



**SURREY**  
COUNTY COUNCIL

**To:** Planning & Regulatory Committee  
**By:** Planning Development Manager  
**District(s)** Woking Borough Council

**Date:** 25 March 2021

**Electoral Division(s):**  
**Woking North**  
**Mr Carasco**  
**Goldsworth East and Horsell Village**  
**Mr Kemp**

**Case Officer:**  
**Dawn Horton-Baker**  
**Grid Ref:** 500420 159386

**Purpose:** For Decision

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**Title:** Surrey County Council Proposal WO/2020/1090

## **Summary Report**

**Shaw Family Centre, Chobham Road, Woking, Surrey GU21 4AS**

**Demolition of existing family contact centre and redevelopment of new family contact centre with associated car parking, access, and landscaping.**

*The application is for the redevelopment of existing Shaw Centre site with a new modern building and associated access and parking to provide a replacement Family Contact Centre. The site lies within the Urban Area and is acceptable in principle with the main issues being the impact of the proposal on the area including the impact on visual amenity, impact on residential dwellings and impact on highway traffic and safety. The proposal involves the removal of an existing building and a number of existing trees. Replacement tree and landscape planting will be provided. The proposal involves a new access onto Chobham Road together with off-site highways works including the relocation of the existing bus stop and tactile paving to enable a safer crossing point.*

*73 dwellings around the site were sent an individual letter and as a result of that there have been a number of objections raised to the proposal which are detailed in the report. The District Council has no objection to the proposal nor does the County Highway Authority and other consultees have recommended various conditions. The proposal has been thoroughly assessed and is considered to comply with the relevant Development Plan Policies.*

**The recommendation is to Approve subject to conditions**

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## **Application details**

**Applicant**  
SCC Property

**Date application valid**  
26 November 2020

**Period for Determination**  
21 January 2021

## **Amending Documents**

DD462L01 B Soft Landscape Plan dated 14 January 2021  
 Biodiversity Net Gain Assessment  
 Arboricultural Method Statement dated February 2021  
 03/02/21 Email from Agent - amplifying/clarifying information  
 09/03/21 view from no.3 Wheatsheaf Close.jpg  
 09/03/21 view from no.5 Wheatsheaf Close.jpg  
 10/03/21 E-mail from agent with amplifying information Views from 1, 3 and 5 Wheatsheaf Close.jpg

### Summary of Planning Issues

This section identifies and summarises the main planning issues in the report. The full text should be considered before the meeting.

ISSUE	Is this aspect of the proposal in accordance with the development plan?	Paragraphs in the report where this issue is discussed
PRINCIPLE OF DEVELOPMENT	YES	26-28
DESIGN AND IMPACT ON VISUAL AMENITY OF THE AREA	YES	29-32
HERITAGE	YES	33-39
IMPACT ON RESIDENTIAL AMENITY	YES	40-62
ACCESS, HIGHWAYS AND PARKING	YES	63-68
IMPACT ON TREES/PROPOSED LANDSCAPING	YES	69-74
ECOLOGICAL IMPLICATIONS	YES	85-82
SUSTAINABLE CONSTRUCTION	YES	83-85
FLOODING AND SUSTAINABLE DRAINAGE	YES	86-92

### Illustrative material

#### Site Plan

Plan 1

#### Aerial Photographs

Aerial 1, 2

#### Site Photographs (provided by the applicant)

**Photo 1** View from Chobham Road of existing ACT building (to be retained) and unadopted road to south of site currently used for access

**Photo 2** showing application site and existing parking looking west toward ACT building (to be retained). Flat roofed buildings to be demolished as part of the proposal

**Photo 3** showing one of the existing buildings to be demolished

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## Background

### Site Description

- 1 The site is located within the built-up area of Woking and has a frontage with Chobham Road (A3046) and is currently used as a Family Centre known as West Surrey (Shaw) Family Centre. The application site comprises approximately 0.23 hectares occupied partly by a pair of single storey prefabricated structures located to the rear of a more substantial 1.5 storey building which fronts Chobham Road. This 1.5 storey building is not part of the submitted proposals but will be refurbished separately and remain in Surrey County Council Use. The remainder of the site to the east of the prefabricated buildings is open and used partly for car parking with the remainder laid to grass and containing a number of significant trees along its boundaries as well as other vegetation. To the west up to Chobham Road is a further grassed area with boundary screening along Chobham Road.
- 2 The surrounding area is predominately residential with a large recreation area directly to the south of the application site known as Wheatsheaf Common. This is registered Common Land and falls within the Green Belt which extends to the east towards London. Wheatsheaf Conservation Area lies to the south of Wheatsheaf Common and extends to the west of the application site on the opposite side of Chobham Road.
- 3 Running between Wheatsheaf Common and the application site is an unadopted road which currently serves as access to the site as well as to residential properties on the neighbouring land to the east of the application site. This road also forms part of a public right of way (footpath 405) which runs to the east. The proposal includes the extinguishment of this means of access into the application site and a new dedicated access would be provided from Chobham Road.

### Planning History

- 4 The planning history relates to the existing use of the site, with the most recent application being 15 years ago for a portable building. Prior to this, historic applications relate to the opening hours and the original change of use to a Family Centre (Reference WO87/0203).
- 5 Whilst these previous applications are of interest to provide some background, none of them are considered particularly relevant to the current proposal.

### The proposal

- 6 Surrey County Council is seeking to redevelop the West Surrey (Shaw) Family Centre into a new larger capacity Family Contact Centre. This involves removing the existing prefabricated buildings on the site and erecting a new part single/part two

storey building with associated parking all accessed via a new dedicated vehicular access direct from Chobham Road. The existing 1.5 storey building on the Chobham Road frontage of the site will be retained and will be continued to be used in connection with the existing ACT (Assessment Consultation Therapy) use but this building is not part of the current planning application.

- 7 The new Contact Centre will seek to provide a variety of contact rooms to accommodate from 3 to 10+ people. The applicant states that the use needs flexibility in the layout to provide combined rooms for larger use whilst providing high levels of controlled security for the users. The proposed new facilities will have access to private secure gardens. Alongside the contact rooms will be staff facilities and high levels of parking. The project seeks to generate an increase in capacity over the existing building and a development with a family feel and environment that promotes security and well-being for its users. The applicants have provided the following information in respect of staff numbers and hours of opening of the new building.

	Existing operation	Proposed operation
Hours of operation	Mon-Fri: 9am - 6pm Sat: 8.30am - 4.30pm	Tue-Sat: 10am - 6pm
Typical staff numbers	6 (plus 4 in ACT)	16 (6 to go on and off site during the day. Plus 4 remaining unaltered in ACT)
Typical daily visitors	40-60 (including parents, children and contact supervisor staff)	50-90 (with a similar breakdown of parents, children etc as existing)

- 8 The submitted plans show the proposed new building sited on the eastern part of the site. This building would be 25m deep and 13.7m wide at its widest point. It is part single storey and part two storey with the two storey element covering less than half the overall depth of the building (11m by 12.7m). The building would be of a contemporary design with brick being the primary cladding material creating a base plinth with visually lightweight metal and board cladding proposed to the upper storey. The flat roofs will have 'Green Roof' coverings to maximise the ecological opportunity of the site.
- 9 As set out in the table above it is proposed that 20 members of staff will be employed at the site (including the four current staff in the ACT use) and it is expected that approximately six will go on and off site throughout the working day. It is anticipated that visitor numbers will increase to between 50 and 90 people per day.
- 10 As part of the proposed development, a new access from the A3046 Chobham Road is proposed. This alternative access is being provided as part of the development proposals due to constraints posed by the existing access to the site which is across a private unadopted road to the south in the ownership of Woking Borough Council that is also a public footpath. The proposed development will provide a total of 28 car parking bays for the new Family Contact Centre and ACT use. The parking area will be accessed from the proposed new access with the A3046 Chobham Road. Two disabled parking spaces are proposed as part of the revised car parking layout, whilst active electric charging provision for four spaces will be provided. The form of charging equipment will comprise feeder pillar or equivalent. Cycle parking will be provided in the form of Sheffield stands, with a total of eight cycle parking spaces.

- 11 A number of existing trees on the site will be removed, and a comprehensive landscaping plan is proposed as part of the redevelopment. Further details of the proposed development are set out in the following paragraphs as each relevant issue is assessed.

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## Consultations and publicity

### Consultees (Statutory and Non-Statutory)

- |    |                                  |  |
|----|----------------------------------|--|
| 12 | Woking Borough Council           | No objection subject to conditions   |
| 13 | Arboriculturist                  | No objection subject to conditions on matters of detail  |
| 14 | County Ecologist                 | No objections but a number of ecological commitments need to be followed through by the applicants   |
| 15 | Rights of Way                    | No views received  |
| 16 | Transport Development Planning   | No objection subject to conditions   |
| 17 | RPS- Noise                       | No objection subject to conditions   |
| 18 | SuDS & Consenting Team SCC       | Under local agreements the statutory consultee role under surface water drainage is dealt with by Woking Borough Council's Flood Risk Engineering Team   |
| 19 | SuDS & Consenting Team Woking BC | No objection subject to Conditions   |
| 20 | Historic/Listed Buildings        | Assessed in accordance with policies 190 and 193 of the NPPF and find that there will be no material impact on the character and appearance of the Conservation Area or setting of the locally listed buildings. |

## Summary of publicity undertaken, and key issues raised by public

- 21 In view of restrictions in place during the COVID pandemic a site notice was not displayed in this instance (see point 38 below). A total of 73 owner/occupiers of neighbouring properties were directly notified by letter when the proposal was received in December 2020 and were re-notified on 23<sup>rd</sup> February 2021 following the receipt of amended information. 17 individual representations have been received (some respondents sending more than one letter) to the proposal on grounds which can be summarised as follows:

1. The proposal is out of keeping with the surrounding area and Conservation Area
2. Proposal would be clearly visible from surrounding neighbours
3. Proposed building would be too close to the boundary
4. Windows proposed at two storey level would overlook neighbouring properties and allow a line of sight directly into their windows and over gardens
5. The proposal would result in the loss of landscaping, open space, and trees
6. Existing screening from trees would be lost which will reduce neighbouring privacy
7. Proposal would result in loss of wildlife habitat
8. There is no need for a new access the existing road should be used
9. There is a lack of detail of new trees and landscaping (Officer comment: additional plans were received which showed more detail on the proposed landscaping)
10. It would be preferable if the building was single storey
11. Proposal would increase density
12. The new access in this location will cause a hazard as there will be three accesses in a very short distance
13. There will be light pollution from the building as it is to be occupied until 6pm
14. Proposal is out of character with its surroundings and will be an eyesore
15. There were other options for developing the site which might have been better in the conservation area
16. The single storey building is too high and will be visible above the fence and dominate neighbour properties
17. Considerable amount of Green Belt land is being lost (Officer comment: the site does not lie within the Green Belt)
18. Proposed building should be all single storey
19. The retained bungalow is an eyesore and should be replaced
20. The access road will take away an area of 'green'
21. The proposal is over development
22. If new trees are planted will they be maintained?
23. Traffic speeds on this road so traffic calming should be introduced
24. Bat and swift boxes should be required on the site
25. Proposal would result in overlooking and loss of privacy to neighbours
26. The proposal appears to include a roof garden and balcony which would cause overlooking and loss of privacy
27. The submitted 3D drawings are inaccurate
28. Chobham Road is busy and dangerous, and the proposal would worsen highway safety
29. Proposal would add additional parking and traffic
30. Proposal would provide too much parking
31. The site does need to be redeveloped but the proposed plan is not in keeping with residential dwellings surrounding nor the original house on the site
32. The two-storey element is 6.7m high which is the same as a domestic house with a pitched roof so seems excessive and should be reduced
33. The model views submitted do not accurately reflect the height of the building
34. Proposal will give rise to noise in summer months

35. Description of development is incorrect as it refers to existing family contact centre (officer comment: This has been checked with the applicants and is accurate)
36. Concerned about bats in the building
37. The site is currently accessed via the adjacent lane and a new access onto Chobham Road is unnecessary
38. Adequate consultation has not been carried out (Officer comment: The statutory requirements for publicity on planning applications is set out in article 15 of the Town and Country Planning (Development Management Procedure)(England) Order 2015 [The Town and Country Planning \(Development Management Procedure\) \(England\) Order 2015 \(legislation.gov.uk\)](https://www.legislation.gov.uk/uksi/2015/1004/made). This states that an application of this nature must be publicised in accordance with the requirements in paragraph (7) and by giving requisite notice (a) by site display in at least one place on or near the land to which the application relates for not less than 21 days; or (b) by serving the notice on any adjoining owner or occupier. In this case (b) has been carried out and 73 neighbouring properties were individually notified by letter of the planning application - and were further reconsulted when amended plans were received in February.

## Planning considerations

### Introduction

- 22 The guidance on the determination of planning applications contained in the Preamble/Agenda front sheet is expressly incorporated into this report and must be read in conjunction with the following paragraphs.
- 23 In this case the statutory development plan for consideration of the application consists of the Woking Core Strategy 2012 and the Woking Development Management Policies DPD 2016, together with Woking Borough Council's Supplementary Planning Documents (SPDs) entitled *Parking Standards* (2018), *Woking Design* (2015) and *Outlook, Amenity, Privacy and Daylight* (2008)
- 24 In considering this application the acceptability of the proposed development will be assessed against relevant development plan policies and material considerations.
- 25 In assessing the application against development plan policy it will be necessary to determine whether the proposed measures for mitigating any environmental impact of the development are satisfactory. In this case the main planning considerations are the principle of the proposed development, impact on neighbouring dwellings and surrounding area taking into account statutory designations such as Conservation Area, Highways considerations, impacts on trees, ecological considerations, and sustainable drainage.

## PRINCIPLE OF DEVELOPMENT

### Woking Core Strategy 2012

#### Policy CS19 – Social and Community Infrastructure

- 26 Core Strategy Policy CS19 states that Woking Council will work with its partners to provide accessible and sustainable social and community infrastructure to support growth in the Borough. The loss of existing community facilities will be resisted, and the provision of new community facilities will be encouraged in locations well served by public transport.



- 27 The application site is within the urban area and is accessible by modes of sustainable transport including bus and rail and the site is already in use for community purposes as an ACT and contact centre. The buildings supporting the existing use are outmoded and no longer fit for purpose and Surrey County Councils seeks to replace them with a modern building designed for the purpose with improved access and parking.
- 28 Having regard to the relevant Development Plan Policy the principle of the proposal is encouraged and is therefore acceptable.

## **DESIGN AND IMPACT ON VISUAL AMENITY OF THE AREA**

### **Woking Core Strategy 2012**

Policy CS21 – Design

Policy CS24 - Woking's landscape and townscape

### **Supplementary Planning Guidance**

Woking Design 2015

- 29 The National Planning Policy Framework at para 130 states that '*where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development. Local planning authorities should also seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used).*' The NPPF also seeks to ensure vitality in Town Centres. Para 87 states '*When considering edge of centre and out of centre proposals, preference should be given to accessible sites which are well connected to the town centre. Applicants and local planning authorities should demonstrate flexibility on issues such as format and scale, so that opportunities to utilise suitable town centre or edge of centre sites are fully explored*'. Core Strategy Policy CS21 requires new buildings create spaces that are attractive and create their own identity whilst making a positive contribution to the street scene and character of the area having regard to scale, height, proportions, and materials. Policy CS24 requires all development proposals to provide a positive benefit in terms of townscape character. The Woking Design SPG provides design guidance to ensure development is provided to a high standard.
- 30 This site is on the edge of Woking Town Centre and is well connected to the town centre and its amenities and transport routes. The applicants have submitted a Design and Access Statement with this application which states that in designing the proposed building the applicants have sought to move away from an institutionalised setting to create a high-quality environment for the users. The siting of the building towards the rear of the site was chosen to align with the neighbouring property to the east and to enable the retention of existing mature trees and their setting along the southern site frontage. The scale of the proposed building and the maximum two storeys height also reflects the height of existing development. The wide mixture of materials used on existing buildings in the locality is highlighted and a pallet of a mixture of modern external materials is proposed to compliment these (final details of materials will be required by a planning condition to be submitted for approval). The Design and Access Statement concludes that the result will be a high-quality contemporary building.
- 31 Officers consider that the proposal of the new building within landscaped grounds on this site will create a space on this accessible site near the town centre which will be attractive and will have its own identity. The proposed building will sit comfortably on



the site in line with the existing development to the east and will retain an open treed frontage to Wheatsheaf Common. Existing development in the area, whilst being very varied, is predominantly traditional in design and character being two-storey under pitched tiled roofs so the proposed two storey modern flat roof building on this site will introduce a different aesthetic. Officers consider that this is not unacceptable, and a flexible approach should be taken in accordance with the advice in the NPPF. Officers consider that the proposed building is not *out of scale* with existing development the area and will be complimentary to it given the pallet of materials chosen to reflect those already existing in the locality (see following section of the report). Also the proposed building is able to be accommodated on the site with the existing mature screening to the south being fully retained and with the opportunity for additional landscaping to be provided in a way which will be appropriate to the site and the proposed use. Officers consider that the proposal will make effective use of an underused urban site and will make a positive contribution to the area by replacing outmoded buildings which currently detract from visual amenity.

- 32 As such officers consider that the proposal accords with development plan policy in this regard.

## HERITAGE IMPLICATIONS

### Woking Core Strategy 2012

#### Policy CS20 Heritage and Conservation

- 33 the NPPF states in para 189 that *'In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance.'* Policy CS20 states a presumption against any new development which would be harmful to a listed building and requires such development to enhance Conservation Areas.
- 34 This site does not lie within a Conservation Area but is close to the Wheatsheaf Conservation Area and visible from it. There are no statutorily listed buildings in close proximity to the site but a number of *locally listed* buildings of architectural merit.
- 35 The applicant has provided a heritage statement with the application which identifies that the main impact of the proposal will be on the *setting* of the Wheatsheaf Conservation Area and three locally listed buildings. The heritage statement assesses the impact on the setting of the Conservation Area looking at the impact from different vantage points around the site. It concludes that the proposal will improve the quality of the local environment and will have little or no impact from some vantage points and a positive impact from others.
- 36 Surrey County Council's Historic Buildings Officer has assessed the proposal and states that the current temporary buildings on the site have a harmful impact on the setting of the Conservation Area and that their removal is to be welcomed. The retention of the bungalow building on the frontage of the site is supported to ensure the modern design of the proposed new building does not contrast starkly with the locally listed Broomhall Lodge at the gateway to the Conservation Area.
- 37 The County Historic Buildings Officer goes on to comment that the new building will have a 'distinctively modern' design which references some of the surrounding

housing. He states that though it is unfortunate that the materials chosen reference the modern buildings on Broomhall Lane rather than those in the Conservation Area (through the use of slate and beige bricks rather than clay tiles and red bricks) he agrees with the applicants consultant's that the chosen colour palette is more muted and will blend in better during the winter months when there is less tree coverage. Furthermore, he notes that whilst the flat roof form of the building is alien to the area it is in keeping with the modern style of the building and should not result in harm to the setting of the Conservation Area. He concludes that owing to its scale, siting, and proposed materials the new building will have a neutral impact on the setting of the Conservation Area and locally listed buildings and he has no objection to the proposal.

- 38 Officers consider that the Heritage Statement submitted with the application provides the required proportional assessment of the key heritage considerations in this case. Having regard to this and the comments made by the County Historic Buildings Officer, Officers consider that the proposal will, looked at overall, have a positive impact on the *setting* of the Conservation Area with the removal of the existing building and will therefore enhance it. Furthermore, the proposal will have no significant impact on any statutorily or locally listed buildings.
- 39 Officers consider that subject to a condition requiring further approval of the details of the proposed materials palette officers consider that the proposal accords with development plan policy in this regard and is acceptable.

## **IMPACT ON RESIDENTIAL AMENITY**

### **Woking Core Strategy 2012**

Policy CS21 – Design

### **Supplementary Planning Guidance**

Outlook, Amenity, Privacy and Daylight (2008)

Draft Outlook, Amenity, Privacy and Daylight SPG 2019

- 40 Core Strategy Policy CS21 requires new development to achieve a satisfactory relationship to adjoining properties to avoid significant harmful impact in terms of loss of privacy, daylight or sunlight, or an overbearing effect and loss of outlook. Further guidance on what is acceptable relationships between buildings is provided with the SPGs on Outlook, Amenity, Privacy and Daylight (discussed in more detail in the relevant sections below).
- 41 The proposal has been carefully considered having regard to the development plan policy and associated SPG documents and following comments made by neighbouring dwellings. The potential impacts arising from the development are considered in detail below under the following headings:
- Overlooking/loss of privacy
  - Overdominance/loss of outlook
  - Noise disturbance
  - Light pollution

### **Overlooking/loss of privacy**

- 42 The proposed building on this site is part single and part two storey and though it is sited relatively close to its boundary with neighbouring properties to the west, east and north the element of the proposal closest to the boundary is single storey only being 3.825m high to a flat roof. The two-storey element is confined to the front half

of the building which is site much further away from the existing dwellings. The design and siting of the building in this way enables the single storey element to be the least visual on the site and the two storey element to contribute to the street scene in a way which follows the building line of properties to the east fronting Wheatsheaf Common. In addition, the siting enabling the retention of the existing large trees on the boundary of the site with Wheatsheaf Common and the provision of parking on the frontage of the site.

- 43 Woking Borough Council's SPG on *Outlook, Amenity, Privacy and Daylight* sets out guidance on distances between buildings which will normally achieve an acceptable level of privacy and outlook for residential developments. This recommends (following generally accepted convention) that a minimum distance of 20m should be provided between **two storey** developments.
- 44 The distance provided on this proposal between the two-storey element of the proposed building and existing dwellings is **significantly greater** than the recommended minimum 20m and is as follows:
- **Barbary** to the west – over 30m distance maintained between two storey developments
  - **1,3,5 and 9 Wheatsheaf Close** to the north – over 32m maintained between two storey developments
  - **Chobham Court** to the east – 25m distance maintained between two storey developments (side elevation of apartment block)
- 45 Given these distances between the development and existing dwellings officers are of the view that there will be no unacceptable direct overlooking between windows on the existing dwellings and proposed building.
- 46 Consideration has also been given to overlooking from windows into the *private amenity areas* of neighbouring dwellings. Woking Borough Council's SPGs on *Outlook, Amenity, Privacy and Daylight* suggests 10m between the front/rear elevations of two storey buildings and the **boundaries** of the site. The following conclusions have been made in this regard:
- **Barbary** to the west – as the proposed two storey element which abuts the rear garden boundary to Barbary is effectively the *front* elevation of the proposed new building a distance of 10m is suggested from that building to the site boundary and the proposal achieves only approximately 5m. However only a small corner of the two-storey element lies adjacent to the boundary with Barbary (approximately 2m or so of it) and as such the impact is much reduced than if the whole building was sited along the boundary. There is one window (serving Office D on the first floor of the new building) in the western elevation of the proposed building at first floor level facing Barbary that could give rise to overlooking of the garden area of that dwelling given its proximity to the site boundary. Officers therefore consider that this window should be obscure glazed. The applicant has agreed to this and a condition can be attached to secure it.
  - **Chobham Court** to the east – the two storey element of the proposed building does extend close to the site boundary with Chobham Court to the east but the building is adjacent to a communal front garden and parking area serving that apartment block and therefore unacceptable overlooking of private amenity area would not occur in this relationship

- **1,3,5 and 9 Wheatsheaf Close** – the two-storey element is at least 10m from the boundary with these properties and no adverse overlooking of rear gardens will arise given this distance.

- 47 Given the above considerations officers are of the view that the proposal will not give rise to any unacceptable overlooking of private garden areas of existing dwellings.
- 48 In letters received from neighbouring dwellings on this proposal reference has also been made to the distance of the building overall to the site boundary and a resultant overlooking arising from that. The single storey element of the building (maximum height 3.835m) does extend *in part* to within 3m of the boundary of the site which is to be delineated as part of the proposal with a new 1.8m high close board fence. However, a distance of at least 20m will still be maintained from this single storey element and the primary walls of neighbouring dwellings which abut the site. Given the single storey nature of this element, its height at 3.8m and the existence of a new boundary fence and other screening (see section on landscaping below) between the properties there can be no unacceptable overlooking arising from this single storey element of the proposal.
- 49 In addition to the above, concerns have been raised in letters received over the potential use of the flat roof of the building as a sitting out area or balcony thereby giving rise to overlooking. This is not proposed by the applicant though access onto this roof it required to enable maintenance especially as it is intended that it be a green roof with living planting for maximum ecological diversity. Officers are of the view that the use of the flat roof as any form of sitting out area or balcony would not be acceptable, and a condition can be attached to the planning permission preventing this.

### **Conclusion on Overlooking/loss of privacy**

Subject to suitable planning conditions the proposal will not give rise to any adverse impact in respect of overlooking or loss of privacy to neighbouring residential dwellings

### **Overdominance/loss of outlook**

- 50 The single storey element of the building extends in part to within 3m of the boundary of the site but a distance of at least 20m will be maintained from the rear wall of this element and the primary walls of neighbouring dwellings which abut the site. Given the single storey nature of this element and the existence of boundary screening between the properties there will be no unacceptable loss of outlook or overdominance arising from this element of the proposal.
- 51 In respect of the two-storey element the following conclusions have been made:
- **Barbary** to the west – though the two storey element does extend across a small part of the rear boundary of this property within approximately 5m of the boundary the property itself has a rear garden extending to over 35m therefore a distance of over 45m is maintained between buildings and this distance will prevent any adverse loss of outlook
  - **Chobham Court** to the east – again although the two storey element does come within 4m of the boundary of the site with this apartment block it is adjacent to a communal garden and parking area which is not private amenity space and a distance of over 25 is still maintained between buildings such that no adverse loss of outlook will occur

- **1,3,5 and 9 Wheatsheaf Close** – again the two-storey element is more than 10m from the boundary with these dwellings and some 30m from the dwellings themselves so no adverse loss outlook will occur.

### **Conclusion on overdominance/loss of outlook**

- 52 The proposal will not give rise to any adverse impact in respect of overdominance or loss of outlook to neighbouring residential dwellings

### **Noise disturbance to neighbouring dwellings**

- 53 Advice from a noise consultant has been sought on this proposal and this identifies the five key noise issues which are considered in the following paragraphs:

#### **Noise generated during the construction and demolition works**

- 54 A degree of noise disturbance during demolition and construction is inevitable but is limited to a short time and can be minimised by limiting hours of construction and monitoring noise levels if required. A Construction Environmental Management Plan (CEMP) has been submitted addressing these issues and proposing hours of construction which follows recommended advice (0800 to 1800 weekdays and 0800 to 1300 Saturday with no working on Sundays). A condition can be attached to ensure the details in the CEMP are adhered to and the applicants are agreeable to this.

#### **Noise from changes to the site access and vehicles accessing and egressing the site**

- 55 There is potential for vehicles using the new access route to cause a noise impact at Barbary, which is the nearest residential property to the north of the site. The Transport Statement that has been provided to support the planning application indicates that the following number of vehicle trips will be generated as part of the proposals:

- 20 staff (16 Contact Centre, 4 ACT) to arrive between 08:00 and 09:00 hrs and depart between 17:00 and 19:00 hrs.
- 50 – 90 visitors during an average weekday who will typically arrive in the hour prior to their appointment and depart in the hour following their appointment.

The total number of trips anticipated is 37 arrivals and 37 departures. An anticipated hourly breakdown of trips has also been generated.

- 56 The proposed plans indicate that a closed boarded fence will be provided on the site boundary. This would provide some screening from noise from vehicles using the access route. Due to the low numbers of vehicles anticipated, it is expected that noise generated by traffic would not be a material concern for the proposed development. However, a planning condition is recommended to ensure that the boundary fence is retained and maintained by the applicant and the applicant has confirmed that they are agreeable to this.

#### **Noise from the increased numbers of users of the site**

- 57 For the majority of the time, users will be inside the buildings and it is anticipated that impacts from users of the centre on the neighbouring community will be low. There is

potential for a noise impact to occur from users in the outdoor areas. This is likely to be similar in character to noise from children playing in domestic gardens, though the intensity of use is likely to be greater but limited to daytime hours. The proposed plans indicate that a close boarded fence will be provided on the site boundary which would provide screening from noise from users of the outdoor spaces. It is recommended that a planning condition is required to ensure that the boundary fence is retained and maintained by the applicant who has confirmed acceptance to this. Together with the hours of use condition this will ensure that noise from the use will not cause any serious adverse impact.

### **Noise from Plant Associated with the Development**

- 58 The plans indicate that there will be an external heat-pump enclosure external to the new building at ground level on the western elevation. There may also be other plant associated with the development. Officers consider that there should be planning conditions applied to the proposed development such that any plant associated with the proposals does not result in a noise impact at the nearest noise sensitive receptor and the Council's noise advisors has suggested wording in this regards. The applicants are agreeable to this condition.

### **Conclusion on noise**

- 59 Subject to suitable planning conditions the proposals will not have any sustainable adverse noise impact on neighbouring dwellings.

### **Light Pollution**

- 60 Letters of objection have referred to the proposal giving rise to unacceptable light pollution as the building will be in use up to 6pm. Officers are of the view that the light emanating from within this building up to the early hours of the evening does not constitute any adverse impact on residential amenity. The proposal does not include any indications of external lighting on the building and this can be controlled by condition so that if this is required its impact can be properly assessed. There is an indication of lighting fitments within the proposed car parking area but details of these are not provided and again can be secured by condition - officers consider that in order for these to be acceptable they would have to be low level bollard type fitments given the sensitive nature of the site within a residential area.

### **Conclusion on light pollution**

- 61 Subject to suitable planning conditions the proposals will not have any sustainable adverse impact on neighbouring dwellings by virtue of light spillage/pollution.

### **Overall conclusion on impact on residential amenity**

- 62 The impact of the proposal on neighbouring dwellings has been fully considered and officers are of the view that subject to conditions the proposal will not give rise to any significant harmful effects and the proposal therefore complies with development plan policy in this regard.

## **ACCESS, HIGHWAYS AND PARKING**

### **Woking Core Strategy 2012**

Policy CS18 - Transport and accessibility

Policy CS21 – Design



- 63 Policy CS18 requires development proposals to provide transport assessments to fully assess the impact of the proposal and identify appropriate mitigation. Policy CS21 requires proposals to encourage sustainable means of travel.
- 64 The existing site is accessed along a private road off Chobham Road running along the northern side of Wheatsheaf Common. This access serves a residential development known as Broomhall Court to the east of the site and is also a public right of way. The proposal will secure the cessation of this existing means of access to the site and the provision of a new access directly onto Chobham Road, built to current standards.
- 65 The applicant has submitted a transport assessment with this proposal which contains the following broad conclusions:
1. There will be an expected net daily increase of 17 arrivals and departures travelling to and from the site by vehicles
  2. There will be limited changes in trip generation during peak traffic hours in fact there will be a reduction in the morning peak as the centre will be closed Mondays (but open on Saturdays) and only 5 additional trips in the afternoon peak.
  3. A new bell mouth site access will be provided which will be designed to Surrey County Council current guidance which will enable vehicles to efficiently and safely access and leave the site. This will require the relocation of an existing bus stop.
  4. 28 car parking spaces will be provided on site including two bays reserved for disabled drivers and four with electric charging points. These spaces will be available for both staff and visitors and will result in a net increase of 13 spaces over the existing provision
  5. 8 cycle parking spaces will be provided in the form of Sheffield Loops
  6. The site is located close to existing bus stops and is also a 12-minute walk from Woking Station so is accessible by other modes of transport.
- 66 Transport Development Planning has assessed the proposal and raises no objection subject to conditions. The conditions will include the requirements for off-site works in the form of the following:
- (a) Relocation of the Southbound Chobham Road bus stop and flag sign
  - (b) The provision of raised kerbing (to a height of 140mm over a 9.0m length) to ensure level access onto / off buses for those with mobility issues,
  - (c) Clearways with a 23m bus cage to protect the bus stop
  - (d) Informal pedestrian crossing on Chobham Road with dropped kerbs and tactile paving
- 67 Officers consider that development of this site as proposed will give rise to a modest increase in vehicular movements which will not have any significant impact on traffic, highways safety or residential amenity. Furthermore, the proposal will provide an improved vehicular access to the site from an adopted highway designed to current standards which will give rise to an improvement on the current situation. The parking is being proposed only for the proposed use itself (as well as providing for the ACT in the retained building on the frontage of Chobham Road). There are no specific car parking standards relating to such a use therefore the number of spaces provided has been informed by the anticipated needs of the service. The number of staff at the site will increase as a result of the proposals with the total number of staff at the site anticipated to reach 20, together with 50 to 90 visitors throughout the day

at intervals. 28 car parking spaces are provided two of which will be reserved for disabled users and four will have electric charging points. Officers consider the proposed parking provision is reasonable to meet the requirements of the use and the level of provision still enables significant landscaping to be achieved together with the retention of specimen trees on the southern boundary, which will enhance the appearance of the development.

- 68 Officers therefore consider the proposal accords with Development Plan Policy in this regard and subject to appropriate conditions is acceptable.

## TREES AND LANDSCAPING

### Woking Core Strategy 2012

Policy CS21 – Design

Policy CS24 - Woking's Landscape and Townscape

### Woking Development Management Policies Development Plan Document 2016

Policy DM2 – Trees and Landscaping

- 69 Core Strategy Policy CS21 requires new development to incorporate landscaping to enhance the setting of the development including the retention of trees of amenity value and provide suitable boundary treatments. It also requires development proposals to protect and enhance biodiversity where possible including the incorporation of built in measures such as green walls. Core Strategy Policy CS24 requires all development proposals to provide a positive benefit in terms of landscape and townscape character. Policy DM2 from the Woking Development Management Policies states that trees, hedgerows, and other vegetation of amenity and/or environmental significance or which form part of the intrinsic character of an area must be considered holistically as part of the landscaping treatment of new development. Where trees, hedgerows or other landscape features are to be removed it is justified to the satisfaction of the Council and appropriate replacement planting will be required if it is safe and practical to do so and will enhance the quality of the development.
- 70 The applicant has submitted a full Arboricultural Impact Assessment (AIA) together with an Arboricultural Method Statement (AMS) with this proposal. The AIA identifies that the site contains 42 tree features varying in age and condition. The most significant trees are situated outside of the site, including along the southern boundary of the site with Wheatsheaf Common – which includes a large mature high quality oak (T36 category A) as well as a row of 4 common lime trees, and others located within adjacent private gardens. A number of trees within the site require remedial work or are dead and need removal.
- 71 The AIA confirms that the proposal requires the removal of a total of 17 individual trees, 7 groups of trees and 2 partial groups of trees on the site. All the trees to be removed are within the ownership boundary but some are outside of the red line site boundary. None of the trees to be removed fall within category A but a few are Category B and C and one is Category U. Six of the above trees and three groups are within the footprint of the proposed building itself, and three additional trees need to be removed to provide the car parking. In addition, several trees need to be removed to provide the new access. In addition to tree removal works will be required to other retained trees including those within gardens of neighbouring dwellings where they overhang the site. The extent of the proposed pruning has been assessed and is considered to not have any adverse impact on the long-term health of the trees in question.

- 72 The Arboricultural Method Statement (AMS) details the specification for tree protection measures and how sensitive operations are to be achieved in proximity to trees to be retained. It also addresses the general management of site activities to ensure that retained trees are not inadvertently damaged. The County Council Arboriculturist has examined the proposals and has no objection to the removal of the trees as proposed but suggests a number of detailed matters relating to protection of existing trees which can be covered by planning conditions.
- 72 The applicants have also submitted a detailed landscaping plan for the whole site which includes the replanting of a significant number of trees and shrubs as well as herbaceous plant and climbers together with proposals for maintenance and replacement. There are a number of trees proposed along the boundaries of the site and although this will not replace fully the screening provided by existing trees to be removed, they will soften the appearance of the development from neighbouring dwellings. A new close boarded fence is to be provided on all the site boundaries. The flat roof above the single storey element of the building will be planted as a green roof to retain and attenuation water and provide ecological benefit. Details of the materials for the hard landscaping on the site will be required by a condition on the planning permission to ensure that these are appropriate in respect of aspects such colour and porosity having regard to the relevant development plan requirements in this regard.
- 73 The majority of the trees which are identified for removal are either poor specimens or they are sited in locations which prevent the efficient redevelopment of the site and officers are of the view that a reasonable and considered approach has been taken by the applicants in this regard. None of the trees required to be removed have been assessed to be particularly worthy of requiring amendments to the scheme to ensure their retention and a comprehensive scheme for replanting on the site has been provided such that officers consider the general approach in this regard is acceptable. The best trees on or just outside of the site are able to be retained as part of the proposal (and will be protected during the construction phase) and these can continue to flourish and provide wider amenity value in the new layout, complimenting the new development. .
- 74 Officers therefore consider that the proposal provides a comprehensive approach to incorporating landscaping on this site as part of its redevelopment which will provide a positive benefit in terms of townscape character and will maintain biodiversity (considered in the following section). Officers consider that subject to a number of conditions to include submission of the details of hard landscaping, adherence to the AMS and maintenance of the soft planting the proposal accords with Development Plan Policy in this regard.

## **ECOLOGICAL IMPLICATIONS**

### **Woking Core Strategy 2012**

Policy CS7 – Biodiversity and Nature Conservation

Policy CS21 – Design

- 75 Core Strategy Policy CS7 requires development proposals to contribute to the enhancement of existing biodiversity and geodiversity features and to explore and create new ones where appropriate. Core Strategy Policy CS21 requires development proposals to protect and enhance biodiversity where possible including the incorporation of built in measures such as green walls.

- 76 The applicants have submitted a detailed Ecological Impacts Assessment with this proposal which has the purpose of assessing the impacts of the proposal on ecological receptors and informing mitigation measures for the planning application. This document acknowledges that the site lies approximately 0.2km and 0.3km respectively from Woodham Common and the Basingstoke Canal SNCIs and concludes that the proposal, given its proximity to these non-statutory designated sites could have potential impacts on them, albeit these are likely to be relatively low impacts. This document includes information on the methodology and conclusions from an Extended Phase 1 Habitat Survey which, as well as a Bat Roost Suitability Assessment of the buildings and existing trees on the site together with desk top assessments.
- 77 The applicants have also submitted a Biodiversity Net Gain Assessment which makes a comparison between the biodiversity value of habitats present within the site prior to a development (i.e. the 'baseline') and the predicted biodiversity value of habitats following the completion of the development (i.e. 'post development'). The comparison is undertaken in terms of 'biodiversity units', with a 'biodiversity metric' providing the mechanism to allow biodiversity values to be calculated and compared.
- 78 The Impact Assessment contains a comprehensive assessment of all the relevant ecological issues, and it makes the following conclusions:
- Habitats within the site include low quality grassland, introduced shrubs, buildings, hardstanding and scattered broadleaved and coniferous trees
  - One building outside of, but immediately adjacent to the application boundary contains a small summer non-breeding common pipistrelle bat roost (The ACT building)
  - One tree within the Site has been assessed as having a high suitability to support roosting bats. However, no bats were recorded emerging from or re-entering the tree during emergence surveys
  - One tree within the Site has been assessed as having a moderate suitability to support roosting bats. However, no bats were recorded emerging from or re-entering the tree during emergence surveys
  - Two trees within the Site have been assessed as having a low suitability to support roosting bats.
  - Suitable habitat for nesting birds is present within the Site.
- 79 The document proposes detailed mitigation measures in the form of:
- Implementation of a CEMP.
  - Sensitive lighting design.
  - Implementation of a Natural England EPSML for works that may disturb bats roosting within Building 1.
  - A precautionary working method for felling of trees in relation to bats.
  - Closure of a fox den under a precautionary method of working; and
  - Checks prior to vegetation clearance for nesting birds (where works are to be undertaken in the breeding season) should be undertaken by an ecologist prior to vegetation clearance as appropriate.
- 80 The County Ecologist has commented on the proposals and has no objections subject to adherence to the commitments and mitigation measures made within the documents submitted. The County Ecologist comments that the applicant has provided a Biodiversity Net Gain Report that sets out that the ecological value of the existing habitats present on the site vary ranging from *very low* to *low* distinctiveness

including amenity grassland, buildings and hard standing and that BNG will be achieved through the provision of semi-improved neutral grassland, native trees and shrubs and native species-rich hedgerow as part of the landscaping.

- 81 Officers agree that the applicant has demonstrated that the proposal will enhance biodiversity on this site and that subject to the mitigation measures proposed, and confirmed as appropriate by the County Ecologist, the proposal will not have an adverse impact on existing habitats.
- 82 Subject to suitable conditions requiring the mitigation measures and landscape planting officers consider that the proposal is acceptable and accords with development plan policy in this regard.

## **SUSTAINABLE CONSTRUCTION**

### **Woking Core Strategy 2012**

#### **Policy CS22 – Sustainable Construction**

- 83 Core Strategy Policy CS22 requires all new developments to seek to maximise efficient use of energy and consider sustainable construction techniques promoting reuse and recycling. Applicants for development are required to complete a climate neutral checklist. The applicants have submitted a Sustainability Statement with this application which provides a summary of how the development will contribute to sustainability and how it responds to policy in this regard. They have also completed a climate neutral checklist.
- 84 The information submitted with the application demonstrates the applicant's commitment to implementing and taking forward measures to contribute to the aims of Core Strategy CS22, through measures such as:
- Implementing a Construction Environmental Management Plan which details measures to recycle and reuse waste generated during the construction, minimise pollution from dust noise and light, ensure the protection of trees and ecological interests, minimise the use of resources and raw materials
  - Choosing final materials to those which contribute towards lowering the carbon footprint of the building - referencing the BRE Green Guide to Specification
  - Providing features which can adapt to climate change such as the Green Roof for water retention and attenuation, energy efficient building fabric and low water consuming sanitaryware
  - Providing recycling facilities within the layout of the development
  - Using air source heat pumps for space heating
  - Providing electric vehicle charging points on site
- 85 Officers consider that the applicants have met the requirements of the development plan in this regard.

## **FLOODING AND SUSTAINABLE DRAINAGE**

### **Woking Core Strategy 2012**

#### **Policy CS9: Flooding and water management**

- 86 Core Strategy Policy CS9 states that the council will require all significant forms of development to incorporate appropriate sustainable drainage systems (SuDS) as part

- of any development proposals. A flood risk assessment will be required for all development proposals within or adjacent to areas at risk of surface water flooding.
- 87 The site lies within Flood Zone 1 and the proposal is to replace an existing building. It is classed as a minor development and there is no flood risk in respect of this proposal. The Woking BC guidance states that applicants must follow the hierarchy for discharge destinations, whereby the aim should be to discharge surface run off as high up the following hierarchy of drainage options as reasonably practicable:
1. into the ground (infiltration).
  2. to a surface water body.
  3. to a surface water sewer, highway drain, or another drainage system.
  4. to a combined sewer.
- 88 The applicant has submitted an outline drainage strategy and report with this proposal which concludes that following a review of the Woking SFRA, the site is located in an area that has '*Opportunities for bespoke infiltration SuDS*'. However further information is available which states the groundwater level may be high in this area and the soil conditions are currently unknown.
- 89 Therefore, a ground investigation survey will be required to confirm soil conditions, suitability for infiltration and groundwater levels prior to a drainage scheme being formulated. If the groundwater is confirmed to be high, it is unlikely that the site will be suitable for infiltration. As part of proposed ground investigation surveys an infiltration test to BRE Digest 365 will be undertaken to determine the potential of the soil for infiltration of surface water. The nearest surface water body to the site is the Basingstoke Canal 300m to the south of the site and is therefore not appropriate for discharge of surface water.
- 90 Therefore the applicants state that connection to a surface water sewer appears to be the most likely method of discharge for surface water at this stage which would be subject to ground investigations confirming the site is not appropriate for infiltration and subject to Thames Water confirmation that they have sufficient capacity in their drainage network.
- 91 Woking Borough Council acting as Lead Local Flooding Authority (LLFA) has assessed the proposal and has recommended no objection subject to the submission of a sustainable drainage scheme. Officers are of the view that having regard to the comments made by the applicant above a condition requiring the most suitable form of drainage scheme for the site will be appropriate as a scheme dependence on SUDS may not be achievable. The details of any drainage scheme submitted can be sent to the LLFA for comment before assessment and approval.
- 92 Officers are therefore of the view that whilst the applicant has not yet demonstrated that a SUDS type drainage scheme can be used on this site he has identified the need to demonstrate why this is not appropriate should other means be necessary having regard to ground conditions. Subject to a planning condition requiring further details to include such as assessment officers consider that the proposal meets the requirements of the relevant development plan policies in this regard.

## Human Rights Implications

- 93 The Human Rights Act Guidance for Interpretation, contained in the Preamble to the Agenda is expressly incorporated into this report and must be read in conjunction with the following paragraph.



- 94 The Officer's view is that whilst there are impacts arising from the development these can be mitigated acceptably by planning conditions and do not engage any of the articles of the Convention and has no Human Rights implications.
- 

## Conclusion

- 95 Surrey County Council is seeking to replace the existing outmoded buildings on this site with a new building to provide facilities for the existing use in connection with Adult and Child Care. The site which lies within the urban area in a sustainable location close to Woking Town Centre. The principle of the redevelopment of this site is acceptable. The proposal includes the provision of a new access onto an existing adopted highway which is acceptable to the County Engineer subject to minor off-site highways works including the relocation of the bus stop and addition of tactile paving. The proposed building can be accommodated on the site without detriment to any interests of acknowledged importance as examined in detail in the preceding paragraphs and it will significantly enhance the visual amenity of the site and make good use of urban land following guidance in the National Planning Policy Framework. Officers therefore consider that planning permission should be granted subject to a number of planning conditions.

## Recommendation

- 96 That, pursuant to Regulation 3 of the Town and County Planning General Regulations 1992, planning application ref: WO/2020/1090 be **permitted** subject to the following conditions:

### Conditions:

#### IMPORTANT - CONDITION NO 16 MUST BE DISCHARGED PRIOR TO THE COMMENCEMENT OF THE DEVELOPMENT

1. The development to which this permission relates shall be begun not later than the expiration of three years beginning with the date of this permission.
2. The development hereby approved shall be carried out in all respects in accordance with the following plans/drawings:

20018-MHA-XX-XX-A-001rev P04 Site location plan Site Block Plan dated 27 October 2020

20018-MHA-XX-XX-A-002 Rev P05 Proposed Site Plan dated 27 October 2020

20018-MHA-XX-XX-A-005 Rev P04 Model Views dated 27 October 2020

20018-MHA-XX-XX-A-008 Rev P02 Topographical Survey by 3D Services dated 27 October 2020

20018-MHA-XX-XX-A-009 Rev P02 Existing Floor Plans dated 27 October 2020

20018-MHA-XX-XX-A-003 Rev P05 Proposed Plan with Dimensions - Shaw Centre - November 2020

20018-MHA-XX-XX-A-004 Rev P05 Revised Elevation Plan with Dimensions - Shaw Centre - November 2020

DD462L01 Rev B Soft Landscape Plan dated 14 January 2021

3. Prior to the erection of the building hereby permitted full details of the final materials to be used on the external elevations shall be submitted to and approved in writing by the County Planning Authority. The development shall be carried out only in accordance with the approved details.
4. Prior to the installation of the hard landscaping within the site full details of the proposed materials to be used shall be submitted to and approved in writing by the County Planning Authority. The development shall be carried out only in accordance with the approved details.
5. The window at first floor level on the south western elevation of the building hereby permitted (serving Office D) shall be obscure glazed such that it is not capable of being seen through and retained as such in perpetuity.
6. The roof of the building hereby permitted shall not be used as any sort of sitting out area or balcony and no railings or other structure or plant shall be installed upon it.
7. Prior to the occupation of the building hereby permitted the replacement boundary fencing shall be fully installed in accordance with the details shown on the approved plans
8. There shall be no external lighting installed on the site or on the building hereby permitted unless and until details of the proposed installations have been submitted to and approved in writing by the County Planning Authority.
9. The building hereby permitted shall be used only between the hours of 0730- and 1900-hours Mondays to Saturday and at such times that the building is not in use the internal lighting shall not be illuminated.
10. Access to the site for demolition/construction works shall only be via the new access to be provided onto Chobham Road and shall not be via the route of Footpath 404 to the south of the site.
11. Prior to the first occupation of the development hereby permitted the new vehicular access to Chobham Road shall be constructed and provided with visibility zones in general accordance with the approved plans and thereafter the visibility zones shall be kept permanently clear of any obstruction over 0.6m high.
12. Prior to the occupation of the building hereby permitted the parking spaces and turning areas indicated on the approved plans shall be provided and shall thereafter be retained and maintained for their designated purposes.
13. The development hereby approved shall not be occupied unless and until at least 4 of the available parking spaces are provided with a fast charge socket (current minimum requirement: 7kw Mode 3 with Type 2 connector - 230 v AC 32 amp single phase dedicated supply) in accordance with details to be submitted to and approved in writing by the County Planning Authority.
14. The development hereby approved shall not be first occupied unless and until secure parking for a minimum of 8 bicycles has been provided in accordance with the approved plans and thereafter retained and maintained for its designated use.
15. Prior to the occupation of the development hereby permitted the following package of highways measures shall be implemented at the applicant's expense in accordance

with a scheme to be submitted to and approved in writing by the County Planning Authority for:

- (a) Relocation of the Southbound Chobham Road bus stop and flag sign
- (b) The provision of raised kerbing (to a height of 140mm over a 9.0m length) to ensure level access onto / off buses for those with mobility issues,
- (c) Clearways with a 23m bus cage to protect the bus stop
- (d) Informal pedestrian crossing on Chobham Road with dropped kerbs and tactile paving

16. No development shall commence until a Construction Environmental Management Plan, which incorporates the relevant/amended parts of the submitted Construction Traffic Management Plan and the recommendations within Section 7 of Part 1 of the Ecological Impacts Assessment together with the issues set out below has been submitted to and approved in writing by the County Planning Authority.

- 1. Sensitive construction lighting design having regard to ecological interests and neighbouring properties
- 2. Implementation of a Natural England EPSML for works that may disturb bats roosting within Building 1
- 3. A precautionary working method for felling of trees in relation to bats
- 4. Closure of a fox den under a precautionary method of working; and
- 5. Checks prior to vegetation clearance for nesting birds (where works are to be undertaken in the breeding season) by an ecologist prior to vegetation clearance as appropriate
- 6. Storage of materials, machinery or work such that they do not encroach on to the root protected areas of retained trees
- 7. Photographic recording of root severance when agreed with the appointed arboriculturist
- 8. Level changes to be recorded with a photograph within RPAs.
- 9 The locations and the routes of any cabling or drainage works to be shown if within RPAs.
- 10 All tree works that are to be supervised shall be recorded and photographed
- 11 Root Barriers to be shown highlighted on the plan and a photographic record to be taken when inserted in situ to assist ongoing management

The construction of the development shall only take place in accordance with the approved details.

17. The landscaping indicated on approved drawing DD462L01 Rev B Soft Landscape Plan dated 14 January 2021 shall be completed within the first planting season following the occupation of the building hereby permitted and shall be maintained in accordance with a detailed scheme for maintenance to be submitted to and approved in writing by the County Planning Authority prior to the occupation of the building hereby permitted.
18. No part of the drainage system for the site shall be constructed until the following details have been submitted to and approved in writing by the County Planning Authority:
- 1. A drainage layout plan showing the existing drainage system
  - 2. A drainage layout plan showing the proposed system that includes pipe levels and diameters

3. Evidence as to why infiltration is to be used / not viable
4. Full calculations detailing the proposed discharge rate currently offsite for the 1 in 1, 1 in 30 and 1 in 100 + CC year storm events. Including any sensitivity checks.
5. Details of any onsite storage and reasons (to include calculations showing) the volumes chosen
6. Details of any flow restrictions into any watercourse
7. Evidence that Thames Water (if used) accept the flow into their sewers.

The drainage system for the development shall be constructed in accordance with the approved details.

19. Prior to the first occupation of the building hereby permitted, a verification report carried out by a qualified drainage engineer shall be submitted to and approved in writing by the County Planning Authority to demonstrate that the Drainage System has been constructed in accordance with the approved scheme.
20. The development hereby permitted shall be carried out in all respects in accordance with the Aboricultural Method Statement dated February 2021 submitted with the application.

**Reasons:**

1. To comply with Section 91 (1)(a) of the Town and Country Planning Act 1990 as amended by Section 51 (1) of the Planning and Compulsory Purchase Act 2004.
2. For the avoidance of doubt and in the interests of proper planning.
3. To ensure the development makes a positive contribution to the visual amenity of the area and the setting of the adjacent Conservation Area in accordance with Policies CS20, CS21 and CS24 of Woking Borough Council's Core Strategy 2012.
4. To ensure the development makes a positive contribution to the visual amenity of the area and the setting of the adjacent Conservation Area in accordance with Policies CS20, CS21 and CS24 of Woking Borough Council's Core Strategy 2012
5. To prevent overlooking of the rear garden area of the neighbouring dwelling Barbary in accordance with Policy CS21 of Woking Core Strategy 2012
6. To prevent overlooking of neighbouring dwellings in accordance with Policy CS21 of Woking Core Strategy 2012
7. In the interests of the residential amenity of neighbouring dwellings in accordance with Policy CS21 of Woking Core Strategy 2012
8. In the interests of the residential amenity of neighbouring dwellings in accordance with Policy CS21 of Woking Core Strategy 2012

9. In the interests of the residential amenity of neighbouring dwellings in accordance with Policy CS21 of Woking Core Strategy 2012
10. In order that the development does not prejudice pedestrian safety nor cause inconvenience to users of footpath 404 in accordance with Policy CS18 of Woking Core Strategy 2012.
11. In order that the development does not prejudice highway safety nor cause inconvenience to other highway users in accordance with Policy CS18 of Woking Core Strategy 2012.
12. In order that the development does not prejudice highway safety nor cause inconvenience to other highway users in accordance with Policy CS18 of Woking Core Strategy 2012.
13. To encourage more sustainable modes of transport in accordance with Policy CS21 of Woking Core Strategy 2012
14. To encourage more sustainable modes of transport in accordance with Policy CS21 of Woking Core Strategy 2012
15. To mitigate the impact of the development and in order that the development does not prejudice highway safety nor cause inconvenience to other highway users in accordance with Policy CS18 of Woking Core Strategy 2012.
16. In order that the development does not prejudice highway safety nor cause inconvenience to other highway users in accordance with Policy CS18 of Woking Core Strategy 2012 and in order that the construction of the site has regard to the ecological implications in accordance with Policies CS7 and CS21 of the Woking Core Strategy 2012. This condition is required to be discharged prior to the commencement of development as it relates to matters relevant at the construction phase of the development.
17. In the interests of the visual amenity of the area and neighbouring residents in accordance with Policy CS21 of Woking Core Strategy 2012
18. To ensure the Drainage System is constructed to the National Non-Statutory Technical Standards for SuDS in accordance with Policy CS 9 of the Woking Borough Council Core Strategy 2012
19. To ensure the Drainage System is constructed to the National Non-Statutory Technical Standards for SuDS in accordance with Policy CS 9 of the Woking Borough Council Core Strategy 2012
20. To ensure the protection of retained trees during construction in accordance with Policies CS21 and CS24 of the Woking Borough Core Strategy 2012

**Informatives:**

1. The permission hereby granted shall not be construed as authority to carry out any works (including Statutory connections/diversions required by the development itself or the associated highway works) on the highway or any works that may affect a drainage channel/culvert or water course. The applicant is advised that a permit and, potentially, a Section 278 agreement must be obtained from the Highway Authority

before any works are carried out on any footway, footpath, carriageway, verge, or other land forming part of the highway. All works (including Stats connections/diversions required by the development itself or the associated highway works) on the highway will require a permit and an application will need to be submitted to the County Council's Street Works Team up to 3 months in advance of the intended start date, depending on the scale of the works proposed and the classification of the road. Please see

<http://www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/the-traffic-management-permit-scheme>.

The applicant is also advised that Consent may be required under Section 23 of the Land Drainage Act 1991. Please see

[www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/floodingadvice](http://www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/floodingadvice).

2. The developer is advised that as part of the detailed design of the highway works required by the above conditions, the County Highway Authority may require necessary accommodation works to street lights, road signs, road markings, highway drainage, surface covers, street trees, highway verges, highway surfaces, surface edge restraints and any other street furniture/equipment.
3. 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).

### **Town and Country Planning Act 1990 – guidance on the determination of planning applications**

This guidance forms part of and should be read in conjunction with the Planning Considerations section in the following committee reports.

Surrey County Council as County Planning Authority (also known as Mineral or Waste Planning Authority in relation to matters relating to mineral or waste development) is required under Section 70(2) of the Town and Country Planning Act 1990 (as amended) (1990 Act) when determining planning applications to [National Planning Policy Framework](#) (NPPF) was updated in February 2019. This revised NPPF replaces the previous NPPF published in March 2012 and revised in July 2018. It continues to provide consolidated guidance for local planning authorities and decision takers in relation to decision-taking (determining planning applications) and in preparing plans (plan making).

The NPPF sets out the Government's planning policies for England and how these are expected to be applied and the associated March 2014 [Planning Practice Guidance waste; traveller sites; planning for schools development; sustainable drainage systems; parking and Starter Homes](#).

At the heart of the NPPF is a presumption in favour of sustainable development (paragraph 10). The NPPF makes clear that the planning system has three overarching objectives in order to achieve sustainable development, which are interdependent and need to be



pursued in mutually supportive ways in order to take opportunities to secure net gains across each of the different objectives. These objectives are economic, social, and environmental. The presumption in favour of sustainable development in the NPPF does not change the statutory principle that determination of planning applications must be made in accordance with the adopted development plan unless material considerations indicate otherwise. The NPPF is one of those material considerations. In determining planning applications, the NPPF (paragraph 11) states that development proposals that accord with the development plan should be approved without delay. Where there are no relevant development plan policies, or the policies which are most important in determining an application are out of date, permission should be granted unless the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF as a whole.

The NPPF aims to strengthen local decision making and reinforce the importance of up to date plans. Annex 1 paragraph 213 states that in determining planning applications, local planning authorities should give due weight to relevant policies in existing plans according to their degree of consistency with the NPPF (the closer the policies are to the policies in the Framework, the greater the weight they may be given).

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### **Human Rights Act 1998 Guidance for Interpretation**

The Human Rights Act 1998 does not incorporate the European Convention on Human Rights into English law. It does, however, impose an obligation on public authorities not to act incompatibly with those Convention rights specified in Schedule 1 of that Act. As such, those persons directly affected by the adverse effects of decisions of public authorities may be able to claim a breach of their human rights. Decision makers are required to weigh the adverse impact of the development against the benefits to the public at large.

The most commonly relied upon articles of the European Convention are Articles 6, 8 and Article 1 of Protocol 1. These are specified in Schedule 1 of the Act.

Article 6 provides the right to a fair and public hearing. Officers must be satisfied that the application has been subject to proper public consultation and that the public have had an opportunity to make representations in the normal way and that any representations received have been properly covered in the report.

Article 8 covers the right to respect for a private and family life. This has been interpreted as the right to live one's personal life without unjustified interference. Officers must judge whether the development proposed would constitute such an interference and thus engage Article 8.

Article 1 of Protocol 1 provides that a person is entitled to the peaceful enjoyment of his possessions and that no-one shall be deprived of his possessions except in the public interest. Possessions will include material possessions, such as property, and planning permissions and possibly other rights. Officers will wish to consider whether the impact of the proposed development will affect the peaceful enjoyment of such possessions. These are qualified rights, which means that interference with them may be justified if deemed necessary in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others.

Any interference with a Convention right must be proportionate to the intended objective. This means that such an interference should be carefully designed to meet the objective in question and not be arbitrary, unfair, or overly severe.

European case law suggests that interference with the human rights described above will only be considered to engage those Articles and thereby cause a breach of human rights where that interference is significant. Officers will therefore consider the impacts of all applications for planning permission and will express a view as to whether an Article of the Convention may be engaged.

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**Contact Dawn Horton-Baker**

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**Background papers**

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The deposited application documents and plans, including those amending or clarifying the proposal, and responses to consultations and representations received, as referred to in the report and included in the application file.

Other documents

The following were also referred to in the preparation of this report:

**Government Guidance**

[National Planning Policy Framework](#)

**The Development Plan**

Woking Core Strategy 2012

Woking Development Management Policies DPD 2016

**Other Documents**

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Woking Borough Council's Supplementary Planning Documents (SPDs)

*Parking Standards* (2018)

*Woking Design* (2015)

*Outlook, Amenity, Privacy and Daylight* (2008)

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