

## 26<sup>th</sup> September 2017 PLANNING COMMITTEE

5d 16/0990 Reg'd: 19.10.2016 Expires: 29.09.17 Ward: BWB

Nei. 25.11.20 BVPI Minor Number 50/50 On Yes  
Con. 16 Target of Weeks Target?  
Exp: on Cttee'  
Day:

LOCATION: Globe House, Lavender Park Road, West Byfleet, Surrey, KT14 6ND

PROPOSAL: Extension of the existing Globe House to increase living space on existing apartments and to create 6no self contained flats (3no studio and 3no 1 bed units) with associated landscaping works (Amended Description) (Amended Plans).

TYPE: FULL

APPLICANT: Mr Jeffrey Scholar

OFFICER: Barry Curran

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

The application proposes the creation of 6no residential units which falls outside of the scheme of delegated powers.

### **SUMMARY OF PROPOSED DEVELOPMENT**

This is an application for the extension of the existing Globe House which received Prior Approval for the conversion of the office building into 18no residential units (PLAN/2015/0015) for a 4 storey extension to a number of the existing units and to accommodate 6 additional residential units (3no studio and 3no 1 bed units).

### **PLANNING STATUS**

- Urban Area
- West Byfleet District Centre
- Area Adj./Affect Conservation Area
- High Archaeological Potential Area
- SPA Zone B

### **RECOMMENDATION**

GRANT planning permission subject to conditions and S.106 Legal Agreement.

### **SITE DESCRIPTION**

The application site refers to Globe House, a recently converted residential building located within the West Byfleet District Centre and just outside of the Primary Shopping Area. As well as being located within the District Centre, the site is within a designated Area of High Archaeological Potential and bound by the Station Approach

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Conservation Area to the north-west. A 3 storey building occupies the site (with accommodation in the roof space) fronting Lavender Road and wraps around onto Madeira Road with a large area of hard standing accessed off Madeira Road towards the rear serving as parking. The building has brick and rendered fascias with large fenestration openings with a primarily horizontal accent.

Surrounding developments include office buildings fronting Lavender Road, residential dwellings on the opposite side of Lavender Road and residential developments to the north-west within the Station Approach Conservation Area backing onto Madeira Road.

### **PLANNING HISTORY**

PLAN/2016/0180 - Construction of 5No apartments (2x1 bed, 3x2 bed) in new extension building on existing Globe House site and associated landscaping remedial works – Refused 28.04.2016

#### *Reasons:*

- 1. The proposal by reason of the form and design would result in a form of development that would be out of keeping with the host building and street-scene and which would not preserve or enhance the character of the adjacent Conservation Area. The proposal would therefore fail to respect and make a positive contribution to the character and appearance of the area and adjacent Conservation Area contrary to Policies CS3, CS20 and CS21 of Woking Core Strategy 2012, Policy BE9 of the Woking Borough Local Plan 1999, Design SPD and provisions within the National Planning Policy Framework.*
- 2. The proposal, by reason of its scale, form and proximity to the existing rear elevation of Globe House would result in significant detrimental impact by reason of overbearing due to bulk and proximity, loss of outlook, loss of privacy and loss of light to the fenestrated south-western rear elevation of Globe House contrary to policy CS21 of the Woking Core Strategy 2012, Supplementary Planning Documents 'Outlook, Amenity, Privacy and Daylight' 2008 and 'Design' 2015 and Section 7 of the National Planning Policy Framework.*
- 3. The proposal would create poor living conditions for future occupants of the Flat 1 with regard to provision of daylight, outlook and privacy. This would be contrary to Policy CS21 of the Woking Core Strategy (October 2012), Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight (2008)' and core principle of the National Planning Policy Framework.*
- 4. In the absence of a Legal Agreement or other appropriate mechanism to secure contributions towards affordable housing, it cannot be determined that the proposed dwelling would make sufficient contribution towards affordable housing. The proposal is therefore contrary to Policy CS12 of the Woking Core Strategy 2012 and Supplementary Planning Document 'Affordable Housing Delivery (2014)'.*
- 5. In the absence of a Legal Agreement or other appropriate mechanism to secure contributions towards mitigation measures, it cannot be determined that the residential block extension would not have a significant impact on the*

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*Thames Basin Heaths Special Protection Area, contrary to Policy CS8 of the Woking Core Strategy (2012), the Thames Basin Heaths Avoidance Strategy (2010 - 2015) and saved Policy NRM6 of the South East Plan (2009) and the Conservation of Habitats and Species Regulations 2010 (SI No. 490 - the "Habitats Regulations").*

PLAN/2015/0015 – Prior Notification for a proposed change of use of offices (B1) to dwellings (C3) to create 2No studio flats, 7No 1 bedroom flats, 9No 2 bedroom flats and 16No parking spaces – Prior Approval Approved 22.01.2015

PLAN/2014/0147 - Prior notification for a proposed change of use of offices (B1) to dwellings (C3) to create 2No studio flats, 5No 1 bedroom flats and 11No 2 bedroom flats – Prior Approval Approved 01.04.2014

### Sheer House Site

PLAN/2017/0128 - 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) – Under Consideration elsewhere on this agenda.

### **PROPOSED DEVELOPMENT**

The application seeks permission to erect a 4 storey extension to Globe House with ground floor parking for 5no cars. The proposal is a revised design from the previously refused scheme under PLAN/2016/0180 but increases the number of units from 5 to 6 with 3no studio flats and 3no 1 bedroom units.

The building would comprise of four storeys including ground level, which will be designed in a complimentary style to the host building maintaining the fenestration pattern and vertical emphasis evident on the existing building.

### **SUMMARY INFORMATION**

|                   |          |
|-------------------|----------|
| Site Area:        | 0.104 ha |
| Existing Units:   | 18       |
| Proposed Units:   | 24       |
| Existing Density: | 173 dph  |
| Proposed Density: | 231 dph  |

### **CONSULTATIONS**

**County Highway Authority:** No objection subject to conditions (Conditions 7 and 8) (28.11.16)

**Neighbourhood Services:** No objection subject to compliance with Waste Strategy Rev B Received 05.09.17 (Condition 10) (05.09.17)

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**Scientific Officer:** Raises a number of queries but recommends a condition to ensure an appropriate way forward (Condition 13) (06.04.17)

**Environmental Health:** No objection (06.12.16)

**Drainage Officer:** No objection subject to conditions (Condition 11) (25.11.16)

**Conservation Officer:** Raises no objection in terms of design, massing and scale but raises concern over the potential living conditions of the ground floor flat (06.12.16) (*Officer Note: amended plans have been submitted omitting the ground floor unit*)

**Surrey Archaeology:** Considers the Archaeological Desk Based Assessment is considered acceptable and agrees that an Archaeological Watching Brief exercise would be appropriate with the implementation of a programme of archaeological work secured by condition (Condition 12) (22.11.16)

### **REPRESENTATIONS**

There have been 4no third party letter of objection submitted with regards to the proposed development. The letters raises a number of concerns, with regards to the proposed development;

- The proposed development would not meet the design parameters for West Byfleet and do not contribute positively to its character contrary to Policy CS3, CS21 and CS24 of the Woking Core Strategy 2012;
- The development will not compliment the surrounding area and the wider regeneration of the district, potentially sterilising the redevelopment of the Sheer House site which may render it unviable;
- Lack of provision for open space;
- Substantial overbearing impact of the development on the Sheer House site; and
- Density levels proposed are above those outlined in the Woking Core Strategy.
- Inadequate parking provisions for the proposed development.

### **RELEVANT PLANNING POLICIES**

#### National Planning Policy Framework 2012

Section 2 – Ensuring vitality of town centres

Section 6 - Delivering a wide choice of high quality homes

Section 7 - Requiring good design

Section 11 – Conserving and enhancing the historic environment

#### Core Strategy Publication Document 2012

CS3 – West Byfleet District Centre

CS8 - Thames Basin Heaths Special Protection Area

CS10 – Housing provision and distribution

CS11 – Housing mix

CS12 – Affordable housing

CS18 – Transport and accessibility

CS20 – Heritage and Conservation

CS21 - Design

CS22 - Sustainable Design and Construction

CS24 - Woking's Landscape and Townscape

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CS25 – Presumption in favour of sustainable development

Development Management Policies DPD (2015)

DM8 - Land Contamination and Hazards

DM20 – Heritage Assets and their Setting

The West Byfleet Neighbourhood Development Plan (2017) (Emerging)

BE1 - Development character

BE2 - New housing quality

BE6 - Residential parking provision

*(Officer Note: The Inspector's Report has found the WBNDP to be sound subject to main modifications. Subject to the Council's decision, the WBNDP is scheduled to go to referendum. 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.)*

Supplementary Planning Guidance

Supplementary Planning Document 'Parking Standards' 2006

Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight' 2008

Draft Supplementary Planning Document 'Design' 2014

Thames Basin Heaths Special Protection Area Avoidance Strategy 2010-2015

Byfleet Corner/Rosemount Parade and Station Approach, West Byfleet Conservation Areas Character Appraisal and Design Guidance

### **PLANNING ISSUES**

1. The main issues to consider in determining this application are; the principle of development, design considerations and the impact of the proposal on the streetscene, character of the Conservation Area, layout and creation of acceptable residential development for proposed occupiers, impact on residential amenity, highways and parking implications, waste management, impact on flooding, archaeological potential, contamination, sustainability, affordable housing, Local Finance Considerations and the impact on the Thames Basin Heaths Special Protection Area having regard to the relevant policies of the Development Plan.

#### Principle of Development

2. The National Planning Policy Framework and Policy CS25 of the Woking Core Strategy 2012 promote a presumption in favour of sustainable development. The application site is Previously Developed Land (PDL) within a sustainable location within the defined Urban Area in the West Byfleet Neighbourhood Centre and in a defined High Density Residential Area.
3. Policy CS1 of the Woking Core Strategy 2012 states: "*Development located in the District, Local and Neighbourhood Centres to provide housing, jobs and convenient access to everyday shops, services and local community facilities will also be encouraged*". The net increase of 6 residential units contributes to provision for delivery of 4,964 additional dwellings in the Borough. The proposed site will serve as a high density residential site located within the District Centre of West Byfleet. Policy CS3 of the Woking Borough Core

Strategy 2012 indicates that *“high density mixed use development will be encouraged within West Byfleet District Centre as indicated on the Proposals Map. All new development should be well designed and integrated, and enhance local character.”* Policy CS3 also gives an indicative amount of 170 residential units over the life of the Core Strategy with 1,000-1,500 sqm of additional office floorspace and up to 13,000 sqm of ‘A Class’ floorspace. The proposal will provide 6 additional units but does not provide any additional office floorspace or retail floorspace. It is noted that the proposed development would comply with this element of the policy.

4. Policy CS10 makes provision for 250 dwellings as infill development in the West Byfleet District Centre between 2010 and 2027, at a density of 50-100dph. The reasoned justification for the policy states that in District Centres *“infill and other forms of residential development within these centres will be permitted within the boundaries as shown on the Proposals Map”*. The Core Strategy implies that these density figures are only to be used as indicative, where it goes on to state that density levels will depend on the nature of the site and will be influenced by design with the aim to achieve the most efficient use of land. Higher densities than these guidelines will be permitted in principle where they can be justified in terms of the sustainability of the location and where the character of the area would not be compromised. This proposal would result in a density of 231dph which is higher than indicative density levels, however, this is considered to be justified by the site’s sustainable location and its acceptable impact on the character of the area which is discussed in further detail in the following section.
5. As previously noted the application site was subject to a Prior Notification in 2015 which converted the existing office building into a residential block at 236dph (excluding the wider site). The proposed development (within red line) will include a density range of 222dph and total site amounting to 231dph including both developments. While this figure is above the indicative range, the proposed development is considered to be justified by the extant Prior Approval and sustainability of the site which will be discussed below.
6. Policy CS11 states that all residential proposals will be expected to provide a mix of dwelling types and sizes to address the nature of local needs depending on the established character and density of neighbourhood. Located within the West Byfleet District Centre, the wider locality includes a relative low density, as existing although this may change given the outlined consent for Sheer House (PLAN/2017/0128). Globe House, however, is high density and this principle of higher density has been established. Further to this, in order to make the most efficient use of land within High Density Residential Areas, developments at densities in excess of 70dph will be permitted as outlined in section 5.61 in the Woking Core Strategy 2012. It is considered that the scale of the proposed development is in keeping with its immediate neighbours within the application site and is in line with Policy CS11 of the Woking Core Strategy 2012.
7. Policy CS11 also 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. It does, however, state that lower proportions of family accommodation can be considered acceptable in locations in the Borough, such as the town/urban centres, which are suitable for higher density development. The proposal would comprise 50% one bedroom flats and 50% studio flats. Whilst this mix does not deliver a high

proportion of family sized units, the proposal is considered an appropriate mix for a high density development in the West Byfleet urban centre.

8. The National Planning Policy Framework and Policy CS25 of the Woking Core Strategy 2012 promote a presumption in favour of sustainable development. The proposal involves the erection of a 4 storey residential extension and is located with the West Byfleet District Centre served by a number of services and feeder routes to Woking and surrounding urban centres with a train station in very close proximity. The site is located on a local bus route and has easy access to the main routes from surrounding urban centres. Given this, the site is considered to be a sustainable location.

Design Considerations and Impact on Character of Area and Adjacent Conservation Area

9. Policy CS21 requires new development to pay due regard to the scale, height, proportions, building lines, layout, materials and other characteristics of adjoining buildings and land; to achieve a satisfactory relationship to adjoining properties. One of the core principles of the National Planning Policy Framework is to seek to secure high quality design. Para 131 echoes the provisions of the Core Strategy Policy CS21 in that Local Planning Authorities should take account of the *“the desirability of new development making a positive contribution to local character and distinctiveness”*.
10. The National Planning Policy Framework advises that the overall scale, density, layout, materials etc. of development should be guided by neighbouring buildings and the local area. Globe House holds a conventional form without a distinctive style evident. Its fascias are articulated by protruding pitched roof gables and eaves dormers with a fenestration pattern of primarily vertical accents. Surrounding buildings are also variable with Arts and Crafts style dwellinghouses on the opposite side of Lavender Park Road, industrial style two storey buildings on the north-eastern side of Station Approach and an Arts and Crafts style parade of shops which back onto the application site from the adjacent Station Approach Conservation Area.
11. The proposal would stem off the rear (south-west) elevation of Globe House at 4 storeys in height adjoining the host building via a linked extension across the three floors which is set down 1.4 metres from the ridge line of Globe House. This link accentuates the new addition creating an intermediary for a fluid transition between the existing and proposed built elements. Standing at 14.3 metres in height, the extension would project above the existing Globe House by 0.8 metres without the immediate stark difference becoming too prevalent due to the lower link. The Council's Supplementary Planning Document 'Design' 2015 states that facades should compliment adjoining properties therefore calling for a form and design to relate to that of the existing building. The extension, particularly on the north-western elevation recognises the design undertone of the existing Globe House without replicating the previous B1 use building. The vertical and horizontal accents are carried forward by way of gable projections with an atrium serving the stairwell adopting a vertical emphasis. Eaves dormers emulating some of the inherent features of the host building form part of the addition allowing a clear correlation between the old and the new.

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12. Policy CS3 of the Woking Core Strategy 2012 states that *“all new development should be well designed and integrated, and enhance local character”*. Globe House, as existing, forms a building with a fenestration pattern and conventional form which could be described as a ‘typical’ commercial property. One of the previous reasons for refusal was that the development *“would be out of keeping with the host building and street-scene and which would not preserve or enhance the character of the adjacent Conservation Area. The proposal would therefore fail to respect and make a positive contribution to the character and appearance of the area and adjacent Conservation Area”*. The addition, proposed under this application, addresses the stark differences between the previous refusal and the host building with an addition which pays due regard to the line, scale, level and geometry of the existing building. Each elevation corresponds well in the relationship with a central obscured glazed feature on the south-west elevation adding articulation to this elevation without potentially sterilising the adjacent Sheer House site. Similarly, the south-eastern side ties in with the existing Globe House with a fenestration pattern and glazed balustrades adding articulation on this elevation. External materials would consist predominantly of facing-brick with rendered elements and glazing dominating the elevation fronting Madeira Road. Access gates and entrance doors on this elevation are to be of a metal welded mesh and timber appearance adding visual interest along this, the primary elevation. These external materials can be secured by way of condition (Condition 2).
13. The Station Approach Conservation Area lies to the north-west of the application site, although the primary shop frontage of this Conservation Area fronts onto Station Approach and backs onto Madeira Road. Nevertheless new development should respect the characteristics of this area. The Byfleet Corner/Rosemount Parade and Station Approach, West Byfleet Conservation Areas Character Appraisal and Design Guidance states in section 7.5 that *“new developments within the Village Centre, which adjoin the Conservation Areas or are clearly visible from them should harmonise with or, where appropriate, enhance existing developments within the Conservation Area having regard to scale, form, massing and material finish.”* This appraisal goes on to say that *“new developments should reinforce the existing street pattern by the provision of continuous buildings with positive elevations to all main frontages.”* Policy DM20 of the Development Management Policies DPD 2016 echoes the provisions of this seeking to ensure development preserves or enhances a heritage asset and its setting in terms of quality of design and layout.
14. As previously noted, the proposed development would tie in with the existing Globe House with a form and design considered to respect the host building with an appropriate marriage by way of intermediary link. Introduction of this extension along Madeira Road would result in an addition forming an acceptable feature with a design, massing and scale complimentary to the area which in turn would improve the established relationship between this side of Madeira Road and the adjacent Station Approach Conservation Area. The Council’s Conservation Consultant has been consulted on this application and raises no objection, in design terms, to the extension as the development produces an acceptable corner feature recognising the established design of Globe House.
15. For the above reasons, the design of the proposals is considered to have a positive impact and enhance the character of the area. The proposal is

therefore considered to comply with the National Planning Policy Framework, Policies CS3, CS20 and CS21 of the Woking Core Strategy 2012, Policy BE1 of the emerging West Byfleet Neighbourhood Plan 2017, Supplementary Planning Document 'Design' 2015, Policy DM20 of the Development Management Policies DPD 2016 and Supplementary Planning Guidance 'Byfleet Corner/Rosemount Parade Station Approach, West Byfleet Conservation Areas Character Appraisal and Design Guidance'.

Layout and Creation of Acceptable Residential Development for Proposed Occupiers

16. The proposed units will be split between the top 3 floors with cycle and bin storage at ground floor level. Given the size of the flats (all below 65 sqm), there is no specific requirement for private amenity space. Policy BE2 of the emerging West Byfleet Neighbourhood Plan states that *"proposals for new housing should demonstrate good design and should contribute positively to creating a sense of place"*. The flats are considered to achieve an acceptable level of amenity with the first, second and third floor 1 bedroom units (Flats 21, 23 and 25) incorporating dual aspect kitchen/living/dining rooms with a north-west facing balcony and south-east windows providing an acceptable level of outlook and adequate privacy levels. The first, second and third floor studio units (Flats 20, 22 and 24) provide a Juliet balcony on the south-eastern elevation and high-level window on the north-eastern elevation providing an acceptable level of daylight to penetrate the relatively compact units which cover a floor-space of 39 sqm.
17. In terms of amenity space Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight' 2008 states that *"dwellings specifically designed not to be used for family accommodation do not require any specific area to be set aside for each as private amenity space. This would apply to one and two bedroom flats and any other forms of dwelling less than 65sq.m. floorspace (but that) all forms of dwelling should seek to incorporate some modest private sunlit area for sitting outside."* On the first, second and third floors the 1no bedroom units include a floor area of 51 sqm with balconies provided on the north-western elevation adhering to the provisions of *"some modest private sunlit area for outside sitting"* allowing for adequate amenity spaces for these units. The studio flats on these 3 floors include a Juliet Balcony but provide no private amenity space, however, given the modest size of the units in line with the central urban location, it is not deemed necessary to provide private amenity space for such flats. It is considered that, as a whole, the development provides an acceptable solution to providing new dwellings within a constrained site on previously developed land within the Urban Area.

Impact on Residential Amenity

18. Policy CS21 of the Woking Core Strategy 2012 seeks to avoid significant harmful impacts in terms of loss of privacy, daylight or sunlight to adjoining properties. Guidance is also provided in the Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight' 2008. The proposed residential block will be located on the south-west rear elevation of Globe House which as previously noted received Prior Approval for the conversion of the building into 18 residential units split across 3 floors. The extension will

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adjoin Globe House via a link-extension to the existing units and canopied portico over the entrance/exit from the car-park. Policy CS21 of the Woking Core Strategy 2012 advises that proposals for new developments should achieve a satisfactory relationship to adjoining properties avoiding significant harm in terms of loss of privacy, daylight or sunlight, or an overbearing effect due to bulk, proximity or outlook. A Daylight and Sunlight Assessment has been submitted which has assessed the daylight and sunlight impacts of the development having regard to Council policy and guidance, specifically in terms of the standards set out in the Building Research Establishment (BRE) 2011 'Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice'.

19. A key concern of the previous refusal was the impact on the existing units within Globe House in terms of daylight and sunlight. A Daylight and Sunlight Study carried out by Right of Light Consulting dated July 2017 has been submitted in support of the application and addresses daylight and sunlight concerns in relation to all surrounding buildings. It is worth noting that the study measures the daylight impact using both the Vertical Sky Component (VSC) and Daylight Distribution indicators.
20. In the study the VSC was carried out on all 91no room windows on surrounding properties including 39 Station Approach and Premier House on the northern side of Madeira Road, the adjoining Roxburghe House and the notional indicative development at Sheer House where it found that 7 windows fell short of the recommended VSC. 2no of these windows had an overhang which reduced the VSC below an acceptable figure. It is acknowledged within The BRE guide that where a window has an overhang, such as the ground floor windows along Globe House, a larger relative reduction in VSC may be unavoidable as the building itself contributes to poor daylighting. A way to test whether the building is the main factor in poor lighting is to test the window notionally without the obstructions in place. In this instance, one of the windows would surpass the BRE criteria while the other window would fail but only marginally (achieving 0.76 against the target of 0.8). The remaining 5no windows, all of which serve bedrooms which as noted in the BRE guidance should be analysed although are less important given their nature, fell short of the requirements which represent a pass ratio of 95%.
21. Further to this, a Daylight Distribution test assessed the 91no windows where the internal layout was known. Of the 91no windows tested, 9no fell short of the recommendations, all of which were hampered by overhangs. Similar to the VSC, a way to test whether the building is the main factor in poor daylighting is to test the window notionally without the obstructions in place. One of the windows that failed would surpass the BRE target of 0.8 but the 8 remaining windows would fall short of the recommendations. Of these 8no, 3no of them failed the VSC marginally with 2no of them achieving satisfactory ADF figures. All 3no windows which fail both the VSC and ADF, serve bedrooms. Whilst they do not automatically satisfy BRE recommended values, it should be acknowledged that the windows serve bedrooms where access to daylight should be afforded limited weight in comparison to living rooms/kitchens.
22. Notwithstanding the above, it has to be noted that the proposed site is an urban centre location where one would expect lower levels of daylight and where sites are required to be development to their capacity which makes the

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most efficient use of land. Considering this and on balance, given the central location of the building coupled with the outcome of the BRE test where 2no windows fall negligibly short, the impact of the development is not considered to carry a level of detrimental weight by which a recommendation for refusal could be substantiated.

23. All windows which face within 90° of due South have been tested for direct sunlight. These windows pass the winter and summer sunlight hours test with the exception to some windows which have overhanging obstructions.
24. As previously acknowledged Globe House is located in a central location in West Byfleet, Woking's second biggest urban centre. The proposed extension would stem off the rear of Globe House at 45° with Juliet Balconies and windows serving the proposed units. While this layout poses a potential awkward arrangement between the existing units within Globe House and the proposed units, it is considered that, given the location within the urban centre of West Byfleet, such layouts are unavoidable when making the most efficient use of land in these locations. Notwithstanding this, the rear fenestration set at 90° to the existing fenestration on Globe House would have an oblique and shallow relationship. The 6no windows and 3no Juliet Balconies serving the units are positioned quite tight to the existing rear elevation windows on Globe House. As such, views of and into habitable spaces in Globe House would be skewed and oblique and ones which would not be considered atypical in an urban location. Further to this, high-level windows are proposed to be installed on the north-eastern elevation (Condition 5). These windows are proposed to be high level where a condition can be attached to ensure they are at least 1.7 metres above floor level to mitigate overlooking or loss of privacy on the existing units within Globe House. Given the positioning of the extension in relation to the existing Globe House along with the proposed relationship, it is not considered that the layout would cause a significant level of overbearing, loss of privacy or overlooking on the existing units within Globe House by which a recommendation for refusal could be substantiated.
25. Policy UA51 of the draft Site Allocations DPD indicates that the application site together with the adjacent Sheer House site be put forward for a comprehensive re-development to include a mixed use of community uses, office, retail and residential development. The 'Sheer House' site has come forward in a separate application to the application site and is considered elsewhere on this agenda. It should be noted that plans for a re-development of the site have been submitted in Outline form. Indicative plans have also been submitted outlining the potential layout of the scheme including fenestration and room positioning.
26. It is acknowledged that the ground floor of the Sheer House development would cover double height with residential units effectively set at 3<sup>rd</sup> storey level and above. Considering the height of the extension, at 4 stories, it is considered that very few windows would be materially affected as a result. Nevertheless, the Sunlight and Daylight Study has undertaken a Vertical Sky Component analysis on the outline scheme where the Daylight Distribution test was carried out but use of the rooms within the 'Sheer House' site unknown. Of the 21 windows assessed on the neighbouring notional development, 3no windows would achieve a VSC of less than 0.8 times its former value indicating a noticeable lack of skylight. 2no of these windows are considered to serve as secondary windows to a corner unit which would be served by a primary opening facing onto Madeira Road. The other window

which fails is also located at 3<sup>rd</sup> floor level and is thought to serve as a secondary window, although there is no evidence to support this. Nevertheless, this window falls just below the acceptable standard at a loss ratio of 0.76, where a pass would be 0.8. As such, considering the minimal impact of the proposed extensions, with regards to loss of skylight to notional habitable room windows on the north-eastern elevation and the urban centre location, where one would expect lower levels of daylight and sites are required to be development to their capacity which makes the most efficient use of land, the impact of the development is not considered to sterilise the neighbouring site or indeed cause significant harm to its amenities. Through reserved design matters and conditions, it is considered that the affected windows which fail can be designed to serve non-habitable rooms or as lesser secondary windows to minimise the proposals impact.

27. On this basis and the benefit that the additional units will bring to the area, the proposal is not considered to have a significant harmful impact on neighbouring properties and therefore accords with Section 7 of the National Planning Policy Framework, Policy CS21 of the Core Strategy 2012 and Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight' 2008.

#### Highways and Parking Implications

28. The site currently incorporates 16 underground and surface car parking spaces for the residential use of Globe House. It is proposed to support the residential extension with 5 parking spaces which would equate to 0.8 parking spaces per unit. It should be noted that the site is accessible by more sustainable modes of transport including foot, cycle and public transport and is located close to the West Byfleet train station and an existing shopping parade to the north-west with a number of local amenities available within the immediate vicinity of the site. The Council's Supplementary Planning Document on 'Parking Standards' 2006 recommends a maximum of 1 parking space per studio/1 bedroom apartment. The 5 proposed spaces fall just short of the recommended 6 spaces but it must be borne in mind that 6 represents the maximum level and given the sites location in close proximity to a number of transport modes and in particular the West Byfleet Train Station, there is no objection raised in this regard. There are at least 12no cycle spaces provided for at ground floor level with a designated cycle store. The SPD on Parking Standards recommends at least 1 cycle space per studio/1 bed unit and therefore the allocated 12no spaces satisfy this provision with additional spaces provided.
29. The existing pedestrian and vehicular access off Madeira Road will serve as the access point to the proposed development also. Secure gates will be installed for pedestrian and vehicular use, with separate access ways and gates for both modes. The County Highway Authority have been consulted on this application and raise no objection to the development subject to a number of conditions (Conditions 6 and 7)
30. It is therefore considered that the proposal, whilst not strictly in compliance with the maximum parking provisions as per the Parking Standards SPD or Policy BE6 of the emerging West Byfleet Neighbourhood Plan 2017, has adequately demonstrated that it would not cause a detrimental impact to

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highway safety or the local highway network and therefore accords with Policy CS18 of the Woking Core Strategy.

### Waste Management

31. Policy CS21 of the Woking Core Strategy 2012 states that new development should incorporate provisions for the storage of waste and recyclable materials to ensure they are of a high quality inclusive design for any prospective occupier. The proposed development includes waste and recycling storage facilities for the residential buildings at ground floor level adjoining the bike storage and stairwell. Further storage facilities are to be provided within the neighbouring Roxborough House to alleviate the pressure of the additional units (and existing units) on the proposed bin stores with appropriate storage provided off-site. This arrangement, whilst not strictly typical, is secured by a legal agreement between the owners/developers of Globe House and Roxborough House which permits a grant of easement to Roxborough House which appears to be in perpetuity. Further to this, a Waste Strategy has been provided setting out the proposed relationship, layout and legal agreements (Waste Strategy ref: A3040 Rev B). As such the storage facilities are considered suitable to contain the capacity with adequate space for residents to use the store.
32. The Council's Neighbourhood Services have responded to this development and raise no objection subject to compliance with the provided Waste Strategy submitted 05.09.17 and secures this by way of planning condition (Condition 10).

### Flood Risk

33. The risk of flooding to the site from all sources of flooding is considered to be low with the site located within Flood Zone 1. The Council's Flooding and Drainage Engineer has assessed the submitted information and recommends that, due to the size and location of the proposed development, a condition to ensure no increase in flood risk to the site or surrounding area be attached to any grant of planning permission. This is secured by Condition 11.

### Archaeological Potential

34. The application site is located within a site of High Archaeological Potential. The Archaeological Officer has been consulted on this application and notes that the application site related to a recorded find of pottery dated to the Late Iron Age. An Archaeological Desk Based Assessment carried out by CgMs Consulting has been submitted in support of this application and demonstrates that recent archaeological fieldwork has typically proved negative. Surrey Archaeology agree with the finding of the report and concur that an Archaeological Watching Brief would be appropriate to monitor the works to be carried out on site. This can be agreed by way of condition to ensure the required archaeological work is secured satisfactorily (Condition 12).

### Contamination

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35. The application site is located on the site of a former garage and petrol station and the proposed building may be located on former petrol pumps/tanks. Under Prior Approval PLA/2015/0015 the applicant has submitted a statement advising that;

*Should any contamination be discovered in the ground, then the developer will immediately advise the environmental health department of Woking Borough Council and thereafter take whatever necessary precautions and actions that may be appropriate to deal with the discovered contamination and to remediate as necessary.*

The Council's Scientific Officer raised no objection to this proposed change of use subject to the statement above which was received 13.01.2015.

36. This development is significantly different as it is a new build as opposed to a change of use. There is no information submitted with the application regarding the potential contamination and need for investigation, risk assessment and remediation to ensure the site is made suitable for domestic use. Policy DM8 of the Development Plan Document indicates that contamination of the land will be addressed by appropriate mitigation measures to ensure the site is suitable for the proposed use and that there is no unacceptable risk of pollution within the site or in the surrounding area. The Council's Scientific Officer has been consulted on this application and notes that, while there has been no information submitted in support of the application with regards to contamination, a pre-commencement condition is considered reasonable and necessary to secure a scheme to deal with the contamination on site. Such a scheme would be required to be submitted and approved in writing by the Local Planning Authority prior to commencement of development. This is secured by Condition 13.

### Sustainability

37. The application site is previously developed land. Following amendments to the Planning and Energy Act 2008 in the Deregulation Bill 2015 which 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. In the interim period the Local Planning Authority can attach conditions which seek the equivalent water and energy improvements of the former Code Level 4 on new residential developments. Therefore the proposal is required to meet the energy and water improvements measures of the former Code for Sustainable Homes Level 4. This can be secured via Condition 6.

### Affordable Housing

38. Policy CS12 of the Woking Core Strategy 2012 states that all new residential development will be expected to contribute towards the provision of affordable housing and that, on sites providing between five and nine new dwellings, the Council will require 20% of dwellings to be affordable, or a financial contribution equivalent to the cost to the developer of providing 20% of the number of dwellings to be affordable on site.

39. However, following the Court of Appeal's judgment of 11th May 2016 (Secretary of State for Communities and Local Government v West Berkshire District Council and Reading Borough Council [2016] EWCA Civ 441), wherein the Secretary of State for Communities and Local Government successfully appealed against the judgment of the High Court of 31st July 2015 (West Berkshire district Council and Reading Borough Council v Department for Communities and Local Government [2015] EWHC 2222 (Admin)), it is acknowledged that the policies within the Written Ministerial Statement of 28th November 2014, as to the specific circumstances where contributions for affordable housing and tariff-style planning obligations should not be sought from small scale and self build development, must once again be treated as a material consideration in development management decisions.
40. Additionally the Planning Practice Guidance (Paragraph 031 - Revision date: 19.05.2016) sets out that there are specific circumstances where contributions for affordable housing planning obligations should not be sought from small scale and self-build development. This follows the order of the Court of Appeal judgment dated 13th May 2016, which again gives legal effect to the policy set out in the Written Ministerial Statement of 28th November 2014 and should be taken into account. These circumstances include that contributions should not be sought from developments of 10-units or less, and which have a maximum combined gross floor space of no more than 1000sqm.
41. Whilst it is considered that weight should still be afforded to Policy CS12 (Affordable housing) of the Woking Core Strategy 2012 it is considered that greater weight should be afforded to the policies within the Written Ministerial Statement of 28th November 2014 and the Planning Practice Guidance (Paragraph 031 - Revision date: 19.05.2016). As the proposal represents a development of 10-units and has a maximum combined gross floor space of no more than 1000sqm, no affordable housing financial contribution is therefore sought from the application scheme.

#### Local Finance Consideration

42. CIL is a mechanism adopted by the Woking Borough Council which came into force on 1<sup>st</sup> April 2015, as a primary means of securing developer contributions towards infrastructure provisions in the Borough. In this case, the proposed residential development will incur a cost of £125 per sq.metre which equates to a contribution of £55,625 (445 sq.metres total GIA). The proposed development, therefore would be liable to a total CIL contribution of **£55,625** which would be payable upon commencement.

#### Impact on the Thames Basin Heaths Special Protection Area

43. The Thames Basin Heaths Special Protection Area (SPA) is classified for its internationally important bird breeding populations. The designation is made under the Habitats Regulations 2010. It is necessary to ensure that planning applications for new residential developments include sufficient measures to ensure avoidance of any potential impacts on the SPA.

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44. The applicant has agreed to make a SAMM contribution of £2,922 (£487 per studio/1no bed apartment) in line with the Thames Basin Heaths Special Protection Area Avoidance Strategy 2010-2015 as a result of the uplift of 6no residential units that would arise from the proposal. The applicant is prepared to enter into a S106 Legal Agreement to secure this financial contribution.
45. In view of the above, the Local Planning Authority is able to determine that the development would have no significant effect upon the SPA and therefore accords with Policy CS8 of the Woking Core Strategy 2012 and the Thames Basin Heaths Special Protection Area Avoidance Strategy 2010-2015.

### Conclusion

46. The proposal is considered to be acceptable development, it will provide an acceptable residential environment for its proposed occupiers and is considered to preserve the visual amenity of the area preserving the character of the adjacent Conservation Area. The principle of residential development in this location has been established under PLAN/2015/0015 with this application now addressing refusal reasons raised in the previous application PLAN/2016/0180. The proposal will not result in significant material harm on the amenities enjoyed by the occupiers of surrounding properties and while the scheme would fail to strictly adhere to sunlight and daylight provisions, it has to be borne in mind the central urban location of the site. Further to this, it is considered that a good standard of residential amenity would be provided to future occupiers. In addition, the proposal is considered to have an acceptable impact on highway safety, waste management, drainage, archaeological potential and other subsidiary elements which are capable of being addressed via planning condition with a legal agreement necessary to address Thames Basin Heaths Special Protection Area (TBH SPA) mitigation and CIL.
47. The proposal is considered to be an acceptable form of development that complies with Sections 1, 2, 6 and 7 of the National Planning Policy Framework, Policies CS1, CS3, CS8, CS10, CS11, CS12, CS18, CS21, CS22, CS24 and CS25 of the Woking Core Strategy 2012, DM8 and DM20 of the Development Management Policies DPD 2016, Supplementary Planning Documents 'Outlook, Amenity, Privacy and Daylight' 2008, 'Parking Standards' 2006 and 'Design' 2015, Policies BE1, BE2 and BE6 of the emerging West Byfleet Neighbourhood Plan 2017, Thames Basin Heaths Special Protection Area Avoidance Strategy 2010-2015 and the Supplementary Planning Guidance of the Byfleet Corner/Rosemount Parade and Station Approach, West Byfleet Conservation Areas Character Appraisal and Design Guidance. Approval is accordingly recommended subject to the recommended conditions and the applicant entering into a legal agreement.

### BACKGROUND PAPERS

1. Site visit photographs.
2. Response from Highways Authority (28.11.16)
3. Response from Scientific Officer (06.04.17)
4. Response from Neighbourhood Services (05.09.17)
5. Response from Surrey County Heritage Conservation Team: Archaeology (07.11.16)

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6. Response from Drainage Officer (25.11.16)
7. Response from Conservation Officer (06.12.16)
8. Site Notice (Conservation Area)(23.11.16)

### **PLANNING OBLIGATIONS**

|    | <b>Obligation</b>   | <b>Reason for Agreeing Obligation</b>   |
|----|---|---|
| 1. | Provision of <b>£2,922</b> SAMM contribution to monitoring and management of avoidance measures against the impact of the site on the SPA in accordance with the formula in the Avoidance Strategy. | To accord with the Habitat Regulations and associated Development Plan policies and the Council's Adopted Avoidance Strategy. |

### **RECOMMENDATION**

It is recommended that planning permission be Granted subject to the following Conditions:

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

Reason:

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

2. ++ (Notwithstanding the material details outlined on the approved plans), the development hereby permitted shall not commence until details and/or samples and a written specification of the materials to be used in the external elevations have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and thereafter retained in accordance with the approved details unless otherwise agreed in writing by the local planning authority

Reason:

To protect the visual amenities of the area in accordance with the principles set out in paragraph 17 of the National Planning Policy Framework 2012 and Policy CS21 of the Woking Core Strategy 2012.

3. The development hereby permitted shall be carried out in accordance with the approved plans listed in this notice:

Drawing No. 310a (Amended Plan) (Received 17.03.17)  
Drawing No. 311a (Amended Plan) (Received 17.03.17)  
Drawing No. 340a (Amended Plan) (Received 17.03.17)  
Drawing No. 342a (Amended Plan) (Received 17.03.17)

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Drawing No. 341a (Amended Plan) (Received 17.03.17)  
Drawing No. 343a (Amended Plan) (Received 17.03.17)  
Drawing No. 330a (Amended Plan) (Received 17.03.17)  
Drawing No. 331a (Amended Plan) (Received 17.03.17)  
Drawing No. 332a (Amended Plan) (Received 17.03.17)  
Drawing No. 333a (Amended Plan) (Received 17.03.17)  
Drawing No. 334a (Amended Plan) (Received 17.03.17)  
Drawing No. 351a (Amended Plan) (Received 17.03.17)  
Drawing No. 350a (Amended Plan) (Received 17.03.17)

Reason:

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

4. The windows in the south-western side elevation hereby permitted shall be glazed entirely with obscure glass and non-opening unless the parts of the windows which can be opened are more than 1.7 metres above the floor of the room in which the window is installed. Once installed the window shall be permanently retained in that condition unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To safeguard the privacy of the occupiers of the adjoining properties in accordance with Policy CS21 of the Woking Core Strategy 2012.

5. The high level windows in the north-eastern facing elevation shall have a minimum internal cill height of 1.7 metres above finished floor level.

Reason:

In the interests of amenity of neighbouring properties in accordance with Policy CS21 of the Woking Core Strategy 2012

6. The development hereby approved shall not commence until details have been submitted for the written approval of the Local Planning Authority demonstrating that the development will be constructed to achieve a water consumption standard of using not more than 105 litres per person per day maximum indoor water consumption and not less than a 19% CO2 improvement over the 2013 Building Regulations TER Baseline (Domestic). Such details as may be approved shall be installed prior to the first occupation of the development and maintained and operated in perpetuity, unless otherwise agreed in writing by the Local Planning Authority.

Reason:

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

7. The development hereby approved shall not be first occupied unless and until the proposed modified vehicular access to Lavender Park Road has been constructed in accordance with the approved plans (Drawing No. A3040). The modified vehicular access shall thereafter be kept permanently clear of any obstruction measured from 0.6m above the road surface.

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Reason:

The above condition is required in order that the development should not prejudice highway safety nor should it inconvenience other highway users.

8. The development hereby approved shall not be first occupied unless and until space has been laid out within the site in accordance with the approved plans (Drawing No. A3040) for vehicles to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the parking and turning areas shall be retained and maintained for their designated purposes.

Reason:

The above condition is required in order that the development should not prejudice highway safety nor should it inconvenience other highway users.

9. ++ Notwithstanding the information submitted as part of this application, the development (or each phase of the development) hereby permitted (including any clearance works and demolition) shall not commence until a Construction Method Statement has been submitted to and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- i) the parking of vehicles of site operatives and visitors
- ii) loading and unloading of plant and materials
- iii) storage of plant and materials used in constructing the development
- iv) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- v) wheel washing facilities
- vi) measures to control the emission of dust and dirt during construction
- vii) a scheme for recycling/disposing of waste resulting from demolition and construction works

Deliveries of construction materials, plant and machinery and any removal of spoil from the site shall only take place between the hours of 0730 and 1800 Monday to Friday and 0800 and 1300 on Saturdays. No deliveries shall take place on Sundays or public holidays.

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 (each associated phase of) 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.

10. Prior to the first occupation of the development hereby permitted, the refuse and recycling facilities shown on the Globe House Waste Strategy ref: A3040 Rev B and received 05.09.17 and the approved plans Drawing No. 311a and 330a shall be made available and retained thereafter for use at all times.

Reason:

To ensure the provision of satisfactory facilities for the storage and recycling of refuse and to protect the amenities of the area especially nuisance by reason of smell, insects or rodent pests in accordance with Policy CS21 of the Woking Core Strategy 2012.

11. No development shall commence until a surface water drainage scheme for the site based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development has been submitted to and approved in writing by the Local Planning Authority. The drainage scheme should demonstrate the surface water run-off generated up to and including the 1 in 100 plus climate change critical storm will not exceed the run-off from the existing site following the corresponding rainfall event.

The drainage scheme details to be submitted for approval shall also include:

- I. Calculations demonstrating no increase in surface water runoff rates and volumes discharged from the site compared to the existing scenario up to the 1 in 100 plus climate change storm event.
- II. Calculations demonstrating no on site flooding up to the 1 in 30 storm event and any flooding between the 1 in 30 and 1 in 100 plus climate change storm event will be safely stored on site ensuring no overland flow routes.
- III. Detail drainage plans showing where surface water will be accommodated on site,
- 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.

The surface water drainage scheme shall be implemented in accordance with the approved details prior to the first occupation of the development hereby permitted and thereafter it shall be managed and maintained in accordance with the approved details in perpetuity.

Reason:

To prevent the increased risk of flooding, to improve and protect water quality and to ensure the future maintenance of these in accordance with Policies CS9 and CS16 of the Woking Core Strategy 2012 and the policies in the NPPF.

12. No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a

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Written Scheme of Investigation which has been submitted by the applicant and approved by the Planning Authority. The development shall not proceed other than in strict accordance with the approved programme of archaeological work.

Reason:

To ensure the required archaeological work is secured satisfactorily.

13. ++ 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)

(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.

### **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. 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.

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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.

3. The applicant is advised that this planning permission does not convey the right to enter onto or build on land not within his ownership.
4. You are advised that Council officers may undertake inspections without prior warning to check compliance with approved plans and to establish that all planning conditions are being complied with in full. Inspections may be undertaken both during and after construction.
5. For the avoidance of doubt, the following definitions apply to Condition 13 relating to contaminated land:

Desk study- This will 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 will 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)

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).

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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.

6. Where windows are required by planning condition to be fitted with obscure glazing the glass should have a sufficient degree of obscuration so that a person looking through the glass cannot clearly see the objects on the other side. 'Patterned' glass or obscured plastic adhesive are not acceptable. If in doubt, further advice should be sought from the Local Planning Authority before work is commenced.
7. The applicant is advised that, under the Control of Pollution Act 1974, site works which will be audible at the site boundaries are restricted to the following hours:-  
08.00 - 18.00 Monday to Friday  
08.00 - 13.00 Saturday  
and not at all on Sundays and Bank/Public Holidays.

The applicant is advised that an application will need to be made under the Control of Pollution Act 1974 to Woking Borough Council's Environmental Health Team for consent for any proposed additional working hours outside of the normal working hours of 08.00 to 18.00 Monday-Friday and 08.00 to 13.00 on Saturdays.

8. Please note that developers are responsible for the purchasing of all waste receptacles required for developments. At least 12 weeks is required for bin orders via the Council. The developer will need to refer to the Waste and Recycling Provisions for developers to ensure the development is compliant with our requirements. This is available online at [www.woking.gov.uk/recycling](http://www.woking.gov.uk/recycling)
9. The applicant is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders (Highways Act 1980 Sections 131, 148, 149).
10. The applicant is advised that Section 59 of the Highways Act permits the Highway Authority to charge developers for damage caused by excessive weight and movements of vehicles to and from a site. The Highway Authority will pass on the cost of any excess repairs compared to normal maintenance costs to the applicant/organisation responsible for the damage.
11. The permission hereby granted shall not be construed as authority to carry out any works on the highway. The applicant is advised that prior approval must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, or verge to form a vehicle crossover to install dropped kerbs. [www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/vehicle-crossovers-or-dropped-kerbs](http://www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/vehicle-crossovers-or-dropped-kerbs)
12. With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable

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

13. A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing [wwriskmanagement@thameswater.co.uk](mailto:wwriskmanagement@thameswater.co.uk). Application forms should be completed on line via [www.thameswater.co.uk/wastewaterquality](http://www.thameswater.co.uk/wastewaterquality)
14. Legal changes under The Water Industry (Scheme for the Adoption of private sewers) Regulations 2011 mean that the sections of pipes you share with your neighbours, or are situated outside of your property boundary which connect to a public sewer are likely to have transferred to Thames Water's ownership. Should your proposed building work fall within 3 metres of these pipes we recommend you email Tames water a scaled ground floor plan of your property showing the proposed work and the complete sewer layout to [developer.services@thameswater.co.uk](mailto:developer.services@thameswater.co.uk) to determine if a building over / near to agreement is required.
15. The development hereby permitted is subject to CIL. The charge becomes due when development commences. A commencement notice, which is available from the Planning Portal website (Form 6: Commencement Notice: [http://www.planningportal.gov.uk/uploads/1app/forms/form\\_6\\_commencement\\_notice.pdf](http://www.planningportal.gov.uk/uploads/1app/forms/form_6_commencement_notice.pdf)) must be issued to the Local Planning Authority and all owners of the relevant land to notify them of the intended commencement date of the development. The Local Planning Authority will then send a Demand Notice to the person or persons who have assumed liability.
16. The application will not be formally approved until the applicant has entered into a legal agreement with the council to secure a provision of **£2,922** to provide avoidance measures against the impact of the site on the TBH SPA in accordance with the formula in the Avoidance Strategy and pay **£55,625** towards CIL.