

26 SEPTEMBER 2017 PLANNING COMMITTEE

5b 16/0834 Reg'd: 23.08.16 Expires: 22.11.16 Ward: MH
Nei. 15.05.17 BVPI Small scale Number >13 On No
Con. 15.05.17 BVPI Small scale Number >13 On No
Exp: Target major - 07 of Weeks on Cttee' Target?
Day:

LOCATION: 7 York Road, Woking, Surrey, GU22 7XH

PROPOSAL: Demolition of existing buildings and erection of a six storey building comprising 46x self-contained flats (26x one bed & 20x two bed), including 30x off-street parking spaces at basement level and associated landscaping

TYPE: Full Planning Application

APPLICANT: Mr Simon Connolly

OFFICER: David Raper

REASON FOR REFERRAL TO COMMITTEE:

The proposal includes the creation of a 'major' development which falls outside the scope of delegated powers as set out by the Management Arrangements and Scheme of Delegation.

PLANNING STATUS

- Urban Area
- Woking Town Centre
- High Accessibility Zone
- Thames Basin Heaths SPA ZoneB (400m-5km)

RECOMMENDATION

GRANT planning permission subject to conditions and Section 106 Agreement to secure a SAMM contribution and Overage Agreement.

SITE DESCRIPTION

The proposal site forms a corner plot on a roundabout serving Bradfield Close, York Road and Montgomery Road in Woking town centre. The eastern part of the site currently comprises a two storey commercial building and includes a car park to the rear which is accessed via York Road. The remaining element of the site is a landscaped area along Bradfield Close, which formed part of the original 'New Central' development. To the east of the site is the three storey residential building of Consort Court, which fronts York Road and has a car park to the rear. To the west of the site are two storey dwellings on the west side of Bradfield Close and two storey dwellings are located along York Road to the west. On the southern side of York Road is a four storey office building occupied by Surrey County Council (Quadrant Court). Further north of the site is the 'New Central' development; a modern mixed use development ranging from 21x storeys on Guildford Road to four storeys on Bradfield Close. The proposal site is positioned on the edge of the Woking Town Centre adjacent to the town centre boundary.

PLANNING HISTORY

- PLAN/2015/0299 - Demolition of existing dwellings and erection of an 8 storey replacement building comprising of 47x residential units (27x one bed and 20x two bed), together with 30 off-street parking spaces at basement level – Refused on 15/01/2016 for the following reasons and dismissed at appeal on 21/12/2016:
 1. *The proposed development fails to reflect the character of the streetscene of York Road by reason of its scale, height, massing and proportions contrary to Policy CS21 of the Woking Core Strategy.*
 2. *The proposed development fails to provide a mix of dwelling sizes and types reflecting the nature of local needs contrary to Policy CS11 of the Woking Core Strategy.*

The site comprised part of the outline permission for the ‘New Central’ development but was not included in the Reserved Matters scheme which was built out:

- PLAN/2005/1229 - Mixed use redevelopment comprising of 446 studio, 1 bed and 2 bed apartments, 4 bed town houses, live / work units, 4719m² of office (class B1(a)) and 1247m² of mixed commercial uses comprising of A1 retail, A3 food and drink following demolition of existing offices. (Outline application: siting and means of access) – Permitted
- PLAN/2007/0857 - Mixed use redevelopment comprising of 445 studio, 1 bed and 2 bed apartments, 4 bed town houses, live / work units, 4719m² of office (class B1(a)) and 1278m² of mixed commercial uses comprising of A1 retail, A3 food and drink (Reserved Matters) – Permitted

SUMMARY OF PROPOSED DEVELOPMENT

The proposal is for the erection of a six storey building (ground plus five) comprising 46x self-contained flats (26x one bed & 20x two bed) plus a basement level with 30x parking spaces and associated landscaping following the demolition of the existing buildings on the site. The building would occupy a prominent corner plot facing the roundabout and would therefore have two road frontages. The building would step down to four storeys adjacent to Consort House on York Road and Chataway House on Bradfield Close and would feature pedestrian entrances and fenestration on both road frontages. The basement level would connect with the existing basement level of the ‘New Central’ development to the north and bin and cycle storage would be provided in the basement level.

Site Area:	0.1265ha (1,265 sq.m)
Existing units:	0
Proposed units:	46
Existing density:	0 (dwellings per hectare)
Proposed density:	363.6 dph

CONSULTATIONS

County Highway Authority:	No objection subject to conditions.
Drainage and Flood Risk Engineer:	No objection subject to conditions.
Environmental Health:	No objection subject to conditions.

Waste Services: No objection subject to conditions.

Housing Strategy and Enabling Officer: No objection subject to Overage Agreement.

REPRESENTATIONS

A total of 17x objections were received in response to the original proposal for a building up to eight storeys raising the following concerns:

- The proposal is similar to the previously refused application and has not overcome the previous reasons for refusal or appeal decision
- Loss of light, overlooking and overbearing impacts
- The proposal is out of character and out of scale with the surrounding area
- Proposal would be an overdevelopment of the site
- Proposal would lead to the loss of trees and landscaping
- Proposal could interfere with television and radio reception
- Parking is already a problem in the area; the proposal would have insufficient parking and lead to inappropriate parking
- Proposal would impact on highway safety
- The applicant is incorrect in suggesting that the existing parking in New Central is underutilised and would allow for overspill parking for the proposed development. The empty spaces are allocated spaces relating to commercial units and so cannot be used to accommodate overspill parking
- The construction phase would cause noise and disruption
- The additional flats would increase the maintenance fees of existing residents.

Neighbours were re-consulted on the amended plans on 24/04/2017 and a further 13x objections were received objecting to the proposal raising points already summarised above.

In addition to the above, 60x positive comments were received, mostly from local businesses, which appear to have been forwarded automatically via a third party website.

RELEVANT PLANNING POLICIES

National Planning Policy Framework (NPPF) (2012):

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

Section 11 - Conserving and enhancing the natural environment

Woking Core Strategy (2012):

CS1 - A Spatial strategy for Woking Borough

CS2 - Woking Town 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

CS15 - Sustainable Economic Development

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

Development Management Policies DPD (2016):

DM2 - Trees and Landscaping
DM7 - Noise and Light Pollution
DM16 - Servicing Development
DM17 - Public Realm

Supplementary Planning Documents (SPDs):

Woking Design (2015)
Affordable Housing Delivery (2014)
Climate Change (2013)
Outlook, Amenity, Privacy and Daylight (2008)
Parking Standards (2006)

Other Material Considerations:

South East Plan (2009) (Saved policy) NRM6 - Thames Basin Heaths Special Protection Area
Thames Basin Heaths Special Protection Area Avoidance Strategy 2010-2015
Waste and recycling provisions for new residential developments
Community Infrastructure Levy (CIL) Charging Schedule (2015)

BACKGROUND

A previous proposal (PLAN/2015/0299) to redevelop the site with an 8x storey building comprising 47x residential units was refused by Planning Committee on 12/01/2016 for the following reasons:

- 1. The proposed development fails to reflect the character of the streetscene of York Road by reason of its scale, height, massing and proportions contrary to Policy CS21 of the Woking Core Strategy.*
- 2. The proposed development fails to provide a mix of dwelling sizes and types reflecting the nature of local needs contrary to Policy CS11 of the Woking Core Strategy.*

This decision was subsequently appealed by the applicant. During the course of the appeal the current application was submitted which originally proposed a development of a similar scale and nature to the refused application, with small reductions in height and bulk in parts of the building and a different housing mix (8x storeys, 17x one bedroom & 28x two bedroom). During the course of the current application, the previously refused application outlined above (PLAN/2015/0299) was dismissed at appeal, the Inspector finding that the proposed eight storey development would be out of scale with its surroundings and out of character with the area. The Inspector did however find the housing mix to be acceptable.

In light of the appeal decision, the applicant amended the proposal to remove two storeys and reduce the height, bulk and massing of the development. The amended plans were received on 15/04/2017 and neighbours and consultees re-consulted on the revised proposal.

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The current proposal is therefore for a six storey building comprising 46x self-contained flats (26x one bed & 20x two bed). The proposal has been assessed based on these plans.

PLANNING ISSUES

Principle of Development:

1. The proposal is a development comprising 46x self-contained flats within the boundary of Woking town centre. The NPPF (2012) and Core Strategy (2012) policy CS25 (2012) promote a presumption in favour of sustainable development. The site constitutes land within the designated Urban Area, within Woking town centre and within the 400m-5km (Zone B) Thames Basin Heaths Special Protection Area (SPA) buffer zone. Core Strategy policy CS10 seeks to ensure that sufficient homes are built in sustainable locations where existing infrastructure is in place and new residential development should seek to maximise the efficient use of land. Core Strategy (2012) policies CS1 and CS2 establish Woking town centre as the primary focus of sustainable growth including high density redevelopment of existing sites in the town centre. The principle of a high-density residential development is therefore considered acceptable subject to the detailed considerations set out below.
2. The existing building on the site includes B1a (office) space which would be lost as part of the proposal. The loss of the office space is not considered to undermine the competitiveness of the town centre when considering the modest amount of space involved and the benefits of providing additional housing in a sustainable location within the town centre. The loss of the commercial space was considered acceptable by the LPA under the previous application (PLAN/2015/0299).

Design and Impact on Character:

3. Core Strategy (2012) policy CS1 'A Spatial Strategy for Woking Borough' establishes the town centre as the primary focus for sustainable growth and states that '*In the town centre, well designed, high density development that could include tall buildings and which enhances its image will be encouraged, but without comprising on its character and appearance and that of nearby areas*'. Policy CS2 'Woking Town Centre' places great weight on high quality development in the town centre and states that '*New Development proposals should deliver high quality, well designed public spaces and buildings, which make efficient use of land, contribute to the functionality of the centre and add to its attractiveness and competitiveness*'. Policy CS21 'Design' states that tall buildings can be supported in the town centre where they are well designed and can be justified within their context.
4. The proposal site is located on the periphery of the town centre where the character transitions from one of relatively high density development such as that found in the New Central Development, to relatively low density development on York Road to the west. Bradfield Close to the north of the site is characterised by four storey development at Bradfield House and Chataway House which form part of the 'New Central' development which extends up to 21x storeys to the north-east on Guildford Road. The remainder of Bradfield Close is characterised by two storey dwellings. To the east of the site on York Road is Consort Court which is a three storey block of retirement flats with a car park to the rear and further to the east is another three storey residential block. To the south of the site is Quadrant Court which is a four storey office building. To the west is York Road which is predominately characterised by two storey residential development. The proposal site was included in the original masterplan for the 'New Central' development and the proposal would effectively be a completion of this development.

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5. The previously refused application, which was for an eight storey building, was not considered to reflect the scale, height and massing of the surrounding area. The current proposal is for a six storey building which steps down to four storeys adjacent to Consort Court on York Road and Chataway House on Bradfield Close. The maximum height of the main body of the building has been reduced by 4.4m and two floors have been removed from the overall height. Sections of the building adjacent to Consort Court have been removed resulting in a less pronounced difference in height between the two buildings. The result is considered to be a relatively significant reduction in bulk, height and scale compared to the previously refused application.
6. The part of the building adjacent to Consort Court would be finished in brickwork which is considered to respect the context of York Road and the predominance of brickwork on Consort Court. The remainder of the building would be finished in a mixture of white render and cladding which is considered an appropriate palette of materials for the context of the proposal site. The previously refused application included a relatively large feature cladding element on both side elevations which has been reduced in scale and simplified. The building is considered to make a visually appropriate step-down in height and scale from six storeys, to five storeys to four storeys adjacent to Consort Court and Chataway House and overall the proposed building is considered of an acceptable height bulk and scale for its context.
7. The proposed development is considered to respond well to its prominent corner position with fenestration and entrances on both road frontages and with a 'wedge' shaped building with the narrowest part of the building fronting onto the roundabout with a curved frontage thereby responding to the shape of the site.
8. The proposal would result in the removal of the existing grass and landscaping on the corner of the site adjacent to the roundabout. However, at ground floor level there is space provided round the proposed building for a generous amount of soft landscaping including tree planting, details of which can be secured by condition (Condition 4). Details of boundary treatments can also be secured by this condition.
9. The proposed building is considered to make an acceptable transition in height, bulk and massing in relation to its neighbours whilst resulting in building of an appropriate scale for a prominent corner position within a town centre where there is presumption in favour of high density development and where sustainable growth in the Borough is focussed. Overall the proposal is therefore considered to have an acceptable impact on the character of the surrounding area.

Impact on Neighbours:

10. The nearest neighbours to the proposal site potentially most affected by the proposed development are those in Consort Court to the East, neighbours on Bradfield Close to the north and west and York Road to the west, The potential impacts on neighbours have been assessed below.

Consort Court:

11. Consort Court comprises 2x three and four storey blocks of flats to the east of the proposal site. No.1-15 Consort Court is immediately adjacent to the site and fronts onto York Road. This block features windows at ground, first and second floor levels on the front and rear and on the side facing the proposal site. The side-facing windows however serve bathrooms and not habitable rooms. The existing two storey building on the site is positioned close to the boundary with Consort Court and extends approximately 6m beyond the rear elevation of Consort Court. This would be

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demolished and replaced with a four to six storey building with a different footprint. The proposed building would not be positioned directly opposite any habitable room windows at No.1-15 Consort Court although the building would inevitably be clearly visible from the rear-facing windows.

12. The windows of the proposed building would not directly face any windows on Consort Court with the exception of windows on the south-facing flank elevation of the building and these would be positioned around 14m from Consort Court at its nearest point. These windows do however serve as secondary windows to flats and so can be required to be obscurely glazed with restricted opening by condition (Condition 11) to avoid undue overlooking. The proposal includes balconies and roof terraces on the rear which would look across the rear parking area of Consort Court. It is acknowledged that south-facing views would be possible from some of the balconies which could cause undue overlooking to windows in Consort Court. It is considered however that privacy screening to the side of balconies would effectively restrict undue overlooking from balconies and this could be secured by condition (Condition 6).
13. No.16-51 Consort Court is a four storey building positioned 15m from the boundary with the proposal site at its nearest point and features habitable room windows which face towards the proposal site. The majority of the proposed development would not be positioned directly opposite these windows with the exception of part of the smaller four storey element fronting onto Bradfield Close. The proposed building would be positioned 17m from this part of Consort Court at its nearest point and habitable room windows and balconies would not be positioned directly opposite habitable room windows in Consort Court. Windows serving a staircase would face this block however these could be required to be obscurely glazed with restricted opening by condition (Condition 11).
14. The applicant has submitted a detailed BRE Sunlight and Daylight Assessment which evaluates the impact of the proposed development on neighbouring windows including those in Consort Court. The assessment concludes that the proposal would have an acceptable impact on both daylight and sunlight to all habitable room windows and where there would be reductions in daylight and sunlight, these would be within the acceptable limits set out in the BRE guidance. The development would impact on the side-facing bathroom windows in Consort Court however bathrooms are not regarded as habitable rooms. Overall the proposed development is therefore considered to have an acceptable neighbour amenity impact on neighbours in Consort Court in terms of loss of light, overbearing and overlooking impacts.

Bradfield Close:

15. Opposite the proposal site on Bradfield Close are two storey 'back-to-back' dwellings arranged in terraces and the closest neighbours in these terraces are No.32 and No.10 Waverley Court. No. 32 Bradfield Close is positioned approximately 25m from the proposed building at its nearest point and No.10 positioned 21m away. The front elevations of these terraces are orientated at an oblique angle relative to the proposed building meaning the development would not be directly opposite main habitable room windows. The flank elevations of the terraces include side-facing windows facing the site however these serve bathrooms and staircases or as secondary windows. Given this relationship, the proposal is not considered to result in undue overlooking to these neighbours. The submitted Sunlight and Daylight Assessment demonstrates an acceptable daylight and sunlight impact on these neighbours. Overall the proposal is therefore considered to have an acceptable amenity impact on neighbours opposite the site on Bradfield Close.

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16. No.1-13 Chataway House is a four storey block of flats immediately to the north of the proposal site with habitable room windows on the front and rear. The four storey element of the proposed building fronting Bradfield Close would be approximately in-line with the footprint of Chataway House but would extend 1m beyond the front elevation of this neighbouring building and 1.5m beyond the rear elevation. The windows nearest the proposed development serve habitable rooms which are also served by other windows on the front and rear elevations and the proposal would pass the '45° test' with these windows in plan form when taking account of the second windows serving the rooms in question. The fourth floor level of the neighbouring block is set-back from the front elevation with a large front roof terrace area serving a flat. The third storey of the proposed building would be directly adjacent to this and would project 2.5m forward of the front elevation of this flat however when considering the dual aspect nature of the neighbour's accommodation at this level and the size of the roof terrace, the proposal is not considered to result in an unacceptable overbearing or loss of light impact on this neighbour. Overall the proposal is therefore considered to have an acceptable neighbour amenity impact on neighbours on Bradfield Close.

York Road/Montgomery Road:

17. Other neighbours in the immediate area include neighbours to the south-west on the corner of York Road and Montgomery Road. At its nearest point the proposed development would be a minimum of 31m from these neighbours in accordance with the guidance set out in the Council's 'Outlook, Amenity, Privacy and Daylight' SPD (2008). The separation distance and the position of the proposed development to the north-east of these neighbours is considered to result in an acceptable neighbour amenity impact. The separation distances involved with other neighbours in the area is considered sufficient to avoid an undue neighbour amenity impact.

Summary:

18. Considering the points discussed above, overall the proposal is considered to have an acceptable neighbour amenity impact in terms of loss of light, overbearing and overlooking impacts. The proposal therefore accords with Core Strategy (2012) policy CS21 which seeks to avoid a 'significant harmful effect' on neighbouring properties. It is also borne in mind that the proposed scheme is lower in height than the previously refused scheme which the LPA found to have an acceptable neighbour amenity impact.

Housing Mix:

19. Core Strategy (2012) policy CS11 requires proposals to address local needs as evidenced in the Strategic Housing Market Assessment (SHMA) which identifies a need for family accommodation of two bedrooms or more. Policy CS11 does however state that lower proportions of family accommodation can be considered acceptable in locations in the Borough, such as the town centre, which are suitable for higher density development. The previously refused application proposed 27x one bed and 20x two bed, which equated to 57% one bed and 43% two bed. This was considered to provide an undue dominance of one bedroom units and was refused partly on this basis. However the appeal Inspector found that Policy CS11 provides flexibility in higher density locations and found that the proposal would result in an acceptable housing mix for its context. The current proposal is for a housing mix of 56.5% one bedroom flats and 43.5% two bedroom flats. In light of the appeal decision and policy CS11, this is considered to result an acceptable housing mix.

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Standard of Accommodation:

20. The proposal includes one and two bedroom properties ranging from around 42m² to around 85m² in floor area. These are consistent with the minimum recommended internal space standards set out in the National Technical Housing Standards (2015). The proposed flats are considered of an acceptable size with acceptable quality outlooks to habitable rooms and most units would benefit from a private balcony or roof terrace. Overall the proposal is considered to achieve an acceptable standard of accommodation for future residents.

Transportation Impact:

21. The maximum parking standard for the proposed development as set out in the Council's Parking Standards (2006) would be 46x spaces. The proposed development would feature a basement level which would link with the existing basement parking level of the adjacent New Central development. The basement level would accommodate 30x parking spaces including 5x disabled spaces. This equates to 0.65 spaces per dwelling. When considering the sustainable location of the site within the town centre, this is considered an appropriate level of car parking for the proposed development. The submitted plans indicate there is sufficient space within the basement level to accommodate 46x secure cycle spaces in accordance with the Council's Parking Standards (2006). The County Highway Authority has reviewed the proposal and raises no objection subject to conditions. There is also sufficient space within the building for bin storage and Condition 5 requires the submission of details of how waste management in development would be operated.
22. The applicant's Planning Statement suggests that the existing basement parking in the New Central development is underutilised and can accommodate overspill parking arising from the proposed development. It is acknowledged that the existing parking within the basement level is allocated to particular flats and retail units and therefore any existing spaces cannot be relied on to accommodate parking demand arising from the proposed development. Officers have assessed the transportation impact of the proposal based on the provision of 30x parking spaces serving the 46x flats currently proposed and are satisfied that the proposal would deliver an acceptable level of parking provision as discussed above.
23. Overall the proposed development is considered to have an acceptable transportation impact.

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

24. The SPAs in this area are internationally-important and designated for their interest as habitats for ground-nesting and other birds. Core Strategy (2012) policy CS8 requires new residential development beyond a 400m threshold, but within 5km of the SPA boundary, to make an appropriate contribution towards the provisions of Suitable Alternative Natural Greenspace (SANG) and the Strategic Access Management and Monitoring (SAMM).
25. The SANG and Landowner Payment elements of the SPA tariff are encompassed within the Community Infrastructure Levy (CIL) however the SAMM element of the SPA tariff is required to be addressed outside of CIL. The applicant has agreed to make a SAMM contribution of **£25,862** in line with the Thames Basin Heaths Special Protection Area Avoidance Strategy 2010-2015 as a result of the net gain of 26x one bedroom and 20x two bedroom dwellings which would arise from the proposal.

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26. In view of the above, the Local Planning Authority is able to determine that the development would have no significant effect upon the SPA and therefore accords with Core Strategy (2012) policy CS8 and the 'Thames Basin Heaths Special Protection Area Avoidance Strategy 2010-2015'.

Sustainable Drainage Systems (SuDS):

27. The NPPF (2012) and Core Strategy (2012) policy CS9 states that Local Planning Authorities should seek opportunities to reduce flood risk through the appropriate application of sustainable drainage systems (SuDS). In April 2015 the Government strengthened planning policy on the provision of sustainable drainage for 'Major' planning applications. In line with the guidance, all 'Major' applications being determined from the 6th April 2015, must consider SuDS at application stage and are now a material planning consideration.
28. The applicant has provided updated sustainable drainage information during the course of the application which has been reviewed and considered acceptable by the Council's Flood Risk and Drainage Engineer subject to conditions (Conditions 18-20). The proposal is therefore considered acceptable in terms of drainage.

Sustainability:

29. Following a Ministerial Written Statement to Parliament on 25 March 2015, the Code for Sustainable Homes (aside from the management of legacy cases) has now been withdrawn. For the specific issue of energy performance, Local Planning Authorities will continue to be able to set and apply policies in their Local Plans that require compliance with energy performance standards that exceed the energy requirements of Building Regulations until commencement of amendments to the Planning and Energy Act 2008 in the Deregulation Bill 2015. This is expected to happen alongside the introduction of Zero Carbon Homes policy in late 2016. The government has stated that the energy performance requirements in Building Regulations will be set at a level equivalent to the outgoing Code for Sustainable Homes Level 4.
30. Until the amendment is commenced, Local Planning Authorities are expected to take this statement of the Government's intention into account in applying existing policies and setting planning conditions. The Council has therefore amended its approach and an alternative condition will now be applied to all new residential permissions which seeks the equivalent water and energy improvements of the former Code Level 4 (Conditions 9 & 10).

Affordable Housing:

31. As the proposal is for more than 15x dwellings, the policy requirement of Core Strategy (2012) policy CS12 is that 40% of dwellings should be affordable. The applicant however has submitted viability information suggesting that the proposed development would not be viable and therefore is unable to make a contribution towards affordable housing. The Council's independent viability consultants (Kempton Carr Croft) were commissioned to independently review this viability information who concur with the applicant that the scheme would not be viable to provide on-site affordable housing or a financial contribution. On this basis, the proposed development would not deliver a contribution towards affordable housing provision. It is however considered appropriate to ensure an Overage Agreement is applied as part of the Section 106 Agreement, should the scheme become viable.

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Community Infrastructure Levy:

32. In line with the Council's Charging Schedule the proposed development would be CIL liable. The required CIL payment for the proposed development would be **£355,569.23** on the basis of a net increase in floor area of 4,280 sq.m.

CONCLUSION

33. Considering the points discussed above, the proposal is considered an appropriate form of development which would have an acceptable impact on the amenities of neighbours, on the character of the area and in transportation terms. Subject to a Legal Agreement, the proposal is considered to have an acceptable impact on the Thames Basin Heath SPA. The proposal therefore accords with the Development Plan and is therefore recommended for approval subject to conditions and a Legal Agreement as outlined below.

BACKGROUND PAPERS

1. Site visit photographs
2. Consultation responses
3. Representations
4. 'Major' Site Notice
5. Appeal Decision ref: APP/A3655/W/16/3148379 dated 21/12/2016

PLANNING OBLIGATIONS

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

	Obligation	Reason for Agreeing Obligation
1.	SAMM (SPA) contribution of £25,862	To accord with the Habitat Regulations, policy CS8 of the Woking Core Strategy 2012 and The Thames Basin Heaths SPA Avoidance Strategy 2010-2015.
2.	Overage Agreement securing a financial contribution towards affordable should the scheme become viable	To accord with Policy CS12 of the Woking Core Strategy 2012 and SPD 'Affordable Housing Delivery' (2014).

RECOMMENDATION

GRANT planning permission subject to the following conditions and S106 Agreement:

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

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

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

PL(02)100 (Site Location Plan) received by the LPA on 20/07/2017

PL(02)200 Rev.P1 (Site Plan) received by the LPA on 20/08/2017

PL(03)100 Rev.P4 (Proposed Ground Floor Plan) received by the LPA on 15/04/2017

PL(03)101 Rev.P4 (Proposed First Floor Plan) received by the LPA on 15/04/2017

PL(03)102 Rev.P4 (Proposed Second Floor Plan) received by the LPA on 15/04/2017

PL(03)103 Rev.P4 (Proposed Third Floor Plan) received by the LPA on 15/04/2017

PL(03)104 Rev.P3 (Proposed Fourth Floor Plan) received by the LPA on 15/04/2017

PL(03)105 Rev.P4 (Proposed Fifth Floor Plan) received by the LPA on 15/04/2017

PL(03)B00 Rev.P3 (Proposed Basement Floor Plan) received by the LPA on 15/04/2017

PL(05)100 Rev.P4 (Proposed Elevation as Viewed from York Road) received by the LPA on 15/04/2017

PL(05)100 Rev.P4 (Proposed Elevation as Viewed from Bradfield Close) received by the LPA on 15/04/2017

PL(05)102 Rev.P4 (Rear Elevation as Viewed from the Consort Court Internal Courtyard) received by the LPA on 15/04/2017

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

3. ++ Prior to the commencement of any above-ground works in connection with the development hereby permitted, a written specification of all external materials to be used in the construction of the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and thereafter retained in accordance with the approved details unless otherwise first agreed in writing by the Local Planning Authority.

Reason: In the interests of the visual amenities of the area and in accordance with Policy CS21 of the Woking Core Strategy 2012.

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

Reason: To preserve and enhance the character and appearance of the locality in accordance with Policies CS21 and CS24 of the Woking Core Strategy 2012.

5. Prior to the first occupation of the development hereby approved, details of the proposed waste and recycling management arrangements for the development shall be submitted to and approved in writing by the Local Planning Authority. Such details as may be

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agreed shall then be implemented and retained thereafter for the lifetime of the development hereby approved.

Reason: In the interests of amenity and to ensure the appropriate provision of infrastructure in accordance with Policy CS16 of the Woking Core Strategy 2012.

6. ++Prior to the commencement of any above ground works in connection with the development hereby approved, details of privacy screening and balustrades to the balconies and roof terraces on the rear of the building shall be submitted to and approved in writing by the Local Planning Authority. Development shall thereafter take place in accordance with the agreed details and shall be permanently retained in the agreed condition unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard the amenities of the adjoining properties in accordance with Policy CS21 of the Woking Core Strategy 2012.

7. ++ Prior to the commencement of the development hereby approved a Method of Construction Statement, to include details of points (a) to (h) below shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall then be implemented during the construction of the development hereby approved.
 - (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
 - (f) measures to prevent the deposit of materials on the highway
 - (g) on-site turning for construction vehicles
 - (h) measures to protect the amenities of neighbouring occupiers during construction

Measures will be implemented in accordance with the approved Method of Construction Statement and shall be retained for the duration of the construction period. Only the approved details shall be implemented during the construction works unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the development does not prejudice highway safety nor cause inconvenience to other highway users and in the interests of public safety and amenity in accordance with Policies CS18 and CS21 of the Woking Core Strategy 2012.

8. Prior to the first occupation of the development hereby approved, the existing redundant vehicle access from the site onto York Road shall be permanently closed and the kerbs and footway fully reinstated.

Reason: In order that the development should not prejudice highway safety nor should it inconvenience other highway users.

9. ++Prior to the commencement of the development hereby approved, written evidence shall be submitted to and approved in writing by the Local Planning Authority (LPA) demonstrating that 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),

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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 the agreed details and maintained as such in perpetuity unless otherwise agreed in writing by the LPA.

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.

10. The development hereby permitted shall not be occupied until written documentary evidence has been submitted to and approved in writing 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.

Development shall be carried out wholly in accordance with the agreed details and maintained as such in perpetuity unless otherwise agreed in writing by the LPA.

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.

11. The windows in the south-facing elevation identified as serving units 'P-10(1)' at first floor level, 'P-10(2)' at second floor level and 'P-08(03)' at third floor level as referred to the approved plans listed in this notice, and the windows in the east-facing elevation identified as serving a stairwell at first, second and third floor level, shall be glazed entirely with obscure glass and non-opening unless the parts of the windows which can be opened are more than 1.7 metres above the finished floor level of the rooms in which the windows are installed. Once installed the windows shall be permanently retained in that condition unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard the amenities of the adjoining properties in accordance with Policy CS21 of the Woking Core Strategy 2012.

12. Prior to the first occupation of the development hereby approved, space shall be laid out within the site in accordance with the approved plans listed in this notice for vehicles and bicycles to be parked and thereafter the parking and turning areas shall be permanently retained and maintained for their designated purpose.

Reason: In order that the development should not prejudice highway safety nor should it inconvenience other highway users.

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

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Local Planning Authority. Development shall thereafter take place and be maintained in accordance with the agreed details.

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

14. The development hereby approved shall be constructed in accordance with the recommendations set out within the General Noise and Vibration Assessment by WA Hines & Partners (01/03/2015) and complied with in full. Development shall thereafter take place and be maintained in accordance with the agreed details.

Reason: To protect the residential amenities of future occupiers.

15. In accordance with the submitted Television Reception Survey and television environment impact by Bitstream Broadcast (March 2015) a post construction mitigation survey should be undertaken and any findings shall be implemented and complied with in full within 6 months of first occupation of the development hereby approved.

Reason: To protect the residential amenities of the neighbouring properties in accordance with Policies CS21 of the Woking Core Strategy 2012.

16. Prior to the installation of any external lighting including floodlighting, details of the lighting (demonstrating compliance with the recommendations of the Institute of Lighting Engineers 'Guidance Notes for Reduction of Light Pollution' and the provisions of BS 5489 Part 9) shall be submitted to and approved in writing by the Local Planning Authority. The approved lighting scheme shall be installed and maintained in accordance with the agreed details thereafter.

Reason: To protect the appearance of the surrounding area and the residential amenities of the neighbouring properties in accordance with Policies CS18 and CS21 of the Woking Core Strategy 2012.

17. Notwithstanding the provisions of Article 3 and Schedule 2 Part 16 of The Town and Country Planning (General Permitted Development) Order 2015, (or any Orders amending or re-enacting that Order with or without amendments) no telecommunications equipment attached to the building hereby approved shall be erected without the prior written consent of the Local Planning Authority.

Reason: To ensure a satisfactory appearance and to protect the visual amenities of the locality.

18. ++ Prior to the commencement of the development hereby approved, construction drawings of the surface water drainage network, associated sustainable drainage components, flow control mechanisms and a construction method statement shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall then be constructed and maintained in accordance with the approved drawings, method statement and Micro drainage calculations prior to the first occupation of the development hereby approved. No alteration to the approved drainage scheme shall occur without prior written approval of the Local Planning 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 and the policies in the NPPF.

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19. Prior to first occupation of the development hereby approved, details of the maintenance and management of the sustainable drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The drainage scheme shall be implemented prior to the first occupation of the development hereby approved and thereafter managed and maintained in accordance with the approved details in perpetuity. The Local Planning Authority shall be granted access to inspect the sustainable drainage scheme for the lifetime of the development. The details of the scheme to be submitted for approval shall include:

- i. a timetable for its implementation,
- ii. Details of SuDS features and connecting drainage structures and maintenance requirement for each aspect
- iii. A table to allow the recording of each inspection and maintenance activity, as well as allowing any faults to be recorded and actions taken to rectify issues; and
- iv. A management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

Reason: To ensure that the development achieves a high standard of sustainability, continues to be maintained as agreed for the lifetime of the development and to comply with Policies CS9 and CS16 of the Woking Core Strategy 2012 and policies in the NPPF.

20. Prior to the first occupation of the development hereby approved, a Verification Report, appended with substantiating evidence, demonstrating that the agreed construction details and specifications for the sustainable drainage scheme have been implemented, shall be submitted to and approved in writing by the Local Planning Authority. This report will include photos of excavations and soil profiles/horizons, any installation of any surface water structure and control mechanism.

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

Informatives

1. The Council confirms that in assessing this planning application it has worked with the applicant in a positive and proactive way, in line with the requirements of paragraph 186-187 of the National Planning Policy Framework 2012.
2. The permission hereby granted shall not be construed as authority to carry out works on the highway. The applicant is advised that a licence 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.
3. Notwithstanding any permission granted under the Planning Acts, no signs, devices or other apparatus may be erected within the limits of the highway without the express approval of the Highway Authority. It is not the policy of the Highway Authority to approve the erection of signs or other devices of a non-statutory nature within the limits of the highway.
4. The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any

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expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders. (Highways Act 1980 Sections 131, 148, 149).

5. The permission hereby granted shall not be construed as authority to obstruct the public highway by the erection of scaffolding, hoarding or any other device or apparatus for which a licence must be sought from the Highway Authority Local Highways Service.
6. When an access is to be closed as a condition of planning permission a licence issued by, the Highway Authority Local Highways Service will require that the redundant dropped kerb be raised and any verge or footway crossing be reinstated to conform with the existing adjoining surfaces at the developers expense. The developer is advised that as part of the detailed design of the highway works required by the above condition(s), the County Highway Authority may require necessary accommodation works to street lights, road signs, road markings, highway drainage, surface covers, street trees, highway verges, highway surfaces, surface edge restraints and any other street furniture/equipment. Details of the highway requirements necessary for inclusion in any application seeking approval of reserved matters may be obtained from the Transportation Development Planning Division of Surrey County Council.
7. Your attention is specifically drawn to the conditions above marked ++. These condition(s) require the submission of details, information, drawings, etc. to the Local Planning Authority PRIOR TO THE COMMENCEMENT OF ANY DEVELOPMENT ON THE SITE or, require works to be carried out PRIOR TO THE COMMENCEMENT OF THE USE. Failure to observe these requirements will result in a contravention of the terms of the permission and the Local Planning Authority may serve Breach of Condition Notices to secure compliance.

You are advised that sufficient time needs to be given when submitting details in response to conditions, to allow the Authority to consider the details and discharge the condition. A period of between five and eight weeks should be allowed for.

8. The applicant is advised that this application is liable to make a CIL contribution of **£355,569.23**. The applicant must complete and submit a Commencement (of development) Notice to the Local Planning Authority, which the Local Planning Authority must receive prior to commencement of the development.
9. The applicant is advised that under the Control of Pollution Act 1974, works which will be audible at the site boundary will be restricted to the following hours:-

8.00 a.m. - 6.00 p.m. Monday to Friday
8.00 a.m. - 1.00 p.m. Saturday
and not at all on Sundays and Bank Holidays.