

19 MARCH 2019 PLANNING COMMITTEE

6e	18/1371	Reg'd:	14.01.19	Expires:	11.03.19	Ward:	C
Nei. Con. Exp:	01.02.19	BVPI Target	13 (Minor dwellings)	Number of Weeks on Cttee' Day:	9/8 wks	On Target?	No

LOCATION: 25 High Street, Woking, GU21 6BW

PROPOSAL: Erection of x1 rear dormer and x2 front dormers together with conversion of existing roof space to form x1 one bedroom flat.

TYPE: Full Application

APPLICANT: Childs & Co.

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 the erection of x1 rear dormer and x2 front dormers together with conversion of existing roof space to form x1 one bedroom flat.

Site Area:	0.0121 ha (121 sq.m)
Existing units:	1 (residential)
Proposed units:	2 (residential)
Existing density:	83 dph (dwellings per hectare)
Proposed density:	166 dph

PLANNING STATUS

- Urban Area
- Woking Town Centre
- Primary Shopping Area
- Secondary Shopping Frontage
- Thames Basin Heaths Special Protection Area (TBH 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

The site consists of a two storey dual-pitched building, appearing to date from the Victorian era. To the rear is a two storey 'outrigger' element and a single storey projection. The building forms part of a wider Secondary Shopping Frontage presented to High Street, opposite the elevated railway lines, within Woking Town Centre and falls within the Primary Shopping Area. Commercial uses are apparent at ground floor level (classes A1/B1(a)) and a residential flat (class C3) at first floor level. To the rear a 'yard' laid to hard surfacing is apparent between

19 MARCH 2019 PLANNING COMMITTEE

the rear of several buildings fronting High Street, including the site, and several buildings fronting Commercial Way.

RELEVANT PLANNING HISTORY

The application property has a relatively extensive planning history. The below is the most recent:

PLAN/2004/1324 - Change of use from retail to residential at first floor.
Permitted subject to conditions (07.01.2005)

PLAN/2002/0760 - Change of use of first floor consulting room (class D1) to retail (class A1).
Permitted subject to conditions (12.08.2002)

PLAN/1997/0289 - Retrospective application for the continued use of first floor as Osteopaths (medical use).
Permitted subject to conditions (20.06.1997)

CONSULTATIONS

County Highway Authority (CHA) (SCC): No objection subject to recommended condition 04.

Network Rail: No comments received.

Environmental Health: Due to the property's close proximity to the track, there is concern regarding railway noise which has not been addressed within the application. Please advise whether further information is due to be submitted regarding noise mitigation measures.

(Officer Note: Please refer to paragraphs 38 - 41 (inclusive))

Joint Waste Solutions: Due to the location of this property, I believe we can only service this address by using our sacks collections service. Our RCV makes collections of waste and recycling directly from Commercial Way, however, we do not have access to collect directly off of the High Street. The resident will need to present the sacks in a visible location on Commercial Way. Please note to reduce traffic disruption, collections in the town are made very early, so the sacks will need to be presented by 6am on the scheduled collection day. Residents will receive fortnightly collections for both refuse and recycling. The recyclable items collected in sacks are the same as those collected from a wheeled bin.

Natural England: Natural England has 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

RELEVANT PLANNING POLICIES

National Planning Policy Framework (NPPF) (February 2019)
Section 2 - Achieving sustainable development
Section 5 - Delivering a sufficient supply of homes
Section 7 - Ensuring the vitality of town centres

19 MARCH 2019 PLANNING COMMITTEE

Section 9 - Promoting sustainable transport
Section 11 - Making effective use of land
Section 12 - Achieving well-designed places
Section 14 - Meeting the challenge of climate change, flooding and coastal change
Section 15 - Conserving and enhancing the natural environment

Woking Core Strategy (2012)

CS1 - A spatial strategy for Woking Borough
CS2 - Woking Town Centre
CS7 - Biodiversity and nature conservation
CS8 - Thames Basin Heaths Special Protection Areas
CS9 - Flooding and water management
CS10 - Housing provision and distribution
CS11 - Housing mix
CS12 - Affordable housing
CS18 - Transport and accessibility
CS21 - Design
CS22 - Sustainable construction
CS24 - Woking's landscape and townscape
CS25 - Presumption in favour of sustainable development

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

DM7 - Noise and light pollution
DM9 - Flats above shops and ancillary accommodation

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
Woking Borough Council Strategic Flood Risk Assessment (November 2015)
Community Infrastructure Levy (CIL) Charging Schedule (2015)
Waste and recycling provisions for new residential developments
Technical Housing Standards - Nationally Described Space Standard (March 2015)

Draft Site Allocations Development Plan Document (DPD) (Regulation 19 Consultation) November 2018

Policy UA6 - 2-24 Commercial Way and 13-28 High Street, Woking, GU21 6BW

PLANNING ISSUES

01. The main planning issues to consider in determining this application are:
- Principle of development
 - Compatibility of uses
 - Housing mix
 - Design and impact upon the character of the area
 - Impact upon neighbouring amenity

19 MARCH 2019 PLANNING COMMITTEE

- Amenities of future occupiers
- Parking and highways implications
- Thames Basin Heaths Special Protection Area (TBH SPA)
- Affordable housing
- Energy and water consumption
- Flooding and water management
- Draft Site Allocations DPD

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 19 February 2019 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 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 19 February 2019. The degree to which relevant Development Plan policies are consistent with the revised NPPF 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 application site falls within the Urban Area within Woking Town Centre. The NPPF 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, with an indicative number of net additional dwellings within Woking Town Centre of 1,980.
04. Policy CS10 sets out an indicative density range of in excess of 200 dph within Woking Town Centre, although states that the density ranges set out are indicative and will depend on the nature of the site. The existing (residential) site density is 83 dph (dwellings per hectare); the present proposal would increase this density to 166 dph. Whilst the resulting density would not exceed 200 dph, as set out by Policy CS10, the present proposal would nonetheless make more efficient use of land within a highly sustainable location within the Urban Area, whilst maintaining existing ground floor uses, which are considered to be fundamental to maintaining the vitality and viability of Woking Town Centre.
05. The reasoned justification text to Policy CS10 sets out that Woking Town Centre is one of the broad locations for long-term residential development in accordance with the overall spatial approach of the Woking Core Strategy (2012), helping to minimise the impact on important biodiversity and landscape features and offers the greatest scope to reduce the need to travel by private vehicle because of the proximity to existing services, jobs and public transport. Furthermore, the use of Woking Town Centre sites will help minimise the amount of land that will be needed to be released from the Green Belt to meet housing need.
06. Policy CS2 of the Woking Core Strategy (2012) states that the Council will support the development of Woking Town Centre as the primary centre for economic development in the Borough and as a primary economic centre in the South East and that Woking Town Centre is the preferred location for town centre uses and high density residential

19 MARCH 2019 PLANNING COMMITTEE

development, that new development proposals should deliver high quality, well designed public spaces and buildings, which make efficient use of land, contribute to the functionality of the centre and add to its attractiveness and competitiveness.

07. Policy CS2 sets out that proposals within Woking Town Centre will be achieved through, inter alia:
- mixed-use high density redevelopment of existing sites
 - refurbishment of outmoded sites
 - intensification of existing sites
08. The proposal takes the form of front and rear dormer window extensions to an existing building within Woking Town Centre, in line with Policy CS2. In providing x1 net additional dwelling the proposal would contribute, albeit very modestly, to housing supply within both Woking Town Centre and the wider Borough, and towards meeting the indicative net additional dwelling thresholds set out by Policies CS2 and CS10 of the Woking Core Strategy (2012).
09. Paragraph 118 of the NPPF states that *“planning...decisions should:...support opportunities to use the airspace above existing residential and commercial premises for new homes. In particular, they should allow upward extensions where the development would be consistent with the prevailing height and form of neighbouring properties and the overall street scene, is well-designed (including complying with any local design policies and standards), and can maintain safe access and egress for occupiers”*. Furthermore paragraph 68 of the NPPF 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”*. Both of these paragraphs provide clear national policy support for the present proposal.
10. Although the proposal in this instance is not restricted to a change of use, because it involves operational development, the principle of the development is nonetheless considered to be supported by the 'Flats above shops' element of Policy DM9 of the Development Management Policies DPD (2016), which states:

Where proposals fall outside the remit of permitted development rights, the change of use of vacant or underused accommodation above shops to residential purposes will be permitted in accordance with other policies in the Development Plan, and provided:

- (i) it meets relevant space standards;*
- (ii) it would not undermine the economic vitality of the immediate area;*
- (iii) the property can be satisfactorily occupied as a self-contained dwelling unit;*
- (iv) there is suitable access to amenity space having regard to the general principles in the Outlook, Amenity, Privacy and Daylight SPD and the Design SPD; and*
- (v) there is a safe access and egress route during flood events.*

The appropriate car parking standards for such developments will be decided taking into account the locational characteristics of the site, including its proximity to key services and public transport accessibility.

19 MARCH 2019 PLANNING COMMITTEE

11. The above requirements will inform the assessment of the proposal.
12. The site lies within the Primary Shopping Area, and within a Secondary Shopping Frontage, as defined on the Proposals Map, however the existing uses are proposed to be retained at ground (use class A1/B1(a)) and first (use class C3) floor levels. It is therefore not considered that the proposal would result in harmful effects on the frontage, crime and disorder nor undermine the economic viability of either the immediate area, or that of Woking Town Centre as a whole; the proposal would comply with Policy CS2 in this regard.

Compatibility of uses:

13. Paragraph 118 of the NPPF promotes mixed use development whilst paragraph 127 seeks to secure a high standard of amenity for existing and future users. Access to the proposed x1 net additional flat would be achieved by making an internal adjustment to the existing first floor level flat in order that the existing staircase can be continued up to the second floor. This internal adjustment would reduce the floor area of bedroom 1 slightly, rationalise the bathroom/wc arrangement, and provide a new dining area to the first floor level flat. These internal works would not constitute 'development', for planning purposes, although are not considered to harm the living conditions of the existing first floor level flat in any case.
14. Given that the x1 net additional flat would occur above an existing flat at first floor level there would be a compatibility of uses. The existing retail/office accommodation would be maintained at ground floor level. Buildings within the immediate vicinity of the site are within retail (class A1), financial and professional services (class A2), office (class B1(a)) and residential (class C3) uses; as such there is no objection in respect of the compatibility of the proposed residential use with surrounding uses.
15. The principle of development, subject to the other planning considerations addressed within this report, is considered to be acceptable.

Housing mix

16. 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 (SHMA), 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% (x1) of one bedroom units.
17. The latest West Surrey Strategic Housing Market Assessment (SHMA) (September 2015) recommends that the following mix of market housing be sought:
 - 1-bed: 10%
 - 2-bed: 30%
 - 3-bed: 40%
 - 4-bed: 20%
18. Whilst it is noted that the proposed mix provides a higher number of one bedroom units than as stated within the latest SHMA (September 2015), it is acknowledged that not every development site will deliver the complete mix of unit sizes. It is also noted that

19 MARCH 2019 PLANNING COMMITTEE

Policy CS11 operates, and is monitored, Borough wide. In addition the reasoned justification to Policy CS11 notes that lower proportions of family accommodation (2+ bedroom units which may be houses or flats) will be acceptable in locations in the Borough such as the town and district centres that are suitable for higher density developments. Taking into account the location of the application site within Woking Town Centre and the considerations of design and access, the flatted nature of the unit proposed is considered to be acceptable. Overall the dwelling type and size is considered to be acceptable and to accord with Policy CS11 of the Woking Core Strategy (2012).

Design and impact upon the character of the area

19. The NPPF 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.
20. SPD Design (2015) sets out that Woking Town Centre has undergone significant redevelopment since the 1960s and that it is important to ensure that new developments are designed and developed to the highest possible quality.
21. The principal operational development would be the formation of x2 front and x1 rear dormer windows to form habitable accommodation within the roof space. In terms of dormer windows SPD Design (2015) states that "*permission will usually be granted for the installation of traditional dormer windows if they are a subordinate feature of the roofscape*".

Rear dormer window

22. It is acknowledged that the proposed rear dormer would not appear as a particularly subordinate feature of the rear roofscape. Nonetheless the rear dormer has been designed such that it would be set down from the ridge height of the host building, would terminate above the eaves, would be restricted to the rear roof slope (ie. would not span across onto the roofscape of the existing two storey rear 'outrigger' element), and the submitted drawings show both the retention of the existing rear chimney stack and of a gap between the relevant side 'cheek' of the dormer and the rear chimney stack.
23. It is also a weighty material consideration in the determination of this present application that planning permission was granted, under the provisions of current Development Plan policies, for two rear dormers of very similar scale and form at adjacent No.23-24 High Street (Ref: PLAN/2015/1357). These adjacent rear dormers have subsequently been constructed.
24. Furthermore views of the rear dormer would be essentially non-existent from the public realm due to the screening afforded by the scale and massing of the existing continuous development fronting both Commercial Way and High Street. Views of the rear dormer would therefore be very largely restricted to from within the 'rear yard', which occurs between several buildings fronting Commercial Way and several buildings fronting High Street, in which it would be viewed in the immediate context of the existing rear dormers at Nos.23-24. Therefore no materially harmful impact upon the character of the subject building and surrounding area would arise and, in design and character terms, the rear dormer is considered to be acceptable.

19 MARCH 2019 PLANNING COMMITTEE

Front dormer windows

25. The proposed two front dormer windows would be gabled in form, vertically align with first floor windows and utilise sash windows; these combined factors would reflect the Victorian era of the host building. The front dormers would appear appropriate in scale to the host building and, whilst varying slightly to those permitted (and since constructed) at adjacent No.23-24 High Street, this factor is considered preferable to an exact match to those at adjacent No.23-24 High Street.
26. Due to the siting of the host building, within close proximity of the elevated railway line, limited aspect of the proposed two front dormers would occur from the public realm, although they would be more readily apparent when viewed from the elevated railway line and in, somewhat oblique, views obtained from High Street.
27. The wider frontage of High Street, of which the host building forms part, demonstrates buildings of three storey scale with some buildings also providing roof accommodation, particularly to the east. Given this consideration, combined with the appropriate design, scale and siting of the front dormers, and the presence of similar front dormers at adjacent No.23-24 High Street (Ref: PLAN/2015/1357), the two front dormers are considered to respect the street scene of High Street and the character and appearance of the surrounding area.

Refuse/recycling and cycle storage

28. The submitted drawings show an alteration at ground floor level to accommodate refuse/recycling and cycle storage, to serve the proposed x1 net additional flat, largely internally within the host building, involving the removal of a toilet serving the retail unit; whilst this is the case another existing toilet, shown to serve the retail unit, is shown to remain unaffected. An existing ground floor window would be replaced with a door to facilitate access to the refuse/recycling and cycle storage. Given that this is a minor alteration to the rear, which would only be apparent from the rear 'service yard' no material design and character implications are considered to arise.
29. Overall it is considered that the proposal would respect the street scenes and the character of the area in which it would be situated in accordance with the provisions of the NPPF, Policy CS21 of the Woking Core Strategy (2012) and SPD Design (2015).

Impact upon neighbouring amenity

30. 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, loss of daylight or sunlight, or an overbearing effect due to bulk, proximity or loss of outlook. Detailed guidance on assessing neighbouring amenity impacts is provided within SPD Outlook, Amenity, Privacy and Daylight (2008). The impact of the development upon nearby properties within commercial uses does not need to be considered.

Nos.23-24 High Street

31. Nos.23-24 High Street is adjacent to the north-east and contains flats at first (Ref: PLAN/2016/0579) and second floor (Ref: PLAN/2015/1357) levels. However, given the scale, form and siting of the proposed front and rear dormers within the respective roofscapes, and the resulting relationship of these proposed dormers with the existing development at Nos.23-24, it is not considered that a significantly harmful impact, by

19 MARCH 2019 PLANNING COMMITTEE

reason of potential loss of daylight, sunlight or overbearing effect, would occur to existing flats within Nos.23-24 High Street. The neighbouring amenity impact upon Nos.23-24 High Street is considered to be acceptable.

Nos.26-27 High Street

32. Nos.26-27 High Street is adjacent to the south-west. There is no evident planning history of residential uses at adjacent Nos.26-27 High Street. In any event because of the greater height of Nos.26-27 High Street the proposed rear dormer cheek would be presented to the dual-pitched roof slope of Nos.26-27, which appears to contain no rooflights or other openings.

Amenities of future occupiers

33. The gross internal floor area of the proposed flat would measure 41 sq.m (excluding the additional (non-habitable) stair/landing area required), therefore slightly exceeding the relevant 39 sq.m minimum gross internal floor area (1b1p 1 storey - with bathroom as opposed to shower room) set out by the Technical housing standards - nationally described space standard (March 2015), albeit that these standards are not locally adopted.
34. In terms of new dwellings SPD Outlook, Amenity, Privacy and Daylight (2008) states that *“suitable daylight to a dwelling is achieved where an unobstructed vertical angle of 25° can be drawn from a point taken 2 metres above floor level of the fenestrated elevation”*.
35. The x1 net additional flat would occur at second floor level and receive sufficient access to daylight to both the front and rear dormers; that is, a 25° angle applied as set out within the preceding paragraph, would not be breached by either the elevated railway line to the front or the existing built form fronting Commercial Way to the rear. The two front dormers would face in a south-easterly direction and serve the principal living areas (living room / bedroom); these front dormers would therefore receive some sunlight and provide a good level of outlook, taking into account the Woking Town Centre location. The kitchen would look across the 'rear yard', where outlook would be less favourable, although is shown to be open to the living room, which would benefit from outlook via the front dormer. The bathroom would also look across the 'rear yard' although would be a non-habitable room and likely to utilise an obscure-glazed window (for internal privacy) in any case.
36. Approximately 15 metres separation would be retained between windows within the proposed rear dormer and the rear elevations of buildings fronting Commercial Way, which is considered to achieve sufficient privacy for future residential occupiers, taking into account the Woking Town Centre location of the site and that only the kitchen window is likely to be clear-glazed within the proposed rear dormer.
37. 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 with specified forms of non family tenure”*. The provision of private amenity space is therefore not a policy requirement in this instance as the proposed flat would fall below 65 sq.m and provide one bedroom.

Noise

19 MARCH 2019 PLANNING COMMITTEE

38. Policy CS21 of the Woking Core Strategy (2012) requires new development to be designed to avoid significant harm resulting from noise. Policy DM7 of the Development Management Policies DPD (2016) sets out the approach for assessing noise sensitive development sited close to forms of noise-generating use. Residential development is noise sensitive; the main source of noise in this instance is considered to be the elevated railway line to the front.
39. Whilst the present application has not been supported by a statement detailing the existing environmental noise climate, nor any mitigation measures proposed to ensure that environmental noise is reduced to an acceptable level, it is noted that there are existing dwellings in the immediate vicinity, including at first floor level within the host building and at first and second floor levels within adjacent Nos.23-24 High Street. The presence of these dwellings establishes the nature of the area and the present proposal would not therefore introduce a noise sensitive use (residential) into an area where there are no other existing noise sensitive uses.
40. The previous application (Ref: PLAN/2015/1357) at adjacent Nos.23-24 High Street was supported by a Noise Survey and Assessment (Philip Acoustics Ltd dated February 2016) which stated that *"noise levels to the development site are typical for this type of location within a mixed use urban location adjacent to a road and railway lines. Noise is not at such a high level that would preclude the site from the proposed new loft level flats development, providing that an appropriate level of noise insulation / mitigation (building envelope sound insulation) is incorporated into the scheme design to ensure that noise levels to inside rooms of the flats are reasonable"*.
41. The scheme for noise mitigation measures approved at adjacent Nos.23-24 included (i) the provision of double layer 15mm SoundBloc (or equivalent acoustic grade) type plasterboard to the dormer windows (ii) very high acoustic performance glazing to windows overlooking High Street and railway lines and (iii) use of acoustic performance passive type ventilators to windows overlooking High Street and railway lines or "whole house" mechanical ventilation and (iv) the provision of double layer 15mm SoundBloc (or equivalent acoustic grade) type plasterboard to the ceilings. Whilst it would have been preferable for a similar noise survey and assessment to have supported the present application, and caution is taken by Officers in recommending conditions relating to such matters, taking into account the findings of the relatively recent noise survey/assessment at adjacent Nos.23-24 High Street, and that the scheme for noise mitigation measures at that adjacent site related to the type of plasterboard, glazing and ventilation used, it is considered that noise mitigation measures can be secured for the present application via recommended condition 06 in this instance. Overall, subject to recommended conditions, the proposal is considered to result in a good standard of amenity for future occupiers.

Parking and highways implications

42. The NPPF 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.
43. SPD Parking Standards (2018) sets out that flats have a lower average level of car ownership in comparison to houses/bungalows with a corresponding number of bedrooms and identifies a minimum residential parking standard of 0.5 spaces per each 1 bedroom flat, apartment or maisonette although also states that on site provision

19 MARCH 2019 PLANNING COMMITTEE

below this minimum standard will be considered for developments within Woking Town Centre, as is the case in this instance.

44. The proposal would provide no on site car parking to serve the x1 net one bedroom flat. However in this instance it is a significant material consideration that the subject building is located within a highly accessible and sustainable location centrally within Woking Town Centre, within only 190 metres of Woking railway station, and within immediate proximity to the retail, business, leisure, arts, culture and community facilities and other public transport connections, such as bus, cycle and pedestrian facilities, available within Woking Town Centre. Furthermore Woking Town Centre and its wider area are covered by a number of Controlled Parking Zones (CPZs), making them subject to waiting restriction and parking charges.
45. For these reasons the proposed x1 one bedroom flat would likely be attractive to non-car owners and thus consistent with the planning objective to reduce greenhouse gas emissions. The absence of on site car parking would likely be unattractive to persons who own or rely wholly upon private vehicles for transport. The availability of on street parking and public car parks within the locality would readily meet the needs of visitors to the flat. In light of the above, and taking into account the locational characteristics of the site within Woking Town Centre, including its proximity to key services and public transport accessibility, it is not considered that the absence of on-site car parking to serve the proposed x1 one bedroom flat would result in undue pressure upon the availability of off-site parking in the locality or have a materially adverse impact upon the free flow of traffic and highway safety.

Cycle Parking

46. SPD Parking Standards (2018) requires x2 cycle parking spaces per dwelling, regardless of bedroom provision. The submitted plans make provision for x2 cycle parking spaces at ground floor level to the rear. This can be secured via recommended condition 04.

Thames Basin Heaths Special Protection Area (TBH SPA)

47. 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 of 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.
48. 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

19 MARCH 2019 PLANNING COMMITTEE

outside of CIL. The applicant has agreed to make a SAMM contribution of £503 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 Heather Farm has been identified to mitigate the impacts of the development proposal.

49. 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

50. 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.
51. However, Paragraph 63 of the NPPF sets out that the provision of affordable housing should not be sought for residential developments that are not major developments, other than in designated rural areas (where policies may set out a lower threshold of 5 units or fewer).
52. 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. The proposal is not major development and therefore no affordable housing contribution is sought.

Energy and water consumption

53. Policy CS22 of the Woking Core Strategy (2012), relating to energy and water consumption, does not explicitly state that it relates to extensions to existing buildings. Therefore it is not considered reasonable or necessary to recommend any planning conditions relating to energy and water consumption.

Flooding and water management

54. The application site is located within Flood Zone 1, as identified on the Flood map for planning, and therefore no fluvial flood issues are raised.
55. The Council's Strategic Flood Risk Assessment (November 2015) identifies no areas within, or immediately adjacent to, the site as being at risk of surface water flooding. Furthermore, the nature of the development proposed in this instance would not increase the existing area receiving rainwater because no enlargement of the existing building footprint, or any other impermeable area, would occur. Given these factors surface water drainage is not considered to form a planning constraint in this instance.

19 MARCH 2019 PLANNING COMMITTEE

Draft Site Allocations DPD

56. The 'Regulation 19' consultation period on the Draft Site Allocations DPD ran from 5 November 2018 to 17 December 2018, and is now closed. The Site Allocations DPD proposes that Nos.2-24 Commercial Way and Nos.13-28 High Street, Woking (a wider site within which the application site lies) be allocated for mixed use development to comprise of residential, retail and offices. The Draft Site Allocations DPD should currently be afforded 'substantive' weight however given that the present proposal comprises x1 net additional dwelling, within a small part of the wider site proposed to be allocated by Policy UA6, it is not considered that the present proposal would unduly prejudice the deliverability of a comprehensive redevelopment of the wider site as required by Policy UA6, such that this factor could not potentially form a defensible reason for refusal at the current time.

LOCAL FINANCE CONSIDERATIONS

57. The development would be liable for Community Infrastructure Levy (CIL) to the sum of **£4,630** (on the basis of 50 sq.m net floorspace) (including the April 2018 Indexation). However, it should be noted that in the event the requisite S106 Legal Agreement is completed after the annual CIL Indexation due to take place in April 2019 the CIL liability is very likely to change.

CONCLUSION

58. Overall the principle of development is considered to be acceptable and the housing mix is considered to be appropriate given the Woking Town Centre location of the site. Furthermore, subject to recommended conditions and S106 legal agreement, 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, parking, highways implications and alternative modes of travel, Thames Basin Heaths Special Protection Area (TBH SPA), affordable housing, energy and water consumption and flooding and water management.
59. The proposal is therefore considered to accord with Sections 2, 5, 7, 9, 11, 12, 14, 15 and 16 of the NPPF, Policies CS1, CS2, CS7, CS8, CS9, CS10, CS11, CS12, CS18, CS21, CS22, CS24 and CS25 of the Woking Core Strategy (2012), Policies DM7 and DM9 of the Development Management Policies DPD (DMP DPD) (2016), Supplementary Planning Documents (SPD's) Design (2015), Parking Standards (2018), Outlook, Amenity, Privacy and Daylight (2008), Climate Change (2013) and Affordable Housing Delivery (2014), the 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 and Woking Borough Council Strategic Flood Risk Assessment (November 2015).

BACKGROUND PAPERS

Site visit photographs
Consultation response from Environmental Health
Consultation response from County Highway Authority (CHA) (SCC)
Consultation response from Joint Waste Solutions
Consultation response from Natural England

PLANNING OBLIGATIONS

19 MARCH 2019 PLANNING COMMITTEE

	Obligation	Reason for Agreeing Obligation
1.	£503 SAMM (TBH SPA) contribution.	To accord with the Habitat Regulations 2017, Policy CS8 of the Woking Core Strategy (2012) and The Thames Basin Heaths Special Protection Area (TBH SPA) Avoidance Strategy.

RECOMMENDATION

Grant planning permission subject to the following conditions and SAMM (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:

C/HS/18/02 (Ground Floor Plan), dated Dec 18 and received by the Local Planning Authority on 21.12.2018.

C/HS/18/03 (1st Floor Plan), dated Dec 18 and received by the Local Planning Authority on 21.12.2018.

C/HS/18/04 (Proposed 2nd Floor Plan), dated Dec 18 and received by the Local Planning Authority on 21.12.2018.

C/HS/18/05 (Section AA), dated Dec 18 and received by the Local Planning Authority on 21.12.2018.

C/HS/18/06 (Elevations), dated Dec 18 and received by the Local Planning Authority on 21.12.2018.

C/HS/18/07 (Roof Plan), dated Dec 18 and received by the Local Planning Authority on 21.12.2018.

C/HS/18/08 (Existing Ground Floor Plan), dated Dec 18 and received by the Local Planning Authority on 21.12.2018.

C/HS/18/09 (Existing 1st Floor Plan), dated Dec 18 and received by the Local Planning Authority on 21.12.2018.

C/HS/18/10 (Existing Elevations), dated Dec 18 and received by the Local Planning Authority on 11.01.2019.

C/HS/18/11 (Existing Roof Plan), dated Jan 19 and received by the Local Planning Authority on 11.01.2019.

19 MARCH 2019 PLANNING COMMITTEE

C/HS/18/12 (Existing and Proposed Side Elevations), dated Jan 19 and received by the Local Planning Authority on 11.01.2019.

C/HS/18/13 (Site Plan), dated Jan 19 and received by the Local Planning Authority on 11.01.2019.

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

03. The external finishes of the development hereby permitted shall be as set out within Section 9 (Materials) of the application form and as set out on the approved plans listed within condition 02 of this notice. This shall include external finishes of the development hereby permitted matching those used in the existing building in material, colour, style, bonding and texture where applicable.

Reason: To protect the character, appearance and 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.

04. 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 plan numbered/titled C/HS/18/02 (Ground Floor Plan), dated Dec 18. The cycle store shall thereafter be permanently retained for use by future occupiers at all times

Reason: To ensure that satisfactory facilities for the secure and covered storage of cycles are provided to encourage sustainable 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.

05. Prior to the first occupation of the development hereby permitted the refuse/recycling bin store shall be fully implemented and made available for use in accordance with the approved plan numbered/titled C/HS/18/02 (Ground Floor Plan), dated Dec 18. The refuse and recycling bin store shall thereafter be permanently retained for use by future occupiers at all times.

Reason: To ensure the provision of satisfactory facilities for the storage and recycling of refuse 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.

06. ++ The development hereby permitted shall not commence until a fully detailed scheme for protecting the proposed development from environmental noise (including, but not limited to, environmental noise emanating from the nearby elevated railway lines) has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out concurrently with the development hereby permitted and shall be implemented in full as agreed in writing by the Local Planning Authority before the net additional flat hereby permitted is first occupied and shall be permanently retained thereafter.

Reason: To protect the residential occupiers of the net additional flat from environmental noise in accordance with Policy CS21 of the Woking Core Strategy (2012), Policy DM7 of the Development Management Policies DPD (2016) and the provisions of the NPPF. This condition is required to be addressed prior to commencement in order that the ability to discharge its requirement is not prejudiced by the carrying out of building works or other operations on the site.

19 MARCH 2019 PLANNING COMMITTEE

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. The application was considered to be acceptable as initially submitted.
02. The applicants attention is specifically drawn to the planning condition above marked ++. This condition requires the submission of details, information, drawings, etc. to the Local Planning Authority PRIOR TO THE RELEVANT TRIGGER POINT. Failure to observe this requirement 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 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

19 MARCH 2019 PLANNING COMMITTEE

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.
08. This decision notice should be read in conjunction with the related S106 Legal Agreement.
09. The applicant is advised to view the consultation comments of Joint Waste Solutions, which are available on the Council's Public Access for Planning web pages by searching for reference number 'PLAN/2018/1371' at
<https://caps.woking.gov.uk/online-applications/>