

10 DECEMBER 2019 PLANNING COMMITTEE

6b PLAN/2018/919

WARD: C

LOCATION: Regent House, 19-20 The Broadway, Woking, Surrey, GU21 5AP

PROPOSAL: Proposed variation to the internal layout at basement and ground floor levels and internal changes at first, second and third floor level to create 3 additional studio flats in connection with PLAN/2017/0070 (Prior notification for a proposed change of use of offices (B1) to dwelling (C3) - conversion of the upper floors to provide 15 apartments (12 x studios and 3 x 1 bed flats)).

APPLICANT: Mr James Agace

OFFICER: Barry Curran

REASON FOR REFERRAL TO COMMITTEE

The application proposes the creation of 3 residential units which falls outside of the scheme of delegated powers.

SUMMARY OF PROPOSED DEVELOPMENT

Planning consent is sought for internal variations to the basement and ground floor layouts of the office and retails units with internal changes at first, second and third floor levels to accommodate 3 additional studio flats.

PLANNING STATUS

- Woking Town Centre
- Adjoining Locally Listed Building
- Conservation Area
- Primary Shopping Area
- Thames Basin Heaths SPA Zone B (400m-5km)

RECOMMENDATION

GRANT planning permission subject to conditions and S.106 Agreement.

SITE DESCRIPTION

The application site is located within the Primary Shopping Area of Woking Town Centre. It is also within the Town Centre Conservation Area. Regent House is at the end of The Broadway, a restaurant (to which this application relates) occupies ground floor level, with the recently converted floors above converted into 15 studio flats as approved under Prior Approval PLAN/2017/0070. Located within a Conservation Area, the building also adjoins a terraced row of Locally Listed Buildings on a prominent corner plot of The Broadway and Locke Way.

PLANNING HISTORY

PLAN/2019/0475 - Variation of Condition 08 to PLAN/2017/1190 (Variation of conditions 02 (Materials) and 03 (Approved Plans) to PLAN/2017/0583 (To allow for alterations to internal layout and basement and to re-clad parts of the southern

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elevation) to increase the opening hours from 08:00am to 23:30pm Sunday to Thursday and 08:00am to 01:00am Friday and Saturday – Permitted 04.07.2019

PLAN/2017/1190 - Variation of conditions 02 (Materials) and 03 (Approved Plans) to PLAN/2017/0583 (To allow for alterations to internal layout and basement and to re-clad parts of the southern elevation) – Permitted 14.12.2017

PLAN/2017/0583 - Proposed re-fenestration of upper floors of building to facilitate implementation of prior approval for residential use [Plan/2017/0070] and the construction of a new service core, infilling of ground floor and small rear extension to allow: the creation of an additional retail unit at ground floor level, both ground floor units to be in flexible retail use [A1, A2 and A3] – 13.07.2017

PLAN/2017/0070 - Prior notification for a proposed change of use of offices (B1) to dwelling (C3) - conversion of the upper floors to provide 15 apartments (12 x studios and 3 x 1 bed flats) – Prior Approval Approved 14.03.2017

PLAN/2013/0526 - Change of use from B1 (Offices) to C3 (Residential). 9 Residential Units; 3x1no Bedrooms, 6x2no Bedrooms – Prior Approval Approved 19.07.2013

PLAN/2011/0830 - Change of use from A1 (retail) to A3 (cafe/restaurant) with outdoor seating area – Permitted 10.01.2012

PROPOSED DEVELOPMENT

The application seeks permission for internal changes at basement and ground floor levels to allow for the re-positioning of the internal stairwell and removal of the existing interval service cores and replace them with 3 studio flats at first, second and third floor level while enlarging extant flats.

SUMMARY INFORMATION

Site Area:	0.0405ha (405 sq.m)
Existing units (Prior Approval for):	15
Proposed units:	18
Existing density (Prior Approval for):	370 dph (dwellings per hectare)
Proposed density:	444 dph

CONSULTATIONS

County Highway Authority: No objection subject to conditions (13.09.18)

Environmental Health: No objection subject to compliance with the submitted Noise Report (10.09.18)

REPRESENTATIONS

None received

RELEVANT PLANNING POLICIES

National Planning Policy Framework (NPPF) 2019
Section 5 – Delivering a sufficient supply of homes
Section 9 – Promoting sustainable transport
Section 11 – Making effective use of land

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Section 12 – Achieving well-designed places

Section 16 – Conserving and enhancing the historic environment

Core Strategy Publication Document 2012

CS4 – Local and Neighbourhood Centres and shopping parades

CS8 - Thames Basin Heaths Special Protection Area

CS10 – Housing provision and distribution

CS11 – Housing mix

CS12 – Affordable housing

CS18 - Transport and accessibility

CS20 – Heritage and conservation

CS21 - Design

CS24 - Woking's Landscape and Townscape

CS25 - Presumption in Favour of Sustainable Development

Development Management Policies DPD 2016

DM20 – Heritage Assets and Their Settings

Supplementary Planning Guidance

Supplementary Planning Document 'Parking Standards' 2018

Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight' 2008

Supplementary Planning Document 'Design' 2015

Thames Basin Heaths Special Protection Area Avoidance Strategy 2010-2015

PLANNING ISSUES

1. The main issues to consider in determining this application are; the principle of development, the impact of the proposal on the Conservation Area and Locally Listed Buildings, layout and creation of acceptable residential development for proposed occupiers, impact on residential amenity, highways and parking implications, affordable housing, local finance and the impact on the Thames Basin Heaths Special Protection Area having regard to the relevant policies of the Development Plan.

Principle of Development

2. The application site is situated within the designated Urban Area within Woking Town Centre, outside of the 400m (Zone A buffer) of the Thames Basin Heaths Special Protection Area (SPA) and outside of fluvial flood zones.
3. Policy CS2 of the Woking Core Strategy 2012 states that *“the Town Centre is the preferred location for town centre uses and high density residential development”*. Policy CS2 sets an indicative amount of 2,180 net dwellings to be achieved within Woking Town Centre during the period 2010 – 2027 and that *“proposals will be achieved through mixed-use high density redevelopment of existing sites, refurbishment of outmoded sites and intensification of existing sites”* among others. This policy of the Core Strategy notes that developments located in the Town Centre will provide housing and convenient access to services and local community facilities.
4. Policy CS10 makes provision for 250 dwellings as infill development in Woking Town Centre between 2010 and 2027, at a density in excess of

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200dph (dwellings per hectare). The Core Strategy implies that these density figures are only to be used as indicative, where it goes on to state that density levels will depend on the nature of the site and will be influenced by design with the aim to achieve the most efficient use of land. Higher densities than these guidelines will be permitted in principle where they can be justified in terms of the sustainability of the location and where the character of the area would not be compromised. The existing density (under Prior Approval PLAN/2017/0070) is 370dph which adheres to and exceeds the indicative density figures therefore contributing to a density well in excess of 200dph. This proposal, with an additional 3 units, would result in a density of 444dph which, although higher the indicative figures, is considered to be justified by the extant density and the site's sustainable location. Further to this, in order to make the most efficient use of land within High Density Residential Areas, developments at densities in excess of 200dph are encouraged.

5. The appropriate percentage of different housing types and sizes depends upon the established character and density of the neighbourhood and the viability of the scheme. Policy CS11 of the Core Strategy 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 SHMA (Strategic Housing Market Assessment) in order to create sustainable and balanced communities. The most recent (September 2015) Strategic Housing Market Assessment (SHMA) for the West Surrey area indicates an estimated size of (market housing) dwellings required between 2013 and 2033 of 10% 1 bed, 30% 2 bed, 39% 3 bed and 22% 4+ bed. In this instance whilst the proposed development does not wholly reflect the housing mix outlined within Policy CS11 and the SHMA (2015), it would provide 3 additional studio flats in line with the 15 studio flats which were approved under Prior Approval PLAN/2017/0070 within an urban centre location where high density development is supported. The housing mix is also influenced by other material planning considerations such as the level of car parking. Overall it is considered that the proposed dwelling types and sizes are considered appropriate having regard to the site location in accordance with Policy CS11 of the Woking Core Strategy 2012 and the SHMA (2015).
6. Given that the proposal is to provide 3 additional studio flats in addition to the 15 approved in 2017 in a sustainable location in close proximity to Woking Town Centre and train station, it is considered that the scale of this proposal relates to the role and function of Woking Town Centre. The development would support delivery of both the Core Strategy and Economic Strategy for the Borough. The principle of the development is considered acceptable.

Impact on Building/Conservation Area/Locally Listed Buildings

7. The existing elevations of the building would remain entirely unaltered by the current proposal. Under PLAN/2017/0583 and PLAN/2017/1190 planning permission was granted for the construction of a new service core, infilling of ground floor and small rear extension and re-fenestration of the upper floors to facilitate the Prior Approval for 15 units. The proposals were acknowledged to be substantial in scale but not considered to overwhelm the original character of the host building with an acceptable impact on the character of the area, Conservation Area and Locally Listed Buildings.
8. The proposals would not alter the external appearance of the building in any way and would therefore have no impact on the character of the Conservation

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Area with no adverse impact on the Locally Listed Buildings to which it adjoins. The proposal is therefore considered to comply with Sections 12 and 16 of the National Planning Policy Framework, Policies CS21 and CS24 of the Woking Core Strategy 2012, Policy DM19 of the Development Management Policies DPD 2016 as well as the Supplementary Planning Document 'Design' 2015.

Layout and Creation of Acceptable Residential Development for Proposed Occupiers

9. The proposed studio flats would measure approximately 42.5 sq.m in Gross Internal Area (GIA). These floor areas comply with the relevant Technical housing standards - nationally described space standard (March 2015) of 39 sq.m and are therefore considered to meet and exceed the minimal threshold for a studio flat and provide a good standard of residential amenity. Given the location of the application site within Woking Town Centre this is considered to be appropriate.
10. It was deemed necessary under PLAN/2017/1190 to attach conditions to ensure the control of odour, potential noise breakout, acoustic details and potential plant and equipment details given the potential intensification of A3 use of the ground floor. Furthermore, it was deemed necessary and reasonable to impose opening/delivery hours on the ground and basement units considering the extant residential use at 1st floor and above (Prior Approval PLAN/2017/0070). Significant harmful impact, by reason of potential noise and disturbance, can be mitigated through the use of opening/delivery hours and the proposed flats would be protected by way of these conditions also which already apply to the site and therefore do not need to be re-applied.
11. As part of the application is it proposed to remove the internal service core towards the rear of the building and extend and enlarge the extant residential units. As annotated 'Unit 1', 'Unit 7' and 'Unit 13' would each increase in GIA from 32 sq.m to approximately 50.5 sq.m. This increase is welcomed particularly since the extant units fall below the minimum space standards as detailed in the Technical housing standards.
12. It is considered, having regard to the locational characteristics of the application site within Woking Town Centre, that a good standard of outlook, daylight and sunlight would be achieved to all flats. It is considered that, as a whole, the development provides an acceptable solution to providing new dwellings within a constrained site in Woking Town Centre.

Impact on Residential Amenity

13. 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, light, or an overbearing effect due to bulk, proximity or outlook. Further guidance is provided within Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight (2008)'.
14. As previously indicated, there are no changes proposed to the external manifestation of the building as part of this proposal. The adjoining neighbour,

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No.18 The Broadway carried out a Prior Approval under PLAN/2018/0090 for the conversion of the first floor office space to Use Class C3 residential where it was noted that under PLAN/1999/0488 permission had been granted to convert the second and third floors to Use Class C3 residential. The removal of the existing service cores towards the rear and south-west side of the building, therefore, are not considered to materially affect surrounding neighbours.

15. On this basis, the proposal is not considered to have a significant harmful impact on neighbouring properties and therefore accords with Section 12 of the National Planning Policy Framework, Policy CS21 of the Core Strategy 2012 and Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight' 2008.

Highways and Parking Implications

16. The National Planning Policy Framework at Paragraph 105 states that in setting local parking standards local planning authorities should take into account the accessibility of the development; the type and mix of the development; the availability and opportunities for public transport; local car ownership levels; and the need to reduce the use of high emission vehicles. This provision is echoed in Policy CS18 of the Woking Core Strategy where it highlights the Council's commitment to sustainable transport modes. With this in mind new development is steered to urban locations, such as Woking Town Centre, that are served by a range of sustainable transport options.
17. The proposal would provide 3 studio flats. The Council's Supplementary Planning Document 'Parking Standards' 2018 identifies a minimum car parking standard of 0.5 car parking space per studio or 1 bedroom flat. The NPPF at Paragraph 109 advises that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.
18. The proposal would provide no on site car parking to serve the additional 3 flats. Whilst the minimum car parking provision, in line with the SPD, would be 1.5 spaces, in this instance, it is a significant material consideration that the application site is located within a sustainable location within Woking Town Centre within only 150 metres to Woking railway station and within immediate proximity to the wide range of 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) which cover all kerbsides within Woking Town Centre, making them subject to waiting restriction and parking charges.
19. For these reasons, the proposed flats would likely be attractive to non-car owners. The absence of on-site car parking would likely be unattractive to persons who own or rely upon private vehicles for transport. The availability of on street parking and car parks in the locality would readily meet the needs of visitors to the flats. Residents of the flats could equally apply for permits enabling them to park vehicles within the Woking Town Centre public car parks.

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20. The Council's Supplementary Planning Document 'Parking Standards' 2018 requires 2 cycle spaces per new dwelling. As part of the application it is proposed to provide 10 additional cycle spaces for the proposed 3 additional units. These 10 additional spaces are on top of the 20 proposed under the Prior Approval application which amounts to a total of 30 cycle spaces for the development of 18 flats. While this does not strictly meet the recommended 2 spaces per unit, it has to be noted that this application proposes just 3 flats and therefore the addition of 10 cycle spaces meets and exceeds the recommended minimum provision.
21. It is considered, therefore, that the proposal, whilst not strictly in compliance with the Parking Standards SPD 2018, has adequately demonstrated that it would not cause a detrimental impact to highway safety or the local highway network and therefore accords with Policy CS18 of the Woking Core Strategy.

Affordable Housing

22. 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.
23. However, Paragraph 63 of the NPPF 2018 sets out that the provision of affordable housing should not be sought for residential developments that are not major developments, other than in designated rural areas (where policies may set out a lower threshold of 5 units or fewer).
24. Whilst it is considered that weight should still be afforded to Policy CS12 of the Woking Core Strategy 2012 it is considered that more significant weight should be afforded to the policies within the NPPF 2018. The proposal is not a major development and therefore no affordable housing contribution is sought.

Local Finance Consideration

25. CIL is a mechanism adopted by the Woking Borough Council which came into force on 1st April 2015, as a primary means of securing developer contributions towards infrastructure provisions in the Borough. While there is an increase in the number of residential units proposed, there is no increase in floor-space under this application. In this case, the proposed residential development will incur a cost of £125 per sq.metre but considering that there is no uplift in floor space the contribution is £0.

Impact on the Thames Basin Heaths Special Protection Area

26. The Thames Basin Heaths Special Protection Area (SPA) is classified for its internationally important bird breeding populations. The designation is made under the Habitats Regulations 2010. It is necessary to ensure that planning applications for new residential developments include sufficient measures to ensure avoidance of any potential impacts on the SPA.
27. The applicant has agreed to make a SAMM contribution of £1,545 (£515 per studio unit) in line with the Thames Basin Heaths Special Protection Area

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Avoidance Strategy 2010-2015 as a result of the uplift of 3 studio units that would arise from the proposal. The applicant is prepared to enter into a S106 Legal Agreement to secure this financial contribution.

28. In view of the above, the Local Planning Authority is able to determine that the development would have no significant effect upon the SPA and therefore accords with Policy CS8 of the Woking Core Strategy 2012 and the Thames Basin Heaths Special Protection Area Avoidance Strategy 2010-2015.

Conclusion

29. Overall the principle of development is considered to be acceptable. It is considered that the proposal would preserve the character and appearance of the Woking Town Centre Conservation Area. It is not considered that any harm or loss would occur to the Locally Listed host building and that the significance of the Locally Listed host building would therefore be preserved. Subject to recommended conditions the proposal is considered to result in an acceptable impact upon neighbouring amenity, to provide a good standard of amenity to future occupiers and to result in acceptable highway safety and parking implications. Thames Basin Heaths impacts can be mitigated by way of the adopted Avoidance Strategy.
30. Having regard to the relevant policies of the Development Plan, other relevant material planning considerations and national planning policy and guidance the proposal is therefore considered to be an acceptable form of development that complies with the provisions outlined in Section 5, 7, 9, 12 and 16 of the National Planning Policy Framework, Policies CS1, CS2, CS8, CS10, CS11, CS12, CS18, CS20, CS21 and CS25 of the Woking Core Strategy 2012, Policy DM20 of the Development Management Policies DPD 2016, Supplementary Planning Documents 'Outlook, Amenity, Privacy and Daylight' 2008, 'Design' 2015, 'Parking Standards' 2018, 'Affordable Housing Delivery' 2014 and the Thames Basin Heaths Special Protection Area Avoidance Strategy. It is therefore recommended that planning permission is granted subject to conditions and planning obligations as set out below.

BACKGROUND PAPERS

1. Site visit photographs.
2. Response from Highways Authority (13.09.18)
3. Response from Scientific Officer (10.09.18)
4. Site Notice (Conservation Area) (12.09.18)

PLANNING OBLIGATIONS

	Obligation	Reason for Agreeing Obligation
1.	Provision of £1,545 SAMM contribution to provide avoidance measures against the impact of the site on the SPA in accordance with the formula in the Avoidance Strategy.	To accord with the Habitat Regulations and associated Development Plan policies and the Council's Adopted Avoidance Strategy.

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RECOMMENDATION

It is recommended that planning permission be Granted subject to the following Conditions:

1. The development for which permission is hereby granted must be commenced not later than the expiration of three years beginning with the date of this permission.

Reason:

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

2. The development hereby permitted should be carried out in accordance with the approved plans listed in this notice:

Drawing No. 100

Drawing No. 102 Rev A (Amended Plan)(Received 15.10.18)

Drawing No. 101 Rev B (Amended Plan)(Received 15.10.18)

Drawing No. 102 Rev A

Reason:

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

3. The development hereby approved should not be first occupied unless and until facilities have been provided in accordance with the approved plans for;

(a) the secure parking of bicycles within the development site, and thereafter the said approved facilities shall be provided, retained and maintained to the satisfaction of the Local Planning Authority.

Reason

The above conditions are required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users.

4. The development hereby approved should be carried out in accordance with the Environmental Report – Noise Level Assessment carried out by Apple Environmental dated September 2016. The works should be carried out prior to the first occupation of the development and maintained and operated in perpetuity, unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To protect the occupants of neighbouring residential properties from noise disturbance in accordance with Policy CS21 of the Woking Core Strategy 2012.

Informatives:

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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. You are advised that Council officers may undertake inspections without prior warning to check compliance with approved plans and to establish that all planning conditions are being complied with in full. Inspections may be undertaken both during and after construction.
3. Please note that developers are responsible for the purchasing of all waste receptacles required for developments. At least 12 weeks is required for bin orders via the Council. The developer will need to refer to the Waste and Recycling Provisions for developers to ensure the development is compliant with our requirements. This is available online at www.woking.gov.uk/recycling
4. The applicant is advised that, under the Control of Pollution Act 1974, site works which will be audible at the site boundaries are restricted to the following hours:-
0800 - 1800 Monday to Friday
0800 - 1300 Saturday
and not at all on Sundays and Bank/Public Holidays.
5. The application will not be formally approved until the applicant has entered into a legal agreement with the council to secure a provision of £1,545 to provide avoidance measures against the impact of the site on the TBH SPA in accordance with the formula in the Avoidance Strategy.