the Station Approach CA.
262. Both CA's are surrounded by built up areas. The existing complex on the application site is a large incongruous 1960s development between both CAs which impacts upon the whole area and, together with Waitrose car park, forms a large void within the West Byfleet District Centre. Adjacent to the Station Approach CA there is unsympathetic architecture from the early 1980's.
263. The application site and the properties to the east (Roxburghe House (Magna West) and Globe House) form a group of later buildings on the north side of Old Woking Road, and south side of Madeira Road, which are excluded from both Conservation Areas. By reason of their larger scale and footprint, looser layout and appearance, the group is clearly distinguishable from the older Conservation Area buildings. The broad setting for this part of both Conservation Areas therefore, comprises predominantly modern, fairly large scale, urban development. To an extent, it helps to define the historic area and shows the continued evolution of the West Byfleet District Centre, but otherwise makes a very limited contribution to the significance of the heritage assets.
264. With regard to the application site specifically, the mixed use Sheer House development includes a collection of interconnecting concrete buildings and structures comprising 18 retail units in two parades, five floors of offices rising up from these parades (forming a maximum height of seven storeys) and a raised parking deck for circa 75 cars. A further area of surface car parking is located around the circular form library. The limited articulation in the form of the existing buildings, its brutalist appearance and the raised decking are not sympathetic and, overall, are considered to have a negative impact upon the setting of both Conservation Areas.
265. The proposed development would be predominantly five and six storeys in height, stepping up to seven storeys at the corner of Old Woking Road and Station Approach and stepping down to four storeys at the corner of Madeira Road and Station Approach. The proposed development would, therefore, be significantly larger in scale than the built form being replaced or any other buildings on the south side of Old Woking Road or north side of Madeira Road. Moreover, the part of proposed Building B nearest to the Station Approach Conservation Area boundary to the north would be approximately 9 metres taller than the existing building at this point. The height of proposed Building B would also increase more steeply across its Madeira Road

## 26 SEPTEMBER 2017 PLANNING COMMITTEE

elevation. Proposed Building A would also incur within closer proximity to the Rosemount Parade/Byfleet Corner Conservation Area than the existing Sheer House built form to be demolished and would represent a significant increase in height at this point.

266. However the mass of the proposed buildings, through application of the parameter plans and design code at reserved matters stage, would be capable of being well articulated and predominantly constructed in brick as opposed to the existing concrete. Steps in the roof height would also assist in reducing the perceived mass of the buildings and elevation detailing would be capable of creating rhythm and interest which would help to break down the visual bulk of the buildings. The appearance of the proposed buildings, if not their scale and height, would represent a considerable improvement compared with the existing buildings.
267. It is not considered that the proposed development would interrupt views into either the Station Approach or Rosemount Parade/Byfleet Corner Conservation Areas so as to obscure the definition of the historic fabric as the broad setting of these two Conservation Areas makes a limited contribution to the significance of these heritage assets. Nevertheless, given its greater height and scale, the contrast with the buildings within the Conservation Areas would be amplified.
268. The existing application site is prominent in views out of the Rosemount Parade/Byfleet Corner Conservation Area from the footway along the southern side of Old Woking Road although only oblique views, or views from within vehicles travelling along Old Woking Road, enable the application site and the Rosemount Parade/Byfleet Corner Conservation Area to be viewed together. Nevertheless, beyond defining its extent, such views do little to reveal the significance of the heritage asset. The increased height and scale, and closer proximity of the new buildings, particularly Building A, would intensify the contrast between new and old and it would be a more striking presence in views from Old Woking Road and Pyrford Road. This would be offset, to a degree, by the improved appearance of the new buildings, the restoration of active street frontages, traditional pavement tree planting and would be seen in the context of the broad and highly engineered character of Old Woking Road.
269. The existing application site is prominent in views out of the Station Approach Conservation Area, particularly looking south along Station Approach towards Old Woking Road, in which the application site and the Conservation Area are able to be viewed together. Nevertheless, beyond defining its extent, they do little to reveal the significance of the heritage asset. The increased height and scale, and closer proximity of the new buildings, particularly Building B, would intensify the contrast between new and old and it would be a more striking presence in views from Station Approach and Madeira Road. This would be offset, to a degree, by the improved appearance of the new buildings, traditional pavement tree planting along Station Approach, the reintroduction of a perimeter block and establishment of a strong building line along Station Approach. During the application process the Station Approach/Madeira Road corner of Building B has been stepped down in height to four storeys (from the initially proposed five storeys) to reduce the potentially harmful impacts to the setting of the Station Approach Conservation Area.
270. Overall the proposed development would not introduce modern development into a view where none existed previously. The proposed development is considered to cause less than substantial harm to the significance of the heritage assets of both the Station Approach and Rosemount Parade/Byfleet Corner Conservation Areas as a result of the amplified contrast in scale and mass with the buildings in these



Conservation Areas as a consequence of the height and spread of development across the application site, particularly along the Old Woking Road and Madeira Road frontages. As such, the proposed development would lead to a degree of conflict with Policy CS20 of the Core Strategy, Policy DM20 of the Development Management Policies DPD and Paragraph 137 of the NPPF. Whilst the degree of harm would be less than substantial, Paragraph 132 of the NPPF requires great weight to be attached to the conservation of designated heritage assets. Paragraph 134 advises that where, as in this case, a proposal would lead to less than substantial harm, that harm should be weighed against the public benefits of the proposal. This will be considered in the Planning Balance at the conclusion of the report.

Church of St John the Baptist

271. The Church of St John the Baptist is Grade II Listed (first listed in 1984) and dates from 1910 by W.D Caroe. The Church is constructed in knapped flint with random stone blocks and stone dressings below a plain tiled roof with a wood shingled bell turret and spire to the west end. The church adopts a cruciform plan and a twentieth century vestry/church hall exists to the north-east corner. The Church forms a key focal point in views looking east down Old Woking Road and as an important wider local landmark within West Byfleet. Some of the significance of the Church of St John the Baptist is derived from its spacious and relatively isolated setting, and its visual dominance as the most important landmark, which largely persists today as a result of the open and low rise development on the southern edge (Old Woking Road) of the application site.
272. The proposed development would result in Building A fronting Old Woking Road at heights of between six and seven storeys. Whilst it is acknowledged that this would 'frame' St John the Baptist Church between Building A and the opposing built form on the southern side of Old Woking Road when approaching from the west it is nevertheless considered that the height and massing of Building A would be visually dominant in this view. Although views of the Church itself, and the silhouette of its spire, would not be obscured from this view, the height and massing of Building A would compete with the Church within this view. Although the existing surface car park and circular form library on the application site are later additions to the setting of this heritage asset (St John the Baptist Church), the proposed development, particularly Building A, would enclose the more distant open and spacious views of the Church achieved from the west. However it is considered, as the Church is approached at a closer distance from the west, that the immediate setting of this listed building would be preserved and, because the open space to its front and sides would be retained, the harm to the setting in views from the west would be less than substantial.
273. The greater massing of the proposed development would somewhat diminish the dominance of St John the Baptist Church in views from some of the more southerly locations within the recreation ground to the east of the church however even from the most distant locations within the recreation ground the spire of the church would retain prominence within the view.
274. Even though the harm identified would be less than substantial, it is considered that the proposed development would fail to preserve the setting of the Grade II Listed Building of St John the Baptist Church. In accordance with Paragraph 132 of the NPPF great weight must be afforded to the conservation of designated heritage assets. It is considered that the harm to the significance of the Grade II Listed Building of St John the Baptist Church would be less than substantial however this is a matter to which must be attached considerable importance and weight. In this case, however,

## 26 SEPTEMBER 2017 PLANNING COMMITTEE

public benefits, as identified in Paragraph 134 of the NPPF, are included within the proposed development. This harm will be considered in the Planning Balance at the conclusion of the report.

275. Consideration has also been given to the Broadoaks Model Dairy, Broadoaks, the Old Avenue Conservation Area, the Woodlands Avenue Conservation Area and the Basingstoke Canal Conservation Area. Due to factors of distance and intervening buildings and tree cover, and given their locations relative to the site, the site is not considered to form part of the setting of any of these areas, nor contribute towards their significance and it is concluded that their characters will be preserved.
276. Whilst the proposed development would be appreciable from the Birchwood Road Conservation Area to the north, a new development with a maximum height of seven storeys would replace an existing seven storey development in this view, and would only be seen in context with the intervening West Byfleet railway station, whereby the impact is considered to be neutral, that is it would preserve the setting of the Birchwood Road Conservation Area.

### Archaeology

277. Paragraph 128 of the NPPF requires that "*where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit and appropriate risk based assessment and, where necessary, a field evaluation*". The application site is immediately adjacent to an identified Area of High Archaeological Potential, which is based on the recovery of Iron Age/Roman pottery and a medieval agricultural implement, and may therefore be an indication of settlement activity or may represent an 'occasional' find.
278. The County Archaeologist (SCC) has considered the proposal and has recommended that further archaeological work should be undertaken. This would include an archaeological evaluation and a trial trenching exercise, which will aim to establish rapidly what Archaeological Assets are, and may be, present. This would then inform further study work if required to ensure that archaeological remains are not damaged. This can be secured via planning condition.

### Land contamination

279. Paragraph 109 of the NPPF requires the planning system to contribute to and enhance the natural and local environment by managing the risk from unacceptable levels of soil or water pollution or land instability. Paragraphs 120 - 122 require planning policies to ensure that, as a minimum, land should be suitable for its next use and not be capable of being determined as 'contaminated land' under Part IIA of the Environmental Protection Act 1990. The guidance also states that responsibility for securing a safe development rests with the developer.
280. There are potential contamination sources on the application site, primarily associated with historical operations. The presence of hardstanding across the application site will limit the potential for the loss of contamination to the ground. Contamination from nearby garages and other works has the potential to migrate on to the application site, but again much of the surrounding area in this District Centre is covered by hardstanding which resists infiltration and mobility. The existing development has also been in its current form for nearly 50 - 60 years and there has been sufficient time for degradable contaminants to attenuate during that time. The current development is

## 26 SEPTEMBER 2017 PLANNING COMMITTEE

known to contain some asbestos containing materials and there is the potential for asbestos to be present in the soils arising from the original construction practices.

281. The Council's Scientific Officer has been consulted on the application and comments as below:

*Contamination documents submitted with the application demonstrate there has been a number of buildings and various uses of the site over the past 100 years. During this period buildings have been constructed and demolished and though asbestos materials and waste is now heavily regulated/controlled, there is the potential for asbestos within foundations and under the footprints of buildings, car parks and landscaped areas. There is also asbestos within the fabric of a number of buildings currently on site and whilst management surveys have been carried out, these are non-destructive surveys and unlikely to have identified all the potential asbestos and asbestos containing materials. There are also sites adjacent to the proposed development that had significant contaminative uses such as a former petrol station, which may have led to historic plumes of contamination and smear zones.*

*An investigation in 2014 found contamination such as PAH, asbestos and lead. Given the above, pre-demolition asbestos surveys will need to be carried out prior to demolition. Following demolition and site clearance soil can be exposed for further soil assessment to determine the presence of contamination but this can be dealt with via attaching the soil contamination condition.*

282. Overall, subject to condition 21, it is considered that the application complies with the National Planning Policy Framework (2012) and Policy DM8 of the Development Management Policies DPD (2016) in terms of land contamination.

### Flood Risk, Drainage and Water (including surface water drainage and foul water)

283. Paragraph 100 of the NPPF states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere. This is reflected within Policy CS9 of the Core Strategy. With regard to surface water drainage, in accordance with the NPPF and Policy CS9 of the Core Strategy, local planning authorities should seek opportunities to reduce flood risk through the appropriate application of sustainable drainage systems (SuDS).
284. Paragraphs 99 - 108 of the NPPF outline the development requirements in terms of flood risk, water quality and resources and the impact of climate change, stipulating that a site specific Flood Risk Assessment (FRA) is required for all proposals for new development in Flood Zones 2 and 3 and for any proposal for developments on 1 ha or greater in Flood Zone 1. In measuring 0.9989 ha the red-lined site area falls slightly below 1 ha.
285. The entire application site is located within Flood Zone 1 as identified by the Environment Agency and is at low risk of fluvial flooding (<0.1%). All forms of development are suitable in Flood Zone 1. The main flood risk is surface water flooding from direct rainfall on the site or the surrounding hard landscaping.  
Surface Water Drainage
286. There is potential for the contamination of surface and ground water during the demolition and construction phases but this will be mitigated through the operation of

## 26 SEPTEMBER 2017 PLANNING COMMITTEE

the Construction Environmental Management Plan (CEMP), which will include measures to comply with relevant legislation e.g. Environment Agency's Pollution Prevention Guidelines, and other best practice measures.

287. Policy CS9 of the Core Strategy requires all significant forms of development to incorporate appropriate sustainable drainage systems (SuDS) and states that "*all new development should work towards mimicking greenfield run-off situations*".
288. The proposed development sets out that attenuation storage will be provided within the site boundary. The Flood Risk Assessment and SuDS Drainage Statement also note that the proposed development will not increase the site's impermeable area and the proposed rate of runoff will not be increased. There would therefore be no increase in flooding as a result of the proposed development although the final surface water drainage strategy would be considered at reserved matters stage.
289. The Council's Drainage and Flood Risk Engineer assesses applications for and on behalf of the Lead Local Flood Authority (LLFA) (SCC) and raises no objections in terms of drainage and flood risk subject to recommended conditions 6, 7 and 8.
290. Subject to recommended conditions, the proposed development is considered to accord with the provisions of the National Planning Framework (2012), Policy CS9 of the Woking Core Strategy (2012) and the SuDS Regulations in terms of flood risk and SuDS. The Environment Agency has also confirmed that it has no objection to the proposal on flood risk grounds subject to conditions.

### Foul water

291. Primarily due to the introduction of new residential dwellings on the site an increase in the peak foul sewer flow rate may have a detrimental impact upon the existing local Thames Water foul sewer infrastructure, although this is currently being assessed by Thames Water as part of a Section 185 (of The Water Industry Act 1991) application to investigate the local foul infrastructure capacity, and to determine what reinforcement works may be required, if any.
292. The applicant is proposing that a new private foul sewer will be constructed to serve the external perimeter of the new development to facilitate separate foul drainage connections to each of the proposed units within the development. Final connection points and discharge flow rates into the public sewer network would be subject to prior agreement by Thames Water. The applicant considers that, should there be any specific limits imposed on either discharge connection points or flow rates by Thames Water as a result of the ongoing Section 185 network capacity assessment, this would be capable of being mitigated by way of foul water attenuation provision within the site. The applicant has advised that this would be likely to consist of a foul drainage pumping chamber, and associated below ground attenuation tank with an intelligent control system, which will either restrict discharge flows to the public sewer to an acceptable, agreed rate or prevent any discharge during periods of high local sewer flows in order to make best use of the available sewer infrastructure capacity. Attenuation storage would be provided for a minimum 24 hour period.
293. The sewerage undertaker (Thames Water) has identified an inability of the existing foul sewer infrastructure to accommodate the needs of the proposed development and have advised, should the Local Planning Authority be minded to permit the proposed development, that a 'Grampian Style' condition should be attached to the planning permission requiring that development shall not commence until a drainage strategy

## 26 SEPTEMBER 2017 PLANNING COMMITTEE

detailing any on and/or off site drainage works, has been submitted to and approved by, the Local Planning Authority in consultation with the sewerage undertaker (Thames Water). Accordingly, this is not a reason to withhold planning permission.

### Affordable Housing

294. Policy CS12 of the Core Strategy states that all new residential development on previously developed (brownfield) land will be expected to contribute towards the provision of affordable housing and that, on sites providing 15 or more dwellings, or on sites of over 0.5ha (irrespective of the number of dwellings proposed), the Council will require 40% of dwellings to be affordable. Policy CS21 also sets out that all new residential development on land in public ownership will be required to provide 50% of the dwellings as affordable housing, irrespective of the site size or number of dwellings proposed. Excluding the highways land included within the red-line of the application site the ownership of the area of the application site is split between the applicant (60%) and Woking Borough Council (40%). Given the ownership proportions of the application site a 44% affordable housing requirement will be utilised, based on 60% of the application site being privately owned (thereby attracting the 40% intervention rate set by Policy CS12) and 40% of the site being owned by Woking Borough Council (attracting the 50% intervention rate set by Policy CS12).
295. Policy CS12 also sets out that the proportion of affordable housing to be provided by a particular site will take into account, among other factors, the costs relating to the development; in particular the financial viability of developing the site (using an approved viability model). The policy provides a clear set of considerations that will be taken into account in determining the final proportion of on-site affordable housing.
296. Paragraph 173 of the NPPF makes viability an important consideration, noting that development should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened. To ensure viability, the costs of any requirements likely to be applied to development, such as requirements for affordable housing, standards, infrastructure contributions or other requirements should, when taking account of the normal cost of development and mitigation, provide competitive returns to a willing land owner and willing developer to enable the development to be deliverable.
297. The Planning Practice Guidance (PPG) advises that where the viability of a development is in question, local planning authorities should look to be flexible in applying policy requirements wherever possible.
298. With this in mind, the applicant has set out in the planning application form that no affordable housing is being proposed and has supported the application with a Financial Viability Appraisal to demonstrate why the proposal cannot provide affordable housing and remain viable. The Council has retained specialist advisors to assess the submissions made in this respect. Kempton Carr Croft have analysed the submitted Financial Viability Appraisal, including a detailed interrogation of build costs, and have undertaken further research into the Gross Development Values, Benchmark Values, Build Costs and other inputs adopted for the proposed scheme.
299. Kempton Carr Croft have concluded that that the inputs included within the viability appraisal are reasonable. The applicant has agreed that the viability should be reviewed on an open book basis at agreed point(s) tied into the progression of the development. The process for this would be secured through the Section 106 Legal Agreement. There would be a provision within the Section 106 Legal Agreement to

## 26 SEPTEMBER 2017 PLANNING COMMITTEE

secure an affordable housing contribution if development viability improves over the passage of time to the point where such affordable housing contributions would be triggered, up to a maximum of the requirement of Policy CS12 of the Core Strategy.

300. On this basis, it is considered that Policy CS12 of the Woking Core Strategy (2012) would be addressed.

### Energy

301. Policy CS22 of the Core Strategy requires that all new residential development on previously developed land will be required to meet the energy and carbon dioxide and water components of the Code for Sustainable Homes Level 4. This equates to a minimum 19% improvement in the Dwelling Emission Rate (DER) over the Target Emission Rate (TER), as defined in Part L1A of the 2013 Building Regulations, and an indoor water consumption requirement of 105 litres per person per day. The Code for Sustainable Homes was superseded in April 2015 but these requirements were covered under the New Technical Standards for Housing. The standards require the CO<sub>2</sub> reduction target to remain at 19%, the water usage is 105 litres per person per day, plus an additional 5 litres for external use. Policy CS22 also requires that new non-residential developments of this scale comply with BREEAM 'Very Good' standards. Policy CS23 asks applicants to take appropriate steps to encourage the development of standalone renewable energy installations.
302. At this outline stage the Energy Report submitted in support of the application presents an outline assessment to examine the possible design options and technologies to reduce energy consumption and CO<sub>2</sub> emissions. The submitted Energy Report concludes that more than 19% reduction of carbon dioxide emissions would be capable of being achieved. This matter would be subject to further assessment and consideration at reserved matters stage.

### Business Continuity

303. Policy CE4 (Business Continuity) of the emerging WBNP states that:

*To be supported, development proposals relating to the SHC must demonstrate that viable opportunities to avoid adverse effect on business continuity have been incorporated in the scheme.*

304. The applicant has submitted a statement of intent which sets out the potential options for maintaining the existing retail offer on the site during construction of the proposed development. The applicant comments that construction of the proposed development will include the creation of a basement across the entire site to accommodate the underground car parking. Construction will therefore be undertaken in a single phase over a likely two and a half year period and it will not be viable for any retail unit to trade on the site during construction.
305. The applicant comments that the retail units currently on the site comprise less than 25% of West Byfleet's entire retail provision and that the remaining off-site retail provision (which is predominantly located along Old Woking Road and at the northern end of Station Approach) will continue to trade as normal during construction.
306. The applicant is investigating viable opportunities to relocate key services, currently provided on the site, during construction. In particular this includes:
- Pharmacy

## 26 SEPTEMBER 2017 PLANNING COMMITTEE

- Library; and
  - Post Office
307. The applicant understands that all three of the above services could operate from mobile facilities during construction at the site and the applicant has discussed this potential with Boots, who have achieved similar elsewhere in terms of a temporary pharmacy facility. Additionally the applicant is engaged with their existing tenants to assist with relocation elsewhere within West Byfleet and have identified that there are currently several vacant retail units within West Byfleet, beyond the application site, which could provide alternative accommodation for the current occupiers of the site.
308. The applicant has also engaged with St John the Baptist's Church, who are keen to assist with maintaining services within West Byfleet during construction, and have therefore offered space to accommodate a temporary library facility or mobile post office (subject to the necessary consents being obtained).
309. The applicant considers that Woodlands Car Park, to the north of West Byfleet Railway Station, could also provide an opportunity for a temporary or mobile library. The temporary loss of car parking to accommodate such would however need to be balanced with the reduction in public car parking spaces at the site during construction. There are also several vacant plots of land surrounding West Byfleet Railway Station within Network Rail's ownership which could potentially provide suitable accommodation for a temporary post office, library or pharmacy (such options would entail reaching agreement with Network Rail and its Train Operating Company).
310. The application site currently provides 67no. public car parking spaces. These will not be available during the construction period. Whilst on-street parking and parking at Waitrose will be unaffected, additional temporary capacity is likely to be necessary. It has been indicated that the Woodlands car park could be more fully utilised than it is as existing. The applicant does not consider the provision of temporary car parking facilities on part of the recreational field to be necessary during construction to facilitate the proposed development although has indicated a willingness to investigate this as an option.

### Local finance considerations

311. The liability for Community Infrastructure Levy (CIL) would be assessed at reserved matters stage. If permitted at reserved matters stage 15% of the levy would be ring-fenced for spending on local community projects in West Byfleet in accordance with the CIL Regulations and, in the event the WBNDP is adopted, the proportion would rise to 25%. Based on the submitted illustrative scheme the CIL liability would be approximately £2,800,000 although the final liability would be calculated at reserved matters stage and subject to change from that stated, which is an indication only.

### Legal agreement requirements

312. The following would be secured via the Section 106 Legal Agreement:
- Provision of a SAMM (TBH SPA) contribution, in accordance with a schedule based on the size of dwellings (bedrooms) and the SAMM contribution per dwelling, within the S.106, which would take account of the fact that SAMM payments are index linked based on the RPI annual inflation in the particular year, to accord with the Habitat Regulations and Policy CS8.

## 26 SEPTEMBER 2017 PLANNING COMMITTEE

- The securing of an overage review(s) in respect of the Affordable Housing viability appraisal in accordance with Policy CS12 at agreed points.
- Provision of public access to the new public square at all times and in perpetuity.
- Provision of a minimum of 67no. public car parking spaces for public access at agreed times and in perpetuity.

### Balancing exercise and conclusions

313. The National Planning Policy Framework (2012) sets out that it is the Government's clear expectation that there is a presumption in favour of development and growth except where this would compromise key sustainable development principles and be contrary to local planning policies, unless material considerations indicate otherwise. The role of the planning system is to contribute to the achievement of sustainable development. This often involves balancing the economic, social and environmental aspects of a proposal, particularly in large scale developments within urban centres such as the application proposal.

### Harm arising from the proposal

314. As a result of the proposed development some harm has been identified to the setting of the Grade II Listed building of St John the Baptist Church, which positively contributes to the Rosemount Parade/Byfleet Corner Conservation Area, due to the visual dominance of proposed Building A in views from the west along Old Woking Road and due to the fact that the greater massing of the proposed development would somewhat diminish the dominance of St John the Baptist Church in views from some of the more southerly locations within the recreation ground to the east of the church.
315. Furthermore some harm has been identified to the significance of the heritage assets of both the Station Approach and Rosemount Parade/Byfleet Corner Conservation Areas as a result of the amplified contrast in scale and mass with the buildings within these Conservation Areas as a consequence of the height and spread of development across the application site, particularly along the Old Woking Road and Madeira Road frontages. Even though it has been identified that these harms would be less than substantial, considerable weight and importance must be afforded to these heritage harms. For these reasons, the proposed development would be contrary to Policy CS20 of the Woking Core Strategy (2012), Policy DM20 of the Woking Development Management Policies DPD (2016) and Policies BE3 and BE4 of the emerging West Byfleet Neighbourhood Development Plan (2017 - 2027).
316. Regardless of whether the minimum or maximum parameters of office (Class B1(a)) floorspace are delivered on the site at reserved matters stage, the proposed development would result in a net loss of B1(a) floorspace within West Byfleet District Centre of between 3,055 sq.m and 1,200 sq.m and would therefore conflict with an element of Policy CS3 of the Woking Core Strategy (2012).
317. Section 38(6) of the Planning and Compulsory Purchase Act 2004 sets out, that if regard is to be had to the Development Plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise. In this case regard must had to the Development Plan and it has been identified that a Development Plan conflict would arise.



## 26 SEPTEMBER 2017 PLANNING COMMITTEE

318. It must be assessed as whether there are other material considerations which would outweigh the Development Plan conflicts.

### Benefits of the proposal

319. In terms of public benefits, the proposed development would make a significant contribution towards the Core Strategy requirement to provide at least 4,964 dwellings within the Borough between 2010 and 2027 and would provide between 208 and 255 dwellings. In addition the provision of residential floorspace within the development would enhance overall activity within West Byfleet District Centre, with future residents likely to make use of the retail and community facilities which would be provided on the site, and add further activity to the public square. The proposal would make West Byfleet District Centre a new destination in its own right, thereby attracting visitation to the District Centre which will support existing businesses and services, in addition to those businesses and services within the development itself. The proposals also seek sufficient flexibility so that up to 10,250 sq.m of the residential floorspace could be provided for retirement / extra care use (Use Class C2 / C3) although the maximum residential (Use Class C3) parameter would have to be reduced accordingly to achieve this. The potential provision of retirement / extra care uses would assist in providing increased housing choices in terms of specialist accommodation, and in providing appropriate dwellings that are suitably located close to public transport and other key local services within the second centre of the Borough. In addition, offering attractive alternative housing choices for older people and other vulnerable groups would assist the Council in freeing-up family sized homes that are currently under occupied.
320. The proposal includes the provision of a new high quality public square measuring a minimum of 1,288 sq.m in area and which would be at the centre of West Byfleet District Centre and offer substantial opportunity for daytime and evening use which would activate this significant new public space. The public square would benefit from good levels of sunlight which would make it an attractive space for holding community events and for general social interaction. The site forms the core retail area of the District Centre however the existing buildings on the site have little or no relationship to the street due to their set back position from the street and footway and the depth of surface level car parking between the street and the buildings; factors which diminish the existing pedestrian experience of the site. Furthermore there is virtually no public space on the existing site for relaxing and social interaction, public seating is hard to find and there is little coordination of street furniture.
321. Whilst in outline form the parameter ground floor land use plan ensures that active uses are produced at ground floor level in order to activate both the public square and the pedestrian realm along Station Approach, Old Woking Road and Madeira Road. The public square would provide a very significant new 'urban' space within the centre of West Byfleet which would not only be activated by ground floor level uses, with potential for 'spill out' into the perimeters of the square for the placing of restaurant/cafe tables etc. but would also be capable of use for community events and events such as seasonal/Christmas markets, outdoor films and public events as well as providing an attractive space for people to meet and socialise day-to-day. The application is supported by a landscape and public realm strategy, which whilst illustrative at this stage, sets out how a very high quality public realm could be achieved both within the square and the pedestrian frontages. The resulting retail floorspace would also be re-provided within modern units and would benefit from much greater connection to public realm and the pedestrian experience, which would itself be enhanced through the restriction of car parking to basement level.

## 26 SEPTEMBER 2017 PLANNING COMMITTEE

322. The layout of the development would provide a clear and legible 'civic gateway' into the public square from the Old Woking Road / Station Approach side with the St John the Baptist Church spire framed by the building blocks and serving to 'anchor' the public square in the opposing direction.
323. There would be some economic benefits from the proposed development through employment, additional spending power resulting from the construction phase and from future occupiers of the proposed development. Whilst the applicant considers that additional Council Tax and Business Rates would be a consequence of the proposed development there is no evidence that these factors would be a direct benefit to the locality of West Byfleet and therefore they are not considered to be capable of attracting any significant weight in the balancing exercise. To these economic benefits, overall, some weight should be afforded in favour of the proposed development.
324. To all of the benefits of the proposed development, it is considered that more than considerable weight should be afforded. They represent public benefits as referred to within Paragraph 134 of the National Planning Policy Framework (2012), which in the circumstances of this application, are considered to outweigh the considerable weight and importance that is attached to the heritage harm, and to the conflict with an element of Policy CS3 of the Woking Core Strategy (2012) identified. Further, together, they are material considerations, considered sufficient in this case to outweigh the Development Plan conflict identified and therefore the application is recommended for approval.

### Conclusion

325. An Environmental Impact Assessment (EIA) was undertaken by the applicant to assess the likely environmental effects of the proposed development and this assessment is contained within the submitted Environmental Statement (ES). The ES consists of sections regarding construction methodology and programme, transport and traffic, townscape and visual resources, heritage and archaeology, soils, geology and land contamination, hydrology and drainage, air quality and noise and vibration. These matters have been addressed within the body of this report. The Environmental Statement is considered to be a robust assessment of the likely significant effects of the proposed development. Subject to the recommended conditions and Section 106 Legal Agreement, it is not considered that the proposed development would result in any significant adverse effects which cannot be effectively mitigated/avoided through the use of planning conditions and/or the Section 106 Legal Agreement.
326. Subject to the avoidance and mitigation measures ie. payment of Community Infrastructure Levy (CIL) and contributions to SAMM (TBH SPA), it is concluded that the proposed development would not have any adverse effects upon the integrity of protected international sites from recreational disturbance. As such it is considered that the presumption in favour of development is not restricted by the considerations relating to protected international ecological sites (Paragraph 119 of the NPPF).
327. The planning considerations section of this report has assessed all of the material planning considerations relating to this application. In terms of housing, the application site is located within West Byfleet District Centre within the Urban Area where, in terms of housing provision, mix and density, the proposed development would make a significant contribution to the delivery of new housing within the Borough, increasing choice and would contribute to creating a mixed, inclusive and balanced community.

## 26 SEPTEMBER 2017 PLANNING COMMITTEE

In this regard the proposal would comply with the relevant housing policies of the Woking Core Strategy (2012).

328. The proposal is also considered to represent an efficient use of land. Given the scale of the proposed development it is acknowledged that the appearance of the application site will significantly change, however the site would be designed to a high quality in accordance with the guidelines set out in the Design Code and Parameter Plans and would be landscaped to complement the visual changes although such matters would be further considered through future reserved matter(s) applications.
329. It is also acknowledged, however, that many people will consider that there are disadvantages to the proposal, such as the increased traffic generation, the significant change in the appearance of the site, the disruption resulting from the construction period and other matters relating to the scheme which are outside the considerations for this planning application. All of the comments raised by objectors in the letters of representation have been considered as part of the assessment of the application. As identified above, subject to the recommended conditions and Section 106 Legal Agreement, it is not considered that the proposed development would result in any significant adverse impacts to interests of acknowledged importance which cannot be effectively mitigated/avoided through the use of planning conditions and/or the Section 106 Legal Agreement.
330. The recommendation has been made in compliance with the requirement of the National Planning Policy Framework (2012) to foster the delivery of sustainable development in a positive and proactive manner.

### **BACKGROUND PAPERS**

Consultee responses

Letters of representation

Site Notice(s) (Major Development)

Site Notice(s) (Departure from Development Plan)

Site Notice(s) (Environmental Statement Submitted)

Site Notice(s) (Development Affecting a Conservation Area)

Site Notice(s) (Development Affecting a Listed Building or its Setting)

### **LEGAL AGREEMENT REQUIREMENTS**

	<b>Requirement</b>
1.	Provision of a SMM (TBH SPA) contribution, in accordance with a schedule based on the size of dwellings (bedrooms) and the SMM contribution per dwelling, within the S.106, which would take account of the fact that SMM payments are index linked based on the RPI annual inflation in the particular year, to accord with the Habitat Regulations and Policy CS8.
2.	The securing of an overage review(s) in respect of the Affordable Housing viability appraisal in accordance with Policy CS12 at agreed points.
3.	Provision of public access to the new public square at all times and in perpetuity.
4.	Provision of a minimum of 67no. public car parking spaces for public

## 26 SEPTEMBER 2017 PLANNING COMMITTEE

	access at agreed times and in perpetuity.
--	-------------------------------------------

### **RECOMMENDATION**

**Grant** planning permission subject to the following conditions and above secured by way of Section 106 Legal Agreement:

#### Time Limits

1. Application for the approval of the first reserved matters shall be made to the Local Planning Authority not later than three years from the date of this permission, and the application for approval of all remaining reserved matters shall be made within five years from the date of this permission.

Reason: To comply with the provisions of Section 92(2) 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 begun not later than two years from the date of approval of the first reserved matters.

Reason: To comply with the provisions of Section 92(2) of The Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

#### Reserved Matters

3. Details of the appearance, landscaping, layout and scale (“the reserved matters”) shall be submitted to and approved in writing by the Local Planning Authority before any development begins and the development shall be carried out as approved.

Reason: To comply with Article 6 of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

4. All Reserved Matters applications shall accord with the following approved plans, documents and parameters:

2063-A-P-400 Rev P6 (Parameter Plan 01 Horizontal Limit of Deviation (Ground Floor))

2063-A-P-401 Rev P6 (Parameter Plan 02 Horizontal Limit of Deviation (Typical Floor))

2063-A-P-402 Rev P8 (Parameter Plan 03 Horizontal Limit of Deviation (Top Floor))

2063-A-P-403 Rev P8 (Parameter Plan 04 Minimum & Maximum Building Heights))

2063-A-P-404 Rev P6 (Parameter Plan 05 Land Use (Ground Floor))

2063-A-P-405 Rev P6 (Parameter Plan 06 Land Use (First Floor))

2063-A-P-406 Rev P6 (Parameter Plan 07 Land Use (Typical Floor))

2063-A-P-407 Rev P6 (Parameter Plan 08 Access)

2063-A-P-408 Rev P6 (Parameter Plan 09 Pedestrian Movement)

2063-A-P-409 Rev P6 (Parameter Plan 10 Public Open Space)

2063-A-P-410 Rev P6 (Parameter Plan 11 Topography (Basement))

2063-A-P-411 Rev P6 (Parameter Plan 12 Private Amenity Space)

Design Code (Revision D)

## 26 SEPTEMBER 2017 PLANNING COMMITTEE

Each Reserved Matters submission should include a statement of compliance against each of the Parameter Plans and the individual sections of the Design Code. The development shall be implemented in accordance with such details as approved. No variations to the maximum parameters of the parameter plans shall take place save where the applicant can demonstrate that it is unlikely to give rise to any new or significant environmental effects in comparison with the development as approved and as assessed in the Environmental Statement and any such changes shall have been first approved in writing by the Local Planning Authority.

Reason: For the avoidance of doubt and to ensure that the development accords with the outline planning permission and to comply with Policies CS1, CS4, CS5, CS7, CS9, CS13, CS16, CS17, CS18, CS19, CS21 and CS24 of the Woking Core Strategy (2012) and the policies in the National Planning Policy Framework (2012).

### Approved Plans and Documents

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

#### Parameter Plans

2063-A-P-400 Rev P6 (Parameter Plan 01 Horizontal Limit of Deviation (Ground Floor))

2063-A-P-401 Rev P6 (Parameter Plan 02 Horizontal Limit of Deviation (Typical Floor))

2063-A-P-402 Rev P8 (Parameter Plan 03 Horizontal Limit of Deviation (Top Floor))

2063-A-P-403 Rev P8 (Parameter Plan 04 Minimum & Maximum Building Heights))

2063-A-P-404 Rev P6 (Parameter Plan 05 Land Use (Ground Floor))

2063-A-P-405 Rev P6 (Parameter Plan 06 Land Use (First Floor))

2063-A-P-406 Rev P6 (Parameter Plan 07 Land Use (Typical Floor))

2063-A-P-407 Rev P6 (Parameter Plan 08 Access)

2063-A-P-408 Rev P6 (Parameter Plan 09 Pedestrian Movement)

2063-A-P-409 Rev P6 (Parameter Plan 10 Public Open Space)

2063-A-P-410 Rev P6 (Parameter Plan 11 Topography (Basement))

2063-A-P-411 Rev P6 (Parameter Plan 12 Private Amenity Space)

*(Note: All Parameter Plans are to be read alongside accompanying text)*

#### Approved Documents

Environmental Statement with Appendices

Environmental Statement Non-Technical Summary (dated February 2017)

Design Code (Revision D)

Planning Statement by Turley (January 2017)

Transport Assessment by TTP Consulting (February 2017)

Transport Assessment Update by TTP Consulting Ltd (April 2017)

Draft Commercial Travel Plan by TTP Consulting Ltd (November 2016)

Draft Residential Travel Plan (November 2016)

Flood Risk Assessment by RPS (Ref: JER6713 dated January 2017)

Revised drainage philosophy (23 February 2017)

Design & Access Statement by Glenn Howells Architects (Revision E)

Statement of Community Involvement (SCI) by Core Marketing Ltd (December 2016)

Arboricultural Impacts Assessment by agb Environmental Ltd (Ref: P2525.1.1 dated

## 26 SEPTEMBER 2017 PLANNING COMMITTEE

24 August 2016)

Bat Survey by RPS (Ref: OXF9414 dated July 2016)

Preliminary Ecological Appraisal by RPS (Ref: OXF9414 dated June 2016)

Sustainability Statement by RPS (Ref: OXF9287 dated 19.01.2017)

Energy Report by RPS (Ref: HLEU37491/001Rv2 dated January 2017)

### Surface water drainage (SuDS)

6. Concurrently with the submission of any reserved matters application of the development hereby permitted, details of a scheme for disposing of surface water by means of a sustainable drainage system shall be submitted to and approved in writing by the Local Planning Authority in accordance with the approved discharge rates contained within the revised drainage philosophy (23 February 2017). The scheme shall be implemented in full in accordance with the approved details prior to first occupation. The submitted details shall:

provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site for the critical storm durations for the corresponding design event and the measures taken to prevent pollution of the receiving groundwater and/or surface waters; This shall also include the following information:

- Limits the surface water discharge rate from the site as proposed within the submitted drainage philosophy addendum dated 23 February 2017.
- Demonstration that the proposed surface water drainage system does not surcharge in for the 1 in 1 critical storm duration, Flood in the 1 in 30 critical storm duration or the 1 in 100 critical storm duration for the proposed agreed discharge rates.
- Demonstration that any flooding that occurs when taking into account climate change for the 1 in 100 storm event in accordance with NPPF does not leave the site via overland flow routes.

include a timetable for its implementation; and

provide a detailed management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

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

7. Prior to the commencement of development, construction drawings of the surface water drainage network, associated sustainable drainage components, flow control mechanisms and a construction method statement ensuring no overland flow routes, uncontrolled discharge or sediment leave the site boundary during construction shall be submitted and agreed in writing by the Local Planning Authority. The scheme shall then be constructed as per the agreed submitted drawings and calculations. No alteration to the agreed drainage scheme shall occur without prior written approval from the Local Authority.

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

## 26 SEPTEMBER 2017 PLANNING COMMITTEE

8. Prior to first occupation, a verification report, appended with substantiating evidence demonstrating the agreed/approved construction details and specifications have been implemented, shall be submitted and approved in writing by the Local Planning Authority. This report shall include photographs of excavations and soil profiles/horizons, any installation of any surface water structure and Control mechanism demonstrating the surface water drainage system has been constructed in accordance with the approved details.

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

### Use of piling

9. No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the Local Planning Authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to impact on local underground sewerage utility infrastructure.

10. Piling using penetrative methods shall not be permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: To prevent both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels water pollution, in accordance with the provisions of the National Planning Policy Framework (2012).

### Energy and water consumption for commercial and residential

11. As part of the Reserved Matters applications for any part of the development containing non-residential development, a sustainability strategy including pre-assessment checklist detailing a method of achievement of at least BREEAM 'very good' (or equivalent) for any non-residential development shall be submitted to the Local Planning Authority for approval. No development in that phase shall take place until the sustainability strategy has been approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved sustainability strategy.

Unless otherwise agreed in writing by the Local Planning Authority, no non-residential building shall be occupied until a BREEAM Assessor provided letter confirming the non-residential unit meets at least BREEAM rating "Very Good" has been submitted to and approved in writing by the Local Planning Authority. Proof of the final Certificate issued by BREEAM shall be submitted to the Local Planning Authority within 6 months of the first occupation of the relevant non-residential building certifying that at least BREEAM rating "Very Good" has been achieved for this development (or such

## 26 SEPTEMBER 2017 PLANNING COMMITTEE

equivalent national measure of sustainable building which replaces that scheme).

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).

12. As part of the Reserved Matters applications for any part of the development containing residential development, written evidence shall be submitted to and approved in writing by the Local Planning Authority demonstrating that the residential elements of the development will:
  - a. Achieve 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 a Design Stage Standard Assessment Procedure (SAP) Assessment, produced by an accredited energy assessor; and,
  - b. Achieve a maximum water use of no more than 110 litres per person per day as defined in paragraph 36(2b) of the Building Regulations 2010 (as amended), measured in accordance with the methodology set out in Approved Document G (2015 edition). Such evidence shall be in the form of a Design Stage water efficiency calculator.

Development shall be carried out wholly in accordance with such details as may be agreed and these details shall be permanently maintained unless otherwise first agreed in writing by the Local Planning Authority.

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

13. The residential elements of the development hereby permitted shall not be first occupied until written documentary evidence has been submitted to and approved by, the Local Planning Authority demonstrating that the 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.

Such details as may be agreed shall be permanently maintained unless otherwise first agreed in writing by the Local Planning Authority.

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



Acoustic performance for residential / details of extraction, plant and machinery

14. As part of any reserved matters applications for any part of the development where residential development is proposed to be situated immediately above any non-residential development full details of the measures to be undertaken to ensure the acoustic performance of the relevant party ceilings/floors and walls shall be submitted for approval to the Local Planning Authority. No development in that phase shall take place until the measures have been approved in writing by the Local Planning Authority. The development shall be carried out and thereafter retained in accordance with the approved details prior to the first occupation of the development.

Reason: To protect the environment and amenities of residential occupants of the proposed development in accordance with Policy CS21 of the Woking Core Strategy (2012) and the provisions of the National Planning Policy Framework (2012).

15. Prior to the commencement of the residential elements of the development hereby permitted full details of a scheme for ensuring the internal noise levels within the proposed residences achieve a satisfactory standard shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out concurrently with the development of the residential units and shall be completed fully in accordance with the approved details. The development shall thereafter be permanently retained and maintained in accordance with the approved details unless otherwise first agreed in writing by the Local Planning Authority.

Reason: To protect the environment and amenities of the occupants of the residential development hereby permitted in accordance with Policy CS21 of the Woking Core Strategy (2012), Policy DM7 of the Development Management Policies DPD (2016) and policies in the National Planning Policy Framework (2012).

16. As part of any reserved matters applications for any part of the development where Class A3 - A5 development (inclusive) is proposed full details of the measures to be undertaken to control emissions from the premises shall be submitted for approval to the Local Planning Authority. The measures shall be implemented fully in accordance with the approved scheme prior to the first occupation of the development (or commencement of the relevant Class A3 - A5 (inclusive) use). All equipment installed as part of the scheme shall thereafter be permanently operated and maintained in accordance with the approved details and retained as such thereafter.

Reason: To protect the environment and amenities of the occupants of both existing neighbouring properties and future residential properties within the proposed development from nuisance arising from noise, fumes, smell, smoke or other emissions in accordance with Policy CS21 of the Woking Core Strategy (2012), Policy DM7 of the Development Management Policies DPD (2016) and policies in the National Planning Policy Framework (2012).

17. No fixed plant and equipment associated with air moving equipment, compressors, generators or plant or similar equipment shall be installed until details, including acoustic specifications, have been submitted to and approved in writing by the Local Planning Authority.

Reason: To protect the environment and amenities of the occupants of both existing neighbouring properties and future residential properties within the proposed development from noise and disturbance in accordance with Policy CS21 of the

## 26 SEPTEMBER 2017 PLANNING COMMITTEE

Woking Core Strategy (2012), Policy DM7 of the Development Management Policies DPD (2016) and policies in the National Planning Policy Framework (2012).

### Construction Management

18. No development shall take place (including any works of demolition) until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall accord with and give effect to the principles for such a Plan proposed in the Environmental Statement submitted with the application. The CEMP shall include as a minimum the following matters:
- Contractors' access arrangements for vehicles, plant and personnel including the location of construction traffic routes to, from and within the site, details of their signing, monitoring and enforcement measures, along with location of parking for contractors and construction workers;
  - Delivery and collection times for demolition and construction;
  - Hours of working on the site;
  - Dust management - measures to control the emission of dust/dirt during demolition and construction including wheel washing in accordance with the Mitigation During Construction outlined within Section 12 (Air Quality) of the submitted Environmental Statement;
  - Measures to control noise and vibration during demolition and construction and the use of best practical means to minimise noise and vibration disturbance from works in accordance with the Mitigation Measures outlined within Section 13 (Noise and Vibration) of the submitted Environmental Statement;
  - Measures to prevent ground and water pollution from contaminants on site/a scheme to treat and remove suspended solids from surface water run-off during construction;
  - Soil management measures;
  - Identification of areas/containers for the storage of fuels, oils and chemicals;
  - Details of any temporary lighting to be used for demolition/construction purposes;
  - Site fencing/hoarding and security measures;
  - The prohibition of burning of materials and refuse on site;
  - Management of materials and waste;
  - External safety and information signing and notices;
  - Liaison, consultation and publicity arrangements including dedicated points of contact and contact details;
  - Complaints procedures, including complaints response procedures;
  - Access and protection arrangements around the site for pedestrians, cyclists and other road users including temporary routes;
  - Procedures for interference with public highways, permanent and temporary realignment, diversions and road closures; and
  - Construction management plan for surface water run-off during the construction period.

Reason: To ensure the proposed development does not prejudice the amenities of occupiers of adjoining residential properties and in the interests of highway and pedestrian safety and to protect the environmental interests and the amenity of the area and to comply with Policies CS7, CS9 and CS21 of the Woking Core Strategy (2012) and the policies in the National Planning Policy Framework (2012).

19. No development shall commence until a Construction Transport Management Plan

## 26 SEPTEMBER 2017 PLANNING COMMITTEE

(CTMP) to include details of:

- (a) parking for vehicles of site personnel, operatives and visitors
- (b) loading and unloading of plant and materials
- (c) storage of plant and materials
- (d) programme of works (including measures for traffic management)
- (e) provision of boundary hoarding behind any visibility zones
- (f) HGV deliveries and hours of operation
- (g) vehicle routing
- (h) measures to prevent the deposit of materials on the highway
- (i) before and after construction condition surveys of the highway and a commitment to fund the repair of any damage caused
- (j) on-site turning for construction vehicles
- (k) proposals to minimise the movement of heavy goods vehicles associated with the construction of the development during the hours when children arrive at and depart the schools located along Camphill Road and Old Woking Road

has been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented during the construction of the development.

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 policies in the National Planning Policy Framework (2012).

### On and off site drainage works

20. Development shall not commence until a drainage strategy detailing any on and/or off site drainage works, has been submitted to and approved by, the Local Planning Authority in consultation with the sewerage undertaker. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed.

Reason: To ensure that sufficient capacity is made available to cope with the new development and in order to avoid adverse environmental impact upon the community in accordance with Policy CS16 of the Woking Core Strategy (2012) and the provisions of the National Planning Policy Framework (2012).

### Contamination

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

- (i) The above scheme shall include :-
  - (a) a contaminated land desk study and suggested site assessment methodology;
  - (b) a site investigation report based upon (a);
  - (c) a remediation action plan based upon (a) and (b);
  - (d) a "discovery strategy" dealing with unforeseen contamination discovered during construction;
  - and (e) a "validation strategy" identifying measures to validate the works undertaken as a result of (c) and (d)

## 26 SEPTEMBER 2017 PLANNING COMMITTEE

(f) a verification report appended with substantiating evidence demonstrating the agreed remediation has been carried out

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

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

### Archaeology

22. No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a Written Scheme of Investigation which has been submitted to and approved in writing by the Planning Authority.

Reason: To enable the site to be investigated for archaeological purposes in accordance with Policy CS20 of the Woking Core Strategy (2012) and the provisions of the National Planning Policy Framework (2012).

### Highways

23. The development hereby permitted shall not be first occupied or first opened for trading unless and until the proposed modified access to Madeira Road has been constructed and provided with visibility zones in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority and thereafter the visibility zones shall be kept permanently clear of any obstruction over 1.05m high.

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with Policy CS18 of the Woking Core Strategy (2012) and the provisions of the National Planning Policy Framework (2012).

24. The development hereby permitted shall not be first occupied or first opened for trading or residential occupation unless and until existing accesses from the site to Lavender Park Road and Station Approach have been permanently closed and any kerbs, verge, footway, fully reinstated.

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with Policy CS18 of the Woking Core Strategy (2012) and the provisions of the National Planning Policy Framework (2012).

25. The development hereby permitted shall not be first occupied or first opened for trading unless and until space has been laid out within the site in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority for vehicles and cycles to be parked and for the loading and unloading of number vehicles and for vehicles to turn so that they may enter and leave the site in forward gear. All cycle parking shall be secure, covered and lit. Thereafter the parking / loading and unloading / turning areas shall be retained and maintained for their designated

## 26 SEPTEMBER 2017 PLANNING COMMITTEE

purposes.

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with Policy CS18 of the Woking Core Strategy (2012) and the provisions of the National Planning Policy Framework (2012).

26. The development hereby permitted shall not be first occupied or first opened for trading unless and until a scheme specifying arrangements for deliveries to and removals from the site, to include details of:

- (a) The types of vehicles to be used and hours of their operation
- (b) The design of delivery areas within the development site
- (c) The dimensions and layout of lorry parking areas and turning spaces

have been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved details shall be implemented.

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with Policy CS18 of the Woking Core Strategy (2012) and the provisions of the National Planning Policy Framework (2012).

27. The development hereby permitted shall not be not be first occupied or first opened for trading unless and until the following facilities have been provided in accordance with a scheme or schemes to be submitted to and approved in writing by the Local Planning Authority and in broad agreement with the plans referenced: 2015-2601-DWG-232, 2015-2601-DWG-227, 2015-2601-DWG-233, 2015-2601-DWG-229, 2015-2601-DWG-230, for:

- (a) A new car club bay on Madeira Road, a raised junction at the Madeira Road/Station Approach crossroads, a new loading bay on Station Approach
- (b) A raised crossing at Lavender Park Road/Camphill Road junction, closure and reinstatement of the existing access to the site on Lavender Park Road, and formation of a new loading bay on Lavender Park Road
- (c) Closure and reinstatement of the existing access on Station Approach, and formation of a new loading bay on Station Approach
- (d) If not already provided by the Broadoaks redevelopment installation of microprocessor optimised vehicle actuation (MOVA) upgrade to the A245 Old Woking Road - Parvis Road / Station Approach / Pyrford Road / Camphill Road traffic signal junction, including recalibrating the signal controller with current traffic survey movement data in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with Policy CS18 of the Woking Core Strategy (2012) and the provisions of the National Planning Policy Framework (2012).

28. Prior to the occupation of the development a Travel Plan shall be submitted for the written approval of the Local Planning Authority in accordance with the sustainable

## 26 SEPTEMBER 2017 PLANNING COMMITTEE

development aims and objectives of the National Planning Policy Framework, Surrey County Council's "Travel Plans Good Practice Guide". And then the approved Travel Plan shall be implemented prior to occupation and for each and every subsequent occupation of the development, thereafter maintain and develop the Travel Plan to the satisfaction of the Local Planning Authority.

Reason: In order that the development should reduce reliance upon the private car and meet the objectives of Paragraphs 17 and 36 of the National Planning Policy Framework (2012).

29. The development hereby permitted shall not be first occupied or first opened for trading unless and until a Car Parking Management plan, to include details of:

- (a) Car park operation/split according to land use
- (b) Car park monitoring and information displays/signage
- (c) The dimensions and layout of on site and of site car parking provision for future occupiers

have been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved details shall be implemented and permanently maintained.

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with Policy CS18 of the Woking Core Strategy (2012) and the provisions of the National Planning Policy Framework (2012).

### Ecology

30. The development hereby permitted shall be undertaken in accordance with the details specified within Section 4 (Conclusions) of the Preliminary Ecological Appraisal by RPS (Ref: OXF9414 dated June 2016) unless otherwise first agreed in writing by the Local Planning Authority.

Reason: In accordance with the terms of the application and to ensure the provision of suitable ecological mitigation as specified in the application and to comply with Policy CS7 of the Woking Core Strategy (2012), Circular 06/05 Biodiversity and Geological Conservation and the provisions of the National Planning Policy Framework (2012).

31. As part of the landscaping reserved matters a scheme of biodiversity enhancement of the site shall be submitted to the Local Planning Authority for approval. The scheme of biodiversity enhancement shall include details of the features to be created and managed for species of local importance. The scheme shall be carried out prior to the occupation of any part of the development or otherwise in accordance with a programme first agreed in writing with the Local Planning Authority.

Reason: To ensure the provision of suitable biodiversity enhancement of the site in accordance with Policy CS7 of the Woking Core Strategy (2012), Policy DM1 of the Development Management Policies DPD (2016), Circular 06/05 Biodiversity and Geological Conservation and the provisions of the National Planning Policy Framework (2012).

### **Informatives**

01. With regard to surface water drainage it is the responsibility of a developer to make

## 26 SEPTEMBER 2017 PLANNING COMMITTEE

proper provision for drainage to ground, water courses or a 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. The contact number is 0800 009 3921.

02. There are public sewers crossing or close to the 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 for extensions to existing buildings. The applicant is advised to visit [thameswater.co.uk/buildover](http://thameswater.co.uk/buildover)
03. Thames Water would recommend that petrol/oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of petrol/oil interceptors could result in oil-polluted discharges entering local watercourses.
04. The applicant is advised to contact Thames Water Developer Services on 0800 009 3921 to discuss the details of the piling method statement prior to submission to the Local Planning Authority pursuant to the planning condition.
05. The applicant is advised that, with regard to water supply, the development comes within the area covered by the Affinity Water Company. For information the address to write to is - Affinity Water Company The Hub, Tamblin Way, Hatfield, Herts, AL10 9EZ - Tel - 0845 782 3333.
06. For the avoidance of doubt, the following definitions apply to the above condition relating to contaminated land:

Desk study- This shall include: -

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

Site Investigation Report: This shall include: -

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

Remediation action plan: This plan shall include details of: -

- (i) all contamination on the site which might impact upon construction workers, future occupiers and the surrounding environment;
- (ii) appropriate works to neutralise and make harmless any risk from contamination identified in (i)

## 26 SEPTEMBER 2017 PLANNING COMMITTEE

Discovery strategy: Care should be taken during excavation or working of the site to investigate any soils which appear by eye or odour to be contaminated or of different character to those analysed. The strategy shall include details of: -

- (i) supervision and documentation of the remediation and construction works to ensure that they are carried out in accordance with the agreed details;
- (ii) a procedure for identifying, assessing and neutralising any unforeseen contamination discovered during the course of construction
- (iii) a procedure for reporting to the Local Planning Authority any unforeseen contamination discovered during the course of construction

Validation strategy: This shall include : -

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

All of the above documents, investigations and operations should be carried out by a qualified, accredited consultant/contractor in accordance with a quality assured sampling, analysis and recording methodology.

07. 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.
08. The permission hereby granted shall not be construed as authority to carry out any works on the highway or any works that may affect a drainage channel/culvert or water course. The applicant is advised that a permit and, potentially, a Section 278 agreement must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. All works on the highway will require a permit and an application will need to be submitted to the County Council's Street Works Team up to 3 months in advance of the intended start date, depending on the scale of the works proposed and the classification of the road. Please see <http://www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/the-traffic-management-permit-scheme>.
09. The applicant is also advised that Consent may be required under Section 23 of the Land Drainage Act 1991. Please see [www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/floodingadvice](http://www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/floodingadvice).
10. The applicant is advised that a standard fee may be charged for input to, and future monitoring of, any Travel Plan.
11. The applicant 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.
12. The applicant would be expected to instruct an independent transportation data collection company to undertake the monitoring survey. This survey should conform to a TRICS Multi Modal Survey format consistent with the UK Standard for Measuring



## **26 SEPTEMBER 2017 PLANNING COMMITTEE**

Travel Plan Impacts as approved by the Highway Authority. To ensure that the survey represents typical travel patterns, the organisation taking ownership of the Travel Plan will need to agree to being surveyed only within a specified annual quarter period but with no further notice of the precise survey dates. The applicant would be expected to fund the survey validation and data entry costs.