

19 MARCH 2019 PLANNING COMMITTEE

6d	18/0456	Reg'd:	04.05.18	Expires:	29.06.20	Ward:	SJS
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Nei.	31.05.18	BVPI	Minor	Number		On	Yes
Con.		Target	dwellings -13	of Weeks		Target?	
Exp:				on Cttee'			
				Day:			

LOCATION: 212 Goldsworth Road, Woking, Surrey, GU21 6NF

PROPOSAL: Erection of a 2.5 storey building to provide 1no 1 bedroom flat and 4no 2 bedroom flats following demolition of the existing house. Provisions for 5no parking spaces and refuse/recycling. (Amended plans)

TYPE: Full Planning Application

APPLICANT: Mr Imran Essa

OFFICER: William Flaherty

REASON FOR REFERRAL TO COMMITTEE:

The proposal includes the erection of 4x2 bedroom and 1x1 bedroom flats which falls outside the scope of delegated powers as set out by the Management Arrangements and Scheme of Delegation.

SUMMARY OF PROPOSED DEVELOPMENT

The proposal is for the demolition of the existing two-storey 3/4 bedroom dwelling and the erection of a replacement two and a half storey building with accommodation in the roof space to provide 4x2 bedroom flats and 1x 1 bedroom flat.

Site area:	0.046 ha
Number of units:	5 (4x 2 bedroom, 1x 1 bedroom)
Number of proposed parking spaces:	5
Existing density on site:	21.7 dph (dwellings per hectare)
Proposed density on site:	108.69 dph

PLANNING STATUS

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

RECOMMENDATION

GRANT planning permission subject to planning conditions and a Section 106 legal agreement

SITE DESCRIPTION

The application site is situated on a prominent corner plot location to the north-east of the roundabout where Goldsworth Road and Kingsway meet. The site is not located in a Conservation Area and does not concern a Listed Building. No trees subject to Tree Preservation Orders (TPOs) are situated on site. The site is not located within Fluvial Flood Zones 2 or 3, however, parts of the site itself are identified as being at medium (1 in 1000 year) risk of surface water flooding and the site is within 20m of land identified as being at high (1 in 100 year) and very high risk (1 in 30 year) of surface water flooding. To the south-west of the application site is designated Urban Open Space leading up to the roundabout where Goldsworth Road, Kingsway, Parley Drive, The Triangle and Triggs Lane meet.

The ground floor of the application site has previously been used as a meeting place/place of worship. This use was permitted by temporary period consents as detailed below. It is noted that the site is currently in residential use.

PLANNING HISTORY

- PLAN/1996/0487 - Renewal of period consent 89/0371 for a further period of 7 years for the continued use of the premises as a meeting place and the first floor as a separate dwelling unit – Permit – 09.08.1996
- PLAN/1989/0371 - Continued use for a further period of 7 years of the ground floor of the existing premises as a meeting place and the first floor as a separate dwelling unit. – Permit – 13.07.1989
- WOK/82/0113 - Retention of existing premises – Permit
- WOK/75/0388 - Continued use as a meeting place – Permit
- WOK-22882 - Meeting Room - Permit

CONSULTATIONS

County Highway Authority: No objection subject to planning conditions

Flood Risk & Drainage Officer: No objection subject to pre-commencement planning conditions.

Waste Officer: No objection

REPRESENTATIONS

A total of 15 letters of objection (from 10 individuals) have been received in response to 2 separate neighbour notifications by the Local Planning Authority. The following comments have been raised in letters of objection:

- The proposed development is significantly different to the look, size and style of neighbouring properties and would adversely affect the character of the road;
- The recommendation should be consistent with neighbouring planning permissions/refusals
- The existing site is a lovely family house and development of this type is not needed in the area;
- The proposal would exacerbate existing parking problems along Goldsworth Road and Kingsway;

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- The proposed development is inappropriate for the plot and is too close to neighbouring boundaries;
- The proposal would increase noise in the area;
- The existing north-east side elevation has obscure glazed windows, the proposal could result in overlooking if any proposed windows are not obscure glazed;
- It is unclear what the boundary treatment would be;
- The garden would create noise and disturbance;
- There's no need for flats in the area and would remove a family home; This would be the first development of flats in the area;
- The proposal would be visually intrusive and lead to a loss of privacy to neighbouring development
- The existing sewage system would not be able to cope;
- The proposal would be too high density for the area and the existing site is not underused;
- The use of the entrance along Kingsway for a Goldsworth Road property is unacceptable;
- The neighbouring green space would be harmed;

On 19 February 2019, neighbours were notified that amended plans had been submitted altering the site access, recycling/waste store and on-site car parking layout. In response to this notification, a further 5 letters of objection have been received (at the time of writing this report) raising the following additional comments not set out above:

- The existing dwelling matches the design of neighbouring properties while the proposed building is unattractive;
- There is insufficient on-site car parking capacity being proposed;
- The building works would create noise, dust and dirt and a loss of privacy;

Officer Note: In response to concerns raised that the application should be assessed in a way consistent with neighbouring planning permissions/refusals, Officers have had regard to neighbouring planning permissions/refusals where relevant in the assessment of the current planning application. Each application is assessed on its own merits and no two sites have the exact same context. Regarding concerns about the existing sewage system, this would be subject to a separate consenting process with the local utilities provider.

RELEVANT PLANNING POLICIES

National Planning Policy Framework (NPPF) 2019:

Section 2 - Achieving sustainable development

Section 12 - Achieving well-designed places

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

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

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

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CS25 - Presumption in favour of sustainable development

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

DM2 - Trees and landscaping

DM10 – Development on Garden Land

Supplementary Planning Documents (SPDs):

Woking Design (2015)

Outlook, Amenity, Privacy and Daylight (2008)

Parking Standards (2018)

Climate Change (2013)

Other Material Considerations:

Planning Practice Guidance (PPG)

Woking Borough Council Strategic Flood Risk Assessment (November 2015)

Community Infrastructure Levy (CIL) Charging Schedule (2015)

PLANNING ISSUES

1. The main issues to consider in determining this application are: the principle of development, design considerations and the impact of the proposal on the character and appearance of the surrounding area, standard of accommodation, impact on residential amenity, highways and parking implications, impact on landscaping, sustainability, affordable housing, local finance considerations, the impact on the Thames Basin Heaths Special Protection Area, impact on trees and biodiversity and any other matters having regard to the relevant policies of the Development Plan.

Background

2. The revised National Planning Policy Framework (NPPF) was published on 24 July 2018 and is a material consideration in the determination of this application. The NPPF (2019) was published in February 2019 and provides minor clarifications to the revised version published in July 2018. However, the starting point for decision making remains the Development Plan, and the revised NPPF (2019) 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 (2019) has been considered in this instance, and it is concluded that the Core Strategy continues to be up to date.

Principle of Development

3. The NPPF (2019) 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 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.
4. The proposed development would result in the demolition of the existing 3/4 bedroom dwelling and the erection of a replacement 2.5 storey building comprising of 4x2 bedroom and 1x1 bedroom flats. The site is situated within the Urban Area on previously developed land and is not located within Fluvial Flood Zones 2 or 3 or within Zone A (within 400m) of the Thames Basin Heaths Special Protection Area (TBH SPA).

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5. The proposed development would result in the loss of the existing family dwelling, however, the proposal would provide 4x2 bedroom flats which are classified as family dwellings (as defined by Policy CS11 [Housing Mix] of the Woking Core Strategy [2012]). Therefore there would be no net loss of family dwellings on site.
6. The existing density of 21.7 dwellings per hectare (dph) would increase as a result of the proposal to 108.69dph. Policy CS10 of the Woking Core Strategy (2012) sets an indicative density of 30-40 dph unless there are significant constraints on the site or where higher densities cannot be integrated into the existing form.
7. The existing footprint of the dwelling is approximately 135sqm (as scaled off the submitted Block Plan and including ancillary structures). The proposed block of flats would have a footprint of approximately 185sqm which represents an increased footprint of approximately 37%. The overall site area is approximately 464sqm meaning that the proposed development would result in approximately 40% of the site being built on.
8. While development of the proposed density is not prevalent in the immediate vicinity of the site, the application site is considered to be unique in that it addresses both Goldsworth Road and Kingsway frontages. Within this unique site context, it is considered that the proposed density of development would be acceptable on the site and would integrate into the existing built form. It is therefore considered that the principle of the proposed development is acceptable subject to further material planning considerations set out in this report.

Design and Impact on the Character of the Area

9. The NPPF (2019) 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. Policy CS24 of the Woking Core Strategy 2012 states that '*development will be expected to...respect the setting of, and relationship between, settlements and individual buildings within the landscape*' and to '*conserve, and where possible, enhance townscape character*'.
10. The application site is situated in an area which is largely characterised by post-war development with some Edwardian era properties in the vicinity of the application site. The area is comprised of a mix of dwelling types, although two-storey detached and semi-detached dwellings are most common. The wider area is leafy in nature with a number of mature trees lining Goldsworth Road to the front of the site. To the rear of the site, Kingsway is of a tighter urban grain. Within the prevailing generalisation of two storey detached/semi-detached dwellings there is a significant variation of architectural styles. Consequently, there is no dominant or prevailing design narrative for the application site which fronts onto both Goldsworth Road and Kingsway.
11. Due to the mix of styles and dwelling designs along Kingsway and the surrounding area it is difficult to identify a truly local distinctiveness beyond the broad characteristic of detached two storey dwellings. The existing dwelling has some architectural merit and positively addresses Goldsworth Road, however, it is considered that the rear part of the site fronting onto Kingsway diverges from the prevailing built form and building lines. The dwelling as existing is not well suited to its prominent corner plot position and therefore it is considered that there is scope for the proposal to positively address both Kingsway and Goldsworth Road.

12. The proposed replacement building would have a maximum height of approximately 9.5m, a predominant eaves height of approximately 5.3m and a maximum depth of approximately 17m. The proposed building would use Ibstock "Dorking Red" facing bricks, hanging tile to the bays, white render, decorative timber detailing to the bay features and rosemary coloured clay plain roof tiles. The proposed materials have been chosen with a view to replicating the materials of neighbouring properties to help assimilate the proposed development within the street scene. The proposed building would be approximately 0.4m taller when compared to the existing dwelling on site, however, it is considered that this would not be highly perceptible within the street scene when viewed from Goldsworth Road while the set back from neighbouring No. 89 to the north-east would ensure that the development is not highly prominent when viewed from Kingsway to the north-east.
13. It is considered that the proposed replacement building would positively address both Goldsworth Road and Kingsway as it would respect existing building lines and part of its design, such as the materials, roof form and timber detailing would relate well to neighbouring properties. It is considered that the prominent south-west facing elevation would present a more legible frontage to those approaching the site and Woking Town Centre from the south-west.
14. The site would continue to be accessed by vehicles from Kingsway while the pedestrian access to the replacement building would be moved from Goldsworth Road to front onto Kingsway. This is not considered to cause any harm in character and design terms as the Kingsway facing elevation ties in well with the predominant building line along Kingsway. It was initially proposed to relocate the existing vehicular access and dropped kerb away from the site boundary with neighbouring properties to the north-east to a more central location within the application site. However, the scheme has been subsequently amended to utilise the existing access. Dropped kerbs are a common feature along Kingsway and the proposed landscaping, which would be secured by planning condition, would help to better assimilate the access within the street scene (see Condition 4).
15. The proposed building is considered to be sympathetically designed to make the most effective use of the application site, providing development which responds well to the unique site context and which positively addresses both Kingsway and Goldsworth Road and the Urban Open Space to the south-west. The proposed development would achieve an increase in density while maintaining an appropriate building on site. In terms of boundary treatment, it has been indicated that boundary treatment along the south-western boundary of the site would be reduced in height to help integrate the site with the neighbouring Urban Open Space. Further details of boundary treatment would be secured by way of a planning condition (Condition 4).
16. Paragraph 118 of the National Planning Policy Framework (NPPF) (2019) sets out that planning decisions should promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs to housing where land supply is constrained and available sites could be used more effectively. Paragraph 123 sets out that it is important that planning decisions avoid homes being built at low densities and ensure that developments make optimal use of the potential of each site.
17. For the reasons set out above, it is considered that the proposed development would respect and make a positive contribution to the street scenes of Goldsworth Road and Kingsway and the character of the area more generally, paying due regard to the scale, height, proportions, building lines, layout, materials and other characteristics of neighbouring buildings 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 (2019).

Standard of Accommodation

18. The proposed building comprises of 4x2 bedroom flats and 1x1 bedroom flat as set out in the table below. Each of the proposed flats would exceed the minimum Gross Internal Area (GIA) standards as defined by the Technical Housing Standards – Nationally Described Space Standard (2015) (as amended), as set out in the table below.

Flat	No. Of Bedrooms	Gross Internal Area (square metres)
A	1	59.5
B	2	73.3
C	2	75.5
D	2	73.2
E	2	87.6

19. Habitable rooms would have acceptable levels of outlook with all of the flats benefitting from multiple outlooks and aspects. While none of the proposed flats would have any dedicated private amenity space or communal amenity space, it is noted that the site has access to designated Urban Open Space to the immediate south-west of the site, a Play Area accessed off De Lara Way approximately 176m to the east of the application site and the Basingstoke Canal approximately 360m to the north of the site. As the site is in close proximity to publicly accessible green space, it is considered that the lack of on-site private amenity space is acceptable in this case.
20. Overall it is considered that the proposed flats would be of a good standard of accommodation with each of the flats benefiting from multiple aspects, comfortable setbacks from the public highway and acceptable levels of privacy. It is therefore considered that the proposed flats would provide a good standard of amenity for future owner/occupiers.

Impact on Residential Amenity

21. 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. The main dwellings to consider in assessing the impact of the proposal on neighbouring residential amenity are: No. 89 Kingsway, the dwellings on the south side of Kingsway Nos. 118 – 136, No. 210 Goldsworth Road and those dwellings accessed off Julian Close to the west.
22. With reference to No. 89 Kingsway to the north-east of the application site, it is noted that No. 89 has 2x habitable room windows on the rear elevation, 2x habitable room windows on the south-east facing front elevations and 2x windows on the side elevation facing the application site (WOK/26164). With reference to those windows at the rear of No. 89, the proposed development would have a similar relationship to No. 89 as the existing property does with an increase in height of approximately 0.4m. The set-back from the site boundary, along with the position of the proposed development within the plot would ensure that there would be no significant loss of outlook and loss of sunlight/daylight.

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23. The proposal is sufficiently set away from the front most elevation of No. 89 to ensure no significant adverse impact to the front most habitable room window (No. 89 is 'L' shaped and has 2x south [front] facing elevations). In terms of the windows on the side of No. 89, the position of the proposal in relation to No. 89 would ensure no significant loss of daylight/sunlight with the proposed development to the south-west/west of No. 89. While there would be some loss of outlook to the windows on the side of No. 89, it is considered that this would not be significant within the context of the existing dwelling on site and the prevailing pattern and form of development along Kingsway.
24. Regarding No. 210 Goldsworth Road to the north-east, the proposed development would have a similar relationship to No. 210 as the existing situation and would be set away from the side elevation of No. 220 by approximately 7.8m at its furthest point (approximately 4.6m at its closest point). The marginal increase in height would not result in any significant adverse impact when compared to the existing situation.
25. In terms of privacy for Nos. 89 Kingsway and No. 210 Goldsworth Road, the proposed flats would only have non-habitable room obscure glazed and non-opening below 1.7m above internal floor level windows on the side elevation facing these properties (see Condition 12). Subject to this planning condition, it is considered that there would be no significant adverse impact in terms of loss of privacy to these dwellings. Any views from the first and second floor Kingsway Road facing elevation windows would be oblique and would not look directly into any habitable room windows at No. 89.
26. With reference to those dwellings on the south side of Kingsway, the proposed flats would have a separation distance of approximately 30m to the front elevations of those properties opposite which would exceed the minimum separation distances required in the 'Outlook, Amenity, Privacy and Daylight' SPD 2008 (15m from front elevation to front elevation). This separation would also ensure no overbearing impact to these properties. Accordingly, it is considered that there would be no significant adverse impact on the amenities of the owner/occupiers of properties on the south side of Kingsway.
27. Regarding those dwellings to the north-west of the application site accessed off Julian Close, the proposed building would be approximately 40m from the closest property at Julian Close. Accordingly, it is considered that the proposed development would not have any significant adverse impact on the amenities of these dwellings.
28. Concerns have been raised in written representations that the increase in density on site would have a detrimental impact on the residential amenities of neighbouring properties in terms of noise and disturbance. While it is acknowledged that there would likely be an increase in noise as a result of the proposed development, it is considered that this would not be significant given the residential character of the proposed development and the wider area. Windows on the north-east elevation in proximity to neighbouring Nos. 89 Kingsway and 210 Goldsworth Road would not serve habitable rooms and would be non-opening below 1.7m above internal floor levels which would reduce any impact in terms of noise and disturbance. In terms of noise and disturbance arising from the construction process, this would be controlled by the Control of Pollution Act 1974 (see Informative 7).
29. For the reasons set out above, it is considered that the proposed development is acceptable in terms of its relationship with neighbouring properties and would safeguard the outlook, amenity, privacy and daylight of existing and future occupiers of existing dwellings, in accordance with Policy CS21 of the Woking Core Strategy 2012, Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight' 2008 and the National Planning Policy Framework (2018).

Arboricultural Impact

30. There are no protected trees on site with only minor shrubs present in the rear garden. As part of the proposed development, the applicant would provide landscaping and boundary treatment to help assimilate the proposed development within the area. Subject to a Landscaping Plan being secured by way of a planning condition (see Condition 4), it is considered that the proposed development would have an acceptable impact and enhance the character and appearance of the existing site and the surrounding area.

Impact on the Thames Basin Heaths Special Protection Area

29. 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 kilometers of the TBH SPA boundary.
31. The proposed development would result in 1x 1 bedroom dwelling and 4x2 bedroom dwellings on site which would require a Strategic Access Management and Monitoring (SAMM) payment of £3,770 (taking into account the existing dwelling on site). This financial contribution would be secured by a Section 106 Legal Agreement prior to the issuing of any grant of planning permission. This payment would increase after 31 March 2019. The applicant has indicated that they are prepared to enter into such an agreement should planning permission be granted. For the avoidance of doubt, sufficient SANG at Brookwood Country Park has been identified to mitigate the impacts of the development proposal.
32. 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 would 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.

Flooding and Water Management

33. The proposal site is not situated within Fluvial Flood Zones 2 or 3, however, part of the site is identified as being at medium (1 in 1000 year) risk of surface water flooding and the site is within 20m of land identified as being at high (1 in 100 year) and very high risk (1 in 30 year) of surface water flooding.

34. In order to ensure that the proposed development does not increase surface water floor risk on site or in the surrounding area, a planning condition requiring 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 (see Condition 13) is recommended.
35. Subject to the above planning condition, it is considered that the proposed development would be acceptable in flood risk and surface water drainage terms. The proposal is therefore considered to comply with Policy CS9 of the Woking Core Strategy (2012) and the provisions of the NPPF (2019) in terms of flooding and water management.

Highways and Parking Implications

36. The proposal would utilise the existing vehicular access on Kingsway to provide 5x on-site car parking spaces.
37. The Council's Parking Standards SPD (2018) sets out minimum car parking requirements for residential development. For development of this type, a minimum of 4.5 on-site car parking spaces are required. The hardstanding car parking area to be accessed off Kingsway would provide 5 on-site car parking spaces which would exceed the minimum requirements. An integral cycle store would be included as part of the proposed development with space for 8 bicycles. While this would fall short of the 2 cycle parking spaces required per dwelling set out in the Parking Standards SPD (2018), on balance, this small shortfall is considered to be acceptable with at least 1x secure cycle space available for each flat.
38. The existing dwelling would appear to have 1-2 on-site car parking spaces which would fall short of the minimum 3 on-site car parking spaces required for a 4x bedroom property. The proposed development would be policy compliant in terms of on-site car parking provision which could actually represent an improvement to on-street parking as any overspill on-street parking from the existing dwelling should be minimised. As the development is using the existing access, the County Highway Authority has confirmed that there is no need to remove any on-street car parking spaces and they have further confirmed that the on-site car parking arrangement would be acceptable in terms of access.
39. The County Highway Authority has raised no objection to the proposed development subject to planning conditions which would relate to the on-site car and cycle parking arrangements and the submission of a Construction Transport Management Plan to secure details of vehicle parking, loading and unloading of materials and storage of plant and materials to ensure the highway safety and convenience of the highway users are not compromised as a result of the development. Subject to planning conditions, it is considered that the proposed development would be acceptable in highway safety and parking terms and would comply with Policy CS18 of the Core Strategy (2012), the Woking Parking Standards SPD (2018) and the National Planning Policy Framework (2019).

Sustainability

40. Following a Ministerial Written Statement to Parliament on 25th March, the Code for Sustainable Homes (aside from the management of legacy cases) has now been withdrawn. For the specific issue of energy performance, Local Planning Authorities will continue to be able to set and apply policies in their Local Plans that require compliance with energy performance standards that exceed the energy requirements of Building Regulations until commencement of amendments to the Planning and Energy Act 2008 in the Deregulation Bill 2015.

41. The Council has therefore amended its approach and an alternative condition will now be applied to all new residential development which seeks the equivalent water and energy improvements of the former Code Level 4. It is considered that the proposal would be acceptable in terms of sustainability subject to planning conditions (see Conditions 5 and 6).

Affordable Housing

42. 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.
43. Paragraph 63 of the National Planning Policy Framework (NPPF) (2018) sets out that provision of affordable housing should not be sought for residential developments that are not major developments, other than in designated rural areas. The site is not within a designated rural area and does not constitute major development (development where 10 or more homes will be provided or the site has an area of 0.5 hectares or more).
44. Whilst it is considered that weight should still be afforded to Policy CS12 (Affordable housing) of the Woking Core Strategy 2012 it is considered that greater weight should be afforded to the policies within the NPPF 2019. As the proposal represents a development of less than 10 units, and has a maximum combined gross floor space of no more than 1000sqm, no affordable housing financial contribution is therefore sought from the application scheme.

Local Finance Considerations

45. The Community Infrastructure Levy (CIL) is a mechanism adopted by Woking Borough Council which came into force on 1st April 2015, as a primary means of securing developer contributions towards infrastructure provision in the Borough. In this case, the proposed residential development would incur a cost of £125 per sqm which equates to a contribution of approximately £37,656 (243.5sqm net additional GIA and indexed for inflation). Please note that a new CIL indexation will apply if planning permission is granted after 31st March 2019.

Residual Waste and Recycling Provision

46. The Council's guidance document 'Waste and recycling provisions for new residential developments' identifies that developments of 12 or less apartments are expected to utilise 2x 240 litre wheeled bins (1x residual waste and 1x recycling) per apartment, in addition to a 1x 23 litre kitchen caddy per flat. The applicant has shown an integral recycling/refuse storage area. The Council's Waste Officer has confirmed that the proposed recycling/refuse store would be acceptable.

Conclusion

47. The principle of development is considered to be acceptable and the proposal will incorporate an acceptable design and will preserve the character and appearance of the surrounding area. The proposal would have an acceptable impact on neighbouring amenity, highway safety, trees, surface water flood risk and the Thames Basin Heaths Special Protection Area, subject to planning conditions and a Section 106 agreement. The development would incorporate appropriate sustainability measures in order to

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achieve energy performance requirements equivalent to Level 4 for Code for Sustainable Homes.

48. The proposal is considered to be an acceptable form of development that complies with Sections 2, 12, 13, 14 and 15 of the National Planning Policy Framework 2019. Policies CS8, CS9, CS10, CS16, CS18, CS21, CS22, CS24 and CS25 of the Woking Core Strategy 2012, Supplementary Planning Documents 'Outlook, Amenity, Privacy and Daylight' 2008, 'Design' 2015 and 'Parking Standards' 2018, Policies DM2, DM10, DM12 and DM13 of the Development Management Policies DPD 2016 and Thames Basin Heaths Special Protection Area Avoidance Strategy 2010-2015. It is therefore recommended that planning permission is granted subject to the recommended conditions and Section 106 legal agreement.

BACKGROUND PAPERS

1. Site Visit Photographs – 14.12.2018
2. Response from County Highway Authority – 14.02.2019

PLANNING OBLIGATIONS

	Obligation	Reason for Agreeing Obligation
1.	£3,770 SAMM (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

It is recommended that planning permission be GRANTED subject to the signing of a Section 106 Legal Agreement to secure SAMM contribution and subject to the following Conditions:

1. The development hereby permitted shall be commenced not later than three years from the date of this permission.

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

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

17069/PLL01, rev D, Proposed Block Plan, dated February 2019
P171289/S-L01, Existing Site/Block Plan, dated May 2018
17069/PLL02, Site Location Plan, dated February 2019
17069/PL01, rev H, Site Plan, dated February 2019
17069/PL01, rev G, Site Plan, dated January 2019
17069/PL02, rev D, Ground & First Floor Plans, dated February 2019
17069/PL03, rev C, Mansarde & Roof, dated August 2018
17069/PL04, rev D, Elevation to Goldsworth Road, dated August 2018

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17069/PL05, rev E, Elevation to Kingsway, dated February 2019
17069/PL06, rev D, South-West Elevation, dated August 2018
17069/PL07, rev D, North-East Elevation, dated August 2018
17069/S-01, Existing Street Elevation to Goldsworth Road, dated November 2017
17069/S-02, Existing Street Elevation to Kingsway, dated January 2018
17069/S-03, Existing Street Elevation to Green Space, dated May 2018
17069/PL10, rev C, Street Elevation to Goldsworth Road, dated August 2018
17069/PL11, rev D, Street Elevation to Kingsway, dated February 2019
17069/PL12, rev C, Street Elevation to Green Space, dated August 2018

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

3. ++ Prior to the commencement of above ground works for the development hereby permitted (excluding demolition), details, including samples, of all external materials to be used in the construction of the dwelling and any hard landscaping shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and thereafter retained in accordance with the approved details unless otherwise first agreed in writing by the Local Planning Authority.

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

4. ++ Prior to the first occupation of the building hereby approved, a hard and soft landscaping scheme showing details of hard and soft landscaping to the frontage including details of materials for areas of hardstanding (including any drainage arrangements) and boundary treatments and additional tree planting, 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 first occupation of the buildings or the completion of the development (in that phase) whichever is the sooner and maintained thereafter. Any retained or newly planted trees, shrubs or hedges which die, become seriously damaged or diseased or are removed or destroyed within a period of 5 years from the date of planting shall be replaced during the next planting season with specimens of the same size and species unless otherwise agreed in writing by the Local Planning Authority.

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

5. ++ Prior to the commencement of the development hereby permitted (with the exception of demolition and site preparation works) written evidence shall be submitted to, and approved in writing by, the Local Planning Authority 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.

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 with Policy CS22 of the Woking Core Strategy (2012) and SPD Climate Change (2013).

6. ++ The development hereby permitted shall not be first occupied until written documentary evidence has been submitted to, and approved in writing by, the Local Planning Authority, proving that the development has:
 - a. Achieved a minimum of a 19% improvement in the dwelling emission rate over the target emission rate, as defined in the Building Regulations for England Approved Document L1A: Conservation of Fuel and Power in New Dwellings (2013 edition). Such evidence shall be in the form of an As Built Standard Assessment Procedure (SAP) Assessment, produced by an accredited energy assessor; and
 - b. Achieved a maximum water use of 110 litres per person per day as defined in paragraph 36(2b) of the Building Regulations 2010 (as amended). Such evidence shall be in the form of the notice given under Regulation 37 of the Building Regulations.

Such details 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 with Policy CS22 of the Woking Core Strategy (2012) and SPD Climate Change (2013).

7. ++ The development hereby permitted shall not commence (including demolition and site preparation works) until a Construction Transport Management Plan (CTMP), to include details of:
 - (a) parking for vehicles of site personnel, operatives and visitors
 - (b) loading and unloading of plant and materials
 - (c) storage of plant and materials
 - (d) measures to prevent the deposit of materials on the highways

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

Reason: In order that the development should not prejudice highway safety nor cause undue inconvenience to other highway users in accordance with Policy CS18 of the Woking Core Strategy (2012) and the provisions of the National Planning Policy Framework (NPPF) (2019). This is a pre-commencement condition to ensure that demolition and site preparation works do not prejudice highway safety nor cause undue inconvenience to other highway users.

8. ++ Prior to the first occupation of the development hereby approved, space shall be laid out within the site in accordance with the approved plans for vehicles to be parked and

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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 used solely for parking and turning.

Reason: In order that the development should not prejudice highway safety nor should it inconvenience other highway users in accordance with Policy CS9 of the Woking Core Strategy (2012).

9. The development hereby approved shall not be first occupied unless and until the facilities for the secure parking of bicycles, as shown on '17069/PL02, rev D, Ground & First Floor Plans, received 08.02.2019' have been provided and are available for use in accordance with the approved plans. The cycle store shall thereafter be retained as per its designated use.

Reason: In order that the development should encourage sustainable modes of transport in accordance with Policy CS9 of the Woking Core Strategy (2012) and the National Planning Policy Framework 2019.

10. Any scrub, hedgerow and tree clearance must be undertaken outside the bird breeding season (1st March to 30th August inclusive) unless the applicant has first carried out a survey of such vegetation (undertaken by an ecologist) which shows that there are no nesting species within relevant parts of the application site and any such survey results have been submitted to and approved in writing by the Local Planning Authority.

Reason: To prevent birds being injured or killed during site clearance works and to comply Policy CS7 of the Woking Core Strategy 2012, Circular 06/05 Biodiversity and Geological Conservation and the policies in the NPPF 2019.

11. The ground and first floor side elevation windows and roof lights shown on drawing '17069/PL07, rev D, North-East Elevation, dated August 2018' hereby permitted shall be glazed entirely with obscure glass and be non-opening unless the parts of the windows which can be opened are more than 1.7 metres above the floor of the room in which the window is installed. Once installed the side elevation and roof light windows shall be permanently retained in that condition unless otherwise agreed in writing by the Local Planning Authority.

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

12. ++ 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.

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- 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 before the development is completed and thereafter shall be managed and maintained in accordance with the approved details in perpetuity.

Reason: To prevent the increased risk of flooding, to improve and protect water quality and to ensure the future maintenance of these in accordance with Policies CS9 and CS16 of the Woking Core Strategy 2012 and the policies in the NPPF 2019.

- 13. ++ Prior to any above-ground works for the development hereby approved, details of active/passive electric vehicle charging points to be provided shall be 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 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 and in accordance with the electric vehicle charging infrastructure requirements of policy CS22 of the Woking Core Strategy (2012) and the Climate Change SPD (2013).

- 14. The recycle/refuse storage area shown on '17069/PL02, rev D, Ground & First Floor Plans, received 08.02.2019' waste and recycling signage attached to email dated 05.03.2019 shall be provided and available for use by the occupiers of the proposed development prior to the first occupation of the development hereby approved. The recycle/refuse storage area shall thereafter be retained as per its designated use.

Reason: To ensure the provision of satisfactory facilities for the storage of recycling and residual waste and to protect the general amenity of the area in accordance with Policy CS21 of the Woking Core Strategy (2012), SPD Design (2015) and the provisions of the NPPF (2019).

- 15. ++ Prior to the first occupation of the dwellings hereby approved, details of the measures for the enhancement of biodiversity on site (including the provision of bird and bat boxes) and a timetable for their provision on the site and details of their long term management and maintenance shall be submitted to and approved in writing by the Local Planning Authority. The biodiversity enhancements shall be carried out and shall thereafter be retained on the site in accordance with the approved details.

Reason: In order to enhance the biodiversity on the site and to comply with Policy CS7 of the Woking Core Strategy 2012, Circular 06/05 Biodiversity and Geological Conservation and the policies in the NPPF 2019.

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 (2019). Following the submission of further contextual information after initial submission 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 extension 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

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).

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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.