

## 11 December 2018 PLANNING COMMITTEE

6a 18/0907 Reg'd: 21.0818 Expires: 17.10.18 Ward: HE  
Nei. 09.10.18 BVPI Minor Number >13 On Target? No  
Con. Target dwellings - 13 of Weeks  
Exp: on Cttee'  
Day:

**LOCATION:** Bernisdale And Oakwood, Hook Heath Road, Woking, Surrey, GU22 0LE

**PROPOSAL:** Erection of 2x two storey detached dwellings (1x5 and 1x6 bed). Closure of existing access to Bernisdale and retention of both existing dwellings (Bernisdale and Oakwood).

**TYPE:** Full Application

**APPLICANT:** Mr A Price

**OFFICER:** Brooke Bournague

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

The proposal is of a development type which falls outside the Management Arrangements and Scheme of Delegations.

### **PROPOSED DEVELOPMENT**

The planning application proposes the construction of 2x two storey detached dwellings (1x5 and 1x6 bed) to the rear of Bernisdale and Oakwood. Both Bernisdale and Oakwood would be retained. The existing vehicular access to Bernisdale would be removed and the two proposed dwellings and Bernisdale and Oakwood would have vehicular access from a single access onto Hook Heath Road.

Site Area: 0.0723ha (7230sq.m)  
Existing units: 2  
Proposed units: 4  
Existing density: 2.7 dph (dwellings per hectare)  
Proposed density: 5.5 dph

### **PLANNING STATUS**

- Urban Area
- Thames Basin Heaths SPA ZoneB (400m-5km)
- Hook Heath Neighbourhood Plan Area

### **RECOMMENDATION**

Grant planning permission subject to conditions and Section 106 Agreement.

### **SITE DESCRIPTION**

The application site is currently occupied by two detached dwellings Bernisdale and Oakwood set within large plots. Bernisdale is two storeys in height and is sited to the south of the application site and set perpendicular to Hook Heath Road, the property features a detached garage to the north of the site and outdoor swimming pool to the west. Oakwood is

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two storeys in height and is sited to the north of the application site fronting Hook Heath Road. Both properties currently have vehicular access from Hook Heath Road. The application site is bounded by established trees and hedges. The surrounding area is spacious and sylvan in character and is generally characterised by large detached dwellings. The proposal site is within the Urban Area in the Hook Heath Neighbourhood Area of the Borough.

### **PLANNING HISTORY**

#### Bernisdale and Oakwood

PLAN/2018/0310: Erection of 3x two storey detached dwellings (1x6 bed and 2x5 bed). Closure of existing access to Bernisdale and retention of both existing dwellings (Bernisdale and Oakwood). Withdrawn

#### Bernisdale

0008224: Creation 2 dwellings. Permitted 01.06.1955

#### Oakwood

PLAN/1991/1084: Erection of a single storey front extension following demolition of existing porch and conversion of the existing garage to a habitable room. 19.12.1991

PLAN/1999/1046: Single storey rear extension following the demolition of existing sun lounge. Permitted 04.11.1999

75/0834: Extensions. Permitted 01.08.1975

75/0451: Extensions. Permitted 01.05.1975

0031801: Erection of shed. Permitted 01.08.1973

0029259: Extensions. Permitted 01.05.1972

0007442: Erection of dwelling. Permitted 01.08.1954

0006588: Erection of dwelling. Permitted 01.07.1953

0006367: Outline for dwelling: Permitted 01.04.1953

### **CONSULTATIONS**

Arboricultural Officer: No objection subject to condition 11 and 12

County Highway Authority: No objection subject to conditions 8, 9 and 10

Flood Risk and Drainage Team: No objection subject to condition 13

Waste Services: No objection

Hook Heath Neighbourhood Forum: No comments

Natural England: have no comments to make on this application, as long as the relevant avoidance and mitigation measures specified in the Appropriate Assessment are secured.

## **REPRESENTATIONS**

14 letters of objection (2x letters submitted by 1 individual) including one joint letter from the Hook Heath Residents Association and Hook Heath Neighborhood Forum were received in response to the proposal raising the following points:

- Loss of privacy and amenity due to size and height of plot 1
- Lack of clarity in the proposal for the treatment / retention of the existing trees and hedging, particularly on the western boundary of Plot 1.
- Plot size smaller than surrounding plots
- Ratio of building footprint to plot size is above surrounding properties
- Contrary to policy
- Overbearing appearance when viewed from nearby properties
- Exceeds height of surrounding buildings
- Concern over loss of trees providing screening
- Dwelling appear bulky due to the height and large footprint to plot size
- Out of character
- Over development
- Loss of green space and detract from environmental sustainable development
- Set a precedent for housing development in Hook Heath
- Overlooking
- Increase in noise from swimming pool and entertainment area
- Disruption during construction from delivery vehicles and vehicles blocking Hook Heath Road
- Impact on local wildlife
- Increase in traffic in the area
- Increase in lighting in the area
- Overbearing impact
- Existing hedging and trees should be retained

## **RELEVANT PLANNING POLICIES**

### National Planning Policy Framework (NPPF) (2018)

Section 2 - Achieving sustainable development

Section 5 - Delivering a sufficient supply of homes

Section 9 - Promoting sustainable transport

Section 11 - Making effective use of land

Section 12 - Achieving well-designed places

Section 14 - Meeting the challenge of climate change, flooding and coastal change

### Woking Core Strategy (2012)

CS1 - A spatial strategy for Woking Borough

CS5 - Priority Places

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

CS18 - Transport and accessibility

CS21 - Design

CS22 - Sustainable construction

CS24 - Woking's landscape and townscape

CS25 - Presumption in favour of sustainable development

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### Development Management Policies Development Plan Document (DMP DPD) (2016)

DM2 - Trees and landscaping

DM10 - Development on Garden Land

### Hook Heath Neighbourhood Plan (2015):

BE1 - Design of New Developments

BE2 - Off-road Parking

### Supplementary Planning Documents (SPD's)

Design (2015)

Parking Standards (2018)

Outlook, Amenity, Privacy and Daylight (2008)

Climate Change (2013)

Affordable Housing Delivery (2014)

## **PLANNING ISSUES**

### Principle of Development:

1. The NPPF (2018) and Policy CS25 of the Woking Core Strategy (2012) promote a presumption in favour of sustainable development and policy CS10 seeks to ensure that sufficient homes are built in sustainable locations where existing infrastructure is in place. The site lies within the designated Urban Area and within the 400m-5km (Zone B) Thames Basin Heaths Special Protection Area (SPA) buffer zone. The subdivision of existing plots for additional dwellings can be acceptable provided that the proposal respects the overall grain and character of development in the area. The principle of infill residential development is considered acceptable subject to further material planning considerations, specific development plan policies and national planning policy and guidance as discussed below.

### Impact on Character:

2. Policy DM10 of the DM Policies DPD (2016) permits subdivision of plots providing the proposed development "...does not involve the inappropriate sub-division of existing curtilages to a size substantially below that prevailing in the area", "the means of access is appropriate in size and design to accommodate vehicles and pedestrians safely and prevent harm to the amenities of adjoining residents and is in keeping with the character of the area" and "suitable soft landscape is provided for the amenity of each dwelling appropriate in size to both the type of accommodation and the characteristic of the locality".
3. The Hook Heath Neighbourhood Plan (HHNP) (2015) states 'The average plot size is just under 0.2ha..... The resulting housing density is thus 4 – 10 dph'.
4. Policy BE1 of the HHNP (2015) states 'in order to maintain or enhance the character of the Area, all developments should be designed to a high quality and closely reflect the existing rhythm, proportion, materials, height, scale, bulk, massing and storey heights of nearby buildings. Where possible, plot sizes should be similar to those adjacent and in other cases within the mid-range for Arcadian Developments (5-10 dph)'.
5. The surrounding area is characterised predominately by detached dwellings set in generous sized plots with mature tree cover which gives a spacious, verdant character to the area. Plot widths within the immediate area are in the region of 17.7m to 77m. Middle Hill to the north of the application site is approximately 22.6m wide and 14 Hale Ends which is sited to the south of the application site and perpendicular to Hook Heath Road is approximately 39.2m wide. The proposed width of Plot 1, Plot 2 and Bernisdale are considered to be consistent with plot widths within the immediate surrounding area.

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Oakwood would have a plot width of approximately 17.7m at the front of the site increasing to approximately 26.5m, the existing plot is 17.7m at the front of the site and Middle Hill sited to the north of the site is approximately 22.6m wide. It is considered that Oakwood would not have an unduly narrow plot width. Overall it is considered that the proposed plot widths would not result in an unacceptable impact on the character of the area.

<b>Property</b>	<b>Plot width (approx. m)</b>
Key Lodge	59.2
Foxley House	21.6
Allard House	21.4
Fir Ridge	30.1
La Rigondaine	30.1
Middle Hill	22.6
14 Hale Ends	39.2
13 Hale Ends	29 increasing to 58.5
Bernisdale (existing)	77
Oakwood (existing)	17.7 increasing to 41.2
Plot 1	32
Plot 2	38
Bernisdale (proposed)	37.4
Oakwood (proposed)	17.7 increasing to 25.6

Figure 1 - Plot width

6. The density of the immediate surrounding area (Key Lodge, Foxley House, Allard House, Fir Ridge, La Rigondaine, Middle Hill, 14 Hale End, 13 Hale End, Bernisdale and Oakwood) is 4.2dph and the existing density is approximately 2.7dph within the application site. The proposal would result in a density of approximately 5.5dph within the application site. It is considered that the proposed density would fall within the 5-10dph density range recommended within Policy BE1 of the HHNP (2015) and is considered to result in a density that is consistent with pattern of development within the local area.
  
7. The proposed plot sizes would be approximately 1,133sqm (Oakwood), 1,751sqm (Bernisdale), 1,336sqm (Plot 1) and 1,942sqm (Plot 2). It is considered that the proposed plot sizes are consistent with the immediate surrounding area. Overall, the proposal is considered an acceptable form of development in principle in terms of the plot subdivision.

<b>Property</b>	<b>Plot size (approx. sqm.)</b>
Key Lodge	3,789
Foxley House	1,162
Allard House	1,492
Fir Ridge	1,432
La Rigondaine	2,896
Middle Hill	1,448
14 Hale Ends	1,948
13 Hale Ends	1,437
Plot 1	1,336
Plot 2	1,972
Bernisdale (proposed)	1,751
Oakwood (proposed)	1,133

Figure 2 - Plot size

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8. The proposed dwellings would be two storeys with accommodation within the roof space which would be facilitated by dormers within the front and rear roofscape. Both dwellings would include a single storey wing (Plot 1 – east elevation and Plot 2 – west elevation) which would include a garage at ground floor with accommodation above. Plot 1 and Plot 2 would have a traditional design with hipped roof, gable features to the front and rear elevations and chimney. The dwellings would be finished in brick with contrasting face brick, plinths, stringcourses and flat solid lintels under a clay tile roof. Details of external materials can be secured by condition (Condition 3). The architectural approach of proposed dwellings is considered to be acceptable and to integrate into the character of the area.
9. Policy BE1 of the HHNP (2015) requires new development to reflect the height of nearby buildings. The proposed dwellings would be approximately 10m in height. The immediate surrounding area features a range of heights approximately 8.5m (Key Lodge), approximately 9.2m (Foxley House), approximately 8.6m (Fir Ridge), approximately 9.3m (Bernisdale) and approximately 8.8m (Oakwood). The proposed dwellings would be sited to the north west of Bernisdale and Oakwood which are to be retained and sited approximately 45m from Hook Heath Road. Due to the position of the proposed dwellings they would not be prominent in views from Hook Heath Road. It is considered the proposed height would not have a detrimental impact on the character of the area.
10. The proposed dwellings would be sited perpendicular to Hook Heath Road. Plot 1 would be sited to the north west of Oakwood. An approximate 1m separation distance would be maintained to the south east boundary with Oakwood, approximate minimum 14.2m separation to the north east boundary with La Rigondaine and 8.2m from the north west boundary with Foxley House and Allard House. Plot 2 would be sited to the north west of Bernisdale. An approximate 3.8m separation would be maintained to the south east boundary with Bernisdale, approximate 27m to the south west boundary and approximate 10m to the north west boundary. Overall these separation distances are considered acceptable and would respect the spacious character of the area.
11. Overall the proposed dwellings are considered to have an acceptable impact on the character of the surrounding area and accord with Policies CS21 and CS24 of the Woking Core Strategy (2012), Policy BE1 of the HHNP (2015), Supplementary Planning Document 'Woking Design' (2015) and the NPPF (2018).

### Impact on Neighbours:

12. Policy CS21 of the Woking Core Strategy (2012) advises that proposals for new development should achieve a satisfactory relationship to adjoining properties, avoiding significant harmful impact in terms of loss of privacy, daylight or sunlight, or an overbearing effect due to bulk, proximity or outlook.
13. The south east elevation of Plot 1 would be sited approximately 1m from the south east boundary and minimum of approximately 14.4m from the rear elevation of Oakwood. This separation distance complies with the recommended minimum distances set out in the Council's 'Outlook Amenity, Privacy and Daylight' SPD (2008) for two storey development (1m for side to boundary relationships and 10m for front or back to boundary/flank). No windows are proposed in the south east side elevation orientated towards Oakwood. Due to the separation distance and relationship it is considered the proposed building would not have an overbearing, overlooking or loss of daylight or privacy impact on Oakwood.
14. The north east elevation of Plot 1 would be sited a minimum of approximately 14.2m from the boundary with La Rigondaine. Due to the relationship with neighbouring properties the nearest properties would be sited over 100m away from the closest rear

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elevation. This separation distance complies with the recommended minimum distances set out in the Council's 'Outlook Amenity, Privacy and Daylight' SPD (2008) for two storey development (20m for back to back relationships and 10m for front or back to boundary/flank). Due to the separation distance and relationship it is considered the proposed building would not have an overbearing, overlooking or loss of daylight or privacy impact on La Rigondaine.

15. An approximate 8.2m separation would be retained between the north west elevation of Plot 1 and the north west boundary and approximate 32m to the rear elevation of Foxley House and 50m to the rear elevation of Allard House. These separation distances comply with the recommended minimum distances set out in the Council's 'Outlook Amenity, Privacy and Daylight' SPD (2008) for two storey development (1m for side to boundary relationships and 10m for front or back to boundary/flank). No windows are proposed in the north west side elevation orientated towards Foxley House and Allard House. Due to the separation distances and relationship it is considered the proposed building would not have an overbearing, overlooking or loss of daylight or privacy impact on Foxley House or Allard House.
16. A minimum of approximately 29.4m would be maintained between the front elevations of Plot 1 and Plot 2. This separation distance complies with the recommended minimum distances set out in the Council's 'Outlook Amenity, Privacy and Daylight' SPD (2008) for two storey development (10m for front to front relationships). Due to the separation distance and relationship it is considered the proposed buildings would not have an overbearing, overlooking or loss of daylight or privacy impact to each other.
17. The south east elevation of Plot 2 would be sited approximately 3.8m from the south east boundary and approximately 14.6m from the side elevation of Bernisdale. This separation distance complies with the recommended minimum distances set out in the Council's 'Outlook Amenity, Privacy and Daylight' SPD (2008) for two storey development (1m for side to boundary relationships and 10m for front or back to boundary/flank). Due to the separation distance and relationship it is considered the proposed building would not have an overbearing or loss of daylight or privacy impact on Bernisdale. A ground and first floor window and rooflight are proposed in the elevation oriented towards Bernisdale. Condition 5 is recommended to obscure glaze the first floor windows and rooflight in the south east elevation of the proposed Plot 2 to retain the privacy of Bernisdale.
18. An approximate 27m separation would be retained between Plot 2 and the south west boundary and approximate 42m separation to the rear elevation of 13 Hale Ends. This separation distance complies with the recommended minimum distances set out in the Council's 'Outlook Amenity, Privacy and Daylight' SPD (2008) for two storey development (20m for back to back relationships). Due to the separation distance and relationship it is considered the proposed building would not have an overbearing, overlooking or loss of daylight or privacy impact on 13 Hale Ends.
19. The north west elevation of Plot 2 would be sited approximately 10m from the north west boundary and a minimum of approximately 18m from Key Lodge. This separation distance complies with the recommended minimum distances set out in the Council's 'Outlook Amenity, Privacy and Daylight' SPD (2008) for two storey development (1m for side to boundary relationships and 10m for front or back to boundary/flank). Due to the separation distance and relationship it is considered the proposed building would not have an overbearing, overlooking or loss of daylight or privacy impact on Key Lodge.
20. Plot 2 would retain an approximate 24m to the south west side elevation of Oakwood. This separation distance complies with the recommended minimum distances set out in

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the Council's 'Outlook Amenity, Privacy and Daylight' SPD (2008) for two storey development (10m for front or back to boundary/flank). Due to the separation distance and relationship it is considered the proposed building would not have an overbearing, overlooking or loss of daylight or privacy impact on Oakwood.

21. Overall the proposal is therefore considered to have an acceptable impact on the amenities of neighbours in terms of loss of light, overlooking and overbearing impacts and accords with Policy CS21 of the Core Strategy (2012), Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight' (2008) and the policies in the NPPF (2018).

### Standard of Accommodation:

22. The proposal would deliver 1x 5 bed and 1x 6 bed dwellings both with floor areas of approximately 617m<sup>2</sup> which exceeds the recommended minimum standards set out in the National Technical Housing Standards (2015). The proposed dwellings are considered of an acceptable size with acceptable quality outlooks to habitable rooms.
23. The Council's 'Outlook, Amenity, Privacy and Daylight' SPD (2008) sets out recommended minimum standards for private amenity space in at least matching the footprints of dwellings or matching the internal floor area of larger dwellings (defined as being over 150m<sup>2</sup> in floor area). Plot 1 would have a rear private amenity space of approximately 653m<sup>2</sup> and Plot 2 would have a rear private amenity space of approximately 1152m<sup>2</sup>. It is considered that Plot 1 and Plot 2 would have a rear amenity space of an acceptable size and quality.
24. The retained dwelling at Oakwood would have a floor area of approximately 304m<sup>2</sup> and rear private space of approximately 379m<sup>2</sup>. Bernisdale would have a floor area of approximately 374m<sup>2</sup> and rear private space of approximately 1604m<sup>2</sup>. The dwellings to be retained are considered to offer an acceptable size and quality of internal accommodation.
25. Overall the proposal is therefore considered capable of achieving an acceptable standard of accommodation for future residents in accordance with Policy CS21 of the Core Strategy (2012), Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight' (2008) and the policies in the NPPF (2018).
26. Plot 1 and Plot 2 would have capacity with the curtilage to store the required number of general waste and recycling bins. A collection point is proposed adjacent to Hook Heath Road for Plot 1 and Plot 2 to place bins for collection. Condition 4 is recommended to secure details of the proposed enclosure.

### Transportation Impacts:

27. Oakwood, Bernisdale, Plot 1 and Plot 2 would share a vehicular access from Hook Heath Road which would split within the application site to serve all four dwellings.
28. Supplementary Planning Document 'Parking Standards' (2018) requires a dwelling with 5 or more bedrooms to provide 3 on site parking spaces. Policy BE1 of the HHNP (2015) requires properties with 4 or more bedrooms to provide 3 on site parking spaces. Plot 1 and Plot 2 would be served by an integral double garage and would both have an area of hardstanding to the frontage with capacity to accommodate 2 off street on site parking spaces. Oakwood would be served by an area of hardstanding to the frontage sufficient to accommodate 3 on site parking spaces. Bernisdale would have capacity to the south east of the dwelling to provide 3 on site parking spaces. The proposal would comply with on site parking standards within Supplementary Planning Document 'Parking Standards' (2018) and Policy BE1 of the HHNP (2015).

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29. Supplementary Planning Document 'Parking Standards' (2018) requires the provision of 2 cycle spaces per residential dwelling. The double integral garage within Plot 1 and Plot 2 would have capacity to store the 2 cycle spaces. The proposal would comply with on cycle parking standards within Supplementary Planning Document 'Parking Standards' (2018).
30. Condition 6 is recommended to secure 1 passive charging point at Plot 1 and Plot 2 in accordance with Supplementary Planning Document 'Climate Change' (2013).
31. A construction transport management plan condition is recommended (condition 7) to minimise disruption to local residents during the build period should planning permission be granted. There is also potential storage space for materials on site during any build period.
32. The County Highway Authority have been consulted and raised no objection subject to conditions 8, 9 and 10.
33. Overall therefore the proposal is considered to result in an acceptable impact upon highway safety and car parking provision and accords with Policy CS18 of the Woking Core Strategy (2012), Supplementary Planning Document 'Parking Standards' (2018) and the National Planning Policy Framework (2018).

### Impact on Trees:

34. There are a number of mature trees within and adjacent to the application site. Policy DM2 of DM Policies DPD (2016) states the Council will *'require any trees which are to be retained to be adequately protected to avoid damage during construction'* and Policy CS21 of the Woking Core Strategy (2012) requires new development to include the retention of trees and landscape features of amenity value. The applicant has submitted an Arboricultural Report and Arboricultural impact assessment and method statement which details how trees would be protected during construction and the Council's Arboricultural Officer considers the information acceptable in principle but requires further detailed information relating to details of how service runs would connect to the development. Subject to conditions (condition 11 and 12) to ensure the submission of additional information and compliance with the submitted information, the proposal is considered to have an acceptable impact on trees within the application site.
35. The proposed vehicular access would require the removal of a section of trees and hedging fronting Hook Heath Road. The submitted proposed site plan indicates a section of natural boundary treatment to the north west of Plot 1 would be removed.
36. Condition 16 is recommended to secure details of a landscaping plan to ensure that sufficient landscaping is provided within the site. Condition 17 is recommended to secure details of boundary treatment to ensure that the proposed development does not adversely affect the amenities of occupiers of the adjoining and nearby properties and ensure there is adequate screening to preserve the character of the area.

### Flood Risk:

37. Part of the application site is within an area at a medium risk surface water flooding. The Flood Risk and Drainage Team have been consulted and have recommended condition 13 to secure the submission of a scheme for disposing of surface water by means of a sustainable drainage system.

### Sustainability:

38. 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

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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. 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.

39. 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 14 and 15).

### Thames Basin Heaths Special Protection Area (TBH SPA):

40. The Thames Basin Heaths Special Protection Area (TBH SPA) has been identified as an internationally important site of nature conservation and has been given the highest degree of protection. Policy CS8 of the Core Strategy states that any proposal with potential significant impacts (alone or in combination with other relevant developments) on the TBH SPA will be subject to Habitats Regulations Assessment to determine the need for Appropriate Assessment. Following recent European Court of Justice rulings, a full and precise analysis of the measures capable of avoiding or reducing any significant effects on European sites must be carried out at an 'Appropriate Assessment' stage rather than taken into consideration at screening stage, for the purposes the Habitats Directive (as interpreted into English law by the Conservation of Habitats and Species Regulations 2017 (the "Habitat Regulations 2017")). An Appropriate Assessment has therefore been undertaken for the site as it falls within 5 kilometres of the TBH SPA boundary.
41. Policy CS8 of Woking Core Strategy (2012) requires new residential development beyond a 400m threshold, but within 5 kilometres of the TBH SPA boundary to make an appropriate contribution towards the provision of Suitable Alternative Natural Greenspace (SANG) and Strategic Access Management and Monitoring (SAMM), to avoid impacts of such development on the SPA. The SANG and Landowner Payment elements of the SPA tariff are encompassed within the Community Infrastructure Levy (CIL), however the SAMM element of the SPA tariff is required to be addressed outside of CIL. The applicant has agreed to make a SAMM contribution of £2,082.00 in line with the Thames Basin Heaths SPA Avoidance Strategy. This would need to be secured through a S106 Legal Agreement. For the avoidance of doubt, sufficient SANG at Brookwood Country Park has been identified to mitigate the impacts of the development proposal.
42. Subject to securing the provision of the SAMM tariff and an appropriate CIL contribution, and in line with the conclusions of the Appropriate Assessment (as supported by Natural England), the Local Planning Authority is able to determine that the development will not affect the integrity of the TBH SPA either alone or in combination with other plans and projects in relation to urbanisation and recreational pressure effects. The development therefore accords with Policy CS8 of Woking Core Strategy (2012), the measures set out in the Thames Basin Heaths SPA Avoidance Strategy, and the requirements of the Habitat Regulations 2017.

### Affordable housing

43. 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

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and that, on sites providing fewer than five new dwellings, the Council will require a financial contribution equivalent to the cost to the developer of providing 10% of the number of dwellings to be affordable on site.

44. However, Paragraph 63 of the NPPF (2018) sets out that the provision of affordable housing should not be sought for residential developments that are not major developments, other than in designated rural areas (where policies may set out a lower threshold of 5 units or fewer).

45. Whilst it is considered that weight should still be afforded to Policy CS12 of the Woking Core Strategy (2012) it is considered that more significant weight should be afforded to the policies within the NPPF (2018). The proposal is not major development and therefore no affordable housing contribution is sought.

### Community Infrastructure Levy (CIL):

46. The proposal would be liable for Community Infrastructure Levy (CIL) to the sum of £147,690.90.

### **CONCLUSION**

47. Considering the points discussed above, the proposal is considered an acceptable form of development which would have an acceptable impact on the amenities of neighbours, on the character of the area and in transportation terms. The proposal therefore accords with Policies CS1, CS5, CS7, CS8, CS9, CS10, CS11, CS12, CS18, CS21, CS22, CS24 and CS25 of the Woking Core Strategy (2012), Policies DM2 and DM10 of the DM Policies DPD (2016), Policies BE1 and BE2 of the HHNP (2015), Supplementary Planning Documents 'Parking Standards' (2018), 'Outlook, Amenity, Privacy and Daylight' (2008), 'Woking Design' (2015) and the NPPF (2018) and is recommended for approval subject to conditions and subject to Section 106 Agreement.

### **BACKGROUND PAPERS**

1. Site visit photographs
2. Consultation responses
3. Representations

### **PLANNING OBLIGATIONS**

	<b>Obligation</b>	<b>Reason for Agreeing Obligation</b>
1.	SAMM (SPA) contribution of <b>£2,082.00</b>	To accord with the Habitat Regulations, policy CS8 of the Woking Core Strategy 2012 and The Thames Basin Heaths SPA Avoidance Strategy 2010-2015.

### **RECOMMENDATION**

It is recommended that planning permission be Granted 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.

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

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

23 dated August 2018 and received by the Local Planning Authority on 21.08.2018

24 dated August 2018 and received by the Local Planning Authority on 21.08.2018

25 dated August 2018 and received by the Local Planning Authority on 21.08.2018

26 dated August 2018 and received by the Local Planning Authority on 21.08.2018

27 dated August 2018 and received by the Local Planning Authority on 21.08.2018

28 dated August 2018 and received by the Local Planning Authority on 21.08.2018

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

3. Notwithstanding the material details outlined on the approved plans, No above ground development associated with the development hereby permitted shall commence until details and/or samples and a written specification of the materials to be used in the external elevations, hard surfaced areas and boundary walls 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.

4. Prior to the first occupation of the development hereby permitted, the refuse and recycling facilities shown on the approved plans shall be made available and thereafter be retained 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

5. Notwithstanding any indication otherwise given on the approved plans, the first floor side facing window and rooflight in the south east facing side elevation of Plot 2 hereby approved identified as serving ensuite and media room 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.

6. No above ground development associated with the development hereby permitted shall commence until details of no.2 of passive electric vehicle charging points to be provided have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details prior to first occupation of the development and thereafter retained in accordance with the

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approved details unless the Local Planning Authority subsequently agrees in writing to their replacement with more advanced technology serving the same objective.

Reason: in the interests of achieving a high standard of sustainability with regards to electric vehicle charging infrastructure requirements.

7. No development shall commence until a Construction Transport Management Plan, to include details of:
  - (a) parking for vehicles of site personnel, operatives and visitors
  - (b) loading and unloading of plant and materials
  - (c) storage of plant and materials
  - (d) provision of boundary hoarding behind any visibility zones
  - (e) on-site turning for construction vehicles

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

Reason: In order that the development should not prejudice highway safety nor 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 for vehicles to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the parking and turning areas shall be retained and maintained for their designated purposes.

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

9. The development hereby approved shall not be first occupied unless and until the proposed vehicular access to Hook Heath Road has been constructed in accordance with the approved plans and thereafter the visibility zones shall be kept permanently clear of any obstruction measured from 0.6m above the road surface.

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

10. The development hereby approved shall not be first occupied unless and until existing accesses from the site to Hook Heath Road have been permanently closed and any kerbs, verge, footway, fully reinstated.

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

11. ++ Prior to the commencement of the development hereby approved, full details of the foul water connections and service runs on the site shall be submitted to and approved in writing by the Local Planning Authority. The method shall adhere to the principles embodied in BS 5837:2012 and the involvement of an arboricultural consultant and engineer will be necessary. The development shall thereafter be carried out strictly in accordance with the agreed details.

Reason: To ensure the retention and protection of trees on and adjacent to the site in the interests of the visual amenities of the locality and the appearance of the development.

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12. The development hereby approved shall take place in strict accordance with the Tree Report provide by ACD ref:PR121070tr dated 07.11.2017 and Arboricultural Impact Assessment and Method Statement by ACD ref:PR121070aia-ams dated 28.08.2018 received by the Local Planning Authority on 21.08.2018 and 06.09.2018, including the convening of a pre-commencement meeting and arboricultural supervision as indicated. No works or demolition shall take place until the tree protection measures have been implemented. Any deviation from the works prescribed or methods agreed in the report will require prior written approval from the Local Planning Authority.

Reason: To ensure reasonable measures are taken to safeguard trees in the interest of local amenity and the enhancement of the development itself.

13. 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.

14. ++Prior to the commencement of the development hereby approved (with the exception of demolition and site preparation works), 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), measured in accordance with the methodology set out in Approved Document G

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(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.

15. 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.

16. ++ Notwithstanding any details shown on the approved plans listed within condition 02, prior to any above ground works associated with the development hereby approved, a hard and soft landscaping scheme showing details of shrubs, trees and hedges to be planted and details of materials for areas of hardstanding, 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.

17. ++ Above ground works associated with the development shall not commence until details of all screen and boundary walls, fences, hedges and any other means of enclosure (including private garden) have been submitted to and approved in writing by the Local Planning Authority. The means of enclosure will be implemented fully in accordance with the approved details prior to the occupation of any part of the development and thereafter maintained to the height and position as approved unless otherwise agreed in writing by the Local Planning Authority. Any hedges and planting which die or become seriously damaged or diseased within a period of 5 years from the completion of the development shall be replaced during the next planting season

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with specimens of the same size and species unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure that the proposed development does not adversely affect the amenities at present enjoyed by the occupiers of the adjoining and nearby properties and to preserve and enhance the character and appearance of the locality.

18. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modification) no window, rooflight, door or other additional openings at first floor level or above, other than those expressly authorised by this permission, shall be formed in the south east or north west facing side elevations of the new dwellings hereby approved without planning permission being first obtained from the Local Planning Authority.

Reason: To protect the amenity and privacy of the occupiers of adjoining properties in accordance with Policy 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 the National Planning Policy Framework 2018.
2. You are advised that Council officers may undertake inspections without prior warning to check compliance with approved plans and to establish that all planning conditions are being complied with in full. Inspections may be undertaken both during and after construction.
3. The applicants 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 RELEVANT TRIGGER POINT. 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.
4. The applicant is advised that, under the Control of Pollution Act 1974, site works which will be audible at the site boundaries are restricted to the following hours:-  
08.00 – 18.00 Monday to Friday  
08.00 – 13.00 Saturday  
and not at all on Sundays and Bank/Public Holidays.
5. The planning 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. Please see: [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)
6. The developer is advised that as part of the detailed design of the highway works required by the above conditions, the County Highway Authority may require necessary accommodation works to street lights, road signs, road markings, highway drainage,

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surface covers, street trees, highway verges, highway surfaces, surface edge restraints and any other street furniture/equipment.

7. The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders. (Highways Act 1980 Sections 131, 148, 149).
8. This decision notice should be read in conjunction with the related S106 Legal Agreement.
9. The applicant is advised that the development hereby permitted is subject to a Community Infrastructure Levy (CIL) liability. The Local Planning Authority will issue a Liability Notice as soon as practical after the granting of this permission.

The applicant is advised that, if he/she is intending to seek relief or exemptions from the levy such as for social/affordable housing, charitable development or self-build developments it is necessary that the relevant claim form is completed and submitted to the Council to claim the relief or exemption. In all cases (except exemptions relating to residential exemptions), **it is essential that a Commencement Notice be submitted at least one day prior to the starting of the development.** The exemption will be lost if a commencement notice is not served on the Council prior to commencement of the development and there is no discretion for the Council to waive payment. For the avoidance of doubt, commencement of the demolition of any existing structure(s) covering any part of the footprint of the proposed structure(s) would be considered as commencement for the purpose of CIL regulations. A blank commencement notice can be downloaded from: [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)

Claims for relief must be made on the appropriate forms which are available on the Council's website at:  
<https://www.woking.gov.uk/planning/service/contributions>

Other conditions and requirements also apply and failure to comply with these will lead to claims for relief or exemption being rendered void. The Local Planning Authority has no discretion in these instances.

For full information on this please see the guidance and legislation here:

<https://www.gov.uk/guidance/community-infrastructure-levy>

<http://www.legislation.gov.uk/all?title=The%20Community%20Infrastructure%20Levy%20Regulations%20>

Please note this informative provides general advice and is without prejudice to the Local Planning Authority's role as Consenting, Charging and Collecting Authority under the Community Infrastructure Levy Regulations 2010 (as amended).