

11 DECEMBER 2018 PLANNING COMMITTEE

6g	18/0848	Reg'd:	23.08.18	Expires:	18.10.18	Ward:	GP
Nei. Con. Exp:	05.11.18	BVPI Target	13 (Minor dwellings)	Number of Weeks on Cttee' Day:	>8 wks	On Target?	No

LOCATION: 96 Oakfield, Woking, GU21 3QT

PROPOSAL: Alterations to 96 Oakfield; removal of windows to south-west elevation, erection of two storey building comprising 2 x self contained flats (Class C3) (2x one bed) with ancillary facilities (amended plans).

TYPE: Full Application

APPLICANT: One Merrow Croft Limited

OFFICER: Benjamin
Bailey

REASON FOR REFERRAL TO COMMITTEE

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

SUMMARY OF PROPOSED DEVELOPMENT

This is a full planning application for alterations to 96 Oakfield; removal of windows to south-west elevation, erection of two storey building comprising 2 x self contained flats (Class C3) (2x one bed) with ancillary facilities.

Site Area:	0.0354 ha (354 sq.m)
Existing units:	1
Proposed units:	3 (+2)
Existing density:	28 dph (dwellings per hectare)
Proposed density:	84 dph

PLANNING STATUS

- Urban Area
- Thames Basin Heaths Special Protection Area (SPA) Zone B (400m-5km)

RECOMMENDATION

Grant planning permission subject to recommended conditions and SAMM (TBH SPA) contribution secured by S106 Legal Agreement.

SITE DESCRIPTION

No.96 Oakfield is an end-of-terrace two storey dwellinghouse situated within the designated Urban Area in the Goldsworth Park area of the Borough. The property is set at the south-western end of a terrace of eight dwellings and benefits from a wider plot than other dwellings within the terrace; the amenity space, predominantly laid to lawn, wraps around the south-western side of the property. A soil bund, containing planting, occurs to the south-

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west, separating the site from Lockfield Drive. A footway runs from Oakfield along the front of the subject terrace, leading to a crossing point over Lockfield Drive.

RELEVANT PLANNING HISTORY

None relevant

CONSULTATIONS

County Highway Authority (CHA) (SCC): No objections subject to recommended conditions 05 and 06.

Natural England: 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

None received

COMMENTARY

During consideration of the application the applicant (at the request of the case officer) has submitted amended drawings making the following key changes to the proposal as initially submitted:

- Reduced in width by 200mm
- Increased in depth by 300mm
- Fenestration alterations
- Internal re-arrangement
- Re-design of single storey front projection

A further period of 21 day neighbour consultation was undertaken on the amended plans on 15.10.2018, expiring on 05.11.2018. No representations have been received.

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 15 - Conserving and enhancing the natural environment

Woking Core Strategy (2012)

CS1 - A spatial strategy for Woking Borough

CS8 - Thames Basin Heaths Special Protection Areas

CS10 - Housing provision and distribution

CS11 - Housing mix

CS12 - Affordable housing

CS18 - Transport and accessibility

CS21 - Design

CS22 - Sustainable construction

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CS25 - Presumption in favour of sustainable development

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

DM10 - Development on garden land

Supplementary Planning Documents (SPD's)

Design (2015)

Parking Standards (2018)

Outlook, Amenity, Privacy and Daylight (2008)

Climate Change (2013)

Affordable Housing Delivery (2014)

Other Material Considerations

Planning Practice Guidance (PPG)

South East Plan (2009) (Saved policy) NRM6 - Thames Basin Heaths Special Protection Area

Thames Basin Heaths Special Protection Area Avoidance Strategy

Community Infrastructure Levy (CIL) Charging Schedule (2015)

Waste and recycling provisions for new residential developments

Technical Housing Standards - Nationally Described Space Standard (March 2015)

PLANNING ISSUES

01. The main planning issues to consider in determining this application are:

- Principle of development
- Housing mix
- Design and impact upon the character of the area
- Impact upon neighbouring amenity
- Amenities of future occupiers
- Highways and parking implications
- Thames Basin Heaths Special Protection Area (TBH SPA)
- Affordable housing
- Energy and water consumption

having regard to the relevant policies of the Development Plan, other relevant material planning considerations and national planning policy and guidance.

Background

02. The revised National Planning Policy Framework (NPPF) was published on 24 July 2018 and is a material consideration in the determination of this application. However, the starting point for decision making remains the Development Plan, and the revised NPPF (2018) is clear at Paragraph 213 that existing Development Plan policies should not be considered out-of-date simply because they were adopted or made prior to 24 July 2018. The degree to which relevant Development Plan policies are consistent with the revised NPPF (2018) has been considered in this instance, and it is concluded that they should be afforded significant weight, with the exception of Policy CS12, the reasons for which are set out within the affordable housing section.

Principle of development

03. The NPPF (2018) and Policy CS25 of the Woking Core Strategy (2012) promote a presumption in favour of sustainable development. Policy CS10 of the Woking Core Strategy (2012) identifies that the Council will make provision for an additional 4,964 net additional dwellings in the Borough between 2010 and 2027. The reasoned

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justification text to Policy CS10 states that new residential development within the Urban Area will be provided through redevelopment, change of use, conversion and refurbishment of existing properties or through infilling. Paragraph 68 of the NPPF (2018) states that small and medium sized sites can make an important contribution to meeting the housing requirement of an area, and are often built-out relatively quickly, and that to promote the development of a good mix of sites local planning authorities should, inter alia, support the development of windfall sites through their policies and decisions - giving great weight to the benefits of using suitable sites within existing settlements for homes.

04. Policy CS10 of the Woking Core Strategy (2012) sets out an indicative density range of between 30 - 40 dph (dwellings per hectare) for infill development within the rest of the Urban Area (ie. those areas outside of Woking Town Centre, West Byfleet District Centre and Local Centres), as in this instance, stating that density will not be justified at less than 30 dph unless higher densities cannot be integrated into the existing urban form.
05. The existing site density is 28 dph, and therefore currently makes relatively inefficient use of land within the Urban Area. The proposed site density is 84 dph. The existing density of the remainder of the subject terrace (No.96A - No.99A Oakfield (inclusive)) is 85 dph. The density of the other terraces within this section of Oakfield ranges between 70 - 82 dph. Taking these combined factors into account the resulting site density of 84 dph is considered to be acceptable and would increase the existing site density, thus making more efficient use of land within the Urban Area.
06. The site comprises the residential curtilage associated with the existing dwelling of No.96 Oakfield, which is proposed to be retained. The site is situated within the Urban Area, outside of fluvial and surface water flood zones, and outside of the 400m (Zone A) exclusion zone of the Thames Basin Heaths Special Protection Area (TBH SPA), where the impacts of new residential development upon the TBH SPA are capable of mitigation through the provisions of the adopted TBH SPA Avoidance Strategy. For these reasons the principle of residential development is considered to be acceptable in this location. Paragraph 70 of the NPPF (2018) states that, "*plans should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area*". Policy DM10 of the Development Management Policies DPD (2016), notes that such development may not be considered favourably if it has a significant adverse impact upon the character or the amenities of existing housing areas. This is assessed in further detail within the paragraphs below.

Housing mix

07. Policy CS11 of the Woking Core Strategy (2012) states that all residential proposals will be expected to provide a mix of dwelling types and sizes to address the nature of local needs, as evidenced in the latest Strategic Housing Market Assessment, to create sustainable and balanced communities. Policy CS11 does however state that the appropriate percentage of different housing types and sizes for each site will depend upon the established character and density of the neighbourhood and the viability of the scheme. In this case the proposal would result in 100% of 1 bed units.
08. Whilst it is noted that the proposal consists of 1 bedroom units it is acknowledged that not every development site will deliver a mix of unit sizes and in this case only x2 new dwellings are proposed. It is also noted that Policy CS11 operates, and is monitored, Borough wide. Taking into account these factors it is considered that the provision of x2 1 bedroom dwellings is acceptable in this instance in terms of housing mix.

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Design and impact upon the character of the area

09. The NPPF (2018) sets out that one of the fundamental functions of the planning and development process is to achieve the creation of high quality buildings and places and that good design is a key aspect of sustainable development. Policy CS21 of the Woking Core Strategy (2012) states that development should respect and make a positive contribution to the street scene and the character of the area paying due regard to the scale, height, proportions, building lines, layout, materials and other characteristics of adjoining buildings and land.
10. The application site comprises the residential curtilage associated with the existing dwelling of No.96 Oakfield, which is proposed to be retained, and includes housing development on garden land to the side of this existing property. Policy DM10 of the Development Management Policies DPD (2016) states that housing development on garden land and/or that to the rear or side of an existing property will be supported provided that it meets the other relevant Development Plan policies and that:
 - *it does not involve the inappropriate sub-division of existing curtilages to a size substantially below that prevailing in the area, taking account of the need to retain and enhance mature landscapes;*
 - *it presents a frontage in keeping with the existing street scene or the prevailing layout of streets in the area, including frontage width, building orientation, visual separation between buildings and distance from the road;*
 - *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.*
11. The application site is within the Goldsworth Park area of the Borough, which is a large area of Post-War housing with a sinuous road layout. Goldsworth Park was deliberately laid out as closes, clusters and small groups of houses to break up the scale of the development and create individual areas accessed from distributor roads.
12. Oakfield is a residential cul-de-sac accessed from a distributor road (Kirkland Avenue). This south-western section of the western 'arm' of Oakfield is characterised by two storey terraced housing. The terraces vary in width between four and nine dwellings and generally demonstrate open front gardens. Both off-street and on-street parking is provided, including within terraced garage courts.
13. It is recognised that some of the key characteristics of Goldsworth Park are the good footpath links (separate from principal highways) and the pleasant spacious character to parts of the estate due to large mature areas of landscaped open space. It is also acknowledged that Goldsworth Park is relatively densely developed and that gaps between built developments relieve the prevalence of built development and permit glimpses of sky or vegetation beyond, maintaining some openness of character. The footpath runs in front of the subject terrace and the additional building would be set no closer to this footpath than the existing dwelling of No.96 Oakfield.

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14. Whilst there would be a reduction in openness arising from the proposal the area to the south-west side of No.96 Oakfield makes a limited contribution to the openness of the surrounding area, because the side (south-west) boundary of the application site, where parallel to the flank elevation of No.96 Oakfield, is demarcated by a soil bund containing tree and understorey planting, which renders it quite visually enclosed. This soil bund (to be retained) and tree and understorey planting separates, and largely screens, the application site from the distributor road of Lockfield Drive. Furthermore the relationship of the application site with Lockfield Drive means that the proposal would not appear cramped or overdeveloped within its site as no further built form occurs on this side of Lockfield Drive. Overall therefore, in the site specific circumstances of this case, the open character of Goldsworth Park is not considered to be diminished by the proposal. It should also be noted that the existing gap to the south-western side of No.96 Oakfield appears unique within this section of Oakfield and that the proposal could not be readily replicated elsewhere within the cul-de-sac.
15. Whilst the development would subdivide the existing plot, retained No.96 Oakfield would retain a plot measuring approximately 4 metres in width, which would remain entirely consistent with the plot widths of other dwellings within the subject terrace (No.96A - No.99A Oakfield (inclusive)). The plot to serve the proposed x2 flats would measure approximately 6 metres (taking into account the retaining wall); this would exceed the widths of other plots within the subject terrace by approximately 2 metres, including the resulting plot width of retained No.96, and would therefore not appear cramped or overdeveloped within its plot. The depth of the resulting plots would remain as per the existing situation. The proposal is therefore not considered to involve the inappropriate sub-division of an existing curtilage to a size substantially below that prevailing in the area
16. The proposal would retain a deep front garden (approximately 6 metres between the building and footpath) which would ensure that an uncharacteristic form of development would not arise. Indeed the proposal would only become readily apparent in direct views from the front (south-east), achieved from the footpath. The proposal is therefore considered to present a frontage in keeping with the existing street scene.
17. The proposal would read as a continuation of the subject terrace. Whilst it would be wider than other dwellings within the subject terrace the careful arrangement of external materials and fenestration to the front elevation would reduce the perceptibility of this increased comparative width. A simple dual-pitched building form would be utilised, reflective of other dwellings within the subject terrace. A single storey front projection would provide separate access to the first floor level flat; this element has been carefully designed and positioned to reflect the front projections at other dwellings within the subject terrace. External materials are proposed to match the existing, which is considered to be acceptable and can be secured via recommended condition 03.
18. A small cycle store (2.7m x 2.2m x 2.7m) is proposed within the rear amenity area to provide storage for x2 cycles per flat. This structure would be externally faced in timber and would demonstrate a scale, form and overall appearance of a typical ancillary residential structure which would not appear uncharacteristic of this residential area. A pedestrian door is proposed to be formed within the existing rear elevation of the garage to enable access to the rear garden of retained No.96; this is a minor alteration which would have no adverse design and character implications. A landscape plan has been submitted, which shows soft landscape, hard landscape and boundary treatments, which are considered to be acceptable and condition 04 is recommended to secure their implementation.

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19. Overall the proposal is considered to respect and make a positive contribution to the character of the area in accordance with Policy CS21 of the Woking Core Strategy (2012), Policy DM10 of the Development Management Policies DPD (2016), SPD Design (2015) and the provisions of the NPPF (2018).

Impact upon neighbouring amenity

20. 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 loss of outlook. More detailed guidance on assessing neighbouring amenity impacts is provided within SPD Outlook, Amenity, Privacy and Daylight (2008), which sets out 45° and 25° angle tests in terms of potential loss of daylight.

No.96 Oakfield

21. No.96 Oakfield is the 'host' property, which would be retained. Whilst x3 windows within the south-west (side) elevation of No.96 would be removed the submitted existing floor plans show the ground floor window to serve a secondary function to an open-plan kitchen/living room, which also benefits from front and rear facing windows, which would remain materially unaffected by the proposal. The first floor window is shown to serve a w/c, which is a non-habitable use, and the second floor window is shown to serve the loft, which is also a non-habitable use. For these reasons the removal of these x3 windows would not be significantly harmful to the amenity of No.96.
22. The proposal would project beyond the rear elevation of No.96 at two storey level by approximately 0.7m. The single storey element would extend approximately 2.5m beyond the front elevation of No.96 although would remain approximately 4.5m from the resulting common boundary and demonstrate a relatively modest 2.7m flat roofed height. These combined factors are not considered to give rise to a significantly harmful overbearing effect due to bulk, proximity or loss of outlook to No.96.
23. The extent of two storey projection to the rear (0.7m) would comply with the 45° angle test, set out by SPD Outlook, Amenity, Privacy and Daylight (2008), and therefore not result in a significantly harmful loss of daylight to No.96. This level of projection would not give rise to a significantly harmful loss of sunlight to No.96, notwithstanding the siting to the south-west of No.96. Openings within the proposal would face to the front, rear and side elevations. Whilst openings within the rear elevation would enable oblique views across the resulting rear garden of No.96 such oblique views are typical within the Urban Area and would not result in significant harm to No.96.
24. SPD Outlook, Amenity, Privacy and Daylight (2008) sets out that family dwelling houses (which are defined for this purpose as providing two bedrooms or more and over 65 sq.m floorspace) should provide a suitable area of private garden amenity in scale with the building but always greater than the building footprint. The existing dwelling of No.96 (to be retained) measures approximately 63 sq.m in gross floorspace and approximately 39 sq.m in building footprint. The resulting garden to serve No.96 would measure approximately 47 sq.m and therefore remain in scale with retained No.96, and entirely consistent with the garden areas of other dwellings within the subject terrace (No.96A - No.99A Oakfield (inclusive)). The impact upon the garden amenity of retained No.96 is therefore considered to be acceptable.

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25. The proposed cycle store would be relatively modest in height (approximately 2.7m) and sited approximately 2.8m away from the resulting common boundary with No.96. These combined factors would avoid any significantly harmful impact upon retained No.96 by reason of potential loss of daylight or sunlight, or overbearing effect. Overall the proposal is considered to achieve a satisfactory relationship to adjoining No.96 Oakfield, avoiding significant harmful impact.

Nos.120 and 121 Oakfield:

26. Nos.120 and 121 Oakfield are situated to the north-west beyond the intervening terraced garage court. The proposal would remain approximately 27 metres away from the terminus of the rear gardens of Nos.120 and 121, approximately 39 metres away from the rear elevations of No.120 and 121, would match the height of the existing subject terrace and demonstrate the highest openings at first floor level, as per the existing subject terrace. Taking these combined factors into account the proposal would achieve a satisfactory relationship to Nos.120 and 121 Oakfield, avoiding significant harmful impact by reason of potential loss of privacy, daylight or sunlight, or overbearing effect.

No.95 Oakfield:

27. No.95 Oakfield is situated to the south-east and orientated largely perpendicular to the subject terrace, such that its rear garden runs (from north-east to south-west) parallel to the subject terrace. It is only the rear garden of No.95 which occurs opposite the application site and there is a relatively wide intervening area laid to paving slabs between the footpath and the north-western boundary of the curtilage of No.95. The two storey element of the proposal would remain approximately 15.5 metres from the boundary of the curtilage of No.95 and would encroach no closer to this boundary of No.95 than existing Nos.96 and 96A Oakfield, closely reflecting the building height and form, and the window positions, sizes and designs apparent within existing No.96. Overall therefore, having regard to these combined factors, the proposal is considered to achieve a satisfactory relationship to No.95 Oakfield, avoiding significant harmful impact by reason of potential loss of privacy, daylight or sunlight, or overbearing effect.

Amenities of future occupiers

28. The open-plan kitchen/living rooms within both flats would be dual-aspect and served by x3 openings overall. The bedrooms within both flats would be served by x2 windows. Therefore the proposal would achieve good levels of daylight and outlook to all habitable rooms. Each flat would have a separate access with the access to the staircase to the first floor level flat sited so as to not cause a loss of privacy to the ground floor flat, particularly the bedroom located at the front.
29. The proposed flats would measure 50 sq.m and 51 sq.m in gross floor space respectively. Although not locally adopted these gross floor spaces comply with the minimum requirements of the Technical housing standards - nationally described space standard (March 2015) for 1b2p one storey dwellings and are therefore considered to provide a good standard of residential amenity.
30. SPD 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 together*

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with specified forms of non family tenure...however, all forms of dwelling should seek to incorporate some modest private sunlit area”.

31. Both flats would provide one bedroom and less than 65 sq.m floorspace such that the SPD does not require any specific area to be set aside for each as private amenity space. Whilst this is the case a useable area of amenity space (taking into account the retaining wall and cycle store) measuring approximately 70 sq.m would be provided for future occupiers. The ground floor flat would benefit from a small rear patio and the first floor flat would have the potential to utilise the other small patio and garden area to the rear of the proposed cycle store, which would serve to non-intrusively sub-divide the rear amenity space between the x2 proposed flats. This amenity space provision and arrangement is considered to be acceptable.

Highways and parking implications

32. The NPPF (2018) promotes sustainable transport. Paragraph 109 sets out that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. Policy CS18 of the Woking Core Strategy (2012) aims to locate most new development within the main urban areas, served by a range of sustainable transport modes, such as public transport, walking and cycling.
33. SPD Parking Standards (2018) sets a minimum on-site vehicle parking standard of 0.5 spaces per each 1 bedroom flat, apartment or maisonette. To facilitate the provision of x1 additional vehicle parking space the application proposes to slightly realign an existing retaining wall close to the existing garage serving No.96. The proposed retaining wall would be 1.2m in height, similar to the existing, and the parking space surfaced in gravel. This x1 additional parking space would be accessed via the garage court, which is unadopted, albeit would be located adjacent to the existing garage serving No.96. It should be noted that this existing area is currently slightly too small to accommodate vehicle parking; therefore no existing vehicle parking would be displaced by this element of the proposal. The proposed x2 flats would therefore comply with SPD Parking Standards (2018) by providing x1 additional parking space, provision of which can be secured via recommended condition 06 prior to first occupation.
34. The submitted existing floor plans show No.96 Oakfield to provide 2 bedrooms, and this bedroom provision would not change as a result of the proposal. SPD Parking Standards (2018) sets a minimum on-site vehicle parking standard of 1 space per each 2 bedroom house. The existing garage serving No.96 is annotated on the submitted plans to be “*retained for use by No.96*” and a pedestrian doorway is proposed within its rear elevation to enable direct access to the resulting rear garden of No.96 from this garage. As set out previously no existing vehicle parking would be displaced by the proposal and the existing garage serving No.96 would be retained. The proposal is therefore not considered to impact adversely upon demand for car parking within the area and is considered acceptable in this regard.
35. SPD Parking Standards (2018) sets a minimum cycle parking standard of x2 spaces per dwelling. A small cycle store (2.7m x 2.2m x 2.7m) is proposed within the rear amenity area to provide storage for x2 cycles per flat in line with the SPD requirements. This provision is considered to be acceptable and can be secured via recommended condition 05 prior to first occupation.
36. The proposal has been considered by the County Highway Authority (CHA) (SCC) who, having assessed the application on safety, capacity and policy grounds, raises

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no objection subject to recommended conditions 05 and 06. Overall therefore the proposal is considered to result in an acceptable impact upon highway safety and car/cycle parking provision and accords with Policy CS18 of the Woking Core Strategy (2012), SPD Parking Standards (2018) and the NPPF (2018).

Thames Basin Heaths Special Protection Area (TBH SPA)

37. 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 Woking Core Strategy (2012) 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.
38. 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 £1,006 in line with the Thames Basin Heaths SPA Avoidance Strategy tariff (April 2018 update). 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.
39. Subject to securing the provision of the SAMM tariff (through a S106 Legal Agreement) 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

40. 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 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.
41. 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

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developments, other than in designated rural areas (where policies may set out a lower threshold of 5 units or fewer).

42. 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.

Energy and water consumption

43. Planning policies relating to energy and water consumption have been updated following the Government's withdrawal of the Code for Sustainable Homes (CfSH). Therefore in applying Policy CS22 of the Woking Core Strategy (2012), the approach has been amended and at present all new residential development shall be constructed to achieve a water consumption standard of no more than 110 litres per person per day water consumption and not less than a 19% CO2 improvement over the 2013 Building Regulations TER Baseline (Domestic).
44. The applicant has submitted Design Stage SAP energy ratings, which demonstrate a 19% CO2 improvement over the 2013 Building Regulations TER Baseline (Domestic), to be achieved through the installation of a 1.00 kWp (0.5kWp connected to each unit) photovoltaic array (approximately 7 sq.m) to the south-east roof slope, and other construction and insulation measures. A Design Stage water efficiency calculator report has also been submitted demonstrating that both units, as designed, would achieve water consumption of 105.1 litres per person per day. This information is considered to be acceptable and compliance with these submitted details can be secured via recommended condition 07. Condition 08 is recommended to secure verification of implementation of these measures.

LOCAL FINANCE CONSIDERATIONS

45. The development would be liable for Community Infrastructure Levy (CIL) to the sum of **£15,587** (101 sq.m net floorspace) (including the April 2018 Indexation).

CONCLUSION

46. Overall the principle of development is considered to be acceptable. Furthermore, subject to recommended conditions, the development is considered to result in acceptable impacts with regard to design and the character of the area, neighbouring amenity, amenities of future occupiers, highways and parking implications, affordable housing and energy and water consumption. Thames Basin Heaths Special Protection Area (TBH SPA) secured via S106 Legal Agreement and through CIL. Subject to securing the provision of the SAMM tariff (through a S106 Legal Agreement) 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.
47. The proposal is therefore considered to accord with Sections 2, 5, 9, 11, 12 and 15 of the National Planning Policy Framework (NPPF) (2018), Policies CS1, CS8, CS10, CS11, CS12, CS18, CS21, CS22 and CS25 of the Woking Core Strategy (2012), Policy DM10 of the Development Management Policies Development Plan Document (DMP DPD) (2016), Supplementary Planning Documents (SPD's) Design (2015), Parking Standards (2018), Outlook, Amenity, Privacy and Daylight (2008), Climate

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Change (2013) and Affordable Housing Delivery (2014), the Planning Practice Guidance (PPG), South East Plan (2009) (saved policy) NRM6 and Thames Basin Heaths Special Protection Area Avoidance Strategy.

BACKGROUND PAPERS

Site visit photographs

Consultation response from County Highway Authority (CHA) (SCC)

PLANNING OBLIGATIONS

	Obligation	Reason for Agreeing Obligation
1.	£1,006 SMM (TBH SPA) contribution.	To accord with the Habitat Regulations, policy CS8 of the Woking Core Strategy (2012) and The Thames Basin Heaths Special Protection Area (SPA) Avoidance Strategy.

RECOMMENDATION

Grant planning permission subject to the following conditions and SMM (TBH SPA) contribution secured by way of S106 Legal Agreement:

01. 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).

02. The development hereby permitted shall be carried out in accordance with the following approved plans numbered/titled:

1504/18/P/01B, dated 23.11.18 (Location and Block Plans), received by the Local Planning Authority on 23.11.2018.

1504/18/P/02C, dated 23.11.18 (Floor Plans and Elevations [Proposed]), received by the Local Planning Authority on 23.11.2018.

1504/18/P/03, dated July 2018 (Existing), received by the Local Planning Authority on 09.08.2018.

1504/18/P04, dated Aug 2018 (Cycle Storage/Alterations to Garage), received by the Local Planning Authority on 09.08.2018.

1504/18/EW/01A, dated 09.10.18 (Landscaping Plan), received by the Local Planning Authority on 09.10.2018.

Site Survey by ABM Surveys (unnumbered), dated Mar 18 and received by the Local Planning Authority on 09.10.2018.

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

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03. The development hereby permitted shall be constructed in the external materials as set out on both the approved plan numbered/titled 1504/18/P/02B (Floor Plans and Elevations [Proposed]), dated 09.10.18 and Section 7 (Materials) of the submitted application form unless otherwise first agreed in writing by the Local Planning Authority. This shall include the external materials of the development hereby permitted matching those used in the existing building of No.96 Oakfield in material, colour, style, bonding and texture where applicable. The development shall thereafter be permanently retained in accordance with these details otherwise first agreed in writing by the Local Planning Authority.

Reason: To protect the character and appearance of Oakfield and the visual amenities of the area in accordance with Policy CS21 of the Woking Core Strategy (2012), SPD Design (2015) and the provisions of the NPPF (2018).

04. Prior to the first occupation of the development hereby permitted all hard and soft landscaping and boundary treatments shall be fully implemented in accordance with the approved plan numbered/titled 1504/18/EW/01A (Landscaping Plan), dated 09.10.18 unless otherwise first agreed in writing by the Local Planning Authority. The development shall thereafter be permanently retained in accordance with these details otherwise first agreed in writing by the Local Planning Authority. 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 first agreed in writing by the Local Planning Authority.

Reason: To protect the character and appearance of Oakfield and the visual amenities of the area in accordance with Policy CS21 of the Woking Core Strategy (2012), Policy DM2 of the Development Management Policies DPD (2016), SPD Design (2015) and the provisions of the NPPF (2018).

05. Prior to the first occupation of the development hereby permitted the cycle store shall be fully implemented and made available for use in accordance with the approved plans numbered/titled 1504/18/EW/01A (Landscaping Plan), dated 09.10.18 and 1504/18/P/04 (Cycle Storage/Alterations to Garage), dated Aug 2018 unless otherwise first agreed in writing by the Local Planning Authority. The cycle store shall thereafter be permanently retained for use by future occupiers at all times unless otherwise first agreed in writing by the Local Planning Authority.

Reason: To ensure that satisfactory facilities for the storage of cycles are provided and to encourage travel by means other than the private car in accordance with the principles set out within Policy CS18 of the Woking Core Strategy (2012), SPD Parking Standards (2018) and the provisions of the NPPF (2018),

06. The development hereby permitted shall not be first occupied until space has been laid out in accordance with the approved plan numbered/titled 1504/18/EW/01A (Landscaping Plan), dated 09.10.18 for a vehicle to be parked. Thereafter the parking space shall be permanently retained and maintained for its designated purpose.

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with Policy CS18 of the Woking Core Strategy (2012) and the provisions of the NPPF (2018).

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07. The development hereby permitted shall be constructed strictly in accordance with the measures outlined within the following documents unless otherwise first agreed in writing by the Local Planning Authority:

Plots 1 and 2

Letter from Therm Energy Limited dated 22.11.2018 (3pp) (Ref: WJ-37-revised), and received by the Local Planning Authority on 22.11.2018.

Block Compliance WorkSheet: WH-37-Planning (1pp), undated and received by the Local Planning Authority on 22.11.2018.

Part G Compliance Report by Therm Energy Limited dated 16-Nov-18 (Project Ref: WJ-37 - Plots 1 and 2) (5pp), and received by the Local Planning Authority on 20.11.2018.

Plot 1

Regulations Compliance Report by Therm Energy Limited dated 22.11.2018 (Ref: WJ-37 - Plot 1) (2pp), and received by the Local Planning Authority on 22.11.2018.

SAP WorkSheet: New dwelling design stage Report by Therm Energy Limited, undated (Ref: Plot 1) (9pp), and received by the Local Planning Authority on 22.11.2018.

Plot 2

Regulations Compliance Report by Therm Energy Limited dated 22.11.2018 (Ref: WJ-37 - Plot 2) (2pp), and received by the Local Planning Authority on 22.11.2018.

SAP WorkSheet: New dwelling design stage Report by Therm Energy Limited, undated (Ref: Plot 2) (9pp), and received by the Local Planning Authority on 22.11.2018.

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

Reason: To ensure that the development achieves a high standard of sustainability and makes efficient use of resources in accordance within Policy CS22 of the Woking Core Strategy (2012), SPD Climate Change (2013) and the provisions of the NPPF (2018).

08. ++ Within two months of the first occupation of the development hereby permitted written documentary evidence shall be 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

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evidence shall be in the form of the notice given under Regulation 37 of the Building Regulations.

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

Reason: To ensure that the development achieves a high standard of sustainability and makes efficient use of resources in accordance within Policy CS22 of the Woking Core Strategy (2012), SPD Climate Change (2013) and the provisions of the NPPF (2018).

09. Notwithstanding the provisions of Article 3, Schedule 2, Part 2, Class A of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order(s) amending or re-enacting that Order with or without modification) no fences, gates or walls or other means of enclosure shall be erected forwards of the front building line of the development hereby permitted without planning permission being first obtained from the Local Planning Authority.

Reason: To preserve the open plan appearance of the surrounding area and to avoid a proliferation of various means of enclosure in accordance with Policy CS21 of the Woking Core Strategy (2012), SPD Design (2015) and the provisions of the NPPF (2018).

Informatives

01. 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 NPPF (2018). The Council requested amended plans to overcome concerns with the application as initially submitted. Following the submission of amended plans the application was considered to be acceptable.
02. The applicants attention is specifically drawn to the planning 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 planning permission and the Local Planning Authority may serve Breach of Condition Notices (BCNs) to secure compliance. The applicant is advised that sufficient time needs to be allowed when submitting details in response to planning conditions, to allow the Local Planning Authority to consider the details and discharge the condition(s). A period of between five and eight weeks should be allowed for.
03. 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

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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

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).

04. The applicant is 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.
05. The applicant is advised that adequate control precautions should be taken in order to control noise emissions from any fixed plant, including generators, on site during demolition / construction activities. This may require the use of quiet plant or ensuring that the plant is sited appropriately and / or adequately attenuated. Exhaust emissions from such plant should be vented to atmosphere such that fumes do not ingress into any property. Due to the proximity of residential accommodation there should be no burning of waste material on site. During demolition or construction phases, adequate control precautions should be taken in order to control the spread of dust on the site, so as to prevent a nuisance to residents within the locality. This may involve the use of dust screens and/ or utilising water supply to wet areas of the site to inhibit dust.
06. The provisions of the Party Wall etc. Act 1996 may be applicable and relates to work on an existing wall shared with another property; building on the boundary with a neighbouring property; or excavating near a neighbouring building. An explanatory booklet, prepared by the Ministry of Housing, Communities and Local Government, and setting out your obligations, is available at the following address:
<https://www.gov.uk/guidance/party-wall-etc-act-1996-guidance#explanatory-booklet>
07. The applicant's attention is drawn to Sections 60 and 61 of the Control of Pollution Act 1974 and the associated British Standard Code of Practice BS 5228: 1984 "Noise Control on Construction and Open Sites" (with respect to the statutory provision relating to the control of noise on construction and demolition sites). If work is to be carried out outside normal working hours, (i.e. 8 am to 6 p.m. Monday to Friday, 8 am to 1 p.m. Saturday and not at all on Sundays or Bank Holidays) prior consent should be obtained from the Council's Environmental Health Service prior to commencement of works.

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08. This decision notice should be read in conjunction with the related S106 Legal Agreement.
09. The applicant is advised that this decision has been based solely upon the amended plans submitted during consideration of the application as referred to in condition 02.
10. The applicant is reminded that flats do not benefit from 'permitted development' rights and therefore that any potential future alterations and/or extensions will require planning permission.