

4th JUNE 2019 PLANNING COMMITTEE

6a 19/0188 Reg'd: 18.03.19 Expires: 10.06.19 Ward: C
Nei. 10.04.19 BVPI Major (other) Number On Yes
Con. 10.04.19 Target of Weeks 11/12 Target?
Exp: on Cttee'
Day:

LOCATION: Dukes Court, Duke Street, Woking, Surrey

PROPOSAL: Proposed highway improvement works to a section of Duke Street, Locke Way, Stanley Road and Maybury Road to include a new public plaza, new access points to Dukes Court off Stanley Road, parking rearrangement, new shared footpaths and cycle paths with improvements to existing footpaths, landscape additions, seating areas and cycle parking. A proposed vertical green wall on the central south-western spine of Dukes Court along with a single storey detached kiosk (A3 Use Class) within the existing western courtyard of Dukes Court.

TYPE: Major

APPLICANT: Mr Mark Alsop

OFFICER: Barry Curran

REASON FOR REFERRAL TO COMMITTEE

The application is a major by reason of its site area (in excess of 1.ha) and therefore falls outside the Scheme of Delegation.

SUMMARY OF PROPOSED DEVELOPMENT

It is proposed to carry out highway improvements to a section of Duke Street, Locke Way, Stanley Road and Maybury Road to include resurfacing, new shared cycle/foot paths, improvements to existing footpaths as well as creating new entrance points into Dukes Court parking area. A new pedestrianised public plaza is proposed along a section of Duke Street which will include the erection of a single storey detached restaurant kiosk with landscape additions, seating areas and cycle parking. A vertical living wall is also proposed on the central south-western spine of Dukes Court spanning the height of this at 36 metres.

PLANNING STATUS

- Town Centre
- Secondary Shopping Frontage
- Adjacent to Conservation Area
- High Accessibility Zone
- Thames Basin Heaths SPA Zone B

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RECOMMENDATION

GRANT subject to conditions

SITE DESCRIPTION

The application site relates to Dukes Court office building (B1 Use Class) and forecourt as well as a number of surrounding highways including Duke Street, Maybury Road, Stanley Road, Locke Way and Grove Road. Dukes Court is an 8 storey red brick building with an expansive yet somewhat indistinguishable frontage facing onto Duke Street. Parking is provided towards the forecourt off Duke Street and within the under-croft and basement of this building. Sited within the defined Woking Town Centre, the application site is neighboured by the Woking Town Centre Conservation Area to the south-west with a vacant building (Elizabeth House) sited to the South of the site. Grosvenor Place, a residential block is located on the north-east and eastern side of Stanley Road with A1, A3 and A5 Use Classes neighbouring the site off Duke Street typifying the mixed character in the vicinity of the application site. Maybury Road and The Broadway are arterial routes serving the town centre with Duke Street and Stanley Road both vehicular dominated highways.

PLANNING HISTORY

Numerous; None of relevance

PROPOSED DEVELOPMENT

This application seeks permission for the following:

- Transform the existing car park in the forecourt of Dukes Court, hard landscaped area between Elizabeth House and Duke Street and the section of Duke Street from Maybury Road to Locke Way into a public plaza to include:
 - Public realm granite paving
 - Raised feature planting beds with concrete and cor-ten cladding
 - Planting areas to capture surface water run-off
 - Ornamental planting and feature trees throughout the proposed plaza
 - Cycle racks
 - Public outdoor seating with lighting bollards, tree uprights and perimeter lighting
- Erection of a single storey kiosk restaurant with external seating, green roof and green wall in the proposed public plaza
- Highway works to include:
 - a block paved raised table at the junction of Maybury Road and Stanley Road
 - resurfacing of Stanley Road, Maybury Road and parts of Grove Road
 - footpath widening along part of Maybury Road and Stanley Road to facilitate a shared footway/cycleway
 - the reinstatement of two access points to Dukes Court off Stanley Road with a two way access along with additional parking spaces within the existing car park of Dukes Court including 5 new electric charging bays to offset some of the spaces lost to the public plaza
 - widening of footpath on the southern section of Maybury Road
- Installation of an internally illuminated green (living) wall on the central spine of the south-western elevation of Dukes Court to measure a total height of 36 metres and support a range of local plant species, bird boxes and include other biodiversity improvements.

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CONSULTATIONS

Surrey Highways: No objection subject to conditions (14.05.19)

Drainage Officer: No objection subject to conditions (14.05.19)

Environmental Health Officer: No objection subject to conditions (02.04.19)

Arboricultural Officer: No objections subject to conditions (16.05.19)

Green Infrastructure Team: Following discussions which provide clarification to a number of issues initially raised, no objection is raised subject to a condition seeking further details of the inclusion and location of bird boxes (09.05.19)

REPRESENTATIONS

None received

RELEVANT PLANNING POLICIES

National Planning Policy Framework (2019) (NPPF)

- Section 7 – Ensuring the vitality of town centres
- Section 8 – Promoting healthy and safe communities
- Section 9 – Promoting sustainable transport
- 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 Borough Core Strategy (2012)

- CS1 - A Spatial Strategy for Woking
- CS2 - Woking Town Centre
- CS7 – Biodiversity and nature conservation
- CS9 – Flooding and water management
- CS17 – Open space, green infrastructure, sport and recreation
- CS18 - Transport and Accessibility
- CS20 - Heritage and Conservation
- CS21 – Design
- CS22 – Sustainable construction
- CS24 – Woking's landscape and townscape
- CS25 - Presumption in Favour of Sustainable Development

Development Management Policies DPD (2016)

- DM1 – Green Infrastructure Opportunities
- DM2 - Trees and Landscaping
- DM6 – Air and Water Quality
- DM7 – Noise and Light Pollution
- DM17 - Public Realm
- DM20 - Heritage Assets and their Settings

Supplementary Planning Documents

- Design SPD
- Parking Standards SPD

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PLANNING ISSUES

1. The planning issues that need to be addressed in the determination of this application are; principal of development, design layout and impact on the surrounding area including the Woking Town Centre Conservation Area, public realm, impact on neighbouring properties, impact on highway safety and parking, drainage and impact on trees and ecology.

Principle of the development

2. The majority of the application site is located within the defined Woking Town Centre with Maybury Road located just outside of the boundary. Policy CS2 of the Woking Core Strategy 2012 states that the town centre will be the primary centre for economic growth. New development proposals should deliver high quality, well designed public spaces and contribute to the functionality of the town centre and add to its attractiveness.
3. It is proposed to carry out extensive works in creating a public plaza along Duke Street pedestrianizing a portion of this highway and transforming the forecourt areas of Dukes Court. The works would involve laying new surface materials and various components such as a new detached restaurant kiosk, shared cycle and public footpaths, landscaped areas and seating all around the centre-piece of the vertical green wall on the central spine of Dukes Court. The pedestrianisation of Duke Street and creation of a public realm will be addressed in more detail in the main body of this report but for the purposes of Policy CS2 of the Core Strategy 2012, the proposal is considered to support its objectives with a high quality, well designed public space.
4. As part of this application, it is proposed to erect a detached restaurant within the proposed public plaza. Woking Town Centre is the primary centre for economic development and is referred to, in Policy CS2, as the preferred location for town centre uses. Town centre uses are defined in the Glossary of the Core Strategy 2012 as restaurants, amongst others such as retail and leisure facilities. Providing sufficient and high quality evening time facilities such as restaurants is an objective of Policy CS2 and considering the level of development currently under way within the town centre, in particular Victoria Square, the need for additional high quality town centre uses is pertinent.
5. Overall, the proposed development would result in public realm improvement works which would create an attractive public space and would form a new focal point towards the East of Woking Town Centre. The improvements to the public realm and additional town centre uses would, in turn, help support the economic growth of the town centre in accordance with the objectives of the Core Strategy.

Design, Layout and Impact on the Character and the Woking Town Centre Conservation Area

6. The National Planning Policy Framework at Paragraph 192 states that in assessing planning applications, local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and new development making a positive contribution to local character and distinctiveness. The Council must pay special attention to the desirability of preserving or enhancing the character and appearance of the conservation area, as required under Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.
7. At a local level, Policy CS20 of the Core Strategy 2012 states that new development should make a positive contribution to the character, distinctiveness and significance of the historic environment. In this instance the proposed development would affect the heritage assets of Woking Town Centre Conservation Area.

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8. The proposal involves the creation of a new public plaza along part of Duke Street with outdoor seating, formal cycle parking, landscaping including attractive new trees and resurfacing works with a similar palette of materials already used on other public spaces within the town centre including cor-ten steel, granite paving as well as concrete plant risers all combining to create an attractive space and promote an accessible landscape. Policy CS21 of the Core Strategy states that new developments should respect and make a positive contribution to the street scene and the character of the area in which they are situated. Policy DM17 of the Development Management Policies DPD states that new development should create and contribute to a safe, attractive, high quality, inclusive and legible public realm that contributes positively to local character and identity and encourage appropriate levels of activity and social interaction.
9. Policy CS24 of the Woking Core Strategy 2012 requires that all development proposals provide a positive benefit in terms of landscape and townscape character, and local distinctiveness and will have regard to landscape character areas. Proposed works would secure improvements to surfacing and footpaths along Stanley Road and The Broadway at the junction with Maybury Road providing an attractive pedestrian and cycle entrance route into the town centre. Improved cycle and pedestrian routes along this section of Maybury Road, The Broadway and Stanley Road would allow for a much more pedestrian friendly realm with highway rearrangements and one-way systems proposed to be implemented (outside of this application) in improving the safety and character of the area.
10. The installation of a raised table junction would mark the entrance into the defined town centre as per the Proposal Map with new road surfacing down along Stanley Road, Maybury Road and some parts of Grove Road. These works would help to improve pedestrian and cycle safety and encourage appropriate levels of activity and social interaction whilst contributing to the creation of a well-designed and high quality public space. Duke Street would transform from a 'rat-run' highway to a public space with a pedestrian emphasis in line with other public spaces within the Woking Town Centre.
11. A single storey detached restaurant kiosk will be located towards the north-western end of the proposed public plaza within the forecourt of Dukes Court. This restaurant is proposed to form a hub within the plaza with an area of terrace paving for external dining. The kiosk itself would measure 8 metres in width, approximately 17.5 metres in length and stand at a maximum height of 4 metres with a folded roof form topped with a profile sedum roof. The building would be of a geometric form juxtaposed against the elevation of the existing Dukes Court with a cantilevered canopy predominantly set in contrast to the rather harsh strong facade of Dukes Court. Green walls are proposed on the northern and eastern wall of the kiosk to compliment the proposed sedum roof and provide a natural screen to the building from the perspective of outdoor diners with vegetation providing cover to the proposed adjoining service yard which is to be located along the south-eastern elevation.
12. The proposed kiosk would provide an attractive building within the public realm and a focal point for customers to congregate. Outdoor seating with natural defensible barriers around much of the perimeter results in seclusion from the surrounding pedestrian dominated plaza. Proposed materials are to include cor-ten steel risers and panels with green walls tying in with the sedum roof and underlying objective of integrating the built and natural environment. Policy CS20 of the Core Strategy 2012 states that new development should make a positive contribution to the character, distinctiveness and significance of the historic environment. The erection of this kiosk with an articulate design and materials to integrate with the proposed materials of the public plaza results in a development which is considered to, not only tie in with the public plaza but, enhance the wider area. The A3

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use of this kiosk and terraced area as shown on Drawing titled 'Proposed Site Plan' Rev P2 shall be conditioned to be limited to this identified space (Condition 4).

13. Dukes Court currently forms one of the largest buildings within the Woking Town Centre in terms of floor area and height. The south-western elevation forms the principal elevation with a tiered façade of projecting arms on this elevation, one projecting along the Chertsey Road side and a more central spine along Duke Street. It is proposed to install a green (living) wall on this central spine which measures approximately 36 metres in height. The proposed living wall would be of a modular system with a range of plant species appropriate to the south-west facing elevation offering a range of seasonal variations which would correlate well with the proposed public plaza demonstrating a range of trees as well as a large range of plant species within plant risers.
14. Policy CS21 of the Woking Core Strategy 2012 states that developments should create *“places that are attractive with their own distinct identity”*. The proposed living wall would transform this built element of Dukes Court and provide a positive contribution to the street-scape incorporating landscaping within the built fabric of the area. Policy CS21 goes on to note that new developments should *“protect and where possible enhance biodiversity within new developments”* and *“encourage the incorporation of built-in measures in new construction design. Examples of such measures may include green wall, brown roofs and the installation of bird and bat boxes”*. Set to be one of the tallest living walls in the UK, the proposal would embrace the design objectives of Policy CS21 with the incorporation of landscaping on the focal point of Dukes Court in tandem with the proposed public plaza. Installation of bird boxes at various heights throughout the wall would increase the habitat potential for local wildlife and promote further opportunities for species of invertebrate through the utilisation of planting.
15. Securing appropriate maintenance of this living wall, and ensuring that appropriate species and paraphernalia are incorporated within it, are of paramount importance in achieving a design, which not only enhances the character and appearance of Dukes Court and the newly proposed public space from the offset, but will continue to add vibrancy to this part of Woking Town Centre in perpetuity. A maintenance strategy and details of species can be secured by way of planning conditions (Conditions 5 and 6).
16. Overall it is considered that the proposed development would create a safe, attractive, high quality, inclusive and legible public space. The proposed plaza as well as the proposed restaurant kiosk and green wall on the central spine of Dukes Court would transform the relatively featureless street-scene of Duke Street into a pedestrian friendly, biodiversity enriched entrance into the town centre which would enhance Woking Town Centre Conservation Area in accordance with Policies CS20 and CS21 of the Core Strategy, Policies DM2, DM17 and DM20 of the Development Management Policies DPD and the NPPF.

Impact on the Public Realm

17. Policy DM17 of the Development Management Policies DPD 2016 call for developments *“to create or contribute to a safe, attractive, high quality, inclusive and legible public realm that contributes positively to local character and identify and encourages appropriate levels of activity and social interaction”*. Dukes Court is currently one of the larger buildings within Woking Town Centre, in terms of floor area, height and footprint together. Section 7A of the SPD on Design calls for high density developments to include opportunities to enhance the public realm. Although there is no proposed changes to Dukes Court (outside of the green wall), the opportunity to create a new public plaza and enhance the public space around the building is proposed. The SPD outlines a list of aims in enhancing the public space, these include;

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- Proposals should provide an appropriate footway width to support street activity.
 - Street trees should be introduced where possible.
 - Opportunities to enhance existing or create new public spaces should be optimised.
 - Cycle parking should be secure and is best provided in places that are overlooked.
 - Proposals should use high quality and durable materials.
 - Providing places to sit enlivens the public realm (2+3).
 - Proposals should limit the impact of light on local amenity and sites of nature conservation, particularly tall buildings.
18. It is proposed to carry out a number of public realm improvements including cycle and pedestrian improvements along The Broadway and Stanley Road with a new pedestrian area on the southern section of Duke Street. This pedestrianised area will merge with the cycle and pedestrian footpath improvements and effectively mark and, indeed enhance, the entrance into Woking Town Centre. This will amount to significant improved facilities for pedestrians and cyclists. Section 5.2 of the Woking Supplementary Planning Document 'Design' 2015 calls for public space to be functional and actively attract their intended use with appropriate landscaping to define and enhance the space. It goes on to state that streets should encourage activity and allow them to function as social spaces rather than transport dominated streets. This in turn addresses the objective of Policy CS18 of the Woking Core Strategy 2012 which calls for new developments in the urban areas such as Woking Town Centre to be *"served by a range of sustainable transport modes, such as public transport, walking and cycling"*.
19. Whilst there is the concern in respect to anti-social behaviour through the provision of outdoor seating, the proposed development would open up this public space promoting increased levels of activity. The proposed plaza is considered to be well designed having large degrees of passive surveillance from both outside and within the space also with active frontages towards Dukes Court itself and the proposed restaurant. Further to this, lighting bollards and in ground lighting would line the pedestrian paths through the plaza providing additional levels of security throughout the public space. The external lighting scheme can be secured by way of planning condition to ensure safety and the appearance of the surrounding area (Condition 7).
20. Public realms are an integral part of any urban centre and should contribute and enhance the area which they serve. One of the key objectives of Policy DM17 of the Development Management Policies DPD 2016 is to *"ensure schemes incorporate appropriate street furniture, clear signs, lighting and surface and landscape materials and planting of a high quality, environmental performance and durability that enhance the quality, character and appearance of the public realm through their siting and design"*. The proposal would improve the permeability of this part of Woking and Duke Street, which currently operates as a one way system off The Broadway, turning it into a new public plaza with outdoor seating, cycle parking and vegetation creating an aesthetically pleasing and good quality public realm which facilitates social interaction and enhances biodiversity. The proposal would also serve as to complete part of the town centre's public realm adjoining Chertsey Road and out towards The Broadway.
21. Installation of the green (living) wall would not only enhance biodiversity in the area but would form an additional satellite focal point to Jubilee Square drawing pedestrians and passers-by into the space thereby facilitating social interaction and use of the public plaza. The pedestrian area with the facilities, as outlined in the paragraphs above, would provide the infrastructure required to enable the inclusive space thereby adhering to the objectives of Policy DM17.

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Impact on Amenity of Adjoining Properties

22. The National Planning Policy Framework seeks to secure a good standard of amenity for all existing and future occupants of land and buildings. Due to the town centre location of the site and commercial nature of the surrounding area, the provision of the outdoor seating area in association with the restaurant use at the proposed kiosk with the added control that the opening hours of the restaurant would be controlled by licensing, there is no in principle objection to this in respect of the impact on the amenity of adjoining properties. The Environmental Health Team have been consulted on this application and in light of an approval, a number of conditions are proposed to ensure suitable restrictions on air moving plant, odour, waste, noise and lighting control (Conditions 8-12).
23. Elizabeth House is a five storey building located to the south-west of the application site along Duke Street. Under PLAN/2016/1433, Prior Approval was approved for the conversion of the building from Use Class B1a (office) to Use Class C3 (residential). While this has not yet commenced, it is afforded considerable weight in the determination of this application. The proposed kiosk would be located approximately 50 metres from Elizabeth House with the newly proposed pedestrianised section of Duke Street set to run along the north-eastern elevation. It is acknowledged that whilst this pedestrianised area may cause an increased flow of foot traffic, it does mitigate vehicular traffic down along this section of the highway reducing the potential for noise and disturbance associated with such traffic. Notwithstanding this, it has to be borne in mind that the proposed public plaza will attract more pedestrians but considering the town centre location, such pedestrian traffic is to be expected and would not necessarily increase the levels of noise. Considering the typical town centre use of the proposed public plaza and kiosk (which can be controlled by licencing and opening hours as indicated), the notional residential properties within Elizabeth House are not deemed to experience a significant loss of amenity due to unwarranted noise or disturbance.

Impact on Highway Safety and Parking

24. Policy CS18 of the Core Strategy states that the Council will support proposals that deliver improvements and increased accessibility to cycle, pedestrian and public transport networks and interchange facilities. In particular, proposals to improve access between Woking Rail Station and the town centre will be encouraged.
25. The proposed works form part of a wider programme of highway works in the town centre, with the principle of the High Street becoming a one way system for restricted vehicles and contraflow for cyclists being established under the approved Victoria Square permission (PLAN/2014/0014). As part of this application it is proposed to carry out numerous highway improvements including resurfacing of Stanley Road, Maybury Road and parts of Grove Road. The southern part of Duke Street is proposed to be pedestrianised which would tie in with a wider programme of highway works of turning The Broadway, Locke Way and the northern part of Duke Street into a one-way system. The aim of proposals is to reduce traffic levels in this section of the Town Centre whilst creating a pedestrian environment to enhance access to the town centre from the eastern section of the Borough.
26. For ease, the proposed works are outlined as follows:
- Maybury Road/Grove Road – Road resurfacing along with a raised table at the junction with The Broadway
 - The Broadway – Shared footway/cycleway on the southern side of the highway to tie in with the shared footway/cycleway proposed along Stanley Road

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- Stanley Road – Road resurfacing along with shared footway/cycleway on the south-western side of the highway. New access point into Dukes Court parking area.
27. Although the proposed highway improvements are extensive, these proposed highway improvements would typically fall within Schedule 2 Part 9 of the General Permitted Development Order 2015 (as amended). The applicant, however, is not a Local Authority and therefore Part 9 does not apply. The changes to the transport network of the town centre come from the aspiration of Policy CS18 which calls for *“proposals which deliver improvements and increased accessibility to cycle, pedestrian and public transport networks and interchange facilities”*. Highway improvements is an on-going charge and one which is paramount in insuring safe accessibility in densely populated areas such as town centres. The proposed works are considered to offer an opportunity to improve the permeability of this part of the town centre with the changes considered to benefit traffic flows whilst allowing a new public plaza for Woking Town Centre.
28. There are currently approximately 408 car parking spaces within Dukes Court most of which (approximately 350) are located within the basement. As part of the application it is proposed to transform the existing forecourt of Dukes Court, which can currently accommodate 24 parked cars, into a public plaza with detached restaurant kiosk and ingress and egress point serving as a drop-off point. These car parking spaces will be removed to facilitate the proposed works with the exception of 6 bays retained opposite the restaurant. To compensate for the loss of approximately 18 spaces, a number of newly created spaces are proposed within the existing surface car park. 10 new car parking spaces within the under-croft where the existing barriers are proposed to be removed considering the creation of the public plaza and the instalment of a new ingress/egress point off Stanley Road. The proposed rearrangement and additional parking spaces result in a total loss of 6 car parking spaces at surface level. While this is not encouraged, the County Highway Authority have raised no objection to the loss of these spaces considering the retained level of parking and improvements to the public highway which may encourage local employees within Dukes Court to utilise more sustainable modes of transport.
29. Further to this sustainability, the Council’s Climate Change SPD 2013 sets minimum standards for Electric Vehicle (EV) charging points. The minimum standard for developments intended for employees where more than 20x parking spaces are proposed is 5% ‘active’ charging points and 10% ‘passive’ charging points whereby the power supply and cables are installed so that a charging point can be installed more easily in the future. Although there is no new additional floor space proposed as part of Dukes Court nor is there a net gain of car parking spaces, it is proposed to introduce 5 additional active Electric Vehicle charging points within the surface car park of Dukes Court (Condition 17). While this is not considered obligatory, the additional EV points are welcomed.
30. Cycle parking supports cycling as a means of sustainable transport and is therefore key to increasing the use of this mode of transport. The Councils Supplementary Planning Document ‘Parking Standards’ 2018 does not necessarily require minimum standards for cycle parking for an A3 restaurant nor is there minimum standards for the creation of a public space. The proposed public plaza is, however, primarily geared towards improvements of the public domain for pedestrian and cyclists with improvements to the highway networks in a bid to provide safe passage and encourage these sustainable modes of transport. Cycle racks are proposed along the north-western elevation of Elizabeth adjacent to the shared pedestrian/cycle routes providing 10 cycle spaces. This bicycle parking provisions is to supplement the existing cycle parking spaces within the town centre.

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31. The County Highway Authority (CHA) have been in correspondences with the applicants and Local Authority through the course of this application taking account of the wider vision of the town centre highway network. Works proposed at Maybury Road, Stanley Road, Locke Way and The Broadway are all part of improvements aimed at reduction in traffic movements along certain routes while providing traffic calming measures much to the benefit of pedestrians and cyclists.
32. Following consultation with the CHA, a number of conditions were recommended to ensure that the proposed development does not cause any highway safety or cause any inconvenience to highway users as well as addressing the requirements outlined in Section 9 of the National Planning Policy Framework (Conditions 13-16). Any other works to the highways outside of the remit of this application can be secured via a Section 278 agreement from the Highway Authority.
33. In light of the above, the proposal is considered to fulfil the objective of Policy CS18 to improve pedestrian, vehicular and cyclist accessibility and safety within this arterial location within the Woking Town Centre and is acceptable in respect to highway safety and capacity in accordance with the National Planning Policy Framework.

Drainage

34. The application is supported by a Drainage Strategy and SuDS Statement (February 2019) and a proposed surface water drainage plan (DC2019 Rev C) which demonstrates that there will be no greater surface run-off from the developed site from what presently exists but rather there would be an improvement of 40% for the total site. It is proposed to drain the site using rain gardens primarily set towards the front of Dukes Court and along Duke Street as this is where much of the proposed works will be taking place. The proposed development will reduce the impermeable area of the site by introducing rain garden, permeable paving and a green roof will also be incorporated on the proposed restaurant building. The Council's Flooding and Drainage Engineer has reviewed this strategy and offers no objection subject to conditions (Conditions 18-21).

Impact on Trees and Ecology

35. Policy DM2 of the Development Management Policies DPD 2016 states that development proposals should allow for the retention of the best tree specimens, should not result in the loss of trees or groups of trees of significant amenity value and that trees to be retained will be required to be adequately protected to avoid damage during construction. Policy CS21 of the Core Strategy also requires the retention of any trees of amenity value.
36. The application is supported by an Arboricultural Survey and Arboricultural Impact Assessment (dated 18 April 2019) prepared by Viewpoint Associates. A number of trees are proposed to be removed as part of the creation of the public plaza along Duke Street with other individual shrubs and greenery which are of no particular merit to the streetscene of the area. The proposed development will require the removal of 5no. trees, T19 –T23 inclusive, the majority being B Grade Trees comprising of Hornbeams and ornamental trees. The loss of these trees will have a short to medium term visual impact upon local street scenes, but considering the proposed landscaping scheme, which includes two new trees for each tree removed, the visual impact would be off-set with numerous examples of soft landscaping features.
37. It should be noted that the mature landmark feature tree at the junction of Duke Street and Chertsey Road is to be retained and protected during the development which again would tie in appropriately with the proposed landscaping scheme. Whilst the ability for new tree planting to provide long-term compensation for all proposed tree removal would

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be dependent upon species selection, planting location and subsequent aftercare, subject to due consideration being afforded to these factors, and in particular if species selection increases local diversity, ultimately the development has potential to deliver a number of subsequent trees of enhanced resilience and local significance than is currently present.

38. The Council's Arboricultural Officer has been consulted on this proposal and whilst the information submitted was considered acceptable in principle further information is required with regards to the detailed underground structured cells to support the rooting environments of proposed tree planting and should follow Council guidelines for planting in hard surfaces. These requirements can be secured by way of conditions (Conditions 22 and 23).
39. Policy CS7 of the Woking Core Strategy calls for the Council to "*encourage new development to make positive contribution to biodiversity through the creation of green spaces, where appropriate, and the creation of linkages between sites to create a local and regional biodiversity network of wildlife corridors and green infrastructure*". This policy is further supported by Policy CS22 of the Woking Core Strategy 2012 calls for all developments "*to make biodiversity enhancements such as green roofs and bird and bat boxes*".
40. The proposed kiosk will form a meeting point within the proposed public space and would include a terraced area with planting of evergreen flowering shrubs and accent planting providing a defensive barrier between the terraced area and public domain. Incorporation of two green walls and a sedum roof on the restaurant with selected species of planting adding seasonal interest. The proposed green roof would provide sustainability and environmental benefits through the reduction of storm-water runoff whilst aiding the insulation of the building promoting site biodiversity and in particular pollinators.
41. It is proposed to install a green (living wall) on the central spine projection on Dukes Court which would act as a focal point on the building whilst a central feature within the proposed public plaza. This green wall is to tie in with the landscaping proposed within the public plaza which has been designed to embrace bio-retention with a soft landscaping scheme promoting a diversity of species aiding environmental enhancement. The plaza would provide robust opportunities to support biodiversity and pollinating insects with the species of plants proposed and which would be secured by way of planning condition (Condition 5). Native species would be adopted within the living wall promoting local flora whilst the addition of bird boxes would increase the habitat potential and local wildlife benefitting from this living wall.
42. The Council's Green Infrastructure have reviewed the policy and following discussions and clarification on a number of issues, these have been addressed at application stage but a condition is recommended with regards to the inclusion of bird boxes as part of the green wall itself or part of the wider developments. Condition 5, which seeks clarification on the type of species to be included within the green walls and roof, can address this recommendation.

CONCLUSION

43. Overall, it has been demonstrated that the proposed development would create an attractive, high quality, inclusive and legible public space which would enhance Woking Town Centre Conservation Area and contribute positively to the character of the wider area. Inclusion of the green (living) wall along with the public highway improvements would create a space which appeals to not only the safe flow of vehicles but of pedestrians and cyclists alike with a vibrant focal point outside of Jubilee Square. The proposal would

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also improve highway accessibility with an acceptable impact on safety, capacity, amenity and drainage.

44. The proposal is therefore considered to accord with the National Planning Policy Framework, Policies CS1, CS2, CS7, CS9, CS17, CS18, CS20, CS21, CS22, CS24 and CS25 of the Core Strategy, Policies DM1, DM2, DM6, DM7, DM17 and DM20 the Development Management Policies DPD 2016 and the Supplementary Planning Documents 'Design' 2015, 'Parking Standards' 2018 and is accordingly recommended for approval subject to the attached conditions.

BACKGROUND PAPERS

1. Site visit photographs
2. Consultation Responses

RECOMMENDATION

It is recommended that planning permission be Granted 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 approved shall not commence until details of the street furniture, road signs, cycle parking, soft landscaping, hard landscaping, paving materials, structures, street lighting and external materials of the kiosk have been submitted to and approved in writing by the Local Planning Authority in consultation with the County Highway Authority and then the development thereafter shall be constructed in accordance with the approved details to the satisfaction of the Local Planning Authority and the County Highway Authority.

Reason:

To protect the visual amenities of the area and to ensure that the development does not prejudice highway safety nor cause inconvenience to other highway users.

3. The development hereby permitted shall be carried out in accordance with the following approved plans unless otherwise agreed in writing with the Local Planning Authority:

- Proposed Site Plan Rev P2
- Outline Landscape Design and Lighting Strategy Rev 06
- Proposed Parking Layout Rev P2
- Proposed Highway Layout Option Rev D
- Proposed Elevations Rev P1
- Elevations – Restaurant Rev P1
- Sections – Restaurant Rev P1
- Refuse and Recycling – Restaurant

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- Drawing No. LLD1607-LAN-DWG-201 Rev 02
- Drawing No. LLD1607-LAN-DWG-202 Rev 02
- Drawing No. LLD1607-LAN-DWG-203 Rev 02
- Drawing No. LLD1607-LAN-DWG-204 Rev 02
- Drawing No. LLD1607-LAN-DWG-205 Rev 02
- Drawing No. LLD1607-LAN-DWG-206 Rev 02
- Drawing No. LLD1607-LAN-DWG-207 Rev 02
- Drawing No. LLD1607-LAN-DWG-300 Rev 00
- Detailed Planting Schedule and Specification Rev 03

Reason:

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

4. The proposed restaurant kiosk and terraced as shown on Drawing titled 'Proposed Site Plan' Rev P2 hereby permitted shall be restricted solely to Class A3 of The Town and Country Planning (Use Classes) Order 1987 and shall not be used for any use outside Class A3 without the prior written consent of the Local Planning Authority.

Reason:

To restrict the use of the premises to one which is compatible with the surrounding area and to safeguard the amenities of the adjoining premises.

5. No above ground development associated with the development hereby permitted shall commence until details of the planting, irrigation and maintenance regime for the proposed green walls and green roof shall be submitted to and approved in writing by the local planning authority before any works thereby affected are begun. The development shall be carried out in accordance with those approved details and maintained as approved for the life of the development unless otherwise approved by the local planning authority.

Reason:

To assist the environmental sustainability of the development and provide a habitat that will encourage biodiversity.

6. ++ The development hereby permitted shall not commence until a detailed plan of the green walls and roof has been submitted to and approved in writing by the Local Planning Authority which specifies the location and type of bird boxes to be incorporated within these walls and roof.

Reason:

In the interests of amenity and biodiversity and to preserve and enhance the character and appearance of the locality in accordance.

7. Notwithstanding the submitted details, no external lighting including floodlighting shall be installed until details (demonstrating compliance with the recommendations of the Institute of Lighting Engineers "Guidance Notes for Reduction of Light Pollution" and the provisions of BS 5489 Part 9) have been submitted to and approved in writing by the Local Planning Authority. The approved lighting scheme shall be installed prior to the first use/ occupation

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of the development hereby approved and maintained in accordance with the approved details thereafter.

Reason:

To protect the appearance of the surrounding area and the residential amenities of the neighbouring properties.

8. No above ground development associated with the development hereby permitted shall commence until details of the measures to be undertaken to acoustically insulate and ventilate the building for the containment of internally generated noise have been submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented in full prior to the first occupation of the development and shall be retained in perpetuity thereafter.

Reason:

To protect the environment and amenities of the occupants of neighbouring properties.

9. No fixed plant and equipment associated with air moving equipment, compressors, generators or plant or similar equipment shall be installed until details, including acoustic specifications have been submitted to and approved in writing by the Local Planning Authority. Such plant and equipment shall not be installed otherwise than in strict accordance with the approved specifications.

Reason:

To protect the environment and amenities of the occupants of neighbouring properties.

10. No sound reproduction equipment which conveys messages, music or other sound by voice or otherwise which is audible outside the premises shall be installed on the site without the prior written consent of the Local Planning Authority.

Reason:

To protect the environment and amenities of the occupants of neighbouring properties.

11. The development hereby approved shall not be first opened for trading unless and until a scheme for the installation of equipment to control the emission of fumes and smell from the premises shall be submitted to, and approved in writing by, the Local Planning Authority and the approved scheme shall be fully implemented. All equipment installed as part of the approved scheme shall thereafter be operated and maintained in accordance with the approved details and retained as such thereafter.

Reason:

To protect the environment and amenities of the occupants of neighbouring properties and prevent nuisance arising from fumes and smell.

12. The development hereby approved shall not be first opened for trading unless and until details of the means of enclosure of the refuse bin storage areas and refuse bins have been submitted to and approved in writing by the Local Planning Authority. The bin stores and facilities shall be provided in accordance with the approved details prior to the first occupation of the development and retained thereafter for use at all times.

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Reason:

In the interests of amenity and to ensure the provision of satisfactory facilities for the storage and recycling of refuse.

13. The development hereby approved shall not be first opened for trading unless and until the proposed vehicular access to the Duke Street and Stanley Road have been constructed and provided with visibility zones in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority and thereafter the visibility zones shall be kept permanently clear of any obstruction over 1.05m high.

Reason:

In order that the development should not prejudice highway safety nor cause inconvenience to other highway users.

14. The development hereby approved shall not be first opened for trading unless and until space has been laid out within the site in accordance with the approved drawings. Thereafter the parking areas shall be retained and maintained for their designated purpose.

Reason:

In order that the development should not prejudice highway safety nor cause inconvenience to other highway users.

15. ++ No development shall commence until a Construction Transport Management Plan, to include details of:

- (a) parking for vehicles of site personnel, operatives and visitors
- (b) loading and unloading of plant and materials
- (c) storage of plant and materials
- (d) programme of works (including measures for traffic management)
- (e) provision of boundary hoarding behind any visibility zones
- (f) HGV deliveries and hours of operation
- (h) measures to prevent the deposit of materials on the highway
- (j) on-site turning for construction vehicles

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

Reason:

In order that the development should not prejudice highway safety nor cause inconvenience to other highway users.

16. The development hereby approved shall not be first opened for trading unless and until the following facilities have been provided in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority for:

- a) The realignment of the carriageway along Maybury Road between Duke Street and Stanley Road to allow the provision of a shared footway / cycleway on the northern side of the carriageway, and an improved footway width on the southern side of the carriageway;

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- b) The provision of a raised junction with improved uncontrolled pedestrian crossing points at the junction of Maybury Road / Stanley Road;
- c) The widening of the footway on the western side of Stanley Road, between the junctions with Maybury Road and Walton Road, to provide a shared footway / cycleway; and
- d) The pedestrianisation of Duke Street, between Lockeway and Maybury, including the closure of the existing site access onto Duke Street.

Reason:

In recognition of Section 9 "Promoting Sustainable Transport" in the National Planning Policy Framework 2019.

17. The development hereby approved shall not be first opened for trading unless and until details of the electric vehicle charging points for the use of occupiers shall be provided in accordance with details to be submitted to and approved by the Local Planning Authority. The charging points shall be provided and maintained in accordance with the details so approved unless otherwise agreed in writing. It is recommended that the electric vehicle charging points be in accordance with the Surrey County Council Vehicular and Cycle Parking Guidance January 2012.

Reason:

In the interests of promoting sustainable modes of transport.

18. All development shall be constructed in accordance with the submitted and approved Drainage Strategy (dated 8th May 2019) ensuring discharge rates do not exceed the stated 65.1l/s for catchment 1 during the 1 in 100 (1%) AEP plus climate change, unless otherwise first approved in writing by the Local Planning Authority.

Reason:

To ensure the flood risk is adequately addressed for each new dwelling and not increased in accordance with NPPF and policy CS9 of the Woking Core Strategy 2012 and the policies in the NPPF.

19. ++ No development shall commence until construction drawings of the surface water drainage network, associated sustainable drainage components (raingarden details, Green roof details, attenuation storage details), flow control mechanisms and a detailed construction method statement have been submitted to and approved in writing by the Local Planning Authority. The scheme shall then be constructed in accordance with the approved drawings, method statement and Micro drainage calculations prior to the first use of the development hereby approved. No alteration to the approved drainage scheme shall occur without prior written approval of the Local Planning Authority.

Reason:

To ensure that the development achieves a high standard of sustainability and to comply with Policies CS9 and CS16 of the Woking Core Strategy 2012 and the policies in the NPPF.

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20. Prior to first use of the development hereby approved details of the maintenance and management of the sustainable drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The drainage scheme shall be implemented and thereafter managed and maintained in accordance with the approved details in perpetuity. The Local Planning Authority shall be granted access to inspect the sustainable drainage scheme for the lifetime of the development. The details of the scheme to be submitted for approval shall include:

- I. A timetable for its implementation,
- II. Details of SuDS features and connecting drainage structures and maintenance requirement for each aspect
- III. A table to allow the recording of each inspection and maintenance activity, as well as allowing any faults to be recorded and actions taken to rectify issues; and
- 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.

Reason:

To ensure that the development achieves a high standard of sustainability continues to be maintained as agreed for the lifetime of the development and to comply with Policies CS9 and CS16 of the Woking Core Strategy 2012 and policies in the NPPF.

21. Prior to first use of the development hereby approved a verification report, (appended with substantiating evidence demonstrating the approved construction details and specifications have been implemented in accordance with the surface water drainage scheme), has been submitted to and approved (in writing) by the Local Planning Authority. The verification report shall include photographs of excavations and soil profiles/horizons, any installation of any surface water structure and Control mechanism.

Reason:

To ensure that the development achieves a high standard of sustainability and to comply with Policies CS9 and CS16 of the Woking Core Strategy 2012 and the policies in the NPPF.

22. The proposed landscaping shall be carried out in strict accordance with the Information provided by Lizard received on 15.05.19 as listed in Condition 3. All landscaping shall be carried out in accordance with the approved scheme in the first planting season (November-March) following the occupation of the buildings or the completion of the development (in that phase) whichever is the sooner and maintained thereafter. Any retained or newly planted trees, shrubs or hedges which die, become seriously damaged or diseased or are removed or destroyed within a period of 5 years from the date of planting shall be replaced during the next planting season with specimens of the same size and species unless otherwise agreed in writing by the Local Planning Authority.

Reason:

In the interests of amenity and biodiversity and to preserve and enhance the character and appearance of the locality.

23. ++ Full details of the proposed tree pots and underground structured cells shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of any works on site (including demolition). The method shall adhere to

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the principles embodied in BS 5837:2012 and the involvement of an arboricultural consultant and engineer will be necessary. The development shall be carried out strictly in accordance with the agreed details.

Reason:

To ensure the retention and protection of trees on the site in the interests of the amenities of the locality and the appearance of the development.

Informatives

1. The Council confirms that in assessing this planning application it has worked with the applicant in a positive and proactive way, in line with the requirements of the National Planning Policy Framework 2019.
2. Your attention is specifically drawn to the conditions above marked ++. These condition(s) require the submission of details, information, drawings, etc. to the Local Planning Authority PRIOR TO THE COMMENCEMENT OF ANY DEVELOPMENT ON THE SITE or, require works to be carried out PRIOR TO THE COMMENCEMENT OF THE USE. Failure to observe these requirements will result in a contravention of the terms of the permission and the Local Planning Authority may serve Breach of Condition Notices to secure compliance.
3. You are advised that sufficient time needs to be given when submitting details in response to conditions, to allow the Authority to consider the details and discharge the condition. A period of between five and eight weeks should be allowed for.
4. You are advised that Council officers may undertake inspections without prior warning to check compliance with approved plans and to establish that all planning conditions are being complied with in full. Inspections may be undertaken both during and after construction.
5. Notwithstanding any permission granted under the Planning Acts, no signs, devices or other apparatus may be erected within the limits of the highway without the express approval of the Highway Authority. It is not the policy of the Highway Authority to approve the erection of signs or other devices of a non-statutory nature within the limits of the highway.
6. The permission hereby granted shall not be construed as authority to obstruct the public highway by the erection of scaffolding, hoarding or any other device or apparatus for which a licence must be sought from the Highway Authority or its Agent.
7. The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders. (Highways Act 1980 Sections 131, 148, 149).